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**NOTICE OF MUNICIPAL PLANNING
TRIBUNAL MEETING
OF STELLENBOSCH MUNICIPALITY
FRIDAY, 2022-07-22 FROM 10:00-15:00**



**NOTICE OF MUNICIPAL PLANNING TRIBUNAL MEETING
OF STELLENBOSCH MUNICIPALITY**

FRIDAY, 2022-07-22 FROM 10:00-15:00

Ref. no. 3/4/5/2/40

2022-07-22

Chairperson

Dr DJ Du Plessis

Deputy-Chairperson

Ms C Havenga

External Members

Mr C Rabie

Dr R Pool-Stanvliet

Mrs H Crooijmans-Lemmer

Mr J Knight

Mr E Delport

Internal Members

Mr M Williams - Senior Legal Advisor

Mr A van der Merwe: Senior Manager - Community Services

Mr C Alexander: Senior Manager - Development Planning

Mrs M Francis: Senior Manager - Infrastructure Planning, Development and Implementation, Directorate Infrastructure Services

Technical Advisor

Mr K Munro - Director Environmental & Spatial Planning: Department of Environmental Affairs and Development Planning

*Notice is hereby given in terms of Section 75(1) of the Stellenbosch Municipality Land Use Planning By-Law (2015), of the Municipal Planning Tribunal Meeting which will be via **MS TEAMS (Virtual Meeting)** on **FRIDAY, 2022-07-22 from 10h00-15:00** to consider the items on the Agenda.*

Dr DJ Du Plessis

CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL



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MINUTES OF THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL MEETING
HELD ON FRIDAY, 24TH OF JUNE 2022 via MS TEAMS

Ref. no. 3/4/5/2/40

2022-06-24

Chairperson

Dr DJ Du Plessis

Deputy Chairperson

Ms C Havenga

External Members

Mr C Rabie

Dr R Pool-Stanvliet

Mrs H Crooijmans-Lemmer

Mr E Delport

Mr J Knight

Internal Members

Mr A van der Merwe: Senior Manager - Community Services

Mr M Williams: Senior Legal Advisor

Mr C Alexander: Senior Manager - Development Planning

Technical Advisor

Mr K Munro: Director - Development Management, Department Environmental Affairs and Development Planning

Officials

Mr S Carstens: Senior Manager- Development Management

Mr S Van der Merwe: Environmental Planner

Mr P April: Senior Town Planner

Mr R Fooy: Senior Town Planner

Ms L Guntz: Senior Town Planner

Ms B Zondo: Senior Town Planner

Mrs N Dafeti: Town Planner

Mr G Goosen: Town Planner

Mr C Otto: Planning Intern

Ms L Kamineth: Senior Administrative Officer

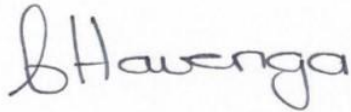
ITEM	SUBJECT
SMPT 01/06/22	OPENING AND WELCOME
	Chairperson Du Plessis welcomed all.
SMPT 02/06/22	LEAVE OF ABSENCE
	Mrs M Francis Mrs C Kriel Ms O Sims
SMPT 03/06/22	DISCLOSURE OF INTERESTS
	No interests were declared.
SMPT 04/06/22	MINUTES OF THE PREVIOUS MEETING DATED 20 MAY 2022
	The minutes of the previous meeting was noted.
	MATTERS FOR CONSIDERATION
SMPT 05/06/22	APPLICATION FOR REZONING, CONSENT USE, CONSOLIDATION AND CLOSURE OF A PUBLIC PLACE: ERF 21 AND 22, KYLEMORE(LU/13621).
	<p>Discussion:</p> <ul style="list-style-type: none"> a) Mr April gave a brief introduction to the Tribunal members in respect of the application. b) Members had questions about the location of the 1 in 100-year flood line and wanted to confirm that the cemetery complied with the relevant conditions, including environmental conditions. c) It was also pointed out that the cemetery should be at least 500 metres away from the nearest habitable buildings. d) Discussions followed in respect of the parking provisions for public transport at the site.

	<p>e) An in-depth discussion further followed regarding the soil condition formations as well as the Environmental Authorisation.</p> <p>f) The Environmental Authorisation was part of the records submitted to the Tribunal. It was, however, not the complete document and members enquired about the current validity of the document which was dated 22 June 2011.</p> <p>g) Mr Munro had concerns which he wanted to be noted. He alluded that not all documentation is available to the MPT members to be able to make an informed decision in respect of this application.</p> <p>h) Mr Munro further referred to the Constitutional Court Case of the Fuel Retailers Association of South Africa [CCT 67/06 [2007] ZACC 13], to emphasize the importance of why all documentation should serve before the Tribunal when considering an application.</p> <p>UNANIMOUSLY RESOLVED</p> <p>The application be referred back to the Administration and that the following outstanding information be provided to the MPT:</p> <ol style="list-style-type: none"> 1. The full Environmental Impact Assessment (EIA) including the missing pages of correspondence dated 22 June 2011. 2. The Administration to source relevant information regarding the impact of the proposed cemetery on underground water sources, the river and the suitability of the soil to accommodate a cemetery.
<p>SMPT 06/06/22</p>	<p>OTHER MATTERS</p> <p>Chairperson Du Plessis thanked all present for attending.</p> <p>The meeting adjourned.</p>



Dr D du Plessis

CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL



Mrs C Havenga

DEPUTY CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL



FARM 1653, PAARL DIVISION

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THE STELLENBOSCH MUNICIPALITY			
PLANNING REPORT: LAND USE AND LAND DEVELOPMENT APPLICATION: REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No. 1653, PAARL DIVISION			
Application Reference	File Ref: LU/9520	Application Date	2019/04/25
		Last day for comments or additional information	2022/06/06

PART A: APPLICANT DETAILS			
First name(s) & Surname	Dirko Loots		
Company name	WPP		
SACPLAN registration number	C/9207/2020		
Registered owner(s)	Stellenbosch Municipality	Is the applicant properly authorised to submit the application	Yes

PART B: PROPERTY DETAILS			
Property description	Farm No. 1653	Administrative District	Paarl Division
Physical address	Robertslei Road, La Motte (See Annexure A)		
Extent (m ² /ha)	17.3991 ha	Nearest Town	Franschhoek
Existing Development and Current land use	Fire Station		
Any unauthorised land use/building work	None		
Title Deed Nr.	T. 45558/2017 (See Annexure B)		
Current zoning and approved land use rights as per Zoning Scheme Bylaw 2019	Agriculture and Rural Zone.		

PART C: APPLICATION DETAILS	
Applications(s)	<p>1. Application is made in terms of Section 15(2)(f) of the Stellenbosch Municipality Land Use Planning By-Law, October 2015 for the removal of restrictive title deed conditions I. A(1)(a) and I. A(1)(b) as contained in the deed of transfer number T. 45558/2017 applicable to Farm No. 1653, Paarl Division, in order to accommodate the proposed 15m high freestanding telecommunication base station with associated equipment. The restrictive title deed conditions to be removed reads as follows: (See Annexure B)</p> <p><i>A(1)(a): "The land may only be used for township development of low-cost housing and related infrastructure".</i></p> <p><i>A(1)(b): "If the land is no longer used or required for the above said purposes, then the land will revert to the State at no charge, and in such event, the land will be retransferred to the state at the cost of the Municipality".</i></p> <p>2. Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-law, 2015 for a Consent Use in order to construct a 15m high freestanding telecommunication base station with associated equipment as shown on plan number ATSA1143, dated 8 March 2019 and drawn by D. Loots of WPP town & regional planning consultant on Farm 1653, Paarl Division.</p>
Purpose of Application	<p><u>Purpose of application</u></p> <p>The main purpose of the application is for the construction of the Telecommunication base station (See ANNEXURE C) that comprises the following:</p> <ul style="list-style-type: none"> A 15m high monopole mast 12 x antennae attached to the mast Microwave dishes attached to the mast 4 x equipment containers
Pre-consultation	No pre-application meeting was deemed necessary.

PART D: APPLICATION BACKGROUND

1. Background

The proposed application served at an MPT on the 18 March 2022 and it was resolved that the application be referred back to the administration to address the concerns of the MPT as highlighted in the subject planning report. The concerns can be highlighted as follows:

- a) Confirm whether Mr Smit had the delegation to sign the Power of Attorney.

- b) Indicate the positions of other existing towers in the vicinity.
- c) Provide proof with substantive data of the need for additional towers in the area.

In terms of Delegation 539, the issuing of Special Power of Attorneys to third parties to obtain rights in Council-owned property, i.e land use rights, building plans, EIA, Heritage, etc falls under the MGR-MPM (MGR means Relevant Manager and MPM means Manager: Property Management), a copy of the delegation is attached as **Annexure P**. In light of the above the power of attorneys signed by Mr Smit in terms of the 2015 System of Delegations is valid and enforceable. The new Systems of Delegations was adopted on 25 September 2019 by Council, thus any power of attorneys signed by Mr Smith before this date will be valid.

Applicant submitted a plan indicating existing telecommunications stations within a radius of 2km and has indicated one mast within this radius (see **Annexure Q**).

2. Location of the property

The subject property is located along Robertsvlei Road and easy access to the property can be gained via an unnamed gravel road that links with Robertsvlei Road. The existing access to the property will be used to access the proposed base station.

3. Development context of surrounding area

The proposed 15m high telecommunication base station is to be located on the Remainder of Farm No. 1 653, Paarl Rd. The surrounding area is characterised by agricultural activities and residential properties (La Motte), all of which are very depended on efficient and reliable internet and communication connectivity. The R45 is located to the north of the subject property and serves as the main distributor in the area. La Motte and Wemmershoek are located to the west, and Le Roux and Franschoek to the east of the subject property.

4. Historic use and development of subject property

The application property is split into two by Bergendal Street and a portion of the western section of the property is developed with a fire station. The remainder of the property is vacant and covered with grass and shrubs.

PART E: APPLICATION OVERVIEW AND MOTIVATION

- Due to factors including densification, urbanisation and influx of seasonal guests especially over festive seasons and holidays, in a tourist attractive place like Stellenbosch, dropped calls and poor network coverage are experienced. This application is motivated by several

customer complaints (from residents, businesses and commuters) received by service providers in and around the area of La Motte.

- The increase in coverage brought by the proposed freestanding telecommunication base station will aid the local businesses and can unlock the much-needed growth potential which will have a positive economic impact.
- Residents, businesses and commuters will have a more secure connection to emergency services and armed response which will have a huge social impact.
- The owner of the equipment is willing to co-locate.
- The proposed base station will not interfere with the current use of the property and there are no negative impacts on the surrounding land uses and environment. No trees need to be removed to build the base station and no buildings with heritage value will be affected.
- The fact that there are only a few telecommunication base stations in the surrounding area supports the statement that there is a clear need for coverage in the area.
- Other determining factors such as altitude, zoning and the visual impact of the proposed base station were taken into consideration when deciding the suitable property for the proposed mast.
- Alternative sites were considered during the initial stages of the proposal but this option is deemed the most acceptable option in terms of visual impact and based on the requirements of the network providers, contractors and land owner.
- The mast has been proposed at a minimal height of 15m in order to reduce the visual impact of the mast.
- The mast is furthermore proposed as a monopole type structure in order to make the structure look less bulky. A tree mast can also work at this location, but would be more visible from the main road (R45).
- The mast, equipment and fence can be painted suitable colours in order to further reduce the visual impact, should it be required.

Additional Motivation to address concerns

Please refer to Figure 1 indicating the positions of the existing base stations in the area. The two existing base stations that are indicated on the map are approximately 1.8km to the south and 2.2km to the east. This is too far away in order to provide effective coverage to the surrounding area that will be serviced by the proposed mast. Newer technologies such as 4G and 5G have much smaller optimal coverage radiuses (500m and smaller) and therefore requires additional masts to distribute these services effectively.

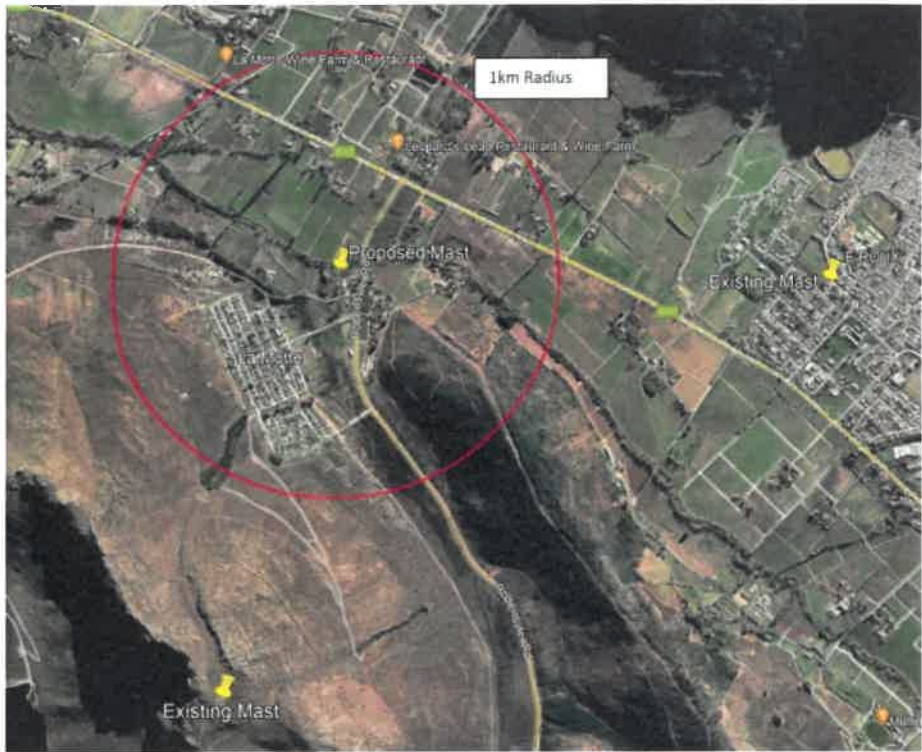



Figure 1 - Existing base stations

Figure 2 is an extract of an email sent by Vodacom to our client and indicates a list of sites that Vodacom wants to include in their budget for their 2022 rollout. The site name for Farm 1653 Paarl is La_Motte_Atlas on the list provided and confirms Vodacom's interest in the site.


 Isaac, Kavi, Vodacom <Kavi.Isaac@vodacom.co.za>
 Tc: Lieve Boonstra; Wian von Solms

Hi Guys

Hope you well

Please could I urgently receive latest drawings for below sites for budget review

-34.013676	18.65192	WES	Isikhokelo_Prim_Schl_Atlas	155280	Whale	Atlas
-33.988182	18.579233	WES	Fairvest_Nyanga_Atlas	144381	Whale	Atlas
-33.7282	19.00249	WES	Evangelical_Lutheran_Church_Paarl_Atlas	155244	Winelands	Atlas
-33.98534	18.687506	WES	Sunset_Glen_Atlas	155292	Whale	Atlas
-34.13553	18.861584	WES	Kinders_vir_die_koning_Atlas	155208	Whale	Atlas
-33.851971	18.733314	WES	Voortrekker_Rd_Shopping	0161579	Winelands	Atlas
-33.3557133	19.33921646	WES	Nduli_Ceres	0151642	Winelands	Atlas
-33.2078	22.0204	WES	Prince_Albert_North	0161589	Winelands	Atlas
-33.89122	19.077705	WES	La_Motte_Atlas	0155303	Winelands	Atlas
-31.9054	21.51202	WES	Fraserburg_Atlas	0153603	Winelands	Atlas
-34.007145	18.581033	WES	intsebenziswano_Secondary	0161588	Whale	Atlas

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www.vodacom.co.za

Figure 2 - Email extract from Vodacom

PART F: PUBLIC PARTICIPATION, COMMENTS AND RESPONSE

The application has, in terms of Chapter IV of the Stellenbosch Municipality Land Use Planning By-Law, October 2015 been advertised in press, registered notices were served on interested and affected parties, Ward Councillor and a notice was placed on site. Two objections were received from Franschhoek Heritage & Ratepayers Association and from Barry Phillips (See **Annexure E**). Six (6) unclaimed letters returned and were for the following property owners (See **Annexure F**):

- Mej M Buizedenhout (Akkerhoutlaan)
- Me. G Breda (Akkerhoutlaan)
- Mev EJ Jephthas (Akkerhoutlaan)
- La Croix Du Sud Holdings Ltd
- Me K van Wyk (Akkerhoutlaan)
- E Afrikaner (Akkerhoutlaan)

Portfolio of Evidence and affidavit from the applicant is attached as **Annexure G**. The application was also circulated to applicable internal departments, no objection was received.

1. Process followed

Methods of advertising				Date published	Closing date for Objections/comments
Press (Paarl Post)	Y	N	N/A	n/a	n/a
Notices	Y	N	N/A	12 December 2019	15 January 2020
Ward councillor	Y	N	N/A	12 December 2019	15 January 2020
On-site display	Y	N	N/A	12 December 2019	15 January 2020
Community organisation(s)	Y	N	N/A	12 December 2019	15 January 2020
State departments	Y	N	N/A	12 December 2019	12 February 2020

2. Public & stakeholder inputs

2.1 Barry Phillips

- a) La Motte as an area where poor network coverage, dropped calls are experienced. This statement has not been supported by any evidence by the applicant.
- b) Paragraph 4.8.1 of the applicant refers to section 5.15 of the Stellenbosch Municipality's IDP. This deals with the municipality's ICT systems and has nothing to do with this application or La Motte. It is not at all clear why this reference is made.

- c) The applicant motivates that the application is required following several complaints from residents, businesses and commuters) received by service providers in and around La Motte - this is a speculative proposal.
- d) There are very few businesses in La Motte. The Zoning Map for La Motte shows that there are only three properties that are zoned Local Business. It is not apparent to what extent mobile communication is important for any of them.
- e) If any commuters were experiencing problems while en-route to or from La Motte, they would quickly be out of the 500m maximum coverage range of the new LTE base station so it would be of absolutely no benefit to them.
- f) The applicant makes assertive statements with no supportive evidence.
- g) The Stellenbosch Municipality SDF, 2019 earmarks La Motte as "a place of living for workers mostly engaged in agricultural work on surrounding farms without a significant commercial component supported by passing trade."
- h) The alleged basis for the motivation for this application lacks all credibility and must, therefore, be disregarded.
- i) Farm No.1653 is 17.3991ha as it is more than 5000m² and the proposed FBTS will change the character and result in a change to the nature, appearance or physical nature of land, the proposed development constitutes development as defined in Section 1 of the NHRA and therefore a notice must be given to the Heritage Western Cape.
- j) The proposed location of the Freestanding base Telecommunications Station is just over 500m from the R45 which is designated as a Scenic Route Overlay Zone in the IZS.
- k) The principal purpose of Scenic Route Overlay Zone as set out in s254 (1) of the IZS is to "protect, conserve and enhance the visual environment and scenic resources adjacent to important tourist and transport routes which provide the unique sense of place for residents and visitors.
- l) In terms of s260(3) of the IZS, "Where an application is made for new or additional development rights or departures from this scheme. The Municipality shall only grant its approval if it is satisfied that the proposal will not have a negative visual impact".
- m) In such a sensitive location it is really insufficient for the applicant to simply claim (as it does in paragraph 5.2.4 of the Motivation) that the "mast will not have a significant visual impact on the R45".
- n) The sections of both the R45 opposite the proposed location of the mast and the Roberstville Road that appears to be within 200m of it are CMP Scenic Routes and therefore, classified as a Grade II Heritage Resource.

- o) Farm No.1653 is in a Landscape Unit that is a Grade IIIa Heritage Resource, the Roberstsvlei Road is a Grade IIIb Scenic Route and the nearby section of the R45 is a Grade II Scenic Route.

2.2 Franschhoek Heritage Ratepayers Association

- a) FHRA objects to consenting the proposed removal of restrictive title deed conditions and consent use.
- b) Numerous similar applications have been received recently for the Franschhoek area, we have added comment from our legal consultant which best sets out our concerns. This is reflected in the attachment from Mr. Barry Phillips.
- c) Too many unsightly telecommunication towers are being considered without due consideration being given to the adverse effect on the Heritage value of the area.
- d) no consideration given to consolidating service provider sites, resulting in similar unsightly towers now being erected in close proximity to each other.

3. Government related inputs received

- a) **Department of Environmental Affairs and Development Planning** (Environment)- Environmental Authorisation is not required as the proposal does not constitute any listed activities. (see **Annexure H** for letter dated 8 February 2022 & 6 June 2022).
- b) **Heritage Western Cape:** there is no reason to believe that the proposed telecommunication mast on Farm No. 1653, Robertsvei Road, will impact on heritage resources, no action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required. (see **Annexure I** for letter dated 7 October 2020).

4. Comments from internal service departments

- a) The **Manager: Spatial Planning** supports the proposal (see **Annexure J** for memo dated 20 February 2020).
- b) The **Director: Engineering Services** has no objection to the proposal (see **Annexure K** for memo dated 7 January 2020).
- c) The **Manager: Fire Services** supported the proposal (see **Annexure L** for comment dated 27 November 2019).

- d) The **Health Officer/Inspector (Cape Winelands District Municipality)** supports the proposal (See **Annexure M** for comment dated 13 January 2020).

5. Response by Applicant to comments received (Annexure N)

Following the objection received during the public participation process, the applicant submitted comments on the objection and the comments can be summarised as follows:

- a) The location of the base station has taken the town of La Motte into consideration and is proposed approximately 300m east of La Motte. This will ensure that La Motte will receive good LTE coverage and that the R45 will also be covered at the same time. The location is therefore ideal and will serve the optimal purpose.
- b) Heritage Western Cape has confirmed, in their letter dated 7 October 2020, that no heritage resources will be affected.
- c) The proposed cell mast is just over 500m from the R45, which is a scenic route. Considering that the height of the mast is a mere 15m in relation to the 500m range (3% in height of the total range) and the fact that there are numerous trees in the nearby vicinity, will ensure that the mast will be hardly visible from the R45.
- d) The design of the mast can be revised to a camouflaged tree in order to blend in with the trees in the nearby vicinity, which will reduce the visual impact even more.
- e) The proposal is in line with the objectives of the Stellenbosch Telecommunications Mast Infrastructure Policy.

PART G: ASSESSMENT OF LAND USE AND LAND DEVELOPMENT APPLICATION

1. Legislative and Policy Context of land use and land development application

When the decision maker considers a land use and land development application, it must have regard to the general criteria for consideration in terms of Section 65(1) of said Bylaw, as it would relate to the subject land use and land development application.

It is noted that the subject land use and land development application was submitted and processed in accordance with and in compliance with the prescripts of the said Bylaw.

The legislative/ principles/ policies/ guidelines/ plans which are considered as relevant to the subject land use and land development application are as follows:

- a. Stellenbosch Municipality Spatial Development Framework, November 2019

- b. Stellenbosch Telecommunications Mast Policy, 2019
- c. Stellenbosch Municipality Land Use Planning Bylaw, October 2015

2. Assessment of grounds of the land use and land development application

The application at hand is for the removal of restrictive title deed condition that restrict any other land use other than a low-cost housing and related infrastructure. The said title deed condition makes provision for the use of the property for any infrastructure that is related to low cost housing. It is therefore this Department's view that the telecommunication base mast is related to any township establishment and therefore, the removal of the title deed condition is not required at this stage as the proposed use is not in conflict with the said conditions.

The applicant further applied for a consent use for the construction of a 15m high freestanding telecommunication base station and associated equipment on Farm No. 1653, Paarl Division. The zoning of this property is Agricultural Zone I and is however, not actively farmed, there are no agricultural related activities on the property. It must be noted that the current application was submitted prior the Stellenbosch Zoning Scheme By-Law, 2019 being in place. Section 8 Zoning is therefore applicable for the assessment of this application. Cellular masts within the said zoning scheme have been included on all agricultural zoned properties as Consent Uses by notice number 362/2009, dated 9 October 2009.

The applicant has indicated existing cellular masts in the area and there is only one that has been indicated approximately 1,875km away from the proposed cellular mast. This Department is not aware of any legislation that regulates the radius on which cellular masts must be constructed. The effective radius around these towers differs depending on a number of factors such as the density of the population (urban areas = radius smaller / rural areas = radius bigger) and the height of a tower. The applicant has indicated that a feasibility study was conducted to determine the most appropriate location for the telecommunication mast in order to address the current and future demand to improve network coverage around the subject area. The applicant in their motivation, has provided a visual impact of the proposed telecommunication base mast as viewed from the Robertsvlei Road. The photos provided by the applicant on their motivation report indicate minimal impact of the proposed cellular mast on its surrounding as it is placed in-between established trees. As can be viewed from the picture below, the colour of the proposed cellular mast is eye-catching,

this can be set as a condition of approval that a suitable colour that blends with the surrounding environment must be used to paint the mast.



The Stellenbosch Municipality Telecommunication mast policy recommends that the freestanding based masts be placed where they are most compatible with the surrounding locality and where they have impact as little as possible on visual corridors or scenic routes. The mast and associated infrastructure has been placed on the subject property to ensure minimal visual impact on the surrounding environment and will be partially screened off in light of the proximity of the surrounding trees.

The proposed mast is in line with the objective number 10.3 of the said policy which states that antennas should be located and positioned so that no habitable structures are within a zone of 50m directly in front of the antennas at the same height as all the structures in the area consist of a single storey building.

2.1 Land use principles

The proposed development is not in conflict with the Stellenbosch Municipality Spatial Development Framework which was used as guideline in assessing the application. The proposal will not lead to a loss of any viable agricultural land which is to be protected as promoted by the Stellenbosch MSDF.

2.2 Applicable spatial development frameworks, guidelines, policies

a) Stellenbosch Municipality Telecommunication Mast Infrastructure Policy

The application conforms to the objectives of the Telecommunication Mast Infrastructure Policy.

2.3 Service infrastructure capacity and sustainability

Base station will be connected to the existing power supply on the property.

No Municipal services are affected.

2.4 Any investigations carried out in terms of other laws that are relevant (e.g. EIA, TIA, HIA etc.)

Department of Environmental Affairs & Development Planning and Heritage Western have confirmed that the application does not require any Environmental Authorisation or any further action under Section 38 of the NHRA, 1999.

2.5 Applicable provisions of the zoning scheme

The zoning of the subject property is Agricultural Zone I and Freestanding Base Telecommunications masts within this zoning have been included on all agricultural zoned properties as Consent Uses by notice number 362/2009, dated 9 October 2009.

2.6 General desirability

The proposed mast is 15m in height and is located on a property that has established trees and shrubs. Although the zoning of the property is Agricultural Zone I, there are no agricultural activities taking place on the property therefore the proposal will not have any impact on the existing agricultural viability of the property.

2.7 Assessment of comments on application

As mentioned above, two objections were received from the interested and affected parties, their main concerns were the number of cellular masts in the area, the scenic route being affected and the fact that the subject property is located in a Grade II heritage area. An existing telecommunication base mast within a radius of 2km of the proposed cellular mast.

The applicant has obtained consent to develop from the Heritage Western Cape who confirmed that there are no heritage resources will be impacted upon by the proposed telecommunications base mast. In terms of Section 3.3.1 of the Stellenbosch Heritage

Inventory a buffer zone of 500m is recommended on any development occurring within the scenic route. The R45 to Franschhoek has been identified as a scenic route in terms of the Municipality Zoning Scheme By-Law, 2019 however it must be noted that the subject property is located approximately 1km away from the R45 and does not fall within the overlay zone as determined in the said By-Law.

A site inspection conducted revealed that there are a number of trees that will act as a barrier to partially screen the proposed mast from both Robertsvlei Road and the R45. The proposed mast will be 15m high, the height of this mast versus the height of the existing trees implies that the mast will be higher than that of the existing trees, with mitigating measures such as suitable colour that blends with the surrounding environment, the mast should not have an impact. Site inspection photos are attached as **Annexure O**.

3. Additional planning evaluation for removal of restrictions

The title deed contains title deed restrictions which restricts the property to be utilised for low cost housing and associated infrastructure.

Studies were completed in 2017 to support the development of affordable housing on portions of the state land adjacent and proximate to La Motte (MSDF p78). In terms of the Stellenbosch Municipality Spatial Development Framework, the subject property is located inside the urban edge where township developments can occur.

The proposed telecommunications base mast is regarded as infrastructure associated with any residential development and therefore removal of the said title deed condition is not required.

PART H: SUMMARY OF KEY FINDINGS OF ASSESSMENT

After having independently considered and weighted all the relevant information the evaluation of the subject land use and land development application concludes that:

- The mast will have a limited visual impact on the scenic route and its surroundings as it is screened by the existing established trees along the R45 and on the subject property;
- The proposed use is in line with the applicable Stellenbosch Telecommunication mast policy;

- The proposed development will not have an impact on the agricultural viability of the property as the subject property is not actively farmed.

The subject land use and land development application is, having regard to the conclusions above, viewed as in Compliance to the relevant Stellenbosch Telecommunications policy and consequently grounds for the support of the subject land use and land development application.

PART I: RECOMMENDATION

1. That the application in terms of Section 15(2)(f) for the **removal of the restrictive title deed conditions** of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015 on Farm No. 1653, Paarl Division.

BE REFUSED in terms of Section 60 of the said Bylaw for the following reasons:

2. The **reasons** for the above decision are as follows:
 - 2.1 The title deed of the subject property makes provisions for the proposed development as telecommunication base stations are regarded as infrastructure related to township development.
3. That the application for a **Consent Use** in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, on Farm No. 1653, Paarl Division to allow for a 15m high freestanding base telecommunication station with associated equipment

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

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 Consent Use under consideration, as indicated on Drawing ATSA1134 (Sheet 2 – 6), dated 8 March 2019 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 development be implemented substantially in accordance with the Site Development Plan (**Annexure C**) Drawing ATSA1134 (Sheet 2 – 6), dated 8 March 2019 and drawn by D. Loots of WPP town & regional planning consultants, allowing:
- a) 1 x 15m high monopole mast;
 - b) 12 x antennae attached to the mast;
 - c) microwave dishes attached to the mast; and
 - d) 4 x equipment containers.
- 4.3 Building plans be generally in accordance with the Drawing ATSA1134 (Sheet 2 - 6), dated 8 March 2019 and attached as Annexure C.
- 4.4 Natural areas disturbed during construction must be rehabilitated with indigenous water-wise plants to the satisfaction of the Municipality.
- 4.5 Access to the telecommunication infrastructure and associated equipment be strictly controlled at all times by means of a fence or wall with a locked door or gate to the satisfaction of the Municipality.
- 4.6 No unauthorized person be able to come within 5m in front of the panel antennae.
- 4.7 Adequate warning signs in the three official languages be displayed on the access door or gate, defining it as a no-go zone.
- 4.8 The land owner / operator shall grant the Municipality access at all reasonable times to the installation, for the purpose of monitoring inspection and compliance certification.
- 4.9 The finishing and colour of the panel antennae be kept in keeping with the building to which it is attached and the surrounding environment.
- 4.10 The consent use be restricted to the fenced compound of the mast and equipment room as depicted on the approved site development plan attached as Annexure C.
- 4.11 The mast, equipment room or any boundary enclosure not be utilised for outdoor advertising purposes.
- 4.12 The service provider be willing to co-host with other service providers.
- 4.13 The applicant / operator is responsible for ongoing maintenance of the entire installation as well as all costs with respect to such maintenance or future decommissioning of the telecommunication infrastructure.
- 4.14 If the site is decommissioned the applicant / operator to remove all site infrastructure and the site to be rehabilitated to its former state or to a condition that is in line with the land use and character of the area at the time of decommissioning to the satisfaction of the Municipality.

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

- 5.1. The telecommunication base mast will greatly benefit the users of cellular phones as well as the internet as it will continue increased effectiveness and efficiency of the network in the area.
- 5.2. The proposed use is in line with the objectives of the Stellenbosch Municipality Telecommunication mast policy.
- 5.3. Existing established trees on the property mitigate visual appearance of the mast on the property.

6. **Matters to be noted:**

- 6.1. 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.
- 6.2. Building plans must be submitted and approved by the Municipality prior to the commencing of any building works, including the preparation of land, which will only be approved when all relevant (or qualified) conditions of approval have been complied with.

PART J: ANNEXURES

ANNEXURE A:	Locality Plan
ANNEXURE B:	Title Deed
ANNEXURE C:	Site Development Plan
ANNEXURE D:	Applicant's Motivation
ANNEXURE E:	Objections received
ANNEXURE F:	Unclaimed letters
ANNEXURE G:	Portfolio of Evidence
ANNEXURE H:	Comments from the DEADP
ANNEXURE I:	Comments from the HWC
ANNEXURE J:	Comments from Spatial Planning
ANNEXURE K:	Comments from Engineering Services
ANNEXURE L:	Comments from Fire
ANNEXURE M:	Comments from Cape Winelands Health
ANNEXURE N:	Applicant's comment on objections
ANNEXURE O:	Site inspection photos
ANNEXURE P:	Copy of delegations
ANNEXURE Q:	Plan indicating existing cellular masts

PART K: COMPILATION OF PLANNING APPLICATION ASSESSMENT REPORT**REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No. 1653,
PAARL DIVISION****Author of Planning Assessment Report:**

Recommended Categorisation of the Application for Authorised Decision Maker: Category
F.4 & O.4

Name: *NOPHUY DAFOTI*

Capacity: *TOWN PLANNER*

SACPLAN Registration:

Signature: 

Date: *27/6/2022*

PART L: REVIEW OF PLANNING APPLICATION ASSESSMENT REPORT**REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No. 1653,
PAARL DIVISION****Review of Planning Assessment Report:**

Name:

Capacity:

SACPLAN Registration:

Signature:

Date:

PART M: SUBMISSION OF PLANNING APPLICATION ASSESSMENT REPORT**REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No. 1653,
PAARL DIVISION****Authorised Employee to assess and make a recommendation on a land use and land development application for consideration by the authorised decision maker:**

As the duly authorised official in terms of Section 56 of the Stellenbosch Municipal Land Use Planning Bylaw (2015) to assess and make a recommendation on the above planning application, the subject planning report is hereby submitted for consideration to the duly authorised decision maker in accordance with the Categorisation Model for Land Use and Land Development Applications as approved by the Stellenbosch Municipality in accordance with Section 69(1) of the said Bylaw.

In terms of the Categorisation Model duly approved in terms of Section 69(1) of the said Bylaw vide Item 7.7.1 and dated 8 April 2020, the subject application is categorised as follows:

Category: F.4 & O.4

Decision Making Authority: SMPT

Rational: Land Use application on Council Land

Name: *Steven Carstens*

Capacity: *SMOM*

SACPLAN Registration: *A/1551*

Signature: 

Date: *6/7/2022*

PART N: ADMINISTRATION OF PLANNING APPLICATION ASSESSMENT REPORT**REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No. 1653,
PAARL DIVISION****Administrator to Stellenbosch Municipal Planning Tribunal:**

It is hereby confirmed that proper notice was served of the Municipal Planning Tribunal meeting at which this land use and land development application will serve for consideration.

The land use and land development application will serve at the scheduled meeting of the Stellenbosch Municipal Planning Tribunal on:

Date: 22 July 2022

Name: LENACIA KAMINETH

Capacity: SENIOR ADMINISTRATIVE OFFICER

Signature: Kamineth

Date: 07.07.2022



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ANNEXURE A

**(REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM 1653
No. PAARL DIVISION)**

LOCALITY PLAN

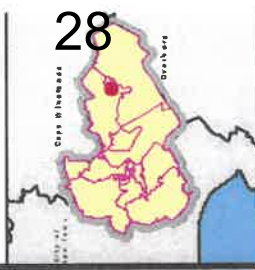
Stellenbosch GIS Map

SCALE

1:4 513,99

Legend

28



Stellenbosch Municipality
 Planning & Economic Development
 Created by: Corporate GIS

Date: 2022/02/21



Author: Stellenbosch Municipality



Stellenbosch Municipality
 Street Address:
 71 Plein Street, Stellenbosch, 7600
 Tel: 021 808 8658

This map is a representation of the information contained by the data sources mentioned above. It is not intended to be used as a legal document. The user of this map is responsible for any errors or omissions in the data. The user of this map is also responsible for any errors or omissions in the data. The user of this map is also responsible for any errors or omissions in the data.



Sources: Esri, HERE, Garmin, Intermap, increment p Corp., GEBCO, USGS, FAO, NPS, NRCAN, GEBCO, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, OpenStreetMap contributors, and the GIS User Community, Stellenbosch Municipality



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ANNEXURE B

**(REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No.
1653, PAARL DIVISION)**

COPY OF TITLE DEED

136

VGV INC
Ground Floor Tijger Park 2
Willie van Schoor Drive
Bellville
7530

Prepared by me

ma

CONVEYANCER
MONIQUE ANASTASSIADES

Fée endorsement		Office fee
	Amount	
Purchase price/Value	R. 6 030 000.00	R. 2 100.00
Mortgage capital Amount	R.	R.
Reason for exemption	Exempt i.t.o.	
	Cat.	section. Act.

DATA / VERIFY

18 AUG 2017

OLIVIER YOLANDI

T 000045558 / 2017

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

MARTHA ANNA RUSTER

DATA / CAPTURE

14 AUG 2017

MUYATYAMBA NOLUPO

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney granted to him by

THE CAPE WINELANDS DISTRICT MUNICIPALITY

which said Power of Attorney was signed at STELLENBOSCH on 14 JUNE 2017.

T.f

And the said appearer declared that his principal had, on **8 November 2016** truly and legally donated by Deed of Donation, and that he, the said Appearer, in his capacity aforesaid, did, by these presents, cede and transfer to and on behalf of:

STELLENBOSCH MUNICIPALITY

its Successors in Title or Assigns, in full and free property

REMAINDER OF FARM NUMBER 1653 PAARL

IN THE STELLENBOSCH MUNICIPALITY

DIVISION PAARL, PROVINCE WESTERN CAPE

**IN EXTENT: 17,3991 (SEVENTEEN COMMA THREE NINE NINE ONE)
HECTARES**

FIRST TRANSFERRED and still held by Deed of Transfer Number T66593/2006 with diagram S.G. Number 5913/2001 annexed thereto.

I WITH REGARD TO the figure C q G H J r on diagram S.G. Number 5913/2001:

A. SUBJECT to the following conditions mentioned in Deed of Transfer Number T46385/2004 imposed by the **NATIONAL GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA** being:

1. (a) The land may only be used for township development of low cost housing and related infrastructure.
- (b) If the land are no longer used or required for the above said purposes, then the land will revert to the State at no charge, and in such event, the land will be retransferred to the State at the cost of the Municipality.
- 2 As far as the identified vacant state land hereby transferred, is concerned the Municipality must grant the State a right of first refusal in respect of the land, free of charge –
 - (a) whenever the Municipality decides to dispose of any superfluous land (other than land earmarked for low-cost housing purposes) or

WA

(b) whenever the State in its National Department of Public Works identified land owned by the Municipality that the Department requires for the domestic purposes of the National Government, and such land is found to be superfluous to the domestic needs of the Municipality up to an amount equal to the current open market value of the state land (hereby transferred) duly escalated to its equivalent future value, as at the date of any such acquisition by the State.

II WITH REGARD TO the figure A B C r s P on diagram S.G. Number 5913/2001:

A. SUBJECT to the following conditions mentioned in Deed of Transfer Number T46385/2004 imposed by the NATIONAL GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA being, which conditions are more fully set out in paragraph I A above.

III WITH REGARD TO the figure N s K M on diagram S.G. Number 5913/2001:

A. SUBJECT to the following conditions mentioned in Deed of Transfer Number T46385/2004 imposed by the NATIONAL GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA being, which conditions are more fully set out in paragraph I A above.

B. SUBJECT to the conditions referred to in Deed of Transfer Number T5519/1918.

IV WITH REGARD TO the figure e middle of French Hoek River f G q D on diagram S.G. Number 5913/2001:

A. SUBJECT to the following conditions mentioned in Deed of Transfer Number T46385/2004 imposed by the NATIONAL GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA being, which conditions are more fully set out in paragraph I A above.

B. SUBJECT to the conditions referred to in Deed of Transfer Number T2016/1917.



Warren Petterson Planning
P.O. Box 152
Century City
7446

T: (021) 552 5255
F: 086 537 9187
C: 083 255 8349
E: dloots@wpplanning.co.za

The Municipal Manager
Stellenbosch Municipality
Town planning Department
Plein Street
Stellenbosch
7600

Conveyancer's Certificate

I/we, _____

ELSIE SOPHIA SWANEPOEL

(Conveyancer's Name)

Hereby wish to certify that a search was conducted in the Deeds Registry, Cape Town, regarding the following property(ies) (Including both current and earlier title deeds/pivot deeds/ deeds of transfer):

Remainder of Farm Number 1653 Paarl, In the Stellenbosch Munisipality, Division Paarl, Province of the Western Cape, in extent 17.3991 hectares, held by the Deed of Transfer No. T45558/2017.

In respect of which it was found that there are restrictive conditions registered against such property(ies) prohibiting it from being utilised/ developed for the following purposes:

Telecommunication Base Station

There are Title Deed restrictions in the Title Deed **T45558/2017** relating to the **Use of Land**.

The list of restrictive Title Deed Conditions that had been considered:

- Use of Land
- Building Lines
- Height
- Number of buildings
- Bulk floor area
- Coverage/built upon area
- Subdivision
- Servitudes that may be registered over or in favour of the property
- Other restrictive conditions

Singed at Durbanville on this 16th day of April 2019

(Signature)

Postal address P.O. Box 1893
Durbanville, 7551

Tel: 021 976 8381

Email: _____



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ANNEXURE C

**(REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No.
1653, PAARL DIVISION)**

SITE LAYOUT PLAN



ATLAS TOWER SITE ID:
ATSA1134

ATLAS TOWER SITE NAME:
LA MOTTE

PROPERTY DESCRIPTION:
REMAINDER OF FARM 1653, STELLENBOSCH RD

ADDRESS:
ROBERTSVEI ROAD, LA MOTTE,
WESTERN CAPE

CO-ORDINATES:
Lat: -33.891351°
Long: 19.077612°

ELEVATION:
211m



Tel: (021) 552 3255
Fax: (021) 531 9167
Unit 14, 2nd Floor,
Merrivale Building,
Century City, Cape Town
P.O. Box 192,
Merrivale,
Century City,
7448

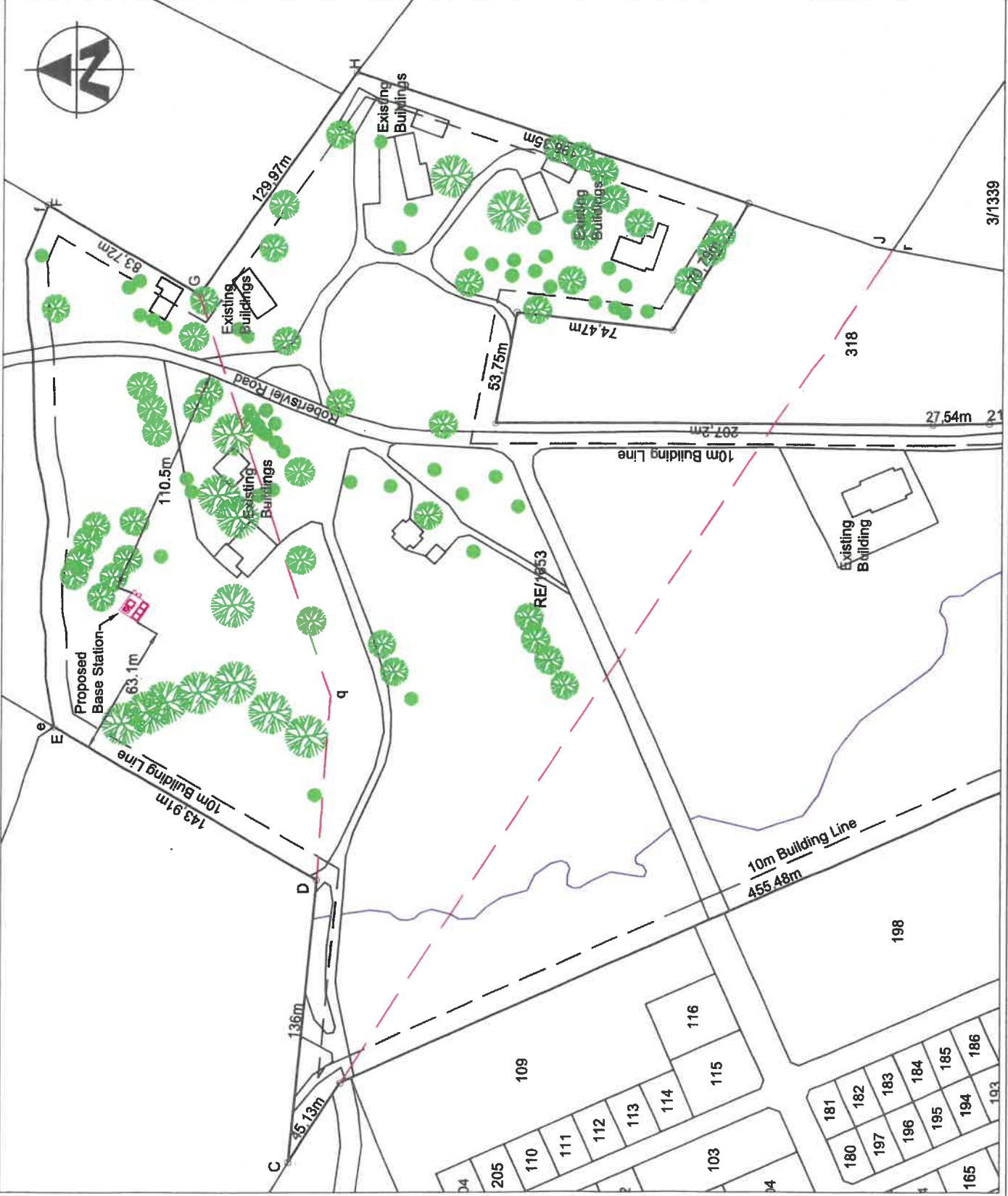
PROJECT:
PROPOSED NEW ATLAS TOWER 15m MONOPOLE
MAST WITH 10m X 10m BASE STATION
APPROVED MAST:
15m MONOPOLE MAST

NOTES:
A) NEW 15m MONOPOLE MAST
B) 10m x 10m BASE STATION
C) 2.4m PALISADE FENCE
D) BASE STATION: CHIP STONE SURFACE

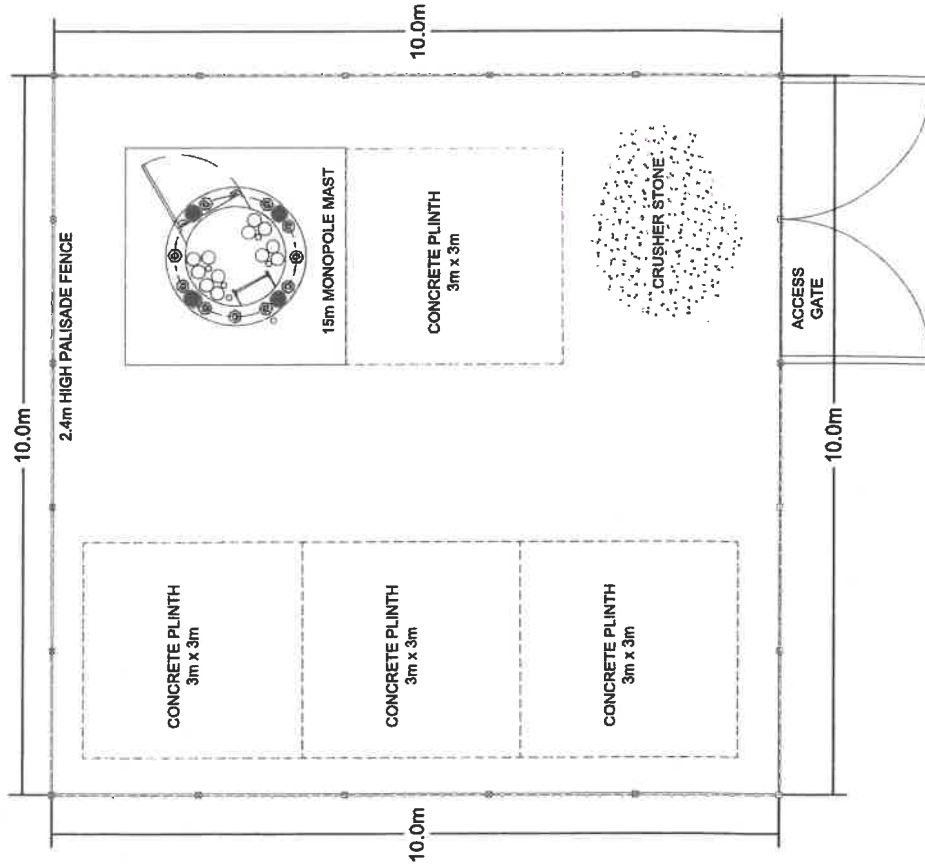
DATE	DESCRIPTION	REVISION
08-03-2019	1st Issue	0

DRAWING NUMBER: ATSA1134	SHEET: 2 OF 6
DRAWING TITLE: SITE PLAN	
DRAWN: D. LOOTS	SCALE: 1:2500
DATE: 2019-03-08	REVISION: 0

Site Plan



View



ATLAS TOWER SITE ID:
ATSA1134

ATLAS TOWER SITE NAME:
LA MOTTE

PROPERTY DESCRIPTION:
REMAINDER OF FARM 1653, STELLENBOSCH RD

ADDRESS:
ROBERTSVLEI ROAD, LA MOTTE,
WESTERN CAPE

CO-ORDINATES:
Lat: -33.891151°
Long: 19.077612°

ELEVATION:
211m



Tel: (021) 552 5255
Fax: 086 637 9187
Unit H, 3rd Floor
Mantis Building, Bridgeway,
Century City, Cape Town
7446

PROJECT:
PROPOSED NEW ATLAS TOWER 15m MONOPOLE
MAST WITH 10m X 10m BASE STATION

APPROVED MAST:
15m MONOPOLE MAST

NOTES:
A) NEW 15m MONOPOLE MAST
B) 10m x 10m BASE STATION
C) 2.4m PALISADE FENCE
D) BASE STATION: CHIP STONE SURFACE

DATE	DESCRIPTION	REVISION
08-03-2019	1st Issue	0
DRAWING NUMBER: ATSA1134		
DRAWING TITLE: TOP VIEW		
DRAWN: D. LOOTS		
SCALE: NTS		
DATE: 2019-03-08		
SHEET: 3 OF 6		
REVISION: 0		

Elevation



ATLAS TOWER SITE ID:
ATSA1134

ATLAS TOWER SITE NAME:
LA MOTTE

PROPERTY DESCRIPTION:
REMAINDER OF FARM 1653, STELLENBOSCH RD

ADDRESS:
ROBERTSVLEI ROAD, LA MOTTE,
WESTERN CAPE

CO-ORDINATES:
Lat: -33.891151°
Long: 19.077612°

ELEVATION:
211m



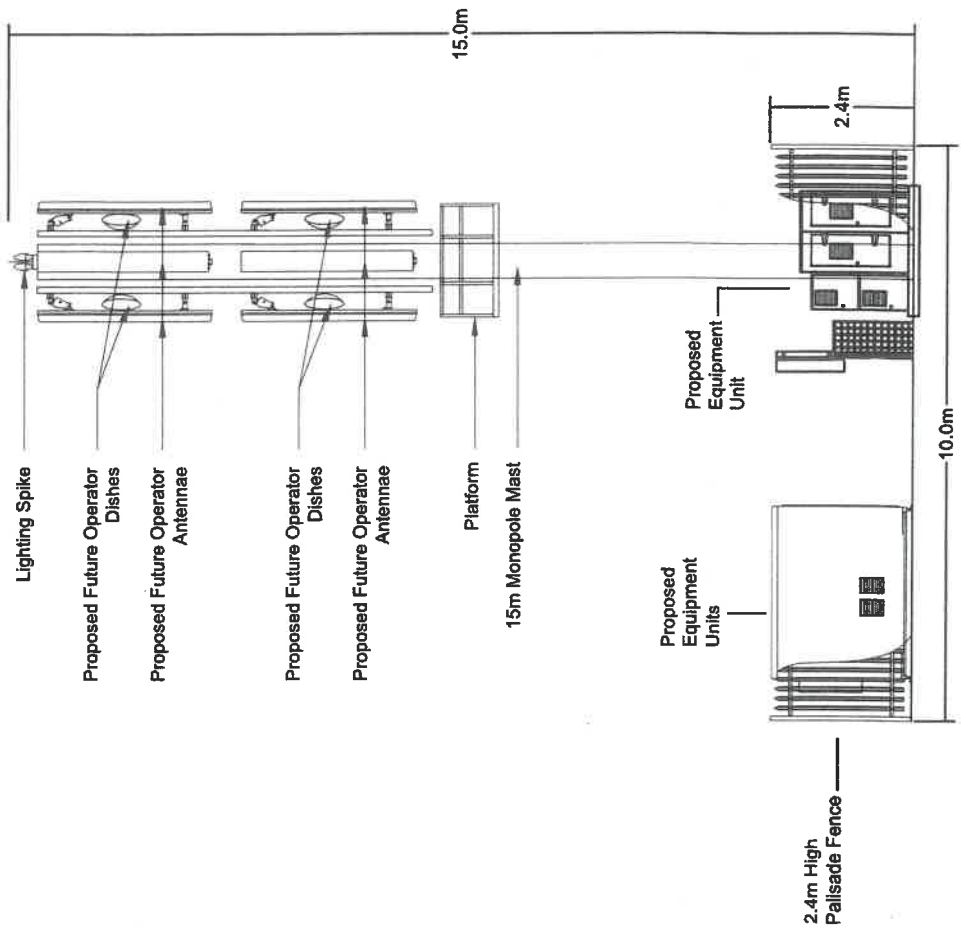
PROJECT:
PROPOSED NEW ATLAS TOWER 15m MONOPOLE
MAST WITH 10m X 10m BASE STATION

APPROVED MAST:
15m MONOPOLE MAST

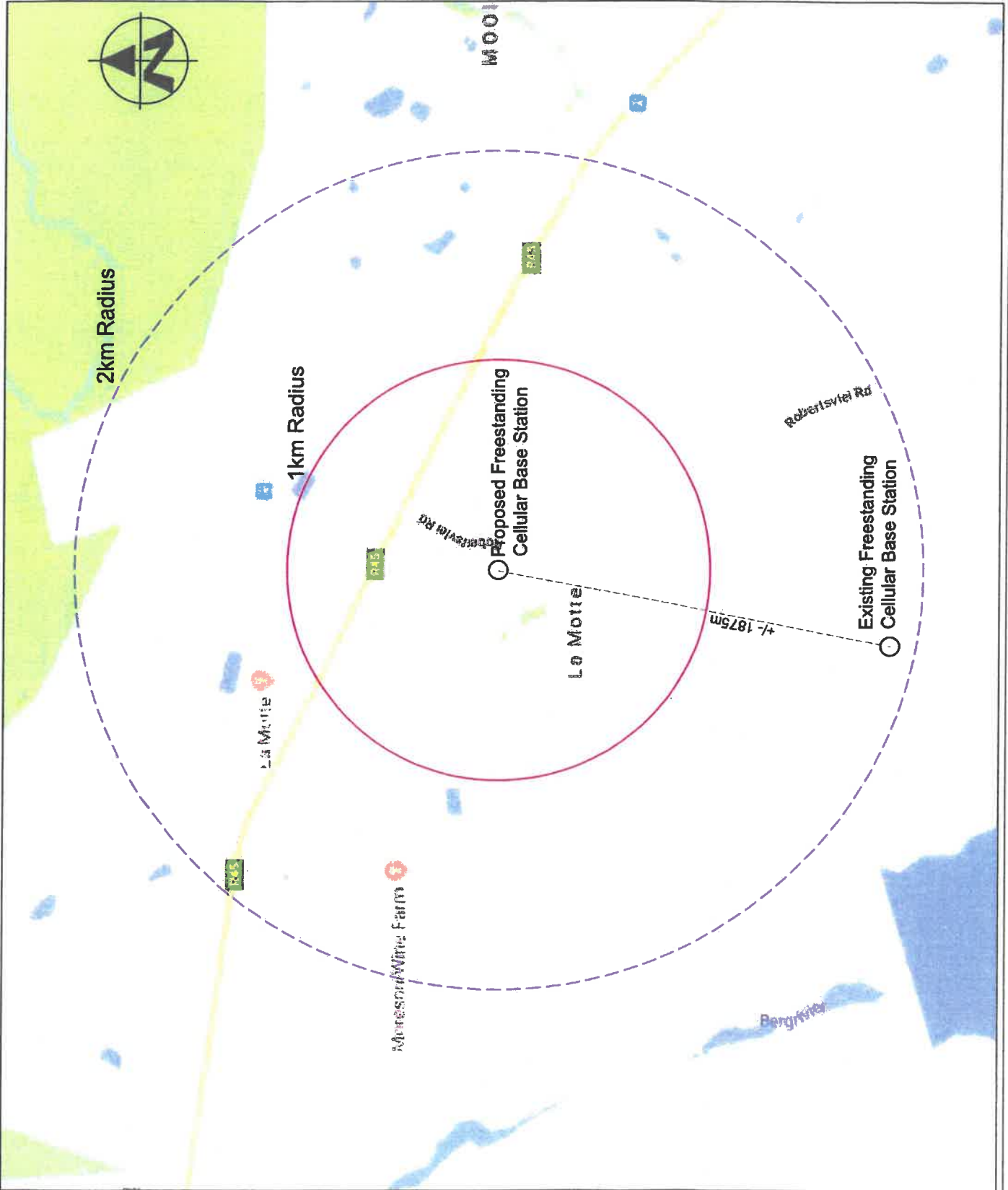
NOTES:
 A) NEW 15m MONOPOLE MAST
 B) 10m X 10m BASE STATION
 C) 2.4m PALISADE FENCE
 D) BASE STATION: CHIP STONE SURFACE

DATE	DESCRIPTION	REVISION
08-03-2019	1st Issue	0

DRAWING NUMBER: ATSA1134	SHEET: 4 OF 6
DRAWING TITLE: ELEVATION	
DRAWN: D. LOOTS	SCALE: NTS
DATE: 2019-03-08	REVISION: 0



Surrounding Base Station Map



ATLAS TOWER SITE ID:
ATSA1134

ATLAS TOWER SITE NAME:
LA MOTTE

PROPERTY DESCRIPTION:
REMAINDER OF FARM 1653, STELLENBOSCH RD

ADDRESS:
ROBERTSVLEI ROAD, LA MOTTE,
WESTERN CAPE

CO-ORDINATES:
Lat: -33.891151'
Long: 19.077612'

ELEVATION:
211m



Unit 11, 3rd Floor
Mentis Building, Bridgeway,
Century City, Cape Town 7446

Tel: 021 862 5245
Fax: 021 537 9187

PROJECT:
PROPOSED NEW ATLAS TOWER 15m MONOPOLE
MAST WITH 10m X 10m BASE STATION

APPROVED MAST:
15m MONOPOLE MAST

NOTES:
A) NEW 15m MONOPOLE MAST
B) 10m X 10m BASE STATION
C) 2.4m PALISADE FENCE
D) BASE STATION: CHIP STONE SURFACE

DATE	DESCRIPTION	REVISION
08-03-2019	1st Issue	0

DRAWING NUMBER: ATSA1134

SHEET:
5 OF 6

DRAWING TITLE: SURROUNDING BASE STATIONS

SCALE:
NTS

DRAWN: D. LOOTS

DATE: 2019-03-08

REVISION:
0



Proposed 15m Mast

Superimposition of Proposed 15m Monopole Mast (As Viewed from Robertsvlei Road)



ATLAS TOWER SITE ID:
ATSA1134

ATLAS TOWER SITE NAME:
LA MOTTE

PROPERTY DESCRIPTION:
REMAINDER OF FARM 1853, STELLENBOSCH RD

ADDRESS:
ROBERTSVLEI ROAD LA MOTTE,
WESTERN CAPE

CO-ORDINATES:
Lat: -33.891151°
Long: 19.077612°

ELEVATION:
211m



Tel: (021) 555 5255
Unit 11, 3rd Floor
Fosberg Building,
Century City, Cape Town,
7440
P.O. Box 192,
Century City,
7440

PROJECT:
PROPOSED NEW ATLAS TOWER 15m MONOPOLE
MAST WITH 10m X 10m BASE STATION

APPROVED MAST:
15m MONOPOLE MAST

NOTES:
A) NEW 15m MONOPOLE MAST
B) 10m x 10m BASE STATION
C) 2.4m PALISADE FENCE
D) BASE STATION: CHIP STONE SURFACE

DATE	DESCRIPTION	REVISION
08-03-2019	1st Issue	0

DRAWING NUMBER: ATSA1134
SHEET: 6 OF 6

DRAWING TITLE: ARTIST IMPRESSION

DRAWN: D. LOOTS
SCALE: NTS

DATE: 2019-03-08
REVISION: 0



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ANNEXURE D

**(REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No.
1653, PAARL DIVISION)**

APPLICANT'S MOTIVATION



Warren Petterson Planning
 P.O. Box 152
 Century City
 7446

T: (021) 552 5255
 F: (086) 537 9187
 C: (083) 255 8349
 E: dloots@wpplanning.co.za

4.8.1. Fourth Generation Five-Year Integrated Development Plan (2017/2022)

The Five-Year IDP (2017/2022) refers to the enhancement of TI in order to provide Stellenbosch with information communicative technologies as set out in section 6.15.

Stellenbosch is faced with the following ICT Industry trends:

- Cloud Computing (Remote hosting) which will bring its own unique challenges to balance systems integration complexities, security measures and potential cost savings.
- Convergence of ICT technologies enabling corporate data and information exchange in a seamless processing environment. Also referenced in the industry as Multi-media – Anytime from anywhere. Social Media – enabling instant collaboration/communication between individuals and between groups. Also referenced in the industry as SMS, Twitter, Blogs, e-mails, photo's, videos and more.
- The Internet of Things (IoT) is the network of physical objects—devices, vehicles, buildings and other items—embedded with electronics, software, sensors, and network connectivity that enables these objects to collect and exchange data

This application is in line with addressing these ICT industry trends as the TI installed on the said property will provide the sought-after services (e.g. Optic-Fibre, 4G and LTE coverage).

4.8.2. Stellenbosch Municipal Spatial Development Framework, 2017

The proposed application is by no means a careless act as it complies with the Integrated Development Plan (IDP) principles as set out in the Stellenbosch Municipal Spatial Development Framework, 2017. These principles are also echoed in the National Development Plan (NDP) and the Provincial Spatial Development Framework (PSDF). The core focus of the IDP principles and the MSDF, are to ensure the spatial transformation through the integration of communities. Spatial transformation in this sense is only possible through the development of denser and more inclusive neighbourhoods. Denser and more inclusive neighbourhoods are possible through the harness of advances in energy, water, transport and telecommunication to improve resource efficiency. Therefore, this application is in-line with the MSDF of Stellenbosch.

5. MOTIVATION

5.1 Historical Background

This section is seen as the motivation of the application as it provides information with regard to the need and desirability, development parameters, site characteristics, visual impact, health and safety and alternative candidates relating to this specific application.



Warren Petterson Planning
P.O. Box 152
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7446

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C: (083) 255 8349
E: dloots@wpplanning.co.za

Over recent years cellular communication in South Africa has evolved from merely a means of convenience to an essential business tool, means of communication and safety measure. Initial high tariff rates limited the accessibility of the product and its service. However, over time more reasonable consumer tariffs and packages have been introduced, making cellular communications more accessible to a much larger portion of the population.

Data usage on the mobile networks is also becoming faster, more affordable, and more accessible. User behaviour patterns are continuously changing in reaction to cheap internet, new data intensive smartphones, data intensive applications and websites, and an increasingly social-media-driven society. These factors resulted in the average consumer data usage doubling every year.

Cellular service providers are taking steps to improve their network by keeping abreast with the advances in communication technology and providing increased capacity in terms of coverage in the areas where there is an increased demand. ATTCELL strives to make this technology available to a wider spectrum of the population.

Atlas Tower has identified La Motte as an area where poor network coverage, dropped calls are experienced. This can have a negative economic spill over effect on the surrounding areas and even the Western Cape.

Newer technology such as LTE provides faster internet to more users which alleviates the pressure on the base station, however its range is very limited. A single old generation GSM voice based base station could cover dozens of kilometres. The new LTE base stations have a maximum coverage range of 500m depending on the number of users.

The congestion of existing sites together with the decrease in its coverage range necessitates that the distance between base stations decreases, resulting in the need for construction of new freestanding and rooftop cellular base stations. It is estimated that cellular network operators in South Africa will build more than 4000 new base stations over the next 5 years.

The proposed site is located at a nominal point as identified by Atlas Tower network planners. By utilizing sites located at the networks' nominal points the number of future base stations is limited and an effective service network can be developed.



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5.2 Planning Motivation

Please read together with previous sections in this application. This Consent Use application to allow the erection of a 15m freestanding telecommunication base station should be supported based on the following grounds:

5.2.1. Need and Desirability

In a modern-day society, the dependency on communicative technology becomes increasingly higher. This is due to the society's utilisation of more mobile devices and more than one device per household which mainly relies on internet connectivity (e.g. smartphones, portable computers, tablets/ipads etc.). These devices are used for multiple purposes including socialisation, business related uses and accessibility to important emergency services. Due to factors including densification, urbanisation and influx of seasonal guests especially over festive seasons and holidays, in a tourist attractive place like Stellenbosch, dropped calls and poor network coverage (related to both voice and data) are experienced. This application is motivated by several customer complaints (from residents, businesses and commuters) received by service providers in and around the area of La Motte. Atlas Tower identified several positions in the area that need to be equipped with base stations to alleviate the pressure and to cater for the ever-increasing demand.

The increase in coverage brought by the proposed FSBTS will aid the local businesses and can unlock the much needed growth potential which will have a positive economic impact. Residents, businesses and commuters will have a more secure connection to emergency services and armed response which will have a huge social impact.

The FSBTS will be erected at a cost of approximately R1.5mil. These high costs are a very good reason to rather co-locate on existing freestanding base stations or to settle for a rooftop base station in lieu of building a new freestanding base station.

The proposed base station will not interfere with the current use of the property and there are no negative impacts on the surrounding land uses and environment. No trees need to be removed to build the base station and no buildings with heritage value will be affected.

The proposed use will have no impact on the external engineering services, transport or traffic related considerations, or on the biophysical environment. It is proposed to erect a tree mast to make it less visually intrusive and blend it into the surrounding landscape. It is our

submission that the proposed use will have no detrimental impact on the surrounding properties and will provide an essential service to the surrounding community.

5.2.2. Area of existing coverage

The following maps illustrate the existing coverage map for the area of La Motte.

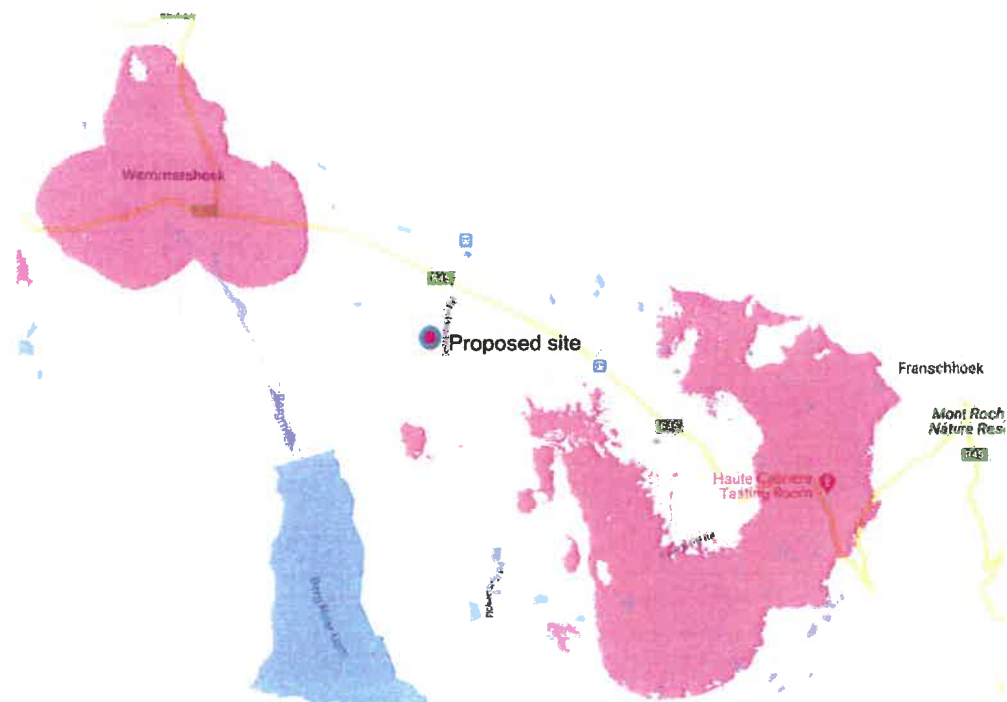


Figure 2 - MTN Fixed LTE Coverage map

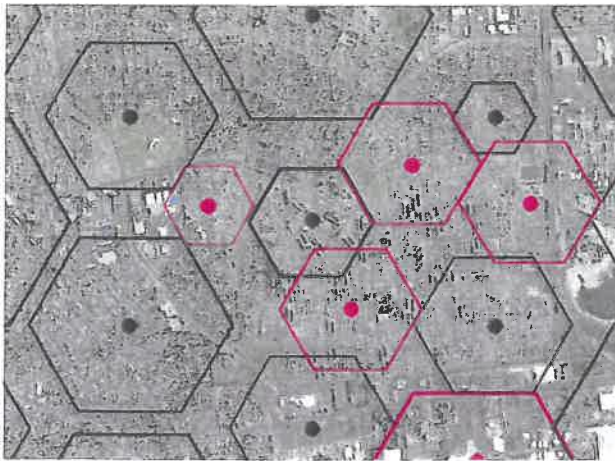


Figure 7 - Additional telecommunication base stations required to fill the gaps

Gaps between cells require new/additional telecommunication base stations to be placed in these gaps to retain good network coverage

Locations for telecommunication infrastructure are primarily chosen within areas where a need exists for coverage (refer to Figure 6). If a need for coverage does not exist in a specific area, no company would invest capital to build a telecommunication base station in the said area. The fact that there are only a few telecommunication base stations in the surrounding area supports the statement that there is a clear need for coverage in the area. Please see the illustration below which indicate the position of existing surrounding base stations in the area.

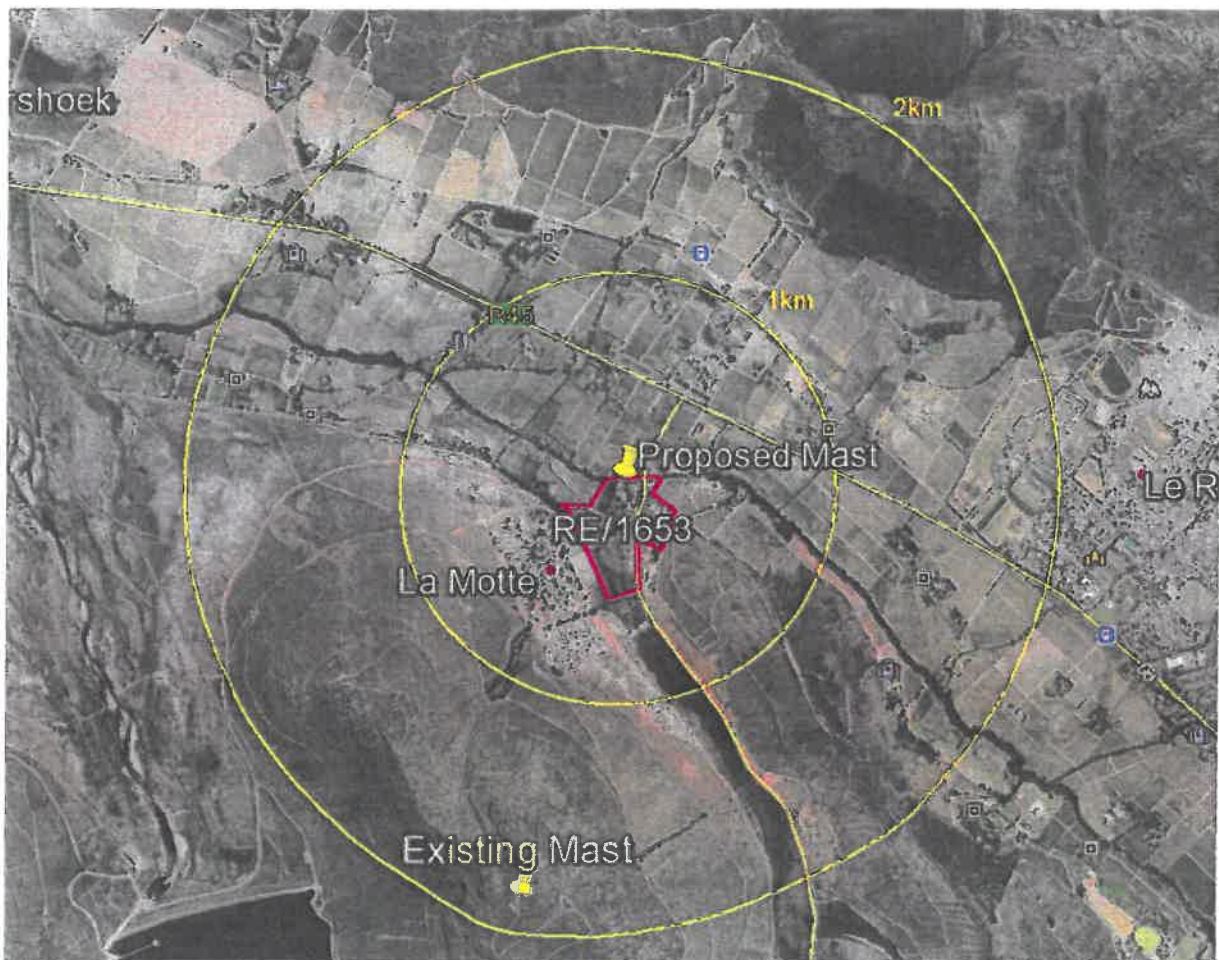


Figure 8 - Surrounding Base stations

The need for coverage is however not the only determining factor when identifying a possible position for a telecommunication base station. Other determining factors include altitude, zoning and the visual impact of the proposed base station.

5.2.3. Alternative sites considered and Site characteristics

Special consideration is given to geographical aspects so that each base station is positioned to ensure optimum functionality. This reduces the number of base stations necessary to provide an optimal network. At the same time, special attention is also given to ensure that there is minimal impact on the local, social, physical, natural and visual environments. Atlas Tower thus proposes the construction of a 15m mast on the Remainder of Farm 1653, Paarl Rd.

Alternative sites were considered during the initial stages of the proposal but this option is deemed the most acceptable option in terms of visual impact and based on the requirements of the network providers, contractors and land owner.



Alternative site considered:

Option 1 - Only one option was considered in the nearby surrounding area that would also achieve the same level of coverage as the current position. The zoning of this property was also preferable, being Utility Zone, therefore allowing for a freestanding telecommunication base station as a primary use. The property has however been allocated to the Provincial Government for the purpose of constructing a school on the property.

This site was selected for several reasons, namely:

- It is situated optimally between planned and existing sites,
- There is a large demand by Trumali House office park, visitors and commuters on the Strand road (R44).
- It is accessible to contractors during construction and maintenance,
- The proposal and location of the base station is the best solution to the coverage problem of the area with the least negative impacts,
- The proposal is secure due to its locality, and
- Most importantly it will serve the complaint area (the area with the lowest levels of cellular reception due to locality and high volumes of users) optimally.

It is important to note that the nature of such development is dependent on a “willing landlord” scenario. The theoretically best position is determined by the radio engineers and the closest properties that adhere to the above guidelines are targeted. Often several properties are targeted before a willing landlord is discovered that terms can be agreed with.

5.2.4. Visual Impact

The mast has been proposed at a minimal height of 15m in order to reduce the visual impact of the mast. The mast is furthermore proposed as a monopole type structure in order to make the structure look less bulky. A tree mast can also work at this location, but would be more visible from the main road (R45).

The mast, equipment and fence can furthermore be painted suitable colours in order to further reduce the visual impact, should it be required. Our client is furthermore open to exploring alternative mast designs, such as a lattice or tree mast.

In Figure 9 it can be seen that the proposed 15m monopole mast will not have a significant visual impact on the R45.



Figure 9 - Superimposition of proposed 15m Monopole Mast

5.2.5. Health concerns

There has been increasing public concern about health risks associated with cellular communication. Current scientific research is yet to produce conclusive evidence suggesting adverse health effects associated with, working with or living close to cellular technology. Although antennae and base stations emit radio waves, their frequency is not considered high enough to pose a health risk. Antennae mounted on towers, masts or any other structures are usually substantially elevated above ground level, and as radio waves are emitted at this level thereby further reducing the amount of radiation at ground level. Furthermore, regular tests regarding the compliance to safety regulations add to reducing the health risk factor. South Africa's Department of Health has published EMF exposure limit guidelines. These are based on guidelines endorsed by the ICNIRP (International Commission on Non-Ionising Radiation Protection), an independent scientific organization established in 1992. Emissions from the base stations and antennae comply with these guidelines.

In a statement made by the Department of Health dated 14 October 2011 on the Health Effects of base stations states the following (see attached Annexures):



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“The Department is therefore satisfied that the health of the general public is not being compromised by their exposure to the microwave emissions of cellular base stations. This also means that local and other authorities, in considering the environmental impact of any particular base station, do not need to and should not attempt, from a public health point of view, to set any restrictions with respect to parameters such as height of the mast, distance to the mast, and duration of exposure.”

There are no conclusive studies linking electromagnetic emissions at these levels to any health effects and scientific research that may reveal such a link is ongoing. The steps taken by the cellular communication companies to ensure the safety of the public against any possible harmful emissions, along with the above facts, concerns about health issues can be allayed.

5 CONCLUSION

This consent use application for a proposed FSTBS on the Remainder of Farm 1653, Paarl Rd, will provide an essential and sort after service to the surrounding community, businesses and commuters. This application is in line with the current policy and legislation on a local level. Furthermore, this application is in compliance with the Stellenbosch Fourth Generation Five-Year Integrated Development Plan (2017/2022), and the Stellenbosch Municipal Spatial Development Framework (SMSDF), 2017.

We would like to emphasise the positive contribution this base station will have on the immediate as well as the surrounding community and passing commuters:

- Most households and businesses in the surrounding area depend on the services of the cellular telecommunications providers, including internet and social networking media (Facebook, Twitter etc.). With such a high demand for their products, it follows that service providers are responsible for supplying a high level of network coverage.
- Please note: The residents in the area are not the only ones being provided with these services. Visitors to the area, and daily commuters will benefit by having access to improved communication facilities.
- Mobile communication has become an important safety and security element in modern society. In an emergency, such as housebreaking, medical alert or fire, a member of a household can quickly and easily contact the emergency services for help. However, if the coverage of mobile service providers' is poor, then contacting emergency services becomes a difficult task.



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Finally, we would like to emphasize that communications companies deliver an important service to the wider public, and in terms of their license with ICASA they have to meet certain standards in order to retain their licenses. One of these standards is to supply adequate network coverage to their demanding customers. The proposal also allows for all other service providers to share this installation and refrain from constructing another base station in this area.

Please notify us should any additional information be required. We look forward to your positive consideration of this application.



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ANNEXURE E

**(REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No.
1653, PAARL DIVISION)**

OBJECTIONS RECEIVED

Comments on an application for Consent Use for a Telecom Base Station off the Robertsvlei Road and Motivation

1. The Applicant

- 1.1 The applicant is named as Atlas Tower. It appears to be part of a company specialising in telecom infrastructure based in Colorado, USA with South African offices in Paarl, Pretoria and Durban and also in Nairobi, Gabarone and Edinburgh.
- 1.2 For reasons given below it is believed that this may be a speculative proposal that is not driven by any of the telecom providers in South Africa.

2. Historical Background

- 2.1 In this section (4th para, page 11) it is stated that "Atlas Tower has identified La Motte as an area where poor network coverage, dropped calls are experienced." This is a bare assertion unsupported by any evidence or analysis.
- 2.2 In the next sentence it is claimed that "This can have a negative effect on the surrounding areas and even the Western Cape". This is a rather extravagant claim that is again unsupported by any evidence or analysis.

3. Fourth Generation Five-Year Integrated Development Plan (2017/2022) (IDP)

Paragraph 4.8.1. refers to section 6.15 of this IDP. This deals with the municipality's ICT systems and has nothing whatsoever to do with this application or La Motte. It is not at all clear why this reference is made.

4. Need and Desirability

- 4.1 In the penultimate sentence of the first para of section 5.2.1. it is stated that "This application is motivated by several customer complaints (from residents, businesses and commuters) received by service providers in and around La Motte." This is yet another bare assertion unsupported by evidence. If this motivation is to be relied on the applicant must produce a record of these complaints and evidence of them from the service providers.
- 4.2 The fact that the applicant purportedly relies on "several customer complaints (from residents, businesses and commuters) received by service providers in and around La Motte" indicates that this is a speculative proposal. If there were a sufficient number of such complaints made to the service providers to justify this proposed FSBTS, it may reasonably be thought that a service provider or two or more service providers acting together may have made this application. The absence of any letter from a service provider supporting this application may be seen as significant.
- 4.3 Unfortunately, there are very few businesses in La Motte. In the Zoning Map for La Motte, forming part of the Municipal Integrated Zoning Scheme By-law of 2019, there

are only three properties that are zoned Local Business. It is not apparent to what extent mobile communication is important for any of them.

- 4.4 If any commuters were experiencing problems while en route to or from La Motte, they would quickly be out of the 500m maximum coverage range of the new LTE base station so it would be of absolutely no benefit to them.
- 4.5 The assertions in the next paragraph of section 5.2.1 are again unsupported by any evidence. It does not even attempt to explain how "the proposed FSBTS will aid the local businesses and unlock the much needed growth potential [of La Motte] . . ."
- 4.6 In the Stellenbosch Municipal Spatial Development Framework of 2019, La Motte is described as "a place of living for workers mostly engaged in agricultural work on surrounding farms [without] a significant commercial component supported by passing trade." As indicated both in this and in the 2017 MSDF the primary focus of development at La Motte is "to support the development of affordable housing on portions of state-owned land adjacent and proximate to the village."
- 4.7 Both in the 2017 and 2019 iterations of the MSDF, part of the subject property (Farm 1653) along with others is to be the focus for "new mixed use development . . . around the intersection of the Robertsylei Road and the R45". However, there is no indication thus far that any such development is likely in the foreseeable future.
- 4.8 Having regard to the foregoing paragraphs, the alleged basis for the motivation for this application lacks all credibility and must, therefore, be disregarded.

5. **National Heritage Resources Act of 1999 (NHRA)**

5.1 In terms of section 38 of the NHRA:-

" . . . any person who intends to undertake a development categorised as any development or other activity) which will change the character of a site . . . exceeding 5000m2 in extent . . . must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development."

5.2 In terms of section 1 of the NHRA:-

" 'development' means any physical intervention ... or action ... which may, in the opinion of a heritage authority in any way result in a change to the nature, appearance or physical nature of a place ... including ... change of use of a place or structure of a place. "

5.3 Farm 1653 is 17.3991 ha. As it is more than 5000m2 and the proposed FBTS will change the character" and "result in a change to the nature, appearance or physical nature of [and a] change of use" of Farm 1653, it constitutes development as defined in section 1 of the NHRA, notice must be given to Heritage Western Cape and no

decision should be made by the Council until after a decision has been made by HWC so consideration of the application by the Council is informed by their decision.

6. The Stellenbosch Integrated Zoning Scheme By-law of 2019 - IZS

6.1 The proposed location of the FBTS is just over 500m from the R45 which is designated as a Scenic Route Overlay Zone in the IZS.

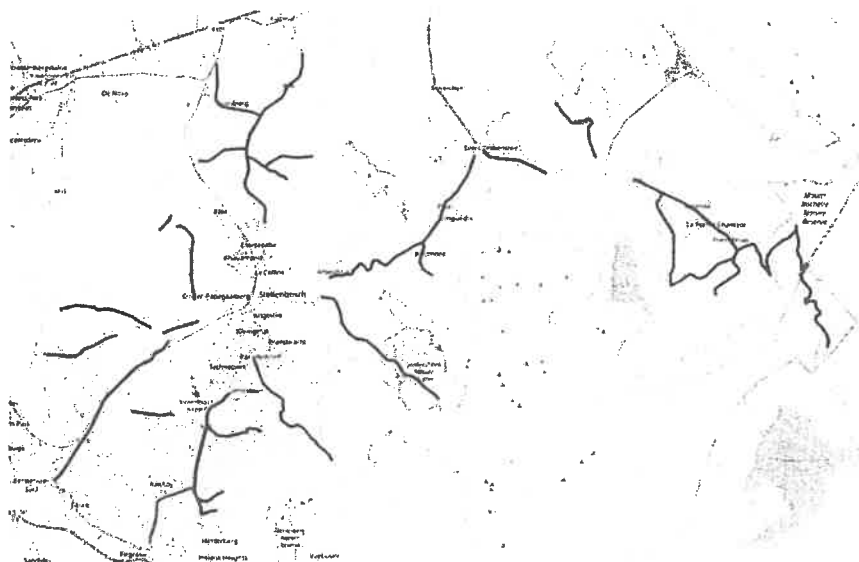
6.2 The principal purpose of an SROZ as set out in s254 (1) of the IZS is to "protect, conserve and enhance the visual environment and scenic resources adjacent to important tourist and transport routes which provide the unique sense of place for residents and visitors."

6.3 In terms of s260(3) of the IZS, "Where an application is made for new or additional development rights or departures from this Scheme, the Municipality shall only grant its approval if it is satisfied that the proposal will not have a negative visual impact."

6.4 In such a sensitive location it is really insufficient for the applicant to simply claim (as it does in paragraph 5.2.4 of the Motivation) that the "mast will not have a significant visual impact on the R45". The Council must take a risk averse position and cannot be properly and responsibly "satisfied that the proposal will not have a negative visual impact" without a **Visual Impact Assessment**.

7. The Conservation Management Plan for the Tangible Heritage Resources in the Stellenbosch Municipality – CMP

7.1 In addition to Scenic Route Overlay Zones, the CMP identifies other Scenic Routes classified as Grade II Heritage Resources. They are shown on the CMP plan below.



7.2 It can be seen that the sections of both the R45 opposite the proposed location of the mast and the Roberstviei Road that appears to be within 200m of it are CMP Scenic Routes and, therefore, classified as a Grade II Heritage Resource.

7.3 The significance and purpose of the CMP Scenic Route designation is described in paragraph 6.3 below of the Appendix to the CMP.

6.3 Scenic Routes

Scenic routes are movement corridors that traverse areas of outstanding scenic quality. Scenic Route Corridors are the channels through which we perceive the cultural landscape. The Scenic Drive Envelope includes the carriageway, the road reserve, the land directly adjacent to it. The scenes in which the views terminate is called the Viewshed of the Scenic Route. Scenic routes celebrate our communal heritage and belong to all members of the public, and therefore need to be protected as such.

7.4 Below is an extract from the CMP of guidelines for development in a range of distances from a Scenic Route.

The general guidelines for scenic routes are based on their distance away from the scenic drive. Distance zones are based on three categories; The closer a viewer is to a landscape feature, the greater the visible detail and the greater the value of the zone. The zones used are:

- foreground (fg) from 0 to 500 metres.
- middleground (mg) from 500 metres to 3 kilometres.
- background (bg) from 3 to 10 kilometres.

6.3.1 Foreground

The foreground views within the scenic route corridor is considered the most significant and therefore all scenic routes should have a 500m buffer on either side of the road where specific development guidelines apply. The principle is that nothing will be permitted that detracts from the existing scenic value of the Landscape Unit that is being traversed by the Scenic Route. Based on the significance of the Scenic Route (grade) and the significant character of the surrounding landscape, the following guidelines should be considered.

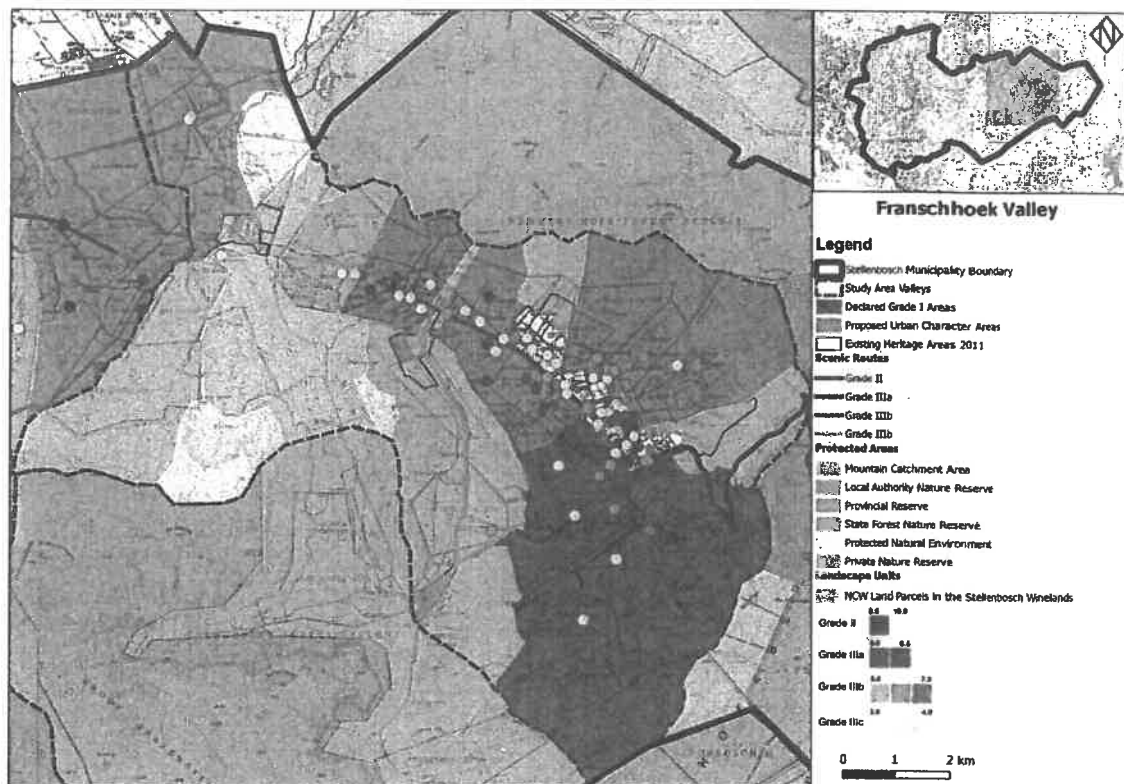
7.5 The proposed location of the mast is well within the foreground buffer zone for this part of Roberstviei Road and in the middle ground but just outside the foreground buffer zone for the R45 but well within the middle ground buffer zone.

7.6 The CMP Foreground guidelines that are relevant to this proposal include:-

Foreground guidelines:

- Respect the landscape setting and gateway qualities of important scenic routes and mountain passes, particularly those with a wilderness or rural setting.
- Formally protect scenic routes of heritage significance through the provisions of the municipal zoning schemes (e.g. Scenic Overlay Zones and City of Cape Town's proclaimed scenic routes, such as Boyes Drive).
- Use by-laws to establish 500m visual buffer zones with setbacks and height restrictions along scenic routes.
- Avoid the obstruction of mountain views along proclaimed scenic routes and avoid visual intrusions, such as inappropriate signage (billboards) and infrastructure, including transmission lines. Also, prevent the obstruction of views towards important cultural features.

7.7 In the map below taken from the Heritage Survey it can be seen that Farm 1 653 is in a Landscape Unit that is a Grade IIIa Heritage Resource, the Roberstville Road is a Grade IIIb Scenic Route and the nearby section of the R45 is a Grade II Scenic Route.



7.8 It is imperative, therefore, that there is a **Visual Impact Assessment** before this application is considered.

8. Stellenbosch Telecommunication Mast Infrastructure Policy

Conspicuous by its absence is any reference to this policy and compliance with it.

Barry Phillips – 26.12.2019

End of Comments



Franschhoek Heritage and Ratepayers Association

To whom it may concern

17 January 2020

CONSENT USE AND REMOVAL OF RESTRICTIONS : REMAINDER OF FARM 1 653, PAARL RD (ROBERTSVLEI ROAD, LA MOTTE)

This letter contains the Franschhoek Heritage and Ratepayers Association's (FHRPA) comment on the proposed application.

We have reviewed the application for consent use and removal of title deed conditions to allow for a proposed freestanding telecommunication station and are opposed to such consent.

As numerous similar applications have been received recently for the Franschhoek area, we have added comment from our legal consultant which best sets out our concerns. This is reflected in the attachment from Mr Barry Phillips.

Our general opinion is that too many unsightly telecommunication towers are being considered without due consideration being given to the adverse effect on the Heritage value of the area. There is also it would appear, no consideration given to consolidating service provider sites, resulting in similar unsightly towers now being erected in close proximity to each other.

Yours faithfully

Colin Atkins

For and on behalf of



Franschhoek Heritage and Ratepayers Association



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ANNEXURE F

**(REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No.
1653, PAARL DIVISION)**

UNCLAIMED LETTERS

ORDINARY PARCEL
Full Domestic tracking and tracing
Domestic Enquiries
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PE 946 154 325 ZA

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Mev. El Jephthas

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RECIPIENT NAME (please print clearly)

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Mr. K. van Wyk

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PE 946 163 676 ZA

RECIPIENT NAME (please print clearly)

Mej. M. Bezuidenhout

[Redacted]

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LA MOTTE
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ANNEXURE G

**(REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No.
1653, PAARL DIVISION)**

PORTFOLIO OF EVIDENCE

SWORN AFFIDAVIT

I, the undersigned [Full Name (s) and Surname]: Dirko Loots
.....
Identity Number: [REDACTED]
.....
in my capacity as (owner or authorised person through power of attorney):
Authorised person

do hereby declare under oath that:

1. The application for:
Consent use and removal of title deed conditions in order to permit a freestanding
telecommunication base station.

on Erf/ Farm Number: Remainder of Farm 1653, Paarl Rd

Was advertised in at least two of the official languages of the Province in the following newspaper(s)ⁱ:

(a) Paarl Post (b)

From 12 December 20.19 to 12 February 20

- 2. The public notices were prominently displayed and maintained in a legible condition for a continuous period of thirty (30) days from the date of the advertisement as indicated in Section (2) aboveⁱⁱ;
- 3. A notice containing the requirements as set out in the Stellenbosch Land Use Planning By-Law (2015), was posted per registered mailⁱⁱⁱ to all adjoining property owners/occupants/ interested and affected parties, during the same date of the advertising period as specified in Section (2) above;
- 4. Furthermore, a notice of the application was sent to the relevant Intergovernmental State Departments, per registered mail^{iv}, commencing the same date as in Section (2) above with an **additional 30 days (minimum 60 days)** for comment;
- 5. That all comments and objections to the application concerned were forwarded to Stellenbosch Municipality as contemplated in sections 1 – 4 above.

The Deponent acknowledges that he / she knows and understands the contents of this Affidavit.

Signature: [Handwritten Signature]

Signed at: CAPE TOWN

On this: 20 day of JANUARY 20

At: 13.00

Commissioner of Oath's Stamp & Signature

COENRAAD JOHANNES DU TOIT
COMMISSIONER OF OATHS
ADMITTED ATTORNEY R.S.A.
PIER PLACE - HEERENGRACHT
FORESHORE, CPE TOWN 8000

ⁱ Must conform to Section 47 of the Stellenbosch Municipality Land Use Planning By-law (2015) [THE BY-LAW]– attach copy of advert (s)
ⁱⁱ Site Displays must conform to Section 48 (2)(a) of the By-law – attach photos
ⁱⁱⁱ Attach original registration post slips and copies of letters that were distributed containing the required information as per Section 47 of the By-law
^{iv} Attach original registration post slips and copies of letters that were distributed containing the required information as per Section 47 of the By-law

Vier Kersfees saam met Mynhardt

Lise Beyers

Die glansjef Mynhardt Joubert is geen vreemdeling in die Paarl nie.

Mynhardt het hier kom nes skrop nadat hy as die eerste wenners van die gewilde kykNET-kookkompetisie-reeks **Kokkedoor** was. Hier het hy sy huiskombuis-restaurant in 'n pragtige gerestoureerde ou winkelhuis in Stasiesstraat, Suider-Paarl, reg oorkant die Paarl-stasie, geopen. Dit was ook nie lank nie en hy is as ambassadeur van die KWV-handelsmerk aangestel. Hy is verantwoordelik vir die spyseniering van nie net KWV se spog-onthale by hul Katedraal-kelder nie maar ook private saamtrekke daer.

En nou met Kersfees woe Mynhardt behoort agter die kospotte vir sy aandelings van die jaar. "Want," sê "Kersfees gaan immers om lekker eet in samesyn".

Mynhardt het in die Oos-Vrystaat op 'n plaas grootgeword en Kersfees is elke jaar behoorlik gevier saam met familie en kuermense, en dus het 'n groot gekook vir Kersdag en Ouersaand daarmee gepaard gegaan. "Daar was gedeeltes vreugde, Kersbome, gesing agter op sleepwaens en lang, Oos-Vrystaatse sterrenagte," onthou hy.

"Ons deure was altyd oop en daar was altyd plek vir nog iemand aan die tafel. Dit is juis oor hierdie gevoel van gasvryheid dat ek besluit het om 'n reeks feestafels by Stasiesstraat Kombuis van 18 tot 22 Desember te hou en dan ook op 24 en 25 Desember by Katedraal Kelder om hierdie feestyd met almal te



Sjef Mynhardt Joubert se baie spesiale Kersfees.

kan deel."

Mynhardt se kosherinneringe rondom die Kersfeestafel is ook vol van mense wat uit die hart gekook het, lank geneem het met die familie se spesifieke soetmosterdsous, lamsboude op spesifieke maniere gaargemaak, gestolde wortelslaaie, vrugtekoek en natuurlik "die lekkerste, lekkerste, lekkerste koekstruif". "Kersdag se kosse is koud bedien – groot waatlemoene, pynappel en gemmerbier en 'n groot kuier!" onthou hy. "Kersfees sal altyd spesiaal bly vir my. Ek is so lief daarvoor dat myne

reeds in September begin as ons begin Kerskoeke bak. "Ons kies elke jaar 'n welsynsorganisasie waarvoor ons geld insamel en ek geniet dit om met hierdie projek aan die Drakenstein-gemeenskap terug te gee." Mynhardt se Kombuis het hierdie jaar R35 000 rand ingesamel vir MCM Miquat asook R20 000 wat aan 'n dienssentrum geskenk is. "Die impak is groot en ons waardeer almal wat Kerskoeke koop." Kerskoeke is nog beskikbaar en mense kan bestel by cake@mynhardt.co.za of Frikkie by 078 800 5155 bel. Feestafels kan bespreek word by bookings@mynhardt.co.za of ook by Frikkie by 078 800 5155. Twee gelukkige Paarl Post-lesers kan elk een van Mynhardt se asemrouende Kerskoeke wen asook 'n bottel Laborie Brut. Om in aanmerking te kom om te wen, besoek Paarl Post se Facebook-blad. Die kompetisie sluit op Maandag 16 Desember om 14:00.

Gevulde varknek met appelkose, dadels, sally en amandels, bedien met mini-karamel-toffie-appels

Mynhardt deel graag een van sy gunsteling Kersfees-veisgeregte met lesers. En varkveis bly steeds bekostigbaar vanjaar.

Bedien: 4 - 6
Voorbereidings tyd: 20 minute
Gaarmaaktyd: 2,3 uur
Bestanddele:
1 ontbeende en gevulderde varknek, ongeveer 2 kg
1 groot varkveisfilet, in blokkies gesny
1 eierwit, effens geklop
15 ml botter
5,15 ml olyfolie
1 groot ui, gekap
3 knoffelhuisies, gekap
50 g Turkse appelkose, in blokkies gesny
50 g dadels, gekap
50 g amandels, gerooster en gekap
1 Handvol sallyblare, gekap
Sout en peper na smaak
Kombuistou om die vleis mee vas te maak
1 Bottel witwyn
750 ml hoenderaftreksel
Handvol roosmaryn en tiemie
3 uie, in ringe gesny met die dop aan
2 knoffelkoppe, in die helfte gesny
1 Blik baba-appeltjies, gedreineer
1 koppie strooisuiker
5 ml suurlemoen sap
50 ml water
Metode:
Verhit die botter en olyfolie in 'n kastrol en braai die uie en knoffel tot



Trakteer die Kersfees familie en vriende met Mynhardt se gevulde ontbeende varknek.

gaar en effens bruin. Laat afkoel. Plaas die varkveis, eierwit en uiemengsel in 'n voedselverwerker en meng tot glad. Voeg die appelkose, dadels, amandels en sally by die vleismengsel, geur na smaak en meng deur. Sit die varknek op 'n snyplank, vet kant onder, en maak droog met die kombuispapier. Smeer die varkveisvulsel aan die vleiskant van die varknek. Maak seker dat al die vulsel gebruik word, aangesien dit as kleefmiddel vir die varknek dien. Rol die nek om sodat jy een lang vleisblok het. Sny ongeveer agt 10 x 20 cm-stukke kombuiscap en begin die tou om die nek vasmaak om die vulsel binne te hou.

Plaas die roosmaryn, tiemie, uie en knoffel in 'n oondskottel en voeg die wyn en aftreksel by. Plaas die ongerolde varknek in die skottel, geur na smaak en bedek met folie. Bak vir 2,3 uur by 160°C of totdat dit sag is en deurgaar is. Plaas die suiker, suurlemoen sap en water in 'n kastrol en bring tot kookpunt. Kook totdat die suiker in 'n karamelkleur verander het en doop die baba-appels in die karamel. Plaas op 'n silikoonmat of waspapier om af te koel. Sodra die varknek klaar is, laat dit 15 minute rus en sny in dik skywe; sit voor saam met die baba-toffie-appels en 'n bietjie van die vleissous.

NOTICE OF LAND DEVELOPMENT APPLICATION IN THE STELLENBOSCH MUNICIPAL AREA/ KENNISGEWING VAN GRONDONTWIKKELINGSAAANSOEK IN DIE STELLENBOSCH MUNISIPALE GEBIED

CONSENT USE AND REMOVAL OF RESTRICTIONS: REMAINDER OF FARM 1653, PAARL RD (ROBERTSVLEI ROAD, LA MOTTE) / VERGUNNINGSGEBRUIK EN VERWYDERING VAN BEPERKINGS: RESTANT VAN PLAAS 1653, PAARL RD (ROBERTSVLEI PAD, LA MOTTE)

plicant/Aansoeker: Warren Petterson Planning/021 552 5255
mer/Elenaar: Stellenbosch Municipality/021 808 8111 LU/9520
Application number/Aansoeknommer: Farm 1653, Paarl
Reference number/Verwysingsnommer: Remainder of Farm 1653, Paarl Rd
Property Description/Eiendomsbeskrywing: Robertslei Road, La Motte
Physical Address/Fisiese Adres:

Detailed description of proposal/Beskrywing van aansoek: The matter for consideration is an application (in terms of section 15(2)(f) and (o) of the Stellenbosch Municipal Land Use Planning By-Law) for a consent use and the removal of the following title deed conditions Title Deed T45558/2017, condition 1, A(1)(a) to allow for a proposed freestanding base telecommunication station / Die aansoek vir oorweging is 'n aansoek (ingevolge artikel 15(2)(f) en (o) van die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning) vir 'n vergunningsgebruik en vir die opheffing van die volgende titelakte voorwaardes: Titelakte T 45558/2017 kondisie 1, A(1)(a) om die voorgestelde vrystaande basis telekommunikasie-stasie te laat.

Notice is hereby given in terms of the Stellenbosch Municipal Land Use Planning By-law that the above mentioned application has been received and is available for inspection during weekdays between 08:30 and 13:30 at the Planning Advice Centre at Stellenbosch Municipality, Plein Street, Stellenbosch. Any written comments/objections, with full reasons therefore, may be addressed in terms of section 50 of the said legislation to the applicant in one of the following manners / Kennis geskied hiermee ingevolge die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning dat die bogenoemde aansoek ontvang is en gedurende weksdae tussen 08:30 en 13:30 by die Beplanningsadvieskantoor by Stellenbosch Munisipaliteit, Pleinstraat, Stellenbosch ter insae is. Enige geskrewe kommentaar/besware, met volledige redes daarvoor, moet ingevolge Artikel 50 van die genoemde wetgewing aan die aansoeker op een van die volgende wyses geadresseer word:

APPLICANT / AANSOEKER	
Registered mail or normal mail / Geregistreerde of gewone pos	Warren Petterson Planning/ Posbus 152, Century City, 7446
Or faxed to / Of gefaks aan	n/a
Or hand-delivered to / Of per hand afgelewer aan	Warren Petterson Planning/ Unit H, 3rd floor, The Matrix Building, Bridge Way, Century City, 7441
Or e-mailed to / Of per e-pos gelewer aan	Warren Petterson Planning/ info@wppanning.co.za

All comments, quoting the application number, reference number, your name, address or contact details, your interest in the application and reasons for comments should be received by the above party on or before 60 days from the date of publication of this notice (the statutory 30 day commenting period has been extended to 60 days to take Council's recess period between 15 December 2019 and 15 January 2020 into account). Telephonic enquiries can be made to the applicant, Dirk Loois (Warren Petterson Planning) at 021 552 5255. Any comment/objection received after aforementioned closing date will be considered invalid. Any person who cannot write will be assisted by a Municipal official by transcribing their comments.

All kommentare moet op of voor 60 dae vanaf die datum van publikasie van hierdie kennisgewing, (die statutêre 30 dae kommentaartydperk is tot 60 dae verleng om vir die resessperiodes van die Raad tussen 15 Desember 2019 en 15 Januarie 2020 voorsiening te maak) met vermelding van die aansoeknommer, verwysingsnommer, u naam, adres en kontakbesonderdhede, belangstelling in die aansoek en redes vir kommentaar, deur die bogenoemde party ontvang word. Telefoniese navrae kan aan die aansoeker, Dirk Loois (Warren Petterson Planning) by tel 021 552 5255 gerig word. Enige kommentaar/besware ontvang na die voormelde sluitingsdatum sal as ongeldig gewag word. Enige persoon wat nie kan skryf nie sal deur 'n Munisipale-amptenaar bygestaan word om hul kommentaar op skrif te stel.

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- 5 Piece Paint Brush Set
- R25.00 SET
- R495.00 / 20L
- WALL CRAFT Wall and Ceiling
- R230.00 / 5L
- Medal Gloss Paint
- R369.00 / 20L
- CEDAR White PVA Paint
- R459.00 / 20L
- WALL CRAFT Primer & Sealer Paint

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Alcoholics Anonymous

086 143 5722

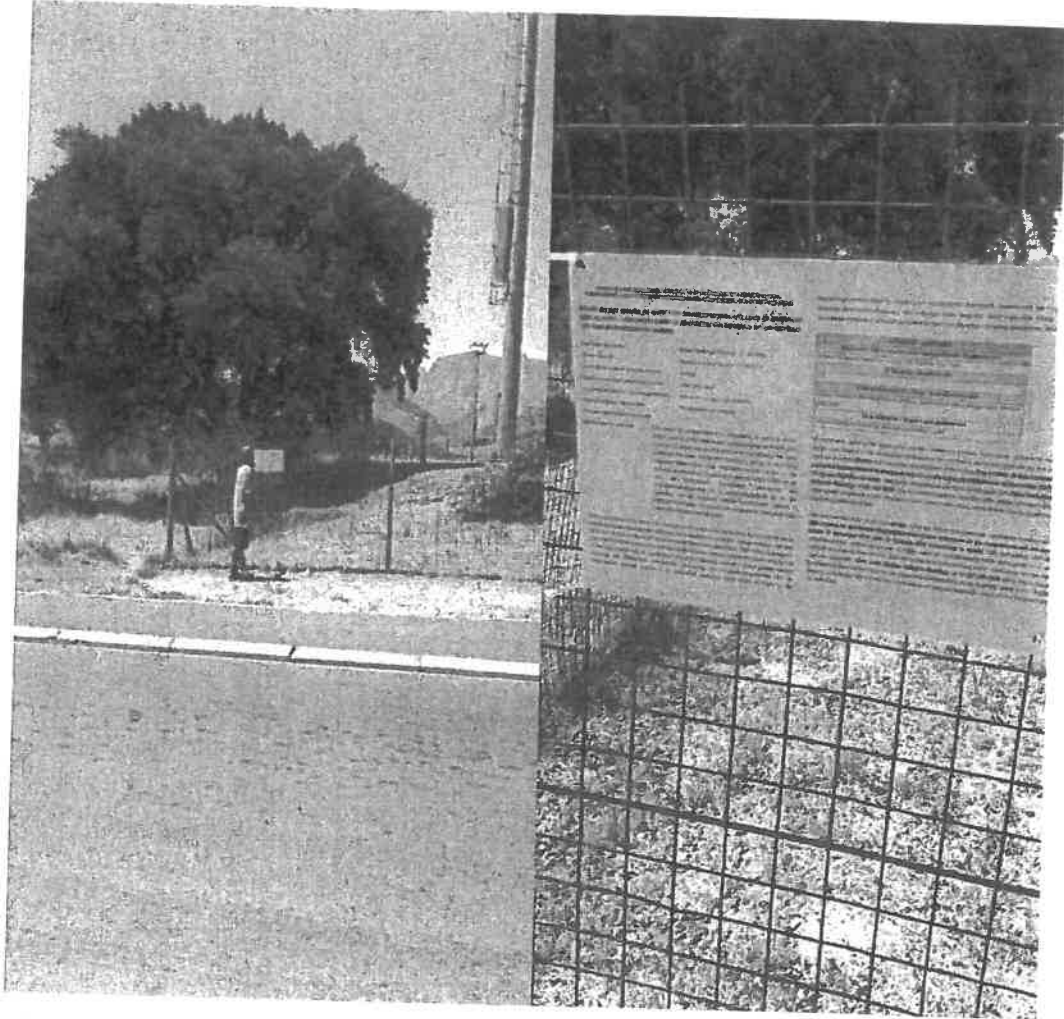
Mej. M. Bezuidenhout [REDACTED]	ORDINARY PARCEL ShareCall 0800 111 802 www.sapo.co.za PE 946 163 676 ZA CUSTOMER COPY 301016
Me. G. Breda [REDACTED]	ORDINARY PARCEL ShareCall 0800 111 802 www.sapo.co.za PE 946 163 702 ZA CUSTOMER COPY 301016
Me. D. Bezuidenhout [REDACTED]	ORDINARY PARCEL ShareCall 0800 111 802 www.sapo.co.za PE 946 154 250 ZA CUSTOMER COPY 301016
Me. DM Stall [REDACTED]	ORDINARY PARCEL ShareCall 0800 111 802 www.sapo.co.za PE 946 154 277 ZA CUSTOMER COPY 301016
National Department of Public Works [REDACTED]	ORDINARY PARCEL ShareCall 0800 111 802 www.sapo.co.za PE 946 154 303 ZA CUSTOMER COPY 301016
Stand 337 & 338 Edenvale CC [REDACTED]	ORDINARY PARCEL ShareCall 0800 111 802 www.sapo.co.za PE 946 154 294 ZA CUSTOMER COPY 301016
Mev. EJ Jephthas [REDACTED]	ORDINARY PARCEL ShareCall 0800 111 802 www.sapo.co.za PE 946 154 325 ZA CUSTOMER COPY 301016
F. Afrikaner [REDACTED]	ORDINARY PARCEL ShareCall 0800 111 802 www.sapo.co.za PE 946 163 645 ZA CUSTOMER COPY 301016
Investchem Chemical Logistics (Pty) Ltd [REDACTED]	ORDINARY PARCEL ShareCall 0800 111 802 www.sapo.co.za PE 946 163 631 ZA CUSTOMER COPY 301016
Me. K. van Wyk [REDACTED]	ORDINARY PARCEL ShareCall 0800 111 802 www.sapo.co.za PE 946 163 693 ZA CUSTOMER COPY 301016
La Croix Du Sud Holdings Ltd [REDACTED]	ORDINARY PARCEL ShareCall 0800 111 802 www.sapo.co.za PE 946 163 605 ZA CUSTOMER COPY 301016
Franschhoek Heritage and Ratepayers Association [REDACTED]	ORDINARY PARCEL ShareCall 0800 111 802 www.sapo.co.za PE 946 163 591 ZA CUSTOMER COPY 301016

Century City - 7446
Post Office
11 DEC 2018
Folio No: 3

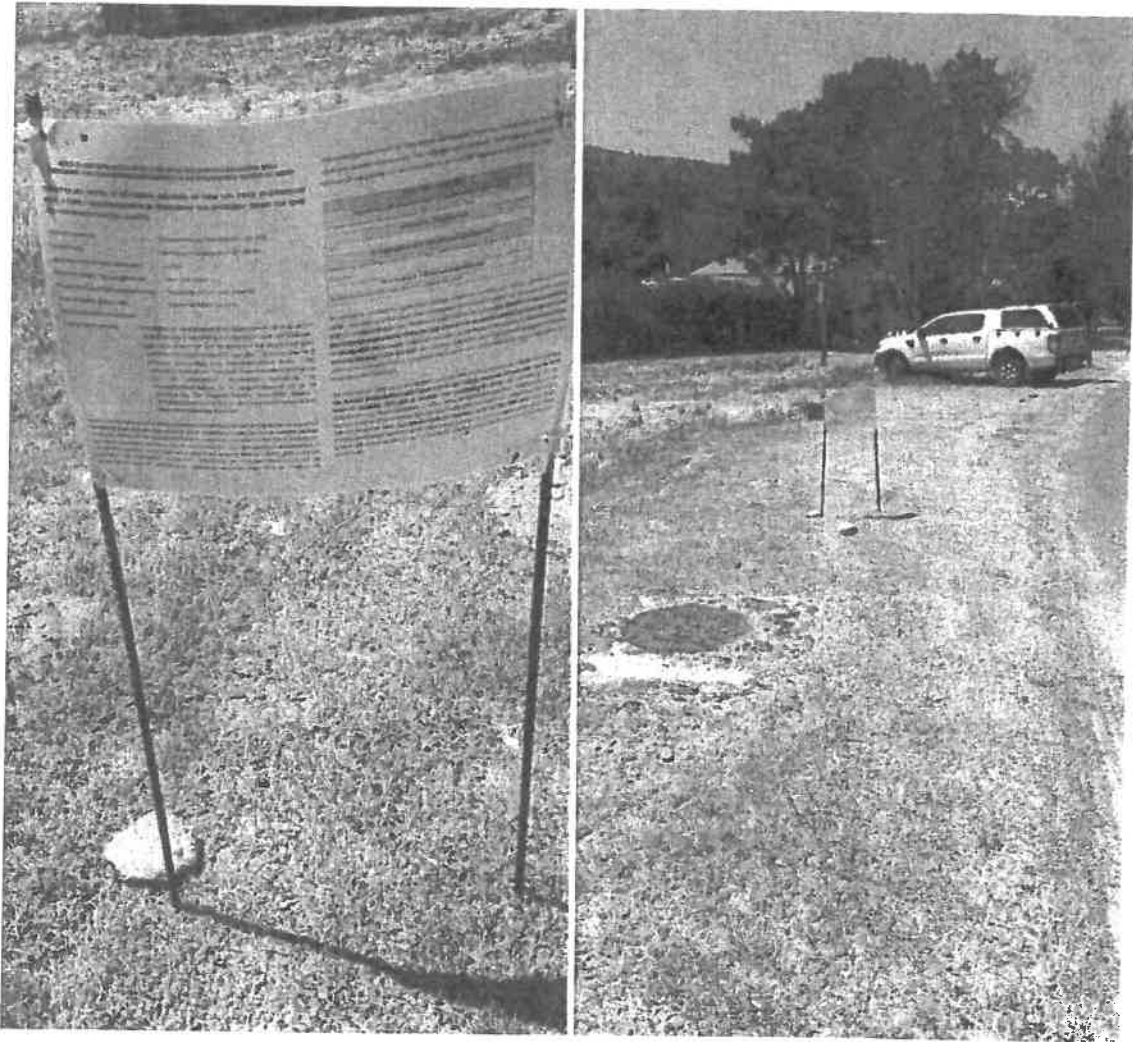
Department of Agriculture 	ORDINARY PARCEL ShareCall 0800 111 802 www.sapo.co.za PE 946 163 662 ZA CUSTOMER COPY 301010
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Century City 7446 Post Office
11 DEC 2019
File No: 3

Site notice 1:



Site notice 2:





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ANNEXURE H

**(REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No.
1653, PAARL DIVISION)**

COMMENTS FROM DEADP

REFERENCE: 16/3/3/6/1/B4/45/1010/22

DATE: 8/2/2022

Warren Petterson Planning
PO Box 15
CENTURY CITY
7446

Attention: Mr Adriano Rodrigues

Cell: 082 819 1805
Email: adriano@wpplanning.co.za

Dear Sir

APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) TO THE PROPOSED TELECOMMUNICATION BASE STATION ON THE REMAINDER OF FARM NO. 1653, STELLENBOSCH ROAD, LA MOTTE

1. The electronic copy of the above-mentioned document dated 20 January 2022, as received by this Department on the same day, refers.
2. Following review of the information submitted to this Department, the following is noted:
 - 2.1. The proposal is for the construction of a 15m high telecommunication base station and associated infrastructure that will be surrounded by a 2.4m high palisade fence.
 - 2.2. The development footprint will be approximately 100m².
 - 2.3. No sensitive features occur on the site and the Franschoek River is approximately 50 m from the designated development footprint.
 - 2.4. The site is located outside the urban area and is zoned Agriculture Zone I.
3. Your attention is therefore drawn to the listed activities in terms of the NEMA EIA Regulations 2014 (as amended) as defined in Listing Notices ("LN") 1, 2 & 3 of 7 April 2017. Be advised that based on the information provided the development of a 15m high telecommunication base station, located outside of the urban area of Lamotte, on a site zoned as Agriculture Zone I does not constitute any listed activities as defined in terms of the EIA Regulations, 2014 (as amended). Environmental authorisation is therefore not required from the competent authority prior to the proposed development of a 15m high telecommunication base station on the Remainder of Farm No. 1653, Stellenbosch Road, La Motte.
4. Should any revision of the proposed development on the said farm trigger any listed activity(ies) as defined terms of Listing Notice 1, 2 & 3, an application must be submitted and environmental authorisation obtained before such activity(ies) may commence.

5. The applicant is reminded of his/her general duty of care and the remediation of environmental damage, Section 28(1) of NEMA specifically states that – *“Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.”*
6. Please note that the applicant must comply with any other statutory requirements that may be applicable to the undertaking of the activity.
7. The Department reserves the right to revise its comments and request further information from you based on any new or revised information received.

Yours faithfully

Andrea
Thomas

Digitally signed by
Andrea Thomas
Date: 2022.02.08
11:49:57 +02'00'

pp HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Cc: (1) W von Solms (Atlas Towers)
(2) B Zondo (Stellenbosch Municipality)

Email: wvonsolms@atlastowers.co.za
Email: Bongiwe.Zondo@stellenbosch.gov.za



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ANNEXURE I

**(REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No.
1653, PAARL DIVISION)**

COMMENTS FROM HWC

Our Ref: HM/ CAPE WINELANDS/ STELLENBOSCH/ FARM 1653
Case No.: 20091602TZ0916E
Enquiries: Thando Zingange
E-mail: Thando.Zingange@westerncape.gov.za
Tel: 021 483 5959
Cell: 076 481 8392 (during lockdown period)
Date: 07 October 2020



Stellenbosch Municipality
 C/O Adriano Rodrigues
 Unit H, 3RD Floor
 Matrix Building
 Century City

RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: FINAL COMMENT
In terms of Section 38(1) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003

NOTIFICATION OF INTENT TO DEVELOP: THE PROPOSED TELECOMMUNICATION MAST ON FARM 1653, ROBERTSVLEI ROAD, STELLENBOSCH: SUBMITTED IN TERMS OF SECTION 38(4) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 20091602TZ0916E

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter. This matter was discussed at the Heritage Officers meeting held on 05 October 2020.

You are hereby notified that, since there is no reason to believe that the proposed telecommunication mast on Farm 1653, Robertsvlei Road, Stellenbosch, will impact on heritage resources, no further action under Section 38 of the National Heritage Resources Act (Act 25 of 1999) is required.

However, should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately and Heritage Western Cape must be notified without delay.

This letter does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

pp.

.....
 Dr. Mxolisi Dlamuka
Chief Executive Officer, Heritage Western Cape

www.westerncape.gov.za/cas

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8001 • Postal Address: P.O. Box 1165, Cape Town, 8001
 • Tel: +27 (0)21 483 5959 • E-mail: ceo@erfenis.westerncape.gov.za

Straatadres: Protea Assurance Gebou, Groenemarktplein, Kaapstad, 8001 • Posadres: Postbus 1165, Kaapstad, 8001
 • Tel: +27 (0)21 483 5959 • E-pos: ceo@erfenis.westerncape.gov.za

Idilesi yendawo: Khamphanjalo khamphanjalo Protea Assurance Building, Green Market Square, Kaapstad, 8001 • Idilesi ye-posi: Postbus 1165, Kaapstad, 8001 • Inombolo zomnxeba: +27 (0)21 483 5959 • Idilesi ye-imeyile: ceo@erfenis.westerncape.gov.za



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ANNEXURE J

**(REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No.
1653, PAARL DIVISION)**

COMMENTS FROM SPATIAL PLANNING



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Spatial Planning

To : **Manager: Land Use Management**
From : **Manager: Spatial Planning**
Reference: **Farm 1653, Paarl**
LU No : **LU/9520**
Date : **20 February 2020**
Re : **Consent use and removal of restriction on Farm 1653, Paarl
(Telecommunication Mast)**

I refer to your request for comment on the above application.

This department supports the application.

PP: Benning
BJG de la Bat
MANAGER: SPATIAL PLANNING



FILE NR:	
SCAN NR:	F 1653P
COLLABORATOR NR:	680193



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ANNEXURE K

**(REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No.
1653, PAARL DIVISION)**

COMMENTS FROM ENGINEERING SERVICES

INTERDEPARTMENTAL CIRCULATION FORM

LÊER VERW/ FILE REF	Farm 1653, Paarl	Date: 25 November 2019
AANSOEKNUMMER/APPLICATION NUMBER	LU/9520	
MEMO AAN/ TO :		
>	Director : Infrastructure Services (Traffic Engineer / Engineering Services)	[Handwritten: 27/11/2019] [Handwritten: R/Civil 1932]
	Manager: Electrical Services	
	Manager : Building Development Management	
	Manager : Fire Services	
	Manager: Spatial Planning / Heritage / Environment / Signage	
	Manager: Health Department (Winelands Health)	
	Manager: Community Services (Parks): Albert Van Der Merwe	
	Manager: Property Management (P Smit)	
	Manager: Local Economic Development	

Application	Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law dated 20 October 2015 for a consent use in order to erect a 15m freestanding telecommunication base station on Farm 1653, Paarl Division. Application is made in terms of Section 15(2)(f) of the Stellenbosch Municipal Land Use Planning By-Law dated 20 October 2015 for the removal of restrictive title condition 1(a) located on title deed number T45558/2017, restricting the land to the used for low cost housing and related infrastructure in order to accommodate the proposed 15m freestanding telecommunications base station on Farm 1653, Paarl Division.
Adres / Address	Robertsvei Road, Paarl
Aansoek Datum / Application Date	20 May 2019
Aansoeker / Applicant	Warren Petterson Planning

Aangeheg vind u tersaaklike dokumentasie in verband met bogenoemde aansoek. Ten einde my in staat te stel om die aansoek aan die besluitnemingsowerheid vir oorweging voor te lê, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien. Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil opleë indien die aansoek goedgekeur word.

Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish me with your written comment, if any, in order to enable me to submit the application to the decision making authority for consideration. Please differentiate between general comment on the merits of the application and any conditions that your department wishes to impose should the application be approved.

Geliewe die memorandum per hand aan my terug te besorg voor of op: **14 January 2020**
 Please hand deliver the memorandum to me on or before : **14 January 2020**

S Newman
 For DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT
ALGEMENE KOMMENTAAR / GENERAL COMMENT:

.....
 [Handwritten: No objection]

FILE NR:	
SCAN NR:	F 1653 P
COLLABORATOR NR:	675555

VOORWAARDES/CONDITIONS:

[Handwritten Signature]	[Handwritten: 07/01/20]
HANDTEKENING / SIGNATURE	DATUM / DATE

INTERDEPARTMENTAL CIRCULATION FORM

LêER VERW/ FILE REF	Farm 1653, Paarl	Date: 25 November 2019						
AANSOEKNUMMER/APPLICATION NUMBER	LU/9520							
MEMO AAN/ TO :								
	Director : Infrastructure Services (Traffic Engineer / Engineering Services)							
>	Manager: Electrical Services							
	Manager : Building Development Management							
	Manager : Fire Services							
	Manager: Spatial Planning / Heritage / Environment / Signage							
	Manager: Health Department (Winelands Health)							
	Manager: Community Services (Parks): Albert Van Der Merwe							
	Manager: Property Management (P Smit)							
	Manager: Local Economic Development							
Application	<p>Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law dated 20 October 2015 for a consent use in order to erect a 15m freestanding telecommunication base station on Farm 1653, Paarl Division.</p> <p>Application is made in terms of Section 15(2)(f) of the Stellenbosch Municipal Land Use Planning By-Law dated 20 October 2015 for the removal of restrictive title condition 1(a) located on title deed number T45558/2017, restricting the land to the use for low cost housing and related infrastructure in order to accommodate the proposed 15m freestanding telecommunications base station on Farm 1653, Paarl Division.</p>							
Adres / Address	Robertsvei Road, Paarl							
Aansoek Datum Application Date	20 May 2019							
Aansoeker Applicant	Warren Petterson Planning							
<p>Aangeheg vind u tersaaklike dokumentasie in verband met bogenoemde aansoek. Ten einde my in staat te stel om die aansoek aan die besluitnemingsowerheid vir oorweging voor te lê, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien. Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil oplê indien die aansoek goedgekeur word.</p> <p>Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish me with your written comment, if any, in order to enable me to submit the application to the decision making authority for consideration. Please differentiate between general comment on the merits of the application and any conditions that your department wishes to impose should the application be approved.</p> <p>Geliewe die memorandum <u>per hand</u> aan my terug te besorg voor of op: 14 January 2020 Please <u>hand deliver</u> the memorandum to me on or before : 14 January 2020</p>								
S Newman For DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT	<table border="1"> <tr> <td>FILE NR:</td> <td></td> </tr> <tr> <td>SCAN NR:</td> <td>F-1653P</td> </tr> <tr> <td>COLLABORATOR NR:</td> <td>675587</td> </tr> </table>		FILE NR:		SCAN NR:	F-1653P	COLLABORATOR NR:	675587
FILE NR:								
SCAN NR:	F-1653P							
COLLABORATOR NR:	675587							
ALGEMENE KOMMENTAAR / GENERAL COMMENT:	None							
VOORWAARDES/CONDITIONS:	Outside network Area - Eskom							
HANDTEKENING / SIGNATURE	14/01/2019							
	DATUM / DATE							



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ANNEXURE L

**(REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No.
1653, PAARL DIVISION)**

COMMENTS FROM FIRE SERVICES

INTERDEPARTMENTAL CIRCULATION FORM

LÊER VERW/ FILE REF	Farm 1653, Paarl	Date: 25 November 2019								
AANSOEKNUMMER/APPLICATION NUMBER	LU/9520									
MEMO AAN/ TO :										
	Director : Infrastructure Services (Traffic Engineer / Engineering Services)									
	Manager: Electrical Services									
	Manager : Building Development Management									
>	Manager : Fire Services									
	Manager: Spatial Planning / Heritage / Environment / Signage									
	Manager: Health Department (Winelands Health)									
	Manager: Community Services (Parks): Albert Van Der Merwe									
	Manager: Property Management (P Smit)									
	Manager: Local Economic Development									
Application	Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law dated 20 October 2015 for a consent use in order to erect a 15m freestanding telecommunication base station on Farm 1653, Paarl Division. Application is made in terms of Section 15(2)(f) of the Stellenbosch Municipal Land Use Planning By-Law dated 20 October 2015 for the removal of restrictive title condition 1(a) located on title deed number T45558/2017, restricting the land to the used for low cost housing and related infrastructure in order to accommodate the proposed 15m freestanding telecommunications base station on Farm 1653, Paarl Division.									
Adres / Address	Robertslei Road, Paarl									
Aansoek Datum / Application Date	20 May 2019									
Aansoeker / Applicant	Warren Petterson Planning									
<p>Aangeheg vind u tersaaklike dokumentasie in verband met bogenoemde aansoek. Ten einde my in staat te stel om die aansoek aan die besluitnemingsowerheid vir oorweging voor te lê, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien. Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil oplê indien die aansoek goedgekeur word.</p> <p>Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish me with your written comment, if any, in order to enable me to submit the application to the decision making authority for consideration. Please differentiate between general comment on the merits of the application and any conditions that your department wishes to impose should the application be approved.</p> <p>Geliewe die memorandum <u>per hand</u> aan my terug te besorg voor of op: 14 January 2020 Please <u>hand deliver</u> the memorandum to me on or before : 14 January 2020</p>										
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FILE NR:										
SCAN NR:	<i>I</i> <i>Order</i>									
	F 1653 P									
COLLABORATOR NR:	671902									
ALGEMENE KOMMENTAAR / GENERAL COMMENT:									
VOORWAARDES/CONDITIONS:									
HANDTEKENING / SIGNATURE	DATUM / DATE									
	27/11/2019									



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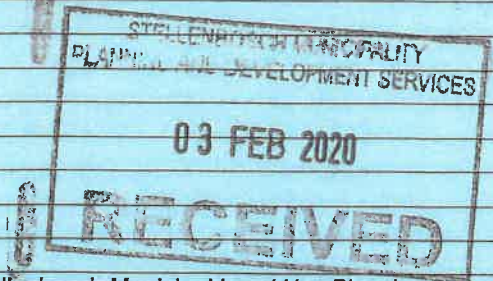
ANNEXURE M

**(REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No.
1653, PAARL DIVISION)**

COMMENTS FROM CAPE WINELANDS HEALTH

INTERDEPARTMENTAL CIRCULATION FORM

LÊER VERW/ FILE REF	Farm 1653, Paarl	Date: 25 November 2019
AANSOEKNUMMER/APPLICATION NUMBER	LU/9520	
MEMO AAN/ TO :		
	Director : Infrastructure Services (Traffic Engineer / Engineering Services)	
	Manager: Electrical Services	
	Manager : Building Development Management	
	Manager : Fire Services	
	Manager: Spatial Planning / Heritage / Environment / Signage	
>	Manager: Health Department (Winelands Health)	
	Manager: Community Services (Parks): Albert Van Der Merwe	
	Manager: Property Management (P Smif)	
	Manager: Local Economic Development	



Application	Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law dated 20 October 2015 for a consent use in order to erect a 15m freestanding telecommunication base station on Farm 1653, Paarl Division. Application is made in terms of Section 15(2)(f) of the Stellenbosch Municipal Land Use Planning By-Law dated 20 October 2015 for the removal of restrictive title condition 1(a) located on title deed number T45558/2017, restricting the land to the used for low cost housing and related infrastructure in order to accommodate the proposed 15m freestanding telecommunications base station on Farm 1653, Paarl Division.
Adres / Address	Robertsvei Road, Paarl
Aansoek Datum / Application Date	20 May 2019
Aansoeker / Applicant	Warren Petterson Planning

Aangeheg vind u tersaaklike dokumentasie in verband met bogenoemde aansoek. Ten einde my in staat te stel om die aansoek aan die besluitnemingsowerheid vir oorweging voor te lê, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien. Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil oplê indien die aansoek goedgekeur word.

Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish me with your written comment, if any, in order to enable me to submit the application to the decision making authority for consideration. Please differentiate between general comment on the merits of the application and any conditions that your department wishes to impose should the application be approved.

Geliewe die memorandum per hand aan my terug te besorg
Please hand deliver the memorandum to me on or before : 14

FILE NR: 14 January 2020
January 2020

SCAN NR:

F1653P

COLLABORATOR NR:

677612

S Newman
For DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

ALGEMENE KOMMENTAAR / GENERAL COMMENT:

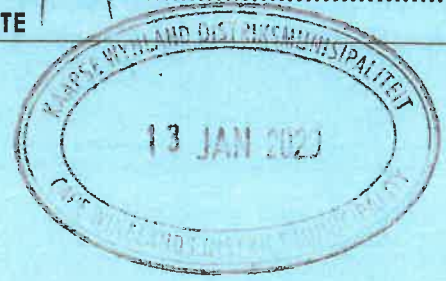
Vanuit 'n omgewingsgevoelingspunt is daar geen beswaar teen hierdie aansoek nie

VOORWAARDES/CONDITIONS:

.....
.....
.....

[Handwritten Signature]
HANDTEKENING / SIGNATURE

13/1/2020
DATUM / DATE





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ANNEXURE N

**(REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No.
1653, PAARL DIVISION)**

APPLICANT'S COMMENTS ON OBJECTIONS



Warren Petterson Planning
 P.O. Box 152
 Century City
 7446

T: (021) 552 5255
F: 086 537 9187
C: 083 255 8349
E: dloots@wpplanning.co.za

Department: Planning and Economic Development

Plein Street
 Stellenbosch
 7600

12 October 2020

APPLICATION FOR REMOVAL OF RESTRICTIONS AND CONSENT USE ON FARM 1653, PAARL

Dear Siyanda/Salome,

Two objections were received during the public participation process and the concerns have been addressed below.

Background:

Atlas Tower (Pty) Ltd is a company operating as an independent telecommunication infrastructure owner in South Africa. Atlas Tower's business model is to assess the location and placement of all existing telecommunication infrastructure, identify where additional infrastructure is required and supply the required infrastructure as the need arise to the various telecommunication service providers (MTN, Vodacom, Cell C and Telkom Mobile). We build and invest in vertical and rooftop-based telecommunication infrastructure. Atlas Tower's growing portfolio is currently at approx. 1100 towers and counting. Atlas Tower's portfolio has been built up over the past 6 years, where 90% of our assets are built by us and the balance is obtained through M&A's. The lease up ratio (number of tenants per cellular tower) currently sits at ± 2.2 with an average cellular tower age of 16 months.

We believe this lease up ration is a testament to Atlas Tower's ability to cater to all mobile network operators (MNOs) and internet service provider (ISP's) needs. The MNOs need the best networks, at record speeds to compete for subscribers. We understand this need and run a little faster building infrastructure quickly. The process which the application site has followed can be divided into 4 milestones:

Milestone 1: Identify a candidate site (zoning, available space, requirements of MNO's, RF requirements, elevation, competing structures, power source etc.)

Milestone 2: Put site into negotiation (negotiation with said land owners regarding commercial terms etc.)

Milestone 3: Secure site via signed lease agreement

Milestone 4: Commence with permitting



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Only after milestone 3 can the location be placed on a marketing list to all our clients. To date Atlas Tower has not entered into an agreement with any client to utilize our proposed cellular tower. The reason for this is we cannot confirm the exact date the site will be RFO (ready for occupation). For the most part our clients do not enter into agreement with Atlas Tower without some sort of proof land use or building plan approval has been granted. For now, we are forecasting the site to our clients and once we have any sort of formalized approval the drawing up of contracts can commence.

Business Plan:

To date we have seen concrete interest from one of the major network operators and this is a testament that the site suits the network planning for the said operator. It should be noted as mentioned above that it is in Atlas Tower's interest to allow for colocation on this mast should all necessary approvals be granted. We are confident of having a lease up ration of 2 or more 12 months after construction is completed.

It takes on average between 12-24 months to fully permit a new site build in the Western Cape. Should an operator have network complaints, they need to wait at least 18 months before they can resolve the problem. Companies such as Atlas Tower are taking the risk by permitting sites based on network assessments, before the need arises, thus reducing the lead time for operators and assisting them to achieve their targets as prescribed by ICASA and ECA. Atlas Tower will not waste approximately R2million to build a site that does not have interest from one of their clients.

Stellenbosch Fourth Generation Integrated Development Plan 2017-2022:

The IDP focusses on sustainable economic growth, which requires the creation of constant employment opportunities. Considering that employment opportunities is very scarce, home-based employment opportunities plays an important role in strengthening the economy. In order to ensure efficient and successful home-based careers, excellent cellular coverage, as well as fast and reliable internet connectivity is required, which promotes the improvement of the cellular coverage network to residential areas especially.

In 6.15 of the IDP Social Media and The Internet of Things (IoT) are recent trends in the ICT Industry, promoting improved communication between individuals and groups, as well as improving the network connectivity that allows devices, electronics etc. to collect and exchange data.

Need and desirability:

The current roll out of telecommunication infrastructure by cellular network providers is undertaken to upgrade and improve network coverage and quality to all customers. Telecommunication networks experience peak demand in the evenings between 19:00 and 23:00. This is due to the fact that during these times people are at their homes and use internet intensive devices. As a result, a large portion of the network upgrade is aimed at



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residential areas. Business and other activity areas have been prioritised over the past 20 years, for commercial reasons and given the fact that legislation and policies steered proposals of this nature, towards non-residential areas.

It should be noted that technology is moving forward and that cell masts are required at much more frequent intervals in order to provide a quality service to all mobile users. Newer technologies such as LTE for example only provide a fixed coverage for a radius of approximately 500m – 800m and even less in densely developed areas. It should be noted that the closest existing cell mast is located approximately 1km to the closest point of La Motte and 1.7km to the furthest point. This should clearly indicate that this is too far away in order to provide quality service in terms of newer technologies such as LTE.

If anyone is in need of emergency services or help somewhere close to this area, they will at least have good reception or reliable internet should they require contact numbers for certain services, such as towing or roadside assistance. It is therefore always important to have cell masts in close proximity to main roads in order to enhance the levels of safety.

What is important to realize in a pandemic like Covid-19 is that home-based businesses or income opportunities is becoming more and more popular. Many companies have closed their offices as they realized that their employees worked just as hard from home, thereby saving them a fortune by not having to pay monthly rental for an office. When it comes to home-based business it is important to note that fast and reliable internet and cellular connectivity is of utmost importance. Accordingly, the need for a cell mast in close proximity to any settlements or towns is promoted as this will have a positive economic growth.

The location of the base station has taken the town of La Motte into consideration and is proposed approximately 300m east of La Motte. This will ensure that La Motte will receive good LTE coverage and that the R45 will also be covered at the same time. The location is therefore ideal and will serve the optimal purpose.

National Heritage Resources Act of 1999 (NHRA):

An application was submitted to Heritage Western Cape in order to determine if any heritage resources will be affected by the proposal. Please refer to the letter received from Heritage Western Cape dated 7 October 2020 stating that no heritage resources will be affected.

Stellenbosch Integrated Zoning Scheme By-law, 2019:

As stated in the objection, the proposed cell mast is just over 500m from the R45, which is a scenic route. Considering that the height of the mast is a mere 15m in relation to the 500m range (3% in height of the total range) and the fact that there are numerous trees in the nearby vicinity, will ensure that the mast will be hardly

visible from the R45. We can however go even further and revise the design to a camouflaged tree in order to blend in with the trees in the nearby vicinity, which will reduce the visual impact even more.

Visual Impact Assessments are only conducted in cases where this is requested by council as part of the application process.

Stellenbosch Telecommunications Mast Infrastructure Policy:

	Objective content:	Compliance to Objective
O1:	To improve and maintain communication	This application is in line with this objective as it aims at providing the inhabitants of the said neighbourhood with effective and efficient voice and data coverage.
O2:	To ensure that the TMI is placed in the best possible location	We believe that the location identified is the best possible location considering that this location is within range to provide coverage to La Motte as well as the R45, without being located adjacent to any residential properties. This location will enhance connectivity for home-based businesses as well as for commuters along the R45.
O3:	To ensure the co-location or sharing of TMI wherever possible	The proposed base station will ensure the co-location of up to four service providers.
O4:	To retain the visual integrity, special character and amenity of the Stellenbosch Municipality	The mast is proposed at a minimal height of 15m in order to reduce the impacts on the surrounding environment. In addition the mast and equipment can be painted green or a tree mast can be proposed in order to further reduce the visual impact of the mast.
O5:	To design with the landscape and use modern mitigation measures to reduce impact	The mast is proposed in close proximity to the existing trees, which will assist in reducing the visual impact of the mast. A tree mast can be proposed as an alternative in order to blend in with the surrounding trees.

06	To retain and improve the environmental and heritage quality of the public arena	The proposal has no impact on the environmental and heritage quality of the public arena. An application was however submitted to HWC. Their response indicated that this proposal will have no impact on heritage resources.
07	To preserve areas of environmental or heritage significance	This application will have no effect on the natural or cultural (heritage) environment. An application was however submitted to HWC. Their response indicated that this proposal will have no impact on heritage resources.
08	TMI must be situated and operated in a manner so as not to interfere with any other utility functions	We have confirmed that no utilities services are nearby or whatever the case is and the equipment is ICASA approved.
09	Where possible TMI should be placed on other structures such as light posts, road signs etc.	There are no tall structures in the nearby surrounding area that can accommodate the proposed infrastructure. A cell mast is therefore the best option.
010	To protect the health, safety and wellbeing of the inhabitants of cape town	It should be noted that the lowest antennas are located at a height of 9m. There are no buildings in close proximity at a height of 9m and therefore no habitable buildings within 50m directly in front of the antennas. In addition the cell mast will provide people in the surrounding access to emergency services such as ambulances, police, fire department etc. which enhances the safety factor in the surrounding area.

Conclusion:

In conclusion, we would like to emphasise the positive contribution this base station will have on the surrounding community:

- In today's fast-moving society, mobile communication has become essential for the successful operation of numerous businesses and something that successful business men and woman cannot live without. Hence, the need for mobile communication network coverage in this area.
- A clear majority of the households depend on the services of the cellular telecommunications providers, including internet and social networking media (Facebook, Twitter etc.). With such a high demand for

their products, it follows that service providers are responsible for supplying a high level of network coverage.

- Mobile communication has become an important safety and security element in modern society. In an emergency, such as a housebreaking, medical alert or fire, a member of a household can quickly and easily contact the emergency services for help. However, if the coverage of mobile service providers' is poor, then contacting emergency services is a difficult task.
- The City's vision of having first world communication facilities available to all, (*Fast, cheap and reliable broadband and other connectivity infrastructure required to compete in a digital age*) and the Transit Orientated Development Strategy whereby areas around public transport nodes (such as Stations) should be attractive, efficient living environments, suggests that proposals that align with this vision should receive the required support.

Finally, I would like to emphasize that communications companies deliver an important service to the wider public, and in terms of their license with ICASA they must meet certain standards to retain their licenses. One of these standards is to supply adequate network coverage to their demanding customers.

Yours faithfully



Dirko Loots
C/9207/2020

Warren Petterson Planning



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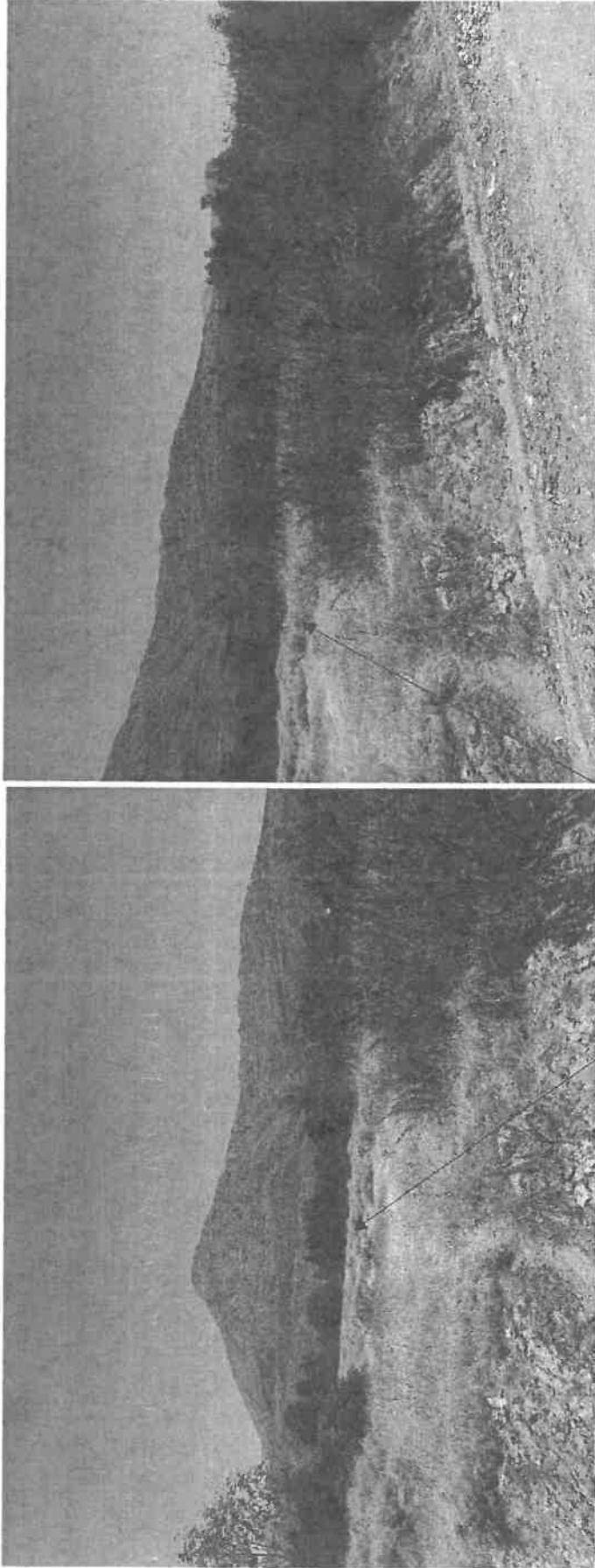
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ANNEXURE O

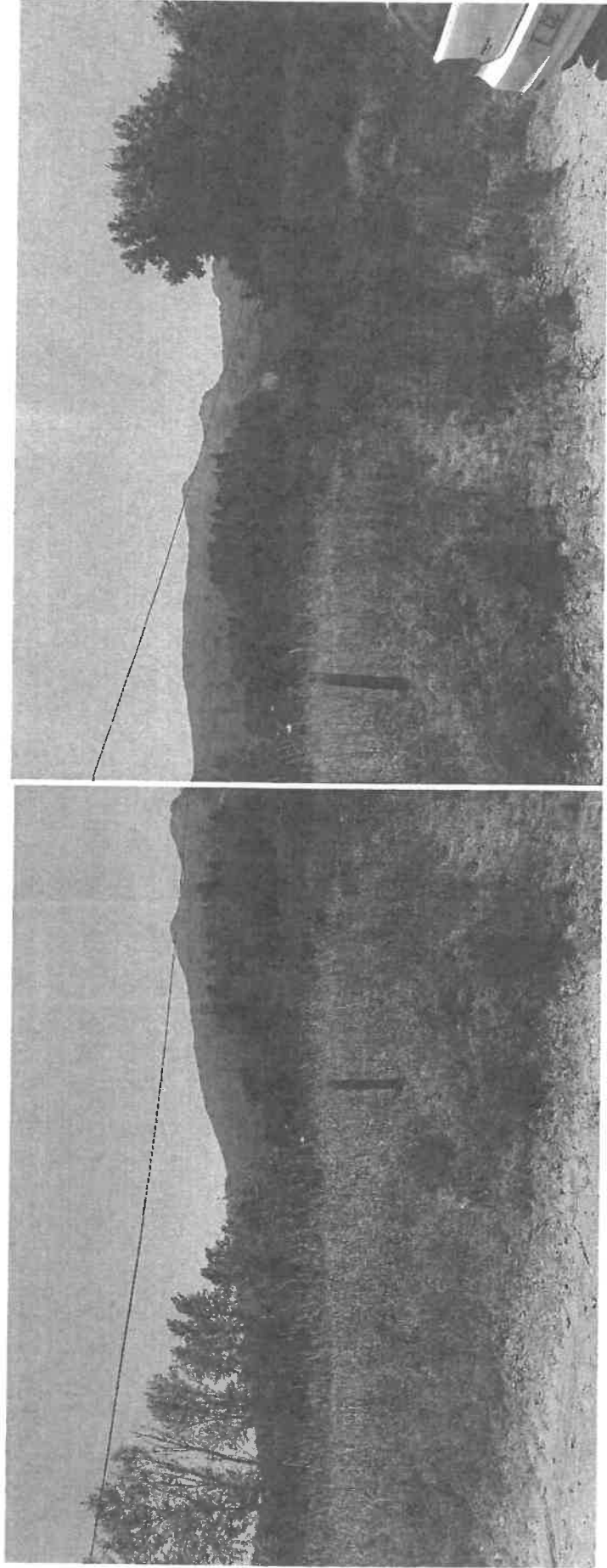
**(REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No.
1653,**

SITE INSPECTION PHOTOS



The photos above were taken facing the subject property with the R45 behind

Position of the Proposed Mast



The photos above were taken facing the R45 direction



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ANNEXURE P

**(REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No. 1653,
PAARL DIVISION)**

COPY OF DELEGATIONS

P. A. P. Smit



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SYSTEM OF DELEGATIONS

FINAL ADOPTION BY COUNCIL ON 2015-06-24

EFFECTIVE FROM 2015-05-01

Signed by Director: Strategic and Corporate Services

[Handwritten signature]

Signed by Municipal Manager

EC Liebenberg

Signed by Executive Mayor

[Handwritten signature]

[Red handwritten signature]

Item	Legislative Initiative	Description of power or function	Delegation route					Legislation and amendments	Risk - RAGL
			EM	SPB/Corporation	MM	DIR	MGR		
537.		To consider applications for the cession, assignment or sub-letting of leases						EM - Exceeding 10 years in consultation with MAYCO MM - Not exceeding 10 years DIR-HIS&PM not exceeding 36 months NOTE: If the lease of immovable property is longer than 10 years, it must be specifically executed	L
538.		To approve the renewal of lease agreements, where the agreement provides for such renewal						EM - Exceeding 10 years MM - Not exceeding 10 years DIR-HIS&PM not exceeding 36 months NOTE: This delegation may only be exercised on condition that new market related rental be approved by the CFO in terms of the approved term structure NOTE: If the lease of immovable property is longer than 10 years, it must be specifically executed	L
539.		Issuing of Special Power of Attorney to 3 rd parties to obtain rights in Council-owned property, i.e. land use rights, building plans, EIA, Heritage, ect.						MGR - MPM After consultation with relevant Director	L
540.		Consider applications for the placement of posters and banners on municipal property in terms of Council's policy						MGR - MPM in consultation with MGR-MTR&S	L
541.		To exercise all the rights and obligations of the Municipality as lessor or principal in respect of agreements of lease, servitudes and other legal instruments related to the incumbent's area of jurisdiction.						MGR - MPM	L
542.		To appoint valuers on such terms and conditions as he/she may deem fit, in the event of it being considered necessary and in the interest of the Council to obtain independent valuations advice regarding the acquisition or disposal of Council land or rights in such land						MGR - MPM subject to budget requirements and Supply Management	L
543.	S 31 of the Deeds Registries Act	To authorise the refunding of the pro-rate share of the rates paid in respect of the land acquired by way of expropriation as from the date of transfer to or occupation by the Council whichever be the earlier						MGR - MTO and may be sub-delegated to Health Revenue	L
544.	S 140(1) Municipal Ordinances	Give notice to owners of private property of Council's intention to construct or do maintenance work on municipal services on, over or under their property						MGR - MPM (at the request of the DES)	L



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ANNEXURE Q

**(REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSENT USE ON FARM No. 1653,
PAARL DIVISION)**

PLAN INDICATING EXISTING MASTS



Figure 1 - Existing base stations

Provide proof with substantive data of the need for additional towers in the area.

Figure 2 is an extract of an email sent by Vodacom to our client and indicates a list of sites that Vodacom wants to include in their budget for their 2022 rollout. The site name for Farm 1653 Paarl is La Motte Atlas on the list provided and confirms Vodacom's interest in the site. Considering that Vodacom is one of the major network providers, the other service providers such as MTN will follow soon.



ERF 21 AND 22- KYLEMORE

CONTENT	
ANNEXURES	PAGE NUMBER
APPENDIX A: Locality and zoning plans	115-118
APPENDIX B: Consolidation plan	119-120
APPENDIX C: Original land use approvals	121-133
APPENDIX D: Motivational report and Copy of Title Deed	134-221
APPENDIX E: Copy of POE Checklist and declaration	222-298
APPENDIX F: Conveyancer Certificate for Erf 22, Kylemore	299-300
APPENDIX G: Municipal Spatial Planning comments	301-303
APPENDIX H: Directorate Infrastructure Services comments	304-306
APPENDIX I: Cape Winelands District Municipalities Health comments	307-310
APPENDIX J: DEADP: Directorate Development Management Region 1	311-326
APPENDIX K: DEADP: Directorate Development Management: Region 2	327-329
APPENDIX L: Site Photos	330-335
APPENDIX M: The report on the evaluation of soil suitability	336-352



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**PLANNING REPORT: LAND USE AND LAND DEVELOPMENT APPLICATION:
APPLICATION FOR REZONING, CONSENT USE, CONSOLIDATION AND CLOSURE OF A PUBLIC
PLACE: ERF 21 AND 22, KYLEMORE.**

THIS REPORT WAS REFERRED BACK FROM THE MPT SITTING DATED 24-06-2022

Application Reference	File Ref: 21 and 22 (LU/13621)	Application Date	2022/01/17
		Last day for comments or additional information	2022/06/24

PART A: APPLICANT DETAILS

First name(s) & Surname	Jolandie Linnemann		
Company name	CK Rumboll and Partners		
SACPLAN registration number	Pr. Pln A/206/2010		
Registered owner(s)	Stellenbosch Municipality	Is the applicant properly authorised to submit the application	Yes

PART B: PROPERTY DETAILS

Property description	Erf 21 and 22	Town/ City	Kylemore
Physical address	Skool Street, Kylemore. See APPENDIX A for locality map.		
Extent (m ² /ha)	Erf 21 = 1,3115ha Erf 22 = 2771m ²	Current zoning	Erf 21 = Subdivisional Area Overlay Zone (29 Conventional Residential sites and 1 Public Road and Parking Zone erf) Erf 22 = Public Open Space Zone
Existing Development and Current land use	Erf 21, have a constructed road infrastructure and have partially be used as a burial site, with burials from the adjacent Erf 9, Kylemore exceeding its boundaries. Erf 22 is a vacant site.		
Any unauthorised land use/building work	No land use contravention notice is filed, but as mentioned burials has unauthorized been taken place on a portion of Erf 21, Kylemore adjacent to the existing cemetery on Erf 9, Kylemore.		

Title Deed No.	<p>Erf 21 = T77356/1999 (No Title Deed attached, as applicant could not find any documentation via a Deeds Enquiry)</p> <p>Erf 22 = T44661/2014. See APPENDIX C for attachments to motivational report in ANNEXURE E.</p>
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PART C: APPLICATION DETAILS	
Application(s)	<p>a) Application is made in terms of Section 15(2)(a) of the Stellenbosch Land Use Planning By-law (2015) for the rezoning of Erf 21, Kylemore from Subdivisional Area Overlay Zone to Private Open Space Zone.</p> <p>b) Application is made in terms of Section 15(2)(a) of the Stellenbosch Land Use Planning By-law (2015) for the rezoning of Erf 22, Kylemore from Public Open Space Zone to Private Open Space Zone.</p> <p>c) Application is made in terms of Section 15(2)(o) of the Stellenbosch Land Use Planning By-law (2015) for a consent use in order to accommodate a cemetery on Erf 21 and 22, Kylemore.</p> <p>d) Application is made in terms of Section 15(2)(e) of the Stellenbosch Land Use Planning By-law (2015) in order to consolidate Erf 21 and 22, Kylemore to form a 1.5886 land unit.</p> <p>e) Application is made in terms of Section 15(2)(n) of the Stellenbosch Land Use Planning By-law (2015) for the closure of a public place in order to use Erf 22, Kylemore for cemetery purposes. See APPENDIX B.</p>
Purpose of Application	<p>To rezone Erf 21 and 22 Kylemore to the appropriate zoning category of Private Open Space Zone to make provision of the existing cemetery activities that have partially expanded over the boundaries of Erf 21 and to provide for additional burial space on Erf 22. Hence the consolidation of the two properties.</p>
Pre-consultation	<p>No pre-application consultation process was conducted at the time of submission.</p>

PART D: APPLICATION BACKGROUND

This application was referred back from the last MPT meeting of 24/06/2022 with the following resolution;

"The application be referred back to the Administration and that the following outstanding information be provided to the MPT:

1. *The full Environmental Impact Assessment (EIA) including the missing pages of correspondence dated 22 June 2011.*
2. *The Administration to source relevant information regarding the impact of the proposed cemetery on underground water sources, the river and the suitability of the soil to accommodate a cemetery."*

Departmental response:

1. The complete Environmental Authorization (EA) dated 22/06/2011 has been added to **APPENDIX J**, replacing the incomplete documentation.
2. The undated report for evaluation of soil suitability for the expansion of the existing cemetery at Kylemore compiled by Dr JE Hoffman (Soil physicist) after a site investigation on 28 May 2010 and which informed the 2011 EA, is attached as **APPENDIX M**.

Property background:

Portion 33 of Farm No. 124, Stellenbosch was on 01 December 1989 rezoned to subdivisational area and subsequent subdivided to make provision for township establishment in Kylemore. Erven 21 and 22 for part of this subdivision and the zoning of 29 Residential Zone I Erven and 1 Transport Zone II was allocated to Erf 21 and Public Open Space to Erf 22. The rights on all erven except Erf 21, 22, 36 and 41 of the initial approval has been taken-up by the municipality.

Provision was made for 3 cemetery sites, which includes Erf 9, 34 and 35, Kylemore. All these erven are currently used for cemetery purposes. Burial activities on Erf 9, due to capacity constraints, has now started to exceeds its boundaries onto the adjacent Erf 21, Kylemore, hence the application to regularize these activities and expand the cemetery activities onto Erf 21 and Erf 22, Kylemore. See **APPENDIX C** for the original approvals.

PART E: APPLICATION OVERVIEW AND MOTIVATION

Urban cemeteries are filling up without room for expand, particularly due to diminishing land resources. This scarcity is caused by land that is environmentally unsuitable for burial and because most of the available land is privately or provincially owned.

The provision and maintenance of cemeteries, funeral parlours and crematoria is a function vested in Local Government and CK Rumboll & Partners were appointed by Stellenbosch Municipality to apply for the consolidation and rezoning of relevant erven in Kylemore to allow for the expansion of the

existing cemetery and the establishment of associated infrastructure. Although Kylemore has four cemetery erven, there is still a need since space is limited in the existing cemetery premises and is working to achieve capacity. Suitable sites were identified adjacent to the existing cemeteries to serve as an extension and make provision for this dire need.

The cemetery site will be fenced and maintained and the design and layout of the extension will consider the following;

- Ensure a safe, accessible and aesthetically pleasing site for the burial of the dead.
- Keep maintenance low and thereby keep costs low.
- Use design elements such as meandering walkways through area, views and vistas, landscaped planting open space, well designed entrances and fencing to create a sense of place and dignity.
- Ensure easy access for vehicles, digging machinery and pedestrians.
- Keep the design of the layout flexible.
- Keep major access roads to cemeteries in good condition.

The proposed expansion of the cemetery will provide the much need cemetery space required. The applicant's motivational report is attached as **APPENDIX D**.

PART F: PUBLIC PARTICIPATION, COMMENTS AND RESPONSE

Process followed

The applicant was instructed to advertise on 02 February 2022. The application was advertised in the Eikestadnuus and notices served on all interested and affected parties on 17/02/2020 until 22/03/2022 and an onsite notice placed on 17/02/2022. No objections were received during this advertising process.

The department also advertised to all internal municipal departments and ward councillor on 04 February 2022 and no objections were received.

Notifications was also sent to external departments 17/02/2022 and they were granted an opportunity to submit comments until 22 April 2022. No objections were received within the timeframe.

The applicant on 12 May 2022 submitted a Portfolio of Evidence (POE) informing the municipality that the application has been advertised to the subject neighbouring property owners, interested and affected parties and no objections were received.

The advertising process was deemed sufficient. See **APPENDIX E** for the portfolio of evidence.

The applicant however on 30 May 2022 submitted an outstanding conveyancers' certificate and once again indicated that no title deed could be found for Erf 21, Kylemore via deeds enquiries. See **APPENDIX F** for the conveyancers certificated for Erf 22, Kylemore.

Public & stakeholder inputs

As mentioned, no objections were received from any interested and affected parties.

Comments from internal service departments and municipal authorities

- (i) **Municipal Property Management Department** – Support the application.
- (ii) **Senior Manager: Community Services** – No objection.
- (iii) **Manager: Spatial Planning** – recommended the applications for approval subject to a condition of approval; *That a buffer zone must be created between the cemetery and the backyards of the adjacent housing units.* See **APPENDIX G**.
- (iv) **Directorate: Infrastructure Services comments (Civil, Traffic and Electrical Engineering combined comment)** – No objection, no municipal services are affected. There are existing services (roads, water, sewer) in the vicinity of the proposed cemetery, to which can be tied into, should it be required. Details of service connection must be indicated on the building plans. All electrical requirements should be directed to Eskom. See **APPENDIX H**.

Comments from external authorities

- (i) **Cape Winelands District Municipality Health Department** – 01 March 2022- From an environmental health perspective this application may be recommended for approval, provided that certain condition listed in terms of the National Health Act (61 of 2003) be adhered to. See **APPENDIX I**.

Planning Comment: It should be noted that these conditions imposed comes directly from the National Health Act (61 of 2003), which needs to be complied with and it will be the applicant's and owner's responsibility to apply for any exemptions from this legislation.

- (ii) **DEADP: Directorate Development Management: Region 1** – 26 August 2021 - The expansion of the cemetery on Erven 21 and 22 in a manner that is consistent with the EA granted on 22 June

2011 will not require further authorisation from the competent authority. Should expansion of the cemetery fall outside the scope of EA, the expansion may constitute a listed activity as defined in Listing Notice 1, 2 or 3 of the NEMA EIA Regulations, 2014 (as amended). This was followed up with an additional letter dated 05 May 2022 reconfirming the above after additional information was submitted. See **APPENDIX J**.

- (iii) **DEADP: Directorate Development Management: Region 2** – 17 March 2022 – indicated that from a provincial land use planning perspective, there is no objection to development of the subject property for purposes of a cemetery. See **APPENDIX K**.

Response by applicant to comments received.

No objections were received against the application and therefore no response is required on any objections. The applicant however submits a letter capturing DEADP departmental comments. See ANNEXURE G of the POE (Portfolio of Evidence attached as **APPENDIX E**).

They also submitted a Status Report from the Surveyor Generals Office: Western Cape, confirming that Erf 22, Kylemore is shown as an **Ordinary Erf** in their records and do not require a closure process, but only rezoning (See Annexure J of the POE attached as **APPENDIX E**). In the final assessment and recommended the closure of a public place could therefore be refused, as it is not required.

PART G: ASSESSMENT OF LAND USE AND LAND DEVELOPMENT APPLICATION

1. Legislative and Policy Context of land use and land development application

When the decision maker considers the land use and land development application, it must have regard to the general criteria for consideration in terms of Section 65(1) of the Land Use Planning By-law, as it would relate to the subject land use and land development applications.

It is also noted that the subject land use and land development applications were submitted and processed in accordance with and in compliance with the prescripts of the said Bylaw.

2. Assessment of grounds of the land use and land development application

2.1 Land use principles

The subject properties are located within an urban edge, bordered by approved cemeteries and provide the most logical expansion direction for the subject cemeteries in Kylemore, due to capacity

constraints. This conforms to the MSDF principle of Optimal Land Use, where land should be used for its most sustainable and appropriate use. Alternative sites have been identified to be investigated for new housing projects in Kylemore, and the loss of these land parcels for housing development would provide in the more urgent need of burial space in Kylemore.

2.2 Applicable spatial development frameworks, guidelines, policies

The proposal was supported by the Municipal Spatial Planning Section in a comprehensive comment, subject to a condition of approval (See **APPENDIX G**). One of the seven principles of the SDF is to ensure balanced, sustainable communities. The expansion of the cemetery within the community of Kylemore, would reduce the enormous cost for transport and burial cost at municipal cemeteries far outside the town of Kylemore. The closest being Stellenbosch and Jamestown. The request for a buffer zone between the cemetery and the backyard of the adjacent housing units would not affect the functionality of the cemetery and could be imposed as a condition of approval, should the decision maker deem the application desirable.

2.3 Service infrastructure capacity and sustainability

The municipal engineering section indicated that no municipal services are affected, and that there are existing services (roads, water, sewer) in the vicinity of the proposed cemetery, to which can be tied into, should it be required. Should building plans be submitted for any infrastructure the details of service connection must be indicated on the building plans for those structures related to cemetery use.

All electrical requirements should be directed to Eskom. See **APPENDIX H**.

2.4 Any investigations carried out in terms of other laws that are relevant (e.g. EIA, TIA, HIA etc.)

No comments were received from the heritage authorities. An Environmental Authorization (EA) was granted on 22 June 2011. DEADP in a letter dated 05 May 2022 confirmed that the proposed expansion of the cemetery on Erven 21 and 22 in a manner that is consistent with the EA, **will not require further authorisation** from the competent authority. Should expansion of the cemetery however fall outside the scope of EA, the expansion may constitute a listed activity as defined in Listing Notice 1, 2 or 3 of the NEMA EIA Regulations, 2014 (as amended). See **APPENDIX J**.

2.5 Applicable provisions of the zoning scheme

APPENDIX C contains the original approval granted to allocate the new base zones for the subject properties. Erf 21, Kylemore is zoned Subdivisional Area Overlay Zone for 29 Conventional Residential erven and 1 Public Road and Parking Zone erf. The General Plan was however never registered for this site and the zoning never vested. From the information on file and the attached approval, it could however not be determined from which base zone the property was rezoned from. It could be

generally assumed that it would be Agriculture and Rural Zone considering the property description of Portion 33 of the Farm No. 124, Stellenbosch Division, but as mentioned it could not be determined.

No provision is also made for cemetery activities under the aforementioned zonings and the property must subsequently be rezoned to an appropriate zoning category to make provision for a cemetery. Considering that Erf 9, 34, 35 and 71 Kylemore are already zoned Private Open Space Zone, application is made for the rezoning Erf 21, Kylemore to Private Open Space Zone with a consent use for a cemetery.

Erf 22 is zoned Public Open Space Zone, which also makes provision for a cemetery as a consent use. Due to the proposed consolidation of Erf 21 and 22 and the previous allocated base zone of Private Open Space Zone for Erf 9, 34, 35 and 71, Kylemore (all cemetery sites) application is made for the rezoning of Erf 22, Kylemore from Public Open Space Zone to Private Open Space Zone with consent use for a cemetery.

It needs to be reiterated that although the zoning of Erf 22, Kylemore is Public Open Space Zone, the applicant submitted a Status Report from the Surveyor Generals Office: Western Cape, confirming that Erf 22, Kylemore is shown as an **Ordinary Erf** in their records and do not require a closure process, but only rezoning (See Annexure J of the POE attached as **APPENDIX E**). In the final assessment and recommended the closure of a public place application could therefore be refused, as it is not required.

2.6 General desirability

Erf 21 and 22, Kylemore is identified in terms of the MSDF as Mixed-Use Community and Residential Infill area. The expansion of the existing Kylemore cemetery sites onto Erf 21 and 22 is therefore not prohibited by the guiding principles of the SDF. Although cemetery activities already started to expand onto Erf 21, it remains the most logical even to be included as part of the Kylemore cemetery sites, within the Urban Edge.

Access to Erf 21 and 22 could be obtained directly at two existing safe locations off Skool Street and a third of Blarney Street, as can be seen from the locality and consolidation plans. No new accesses would therefore, need to be constructed. Considering that the cemetery would be in walking distance of all churches within small town of Kylemore, extensive parking requirements is therefore not needed. A site inspection at all public and private cemeteries in Kylemore revealed that none of them provide onsite public parking. Parking are either provided in public streets or church facilities. Erf 21 and 22, Kylemore already have a constructed road on Erf 21 and could either provide parking or ease traffic congestion on the property. No applications for departures was submitted and all constructions must

comply to the development parameters for the zoning which includes a 5m building line, 20% coverage or as restricted in an SDP should one be approved and 1 storey height restriction for all buildings. While only a wire or steel palisade, painted charcoal, black or dark green, may be constructed as boundary fencing not exceeding 2.1m. A site inspection revealed that the existing fencing that complies with the aforementioned parameters has been constructed although partially vandalised. Should the line department however want to constructed any other forms of fencing a motivated application for departure from these parameters could be submitted for consideration.

The rezoning of the open space zone would also not affect the daily activities of the community, considering that the site has not been development as a public open space and the fact that the community sports field and a public open space is accessible within 100 of these sites.

2.7 Assessment of comments on application

All recommendation and condition were accepted by the applicant and no additional comments was submitted.

PART H: SUMMARY OF KEY FINDINGS OF ASSESSMENT

The proposals are in keeping with the relevant prescriptions, policies and guidelines of the municipality and relevant departments. All services, if required could connect to the municipal services in nearby public streets. Environmental Authorization was obtained for the establishment of the cemetery on the subject erven. The land use parameters for a zoning of Private Open Space could be comply with, without a departure required. Safe vehicular access could be obtained from two public streets. The application is deemed desirable, and no negative impact is envisaged on surrounding interested and affected parties, who did not object to the application.

Additional matters to consider

Not applicable.

PART I: RECOMMENDATION

1. That the application in terms of Section 15(2)(n) of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015 for the closure of a public place, Erf 22 Kylemore;

NOT BE APPROVED in terms of Section 60.

2. The reason for the above decision is as follows:

- 2.1 A Status Report from the Surveyor Generals Office: Western Cape, confirming that Erf 22, Kylemore is shown as an Ordinary Erf in their records and do not require a closure process, but only rezoning.

- 3 That the following application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015, namely:

- 3.1 Rezoning of Erf 21, Kylemore to Private Open Space Zone, in terms of Section 15(2)(a).
- 3.2 Rezoning of Erf 22, Kylemore from Public Open Space Zone to Private Open Space Zone, in terms of Section 15(2)(a).
- 3.3 Consent use in order to accommodate a cemetery on Erf 21 and 22, Kylemore, in terms of Section 15(2)(o).
- 3.4 Consolidation Erf 21 and 22, Kylemore to form a ±1.5886ha land unit to be used for cemetery purposes, in terms of Section 15(2)(e).

BE APPROVED in terms of Section 60 and subject to the conditions of approval in terms of Section 66.

- 4 The approval is subject to the following conditions imposed in terms of Section 66 of the bylaw:

Conditions of approval which should be complied with as required in terms of Section 66(11) of the subject by-Law, before the approval comes into effect and any required building plans is submitted:

- 4.1 A detailed site development plan as contemplated in terms of Section 16 of the Zoning Scheme Bylaw, 2019 as required in terms of Section 196(3) of the said bylaw, be submitted to the Municipality for approval prior to the submission of any building plans or earthwork's being done. The site development plan must satisfactorily, address, but are not necessarily limited to, all the conditions of this approval, compliance with relevant development parameters of the bylaw, any relevant matters relating to Section 16(4) of the said Bylaw, and specifically the requirement from the Spatial Planning Department. That a buffer zone be created between the cemetery and the backyards of the adjacent housing units.

General conditions of approval with no requirement for compliance prior to the development of the land as contemplated in terms of Section 66(11) of the subject By-Law:

- 4.2 The approval applies only to the rezoning, consent use 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.
- 4.3 The consolidation of the erven 21 and 22 Kylemore and a certificate of consolidated title and endorsement of the relevant title deed by the Registrar of Deeds be proceeded with.
- 4.4 Building plans be submitted and approved by the Municipality prior to the commencing of any building works, including the preparation of land, which will only be approved when all relevant (or qualified) conditions of approval have been complied with.
- 4.5 Details of service connection be indicated on the building plans to be submitted.

5 The reasons for the above decision are as follows:

- 5.1 The proposals are in line with the objectives and principles of the Stellenbosch Municipal Spatial Development Framework.
- 5.2 Sufficient Services can be provided to the satisfaction of the municipal engineering section if required.
- 5.3 The portion of a public open space to be rezoned, has never been development as a communal recreational space and a public sportsground and public open space is located less than $\pm 100\text{m}$ from this site and is currently been used for sport and recreational purposes by the community.
- 5.4 Safe vehicular access could be obtained from two public streets.

6 Matters to be noted:

- 6.1 All electrical requirements should be directed to Eskom.
- 6.2 The conditions imposed by the Cape Winelands District Municipalities Health Section comes directly from the National Health Act (61 of 2003), which needs to be complied with and it will be the applicant's and owner's responsibility to apply for any exemptions from this legislation.

PART J: APPENDICES

1. **APPENDIX A:** Locality and zoning plans
2. **APPENDIX B:** Consolidation plan
3. **APPENDIX C:** Original land use approvals
4. **APPENDIX D:** Motivational report and Copy of Title Deed
5. **APPENDIX E:** Copy of POE Checklist and declaration
6. **APPENDIX F:** Conveyancer Certificate for Erf 22, Kylemore
7. **APPENDIX G:** Municipal Spatial Planning comments.
8. **APPENDIX H:** Directorate: Infrastructure Services comments
9. **APPENDIX I:** Cape Winelands District Municipalities Health comments.
10. **APPENDIX J:** DEADP: Directorate Development Management Region 1
11. **APPENDIX K:** DEADP: Directorate Development Management: Region 2
12. **APPENDIX L:** Site Photos.
13. **APPENDIX M:** The report on the evaluation of soil suitability.

PART K: COMPILATION OF PLANNING APPLICATION ASSESSMENT REPORT**APPLICATION FOR REZONING, CONSENT USE, CONSOLIDATION AND CLOSURE OF A PUBLIC PLACE: ERF 21 AND 22, KYLEMORE.****Author of Planning Assessment Report:****Recommended Categorisation of the Application for Authorised Decision Maker:**

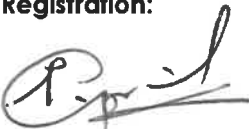
Rezoning - Type A(c), Consolidation – Type E(c), Consent Use – Type O, Closure of public space – Type N; Category 5 to MPT, considering that the application is initiated by the municipality and the land is owned by Council.

Name: Pedro April

Capacity: Senior Town Planner

SACPLAN Registration:

Signature:



Date: 05/07/2022

PART L: SUBMISSION OF PLANNING APPLICATION ASSESSMENT REPORT**APPLICATION FOR REZONING, CONSENT USE, CONSOLIDATION AND CLOSURE OF A PUBLIC PLACE: ERF 21 AND 22, KYLEMORE.****Authorised Employee to assess and make a recommendation on a land use and land development application for consideration by the authorised decision maker:**

As the duly authorised official in terms of Section 56 of the Stellenbosch Municipal Land Use Planning Bylaw (2015) to assess and make a recommendation on the above planning application, the subject planning report is hereby submitted for consideration to the duly authorised decision maker in accordance with the Categorisation Model for Land Use and Land Development Applications as approved by the Stellenbosch Municipality in accordance with Section 69(1) of the said Bylaw.

In terms of the Categorisation Model duly approved in terms of Section 69(1) of the said Bylaw vide Item 7.7.1 and dated 8 April 2020, the subject application is categorised as follows:

Category: 5

Decision Making Authority: MPT

Rational:

Rezoning - Type A(c) Category 5 to MPT, considering that the application is initiated by the municipality and the land is owned by Council.

Rezoning - Type A(c), Consolidation – Type E(c), Consent Use – Type O, Closure of public space – Type N; Category 5 to MPT, considering that the applications is initiated by the municipality and the land is owned by Council.


Name: Stiaan Carstens

Capacity: Senior Manager: Development Management

SACPLAN Registration: A/1551

Signature:

Date:



Handwritten signature and date: 6/7/2022

PART M: ADMINISTRATION OF PLANNING APPLICATION ASSESSMENT REPORT**LAND USE AND LAND DEVELOPMENT APPLICATION:****APPLICATION FOR REZONING, CONSENT USE, CONSOLIDATION AND CLOSURE OF A
PUBLIC PLACE: ERF 21 AND 22, KYLEMORE.****Administrator to Stellenbosch Municipal Planning Tribunal:**

It is hereby confirmed that proper notice was served of the Municipal Planning Tribunal meeting at which this land use and land development application will serve for consideration.

The land use and land development application will serve at the scheduled meeting of the Stellenbosch Municipal Planning Tribunal on:

Date: 22 July 2022

Name: Lenacia Kamineth

Capacity: Senior Administrative Officer

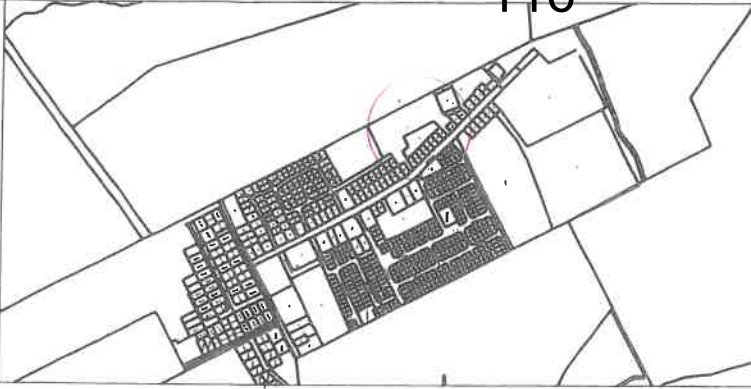
Signature: 

Date: 07.07.2022

APPENDIX A

Locality and zoning plans

LEGEND:
Locality of erven 21 and 22
Kylemore



TITLE:

Locality of erven 21 and 22
Kylemore

NOTE:

ALL MEASUREMENTS AND DISTANCES SUBJECT TO SURVEY

DRAWN BY:



C.K. RUMBOLD AND PARTNERS
TOWN AND REGIONAL PLANNERS
SURVEYORS AND ENGINEERS
115 PARKSIDE, ST. MALMESBURY
Tel: 022 - 4821845
Fax: 022 - 4871851
e-mail: jrumbold@rumbold.co.za

DATE: AUGUST 2021

SCALE: not to scale

REF: KYLE/12067/JL



RE/199

Legend

□ Allotment Township

Erf



Scale: 1:9 028

Date created: August 24, 2021

Compiled with CapeFarmMapper

Western Cape
Government



Stellenbosch GIS Map

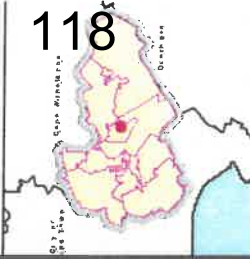


SCALE

1:2 256,99

Legend

118

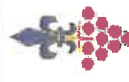


Stellenbosch Municipality
Planning & Economic Development
Created by: Corporate GIS

Date: 2022/10/128



Author: Stellenbosch Municipality



Stellenbosch Municipality
Site Address:
71 Plain Street, Stellenbosch, 7600
Tel: 021 808 8668

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APPENDIX B
Consolidation plan

LEGEND:

Newly consolidated erf
1.5886ha

Consolidation

TITLE: PROPOSED CONSOLIDATION OF ERVEN 21 AND 22, KYLEMORE

NOTE: ALL SIZES AND MEASUREMENTS ARE SUBJECT TO SURVEY

DRAWN BY:

C.K. RUMBOLD AND PARTNERS
TOWN AND REGIONAL PLANNERS
PROFESSIONAL LAND SURVEYORS
16, PARKER STREET, WILMERSBURG
7601
Tel: 022 - 4871863
Fax: 022 - 4871863
e-mail: jolanda@rumbold.co.za

DATE: August 2021

SCALE: not to scale

REF: KYLE/12067/JL



APPENDIX C

Original land use approvals

File

D. Visagie

2108

19/3/1/1/1/44-DV/AS

1 Desember 1989

Die Direkteur-Generaal
Administrasie : Raad van Verteenwoordigers
Departement van Plaaslike Bestuur,
Behuising en Landbou
Privaatsak X9076
KAAPSTAD
8000

VIR AANDAG : MEV. D. SMITH

Meneer

HERSONERING EN ONDERVERDELING VAN 'N GEDEELTE VAN GEDEELTE 33 VAN
DIE PLAAS RUST-EN-VREDE NR. 124, KYLEMORE PLAASLIKE GEBIED

1. U lêer 17/1/6/2/2103/1 en die Administrateur se goedkeuring AFR.1/19/4/2-H2 gedateer 18 Augustus 1988 vir hersonering van die bogenoemde eiendom na onderverdelingsgebied, verwys.
2. Die Raad het ingevolge artikel 25(1) van Ordonnansie Nr. 15 van 1985 goedkeuring verleen tot die onderverdeling van die bogemelde eiendom soos aangetoon op die aangehegte plan Nr. TP.622/4 (Bylae A) waarop die grondgebruike vir doeleindes van artikels 22(2) en (3) van gemelde Ordonnansie aangetoon is (Bylae B).
3. Hierdie onderverdeling sal onderworpe wees aan die volgende voorwaardes, opgelê kragtens artikel 42(1) van Ordonnansie Nr. 15 van 1985 :
 - (a) Dienste moet aan die onderverdeling voorsien word ingevolge die bepalings van Regulasie 39 van die Regulasies uitgevaardig kragtens artikel 47(1) van Ordonnansie Nr. 15 van 1985 (P.K.1050 van 5 Desember 1988).
 - (b) Tydens ontwikkeling van die gebied moet bestaande volgroeide bome in aanmerking geneem en, waar moontlik, behou word.

2/....

2.

4. U aandag word ook gevestig op die volgende :

- (a) Regulasies 37 en 38 van die Regulasies uitgevaardig kragtens artikel 47(1) van Ordonnansie Nr. 15 van 1985 (P.K.1050 van 5 Desember 1988).
- (b) Artikels 26, 27, 28 en 31 van die voormelde Ordonnansie.
- (c) Regulasies 4.18 en 5.2.9 van die Skemaregulasies uitgevaardig kragtens artikel 8 van Ordonnansie Nr. 15 van 1985 (P.K.353 van 20 Junie 1986).

5. Die Raad sal nie verantwoordelik wees vir enige grondwerke om die eiendom of enige deel daarvan voor te berei vir boudoeleindes nie.

Die uwe


HOOF-UITVOERENDE BEAMPTE

Mnre. Friedlaender, Burger
& Volkmann
Posbus 154
STELLENBOSCH
7600

VIR AANDAG : MNR. BURGER

Afskrif ter inligting.


HOOF-UITVOERENDE BEAMPTE

Die Landmeter-Generaal
Privaatsak X9028
KAAPSTAD
8000

Afskrif ter inligting.


HOOF-UITVOERENDE BEAMPTE

DIE HOOF : FINANSIËLE DIENSTE
DIE HOOFINGENIEUR

Afskrif ter inligting.


HOOF-UITVOERENDE BEAMPTE

TREKURIER	
HOOFINGENIEUR	
GENEESKE BEAMPTE	
GOEIE ADMIN.	
GENEESKE BEAMPTE	
GOEIE HOOF	
MAAC-KV-SID-SEP	
MANIFESTERING	
DATUM	

BYLAE A

KYLEMORE

WES-KAAPSE NIEKORRENTREED
WESTERN CAPE REGIONAL SERVICES COUNCIL
WES-KAAPSE NIEKORRENTREED
WESTERSE KAPSTAD
GEDEELTE 33 PLAN NO. 114

ADMINISTRASIE

ADMINISTRATION

Wes-Kaapse Niekorrentreëd
Western Cape Regional Services Council
Wes-Kaapse Niekorrentreëd
Westerse Kaapstad
Geëdeelte 33 Plan No. 114

Wes-Kaapse Niekorrentreëd
Western Cape Regional Services Council
Die onderverdeling is deur die Raad
This subdivision has been approved by the Council.

De onderverdeling is in ooreenstemming met die Afdeling van die Raad in terme van Section 25 of Ordinance Nr. 15 van 1985 onderworpe Ordinance No. 15 of 1985 subject to the aan die voorwaarde volgens aanhangsel condition as per annexure.

Shisagie 11/2/1989
Hoof Uitvoerende Beampte / Chief Executive Officer / Datum / Date

NOTAS:

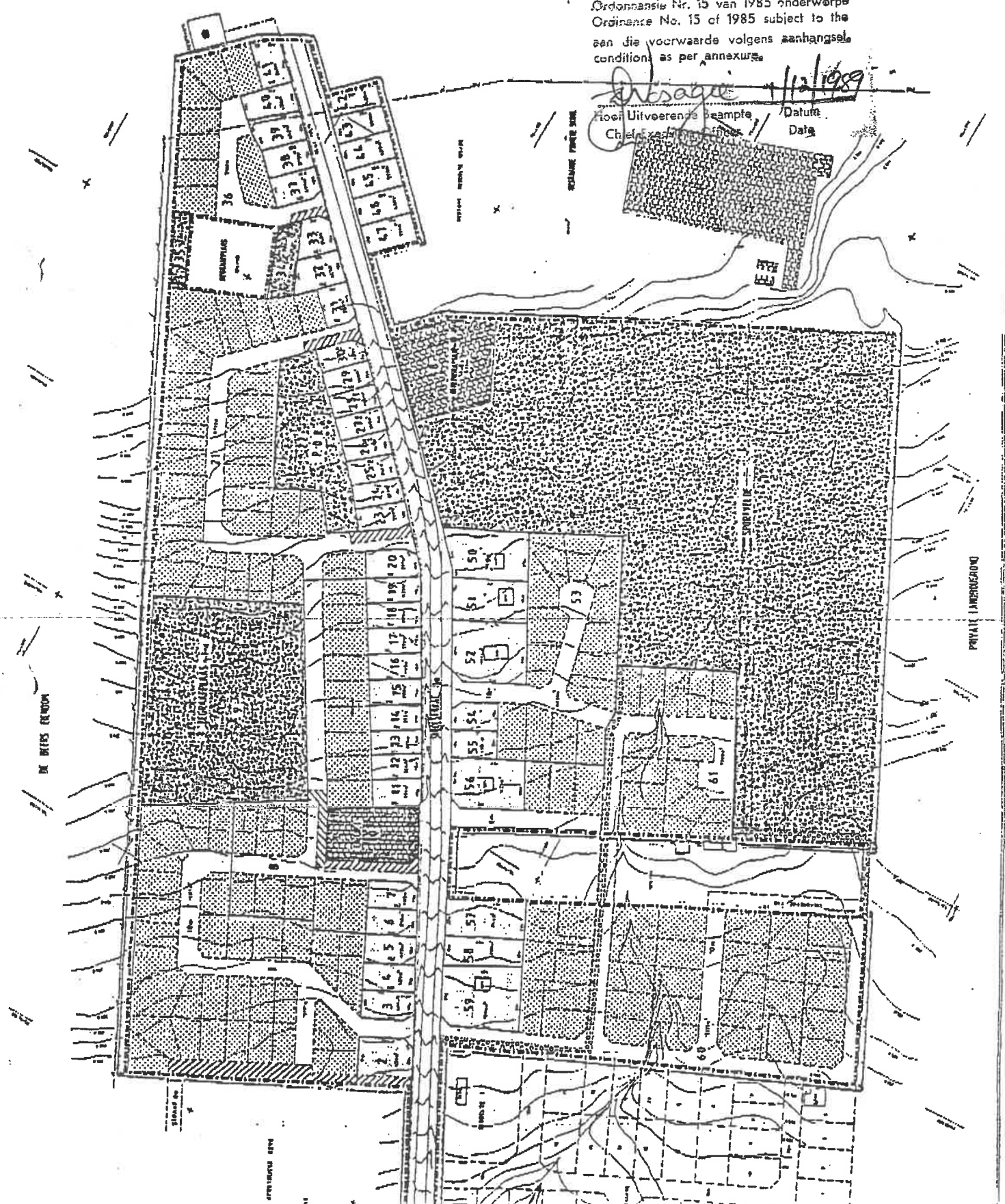
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- BEGRIP: AANDE (CONCEPT: AREA)
- OPDRAG: OORWINDINGSDIGTING (TASK: WIND DIRECTION)
- BESTEMMING: OORWINDINGSDIGTING (DESTINATION: WIND DIRECTION)

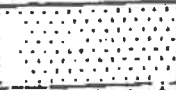




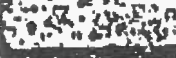

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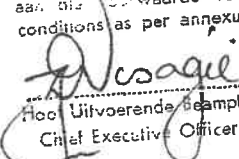
11/2/1989



GRONDGEBRUIKSTABEL				
MONOKROOM NOTASIE	SONERING	GED. NO S	UPP (Ha)	%
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	RESIDENSIEEL 1 (PARKETTE)	1;8;21;38;53;60;61	5.989	29.17
	INSTITUSIONEEL 1	48	0.225	1.08
	OPVOEDRUIMTE SONE 1		3.466	16.88
	OOPRUIMTE SONE 2	9;14;35	0.940	4.60
	OOPRUIMTE SONE 1	22;49	4.104	20.00
	INSTITUSIONEEL 1	10	0.134	0.70
	VERVOERSONE 2		2.443	11.90
	TOTAAL	61	20.528	100.00

Wes-Kaapse Streeksdiensraad
Western Cape Regional Services Council

Hierdie onderverdeling is deur die Raad
This subdivision has been approved by
goedgekeur kragtens Artikel 25 van
The Council in terms of Section 25 of
Ordonnansie Nr. 15 van 1985 onderworpe
Ordinance No. 15 of 1985 subject to the
aan die voorwaarde volgens aanhangsel.
conditions as per annexure.


Hoof Uitvoerende Beampte
Chief Executive Officer

1/12/1989.
Datum
Date

D. Visagie

2108

19/3/1/1/1/44-DV/AS

4 Desember 1989

Die Direkteur-Generaal
Administrasie : Raad van Verteenwoordigers
Departement van Plaaslike Bestuur,
Behuising en Landbou
Privaatsak X9076
KAAPSTAD
8000

VIR AANDAG : MEV. D. SMITH

Meneer

ONDERVERDELING VAN PAKKETTE 1 EN 8, GEDEELTES VAN GEDEELTE 33
VAN DIE PLAAS RUST-EN-VREDE NR. 124, KYLEMORE PLAASLIKE GEBIED

1. My eendersgenommerde brief gedateer 1 Desember 1989 op u lêer 17/1/6/2/2103/1 asook die Administrateur se brief AFR.1/19/4/2-H2 gedateer 18 Augustus 1988, verwys.
2. Die Raad het ingevolge artikel 25(1) van Ordonnansie Nr. 15 van 1985 goedkeuring verleen tot die onderverdeling van die bogemelde eiendom soos aangetoon op die aangehegte plan A waarop die grondgebruike vir doeleindes van artikels 22(2) en (3) van gemelde Ordonnansie aangetoon is.
3. Hierdie onderverdeling is onderhewig daaraan dat 'n reg-van-weg serwituut soos op die gemelde plan aangedui, geregistreer word.
4. Aangesien die Raad as agent by die ontwikkeling betrokke is en sal toesien dat alle dienste geïnstalleer word, word dit nie nodig geag om voorwaardes in dié verband op te lê nie.

Die uwe


HOOF-UITVOERENDE BEAMPTTE

Die Landmeter-Generaal
 Privaatsak X9028
 KAAPSTAD
 8000

Afskrif ter inligting.



HOOF-UITVOERENDE BEAMPTTE

DIE HOOF : FINANSIËLE DIENSTE
 DIE HOOFINGENIEUR

Afskrif ter inligting.



HOOF-UITVOERENDE BEAMPTTE

Mre. Friedlaender, Burger
 & Volkmann
 Posbus 154
 STELLENBOSCH
 7600

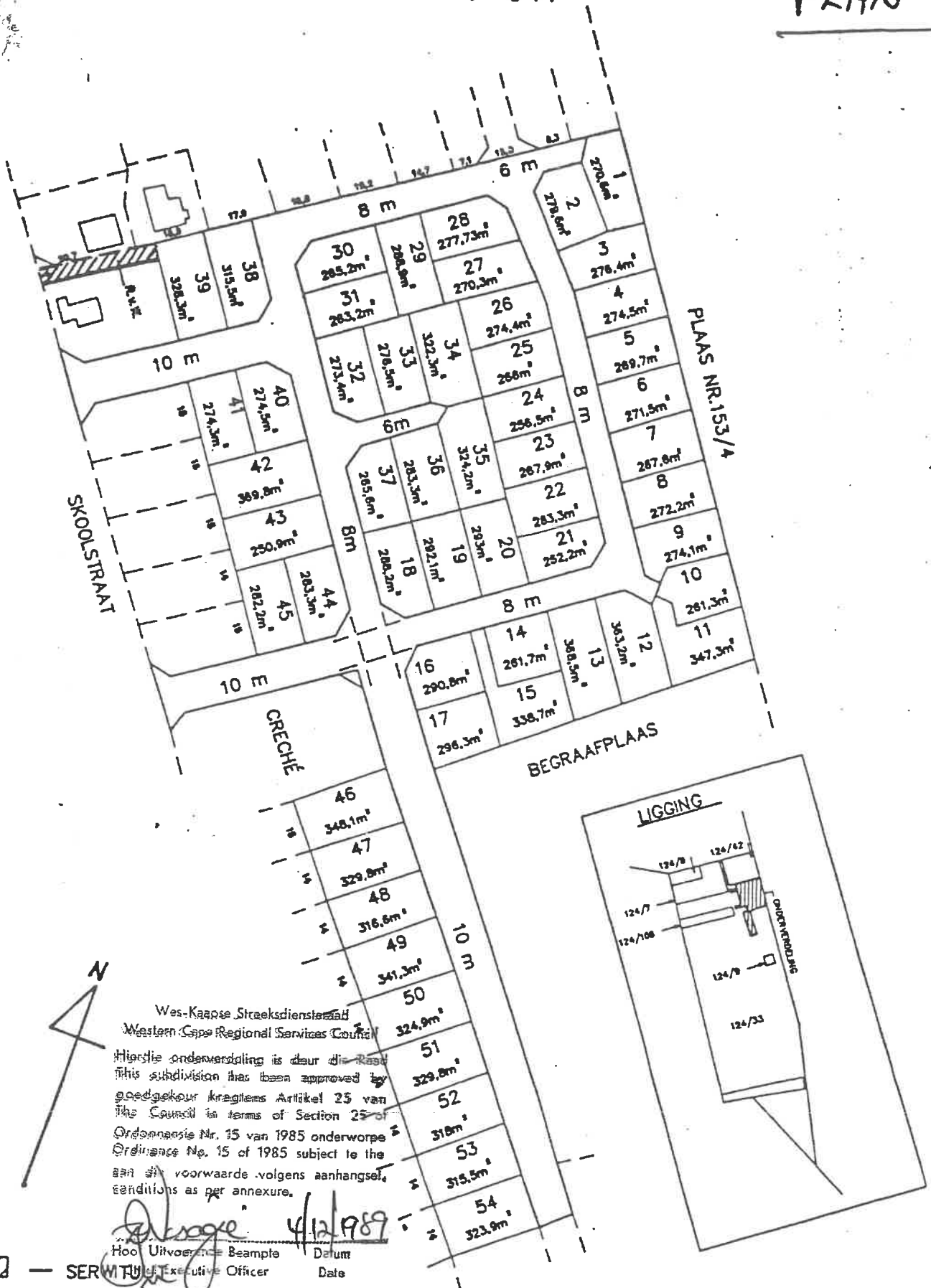
VIR AANDAG : MNR. BURGER

Afskrif ter inligting.



HOOF-UITVOERENDE BEAMPTTE

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INGENIEUR	
DESE KOPPE	
OPPE NUNIN.	
BURGERLIKE BESK.	
BRANDWEER	
MAC-K/V-S/D-SLP	
HANDTEKENING	
DATUM	



Wes-Kaapse Straeksdienstesraad
 Western Cape Regional Services Council

Hierdie onderverdeling is deur die Raad
 This subdivision has been approved by
 goedgekeur kragtens Artikel 25 van
 the Council in terms of Section 25 of
 Ordinance Nr. 15 van 1985 onderworpe
 Ordinance No. 15 of 1985 subject to the
 aan die voorwaarde volgens aanhangsel
 conditions as per annexure.

[Signature] 4/12/1989
 Hoo Uitvoerende Beampte Datum
 Executive Officer Date



SERWITU

Souering: gedeeltes 1 tot 54 : Residensieel T.

429

SKAAL : 1/750

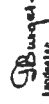
IKYLEMERE ALLOTMENT ARE
ALGEMENE PLAN NO

VBN

ONDERVERDELING VAN ERF 62 KY

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Administratiewe Distrik : Stellenbos
Provincie : Kaap die Goeie Hoop.

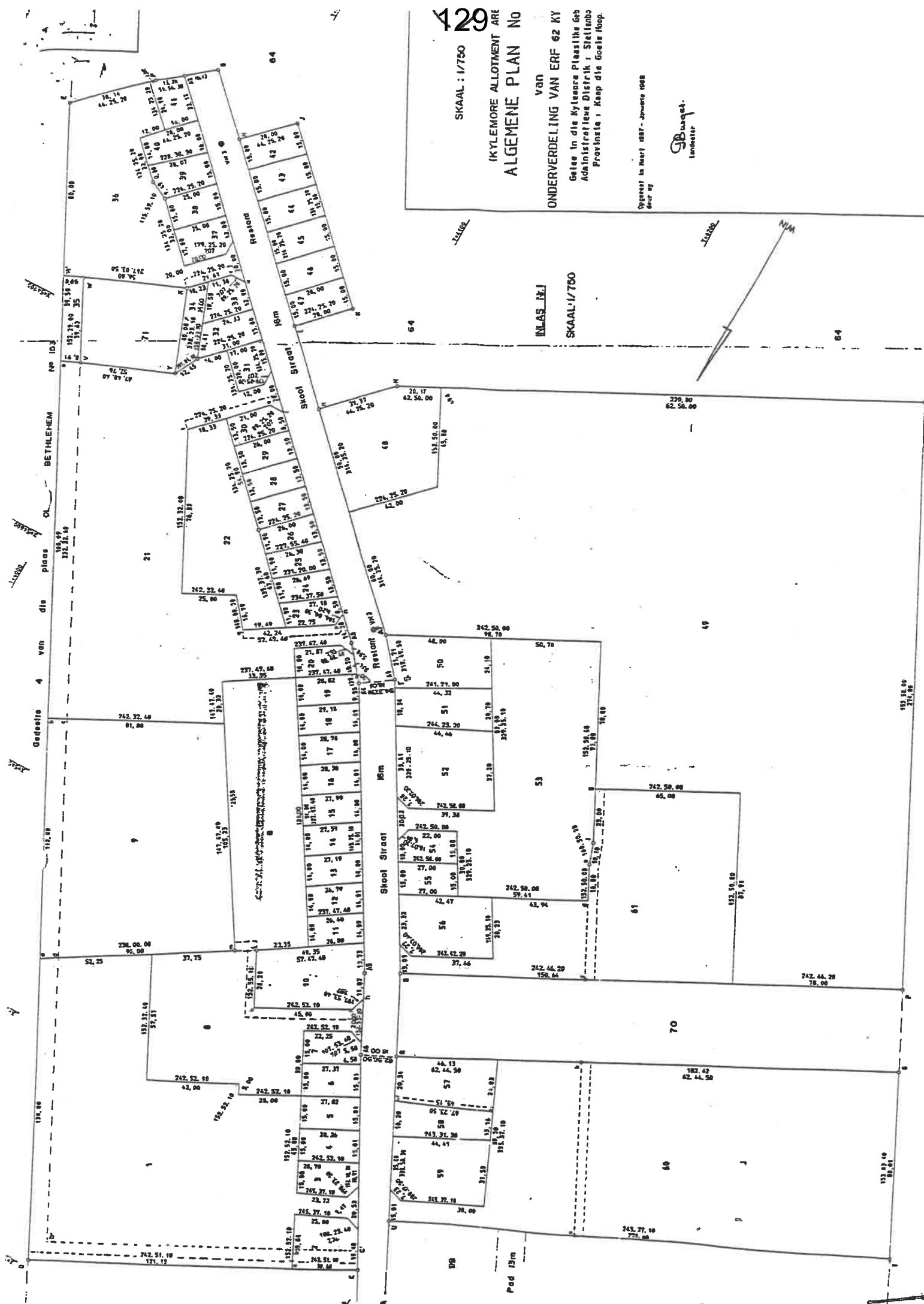
Opgeset in Maart 1887 - Journe 1088
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KLAS No. 1

SKAAL: 1/750

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L.G. No. 2919-88
 VEL Nr. 2 van 2VELLE
 OORDEELER
 De Villiers
 HOF, LANDMEET-ORDEELER
 1500-07-23



SKAAL : 1/750

(KYLEMORE ALLOTMENT AREA)
 ALGEMENE PLAN No. 12164

van
 ONDERVERDELING VAN ERF 62 KYLEMORE

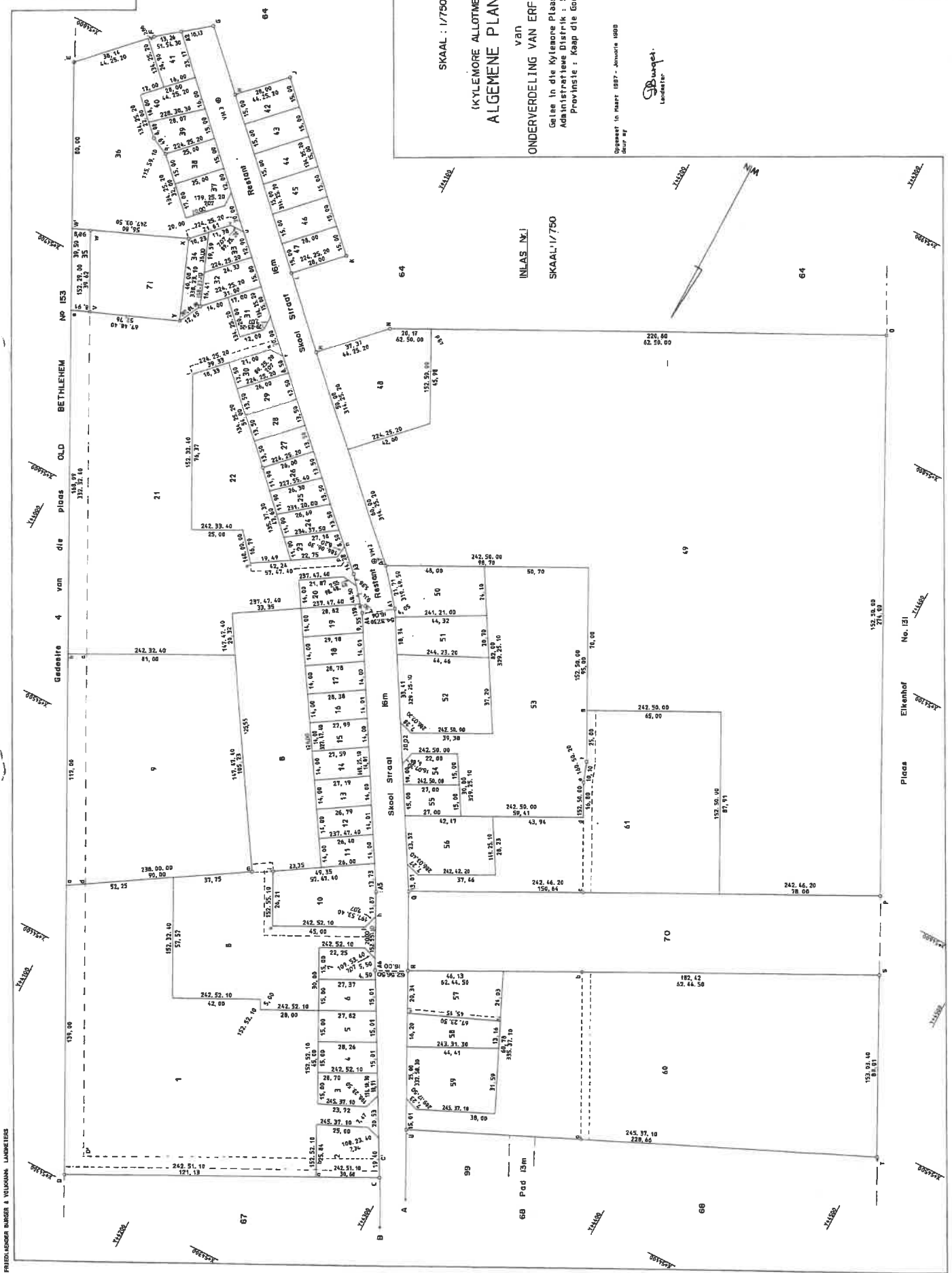
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 Adresinligtinge Distrik : Stellenbosch
 Provinsie : Kaap die Goeie Hoop.

Oorname in maart 1987 - Junie 1988
 deur H.P.



WOL

L.G. OER No. 514, 124
 van 1987-88
 NO. 12164
 08-100774 11489



NOTAS :



GRENS VAN EIENDOM



ONDERVERDELINGSGRENS



BESTAANDE HUISE



ERFGRENSE



R . V . W . SERWITUTE



STORMWATERSERWITUTE

GEDEELTES 1 EN 2 IS ONDERHEWIG AAN 'N SERWITUUT
4m EN 8m TEN GUNSTE VAN PLAAS 124 / 42 VIR TOEGANG .
GEDEELTE 124 / 42 MOET 50% VAN BOU VAN STORMWATER
BYDRA .

GEDEELTE 8 IS 'N RVW SERWITUUT TEN GUNSTE VAN GED.9.
GEDEELTE 21 IS 'N RVW SERWITUUT TEN GUNSTE VAN GED.22.
GEDEELTE 36 IS 'N RVW SERWITUUT TEN GINSTE VAN GED.34.

GRONDGEBRUIKSTABEL

MONOKROOM NOTASIE	SONERING	GED. NO.S	OPP (Ha)	%
	RESIDENSIEEL 1	2-7;11-20;23-33 37-47;50-52;54-58	3.226	15.71
	RESIDENSIEEL 1 (PAKKETTE)	1;8;21;36;53;60;61	5.989	29.17
	INSTITUSIONEEL 1	48	0.225	1.09
	OPVOEDRUIMTE SONE 1		3.466	16.88
	OOPRUIMTE SONE 2	9;34;35	0.940	4.60
	OOPRUIMTE SONE 1	22;49	4.106	20.00
	INSTITUSIONEEL 1	10	0.134	0.70
	VERVOERSONE 2		2.443	11.90
	TOTAAL	61	20.529	100.00

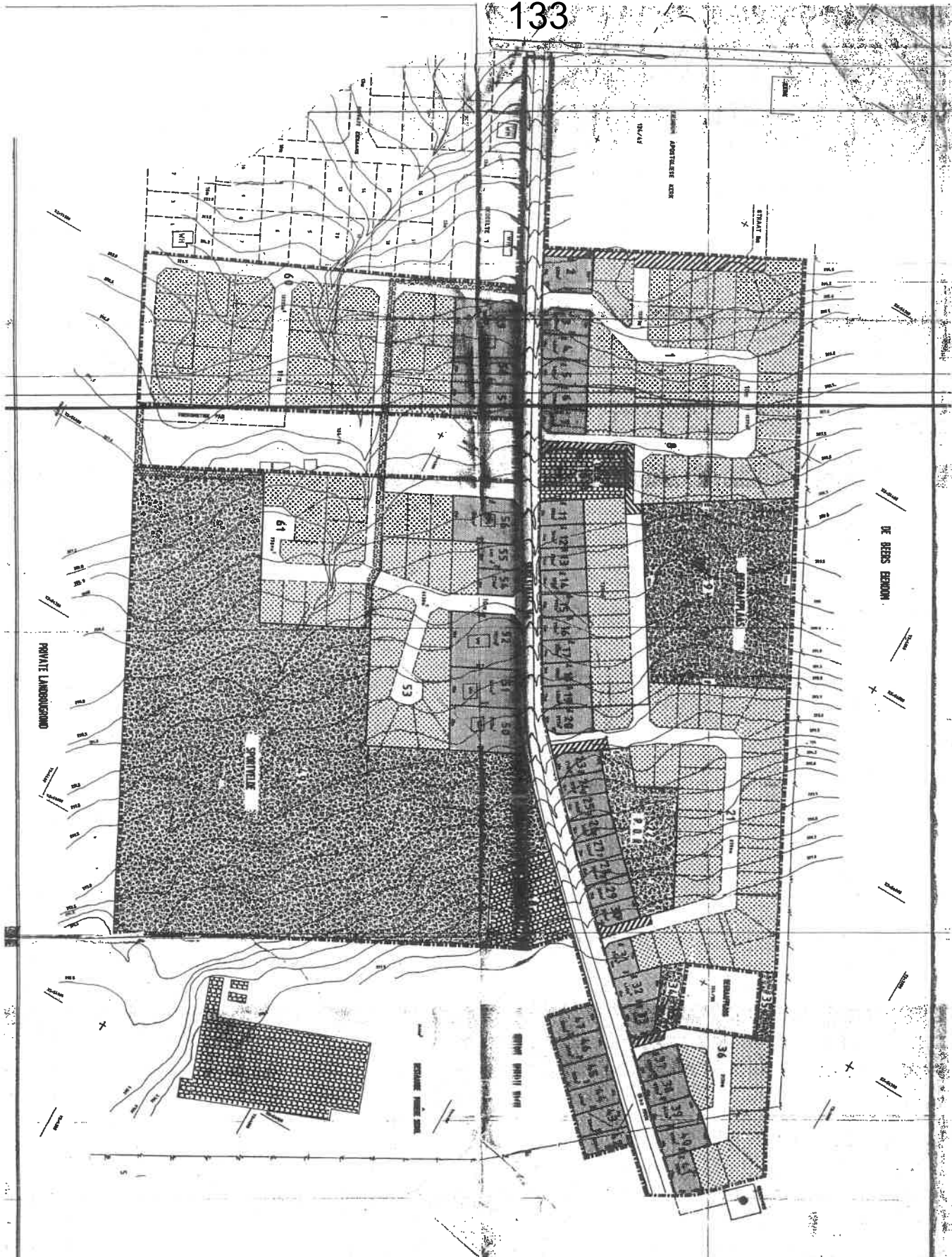
TYPE DRAWING

TIPE TEKENING

Outeursreg gevestig in die regering van die R.S.A.
kragtens Artikel 39 van Wet Nr 63 van 1965

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ADMINISTRASIE
ADMINISTRATION



NOTAS :

- GROND VAN ERFDOM
- ONBEBOUWDE ERFDOM
- RESERVEERDE GROND
- ERFDOMSE
- R. V. W. SEWATUZE
- STOKWATERBESKERMING

GRONDREKINGSKEM

WAGT BANE

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ADMINISTRATIE

GROND WAGT BANE

GROND WAGT BANE

ADMINISTRATIE

GROND WAGT BANE

GROND WAGT BANE



KYLEMORE

RESERVEERDE GROND

VOOR VAN 'N ERFDOM

GRONDREKINGSKEM

NOTAS :

— GROND VAN ERFDOM

— ONBEBOUWDE ERFDOM

— RESERVEERDE GROND

— ERFDOMSE

— R. V. W. SEWATUZE

— STOKWATERBESKERMING

APPENDIX D

Motivational report and Copy of Title Deed

CK RUMBOLL & VENNOTE / PARTNERS



PROFESSIONELE LANDMETERS ~ ENGINEERING AND MINE SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

06/10/2021

VERW/REF: KYLE/12067/JL

PER HAND

The Municipal Manager
Stellenbosch Municipality
Privatebag X17
STELLENBOSCH
7599

Sir

PROPOSED REZONING, CONSENT USE AND CONSOLIDATION – ERVEN 21 AND 22 KYLEMORE

With reference to the above application please find attached the following:

1. Motivation report, which includes the following:

- Annexure A: Power of attorney
- Annexure B: Application form
- Annexure C: Locality map
- Annexure D: Zoning map
- Annexure E: Title deed and general plan
- Annexure F: Geotechnical Investigation
- Annexure G: Consolidation map
- Annexure H: Environmental Authorisation

No Application- and advertisement fees are payable as Stellenbosch Municipality is the applicant.

We trust you find the abovementioned in order. Please do not hesitate to contact this office should any additional information be required.

Kind regards

Jolandie Linnemann
For: CK RUMBOLL and PARTNERS

VENNOTE / PARTNERS:

IHJ Rumboll PrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.

ADDRESS/ ADRES: jolandie@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
MALMESBURY (T) 022 482 1845 (F) 022 487 1661

PROPOSED REZONING, CONSENT USE AND CONSOLIDATION – ERVEN 21 AND 22 KYLEMORE



CK RUMBOLL & / PARTNERS

PROFESSIONAL LAND SURVEYORS - ENGINEERING AND MINE SURVEYORS -
TOWN AND REGIONAL PLANNERS - SECTIONAL TITLE CONSULTANTS



REF: KYLE/12067/JL

DATE: August 2021

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1. INTRODUCTION

One of the future needs of the growing and urbanising populations is cemeteries. In the last 20 years or so, South Africa has experienced rapid urbanisation and an increase in deaths resulting from pandemics, such as HIV/AIDS and TB, and more recently the devastating Covid 19 pandemic. This all has led to the need for new ways of disposing of human remains. In South Africa, the bulk of the population is Christians, whose preferred mode of interment is burial. However, the downside to conventional burial is that it requires a considerable amount of land. The shortage of land for the development of cemeteries has long been one of the major challenges facing many South African Municipalities. Availability of land is the biggest challenge facing the cemetery sector in South Africa. The second biggest is insufficient budgetary resources.

Urban cemeteries are filling up without room to expand, particularly due to diminishing land resources. This scarcity is caused by land that is environmentally unsuitable for burial, and because most of the available land is privately or provincially owned.

The provision and maintenance of cemeteries, funeral parlours and crematoria is a function vested in Local Government in terms of Schedule 5 (Part B) of the Constitution of the Republic of South Africa 1996 (Act 108/1996). CK Rumboll and Partners were appointed by Stellenbosch Municipality (SM) under quotation for the appointment of a registered Town Planner to apply on behalf of SM for the consolidation and rezoning of relevant erven in Kylemore to allow for the expansion of the existing cemetery and the establishment of associated infrastructure. Refer to **Annexure A** for power of attorney.

Although Kylemore has four cemetery erven (See figure 1 below), there is still a need since space is limited in the existing cemetery premises and is working to achieve capacity. Suitable sites were identified adjacent to the existing cemeteries to serve as an extension and make provision for this dire need. As can be seen from figure 2 below, graves has already spilled over to erf 21.

#12067

Proposed extension of Kylemore Cemetery



Figure 1: Locality of existing cemetery sites

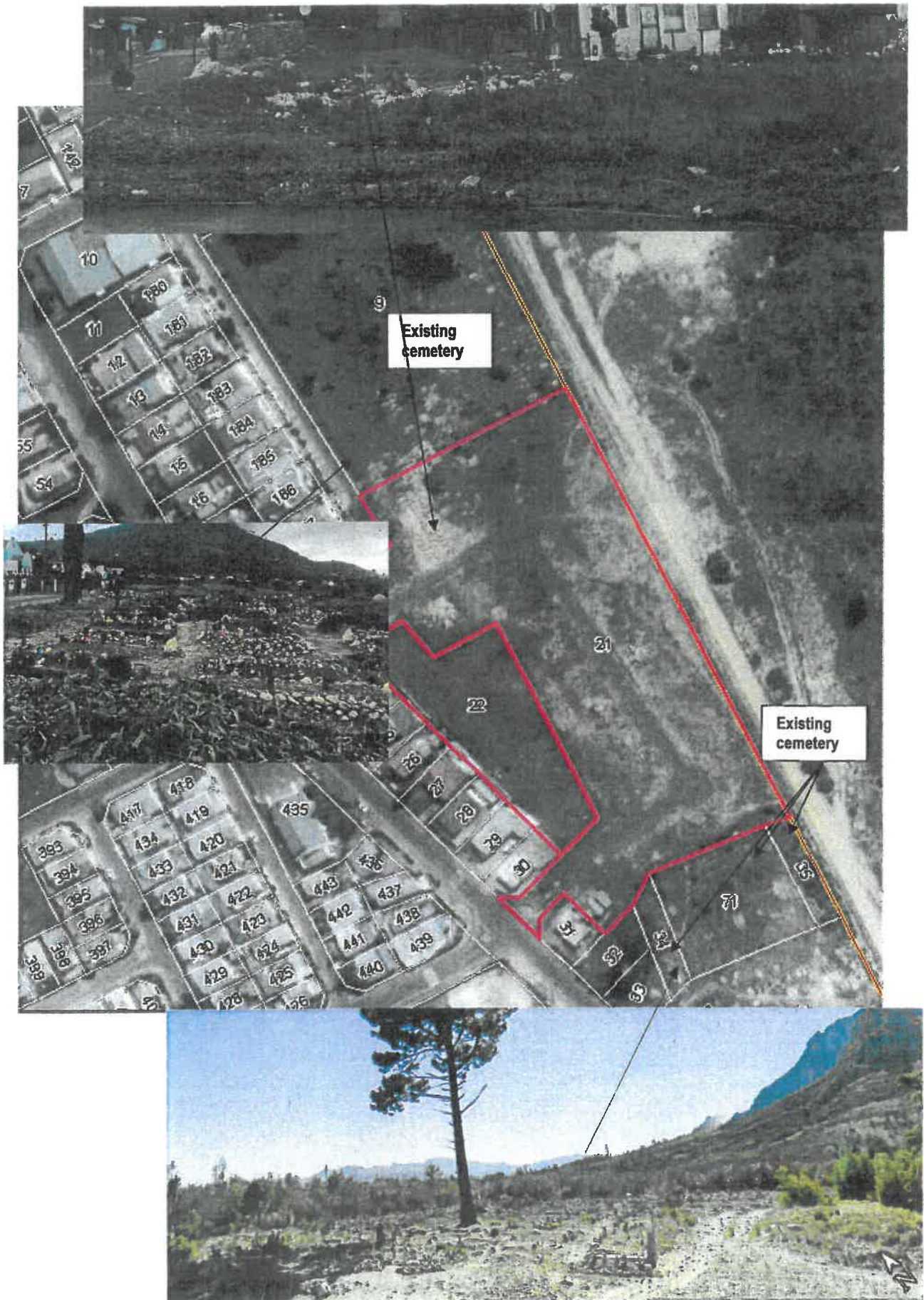


Figure 2: Locality of graves

2. PURPOSE

The application involves the following:

- ✚ Rezoning of Erf 21 Kylemore in terms of Section 15(2) (a) of the Stellenbosch Land use Planning By-Law from Subdivisional Area Zone to Private Open Space Zone.
- ✚ Rezoning of Erf 22 Kylemore in terms of Section 15(2) (a) of the Stellenbosch Land use Planning By-Law from Public Open Space Zone to Private Open Space Zone.
- ✚ Consent use on erven 21 and 22 Kylemore under Private Open Space Zone in terms of Section 15(2) (o) of the Stellenbosch Land use Planning By-Law to accommodate a cemetery.
- ✚ Consolidation of erven 21 and 22 Kylemore in terms of Section 15(2) (e) of the Stellenbosch Land use Planning By-Law.

See Annexure B for application form.

3. PROPERTY DESCRIPTION

3.1 Locality

The proposed portions of land is situated in the south eastern part of Kylemore adjacent to the existing cemeteries located on erven 9, 34, 35 and 71, zoned Private Open Space Zone with consent use for cemetery, and within the demarcated urban edge of Kylemore (Also see Annexure C).

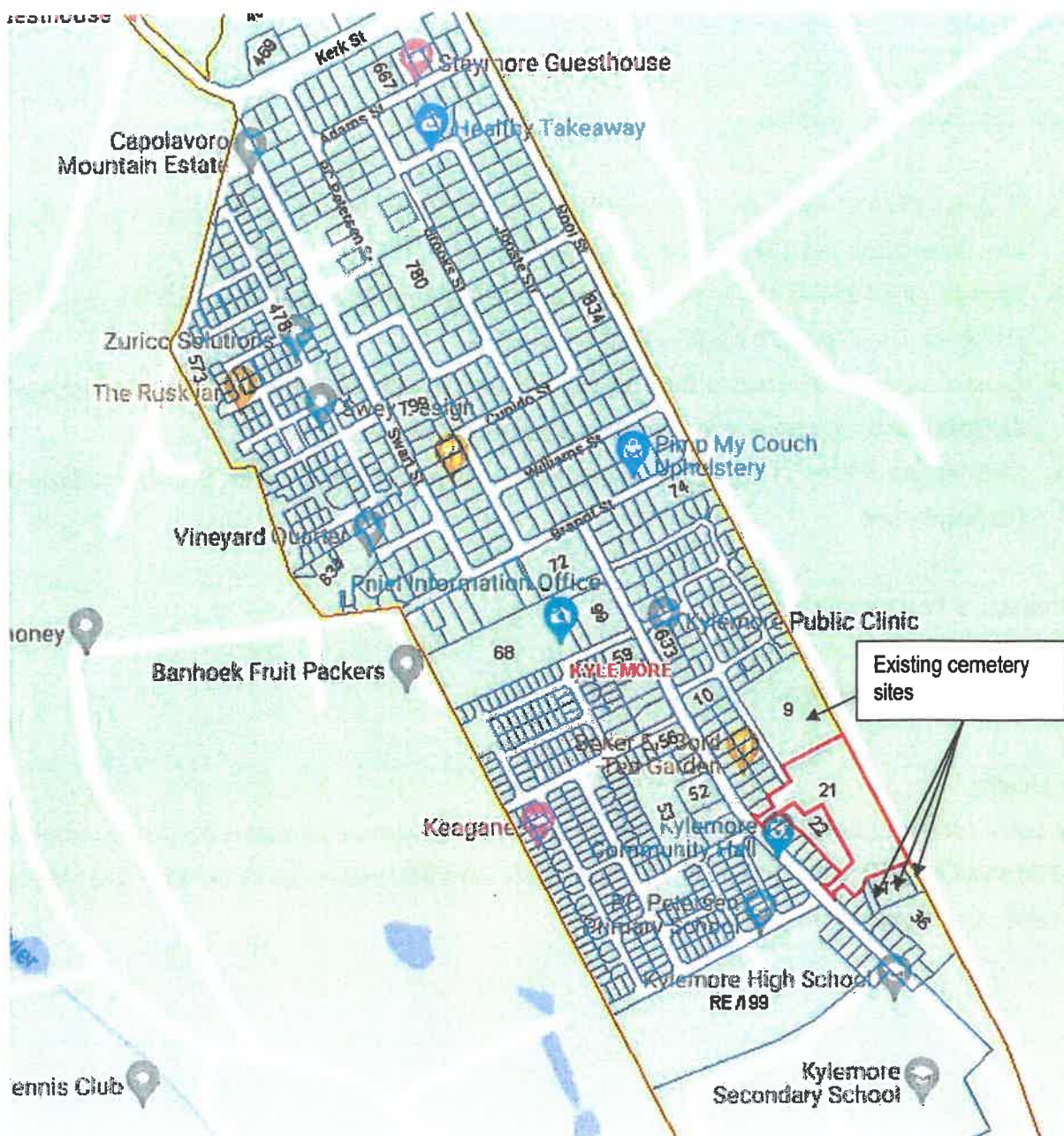


Figure 3: Location

3.2 Property details

Erf 21, Kylemore	
Title Deed No:	T77356/1999
Owner:	Stellenbosch Municipality
Size:	1.3115ha

Erf 22, Kylemore	
Title Deed No:	T44661/2014
Owner:	Stellenbosch Municipality
Size:	2771m2

4. Current zoning and land use

	Erf 21
Zoning	Subdivisional Area (Residential Zone I and Transport Zone II)
Land use	Graves, portion of road and vacant land

	Erf 22
Zoning	Public Open Space Zone
Land use	Vacant

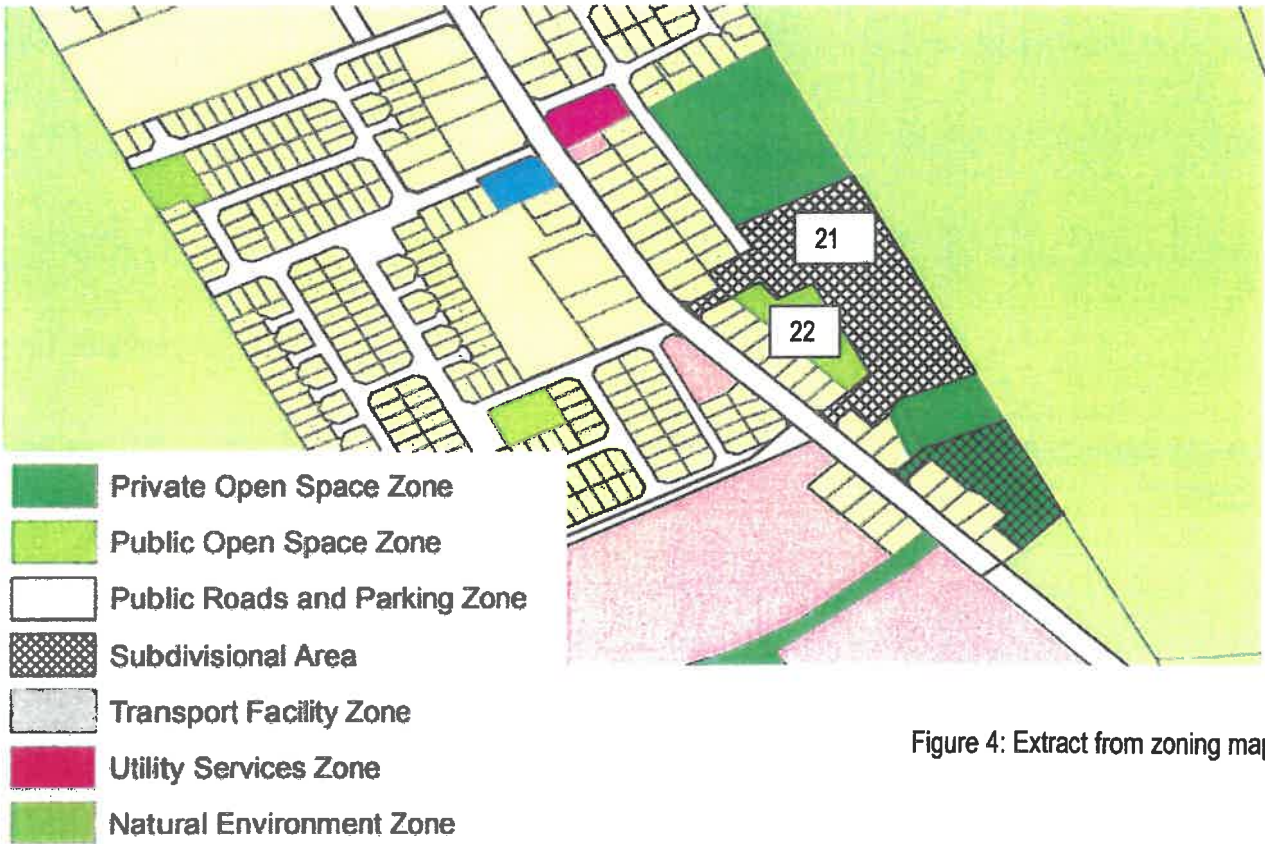


Figure 4: Extract from zoning map

Refer to Annexure D for complete zoning map.

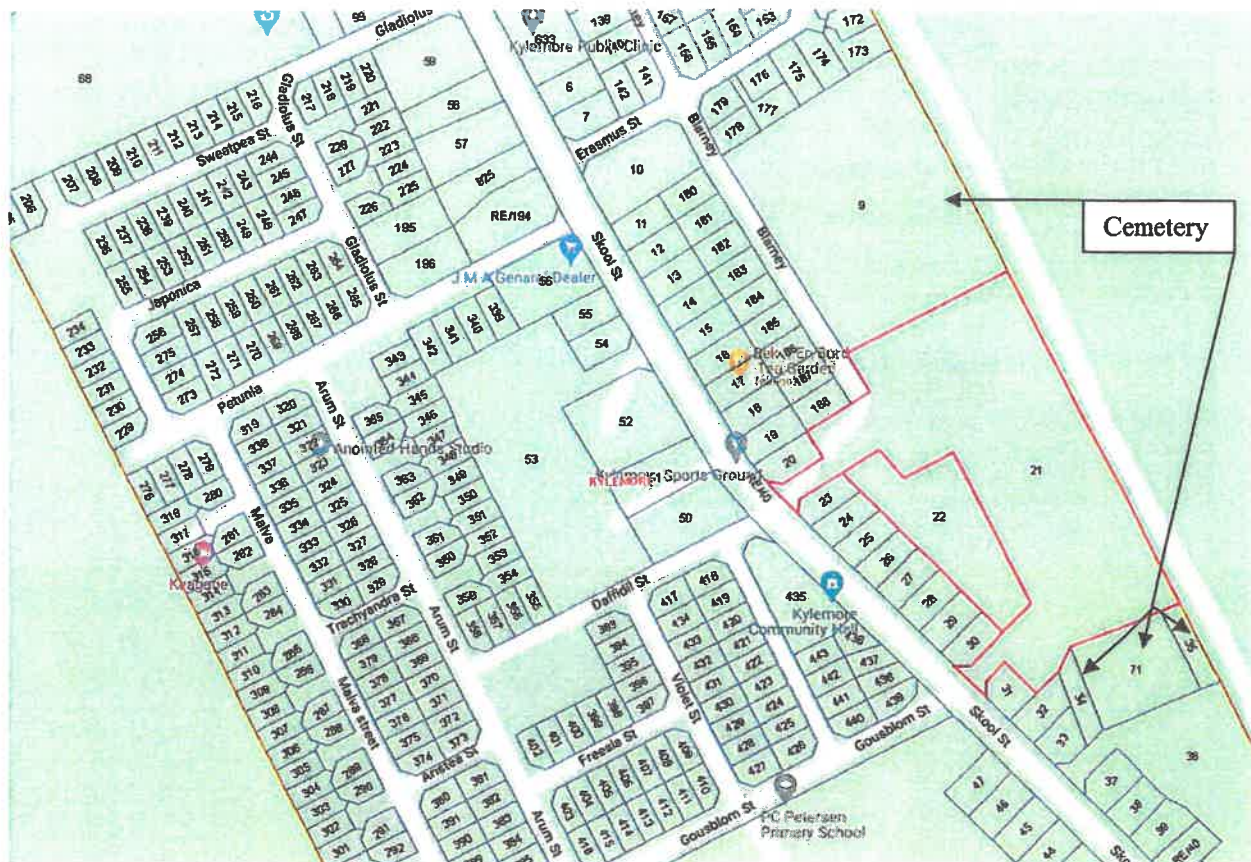


Figure 5: Surrounding land uses

The land uses in the surrounding area are Agriculture to the east, residential to the west and cemetery purposes directly adjacent.

5. Current Cemetery Use

On average about 656 people get buried in the Stellenbosch region annually, amounting to ± 54 burials per month. Most funerals are scheduled on a weekend. With exception people are cremated, as traditional burials are the norm.

6. Proposed Development

- Stellenbosch Municipality identified two sites that are situated at the south eastern edge of Kylemore, adjacent to existing cemeteries. These portions of land are registered in the Municipalities name (See Annexure E for title deeds and applicable general plan).

Application is made for the rezoning of both portions of land to Private Open Space Zone with a consent use as to enable the use for cemetery purposes and consolidation. This preferred zoning is also in accordance with the zoning of the existing cemeteries.

Although erf 21 was earmarked for housing purposes, with an approval in place dated the 1st of December 1989, the need has since changed. With limited land available for graveyards, this erf is ideal for the extension of the existing cemetery plots directly adjacent to this erf.

Despite the availability of various alternatives, conventional burial and funeral practices are still the norm and preferred option. Human death and burials are part of human life, whilst cemetery management is part of human settlement development. The main challenge facing cemetery management today is striking an acceptable balance between spiritual, religious and cultural practices and the present and future availability of land for cemeteries.

Both erven 21 and 22 are underutilised and mainly vacant. As mentioned before, portions of erf 21 has already been utilised for graves, acting as natural extension of erf the cemetery located on erf 9 situated directly north. Erf 22, although zoned as Public Open Space Zone, is not utilised as an Open Space. For more effective utilisation of the properties, application is also made for a consolidation to run these two sites as one cemetery. The newly consolidated site will be 1.5886ha in size. Refer to **Annexure F** for Consolidation map.

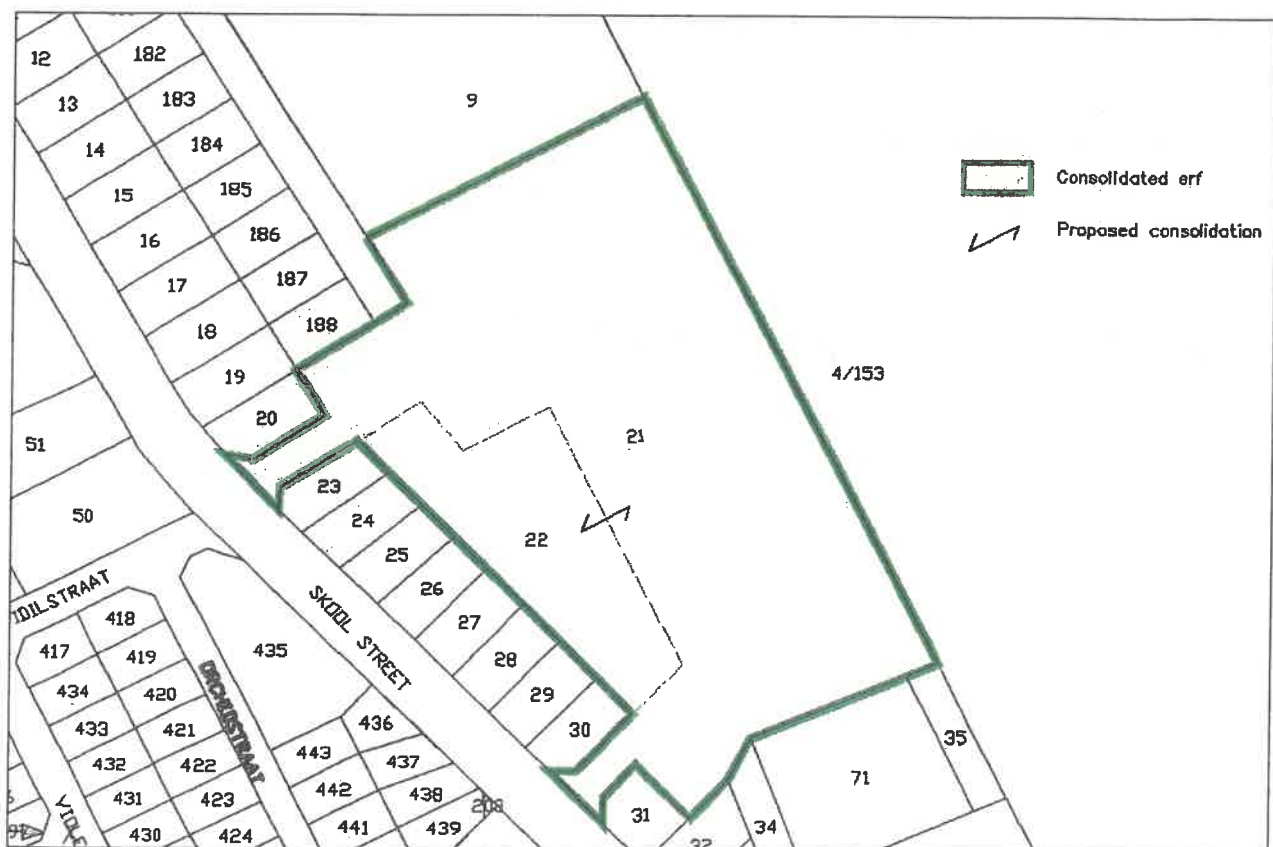


Figure 6: Proposed consolidation

7. Need and Desirability

Factors that need to be taken into consideration when developing a cemetery site as per *Guidelines for Human Settlement Planning and Design*, CSIR Building and Construction Technology, 2000 are as follows:

- The size and nature of the cemetery site.
- The accessible to the population being served and the impact on the transportation system.
- The effect of the cemetery on the adjacent resources and land-uses.
- The provision of a cemetery facility taking into account the local and micro environment and amenities.
- The spatial integration of a cemetery facility as part of an open space network and the provision of an appropriate buffer zone.

7.1 Size and nature cemetery

Taking into account the provision of roads/walkways, landscaped areas, parking and turning area for busses and cars (amounts 35% of the total area); approximately 2065 graves can be accommodated on the relevant available portion of land taking a grave density of 2000 graves per hectare as the norm.

$$15886\text{m}^2 - \pm 35\% = 1.0325\text{ha} \times 2000 \text{ graves/ha} = 2065 \text{ graves.}$$

7.2 Access and public transport

Access to the existing cemetery can be gained via an existing access off School Street located west of the property. No new access points are required.



Figure 7: Existing access points

No significant impact on traffic is foreseen as the number of funerals per month is very low. Provision is to be made within the cemetery for a parking area for private vehicles, as well as for public transport as to minimise effects on surrounding neighbours.

It is anticipated that the trip generation per funeral will be less than 50 vehicles and that the traffic will not occur during peak hours. According to the Department of Transport, traffic less than 50 vehicles per peak hour do not require a Traffic Impact Assessment. Pedestrians will be able to reach the cemetery via existing roads.

7.3 Terrain characteristics

7.3.1 Physical aspects/topography

The proposed cemetery expansion area is located on a slightly elevated and gently sloping topography. This areas characteristic is similar to the existing graveyard site, which proved itself suitable for the use.



Figure 8: 5m contours

7.3.2 Soil formation and permeability

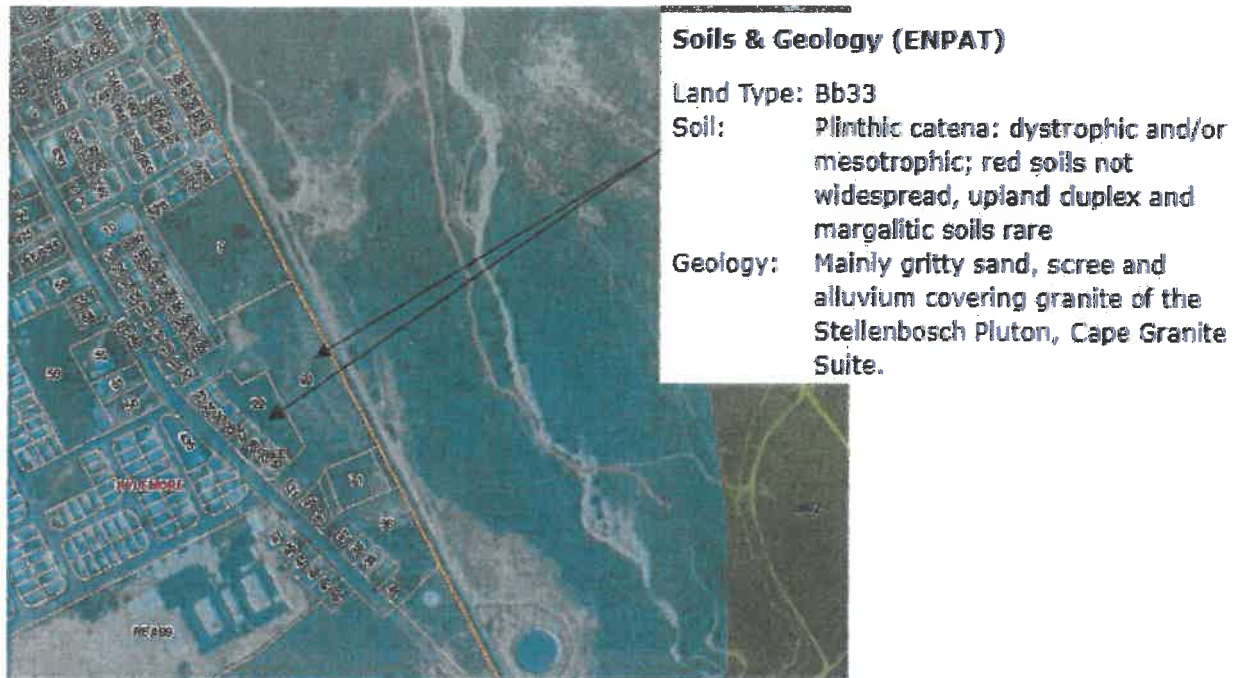


Figure 9: Geological setting of the cemetery site and surrounding area

7.3.3 Water use

Water wise plants should be promoted to prevent soil erosion and to introduce some landscaping. No water connection will be supplied to the expansion site. No abstraction of ground water will occur.

7.4 Local and Micro environment

The proposed cemetery is located adjacent to the existing cemetery facilitating easier integration.

7.4.1 Infrastructure

Electricity and water will have to be provided by the Stellenbosch Municipality, if needed. The storm water will be incorporated into the existing storm water system. Storm water run-off must be controlled to ensure on site activities do not culminate in off site. The access road forms part of the existing road network.

7.4.2 Architecture and Future Heritage

The cemetery site will be fenced and maintained as stipulated in the Regulations relating to Funeral Undertakers' Premises (Regulation 237 dated 8 February 1985) promulgated in terms of Sections 33 and 39 of the Health Act, Act 63 of 1977.

The design and layout of the extension will consider the following:

- Ensure a safe, accessible and aesthetically pleasing site for the burial of the dead.
- Keep maintenance low and thereby keep costs low.
- Use design elements such as meandering walkways through area, views and vistas, landscaped planting, open spaces, well designed entrances and fencing to create a sense of place and dignity.

- Ensure easy access for vehicles, digging machinery and pedestrians.
- Keep the design of the layout flexible.
- Keep major access roads to cemeteries in good condition.

7.4.3 Impact on the environment

Stellenbosch Municipality obtained environmental authorization (Ref nr: E12/2/4/1-B4/24-10030/10) on the 22nd of June 2011 for the expansion of the cemetery on erven 9, 21, 22, 34, 35, 36 and 71 Kylemore (See Annexure G). It has been confirmed that the expansion of the cemetery commenced on Erven 9, 34, 35 and 71 within the validity period of the EA.

3.2. The municipality obtained environmental authorisation ("EA") (Reference number: E12/2/4/1-B4/24-1030/10 issued on 22 June 2011) for the expansion of the cemetery on Erven 9, 21, 22, 34, 35, 36 and 71, Kylemore, Stellenbosch. It has been confirmed that the expansion of the cemetery commenced on Erven 9, 34, 35 and 71 within the validity period of EA.

7.4.4 Social

The proposed expansion of the cemetery will provide the much needed cemetery space required.

8. SPATIAL DEVELOPMENT FRAMEWORK

- The Spatial Development Framework of Stellenbosch Municipality (SDF) (November 2019) identified the area where erven 21 and 22 is situated as an area earmarked for mixed use, community purposes and residential infill. Seeing that the existing cemetery erven also falls within this zone, serving as mixed use development, the proposed expansion is seen as compatible with the SDF.

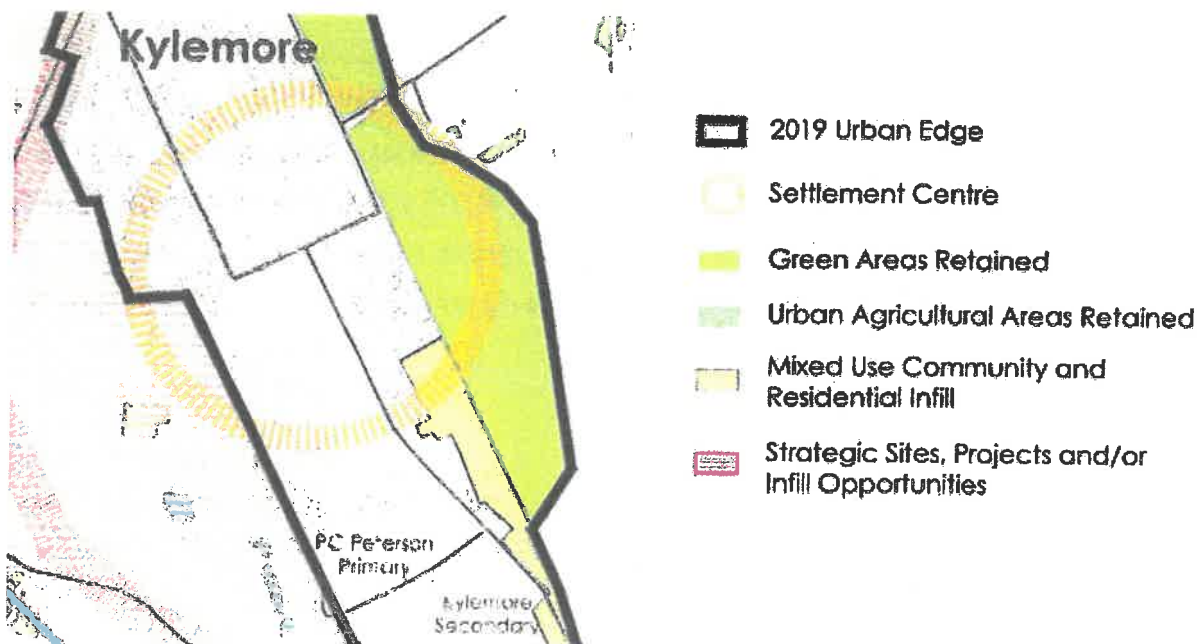


Figure 10: Extract from Stellenbosch SDF; 2019

- Due to the important role that cemeteries play in a community, it is imperative that cemeteries should be located within an acceptable distance to the community it serves.
- The cemetery establishment aims to cater for the cultural needs within the Municipal area.
- The cemetery being extended is reaching capacity.
- Taking into account the surrounding cemetery use, this proposed area serves to be the best option.
- The proposed portion of land is situated within the urban edge.

9. ASSESSMENT CRITERIA

The criteria for the assessment of an application as per Chapter VI, Section 59 of the Land use Planning Act, 2014 (Act 3 of 2014) and Chapter 2, Section 7 of the Spatial Planning Land Use Management Act, 2013 (Act 16 of 2013) are addressed as follows:

- **Spatial Justice**

The property in question will be put to better use to provide a needed social service to Kylemore and its inhabitants. The identified sites are highly accessible, and will the development create much needed grave space (social amenity need), as the current cemeteries are reaching capacity. The proposed portions of land are earmarked for amongst other things, mixed uses. Taking into account existing cemetery sites within this area, it can be accepted that the proposal is thus compatible with the Spatial Development Framework. The portion of land will be utilized to its fullest potential as the application serves as the expansion of the existing graveyard and thus fits in with surrounding use.

- **Spatial Sustainability**

The proposed development promotes spatial compactness and sustainable resource use and is there no destruction of potential agricultural land, ecological corridors or natural habitats, and will there be no negative environmental impacts as the application entails the expansion of an existing use on land that forms part of the urban fabric of the town. The application ensures optimal utilization of property that is situated within the urban edge of Kylemore, adjacent to the existing cemetery. This development attempts to ensure that citizen's needs are met in an affordable way to promote viable cities.

- **Efficiency**

The development will make efficient use of existing services and infrastructure. The expansion creates much needed grave space as the current cemetery is reaching capacity. Due to the important role that cemeteries play in a community, it is imperative that cemeteries should be located within an acceptable distance to the community it serves which is the case with the proposed expansion.

- **Principles of good Administration**

The proposed application will be taken through the public process by Stellenbosch Municipality and CK Rumboll and Partners, and all relevant departments will be contacted for their comment/approval. The decision making process will be guided by statutory land use planning systems.

- **Spatial resilience**

The proposed development is resilient in the sense of better utilization of the existing vacant property. The proposed cemetery use is located adjacent to an existing use that will only be expanded.

10. Conclusion

This office supports the proposed development of the cemetery on the proposed sites and request Stellenbosch Local Municipality to consider the application favourably.



Jolande Linnemann

For CK Rumboll and Partners

CK RUMBOLL & VENNOTE / PARTNERS



PROFESSIONELE LANDMETERS ~ ENGINEERING AND MINE SURVEYORS ~ STAD- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

Datum/Date: 31 August 2021

Verwysing/Reference: KYLE/12067/JL

GEREGISTREERDE EIENAAR(S) SE TOESTEMMING – SPESIALE VOLMAG REGISTERED OWNER'S CONSENT – SPECIAL POWER OF ATTORNEY

Hiermee verleen ek / ons:
Hereby I / we,

Geraldine Mettler
On behalf of Stellenbosch Municipality

die geregistreerde eienaar(s) van eiendomme, Erven 21 and 22 Kylemore
registered owners of properties

spesiale volmag aan Mnre CK RUMBOLL EN VENNOTE om namens my aansoek te doen vir die:
grant special power of attorney to Messers CK RUMBOLL AND PARTNERS to apply on my behalf for the:

- Hersonering / Rezoning**
- Verlenging / Extention
- Vrystelling (Konsolidasie) / Exemption (Consolidation)
- Regstelling van grense / Adjustment of boundaries
- Afwyking /Departure
- Opheffing Beperkende titel voorwaardes / Removal restrictive title conditions
- Konsolidasie/ Consolidation**
- Vergunningsgebruik / Consent Use**
- Wysiging van Algemene Plan / Amendment to General Plan
- Aanpassing van Terreinplan / Amendment of Site Development Plan
- Servitude registrasie / Servitude registration
- Bouplan in te dien / loge of building plan
- Mynpermit / Mine permit
- Verkryging van bouplanne by munisipaliteit / Obtaining building plans form relevant municipality

van bogenoemde eiendomme ten einde die uitbreiding van die begraafplaas te bewerkstellig.

of said properties to allow for the expansion of the existing cemetery.

Geteken: 

Stellenbosch

Datum / Date: 1 October 2021

VENNOTE / PARTNERS:

IHJ Rumboll PRL (SA), BSc (Sury), M.I.P.L.S. and AP Steyl PrL (SA), BSc (Sury), M.I.P.L.S.

ADDRESS/ ADRES: reception@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
MALMESBURY (T) 022 482 1845 (F) 022 487 1661 VREDENBURG (T) 022 719 1014

Annexure B
Application form



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

www.stellenbosch.gov.za/planning-portal/

SUBMIT COMPLETED FORM TO landuse.applications@stellenbosch.gov.za

LAND USE PLANNING APPLICATION FORM

(Section 15 of the Stellenbosch Municipal Land Use Planning By-Law (2015) and other relevant legislation)

KINDLY NOTE: Please complete this form using BLOCK letters and ticking the appropriate boxes.

PART A: APPLICANT DETAILS

First name(s)	Jolandie		
Surname	Linnemann		
Company name (if applicable)	CK Rumboll and Partners		
Postal Address	Po Box 211		
	Malmesbury	Postal Code	7299
Email	jolandie@rumboll.co.za		
Tel	022 482 1845	Fax	
Cell	084 861 9326		

PART B: REGISTERED OWNER(S) DETAILS (If different from applicant)

Registered owner(s)	Stellenbosch Municipality – Contact: Schalk van der Merwe		
Physical address	43 Andringa Street, Eikestad Mall, 3 rd floor		
	Stellenbosch	Postal code	7600
E-mail	Schalk.VanderMerwe@stellenbosch.gov.za		
Tel	021 808 8679	Fax	
Cell			

PART C: PROPERTY DETAILS (in accordance with title deed)

Erf / Erven / Farm No.	Erven 21 and 22	Portion(s) if Farm		Allotment area	Kylemore
Physical Address	School Street				
	Kylemore				
Current Zoning	21 – Subdivisional Area 22 – Public Open Space	Extent	21 – 1.3115 ha 22 – 2771m2	Are there existing buildings?	Y N
Applicable Zoning Scheme	Stellenbosch Municipal Zoning Scheme By-Law (2019)				
Current Land Use	21 – mostly vacant with road infrastructure and a few graves 22 – vacant				
Title Deed number and date	T	21 - 77356/1999	22 – 77355/1999; 44661/2014		

Attached Conveyance's Certificate	Y	N	Any Restrictions into the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate						
Are the restrictive conditions in favour of a third party(ies)?	Y	N	If Yes, list the party(ies):						
Is the property encumbered by a bond?	Y	N	If Yes, list the bondholder(s):						
Is the property owned by Council?	Y	N	If Yes, kindly <u>attach a power of attorney</u> from the Manager Property Management						
Is the building located within the historical core?	Y	N	Is the building older than 60 years?	Y	N	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹	Y	N	If Yes, kindly indicate which section are triggered and attached the relevant permit if applicable.
Any existing unauthorized buildings and/or land use on the subject property(ies)? Unauthorised graves on small portion of erf 21.	Y	N	If yes, is this application to legalize the building / land use ² ?		Y	N			
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	Y	N	Are there any land claim(s) registered on the subject property(ies)?		Y	N			

PART D: PRE-APPLICATION CONSULTATION

Has there been any pre-application consultation?	Y	N	If Yes, please attach the minutes of the pre-application consultation.
Has the pre-application scrutiny form been submitted?	Y	N	If yes, please attach the written feedback received.

PART E: LAND USE PLANNING APPLICATIONS AND APPLICATION FEES PAYABLE**APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)**

Tick	Type of application: <i>Cost are obtainable from the Council Approved tariffs</i>
<input checked="" type="checkbox"/>	15(2)(a) rezoning of Land
<input type="checkbox"/>	15(2)(b) a permanent departure from the development parameters of the zoning scheme
<input type="checkbox"/>	15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land
<input type="checkbox"/>	15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement
<input checked="" type="checkbox"/>	15(2)(e) a consolidation of land that is not exempted in terms of section 24
<input type="checkbox"/>	15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit
<input type="checkbox"/>	15(2)(g) a permission required in terms of the zoning scheme
<input type="checkbox"/>	15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval
<input type="checkbox"/>	15(2)(i) an extension of the validity period of an approval
<input type="checkbox"/>	15(2)(j) an approval of an overlay zone as contemplated in the zoning scheme
<input type="checkbox"/>	15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram

¹ All applications triggered by section 38(1)(a) - (e) in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999) may not be processed without a permit issued by the relevant department

² No application may be submitted to legalize unauthorised building work and or land use on the property if a notice has been served in terms of Section 87(2)(a), and until such time a Section 91 Compliance Certificate have been issued in terms of the Stellenbosch Land Use Planning By-law (2015)

	15(2)(l) a permission required in terms of a condition of approval
	15(2)(m) a determination of a zoning
	15(2)(n) a closure of a public place or part thereof
X	15(2)(o) a consent use contemplated in the zoning scheme
	15(2)(p) an occasional use of land
	15(2)(q) to disestablish a home owner's association
	15(2)(r) to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services
	15(2)(s) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building
	15(2)(6) when the Municipality on its own initiative intends to conduct land development or an activity
	15(2)(l) amendment of Site Development Plan
	15(2)(l) Compilation / Establishment of a Home Owners Association Constitution / Design Guidelines

OTHER APPLICATIONS

	Deviation from Council Policies/By-laws	R
	Consent / Permission required in terms of a title deed	R
	Technical approval in terms of the Zoning Scheme Bylaw, 2019	R
	Other (specify): _____	R
TOTAL A:		R -

PRESCRIBED NOTICE AND FEES (for completion and use by official)**

Tick	Notification of application in media	Type of application	Cost
	SERVING OF NOTICES	Delivering by hand; registered post; electronic communication methods	R
	PUBLICATION OF NOTICES	Local Newspaper(s); Provincial Gazette; site notice; Municipality's website	R
	ADDITIONAL PUBLICATION OF NOTICES	Site notice, public meeting, local radio station, Municipality's website, letters of consent or objection	R
	NOTICE OF DECISION	Provincial Gazette	R
	INTEGRATED PROCEDURES	T.B.C	R
NO APPLICATION FEES PAYABLE AS STELLENBOSCH MUNICIPALITY IS THE APPLICANT TOTAL B:			R
TOTAL APPLICATION FEES* (TOTAL A + B)			R -

* The complete application should first be submitted without the payment of any applicable application fees. Only when satisfied that a complete and accurate application has been submitted, will a proforma invoice be submitted to the applicant with payment instructions. Application fees that are paid to the Municipality are non-refundable and once proof of payment is received, the application will be regarded as duly submitted.

** The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable and the applicant will be informed accordingly.

BANKING DETAILS

Account Holder Name: Stellenbosch Municipality
 Bank: FIRST NATIONAL BANK (FNB)
 Branch no.: 210554
 Account no.: 62869253684
 Payment reference: LU/_____ and ERF/FARM _____

Please use both the Land Use Application number and the Erf/Farm number indicated on the invoice as a reference when making EFT payment

DETAILS FOR INVOICE

Name & Surname/Company name (details of party responsible for payment)	N.A Stellenbosch Municipality is owner and applicant.
--	---

Postal Address	
Vat Number (where applicable)	

PART F: DETAILS OF PROPOSAL

	Building line encroachment	Street		From	m	To	m
		Street		From	m	To	m
		Side		From	m	To	m
		Side		From	m	To	m
		Aggregate side		From	m	To	m
		Rear		From	m	To	m
	Exceeding permissible site coverage			From	%	To	%
	Exceeding maximum permitted bulk / floor factor / no of habitable rooms			From		To	
	Exceeding height restriction			From	m	To	m
	Exceeding maximum storey height			From	m	To	m
Consent/Conditional Use/Special Development To permit.....cemetery use in terms of Section.....15 (2) (o).....of the.....Stellenbosch Municipal Zoning Scheme By-Laws							
	Other (please specify)	<hr/> <hr/> <hr/>					

Brief description of proposed development / intent of application:

Application is made for the rezoning of erven 21 and 22 Kylemore to Private Open Space with a consent use for cemetery usage and the consolidation of the erven to operate the proposed cemetery as one entity.

PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION

Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete.

Information and documentation required

Y	N	Power of attorney / Owner's consent if applicant is not owner		Y	N	Bondholder's consent (if applicable)	
Y	N	Resolution or other proof that applicant is authorised to act on behalf of a juristic person		Y	N	Proof of any other relevant right held in the land concerned	
Y	N	Written motivation pertaining to the need and desirability of the proposal		Y	N	S.G. diagram / General plan extract (A4 or A3 only)	
Y	N	Locality plan (A4 or A3 only) to scale		Y	N	Site development plan or conceptual layout plan (A4 or A3 only) to scale	
Y	N	Proposed subdivision plan (A4 or A3 only) to scale		Y	N	Proof of agreement or permission for required servitude	
Y	N	Proof of payment of application fees		Y	N	Proof of registered ownership (Full copy of the title deed for only erf 22)	
Y	N	Conveyancer's certificate		Y	N	Written feedback of pre-application scrutiny and Minutes of pre-application consultation meeting (if applicable)	
Y	N	N/A	Consolidation plan (A4 or A3 only) to scale	Y	N	N/A	Land use plan / Zoning plan (A4 or A3 only) to scale
Y	N	N/A	Street name and numbering plan (A4 or A3 only) to scale	Y	N	N/A	1 : 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale
Y	N	N/A	Landscaping / Tree plan (A4 or A3 only) to scale	Y	N	N/A	Home Owners' Association consent
Y	N	N/A	Abutting owner's consent	Y	N	N/A	Services Report or indication of all municipal services / registered servitudes
Y	N	N/A	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD)	Y	N	N/A	Proof of failure of Home owner's association
Y	N	N/A	Copy of original approval and conditions of approval	Y	N	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes
Y	N	N/A	Proof of lawful use right	Y	N	N/A	Other (specify)
Y	N	N/A	Required number of documentation copies	Y	N	N/A	

PART H: AUTHORISATION(S) SUBJECT TO OR BEING CONSIDERED IN TERMS OF OTHER LEGISLATION

Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc. Checklist to be submitted to DEADP by Stellenbosch Municipality	Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989))		
			Y	N/A	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
			Y	N/A	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
			Y	N/A	National Water Act, 1998 (Act 36 of 1998)
			Y	N/A	Other (specify)
Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)			
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)			
Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations			
Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)			
Y	N	Do you want to follow an integrated application procedure in terms of section 44(1) of t. Stellenbosch Municipality Land Use Planning By-Law? If yes, please attach motivation.			

SECTION I: DECLARATION

- I hereby wish to confirm the following :
1. That the information contained in this application form and accompanying documentation is complete and correct.
 2. I'm aware that it is an offense in terms of section 86(1)(e) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.
 3. I am properly authorized to make this application on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto.
 4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
 5. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
 6. I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.
 7. It is the owner's responsibility to ensure that approval is not sought for a building or land use which will be in conflict with any applicable law.
 8. The Municipality assesses an application on the information submitted and declarations made by the owner or on his behalf on the basis that it accepts the information so submitted and declarations so made to be correct, true and accurate.
 9. Approval granted by the Municipality on information or declarations that are incorrect, false or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.
 10. The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false or misleading information or declarations being set aside.
 11. Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or declarations made as to his or her qualification as a Competent person and/or registration as a

professional.

12. A person who provides any information or certificate required in terms of Regulation A19 of the National Building Regulations and Building Standards Act No 103 of 1977 which he or she knows to be incomplete or false shall be guilty of an offence and shall be prosecuted accordingly.
13. A person who supplies particulars, information or answers in a land use application in terms of the Stellenbosch Municipality Land Use Planning By-law knowing it to be incorrect, false or misleading or not believing them to be correct shall be guilty of an offence and shall be prosecuted accordingly.
14. The Municipality will refer a complaint to the professional council or similar body with whom a Competent Person/professional person is registered in the event that it has reason to believe that information submitted or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.

Applicant's signature: _____

J. Linnemann

Date: _____

6 October 2021

Full name: _____

Jolandie Linnemann

Professional capacity: _____

Professional Town and Regional Planner (A206/2010)

FOR OFFICE USE ONLY

Date received: _____

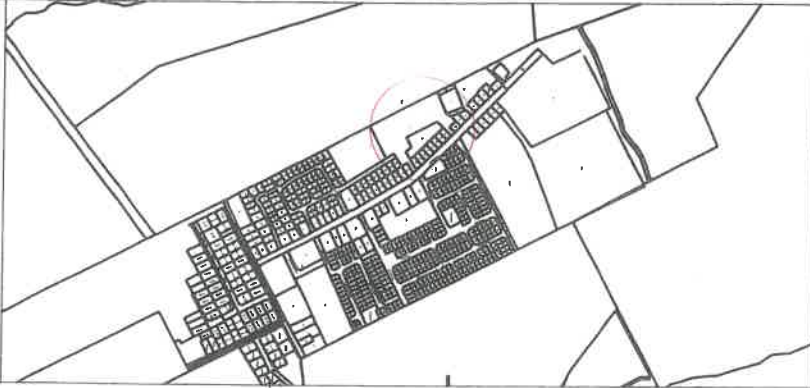
Received By: _____

Municipal Stamp

Annexure C

Locality plan


LEGEND:
Locality of erven 21 and 22
Kylemore

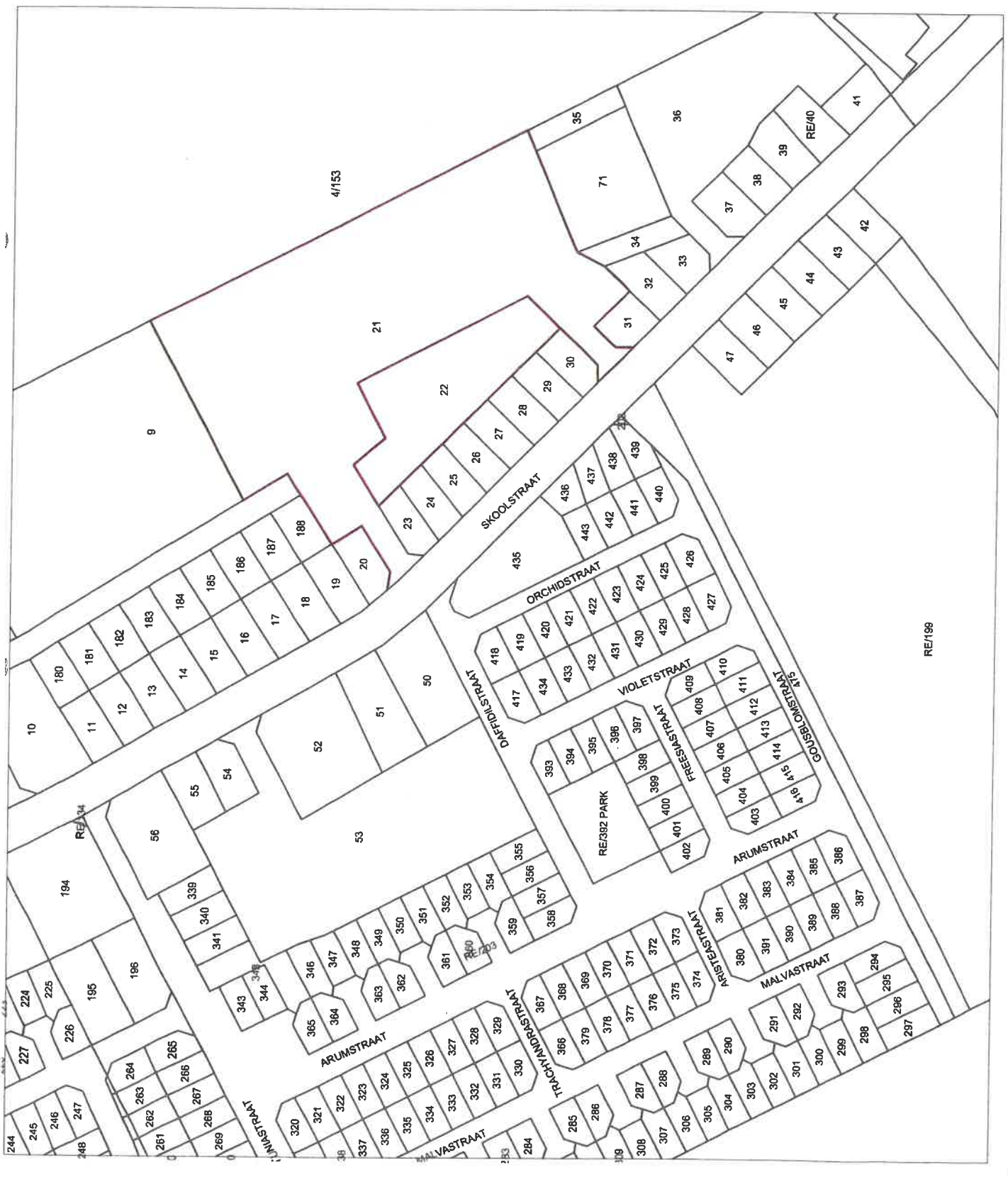


TITLE: Locality of erven 21 and 22
Kylemore

NOTE: ALL MEASUREMENTS AND DISTANCES SUBJECT TO SURVEY

DRAWN BY: 
C.K. RUMBOLD AND PARTNERS
TOWN AND REGIONAL PLANNERS
110 ROSSMOUNT ROAD
ROSSMOUNT, JOHANNESBURG
Tel: 022 - 4821845
Fax: 022 - 4871881
e-mail: jrand@rumbold.co.za

DATE: AUGUST 2021
SCALE: not to scale
REF: KYLE/12067/JL




RE/199

Legend

 Allotment Township

Erf



Scale: 1:9 028

Date created: August 24, 2021

Compiled with CapeFarmMapper



Annexure D

Zoning map



STELLENBOSCH MUNICIPALITY
ZONING SCHEME BY-LAW

KYLEMORE

Zoning Scheme 2018

- Conventional Residential Zone
 - Large Formal Residential Zone
 - Multi-unit Residential Zone
 - Community Zone
 - Education Zone
 - Industrial Zone
 - Limited Use Zone
 - Local Business Zone
 - Mixed Use Zone
 - Agriculture and Rural Zone
 - Private Open Space Zone
 - Public Open Space Zone
 - Public Roads and Parking Zone
 - Subdivisional Area
 - Transport Facility Zone
 - Utility Services Zone
 - Natural Environment Zone
 - Split Zone
- (Colour of the rectangle corresponds with zoning of the split zone)

Source Ref:
Data : All data received from Client's consultants (GP/Planning)
File Ref: 0029 Stellenbosch

Date: October 2018 **Plan No:** GM18

Scale: 1:3 788

00,038,07 0.14 0.21 0.28 Kilometers

Created By:
Municipal Website (MAGIC Register/GIS/ISS/ISS)

Stellenbosch Municipality
Street Address:
71 Palm Street, Stellenbosch
P.O. Box 17, Stellenbosch 7859
Tel: 021 881 8555
Fax: 021 881 8556
www.stellenbosch.gov.za

Disclaimer:
Kindly note that the zoning register and zoning maps are for information only and are subject to change without notice. The Municipality does not warrant the accuracy of the information provided in this document. It is the responsibility of the user to verify the information provided in this document with the relevant authorities. The Municipality is not liable for any loss or damage, whether direct or indirect, arising from the use of this document. The Municipality reserves the right to amend the zoning register and zoning maps at any time without notice. The Municipality is not liable for any loss or damage, whether direct or indirect, arising from the use of this document. The Municipality reserves the right to amend the zoning register and zoning maps at any time without notice.



Annexure E

Title deed and general plan

SEELRFG DUTY	R.
FOOI FEE	R. 30.00

96

Opgestel deur my,
J.E. McGregor
 TRANSPORTBESORGER.
 McGregor IE

SEARCHED	INDEXED	COMPUTED	DATA CAPTURED
SERIALIZED	FILED	OPERATOR	
ORIGINAL			
<i>[Signature]</i>			
DATE/TIME			

T 11355199

SERTIFIKAAT VAN GEREISTREERDE TITEL

(Uitgereik kragtens die bepalings van Artikel drie-en-veertig van die Registrasie van Aktes Wet, 1937 (Wet 47 van 1937))

NADEMAAL die PROVINSIALE BEHUISINGSONTWIKKELINGSRAAD VIR DIE PROVINSIE : WES-KAAP aansoek gedoen het om die uitreiking aan hom van 'n SERTIFIKAAT VAN GEREISTREERDE TITEL kragtens Artikel drie-en-veertig van die Registrasie van Aktes Wet, 1937 ten opsigte van die hierondergenoemde eiendom, synde gedeeltes van die grond geregistreer op die naam van die PROVINSIALE BEHUISINGSONTWIKKELINGSRAAD VIR DIE PROVINSIE : WES-KAAP kragtens Grondbrief Nr. T48171/1992.

172 T77355/1999

Endorsement in terms of Section 6 of Act 6 of
1999

In terms of the provisions of Section 6 of Act 6 of
1999 the within mentioned property vests in the
Provincial Government of the Western Cape.

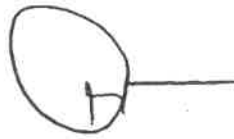
Application filed with T.....000062410/2013

Deeds office

.....

Cape Town

~~Deeds~~



Registrar of Deeds

2013-11-16

SO is dit dat ingevolge die bepaling van genoemde Wet, ek, die REGISTRATEUR VAN AKTES te KAAPSTAD hierby sertifiseer dat voornoemde.

**PROVINSIALE BEHUISINGSONTWIKKELINGSRAAD VIR DIE PROVINSIE
WES-KAAP (Ingestel kragtens Wet 155/1993)**

Die se Opvolgers-in-titel of regverkrygendes, die geregistreerde eienaar is van:

ERF 22 KYLEMORE, in die Munisipaliteit Stellenbosch, Administratiewe Distrik Stellenbosch, Provinsie van die Wes-Kaap.

**GROOT: 2771 (Tweeuisend Sewehonderd Een-en-Sewentig)
Vierkante meter**

**AANVANKLIK OORGEDRA EN STEEDS GEHOU KRAGTENS GRONDBRIEF
NR. T48171/1992 MET ALGEMENE PLAN NR. 12164 WAT DAAROP BETREKKING
HET.**

A. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte Nr. T6822/1949.

B. ONDERHEWIG VERDER aan die serwituut waarna verwys word in die aantekening gedateer hierdie 27ste dag van April 1949 op Transportakte Nr. T15544/1945, welke aantekening as volg lui:-

"Restant Para. 1.

Registrasie van Serwituut.

Kragtens Akte van Transport Nr. 6821/1949 ged. 27 April 1949, is die eiendom daarondergehou geregtig op 'n reg van weg gemerk b.g.h.j.k.l.b. op die Kaart Nr. 5927/45 daaraangeheg oor die restant van die eiendom onder Para 1 hieronder gehou, soos meer breedvoerig blyk uit gesegde Akte van Transport."

(welke serwitutarea aangedui is deur die figuur W.b.c.C.D.a. op Kaart Nr. 2518/88).

C. ONDERHEWIG VERDER aan die voorbehoud ten gunste van die Staat van alle regte op edelgesteentes, edelmetale, onedele minerale en aardolie, op of onder die grond, soos in die Wet op Mynregte, 1967 (Wet 20 van 1967) omskryf.

EN dat, kragtens hierdie Sertifikaat, genoemde

**PROVINSIALE BEHUISINGSONTWIKKELINGSRAAD VIR DIE PROVINSIE
WES-KAAP**

Die se Opvolgers-in-titel of regverkrygendes nou en voortaan daartoe geregtig is ooreenkomstig plaaslike gebruik.

TEN BEWYSE waarvan ek, voornoemde REGISTRATEUR, hierdie Akte onderteken en met die Ampseël bekragtig het.

ALDUS GEDOEN en GETEKEN op die Kantoor van die REGISTRATEUR VAN AKTES te KAAPSTAD op hede die 27 dag van *September* in die Jaar van Ons Heer Eenduisend Negehonderd Nege-en-Negentig. (1999)


REGISTRATEUR VAN AKTES

5 175


VA0008418 / 2013

TT1355/1779

Certified a true copy of the duplicate original filed of record in this Registry, issued to serve in place of the original thereof under the provisions of Deeds Regulation No. 88.

Deeds Registry
Cape Town

2013 - 11 - 14


Asst. Registrar of Deeds

For further end. see P. 6

KRAGTEIG T 77355 199 IS DIE BINNEGEMEENDE
 EKENDOM GELEËGtig AAN IN SEENITUIT REG VAN
 WEG 5 METER WYD, VOORGESTEL DEUR DIE LYN
 R; S; T, SYNDE DIE NOORDELIKE EN-NESTEIKE
 GRENS DAARVAN EN,
 IN REG VAN WEG, 5 METER WYD VOORGESTEL DEUR DIE
 LYN n; p; q, SYNDE DIE OOSTEIKE EN-SUID-OOS-
 TEIKE GRENS DAARVAN, DOE ERF DI KYLEMORE
 = 1,3115 HA, GEHOU KRAGTEIG T 77356 199

SOOS MEER VOLLEDIG SAL BUIK UIT GESEGDE
 TRANSPORTAKTE

AKTEKANTOOR
 KAAPSTAD
 27.9.99


 REGISTRATEUR VAN AKTES.

For further end. see P. 5

ENDORSEMENT IN TERMS OF ACT 107 OF 1997

The within mentioned property has in terms of sec 14(2) of Act No 107 of 1997 passed to the Stellenbosch Municipality

Deeds Registry _____

Date 20 AUG 2011



REGISTRAR OF DEEDS

ENDORSEMENT IN TERMS OF ACT 107 OF 1997

The within-mentioned property has in terms of sec 15(6) of Act No 107 of 1997
passed to the Stellenbosch Municipality

Application filed as T. 000044661 / 2014

Deeds Registry _____

Date 20 AUG 2014

.....

REGISTRAR OF DEEDS

J 315
UITVOERING/ EXECUTION
STAATSPROKUREUR
STATE ATTORNEY
 Tel. 021-4419200
 Verw. No. • Ref. No. **2 3 1 6 1 3 A S**
 Deeds Reg AC No. **96**
 CTN
 Aktivaat Ref. No.

A. VIR AKTEKANTOOR GEBRUIK • FOR DEEDS OFFICE USE:

Datum van indiening • Date of lodgement

Onderzoekers • Examiners
 1. A. MAIWANA 1230
 2. *H. van der Westhuizen*
 3.

Kamer • Room
 Skakeling • Linking
 Verwerp • Pass
 Paspoort • Pass

2013-11-12
LODGED
INGEDIEN

B. VIR AKTEBESORGER-SE GEBRUIK • FOR CONVEYANCER'S USE

Aard van Akte • Nature of Deed: **APPLICATION AND CERTIFICATE**

SECT. 6(3) W.C. ACT 6/1997 (W.S. 142) ACT 107/1997

...../ign. • U.o. **000062410/2013**

.....PROVINCIAL GOVERNMENT OF WESTERN CAPE...../im.

GELYKTYDIGES • SIMULS

No. In steekbrief	Kode/Code	Name van Partye/Names of Parties	Naam van Firma/Name of Firm	Firma Firm No.
1	VA	Reg. 68(1) / PGWC	Self	96
2	VA	Reg. 68(1) / PGWC	Self	96
3	VA	Reg. 68(1) / PGWC	Self	96
4	VA	Reg. 68(1) / PGWC	Self	96
5	VA	Reg. 68(1) / PGWC	Self	96
6	VA	Reg. 69(1) / TRANSFERRED IN FOR EXECUTION , Self	Self	96
7	VA	Reg. 68(1) / PGWC	Self	96
8	T	Sec. 6(3) / 14 NOV 2013	Self	96
9				
10				
11				
12				

Registrasie versoek deur / Registration requested by:
EXAMINER'S NOTES INSIDE
 080005585652

Kort beskrywing van eiendom (stags para 1 in Akte) • Brief description of property (merely para 1 in Deed)

(a) Gelyktydiges met ander registrasiekantore/deelittels • Simuls with other registries/sectional titles:

Kode	Firma • Firm	Eiendom • Property	Kantoor • Office
1			
2			
3			
4			

(b) Klant afskrifte van aktes permanent in Aktekantoor geïllasieer: Client copies of deed filed permanently in Deeds Office:

Aard en nommer van akte / Nature and number of deed

Onsleg No. / Cover No.

Paras van ondersoekers / Initials of examiners

(c) Notas • Notes

C. VIR AKTEKANTOOR GEBRUIK • FOR DEEDS OFFICE USE

BLACBOOK
 Interdike nagesien deur / Interdics checked by: **JARNEY-FATGEYAH**
 Datum / Date: **14 NOV 2013**

(1) Dorp goedgetekur (geproklameer) / Township approved (proclaimed)
 (2) Begintingsresonne / Endowment even
 (3) Beginting / Endowment
 (4) Voorwaardes / Conditions
 (5) Mikro / Micro
 (6) Algemene plan / General plan
 (7) Titelske / Title deed
 (8) Voorwende teen dopstetel / Bonds against township title
 (9) Datum nagesien / Date checked

Opmerrings / Remarks
 Paraf / Initials

Kantoor instruksies • Office instructions:
 Seksie • Section:

18

1 Please redraw page 1 of application if possible?

J/E error. Done

H. vom der Westhagen
2013-11-13

FOR INFORMATION

FOR INFORMATION

96

Fee endorsement		
	Amount	
Purchase price/Value	R.....	Office fee R.....
Mortgage capital Amount	R.....	R.....
Reason for exemption	Exempt i.t. o section 6(4) Act 6/1999	

Prepared by me,

CONVEYANCER
LENKA ROSSOUW

APPLICATION AND CERTIFICATE IN TERMS OF SECTION 6(3) OF WESTERN CAPE ACT 6 OF 1999 READ WITH SECTION 14(2) OF ACT 107 OF 1997

I, the undersigned, LIONEL CORNELIUS PIETER ESTERHUIZEN
In my capacity as DIRECTOR
in the Department of Human Settlements, Provincial Administration: Western Cape, duly authorized thereto by the Head of the Department of Human Settlements;

T 000062410 / 2013

1. Certify in terms of Section 6(5) of the Western Cape Housing Act, No. 6 of 1999, read with Section 14(2)(c) of Act 107/1997 that the property held by virtue of title deed(s) nos:

T48171/1992; T16109/1957; T16139/1985; T29673/1976; T47139/1984;
T16460/1980; T14140/1980; T21945/1976; T11992/1981; T53160/1988;
T21951/1976; T91076/1996; T77355/1999

vested in the PROVINCIAL GOVERNMENT OF THE WESTERN CAPE in terms of Section 6(2) of Western Cape Act 6 of 1999, and

2. Hereby apply to the Registrar of Deeds at Cape Town to endorse the said title deed(s) accordingly in terms of Western Cape Act 6 of 1999.

SIGNED at CAPE TOWN on the 12 day of November 2013.



DATA/VERIFY
20 NOV 2013
BARLOW MARLYN

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
 PREPARED BY : DRS08837 - MASLI TAHARA

DATE : 2013/01/11 TIME : 13:45:12.7 PAGE : 1

TRACK NUMBER : 80085585652

PROPERTY DETAILS FRONT PORTION 0
 EFF NO 32
 TOWNSHIP KYLENORE
 REG DIV STELLENBOSCH RD

PROVINCE WESTERN CAPE
 PREV DESCRIPTION PTN OF 62-CP12164
 DIAGRAM DEED NO DU 1888/888
 EXTENT 415 SQM
 CLEARANCE STELLENBOSCH MUN

NO INTERLOCKS

NO DOCUMENTS

OWNER DETAILS

FULL NAME & SHARE
 MASJIDALE BEHUISINGRAAD

PURCH DATE AMOUNT/REASON O/P/A IDENTITY

TITLE DEED
 T48171/1992

INNO MICROFILM REF
 0883 1999 0686 5727

T/T

* O/P/A - O - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
 FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

*** END OF REPORT ***

FRDD DEEDS REGISTRATION SYSTEM - CAPE TOWN
 PREPARED BY : DFG08837 - MASLU TAMARA

DATE : 20131011 TIME : 13:45:19.4 PAGE : 1

TRACK NUMBER : 00005585632

PROPERTY DETAILS FRONT FOR PORTION 0
 ERF NO 33
 TOWNSHIP KYLENORE
 REG DIV STELLENBOSCH RD

PROVINCE WESTERN CAPE
 PREV DESCRIPTION PTN OF 62-0712164
 DIAGRAM DEED NO DU 1000/000
 EXTENT 352 SQM
 CLEARANCE STELLENBOSCH PLAN

NO INTERDIRTS

NO DOCUMENTS

OWNER DETAILS

FULL NAME & SHARE	PURCH DATE	AMOUNT/REASON	O/P/A	IDENTITY	TITLE DEED	PPID	MICROFILM REF
NATIONALE BEHEERSINGSRAAD					T48171/1992	0883	1989 0536 5727

T/T

* O/P/A - O - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
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*** END OF REPORT ***

4

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
 PREPARED BY : DRS00637 - MASUJI TAMARA

DATE : 20131011 TIME : 13:45:25.0 PAGE : 1

TRACK NUMBER : 8006538562

PROPERTY DETAILS FRONT FOR PORTION 0
 ERP NO 34
 TOWNSHIP KYLBURNE
 REG DIV STELLENBOSCH RD

PROVINCE WESTERN CAPE
 PREV DESCRIPTION PIN OF 62-0712164
 DIAGRAM DEED NO DU 1000/800
 EXTENT 356 SQM
 CLEARANCE STELLENBOSCH MUN

NO INTERDICTION

NO DOCUMENTS

OWNER DETAILS

FULL NAME & SHARE	PURCH DATE	AMOUNT/REASON	O/P/A	IDENTITY	TITLE DEED	PP00	MICROFILM REF
NASIONALE BEHOESINGSRAAD					T48171/1992	0883	1999 8596 5727

1/1

* O/P/A - O - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
 FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

*** END OF REPORT ***

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
 PREPARED BY : D/S68837 - MASU TAMARA

DATE : 28131811 TIME : 13:45:29.9 PAGE : 1

TRACK NUMBER : 8088538562

PROPERTY DETAILS FRONT FOR PORTION 0
 ERF NO 35
 TOWNSHIP KYLIPORE
 REG DIV STELLENBOSCH RD

PROVINCE WESTERN CAPE
 PREV DESCRIPTION PTN OF 62-CP12164
 DIAGRAM DEED NO DU 1889/888
 EXTENT 358 SQM
 CLEARANCE STELLENBOSCH MUN

NO INTERDLCTS

NO DOCUMENTS

OWNER DETAILS

FULL NAME & SHARE	PURCH DATE	AMOUNT/REASON	O/P/A	IDENTITY	TITLE DEED	PROD	MICROFILM REF
NASIONALE BEHUSSINGRAAD					T48171/1992	8883	1999 0596 577

* O/P/A - O - MULTIPLE OWNER, P - MULTIPLE PROPERTY, A - MULTIPLE OWNER AND PROPERTY

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 FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

*** END OF REPORT ***

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
 PREPARED BY : DRS00037 - MASUJ TAMARA

DATE : 20131011 TIME : 13:45:33.9 PAGE : 1

TRACK NUMBER : 89005586652

PROPERTY DETAILS: PRINT FOR PORTION 0
 B/F: NO 36
 TOWNSHIP KYLBOPRE
 REG DIV STELLENBOSCH RD

PROVINCE WESTERN CAPE
 PREV DESCRIPTION PTN OF 62-GP12264
 DIAGRAM DEED NO DU 1888/888
 EXTENT 4198 SQM
 CLEARANCE STELLENBOSCH PLAN

NO INTERDICTS

NO DOCUMENTS

OWNER DETAILS

FULL NAME & SHARE	PURCH DATE	AMOUNT/REASON	O/P/A IDENTITY	TITLE DEED	MPD	MICROFILM REF
NASIONALE BEHANSIGERSRAAD			T/T	Y48377/1992	8883	1999 8896 5727

* O/P/A - 0 - MULTIPLE OWNER - P - MULTIPLE PROPERTY - A - MULTIPLE OWNER AND PROPERTY

** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
 FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

*** END OF REPORT ***

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
 PREPARED BY : D/S68837 - MASIU TAMARA

DATE : 2013/01/11 TIME : 13:45:37.9 PAGE : 1

TRACK NUMBER : 0000505662

PROPERTY DETAILS FRONT FOR PORTION 0
 ERF NO 41
 TOWNSHIP KYLENORE
 REG DIV STELLENBOSCH RD

PROVINCE WESTERN CAPE
 PREV DESCRIPTION PTN OF G2-GP12164
 DIAGRAM DEED NO DU 1880/880
 EXTENT 387 SQM
 CLEARANCE STELLENBOSCH MUN

NO INTERDIRTS

NO DOCUMENTS

OWNER DETAILS

FULL NAME & SHARE	PURCH DATE	AMOUNT/REASON	O/P/A	IDENTITY	TITLE DEED	PROD	MICROFILM REF
NASIONALE BEHUISINGSRAAD					14817/1992	0883	1999 0596 5727

* O/P/A - O - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
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*** END OF REPORT ***

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
 PREPARED BY : DRS00037 - MASTU TAMARA

DATE : 20131011 TIME : 13:45:42.1 PAGE : 1

TRACK NUMBER : 0000509652

PROPERTY DETAILS FRONT FOR PORTION 0
 BRF NO 42
 TOWNSHIP KYLENORE
 REG DIV STELLENBOSCH RD

PROVINCE WESTERN CAPE
 PREV DESCRIPTION PTN OF 62-012164
 DIAGRAM DEED NO DJ 1000/800
 EXTENT 420 SQM
 CLEARANCE STELLENBOSCH PLAN

NO INTERDLCTS

NO DOCUMENTS

OWNER DETAILS

FULL NAME & SHARE
 NATIONALE BEHUZINGSRAAD

PURCH DATE AMOUNT/REASON O/P/A IDENTITY

TITLE DEED MFD MICROFILM REF
 T48171/1992 0003 1999 0596 577

T/J

* O/P/A - O - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

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 FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

*** END OF REPORT ***

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
 PREPARED BY : DRS08037 - MASIU TAMARA

DATE : 2013/01/11 TIME : 13:45:47.8 PAGE : 1

TRACK NUMBER : 00005585652

PROPERTY DETAILS FRONT FOR PORTION 0 (R/E)
 ERF NO 62
 TOWNSHIP KYLBHORE
 REG DIV NOT AVAILABLE

PROVINCE WESTERN CAPE
 PREV DESCRIPTION PTN OF 64
 DIAGRAM DEED NO T48171/1992
 EXTENT 899 DUH
 CLEARANCE STELLERBOSCH MUN

NO INTERDIRTS

DOCUMENTS	HOLDER & SHARE	AMOUNT	O/P/A	SCAN/MICRO REF	PROD
BC27153/1993	GP12164-(ERVEN 1-61)			1993 0385 4392	

OWNER DETAILS

FULL NAME & SHARE	PURCH DATE	AMOUNT/REASON	O/P/A	IDENTITY	TITLE DEED	PROD	MICROFILM REF
PROVINCIAL HOUSING DEVELOPMENT BOARD-WESTERN CAPE					T48171/1992	0883	1998 0636 5727
					T77624/1998	0817	1998 0641 5183

* O/P/A - O - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

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*** END OF REPORT ***

10

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
 PREPARED BY : DRS88837 - MASUJ TAMARA

DATE : 20130811 TIME : 13:46:02.3 PAGE : 1

TRACK NUMBER : 88085585652

PROPERTY DETAILS PRINT FOR PORTION 0 (R/E)
 ERF NO 2643
 TOWNSHIP STELLENBOSCH
 REG DIV STELLENBOSCH RD

PROVINCE WESTERN CAPE
 PREV DESCRIPTION
 DIAGRAM DEED NO T16189/1957
 EXTENT 980 DLM
 CLEARANCE STELLENBOSCH PLAN

NO INTERDICTS

DOCUMENTS	HOLDER	AMOUNT	O/P/A	SCAN/PCORD REF	MPDD
R/E'S-2641, 2642					
TP-1437-LD-(ERVEN-26)	44-2729)				

OWNER DETAILS

FULL NAME & SHARE	PURCH DATE	AMOUNT	REASON	O/P/A	IDENTITY	TITLE DEED	MPDD	MICROFILM REF
HOUSING DEVELOPMENT BOARD-WESTERN CAPE						T16189/1957	1188	2883 0449 1124
			SECT 14			T62985/2061	0813	2881 0565 1876

* O/P/A - 0 - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

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 FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

*** END OF REPORT ***

11

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
PREPARED BY : DR568837 - MASDU TAMARA

DATE : 26/12/81 TIME : 13:46:08.1 PAGE : 1

TRACK NUMBER : 8888585652

PROPERTY DETAILS FRONT FOR PORTION 0
BRF NO 2727
TOWNSHIP STELLENBOSCH
REG DIV STELLENBOSCH RD

PROVINCE WESTERN CAPE
PREV DESCRIPTION
DIAGRAM DEED NO OLM
EXTENT OLM
CLEARANCE STELLENBOSCH MUN

NO INTERDICTS

NO DOCUMENTS

OWNER DETAILS

FULL NAME & SHARE	PURCH DATE	AMOUNT/REASON	O/P/A	IDENTITY	TITLE DEED	MWD	MICROFILM REF
HOUSING DEVELOPMENT BOARD-WESTERN CAPE					T16189/1957	1188	2883 8448 1124

T/T

* O/P/A - O - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

*** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
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*** END OF REPORT ***

CONFIDENTIAL

FRID DEEDS REGISTRATION SYSTEM - CAPE TOWN
 PREPARED BY : DR588837 - MASUJ TAMARA

DATE : 2013/01/11 TIME : 13:46:13.4 PAGE : 1

TRACK NUMBER : 8888589652

PROPERTY DETAILS FRONT FOR PORTION 0
 ERF NO 2728
 TOWNSHIP STELLENBOSCH
 REG DIV STELLENBOSCH RD

PROVINCE WESTERN CAPE
 PREV DESCRIPTION
 DIAGRAM DEED NO DUM
 EXTENT DUM
 CLEARANCE STELLENBOSCH PLAN

NO INTERDICTS

NO DOCUMENTS

OWNER DETAILS

FULL NAME & SHARE	PURCH DATE	AMOUNT/REASON	O/P/A	IDENTITY	TITLE DEED	MPDD	MICROFILM REF
HOUSING DEVELOPMENT BOARD-WESTERN CAPE			T/T		T16189/1957	1188	2803 0449 1124

* O/P/A - O - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY.

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*** END OF REPORT ***.

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
 PREPARED BY : DR588837 - MASUJI YAMARA

DATE : 28/11/2011 TIME : 13:46:17.8 PAGE : 1

TRACK NUMBER : 8888588652

PROPERTY DETAILS: PRINT FOR PORTION 0 1
 ERF NO 2729
 TOWNSHIP STELLENBOSCH
 REG DIV STELLENBOSCH RD

PROVINCE WESTERN CAPE
 PREV DESCRIPTION
 DIAGRAM DEED NO DUM
 EXTENT DUM
 CLEARANCE STELLENBOSCH PLAN

NO INTERDICTS

NO DOCUMENTS

OWNER DETAILS

FULL NAME & SHARE	PURCH DATE	AMOUNT/REASON	O/P/A	IDENTITY	TITLE DEED	HWID	MICROFILM REF
HOUSING DEVELOPMENT BOARD-WESTERN CAPE					T16109/1957	1168	2683 6449 1124

* O/P/A - O - MULTIPLE OWNER, P - MULTIPLE PROPERTY, A - MULTIPLE OWNER AND PROPERTY.

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*** END OF REPORT ***

FROM DEEDS REGISTRATION SYSTEM - CAPE TOWN
 PREPARED BY : DRS08037 - MASDU TAMARA

14

DATE : 20131611 TIME : 13:46:28.2 PAGE : 1

TRACK NUMBER : 8686583652

PROPERTY DETAILS PRINT FOR PORTION 0 (R/E)
 ERF NO 7268
 TOWNSHIP STELLENBOSCH
 REG DIV STELLENBOSCH RD

PROVINCE WESTERN CAPE
 PREV DESCRIPTION HWY 57 RD 81/24
 DIAGRAM DEED NO T10933/1949
 EXTENT 98 SQM
 CLEARANCE STELLENBOSCH MUN

NO INTERDICTION

NO DOCUMENTS

OWNER DETAILS

FULL NAME & SHARE
 NATIONAL HOUSING BOARD

PURCH DATE AMOUNT/REASON O/P/A IDENTITY

TITLE DEED
T47139/1984MDD
0519MICROFILM REF
1986 1233 2384

* O/P/A - O - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
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*** END OF REPORT ***

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
 PREPARED BY : DRS00837 - MASIU TAMARA

DATE : 2013/01/11 TIME : 13:47:08.5 PAGE : 1

TRACK NUMBER : 00005585652

PROPERTY DETAILS FRONT POR PORTION 0 (R/E)
 ERF NO 233
 TOWNSHIP LE ROUX
 REG DIV NOT AVAILABLE

PROVINCE WESTERN CAPE
 PREV DESCRIPTION
 DIAGRAM DEED NO T14140/1980
 EXTENT 800 DLM
 CLEARANCE FRANSONDEK MLN

SUBDIVISION TO TOWN LE ROUX , ERF 295 , PRTN 0

INTERDLCTS	CASE NUMBER	CASE DATE/TITLE NR	NOTED ON
I-7875/96-I-14140/00			00000717
I-8634/96-I-14140/00			00000802

DOCUMENTS	HOLDER & SHARE	AMOUNT	O/P/A	SCAN/MICRO REF	MPED
W0615/2007	T14140/1980			20000118163936	1127
COHP-29-ERVEN					
VA-T14140/1980-PENDING BOX 96	REG 1/11/2007 8135/95/A/X				1181

OWNER DETAILS

FULL NAME & SHARE	PURCH DATE	AMOUNT/REASON	O/P/A	IDENTITY	TITLE DEED	MPED	MICROFILM REF
PROVINCIAL HOUSING DEVELOPMENT BOARD-WESTERN CAPE					T14140/1980	0521	20000118163937
					T77624/1998	0617	1998 0641 5183

* O/P/A - O - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

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*** END OF REPORT ***

16

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
 PREPARED BY : DRS08837 - MASIJU TAMARA

DATE : 20131011 TIME : 13:47:05.0 PAGE : 1

TRACK NUMBER : 80885589652

PROPERTY DETAILS PRINT FOR PORTION 0 (P/E)
 ERF NO 232
 TOWNSHIP LE ROUX
 REG DIV NOT AVAILABLE

PROVINCE WESTERN CAPE
 PREV DESCRIPTION
 DIAGRAM DEED NO T11992/1981
 EXTENT 880 DLM
 CLEARANCE FRANSCHNIK MIN

SUBDIVISION TO TOWN LE ROUX , ERF 256 , PRTN 0
 SUBDIVISION TO TOWN LE ROUX , ERF 273 , PRTN 0
 SUBDIVISION TO TOWN LE ROUX , ERF 277 , PRTN 0

NO INTERDLCTS

DOCUMENTS	HOLDER	AMOUNT	O/P/A	SCAN/MICRO REF	MFD
COP-7-BVEN					

OWNER DETAILS

FULL NAME & SHARE	PURCH DATE	AMOUNT/REASON	O/P/A	IDENTITY	TITLE DEED	MFD	MICROFILM REF
HOUSING DEVELOPMENT BOARD-WESTERN CAPE					T11992/1981	8317	2884 8873 1564
		SECT 14			T115312/2083	1289	2884 8873 1582

* O/P/A - O - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
 FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

*** END OF REPORT ***

17

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
PREPARED BY : DRS88837 - MASZI TAMARA

DATE : 2013/01/11 TIME : 13:47:09.8 PAGE : 1

TRACK NUMBER : 8885582652

PROPERTY DETAILS FRONT FOR PORTION 0 (R/E)
ERF NO 212
TOWNSHIP LE ROUX
REG DIV PAARL RD

PROVINCE WESTERN CAPE
PREV DESCRIPTION
DIAGRAM DEED NO T21951/1976
EXTENT 27 SQM
CLEARANCE FRANSOIERK MUL

NO INTERDICTS

DOCUMENTS HOLDER & SHARE P/INT Q/P/A SCAN/MICRO REF MFD
K1084/1976S

OWNER DETAILS

FULL NAME & SHARE PURCH DATE P/INT/REASON Q/P/A IDENTITY TITLE DEED MFD MICROFILM REF
NATIONAL HOUSING BOARD T21951/1976 672

* Q/P/A - Q - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

** PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.
FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

*** END OF REPORT ***

Staatsprokureur
 State Attorney
 Tel. 021-4419200
 Verw. No. • Ref. No.
96
 Akteboek Rak Nr.
 Deeds Reg. A/C No.
 CTN

2 3 1 6 1 3 A.S.
 A. VIR AKTEKANTOOR GEBRUIK • FOR DEEDS OFFICE USE
 Datum van indiening • Date of lodgement

LOGGED
 2014-08-20
INGEDIEN

CRC 12/2014
 2014-08-11

Orderzoekers • Examiners.	Kamers Rooms	Stekelling • Linking	Verwerp Reject	Passseer • Pass
1. Th Mewabe	1312	4 4		
2. J.J. WILLIAMS 1252				
3.				

B. VIR AKTEBESORGER SE GEBRUIK • FOR CONVEYANCER'S USE
 Aard van Akte • Nature of Deed APPLICATION
 Ss. 15(6), read with 556(3) of Act. 6/1989
 t.g.v. i.h.o.
 STELLENBOSCH MUNICIPALITY /im
 T 00004661 / 2014

Stekelling • Linking	Titeltekste Titles	brins • Titles deeds within	Firma Firm No.
4	T 48171 1992	T 161600 1980	96
	T 16109 1957	T 21945 1976	96
	T 16139 1985	T 11992 1981	96
	T 29673 1976	T 53162 1983	96
	T 47139 1984	T 21951 1976	96

No. in steekbatch	KodeCode	Name van Panyse/Names of Parties	Naam van Firma/Name of Firm	Firma Firm No.
1	T	ERT - PGWC	self	96
2	T	ERT - PGWC	self	96
3	T	ERT - PGWC	self	96
4	T	Ss 19(6) - Stellenbosch Municipality		96
5				96
6				
7				
8				
9				
10				
11				
12				

HANDED IN FOR EXECUTION
 14 AUG 2014
 CAPE TOWN
 HANDED IN FOR EXECUTION
 080005742609

Kort beskrywing van eendoms (stap para 1 in Akte) - Brief description of property (merely para 1 in Deed)
 ERF 1128 FRANSHOEK & 16 OTHER ERVEN

(a) Gelyktydigas met ander registrasiekantore/deelstelsels • Simults with other registries/sectional titles:

Kode	Firma • Firm	Eiendom • Property	Kantoor • Office
1			
2			
3			
4			

(b) Klient afskrifte van aktes permanent in Aktekantoor geïnkasieer.
 Client copies of deed filed permanently in Deeds Office.
 Omslag No. / Cover No.
 Parawys van ondersoekers / Initials of examiners

(c) Notas • Notes

C. VIR AKTEKANTOOR GEBRUIK • FOR DEEDS OFFICE USE

Interdite nagesien deur / Interdicts checked by
 Datum / Date
 19 AUG 2014

(1) Ders goedgekeur (geproklameer) / Endowment approved (proclaimed)
 (2) Beglyngingsassesse / Endowment even
 (3) Beglynging / Endowment
 (4) Voorwaardes / Conditions
 (5) Mikro / Micro
 (6) Algemene plan / General plan
 (7) Titelakte / This deed
 (8) Verbeide teen terskap / Bonds against township life
 (9) Datum nagesien / Date checked

Kantoor instruksies / Office instructions:
 Sektie • Section:

Datum / Date: 2014-08-20

Registrasie versoek deur / Registration requested by:

DTK 2

Fee endorsement		
	Amount	Office fee
Purchase price/Value	R.....	R.....
Mortgage amount	R.....	R.....
Reason for exemption	Cat.....	Exempt from section 6(1) of Act 6 of 1999

Prepared by me,

**CONVEYANCER
LENKA ROSSOUW**

**APPLICATION IN TERMS OF SECTION 19(6) READ WITH SECTION 6(3) OF
ACT 6 OF 1999 READ WITH SECTION 14(2) OF ACT 107 OF 1997**

I, the undersigned **LEON RAUTENBACH**
in my capacity as **ASSISTANT DIRECTOR**
in the Department of Human Settlements, Provincial Administration: Western Cape
and acting herein on behalf of the **PROVINCIAL GOVERNMENT OF THE WESTERN
CAPE**, and duly authorised thereto by Section 6(3) of Western Cape Act 6 of 1999,
read with Section 19 of Western Cape Act 6 of 1999 and Section 14(2) of the
Housing Act, No. 107 of 1997

hereby apply in terms of Section 19(6) read with Section 6(3) of Western Cape Act
6 of 1999 and Section 14(2) of Act 107 of 1997 to the Registrar of Deeds at Cape
Town to endorse

- Deed of Transfer No. T 48171/1992 ✓
- Deed of Transfer No. T 16109/1957 ✓
- Deed of Transfer No. T 16139/1985 ✓
- Deed of Transfer No. T 29673/1976 ✓
- Deed of Transfer No. T 47139/1984 ✓
- Deed of Transfer No. T 16460/1980 ✓
- Certificate of Registered Title No. T 26374/2002 X
- Certificate of Consolidated Title No. T 14140/1980 X
- Certificate of Consolidated Title No. T 14137/1980 X
- Certificate of Consolidated Title No. T 21945/1976 ✓
- Certificate of Consolidated Title No. T 11992/1981 ✓
- Certificate of Registered Title No. T 53160/1988 ✓
- Certificate of Consolidated Title No. T 21951/1976 ✓
- Certificate of Registered Title No. T 91076/1996 ✓
- Certificate of Registered Title no. T 77355/1999 ✓

T 000044661/2014

**DATA / VERIFY
12 SEP 2014
OLIVIER VOLANDI**

**DATA / CAPTURE
28 AUG 2014
L. MANIYALWA**

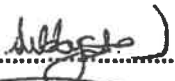

to the effect that ownership of the properties held thereunder passed to the

(Handwritten initials and signature)

STELLENBOSCH MUNICIPALITY in terms of Section 19(6), read with Section 6(2) of Western Cape Act 6 of 1999.

SIGNED at CAPE TOWN on this 1ST day of AUGUST 2013.

AS WITNESSES:

- 1. 
- 2. 



2

CERTIFICATE IN TERMS OF SECTION 19(6) READ WITH SECTION 6(3) OF WESTERN CAPE ACT 6 OF 1999 READ WITH SECTION 14(2) OF ACT 107 OF 1997

I, the undersigned PETRUS DU PLESSIS SMIT

in my capacity as ACTING MUNICIPAL MANAGER

of the STELLENBOSCH MUNICIPALITY, acting herein on behalf of the MUNICIPALITY, and duly authorised thereto


Hereby certify in terms of Section 19(6) read with Section (6)(3) of the Western Cape Act 6 of 1999 and Section 14(2) of Act 107 of 1997, that the properties held under

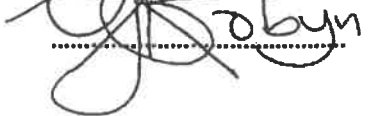
- Deed of Transfer No. T 48171/1992
- Deed of Transfer No. T 16109/1957
- Deed of Transfer No. T 16139/1985
- Deed of Transfer No. T 29673/1976
- Deed of Transfer No. T 47139/1984
- Deed of Transfer No. T 16460/1980
- Certificate of Registered Title No. T 26374/2002
- Certificate of Consolidated Title No. T 14140/1980
- Certificate of Consolidated Title No. T 14137/1980
- Certificate of Consolidated Title No. T 21945/1976
- Certificate of Consolidated Title No. T 11992/1981
- Certificate of Registered Title No. T 53160/1988
- Certificate of Consolidated Title No. T 21951/1976
- Certificate of Registered Title No. T 91076/1996
- Certificate of Registered Title no. T 77355/1999

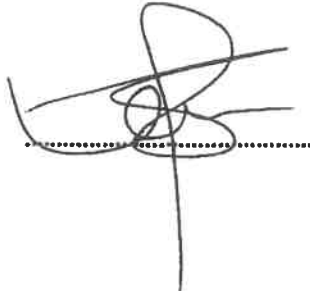
passed to STELLENBOSCH MUNICIPALITY in terms of Section 19(6), read with Section 6(2) of Western Cape Act 6 of 1999.

SIGNED at Stellenbosch on this 4th day of July 2013.

AS WITNESSES:

1. 

2. 



WinDeed Database Deeds Office Property

windeed
A LexisNexis® Product

KYLEMORE, 21, 0 (CAPE TOWN)



GENERAL INFORMATION

Deeds Office	CAPE TOWN
Date Requested	2021/07/15 14:19
Information Source	WINDEED DATABASE
Reference	-

PROPERTY INFORMATION

Property Type	ERF	Diagram Deed	T77356/1999
Erf Number	21	Extent	1.3115H
Portion Number	0	Local Authority	STELLENBOSCH MUN
Township	KYLEMORE	Province	WESTERN CAPE
Registration Division	NOT AVAILABLE	Previous Description	PTN OF 62-GP12164
LPI Code	C06700140000002100000		

OWNER INFORMATION

OWNER 1 OF 1

Type	LOCAL AUTHORITY	Title Deed	T77356/1999
Name	MUN STELLENBOSCH	Microfilm	2000 0491 1883
ID / Reg. Number	-	Purchase Price (R)	250,725
Multiple Owners	NO	Purchase Date	1999/03/17
Multiple Properties	YES	Registration Date	1999/09/27
Share	0.00		

ENDORSEMENTS

NO DOCUMENTS TO DISPLAY

HISTORIC DOCUMENTS (1)

#	Document	Owner	Amount (R)	Microfilm
1	T48171/1992	NASIONALE BEHUISINGSRaad	20,567	1999 0596 5727

DISCLAIMER: This report contains information gathered from the WinDeed database and we do not make any representations about the accuracy of the data displayed nor do we accept responsibility for inaccurate data. LexisNexis will not be liable for any damage caused by reliance on this report and for legal purposes encourage validation on ownership details with the Deeds Office. This report is subject to the terms and conditions of the [WinDeed End User Licence Agreement \(EULA\)](#).

Document Search Result

Document Search Result

Document Search Result for Document Number "T77356/1999" in the Deeds Registry at "CTN"

No documents found for document number: T77356/1999 - Cape Town

[Cancel \(transactdots.jsp\)](#)

(enq_deed.jsp?

focusfield=1&tagopen=Deed/Document

Enquiry&tagHeader=Deed/Document

Enquiry&go=title)



[deedsview_document_search.jsp\)](#)

(enq_lpi.jsp?

focusfield=1&tagopen=LPI

Code

Enquiry&tagHeader=LPI

Code

Enquiry&go=title)

(logoff.jsp?

notemplate=1&focusfield=1&tagopen=Sign%10off&tagHeader=Sign

Off

from

DeedsWeb)

RYLEHORE ALLOMENT AREA
ALGEMENE PLAN NO. 12164



L.G. NO. 259-68
VEL NR. 1 VAN 2 VELLE
L.G. KANTOOR
L.G. NO. 259-68
VEL NR. 1 VAN 2 VELLE
L.G. KANTOOR

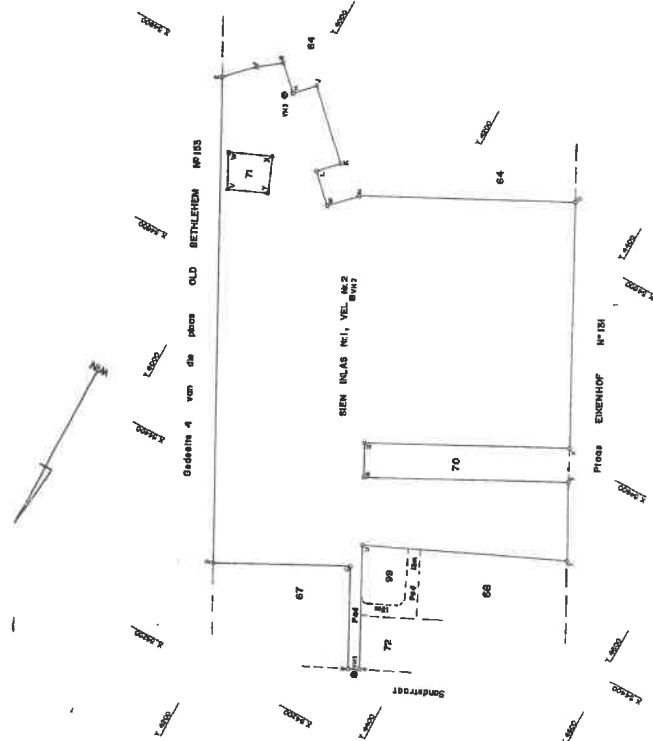
ONDERVERDELING VAN ERF 62 KYLEHORE
Van Erf No. 628/286 SRT.
Gedeelte in de Rylehore Plaaslike Geleëde
Landbouwenstigingsmaatskappij
Pretoria: Nepe die Goudse Nabye

SKAAL: 1/2500



Table with columns: NO. WYSGING, WYSGING, ONTOEGANG, WAGTING, GET., DATUM

L.G. Kantoor
1. Erf 62 van Erf 101
2. Erf 62 van Erf 101
3. Erf 62 van Erf 101
4. Erf 62 van Erf 101
5. Erf 62 van Erf 101
6. Erf 62 van Erf 101



L.G. KANTOOR
L.G. NO. 259-68
VEL NR. 1 VAN 2 VELLE
L.G. KANTOOR

PLAASLOKASIE EN VOLWASSE LANDMETING

Table with columns: WYSGING, WYSGING, ONTOEGANG, WAGTING, GET., DATUM. Includes a grid of erf numbers and dimensions.

Streeklid 5, Gedeelte
van Erf 124, 125
126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

- 1. Die plan is 'n afskrif van 'n oorspronklike plan...
- 2. Die plan is 'n afskrif van 'n oorspronklike plan...
- 3. Die plan is 'n afskrif van 'n oorspronklike plan...
- 4. Die plan is 'n afskrif van 'n oorspronklike plan...
- 5. Die plan is 'n afskrif van 'n oorspronklike plan...
- 6. Die plan is 'n afskrif van 'n oorspronklike plan...
- 7. Die plan is 'n afskrif van 'n oorspronklike plan...
- 8. Die plan is 'n afskrif van 'n oorspronklike plan...
- 9. Die plan is 'n afskrif van 'n oorspronklike plan...
- 10. Die plan is 'n afskrif van 'n oorspronklike plan...

L. G. No. 2519-88
 VEL Nr. 2 van ZWELLE
 OORDEELER
 DeMilly
 LANDTREG-GENERAAL
 NR. 1/30 - 0/1-2.3

CDR

SKAAL: 1/750

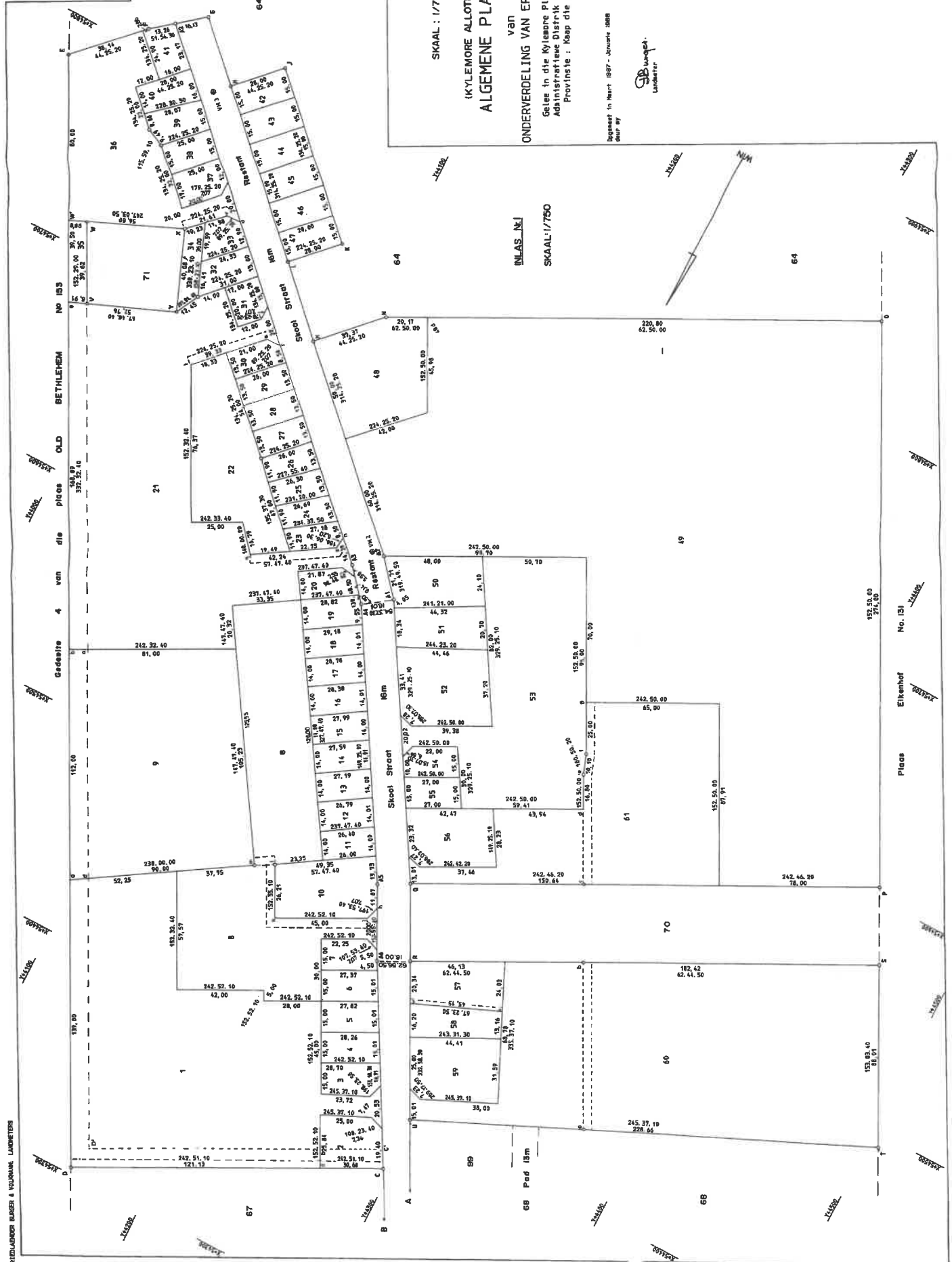
(KYLEMORE ALLOTMENT AREA)
 ALGEMENE PLAN No. 12164

van
 ONDERVERDELING VAN ERF 62 KYLEMORE
 Geleë in die Kylemore Plaastlike Gebied
 Administratiewe Distrik: Stellenbosch
 Provinsie: Kaap die Goeie Hoop.

Digitaal in Ners 1987 - Jansens 0888
 deur by

J. B. Louw
 Landmeter

NOTA
 L. G. No. 2519-88
 L. G. No. 2 van ZWELLE
 OORDEELER
 DeMilly
 NR. 1/30 - 0/1-2.3



REKULACHTER BUREAU & VOLKSWAARDE LANDMETERS

Plaas
 Elkenhof
 No. 131

Plaas
 Elkenhof
 No. 131

Annexure F
Consolidation map


LEGEND:

Newly consolidated erf
1.5886ha



Consolidation



TITLE: PROPOSED CONSOLIDATION OF ERVEN 21 AND 22, KYLEMORE		 C.K. RUMBOLL AND PARTNERS TOWN AND REGIONAL PLANNERS PROFESSIONAL LAND SURVEYORS 16 BROADWAY, SUITE 101 BUCKLEBOURNE, WESTERN CAPE Tel: 022 - 4871661 Fax: 022 - 4871661 e-mail: jpland@rumboll.co.za	DATE: August 2021	SCALE not to scale
NOTE: ALL SIZES AND MEASUREMENTS ARE SUBJECT TO SURVEY			DRAWN BY:	REF: KYLE/12067/JL



Annexure G

Environmental Authorisation



Western Cape
Government

Department of Environmental Affairs and Development Planning
Ndivhuho Mudau
 Development Management
Ndivhuho.Mudau@westerncape.gov.za | Tel.: 021 483 2881

REFERENCE: 16/3/3/6/1/B4/28/1235/21
DATE OF ISSUE: 26 August 2021

The Proponent
 Stellenbosch Municipality
 P. O. Box 17
STELLENBOSCH
 7599

Attention: Ms. S. van der Merwe

Tel: (021) 808 8679

E-mail: schalk.vandermerwe@stellenbosch.gov.za

Dear Madam

THE APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) WITH RESPECT TO THE PROPOSED DEVELOPMENT OF A CEMETERY ON ERF 21 AND 22 KYLEMORE.

1. The checklist for the determination of the applicability of the EIA Regulations, 2014 (as amended) received via electronic mail correspondence by this Department on 21 July 2021, this Directorate's request for additional information on 28 July 2021, 3 August 2021 and 25 August 2021 and the additional information received by this Directorate on 2 August 2021, 4 August 2021 and 25 August 2021, refer.
2. This letter serves to confirm the applicability of the NEMA EIA Regulations, 2014 (as amended), with respect to the proposed development.
3. Based on the information provided by you, this Directorate notes following:
 - 3.1. The proposed development will entail the expansion of the Kylemore cemetery by 10 500m² and the development of an administration building with a footprint of approximately 460m² on Erven 21 and 22, Kylemore.
 - 3.2. The municipality obtained environmental authorisation ("EA") (Reference number: E12/2/4/1-B4/24-1030/10 issued on 22 June 2011) for the expansion of the cemetery on Erven 9, 21, 22, 34, 35, 36 and 71, Kylemore, Stellenbosch. It has been confirmed that the expansion of the cemetery commenced on Erven 9, 34, 35 and 71 within the validity period of EA.
 - 3.3. A residential development has been proposed on Erf 21 and the necessary rezoning has been done in 2016 and the Erf has been rezoned to Subdivisional Area. However, the residential development never materialized.
 - 3.4. Between 2016 and 2018 there has been encroachment onto Erven 21 and 22 with grave sites with a footprint of approximately 1840m². These activities have been undertaken by the local churches.
 - 3.5. In 2017 a road of approximately 5m wide and 250m in length has been developed on Erven 21 and 22 of which Erf 22 is zoned public open space.

7. This Department reserves the right to revise or withdraw its comments and request further information from you based on any information received.

Your interest in the future of the environment is greatly appreciated.

Yours faithfully

**Melanese
Schippers**

Digitally signed by
Melanese Schippers
Date: 2021.08.26
15:24:31 +02'00'

pp **HEAD OF COMPONENT**

DIRECTORATE: DEVELOPMENT MANAGEMENT – REGION 1

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING



DEPARTMENT of
ENVIRONMENTAL AFFAIRS
& DEVELOPMENT PLANNING

Provincial Government of the Western Cape

Directorate: Land Management (Region 1)

Samornev.Alkaster@pawc.gov.za
tel: +27 21 483 5828/5113, fax: +27 21 483 3633
1 Dorp Street, Cape Town, 8001
www.capegateway.gov.za/eacp

REFERENCE: E12/2/4/1-B4/24-1030/10

ENQUIRIES: S Alkaster

DATE OF ISSUE:

2011-06-22

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Attention: G Esau

Tel: (021) 808 8111

Fax: (021) 808 8026

Dear Sir/Madam

APPLICATION: EXPANSION OF KYLEMORE VILLAGE CEMETERY ON ERVEN 9, 21, 22, 34, 35, 36 and 71, KYLEMORE, STELLENBOSCH.

With reference to your application, find below the environmental authorisation, hereinafter referred to as "the environmental authorisation" in respect of this application.

ENVIRONMENTAL AUTHORISATION

A. DESCRIPTION OF ACTIVITY:

This Environmental Authorisation is for Alternative 1 which entails the expansion of the existing cemetery on Erven 9, 21, 22, 34, 35, 36 and 71 by approximately 2 hectares. The site is situated on the south-eastern border of the town Kylemore.

The following activity is identified in GN No. R. 544 of 18 June 2010, being:

Activity 46:

The expansion of cemeteries by an additional 2500 square metres or more.

These are activities identified in GN No. R. 546 of 18 June 2010, being:

Activity 12:

The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation.

- (a) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;
- (b) Within critical biodiversity areas identified in bioregional plans;
- (c) Within the littoral active zone or 100 metres inland from the high water mark of the sea or an estuary, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas,

Activity 13:

The clearance of an area of 1 hectare or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for: (1) the undertaking of a process or activity included in the list

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of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), in which case the activity is regarded to be excluded from this list; (2) the undertaking of a linear activity falling below the thresholds mentioned in Listing Notice 1 in terms of GN No. R. 544 of 2010.

- (a) Critical biodiversity areas and ecological support areas as identified in systematic biodiversity plans adopted by the competent authority.
- (b) National Protected Area Expansion Strategy Focus areas.
- (c) In the Western Cape:
 - i. In an estuary;
 - ii. Outside urban areas, the following:
 - (aa) A protected area identified in terms of NEMPAA, excluding conservancies;
 - (bb) National Protected Area Expansion Strategy Focus areas;
 - (cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;
 - (dd) Sites or areas identified in terms of an International Convention;
 - (ee) Core areas in biosphere reserves;
 - (ff) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; and
 - (gg) Areas seawards
 - (hh) of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined.
 - iii. In urban areas, the following:
 - (aa) Areas zoned for use as public open space;
 - (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;
 - (cc) Areas seawards of the development setback line; and
 - (dd) Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined,

hereinafter referred to as "**the activities**".

B. LOCATION:

The development will be located on Erven 9, 21, 22, 34, 35, 36 and 71, Kylemore, Stellenbosch,

Co-ordinates: Latitude 33° 34' 42" S

Longitude 18° 39' 02" E,

hereinafter referred to as "**the property**".

C. APPLICANT:

Stellenbosch Municipality
% G Esau
PO Box 17
STELLENBOSCH
7599
Tel: (021) 808 8111
Fax: (021) 808 8026

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D. ENVIRONMENTAL ASSESSMENT PRACTITIONER:

Cape Lowlands Environmental Services
% Mr Nicolaas Hanekom
PO Box 70
DARLING
7345
Tel: (022) 492 3435
Fax: (088) 022 492 3435

E. SITE VISIT(S):

No site visit was conducted. The information submitted in the application documentation (i.e. photographs and maps of the site) together with relevant information contained in the Departmental Information base, was considered sufficient to provide adequate information on the nature of the receiving environment.

F. DECISION:

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activities specified above.

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2010 the Department hereby authorises the activities described above.

The granting of this environmental authorisation is subject to the conditions set out below.

G. CONDITIONS OF AUTHORISATION:

1. The activities, including site preparation, may not commence within 20 ("twenty") days after having received this environmental authorisation. In the event that an appeal notice and subsequent appeal is lodged with the competent authority, the effect of this environmental authorisation will be suspended until such time as the appeal is decided.
2. The applicant, must, in writing, within 20 days of the issue of this authorisation, confirm acceptance of the conditions of this authorisation, failing which the Environmental Authorisation may be suspended until such time as these conditions of authorisation are accepted.
3. This Environmental Authorisation is for Alternative 1 which entails the expansion of the existing cemetery on Erven 9, 21, 22, 34, 35, 36 and 71 by approximately 2 hectares. The site is situated on the south-eastern border of the town Kylemore.
4. One week's notice, in writing, must be given to the Directorate: Land Management (Region 1), (hereinafter referred to as "this Directorate"), before commencement of the activities.
 - 4.1 Such notice shall make clear reference to the site location details and reference number given above, and
 - 4.2 The said notice must also include proof of compliance with the following conditions described herein:
Conditions: 1, 2, 7 and 9.
5. Should any heritage remains be exposed during excavations, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in terms of the National Heritage Resources Act, 1999 (Act No. 25 of 1999)). Heritage remains uncovered or disturbed during

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earthworks must not be disturbed further until the necessary approval has been obtained from Heritage Western Cape.

- 5.1 If any archaeological remains (including but not limited to fossil bones and fossil shells, coins, indigenous and/or colonial ceramics, any articles of value or antiquity, stone artefacts and bone remains, structures and other built features, rock art and rock engravings) are discovered during construction they must immediately be reported to Heritage Western Cape and must not be disturbed further until the necessary approval has been obtained from Heritage Western Cape, and
- 5.2 If any graves or unmarked human burials are discovered, they must be treated with respect and South African Heritage Resources Agency ("SAHRA") must be notified immediately and the burials must not be disturbed further until the necessary approval has been obtained from SAHRA. An archaeologist must be contracted to remove the remains at the expense of the developer.
6. The Environmental Management Programme ("EMP") submitted as part of the application for authorisation is accepted and must be implemented.
7. The holder of the authorisation must appoint a suitably experienced Environment Control Officer ("ECO") (or Site Agent where appropriate) for the Construction Phase of the development before commencement of any land clearing or construction activities and to ensure compliance with the provisions of the environmental authorisation and EMP for the Construction Phase.
8. The ECO must, at all times, ensure that the construction activities comply with the Noise Regulations in terms of the Environment Conservation Act, 1989 (Act No. 73 of 1989).
9. The applicant must in writing, within 12 (twelve) calendar days of the date of the decision on the application –
 - 9.1 Notify all registered interested & Affected Parties (I&AP's) of –
 - 9.1.1 The outcome of the application;
 - 9.1.2 The reasons for the decision; and
 - 9.1.3 The date of the decision.
 - 9.2 Inform all registered I&AP's of the appeal procedure provided for in Chapter 7 of the Regulations.
 - 9.3 Inform all registered I&AP's of the manner in which they can access the decision.
 - 9.4 Advise all registered I&AP's that, should they wish to appeal, they must lodge a Notice of Intention to Appeal with the Minister within 20 (twenty) days of date of the Department's decision and must submit their appeal within 30 (thirty) days after the lapsing of the 20 (twenty) days contemplated in Regulation 60(1), for the lodging of the Notice of Intention to Appeal.
 - 9.5 Inform all registered I&AP's that the prescribed Notice of Intention to Appeal form and Appeal form are obtainable from the Minister's office at telephone number (021) 483 3721, or 483 3915, email Jaap.deVilliers@pgwc.gov.za or via the URL <http://www.capegateway.gov.za/eadp>.
 - 9.6 Inform all registered I&AP's that should they wish to appeal, the appellant must serve on the applicant, within 10 (ten) days of having submitted the Notice of Intention to Appeal with the Minister, a copy of the Notice of Intention to Appeal form as well as a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.

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- 9.7 If the applicant should decide to appeal the decision, the applicant must -
- 9.7.1 Lodge a Notice of Intention to Appeal with the Minister, within 20 (twenty) days after the date of the decision.
 - 9.7.2 Submit the appeal within 30 (thirty) days after the lapsing of the 20 (twenty) days contemplated in Regulation 60(1), for the lodging of the Notice of Intention to Appeal.
 - 9.7.3 Within 10 (ten) days of having lodged the Notice of Intention to Appeal, provide each person and Organ of State registered as an I&AP in respect of the application, with -
 - 9.7.3.1 A copy of the Notice of Intention to Appeal form;
 - 9.7.3.2 A notice indicating where and for what period the appeal submission will be made available for inspection by such person or Organ of State, on the day of lodging it with the Minister, and that a responding statement may be made on the appeal within 30 (thirty) days from the date the appeal submission was lodged with the Minister. A person, Organ of State or applicant who submits a responding statement in terms of Regulation 63(1) must within 10 (ten) days of having submitted the responding statement, serve a copy of the statement on the appellant.
10. The holder of the authorisation shall be responsible for ensuring compliance with the conditions by any person acting on his behalf, including but not limited to, an agent, sub-contractor, employee or any person rendering a service to the holder of the authorisation.
11. Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the Regulations.
12. The holder of the authorisation must notify this Department and any other relevant authority, in writing, within 24 hours thereof if any condition of this authorisation is not adhered to.
13. A copy of this authorisation must be kept at the property where the activities will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
14. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
15. Non-compliance with a condition of this authorisation may result in the suspension of the authorisation and may render the holder liable for criminal prosecution.
16. This Department must be notified, within 30 days thereof, of any change of ownership and/or project developer. A request for the transfer of the rights and obligations contained in this environmental authorisation must be submitted in the following way:

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- 16.1 The current holder of the environmental authorisation must submit an original signed letter to the Department stating that he/she wishes the rights and obligations contained in this environmental authorisation to be transferred, provide the Department with (a) confirmation that the environmental authorisation is still in force (i.e. validity period have not yet expired or the activities were lawfully commenced with), (b) the contact details of the person to whom the rights and obligations are to be transferred, and (c) the reasons for the requested transfer.
- 16.2 The person to whom the rights and obligations are to be transferred must also submit an original signed letter to the Department (a) accepting the rights and obligations contained in this environmental authorisation and (b) must indicate that he/she has the ability to implement the mitigation measures and to comply with the conditions of authorisation.
- If the transfer is found to be appropriate by the Department, the Department will issue a letter confirming the transfer of the rights and obligations contained in this environmental authorisation.
17. Departmental officials shall be given access to the property referred to in B above for the purpose of assessing and/or monitoring compliance with the conditions contained in this environmental authorisation, at all reasonable times.
18. The activities which are authorised may only be carried out at the property indicated above.
19. Notwithstanding this authorisation, the holder of the authorisation must still comply with any other statutory requirements that may be applicable to the undertaking of the activities.
20. These activities must commence within a period of five (5) years from the date of issue. If commencement of the activities does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activities to be undertaken, unless the holder of this environmental authorisation has lodged a valid application for the amendment of the duration of expiry of this authorisation before the expiry of this authorisation, in which case, the validity of this environmental authorisation is automatically extended from the day before this environmental authorisation would otherwise have expired until the amendment application for extension is decided ("the period of automatic extension"). The activities including site preparation may not commence during the period of automatic extension.

H. REASONS FOR THE DECISION:

All information available to the Department was taken into account in the Department's consideration of the application which included the following -

- a) The Application Form for environmental authorisation as submitted by Nicolaas Hanekom from Cape Lowlands Environmental Services, as received by this Department on 20 September 2010 and the additional information dated 20 October 2010,
- b) The information contained in the Basic Assessment Report as submitted by Nicolaas Hanekom from Cape Lowland Environmental Services, received by this Department on 30 March 2011,
- c) Relevant information contained in the Departmental information base, and
- d) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the NEMA.

A summary of the issues which, in the Department's view, were of the most significance is set out below.

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Need and Desirability

The expansion of the cemetery is in line with the Provincial Spatial Development Framework and Integrated Development Plan of Stellenbosch Municipality. The communal cemetery of Kylemore has almost reached full capacity. By expanding the existing cemetery, it will provide additional burial space for the local community of Kylemore and the surrounding areas.

Alternatives

Site Alternatives

Site Alternative 1 (Preferred Alternative)

This activity entails the expansion of the existing cemetery on Erven 9, 21, 22, 34, 35, 36 and 71 by approximately 2 hectares. The site is situated on the south-eastern border of the town Kylemore. This is the preferred site as it is in immediate proximity to the existing cemetery. Topographical and botanical requirements for cemeteries were considered and it was concluded that this site is the most suited in terms of service requirements, social and community needs, as well as current service provision to surrounding properties.

Alternative 2

Due to the fact that acquisition of suitable land from private entities or individuals could be prohibitively expensive, the study focused mainly on portions of land owned by Stellenbosch Municipality. A desktop study of all municipal owned land identified 21 potential sites. Only the Kylemore cemetery site was pursued further as it complied with the topographical and botanical requirements.

No-go Alternative:

This alternative represents the status-quo and was rejected since it will not satisfy the needs for additional burial space.

Public Participation

The Public Participation Process ("PPP") comprised of the following:

- A notice was placed on site on 22 June 2010;
- An advertisement was placed in the "Eikestad Nuus" newspaper on 25 June 2010;
- Letters were posted to all owners and occupiers of land adjacent to, and within 100 metres of the site, the ward councillor, local municipality and relevant government departments on 26 June 2010;
- The draft BAR was made available on 6 September 2010; and
- The final BAR was made available to registered I&AP's on 22 February 2011.

At the end of the commenting period, comments were received, none of which were objections.

Meeting held on 20 October 2010:

Persons Present: Ms Mare-Liez Oosthuizen, Ms Loretta Osborne, Ms Rondine Isaacs and Mr Clement Arendse of the Department of Environmental Affairs & Development Planning and Mr Nicolaas Hanekom from Cape Lowlands Environmental Services.

Authority Consultation

The following authorities commented but had no objection to the development:

- Heritage Western Cape;
- Department of Agriculture;
- Department of Water Affairs;
- Cape Nature;
- Department of Health; and
- Cape Winelands District Municipality.

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Comments and recommendations provided by the other relevant authorities have been considered in the evaluation of this application. Where possible and relevant, the conditions imposed by these authorities have been included in this Environmental Authorisation insofar as it relates to the environmental aspects of the proposed activities. This authorisation is issued only in terms of the NEMA and the applicant is required to obtain all other necessary approvals before commencing with the activities.

In view of the above, this Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. The application is accordingly granted.

I. APPEAL:

Appeals must comply with the provisions as outlined in Chapter 7 of the Regulations.

If the applicant should decide to appeal, the applicant must, in terms of, Regulation 60(1), lodge a Notice of Intention to Appeal with the Minister, within 20 (twenty) days after the date of the decision, and must within 10 (ten) days of having submitted the notice contemplated in Regulation 60(1), provide each person and Organ of State registered as an Interested and Affected Party in respect of the application with a copy of the Notice of Intention to Appeal; a notice indicating where and for what period the appeal submission will be made available for inspection by such person or Organ of State on the day of lodging it with the Minister, and indicate that a responding statement may be made on the appeal within 30 (thirty) days from the date the appeal submission was lodged with the Minister.

A person, Organ of State or applicant who submits a responding statement in terms of Regulation 63(1) must within 10 (ten) days of having submitted the responding statement, serve a copy of the statement on the appellant.

If the applicant should decide to appeal, the applicant must submit the appeal within 30 (thirty) days after the lapsing of the 20 (twenty) days contemplated in Regulation 60(1), for the lodging of the Notice of Intention to Appeal.

Should any other person, or an Interested and Affected Party, decide to appeal, they must, in terms of, Regulation 60(1), lodge a Notice of Intention to Appeal with the Minister, within 20 (twenty) days after the date of the decision. An appeal must be submitted within 30 (thirty) days after the lapsing of the 20 (twenty) days contemplated in Regulation 60(1).

The appellant must provide the applicant, within 10 days of having lodged the notice contemplated in Regulation 60(1), with a copy of the notice referred to in Regulation 60(1), and a notice indicating where and for what period the appeal submission will be available for inspection by the applicant. A responding statement may be made on the appeal within 30 (thirty) days from the date the appeal submission was lodged with the Minister.

The prescribed Notice of Intention to Appeal form and Appeal form are obtainable from the Minister's office, as well as assistance regarding the appeal processes, at telephone number (021) 483 3721, or 483 3915, email Jaap.DeVilliers@pgwc.gov.za or via the URL <http://www.capegateway.gov.za/eagd>.

All Notice of Intention to Appeal and Appeal forms must be submitted by means of one of the following methods:

Department of Environmental Affairs and Development Planning
Directorate: Land Management (Region 1)

By post: Western Cape Ministry of Local Government, Environmental Affairs and
Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr. Jaap de Villiers
3rd floor Leeusig Building
1 Dorp Street
CAPE TOWN
8001

Provincial Government, Local Authority or committees appointed in terms of the conditions of the application or any other public authority or organisation shall not be held responsible for any damages or losses suffered by the developer or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the developer with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Your interest in the future of our environment is greatly appreciated.

Yours faithfully



AYUB MOHAMED

DIRECTOR: LAND MANAGEMENT (REGION 1)

DATE OF DECISION: 21/08/2011

Cc: Mr N Hanekom (Cape Lowlands Environmental Services)

Fax: (088) 022 492 3435

WinDeed Database Deeds Office Property

windeed
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KYLEMORE, 21, 0 (CAPE TOWN)

GENERAL INFORMATION

Date Requested 2021/07/15 14:19
Deeds Office CAPE TOWN
Information Source WINDEED DATABASE
Reference -

**PROPERTY INFORMATION**

Property Type ERF
Erf Number 21
Portion Number 0
Township KYLEMORE
Local Authority STELLENBOSCH MUN
Registration Division NOT AVAILABLE
Province WESTERN CAPE
Diagram Deed T77356/1999
Extent 1.3115H
Previous Description PTN OF 62-GP12164
LPI Code C06700140000002100000

OWNER INFORMATION**Owner 1 of 1**

Type LOCAL AUTHORITY
Name MUN STELLENBOSCH
ID / Reg. Number -
Title Deed T77356/1999
Registration Date 1999/09/27
Purchase Price (R) 250,725
Purchase Date 1999/03/17
Share 0.00
Microfilm 2000 0491 1883
Multiple Properties YES
Multiple Owners NO

ENDORSEMENTS

No documents to display

HISTORIC DOCUMENTS (1)

#	Document	Owner	Amount (R)	Microfilm
1	T48171/1992	NASIONALE BEHUISINGRAAD	20,567	1999 0596 5727

DISCLAIMER

This report contains information gathered from the WinDeed database and we do not make any representations about the accuracy of the data displayed nor do we accept responsibility for inaccurate data. LexisNexis will not be liable for any damage caused by reliance on this report and for legal purposes encourage validation on ownership details with the Deeds Office. This report is subject to the terms and conditions of the [WinDeed End User Licence Agreement \(EULA\)](#).

APPENDIX E

Copy of POE Checklist and declaration


PLANNING & ECONOMIC DEVELOPMENT

37

PORTFOLIO OF EVIDENCE Applicant advertised CHECKLIST				Date	10 May 2022	
Erf/Erven Farm no	Erven 21 & 22	Portion(s) if farm		Allotment Area	Kylemore	
Owner/ Applicant	CK Rumboll & Partners			LU/number	13621	
INDICATE WHICH OF THE FOLLOWING DOCUMENTATION (WHERE APPLICABLE) IS ATTACHED TO THE PORTFOLIO OF EVIDENCE				OWNER/APPLICANT TO INDICATE		ADMIN OFFICER/ PLANNER VERIFY <input checked="" type="checkbox"/>
				YES	NO	
Affidavit (TEMPLATE ATTACHED)						
1. Is the affidavit signed by a Commissioner of Oaths				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
2. Does the affidavit confirm that the advertising was undertaken in accordance with the said prescriptions?				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
3. Does the affidavit confirm that the notice was placed and kept on site for the duration of the advertising period (from which date to which date)?				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Proof of publication						
4. In one local newspaper in two official languages (or in those cases where Council has indicated two local newspapers)				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
5. Extract from the newspaper attached (date of publication visible)				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
6. Does the wording fully address the description of the application?				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
7. If no, define differences :				<div style="border: 1px solid black; padding: 5px; text-align: center;"> STELLENBOSCH MUNICIPALITY PLANNING AND DEVELOPMENT SERVICES 12 MAY 2022 RECEIVED To: 22 March 2022 </div>		
FILE NR: <div style="border: 1px solid black; padding: 2px; display: inline-block;">E21A22 KY</div>						
8. Advertising period				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
From: 17 February 2022 SCAN NR: To: 22 March 2022 COLLABORATOR NR: 729756				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
9. Does the Advertising period comply with the required 30 days?				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
10. Was Council informed of the commencement date and closure date?				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
The registered slips in respect of all the registered letters addressed to						
11. A copy of the registered letter addressed to the affected parties				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
12. Are the dates concurring				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
13. A copy of the registered letter addressed to the external departments (where required)				<input checked="" type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
14. Affected interested and affected parties (registered property owners) (original registered slips)				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
15. Community organisations (original registered slips)					<input checked="" type="checkbox"/>	
16. Ward Councillor (original registered slip)					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
17. External Departments (where required) (original registered slip)				<input checked="" type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
18. Unclaimed registered mail				<input checked="" type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

19. If no to any of the above, define differences :			
No instruction received to notify any community organisations nor ward councillor.			
20. Were the external departments granted 60 days for comment?	✓		✓
Notices placed on the property			
21. Were the notices placed on the property on the same day as the notice in press?	✓		✓
22. Have photos been attached? (one close up and one from across the street)	✓		✓
23. Was the notice clearly visible on site?	✓		✓
24. Were the notices kept on site for the duration of the advertising period?	✓		✓
Objections/Comments			
25. From organs of state/external departments must be on a formal letterhead?	✓		✓
26. All objections/comments received attached?	✓		✓
27. All emails sent or received in respect of this application attached?	✓		✓
28. Applicant's comments on the objections attached?	✓		No objections received
SIGNED BY APPLICANT/OWNER		<i>M. Mann</i>	

For office use only	
SIGNED BY ADMINISTRATIVE OFFICER	<i>[Signature]</i>
VERIFIED & SIGNED BY TOWN PLANNER	11/05/2022
DATE VERIFIED	

CK RUMBOLL & VENNOTE / PARTNERS



PROFESSIONELE LANDMETERS ~ ENGINEERING AND MINE SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

10/05/2022

OUR REF: KYLE/12067/JL
YOUR REF: Erf 21 and 22 Kylemore

PER HAND

The Municipal Manager
Stellenbosch Municipality
Privatebag X17
STELLENBOSCH
7599

**Municipality - Munisipaliteit
Stellenbosch**

10 MAY 2022

Office of Land Use Management
Kantoor van Grondgebruiksbestuur

Sir/Madam

PROPOSED CLOSURE, REZONING, CONSENT USE AND CONSOLIDATION: ERVEN 21 AND 22 KYLEMORE

With reference to the above application and your letter dated the 2nd of February 2022 we hereby confirm the end of public participation.

- Notice in press, site notice and registered letters to Interested and Affected Parties = 30 days commenting period.
Commencement date: 17 February 2022
Closure date: 22 March 2022
- Registered letters to external Departments = 60 days commenting period
Commencement date: 17 February 2022
Closure date: 22 April 2022

Attached hereto please find the following to form part of the portfolio of evidence:

Annexure A – Sworn Affidavit
Annexure B – Newspaper Publication
Annexure C – Commencement of Public Participation Confirmation
Annexure D – Copy of registered letter to I&APs
Annexure E – Original registered slips of I&APs
Annexure F – Comments and Responses of I&APs
Annexure G – External Departments – Registered Letters/ Original Slips/ Comments & Responses
Annexure H – Unclaimed Registered Mail
Annexure I – Photos of Site Notice
Annexure J – Status Report – Erf 22 Kylemore
Annexure K – Confirmation of placement on Municipal website
Annexure L – Comments internal departments and District Municipality

VENNOTE / PARTNERS:

IHJ Rumboll PrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.

ADDRESS/ ADRES: jolandie@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
MALMESBURY (T) 022 482 1845 (F) 022 487 1661

CK RUMBOLL & VENNOTE / PARTNERS



PROFESIONELE LANDMETERS - ENGINEERING AND MINE SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

External departments no comments received:

1. Heritage Western Cape

- Registered letter sent on 17th of February and collected by Yagya Ismail on the 25th of February 2022.
- Follow up e-mail sent on 4th and 7th of April 2022.
- To date no comments received.

We would also like to draw your attention to Annexure J. It is confirmed by the Surveyor General that erf 22 Kylemore constitutes a normal erf and not a Public Open Space. It is thus not necessary for any closures.

We trust you find the abovementioned in order. Please do not hesitate to contact this office should any additional information be required.

Kind regards

Jolandie Linnemann
For: CK RUMBOLL and PARTNERS

VENNOTE / PARTNERS:

IHJ Rumboll PrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.

ADDRESS/ ADRES: jolandie@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
MALMESBURY (T) 022 482 1845 (F) 022 487 1661

Annexure A – Sworn Affidavit

Annexure B – Newspaper Publication

Annexure C – Commencement of Public Participation Confirmation

Annexure D – Copy of registered letter to I&APs

Annexure E – Original registered slips of I&APs

Annexure F – Comments and Responses of I&APs

Annexure G – External Departments – Registered Letters/ Original Slips/ Comments & Responses

Annexure H – Unclaimed Registered Mail

Annexure I – Photos of Site Notice

Annexure J – Status Report – Erf 22 Kylemore

Annexure K – Confirmation of placement on Municipal website

Annexure L – Comments internal Departments and District Municipality

Annexure A – Sworn Affidavit

SWORN AFFIDAVIT

I, the undersigned [Full Name (s) and Surname]: Jolandie Linnemann

Identity Number: [REDACTED]

in my capacity as (owner or authorised person through power of attorney):
by Ms Geraldine Mettler (Stellenbosch Municipality)

do hereby declare under oath that:

1. The application for:
Rezoning, consent use and consolidation - Erven 21 and 22 Kylemore

on Erf/ Farm Number: Erven 21 and 22 Kylemore

Was advertised in at least two of the official languages of the Province in the following newspaper(s)ⁱ:

(a) Eikestad Nuus (b)

From 17 February 2022.....2020.....to 22 March.....2022.....

2. The public notices were prominently displayed and maintained in a legible condition for a continuous period of thirty (30) days from the date of the advertisement as indicated in Section (2) aboveⁱⁱ;
3. A notice containing the requirements as set out in the Stellenbosch Land Use Planning By-Law (2015), was posted per registered mailⁱⁱⁱ to all adjoining property owners/occupants/ interested and affected parties, during the same date of the advertising period as specified in Section (2) above;
4. Furthermore, a notice of the application was sent to the relevant Intergovernmental State Departments, per registered mail^{iv}, commencing the same date as in Section (2) above with an **additional 30 days (minimum 60 days)** for comment;
5. That all comments and objections to the application concerned were forwarded to Stellenbosch Municipality as contemplated in sections 1 – 4 above.

The Deponent acknowledges that he / she knows and understands the contents of this Affidavit.

Signature: [Signature]

Signed at: Malmesbury

On this: 9th.....day of.....May.....2022.....

At: 16 Rainier Street, Malmesbury

Commissioner of Oath's Stamp & Signature

[Signature]

W.A. HOFFMAN (PLS 1223)

Commissioner of Oaths/Kommissaris van Ede

Professional Land Surveyor/Professionele Landmeter

C K Rumboll & Partners, Box 211, Malmesbury, 7300

ⁱ Must conform to Section 47 of the Stellenbosch Municipality Land Use Planning By-law (2015) [THE BY-LAW]– attach copy of advert (s)
ⁱⁱ Site Displays must conform to Section 48 (2)(a) of the By-law – attach photos
ⁱⁱⁱ Attach original registration post slips and copies of letters that were distributed containing the required information as per Section 47 of the By-law
^{iv} Attach original registration post slips and copies of letters that were distributed containing the required information as per Section 47 of the By-law

Annexure B – Newspaper Publication

Spelers wys slag

Die jaarlikse Zest Fruit Gerrie Berner-toernooi word die komende naweek vir die 17de keer deur Paul Roos Gimnasium (PRG) in Stellenbosch aangebied.

Die plaaslike skool se eerste tennisspan het oor die jare sy staal gewys deur verlede jaar die titel vir die vierde agtereenvolgende jaar te wen met 'n 4-0 oorwinning oor Grey-kollege sekondêr in die eindstryd.

PRG word verteenwoordig deur Ernst Gouws, Johan van Wijk, Stephen Claassen, Willem de Waal, Leonardo Sola, Echard de Kock en Jake Downie. Gouws beklee tans die nummereen-plek op die Tennis Suid-Afrika se 0.18-ranglys.

Die skole wat van Donderdag 17 tot Saterdag 19 Februarie aan die toernooi deelneem, is PRG, Grey-kollege sekondêr, Hoërskool Waterkloof, Afrikaanse Hoër Seunskool, Kearsney College, Clifton High, Hoërskool Outeniqua, Hoër Landbou-skool Oakdale, Hoërskool Stellenbosch, Hoër Jongenskool Paarl, King Edward School en St. Stithians College.

Zest Fruit word die afgelope vier jaar as hoofborg met die bekende Gerrie Berner-toernooi verbind. Volgens Freek Dreyer, besturende direkteur van Zest Fruit, is dié jare lange verbintenis met die toernooi gekoppel aan PRG se toewyding tot die ontwikkeling van gehalte tennisspelers. Dit het hulle geïnspireer om die borgskap uit te brei en PRG-tennis as geheel te ondersteun.

Wedstryde sal aanlyn gestroom word en al die aksie kan op die SuperSport Schools-app gevolg word.



Paul Roos Gimnasium se nummereen-tennisspeler, Ernst Gouws, en sy spanmaats is dié naweek in die Zest Fruit Gerrie Berner-toernooi in Stellenbosch in aksie. Foto: Charmaine Sander Photography



LAERSKOOLEIESTAD
SEKURITEITSWAG

Aansoeke word ingewag vir 'n sekuriteitswag.

Verleistes:

- Sekuriteitsondervinding
- Die kandidaat moet in Afrikaans kan kommunikeer.
- Moet fleksibele tyd kan werk
- Polisieklaring word vereis vir aanstelling
- Voorsien besonderhede van 2 onlangse referente
- Beheerliggaam-/Kontrakaanstelling

Volledige CV kan per hand afgelower word by Laerskool Elkestad, Doornboschstraat, Stellenbosch

Navrae: 021 887 4610
Sluitingsdatum: Vrydag 25 Februarie 2022
Diensaanvaarding: So spoedig moontlik.

Indien daar geen terugvoer is na 2 wke, moet aanvaar word dat die aansoek onsuksesvol was.



THANK YOU FOR Supporting LOCAL BUSINESS

ATKV-betrekings Sentrumhoof

ATKV-AbbAsorg: Cloetesville

Die ATKV is 'n dinamiese en snelgroeiende Afrikaanse taal- en kultuurorganisasie en het 25^{de} in vakature vir 25^{de} 'n gekwalifiseerde sentrumhoof by die ATKV se AbbAsorg-sentrum in Cloetesville, Stellenbosch.

Die ATKV volg 'n gelyke-indiensnemoingsbeleid.

Verleistes

Besit jy oor 'n NQF Viak 5-kwalifikasie, ondervinding en goeie bestuursvermoëns? Het jy administratiewe, organisatoriese en finansiële ervaring en is jy vertrou met die opstel van begrotings? As jy lief is vir kinders en goeie verhouding met volwassenes het, soek 'n geldige rybewys en jou eie vervoer, is hierdie geleentheid vir jou.

Verantwoordelike

Oorkoepelende toesighouding oor die AbbAsorg-sentrum in Stellenbosch en die bedryf van die ATKV se sosiaal-maatskaplike opleidingsprogram vir voorskoolse kinders.

As jy graag vir so 'n dinamiese organisasie wil werk, stuur jou volledige CV aan: ATKV by betrekings@atkv.org.za Posbus 4586, Randburg 2125

Aansoek moet die ATKV voor 23 Februarie 2022 bereik. Gebruik asseblief as verwysing: CLOETESVI



CHEF-ASSISTANT SKILLS TRAINING PROGRAMME

Stellemploy will train 12 unemployed young people in Food Production and Cooking Skills over a period of eight weeks at the Stellemploy Training Centre. This course is accredited with the Highfield Qualifications. We plan to start with the training programme on 7 March 2022.

Closing date for application: 25 February 2022

What are the application criteria?

- Valid South African ID
- Stellenbosch residency only
- Unemployed
- Between the ages of 18 - 35 years
- Minimum qualification Grade 11 (able to read and speak English)
- Proof of residency in Stellenbosch Municipal Area
- Proof of vaccination

What does it include?

Includes all training, training materials, refreshments and transport from Stellemploy's office in Stellenbosch to Stellemploy Training Centre and back (stipends will not be paid).

How do you contact us?

Enquiries:

- Telephone: 021 886 6993 (office number)
- Visit Stellemploy's Office: Ou Lückhoff Skool (Banhoek Road, next to Babin Crèche)

NOTICE OF LAND DEVELOPMENT APPLICATION IN THE STELLENBOSCH MUNICIPAL AREA

APPLICATION FOR CLOSURE, REZONING, CONSENT USE AND CONSOLIDATION: ERVEN 21 AND 22 KYLEMORE

Application address: School Street, Kylemore
Applicant: CK Rumboll and Partners
Owner: Stellenbosch Municipality
021 808 8683/8690

Application number: LU/13621
Reference number: Erf 21 and 22 Kylemore
Property Description: Erven 21 and 22 Kylemore

Description of land development application:

- Application is made in terms of Section 15 (2)(a) of the Stellenbosch Land Use Planning By-Law (2015) for the rezoning of Erf 21 Kylemore from Subdivisional Area Zone to Private Open Space Zone.
- Application is made in terms of Section 15 (2)(a) of the Stellenbosch Land Use Planning By-Law (2015) for the rezoning of Erf 22 Kylemore from Public Open Space Zone to Private Open Space Zone.
- Application is made in terms of Section 15 (2)(o) of the Stellenbosch Land Use Planning By-Law (2015) for a consent use in order to accommodate a cemetery on Erven 21 and 22 Kylemore.
- Application is made in terms of section 15(2)(e) of the Stellenbosch Land Use Planning By-Law (2015), to consolidate Erven 21 and 22 Kylemore to form a 1.5886ha land unit.
- Application is made in terms of section 15(2)(n) of the Stellenbosch Land Use Planning By-Law (2015) for the closure of a public place in order to use Erf 22 Kylemore for cemetery purposes.

Notice is hereby given in terms of the said By-law that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: <https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

Written comments, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person in the application, may be submitted in terms of Section 50 of the said By-law to the Applicant as follows:

APPLICANT

Registered mail or normal mail

CK Rumboll and Partners, PO Box 211, Malmesbury, 7299. Attention: Jolandie Linnemann

Or hand delivered to

CK Rumboll and Partners, 16 Rainier Street, Malmesbury, 7300. Attention: Jolandie Linnemann

Or emailed to

jolandie@rumboll.co.za

By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of 22 March 2022. For any enquiries on the Application or the above requirements, or if you are unable to write and/or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at (022 482 1845) during normal office hours.

KENNISGEWING VAN GRONDONTWIKKELINGSAAANSOEK IN DIE STELLENBOSCH MUNISIPALE AREA

AANSOEK OM SLUITING, HERSONERING, VERGUNNING EN KONSOLIDASIE - ERWE 21 EN 22 KYLEMORE

Adres van eiendom: Skoolstraat, Kylemore
Aansoeker: CK Rumboll en Vennote
Eiensaar: Stellenbosch Munisipaliteit
021 808 8683/8690

Aansoek Verwysing: LU/13621
Verwysingsnommer: Erf 21 en 22, Kylemore
Eiendomsbeskrywing: Erwe 21 en 22 Kylemore

Beskrywing van grondontwikkelingsaansoek:

- Aansoek word gedoen ingevolge Artikel 15 (2)(a) van die Stellenbosch Verordening op Grondgebruik-beplanning (2015) vir die hersonering van Erf 21 Kylemore vanaf Onderverdelingsgebied Sone na Privaat Oopruimte Sone.
- Aansoek word gedoen ingevolge Artikel 15 (2)(a) van die Stellenbosch Verordening op Grondgebruik-beplanning (2015) vir die hersonering van Erf 22 Kylemore vanaf Openbare Oopruimte Sone na Privaat Oopruimte Sone.
- Aansoek word gedoen ingevolge Artikel 15 (2)(o) van die Stellenbosch Verordening op Grondgebruik-beplanning (2015) vir 'n vergunningsgebruik ten einde 'n begraaftuig op Erwe 21 en 22 Kylemore te akkommodeer.
- Aansoek word gedoen ingevolge artikel 15(2)(e) van die Stellenbosch Verordening op Grondgebruik-beplanning (2015) om Erwe 21 en 22 Kylemore te konsolideer om 'n 1,5886ha grondeenheid te vorm.
- Aansoek word gedoen ingevolge artikel 15(2)(n) van die Stellenbosch Verordening op Grondgebruikbeplanning (2015) vir die sluiting van 'n openbare plek ten einde Erf 22 Kylemore vir begraaftuigdoeleindes te gebruik.

Kennis word hiermee gegee in terme van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplanning Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydperk van die publieke deelnameproses by die volgende adres: <https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie beskikbaar te stel.

Skriftelike kommentaar, wat besonderhede ten opsigte van die verwysingsnommer van die aansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, diereas vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die aansoek, kan ingedien word in terme van Artikel 50 van genoemde Verordeninge aan die Aansoeker as volg:

AANSOEKER

Geregistreerde of gewone pos

CK Rumboll en Vennote, Posbus 211, Malmesbury, 7299. Vir aandag: Jolandie Linnemann

Of per hand afgelower aan

CK Rumboll en Vennote, Rainierstraat 16, Malmesbury, 7300. Vir aandag: Jolandie Linnemann

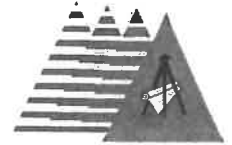
Of per e-pos gelever aan jolandie@rumboll.co.za

Deur 'n beswaar, kommentaar of vertoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van 22 Maart 2022. Indien daar enige navrae op die aansoek of bovermelde verleistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by (022 482 1845) gedurende normale kantoor ure.

***Annexure C – Commencement of Public
Participation Confirmation***

CK RUMBOLL & VENNOTE / PARTNERS



PROFESIONELE LANDMETERS ~ ENGINEERING AND MINE SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

21 February 2022

OUR REF: KYLE/12067/JL
YOUR REF: Erf 21 and 22 Kylemore

PER E-MAIL

The Municipal Manager
Stellenbosch Municipality
Privatebag X17
STELLENBOSCH
7599

Sir/Madam

PROPOSED CLOSURE, REZONING, CONSENT USE AND CONSOLIDATION: ERVEN 21 AND 22 KYLEMORE

With reference to the above application and your letter dated the 2nd of February 2022 we hereby confirm commencement of public participation.

- Notice in press, site notice and registered letters to Interested and Affected Parties = 30 days commenting period.
Commencement date: 17 February 2022
Closure date: 22 March 2022
- Registered letters to external Departments = 60 days commenting period
Commencement date: 17 February 2022
Closure date: 22 April 2022

We trust you find the abovementioned in order. Necessary proof in the form of portfolio of evidence will be provided at the end of the public participation period. Please do not hesitate to contact this office should any additional information be required.

Kind regards

Jolandie Linnemann
For: CK RUMBOLL and PARTNERS

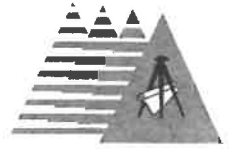
VENNOTE / PARTNERS:

IHJ Rumboll PrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.

ADDRESS/ ADRES: jolandie@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
MALMESBURY (T) 022 482 1845 (F) 022 487 1661

Annexure D – Copy of registered letter to I&APs

CK RUMBOLL & VENNOTE / PARTNERS



PROFESIONELE LANDMETERS – ENGINEERING AND MINE SURVEYORS – STADS- EN STREEKSBEPLANNERS – SECTIONAL TITLE CONSULTANTS

Application Number: LU/13621
 File Reference Number: Erf 21 and 22 Kylemore
 Applicant Reference Number: KYLE/12067/JL
 Enquiries: CK Rumboll and Partners
 Contact No: 022 482 1845
 Email address: jolandie@rumboll.co.za
 Date: 17 February 2022

PER REGISTERED POST

Erf 436 Kylemore
 Asley and Desiree de Kock
 2 Orchid Street
Stellenbosch
 7600

APPLICATION FOR CLOSURE, REZONING, CONSENT USE AND CONSOLIDATION: ERVEN 21 AND 22 KYLEMORE

The following land use application in terms of the Stellenbosch Land Use Planning By-law, 2015, refers:

Applicant:	CK Rumboll and Partners
Owner:	Stellenbosch Municipality
Application number:	LU/13621
Reference number:	Erf 21 and 22 Kylemore
Property Description:	Erven 21 and 22 Kylemore
Physical Address:	School Street, Kylemore

Detailed description of proposal:

- Application is made in terms of Section 15 (2)(a) of the Stellenbosch Land Use Planning By-Law (2015) for the rezoning of Erf 21 Kylemore from Subdivisional Area Zone to Private Open Space Zone.
- Application is made in terms of Section 15 (2)(a) of the Stellenbosch Land Use Planning By-Law (2015) for the rezoning of Erf 22 Kylemore from Public Open Space Zone to Private Open Space Zone.
- Application is made in terms of Section 15 (2)(o) of the Stellenbosch Land Use Planning By-Law (2015) for a consent use in order to accommodate a cemetery on Erven 21 and 22 Kylemore.
- Application is made in terms of section 15(2)(e) of the Stellenbosch Land Use Planning By-Law (2015) to consolidate Erven 21 and 22 Kylemore to form a 1.5886ha land unit.
- Application is made in terms of section 15(2)(n) of the Stellenbosch Land Use Planning By-Law (2015) for the closure of a public place in order to use Erf 22 Kylemore for cemetery purposes.

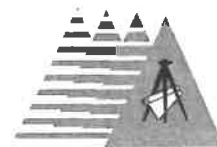
Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public

VENNOTE / PARTNERS:

IHJ Rumboll PrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.

ADDRESS/ ADRES: jolandie@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
 MALMESBURY (T) 022 482 1845 (F) 022 487 1661

CK RUMBOLL & VENNOTE / PARTNERS



PROFESIONELE LANDMETERS ~ ENGINEERING AND MINE SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

participation process at the following address:
<https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>.
 If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
 - o Indicate the facts and circumstances that explain the comments;
 - o Where relevant demonstrate the undesirable effect that the application will have if approved;
 - o Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
 - o Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: (Attention Jolandie Linnemann, jolandie@rumboll.co.za). By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **22 March 2022**.

It should be noted that the Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/ objection received after the closing date.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at (022 482 1845) during normal office hours.

Yours faithfully

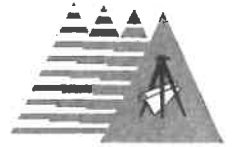
Jolandie Linnemann
For CK Rumboll and Partners

VENNOTE / PARTNERS:

IHJ Rumboll PrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.

ADDRESS/ ADRES: jolandie@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
 MALMESBURY (T) 022 482 1845 (F) 022 487 1661

CK RUMBOLL & VENNOTE / PARTNERS



PROFESSIONELE LANDMETERS ~ ENGINEERING AND MINE SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

Aansoek nommer: LU/13621
 Leer verwysingsnommer: Erf 21 en 22 Kylemore
 Aansoeker verwysingsnommer: KYLE/12067/JL
 Navrae: CK Rumboll en Vennote
 Kontak nommer: 022 482 1845
 E-pos adres: jolandie@rumboll.co.za
 Datum: 17 Februarie 2022

PER GEREGISTREERDE POS

Erf 436 Kylemore

Asley en Desiree de Kock
 Orchidstraat 2
STELLENBOSCH
 7600

AANSOEK OM SLUITING, HERSONERING, VERGUNNING EN KONSOLIDASIE – ERWE 21 EN 22 KYLEMORE

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning, 2015, verwys:

Adres van eiendom:	Skoolstraat, Kylemore
Aansoeker:	CK Rumboll en Vennote
Eienaar:	Stellenbosch Munisipaliteit
Aansoek Verwysing:	LU/ 13621
Verwysingsnommer:	Erf 21 en 22, Kylemore
Eiendomsbeskrywing:	Erwe 21 en 22 Kylemore

Beskrywing van grondontwikkelingsaansoek:

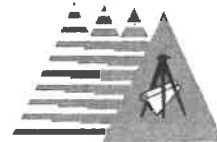
- Aansoek word gedoen ingevolge Artikel 15 (2)(a) van die Stellenbosch Verordening op Grondgebruikbeplanning (2015) vir die hersonering van Erf 21 Kylemore vanaf Onderverdelingsgebied Sone na Privaat Oopruimte Sone.
- Aansoek word gedoen ingevolge Artikel 15 (2)(a) van die Stellenbosch Verordening op Grondgebruikbeplanning (2015) vir die hersonering van Erf 22 Kylemore vanaf Openbare Oopruimte Sone na Privaat Oopruimte Sone.
- Aansoek word gedoen ingevolge Artikel 15 (2)(o) van die Stellenbosch Verordening op Grondgebruikbeplanning (2015) vir 'n vergunningsgebruik ten einde 'n begraafplaas op Erwe 21 en 22 Kylemore te akkommodeer.
- Aansoek word gedoen ingevolge artikel 15(2)(e) van die Stellenbosch Verordening op Grondgebruikbeplanning (2015) om Erwe 21 en 22 Kylemore te konsolideer om 'n 1,5886ha grondeenheid te vorm.
- Aansoek word gedoen ingevolge artikel 15(2)(n) van die Stellenbosch Verordening op Grondgebruikbeplanning (2015) vir die sluiting van 'n openbare plek ten einde Erf 22 Kylemore vir begraafplaasdoeleindes te gebruik.

VENNOTE / PARTNERS:

IHJ Rumboll PrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.

ADDRESS/ ADRES: jolandie@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
 MALMESBURY (T) 022 482 1845 (F) 022 487 1661

CK RUMBOLL & VENNOTE / PARTNERS



PROFESIONELE LANDMETERS – ENGINEERING AND MINE SURVEYORS – STADS- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydskuur van die publieke deelname proses by die volgende adres:

<https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>.

Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening wat die volgende vereistes en besonderhede moet bevat:

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.
- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsigte van die volgende aspekte:
 - Die feite en omstandighede aantoon wat die die kommentaar toelig;
 - Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;
 - Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
 - Dat die insette voldoende inligting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: (Aandag: Jolandie Linnemann by jolandie@rumboll.co.za). Deur 'n beswaar, kommentaar of versoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **22 Maart 2022**. Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermeldde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermeldde elektroniese pos adres of telefonies by (022 482 1845) gedurende normale kantoor ure (of voorsien ure van toepassing).

Die uwe

Jolandie Linnemann Vir CK Rumboll en Vennote

VENNOTE / PARTNERS:

IHJ Rumboll PrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.

ADDRESS/ ADRES: jolandie@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
MALMESBURY (T) 022 482 1845 (F) 022 487 1661

Executive summary:

Proposed closure, rezoning, consent use and consolidation - Erven 21 and 22 Kylemore.

Stellenbosch Municipality identified two sites that are situated at the south eastern edge of Kylemore, adjacent to existing cemeteries and are registered in the Municipality's name. Application is made for the rezoning of both portions of land to Private Open Space Zone, closure of public place erf 22 with a consent use as to enable the use for cemetery purposes and the consolidation of both portions. Both erven 21 and 22 are underutilised and mainly vacant with portions of erf 21 already been utilised for graves, acting as natural extension of erf the cemetery located on erf 9 situated directly north.



Figure 1: Locality of erven 21 and 22 Kylemore

The identified sites are highly accessible, and will the development create much needed grave space (social amenity need), as the current cemeteries are reaching capacity. The proposed portions of land are earmarked for amongst other things, mixed uses. Taking into account existing cemetery sites within this area, it can be accepted that the proposal is thus compatible with the Spatial Development Framework. No significant impact on traffic is foreseen as the number of funerals per month is very low. Provision is to be made within the cemetery for a parking area for private vehicles, as well as for public transport as to minimise effects on surrounding neighbours.



Figure 2: Surrounding land uses

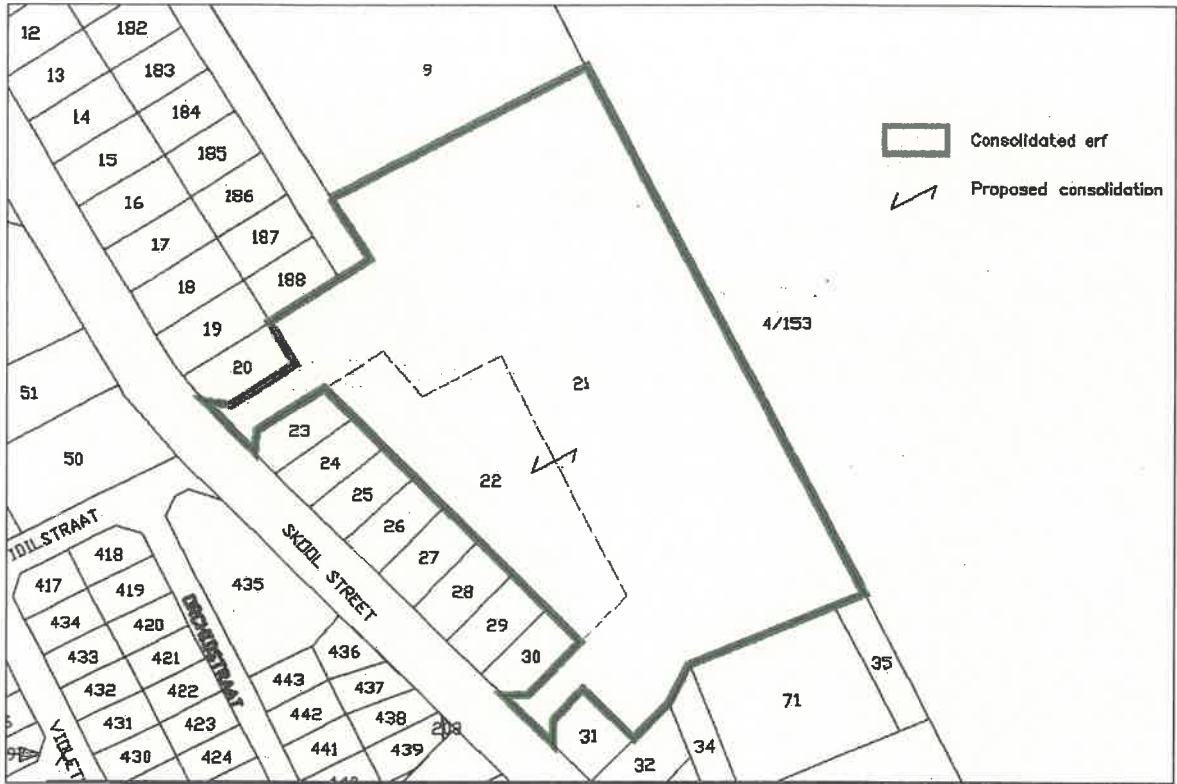
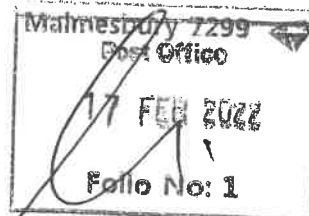


Figure 3: Proposed consolidation

Annexure E – Original registered slips of I&APs

Surrounding neighbours – 30 days to comment

Erf 436 Kylemore**[Redacted Name]**2 Orchid Street
Stellenbosch
7600**REGISTERED LETTER**
(with a domestic insurance option)
RC484147732ZA
A BOOK COPY**Erf 50 Kylemore****[Redacted Name]**PO Box 34
KYLEMORE
7608**REGISTERED LETTER**
(with a domestic insurance option)
RC484156399ZA
A BOOK COPY**Erf 439 Kylemore****[Redacted Name]**58 School Street
KYLEMORE
7608**REGISTERED LETTER**
(with a domestic insurance option)
RC484147746ZA
A BOOK COPY**Erf 29 Kylemore****[Redacted Name]**59 School Street
KYLEMORE
7608**REGISTERED LETTER**
(with a domestic insurance option)
RC484147998ZA
A BOOK COPY**Erf 17 Kylemore****[Redacted Name]**39 School Street
KYLEMORE
7608**REGISTERED LETTER**
(with a domestic insurance option)
RC484147848ZA
A BOOK COPY**Erf 187 Kylemore****[Redacted Name]**44 Blamey Street
KYLEMORE
7608**REGISTERED LETTER**
(with a domestic insurance option)
RC484148083ZA
A BOOK COPY

CK RUMBOLL & VENNOTE/PARTNERS
 LANDMETERS & STADSBEPLANNERS/LAND SURVEYORS & TOWN PLANNERS
 RAINIERSTRAAT 16 RAINIER STREET, MALMESBURY 7300
 POSBUS/P O BOX 211, MALMESBURY, 7299
 TEL: 022 482 1845 / FAX: 022 487 1661

Erf 31 Kylemore

[REDACTED]
63 School Street
KYLEMORE
7608

REGISTERED LETTER
(with a domestic insurance option)
RC484147975ZA
A BOOK COPY

Erf 51 Kylemore

[REDACTED]
40 School Street
KYLEMORE
7608

REGISTERED LETTER
(with a domestic insurance option)
RC484156354ZA
A BOOK COPY

Erf 437 Kylemore

[REDACTED]
54 School Street
KYLEMORE
7608

REGISTERED LETTER
(with a domestic insurance option)
RC484147750ZA
A BOOK COPY

Erf 25 Kylemore

[REDACTED]
51 School Street
KYLEMORE
7608

REGISTERED LETTER
(with a domestic insurance option)
ShareCall 0860 111 802 www.sapo.co.za
RC484148021ZA
CUSTOMER COPY 301028R

Erf 47 Kylemore

[REDACTED]
66 School Street
KYLEMORE
7608

REGISTERED LETTER
(with a domestic insurance option)
RC484156283ZA
A BOOK COPY

Erf 188 Kylemore

[REDACTED]
46 Blarney Street
KYLEMORE
7608

REGISTERED LETTER
(with a domestic insurance option)
RC484147817ZA
A BOOK COPY

Erf 23 Kylemore

[REDACTED]
47 School Street
KYLEMORE
7608

REGISTERED LETTER
(with a domestic insurance option)
RC484148035ZA
A BOOK COPY

Waimesbury 7798
Post Office
17 FEB 2022
Folio No: 1



Erf 438 Kylemore

Mr Leon Laban Taylor

56 School Street
KYLEMORE
7608**REGISTERED LETTER***(with a domestic insurance option)*
ShareCall 0860 111 502 www.sapo.co.za
RC484147825ZA
CUSTOMER COPY 301028R**Erf 24 Kylemore**

Mr Martin Michaels

49 School Street
KYLEMORE
7608**REGISTERED LETTER***(with a domestic insurance option)*
RC484148049ZA
A BOOK COPY**Erf 19 Kylemore**

Attention: Ms Clara Sampson

c/o Mr P Japha

46 Erasmus Street
KYLEMORE
7608**REGISTERED LETTER***(with a domestic insurance option)*
RC484147803ZA
A BOOK COPY**Erf 18 Kylemore**

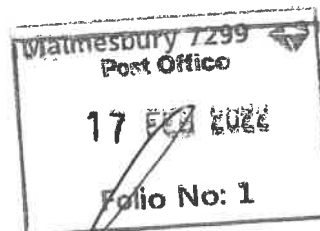
Elizabeth Erasmus

41 School Street
KYLEMORE
7608**REGISTERED LETTER***(with a domestic insurance option)*
RC484147834ZA
A BOOK COPY**Erf 20 Kylemore**

Mr and Mrs M Brook

45 School Street
KYLEMORE
7608**REGISTERED LETTER***(with a domestic insurance option)*
RC484147794ZA
A BOOK COPY**Erf 28 Kylemore**

Mrs Katrina Fortuin

57 School Street
KYLEMORE
7608**REGISTERED LETTER***(with a domestic insurance option)*
ShareCall 0860 111 502 www.sapo.co.za
RC484147953ZA
CUSTOMER COPY 301028R

Erf 30 Kylemore

[Redacted]
 61 School Street
KYLEMORE
 7608

REGISTERED LETTER
(with a domestic insurance option)
 RC484147984ZA
A BOOK COPY

payments@yellowwoods.biz

Portion 4 of Farm 153

[Redacted]
 [Redacted]
 Private Bag X777
HOUGHTON
 2041

REGISTERED LETTER
(with a domestic insurance option)
 RC484147785ZA
A BOOK COPY

Erf 71 Kylemore

[Redacted]
 Old Apostolic Church of South Africa
 Private Bag X9
DURBANVILLE
 7551

REGISTERED LETTER
(with a domestic insurance option)
 RC484156371ZA
A BOOK COPY

Erf 26 Kylemore

[Redacted]
 Mr Paul Hafin
 53 School Street
KYLEMORE
 7608

REGISTERED LETTER
(with a domestic insurance option)
 RC484148018ZA
A BOOK COPY

neliswa.fusa@westerncape.gov.za

Erf 199 Kylemore

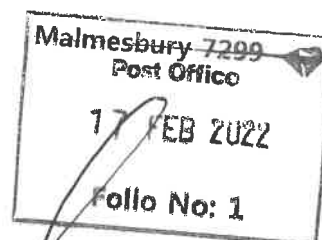
[Redacted]
 Attention: D Gardiner
 [Redacted]
 Provincial Government Western Cape
 [Redacted]
 Property Management
 Private Bag X9160
CAPE TOWN
 8001

REGISTERED LETTER
(with a domestic insurance option)
 RC484147763ZA
A BOOK COPY

Erf 186 Kylemore

[Redacted]
 Ronald John van Wyk
 42 Blarney Street
KYLEMORE
 7608

REGISTERED LETTER
(with a domestic insurance option)
 RC484147777ZA
A BOOK COPY



piet.smit@ Stellenbosch.gov.za

Erven 9, 32, 33, 34, 35 and 435 Kylemore

Stellenbosch Municipality

PO box 17

STELLENBOSCH

7600

REGISTERED LETTER
(with a domestic insurance option)

RC484147851ZA

A BOOK COPY

Erf 27 Kylemore

William James and Ellen Adams

55 School Street


KYLEMORE

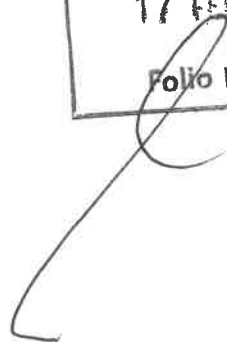
7608

REGISTERED LETTER
(with a domestic insurance option)

RC484148004ZA

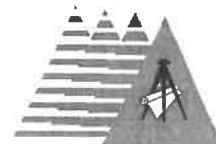
A BOOK COPY

Malmesbury 7299 
Post Office
17 FEB 2017
Folio No: 1



Annexure F – Comments and Responses of I&APs

CK RUMBOLL & VENNOTE / PARTNERS



PROFESSIONELE LANDMETERS - ENGINEERING AND MINE SURVEYORS - STADS- EN STREEKSBEPLANNERS - SECTIONAL TITLE CONSULTANTS

9 May 2022

OUR REF: KYLE/12067/JL
YOUR REF: Erf 21 and 22 Kylemore

PER HAND

The Municipal Manager
Stellenbosch Municipality
Privatebag X17
STELLENBOSCH
7599

Sir/Madam

PROPOSED CLOSURE, REZONING, CONSENT USE AND CONSOLIDATION: ERVEN 21 AND 22 KYLEMORE

The following responses were received from surrounding neighbours/public:

1. Telephone call and letter from Mr and Mrs Hamilton – Owners of erf 187 Kylemore
 - In favor of the cemetery expansion.
 - Requests that the cemetery be fenced in and no walls be built.

Kind regards

Jolandie Linnemann
For: *CK RUMBOLL and PARTNERS*

VENNOTE / PARTNERS:

IHJ Rumboll PrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.

ADDRESS/ ADRES: jolandie@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
MALMESBURY (T) 022 482 1845 (F) 022 487 1661

Vir wie dit mag aangaan

Hiermee gee ons Mr H en Mev J Hamilton goedkeuring dat n Staal heining op gesit mag word, tussen ons woning en die begrafplaas (Erf 187 Kylemore).

Mr H Hamilton

Hamilton

Datum

15/03/2022

Mev J Hamilton

J. E. H. Hamilton

Datum

15/03/2022



agriculture, land reform
& rural development

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

Deeds Registration Office

DeedsWEB

Property Report

Erf Enquiry

General Information

Date Requested 2022-05-09
Deed Office Cape Town
Information Source Deed Office

Property Details

Deeds registry CAPE TOWN
Property type ERF
Township KYLEMORE
Erf number 187
Portion 0
Province WESTERN CAPE
Registration division/Administrative district STELLENBOSCH RD
Local authority STELLENBOSCH MUN
Previous description PTN OF 134-GP12256
Diagram deed number T52880/2017
Extent 3270000 SQM
LPI Code C06700140000018700000

Deeds Title Details

#	Document	Registration Date	Purchase Date	Amount (R)
1	T52880/2017	20170911	20170615	R32695.00

Owner Information

#	Document	Full name	Identity Number	Share
1	T52880/2017	HAMILTON HENNIE		-
2	T52880/2017	HAMILTON JOSEFIEN ELLEN		-

Endorsements/Encumbrances

No data found for this search criteria

Historic Documents

#	Document	Holder	Amount (R)	Image Reference
1	T94010/1998	MUN STELLENBOSCH	G/P	20170220 08:04:03

Disclaimer:

The Office of the Chief Registrar of Deeds hereby confirms that, on the basis of information at the Deeds Office's disposal that the contents of this report accurately reflects property information held in our records. As per Deeds Registration process, this information is valid for seven (7) days.

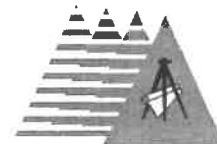
Photocopies of this report are not valid.

This report is issued subject to costs as specified in the fee schedule. <http://deeds.dalrd.gov.za/fees.php>.

Printed: 2022-05-09

Annexure G – External Departments – Registered Letters/ Original Slips/ Comments & Responses

CK RUMBOLL & VENNOTE / PARTNERS



PROFESSIONELE LANDMETERS ~ ENGINEERING AND MINE SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

9 May 2022

OUR REF: KYLE/12067/JL
YOUR REF: Erf 21 and 22 Kylemore

PER HAND

The Municipal Manager
Stellenbosch Municipality
Privatebag X17
STELLENBOSCH
7599

Sir/Madam

PROPOSED CLOSURE, REZONING, CONSENT USE AND CONSOLIDATION: ERVEN 21 AND 22 KYLEMORE

The following responses were received from external Departments:

1. DEADP – Directorate Development Management: Region 1
 - Should a revision of the proposed development on the said erven constitute a listed activity, an application must be submitted.
 - Applicant is reminded of general duty of care and the remediation of environmental damage.
 - Applicant must comply with other statutory requirements that may be applicable to the undertaking of the activity.

2. DEADP – Directorate Development Management: Region 2
 - Although erf 21 is shown as Subdivisional Area in the zoning scheme maps, this presumably refers to a Subdivisional Area Overlay Zone and will any change of zoning be required from pre-existing base zone and not Subdivisional Area.
 - Approval was granted for rezoning to subdivisional area on 1st of December 1989 based on the 18th of August 1988 rezoning to subdivisional area approval for Farm 124/33, Stellenbosch.
 - A zoning certificate dated 16/10/2016 also confirms the zoning of Subdivisional Area for Residential Zone I and Transport Zone II erven.
 - The proposal is not deemed to be inconsistent with the MSDF.
 - No objection to the development.

Kind regards

Jolandie Linnemann
For: CK RUMBOLL and PARTNERS

VENNOTE / PARTNERS:

IHJ Rumboll PrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.

ADDRESS/ ADRES: jolandie@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
MALMESBURY (T) 022 482 1845 (F) 022 487 1661

Attention: Kobus Munro

Department of Environmental Affairs and Development Planning
 Directorate: Development Management Region 2
 Private Bag X9086
CAPE TOWN
 8000

REGISTERED LETTER
(with a domestic insurance option)
 ShareCall 0860 111 502 www.sapo.co.za
 RC484148066ZA
 CUSTOMER COPY 301028R

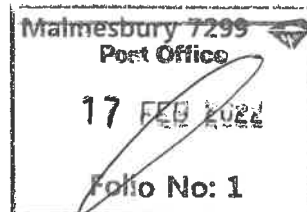
Attention: Mare-Liez Oosthuizen

Department of Environmental Affairs and Development Planning
 Directorate: Land Management
 Private Bag X9086
CAPE TOWN
 8000

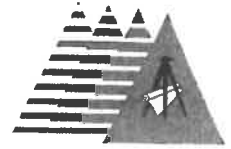
REGISTERED LETTER
(with a domestic insurance option)
 ShareCall 0860 111 502 www.sapo.co.za
 RC484148070ZA
 CUSTOMER COPY 301028R

Heritage Western Cape
 Department of Cultural Affairs and Sport
 Private Bag X9067
CAPE TOWN
 8000

REGISTERED LETTER
(with a domestic insurance option)
 ShareCall 0860 111 502 www.sapo.co.za
 RC484148052ZA
 CUSTOMER COPY 301028R



CK RUMBOLL & VENNOTE / PARTNERS



PROFFESIONELE LANDMETERS - ENGINEERING AND MINE SURVEYORS - STADS- EN STREEKBEPLANNERS - SECTIONAL TITLE CONSULTANTS

Application Number: LU/13621
 File Reference Number: Erf 21 and 22, Kylemore
 Applicant Reference Number: KYLE/12067/JL
 Enquiries: CK Rumboll and Partners
 Contact No: 022 482 1845
 Email address: jolandie@rumboll.co.za
 Date: 17 February 2022

REGISTERED MAIL

Heritage Western Cape
 Department of Cultural Affairs and Sport
 Private Bag X9067
CAPE TOWN
 8000

Sir/Madam

APPLICATION FOR CLOSURE, REZONING, CONSENT USE AND CONSOLIDATION: ERVEN 21 AND 22 KYLEMORE

The Stellenbosch Municipality has received an application for the following: (Attached please find a copy of the application).

Description of land development application:

- Application in terms of Section 15 (2)(a) of the Stellenbosch Land Use Planning By-Law (2015) for the rezoning of Erf 21 Kylemore from Subdivisional Area Zone to Private Open Space Zone.
- Application in terms of Section 15 (2)(a) of the Stellenbosch Land Use Planning By-Law (2015) for the rezoning of Erf 22 Kylemore from Public Open Space Zone to Private Open Space Zone.
- Application in terms of Section 15 (2)(o) of the Stellenbosch Land Use Planning By-Law (2015) for a consent use in order to accommodate a cemetery on Erven 21 and 22 Kylemore.
- Application terms of section 15(2)(e) of the Stellenbosch Land Use Planning By-Law (2015) to consolidate Erven 21 and 22 Kylemore to form a 1.5886ha land unit.
- Application in terms of section 15(2)(n) of the Stellenbosch Land Use Planning By-Law (2015) for the closure of a public place in order to use Erf 22 Kylemore for cemetery purposes.

Notice is hereby given in terms of the said By-law that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration.

VENNOTE / PARTNERS:

IHJ Rumboll PRL (SA), BSc (Sury), M.I.P.L.S. and AP Steyl PrL (SA), BSc (Sury), M.I.P.L.S.

ADDRESS/ ADRES: jolandie@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
 MALMESBURY (T) 022 482 1845 (F) 022 487 1661 VREDENBURG (T) 022 719 1014

Kindly provide your written comments on the application in terms of section 51(2) of the said legislation within 60 days of receipt of this letter. Your comments should be addressed **to the applicant** in one of the following manners:

APPLICANT
Registered mail or normal mail
CK Rumboll and Partners, PO Box 211, Malmesbury, 7299. Attention: Jolandie Linnemann
Or hand delivered to
CK Rumboll and Partners, 16 Rainier Street, Malmesbury, 7300. Attention: Jolandie Linnemann
Or e-mailed to
jolandie@rumboll.co.za

Should no comments be received, it will be deemed that you have no comment.

Yours faithfully



Jolandie Linnemann

For CK Rumboll and Partners

VENNOTE / PARTNERS:

IHJ Rumboll PRL (SA), BSc (Sury), M.I.P.L.S. and AP Steyl PrL (SA), BSc (Sury), M.I.P.L.S.

ADDRESS/ ADRES: jolandie@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
 MALMESBURY (T) 022 482 1845 (F) 022 487 1661 VREDENBURG (T) 022 719 1014

Enter Parcel Number To Track

Enter your tracking number

Search

PARCEL TRACKING RESULTS

Item Number rc484148052za
last scanned 2022/02/25 at 8:50 AM
Location last scanned CAPE TOWN COUNTER 10-20
Currently has status of Delivered to :Y YAGYA ISMAIL

#	Type	Date	Time	Branch	Comments
1	Delivered/Collected	2022/02/25	8:50 AM	CAPE TOWN COUNTER 10-20	Delivered to :Y YAGYA ISMAIL
2	At Office	2022/02/24	9:05 AM	CAPE TOWN COUNTER 10-20	Other
3	At Office	2022/02/24	8:39 AM	CAPE TOWN COUNTER 10-20	In Delivery Office
4	In Transit	2022/02/23	7:29 AM	Capemail RLS	In Transit
5	In Transit	2022/02/22	12:14 PM	Capemail RLS	Receive item at sorting centre
6	In Transit	2022/02/17	3:54 PM	MALMESBURY	Out of accepting office
7	Acceptance	2022/02/17	12:26 PM	MALMESBURY	Receive item from customer (Otb)

Jolandie Linnemann

From: Jolandie Linnemann <jolandie@rumboll.co.za>
Sent: Thursday, April 7, 2022 10:01 AM
To: 'hwc.hwc@westerncape.gov.za'
Subject: FW: Re:Re: Closure, rezoning, consent use and consolidation - Erven 21 and 22 Kylemore
Attachments: Cover letter Heritage Western Cape.pdf; Proof per registered post external departments.pdf
Importance: High

Jolandie Linnemann

Stads- en Streekbeplanner/Town and Regional Planner Pr. Pln - A/206/2010

Vir CK Rumboll en Vennote/CK Rumboll and Partners

Tel: 022 482 1845

Fax: 022 487 1661

E-mail: jolandie@rumboll.co.za

From: Jolandie Linnemann [<mailto:jolandie@rumboll.co.za>]
Sent: Monday, April 4, 2022 10:35 AM
To: 'hwc.hwc@westerncape.gov.za'
Cc: 'aneeqah.brown@westerncape.gov.za'
Subject: Re:Re: Closure, rezoning, consent use and consolidation - Erven 21 and 22 Kylemore
Importance: High

Good day

An application for comment was sent to HWC per registered post on the 17th of February 2022. To date we have not received any correspondence from your Department. Please advise as to whom I should contact to determine status of outstanding comments please. Attached find cover letter that accompanied the application, as well as proof of per registered post with reference nr for tracking purposes. According to the post office tracking system, the post was delivered and signed for by Yagya Ismail on the 25th of February 2022. Please advise.

Kind regards

Jolandie Linnemann

Stads- en Streekbeplanner/Town and Regional Planner Pr. Pln - A/206/2010

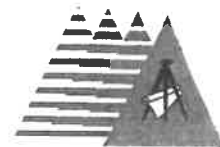
Vir CK Rumboll en Vennote/CK Rumboll and Partners

Tel: 022 482 1845

Fax: 022 487 1661

E-mail: jolandie@rumboll.co.za

CK RUMBOLL & VENNOTE / PARTNERS



PROFESIONELE LANDMETERS - ENGINEERING AND MINE SURVEYORS - STADS- EN STREEKBEPLANNERS - SECTIONAL TITLE CONSULTANTS

Application Number: LU/13621
 File Reference Number: Erf 21 and 22, Kylemore
 Applicant Reference Number: KYLE/12067/JL
 Enquiries: CK Rumboll and Partners
 Contact No: 022 482 1845
 Email address: jolandie@rumboll.co.za
 Date: 17 February 2022

REGISTERED MAIL

Attention: Mare-Liez Oosthuizen

Department of Environmental Affairs and Development Planning
 Directorate: Land Management
 Private Bag X9086
CAPE TOWN
 8000

Sir/Madam

APPLICATION FOR CLOSURE, REZONING, CONSENT USE AND CONSOLIDATION: ERVEN 21 AND 22 KYLEMORE

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- Application in terms of Section 15 (2)(o) of the Stellenbosch Land Use Planning By-Law (2015) for a consent use in order to accommodate a cemetery on Erven 21 and 22 Kylemore.
- Application terms of section 15(2)(e) of the Stellenbosch Land Use Planning By-Law (2015) to consolidate Erven 21 and 22 Kylemore to form a 1.5886ha land unit.
- Application in terms of section 15(2)(n) of the Stellenbosch Land Use Planning By-Law (2015) for the closure of a public place in order to use Erf 22 Kylemore for cemetery purposes.

VENNOTE / PARTNERS:

IHJ Rumboll PRL (SA), BSc (Sury), M.I.P.L.S. and AP Steyl PrL (SA), BSc (Sury), M.I.P.L.S.

ADDRESS/ ADRES: jolandie@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
 MALMESBURY (T) 022 482 1845 (F) 022 487 1661 VREDENBURG (T) 022 719 1014

Notice is hereby given in terms of the said By-law that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration.

Kindly provide your written comments on the application in terms of section 51(2) of the said legislation within 60 days of receipt of this letter. Your comments should be addressed **to the applicant** in one of the following manners:

APPLICANT
Registered mail or normal mail
CK Rumboll and Partners, PO Box 211, Malmesbury, 7299. Attention: Jolandie Linnemann
Or hand delivered to
CK Rumboll and Partners, 16 Rainier Street, Malmesbury, 7300. Attention: Jolandie Linnemann
Or e-mailed to
jolandie@rumboll.co.za

Should no comments be received, it will be deemed that you have no comment.

Yours faithfully



Jolandie Linnemann

For CK Rumboll and Partners

VENNOTE / PARTNERS:

IHJ Rumboll PRL (SA), BSc (Sury), M.I.P.L.S. and AP Steyl PrL (SA), BSc (Sury), M.I.P.L.S.

ADDRESS/ ADRES: jolandie@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
MALMESBURY (T) 022 482 1845 (F) 022 487 1661 **VREDENBURG** (T) 022 719 1014



REFERENCE: 16/3/3/6/B4/28/1064/22

DATE: 5/5/2022

The Members
CK Rumboll and Partners
P O Box 211
MALMESBURY
7299

Attention: Ms J Linnemann

Tel: 022 482 1845
Email: jolandie@rumboll.co.za

Dear Madam

APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED CLOSURE, REZONING, CONSENT USE AND CONSOLIDATION OF ERVEN 21 AND 22, KYLEMORE

1. This electronic copy of the aforementioned document, received by this Department on 3 March 2022 and the additional information received on 8 April 2022, refer.
2. According to the information contained in the aforementioned documents this Department notes the proposal entails the following:
 - 2.1 The rezoning of Erven 21 and 22 in Kylemore to Private Open Space with a consent use for cemetery usage and the consolidation of the erven to operate the proposed cemetery as one entity,
 - 2.2 The closure of a public place in order to use Erf No. 22 in Kylemore for cemetery purposes.
 - 2.3 An Environmental Authorisation ("EA") was issued for the expansion of the Kylemore Village Cemetery on 22 June 2011 and the authorised expanded development footprint included Erven 21 and 22.
 - 2.4 The departmental correspondence dated 21 August 2021, issued in response to an applicability checklist received on 21 July 2021 and additional information received between 28 July 2021 and 25 August 2021, confirmed that the expansion of the cemetery on Erven 21 and 22 in a manner that is consistent with the aforementioned EA will not require further authorisation from the competent authority.
 - 2.5 The departmental correspondence also highlighted that the road constructed across Erven 21 and 22 is regarded as unlawful commencement with a listed activity requiring EA prior to commencement and that the matter will be referred for further investigation and appropriate action.

- 2.6 The above was however retracted and replaced with the departmental correspondence issued on 16 September 2021, which confirmed that the based on further investigation the road was only developed on Erf No. 21 and did not trigger any listed activities and is therefore not regarded as unlawful in terms of the EIA Regulations, 2014 (as amended).
3. Your attention is therefore drawn to the listed activities in terms of the NEMA EIA Regulations 2014 (as amended) as defined in Listing Notices ("LN") 1, 2 & 3 of 7 April 2017. Be advised that, based on the information provided and as confirmed in the departmental correspondence of 21 August 2021, the closure, rezoning, consent use and consolidation of Erven 21 and 22, Kylemore to accommodate the proposed expanded cemetery will not require any further authorisation in terms of the EIA Regulations, 2014 (as amended) as long as the expansion of the cemetery onto Erven 21 and 22 is consistent with the EA granted on 22 June 2011.
 4. However, should any revision of the proposed development on the said erven constitute a listed activity(ies) as defined terms of Listing Notice 1, 2 & 3, an application must be submitted, and environmental authorisation obtained before such activity(ies) may commence.
 5. The applicant is reminded of his/her general duty of care and the remediation of environmental damage, Section 28(1) of NEMA specifically states that – "Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."
 6. Please note that the applicant must comply with any other statutory requirements that may be applicable to the undertaking of the activity.
 7. The Department reserves the right to revise its comments and request further information from you based on any new or revised information received.

Yours faithfully

**Andrea
Thomas**

Digitally signed by
Andrea Thomas
Date: 2022.05.05
12:54:36 +02'00'

pp HEAD OF COMPONENT

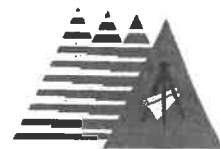
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Cc: (1) Mr S van der Merwe (Stellenbosch Municipality)

Email:Schalk.VanderMerwe@stellenbosch.gov.za

CK RUMBOLL & VENNOTE / PARTNERS



PROFESIONELE LANDMETERS ~ ENGINEERING AND MINE SURVEYORS ~ STADS- EN STREEKBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

Application Number: LU/13621
 File Reference Number: Erf 21 and 22, Kylemore
 Applicant Reference Number: KYLE/12067/JL
 Enquiries: CK Rumboll and Partners
 Contact No: 022 482 1845
 Email address: jolandie@rumboll.co.za
 Date: 17 February 2022

REGISTERED MAIL

Attention: Kobus Munro

Department of Environmental Affairs and Development Planning
 Directorate: Development Management Region 2
 Private Bag X9086
CAPE TOWN
 8000

Sir/Madam

APPLICATION FOR CLOSURE, REZONING, CONSENT USE AND CONSOLIDATION: ERVEN 21 AND 22 KYLEMORE

The Stellenbosch Municipality has received an application for the following: (Attached please find a copy of the application).

Description of land development application:

- Application in terms of Section 15 (2)(a) of the Stellenbosch Land Use Planning By-Law (2015) for the rezoning of Erf 21 Kylemore from Subdivisional Area Zone to Private Open Space Zone.
- Application in terms of Section 15 (2)(a) of the Stellenbosch Land Use Planning By-Law (2015) for the rezoning of Erf 22 Kylemore from Public Open Space Zone to Private Open Space Zone.
- Application in terms of Section 15 (2)(o) of the Stellenbosch Land Use Planning By-Law (2015) for a consent use in order to accommodate a cemetery on Erven 21 and 22 Kylemore.
- Application terms of section 15(2)(e) of the Stellenbosch Land Use Planning By-Law (2015) to consolidate Erven 21 and 22 Kylemore to form a 1.5886ha land unit.
- Application in terms of section 15(2)(n) of the Stellenbosch Land Use Planning By-Law (2015) for the closure of a public place in order to use Erf 22 Kylemore for cemetery purposes.

VENNOTE / PARTNERS:

IHJ Rumboll PRL (SA), BSc (Sury), M.I.P.L.S. and AP Steyl PrL (SA), BSc (Sury), M.I.P.L.S.

ADDRESS/ ADRES: jolandie@rumboll.co.za / PO Box 211 / Rainierstr 16; Malmesbury, 7299
 MALMESBURY (T) 022 482 1845 (F) 022 487 1661 VREDENBURG (T) 022 719 1014

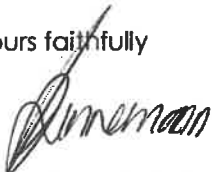
Notice is hereby given in terms of the said By-law that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration.

Kindly provide your written comments on the application in terms of section 51(2) of the said legislation within 60 days of receipt of this letter. Your comments should be addressed **to the applicant** in one of the following manners:

APPLICANT
Registered mail or normal mail
CK Rumboll and Partners, PO Box 211, Malmesbury, 7299. Attention: Jolandie Linnemann
Or hand delivered to
CK Rumboll and Partners, 16 Rainier Street, Malmesbury, 7300. Attention: Jolandie Linnemann
Or e-mailed to
jolandie@rumboll.co.za

Should no comments be received, it will be deemed that you have no comment.

Yours faithfully



Jolandie Linnemann

For CK Rumboll and Partners

VENNOTE / PARTNERS:

IHJ Rumboll PRL (SA), BSc (Sury), M.I.P.L.S. and AP Steyl PrL (SA), BSc (Sury), M.I.P.L.S.

ADDRESS/ ADRES: jolandie@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
 MALMESBURY (T) 022 482 1845 (F) 022 487 1661 VREDENBURG (T) 022 719 1014



Reference: 15/3/2/12/BS2

CK Rumboll & Partners

PO Box 211

MALMESBURY

7299

REQUEST FOR PROVINCIAL PLANNING COMMENT: REZONING, CONSOLIDATION & CONSENT USE: ERVEN 21 & 22, KYLEMORE

1. Your request for comment, dated 28 February 2022, has reference.
2. The application as submitted by CK Rumboll & Partners is for the following:
 - o **Rezoning** of Erf 21 from Subdivisional Area to Private Open Space.
 - o **Rezoning** of Erf 22 from Public Open Space to Private Open Space.
 - o **Consent use** on Erven 21 and 22 under the Private Open Space zoning for a cemetery.
 - o **Consolidation** of Erven 21 and 22.
 - o **Closure** of a public place in order to use Erf 22 for purposes of a cemetery.
3. Although Erf 21 is shown as Subdivisional Area in the zoning scheme maps, this presumably refers to a Subdivisional Area Overlay Zone. Any change of zoning will, however, be required from the pre-existing base zone and not from 'Subdivisional Area' as proposed.
4. The application entails the expansion of the existing cemetery, which is nearing capacity. The adjacent Erven 21 and 22 are located within the urban edge of Kylemore and are earmarked for "Mixed Use Community and Residential Infill" in terms of the Stellenbosch Municipal Spatial Development Framework. The proposal is thus not deemed to be inconsistent with the MSDF.

4. From a provincial land use planning perspective, there is no objection to development of the subject property for purposes of a cemetery.

Kobus Munro

Digitally signed by Kobus Munro
Date: 2022.03.17 11:41:01
+02'00'

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 2)

Annexure H – Unclaimed registered mail

111230

23/2

F03/03

REG. LOCAL LETTER MEDIUM
17/02/2022 12:28:46 PM
RC484147825ZA (Ma Imesbury)
Amt: R42.85 Less: R0.00
Tendered: R42.85
710-73810-1-2944458-14/18



Enquiries: Call number and form
Contact No: 022
Email address: j
Date: 17 February 2022

PER REGISTERED POST

Ert 438 Kylemore
School Street
KYLEMORE

UNDELIVERED			
S.A. POST OFFICE / REG. No. 91/05477/96			
<input type="checkbox"/>	UNKNOWN	<input type="checkbox"/>	GONE AWAY
<input type="checkbox"/>	NO SUCH NUMBER	<input type="checkbox"/>	ADDRESS ILLEGIBLE
<input type="checkbox"/>	ADDRESS INSUFFICIENT	<input type="checkbox"/>	BOX CLOSED
<input type="checkbox"/>	REFUSED	<input checked="" type="checkbox"/>	UNCLAIMED

D



RC484147825ZA

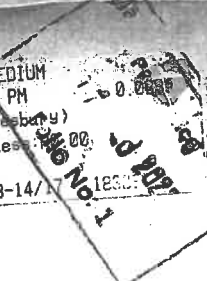
RECIPIENT NAME (please print clearly)

111219

23/2

F03/03

REG. LOCAL LETTER MEDIUM
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Amt: R42.85 Less: R0.00
Tendered: R42.85
710-73810-1-2944458-14/18



Email address
Date: 17 February 2022

PER REGISTERED POST

Ert 24 Kylemore
School Street
KYLEMORE
7808

UNDELIVERED			
S.A. POST OFFICE / REG. No. 91/05477/96			
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<input type="checkbox"/>	NO SUCH NUMBER	<input type="checkbox"/>	ADDRESS ILLEGIBLE
<input type="checkbox"/>	ADDRESS INSUFFICIENT	<input type="checkbox"/>	BOX CLOSED
<input type="checkbox"/>	REFUSED	<input checked="" type="checkbox"/>	UNCLAIMED

D

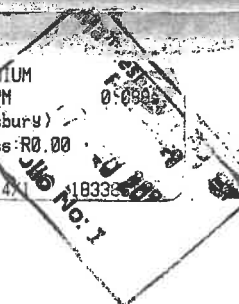


RC484148049ZA

RECIPIENT NAME (please print clearly)

111200
23/2
F03/03

REG. LOCAL LETTER MEDIUM
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RC484148004ZA (Malmesbury)
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Tendered: R42.85
710-73810-1-2944458-14/10 1833681



Contact No: [REDACTED]
Email address: [REDACTED]
Date: 17 February 2022

PER REGISTERED POST

Er 27 Kylemore
5 School Street
KYLEMORE
7608

UNDELIVERED	
POST OFFICE / REF. No. 91/05477/96	
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<input type="checkbox"/> NO SUCH NUMBER	<input type="checkbox"/> ADDRESS ILLEGIBLE
<input type="checkbox"/> ADDRESS INSUFFICIENT	<input type="checkbox"/> BOX CLOSED
<input type="checkbox"/> REFUSED	<input checked="" type="checkbox"/> UNCLAIMED

D

RC484148004ZA

RECIPIENT NAME (please print clearly)

111260
23/2
F04/03

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RC484147803ZA (Malmesbury)
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Tendered: R42.85
710-73810-1-2944458-14/10 1833681



Contact No: [REDACTED]
Date: 17 February 2022

PER REGISTERED POST

Er 19 Kylemore
16 Erasmus Street
KYLEMORE

UNDELIVERED	
POST OFFICE / REF. No. 91/05477/96	
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D

RC484147803ZA

RECIPIENT NAME (please print clearly)

111214
23/2
F03/03

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17/02/2022 12:27:47 PM
RC484147794ZA (Ma Innesbury)
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Tendered: R42.85
710-73810-1-2944458-14/8

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S.A. POST OFFICE / REG. No. 91/05477/96

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<input type="checkbox"/> INSUFFICIENT	<input type="checkbox"/> BOX CLOSED
<input type="checkbox"/> REFUSED	<input checked="" type="checkbox"/> UNCLAIMED

Email address: [REDACTED]
Date: 17 February 2022

PER REGISTERED POST

Err 20 Kylemore
45 School Street
KYLEMORE
7608

D
RC484147794ZA
RECIPIENT NAME (please print clearly)

111208
23/2
F03/03

REG. LOCAL LETTER MEDIUM
17/02/2022 12:27:09 PM
RC484147777ZA (Ma Innesbury)
Amt: R42.85 Less: R0.00
Tendered: R42.85
710-73810-1-2944458-14/3

UNDELIVERED
S.A. POST OFFICE / REG. No. 91/05477/96

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<input type="checkbox"/> REFUSED	<input checked="" type="checkbox"/> UNCLAIMED

Email address: [REDACTED]
Date: 17 February 2022

PER REGISTERED POST

Err 186 Kylemore
41 Bamey Street
KYLEMORE
7608

D
RC484147777ZA
RECIPIENT NAME (please print clearly)

H/1206
23/12
F03/03

REG. LOCAL LETTER MEDIUM
17/02/2022 12:30:26 PM
RC484147998ZA (Mallesbury)
Amt: R42.85 Less: R0.00
Tendered: R42.85
710-73810-1-2944562-183

Folio No: 1


Contact No: [REDACTED]
Email address: [REDACTED]
Date: February 2022

PER REGISTERED POST

Er 29 Kylemore
[REDACTED]
19 School Street
KYLEMORE
7808

UNDELIVERED			
S.A. POST OFFICE / REG. No. 91/05477/96			
<input type="checkbox"/> UNKNOWN	<input type="checkbox"/> GONE AWAY	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> NO SUCH NUMBER	<input type="checkbox"/> ADDRESS ILLEGIBLE	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> ADDRESS INSUFFICIENT	<input type="checkbox"/> BOX CLOSED	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> REFUSED	<input checked="" type="checkbox"/> UNCLAIMED	<input type="checkbox"/>	<input type="checkbox"/>

D



RC484147998ZA

RECIPIENT NAME (please print clearly)

1/1203
23/12
F03/03

REG. LOCAL LETTER MEDIUM
17/02/2022 12:28:26 PM
RC484148035ZA (Mallesbury)
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710-73810-1-2944458-14/15

Folio No: 1


Contact No: [REDACTED]
Email address: [REDACTED]
Date: 17 February 2022

PER REGISTERED POST

23 Kylemore
[REDACTED]
School Street
KYLEMORE
08

UNDELIVERED			
S.A. POST OFFICE / REG. No. 91/05477/96			
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D



RC484148035ZA

RECIPIENT NAME (please print clearly)

11/207
23/2
F03/03

REG. LOCAL LETTER MEDIUM
17/02/2022 12:28:14 PM
RC484147975ZA (Ma Inestbury)
Amt: R42.85 Less: R0.00
Tendered: R42.85
710-73810-1-2944458-14/13



Email address: [redacted]
Date: 17 February 2022

PER REGISTERED POST

Erf 31 Kylemore
[redacted]
43 School Street
KYLEMORE
7608

UNDELIVERED			
S.A. POST OFFICE / REG. No. 91/05477/96			
<input type="checkbox"/> UNKNOWN	<input type="checkbox"/> GONE AWAY	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> NO SUCH NUMBER	<input type="checkbox"/> ADDRESS ILLEGIBLE	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> ADDRESS INSUFFICIENT	<input type="checkbox"/> BOX CLOSED	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> REFUSED	<input checked="" type="checkbox"/> UNCLAIMED	<input type="checkbox"/>	<input type="checkbox"/>



RECIPIENT NAME (please print clearly)

11/233
23/2
F03/03

REG. LOCAL LETTER MEDIUM
17/02/2022 12:28:57 PM
RC484147817ZA (Ma Inestbury)
Amt: R42.85 Less: R0.00
Tendered: R42.85
710-73810-1-2944458-14/20



Contact No: [redacted]
Email address: [redacted]
Date: 17 February 2022

PER REGISTERED POST

Erf 188 Kylemore
[redacted]
6 Blarney Street
KYLEMORE
608

UNDELIVERED			
S.A. POST OFFICE / REG. No. 91/05477/96			
<input type="checkbox"/> UNKNOWN	<input type="checkbox"/> GONE AWAY	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> NO SUCH NUMBER	<input type="checkbox"/> ADDRESS ILLEGIBLE	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> ADDRESS INSUFFICIENT	<input type="checkbox"/> BOX CLOSED	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> REFUSED	<input checked="" type="checkbox"/> UNCLAIMED	<input type="checkbox"/>	<input type="checkbox"/>



RECIPIENT NAME (please print clearly)

Annexure I – Photos of site notices



Annexure J – Status Report – Erf 22 Kylemore



agriculture, land reform
& rural development

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

SURVEYOR-GENERAL: WESTERN CAPE

90 Plein Street / Private Bag X9028, CAPE TOWN, 8000; Tel: 021 467 4800; Fax: 021 4653008; Email: sgdatawc@daird.gov.za

**CK RUMBOLL & VENOTE/PARTNERS
PO BOX 211
MALMESBURY
7299**

*Enquiries: T Heath
My Reference: Stel.124v7*

Your Reference:

2022-02-25

Attention: AP Steyl

Madam/Sir

STATUS REPORT: ERF 22 KYLEMORE

I refer to your letter dated 2022-02-14

According to my records, the land shown **YELLOW** on the attached sketch plan represents:

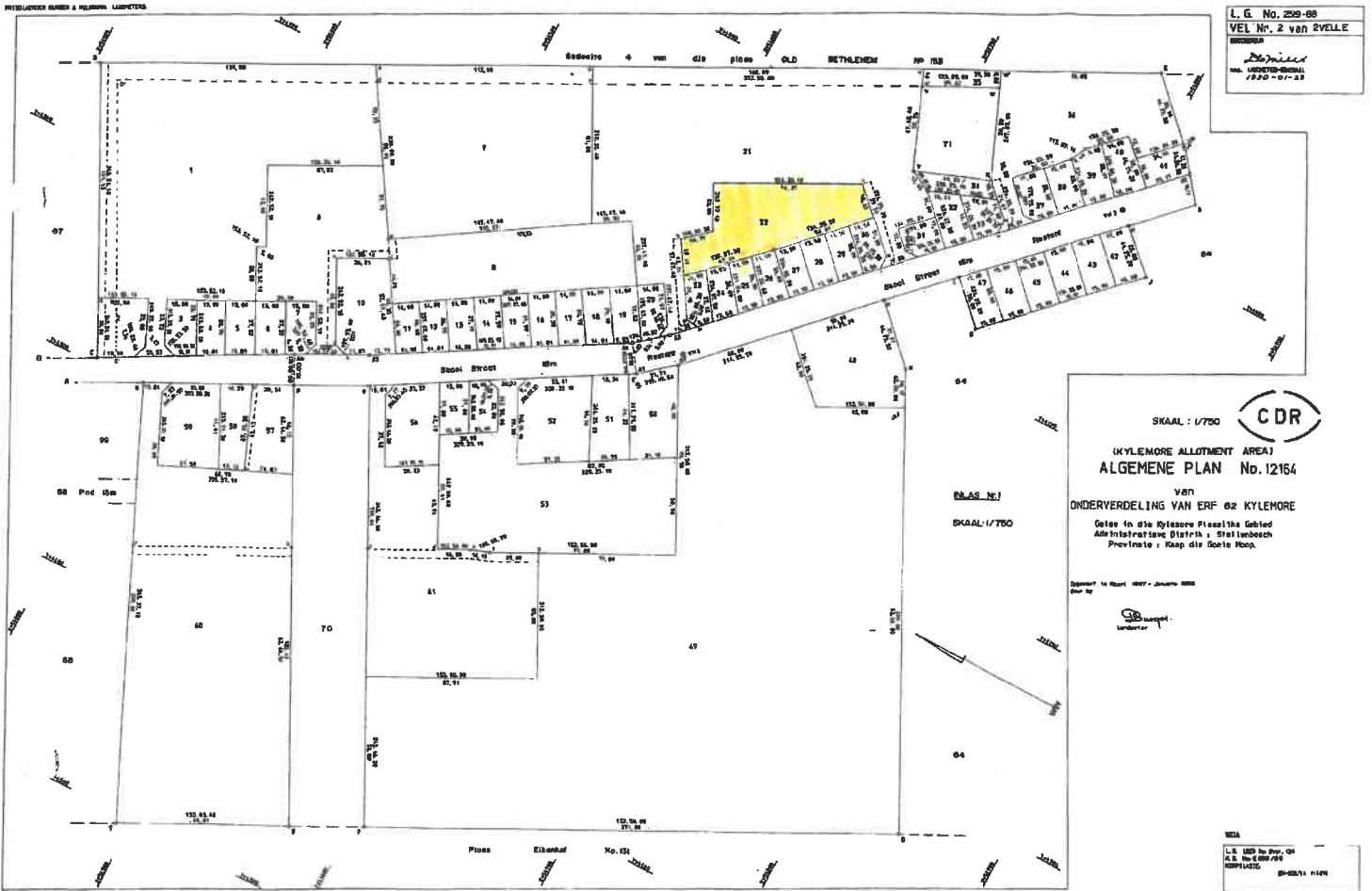
- Erf 22 Kylemore vide General Plan 12164 (2519/1988)

It is shown as an **Ordinary Erf** in our records

Yours Faithfully,

**T Heath
For Surveyor General Office – Western Cape.**

Stel. 124 V1



L. G. No. 259-88
 VEL Nr. 2 van 2VELLE
 1980-01-23

SKAAL: 1/750 **CDR**
 (KYLEMORE ALLOTMENT AREA)
ALGEMENE PLAN No. 12154
 van
ONDERVERDELING VAN ERF 62 KYLEMORE
 Gelees in die Rykersre Ploos in die Gabelde
 Ade Instruksiens Distrikt - Statistiesebusch
 Provinsie - Kaap die Gode Hoop.

Beplaat in No. 1077 - 1078 - 1079 - 1080
 deur by
 J.B. van der Merwe
 Landmeter

NSA
 L.E. 102 by Prof. G.H.
 G.E. No. 688/79
 1980-01-23

127

***Annexure K – Confirmation of placement on
Municipal website***

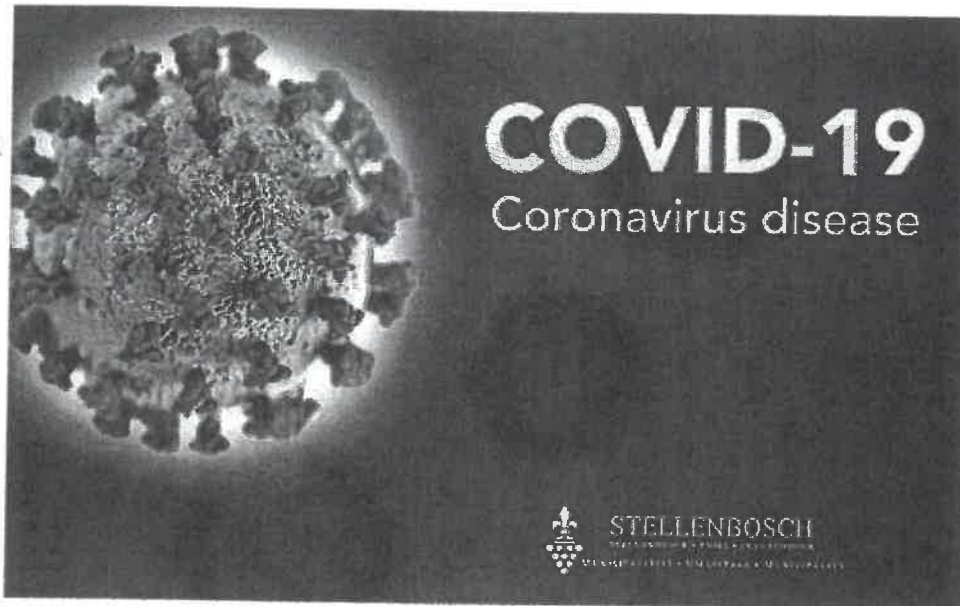
Jolandie Linnemann

From: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>
Sent: Thursday, February 17, 2022 12:00 PM
To: Jolandie Linnemann
Cc: Lenacia Kamineth; Odile Sims
Subject: FW: ADVERT: ERVEN 21 AND 22 KYLEMORE

Hi Jolandie;

See confirmation below.

Kind regards



For official COVID-19 advice, updates and queries:

- National Hotline 0800 029 999
- Provincial Hotline 021 9284102
- WhatsApp 0600 123 456

Stay alert, stay updated and stay safe.



About Stellenbosch Municipality

Our mission is to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens. Our head office is at Town House Complex, Plein Street, Stellenbosch, 7600, South Africa. For more information about Stellenbosch Municipality, please call +2721-808-8111, or visit www.stellenbosch.gov.za

Disclaimer:

The information contained in this communication from bulelwa.mdoda@stellenbosch.gov.za sent at 2022-02-17 12:00:04 is confidential and may be legally privileged. It is intended solely for use by jolandie@rumboll.co.za and others authorized to receive it. If you are not jolandie@rumboll.co.za you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this information is strictly prohibited and may be unlawful. Powered by IOCO

From: Odile Sims <Odile.Sims@stellenbosch.gov.za>
Sent: Wednesday, 16 February 2022 14:53
To: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>

Cc: Lenacia Kamineth <Lenacia.Kamineth@stellenbosch.gov.za>

Subject: RE: ADVERT: ERVEN 21 AND 22 KYLEMORE

Dear Bulelwa

I hereby confirm that the above notice has been placed on the municipal website.



Kind regards, Vriendelike groete

Odile Sims

Land Use Management

Planning & Economic Development

T: +27 21 808 8684

3rd Floor, Eikestad Mall, 43 Andringa

Street, Stellenbosch, 7600

www.stellenbosch.gov.za



From: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>

Sent: Wednesday, 16 February 2022 13:58

To: Lenacia Kamineth <Lenacia.Kamineth@stellenbosch.gov.za>; Odile Sims <Odile.Sims@stellenbosch.gov.za>

Cc: Jolandie Linnemann <jolandie@rumboll.co.za>

Subject: ADVERT: ERVEN 21 AND 22 KYLEMORE

Hi Len and Odile;

Please find attached advert for placement on Municipal Website.



Kind regards,

Bulelwa Mdoda

Land Use Management

Planning & Economic Development

T: +27 21 808 8690 : F +27 21 886 6899

3rd Floor, Eikestad Mall, Andringa Street,
Stellenbosch .

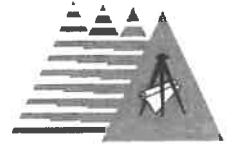
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***Annexure L – Comments Internal Departments and
District Municipality***

CK RUMBOLL & VENNOTE / PARTNERS



PROFESIONELE LANDMETERS - ENGINEERING AND MINE SURVEYORS ~ STADS- EN STREEKSBEPLANNERS ~ SECTIONAL TITLE CONSULTANTS

9 May 2022

OUR REF: KYLE/12067/JL
YOUR REF: Erf 21 and 22 Kylemore

PER HAND

The Municipal Manager
Stellenbosch Municipality
Privatebag X17
STELLENBOSCH
7599

Sir/Madam

PROPOSED CLOSURE, REZONING, CONSENT USE AND CONSOLIDATION: ERVEN 21 AND 22 KYLEMORE

The following responses were received from internal Departments:

1. Department Community Services
 - No objection.
2. Department Property Management
 - In support of the application.
3. Department Engineering Services - Electrical
 - No comment – outside electrical network area – ESKOM
4. Department Development Infrastructure Services
 - No objection to the development.
5. Cape Winelands District Municipality
 - From an Environmental perspective the application is recommended for approval provided that conditions as listed in commenting letter dated the 8th of March is adhered to.

Kind regards

Jolandie Linnemann
For: CK RUMBOLL and PARTNERS

VENNOTE / PARTNERS:

IHJ Rumboll PrL (SA), BSc (Surv), M.I.P.L.S., AP Steyl PrL (SA), BSc (Surv), M.I.P.L.S.

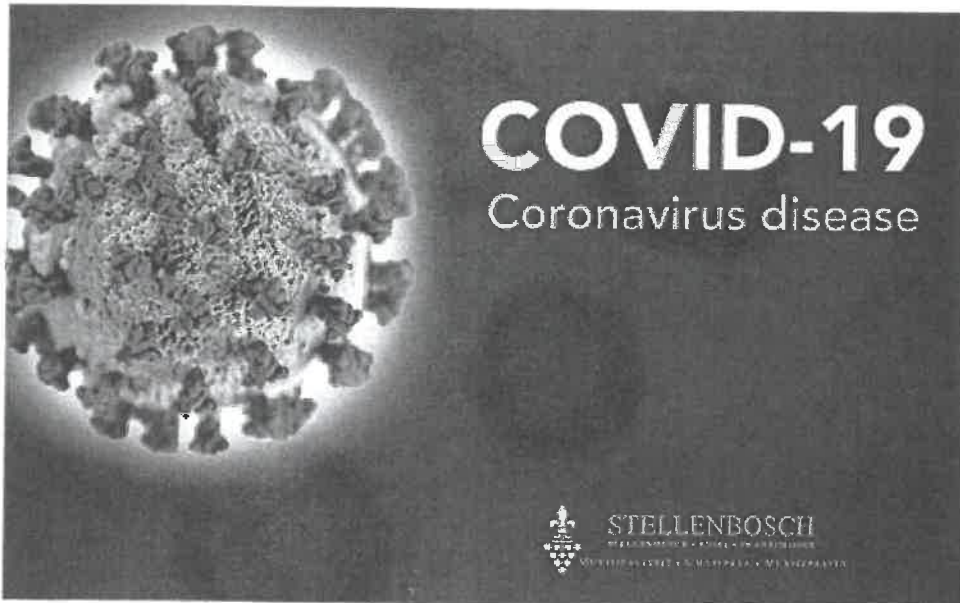
ADDRESS/ ADRES: jolandie@rumboll.co.za / PO Box 211 / Rainierstr 16, Malmesbury, 7299
MALMESBURY (T) 022 482 1845 (F) 022 487 1661

Jolandie Linnemann

From: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>
Sent: Wednesday, April 20, 2022 12:23 PM
To: Jolandie Linnemann
Subject: FW: COMMENT ON LAND USE APPLICATION: ERF 21 AND 22 KYLEMORE

Hi Jolandie;

See comment below from [Community Services](#).



For official COVID-19 advice, updates and queries:

- National Hotline 0800 029 999
- Provincial Hotline 021 9284102
- WhatsApp 0600 123 456

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Disclaimer:

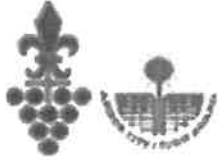
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From: Albert van der Merwe <Albert.vanderMerwe@stellenbosch.gov.za>
Sent: Wednesday, 20 April 2022 12:21
To: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>; Barbara-Ann Henning <Barbara-Ann.Henning@stellenbosch.gov.za>; Schalk Van der Merwe <Schalk.VanderMerwe@stellenbosch.gov.za>
Subject: RE: COMMENT ON LAND USE APPLICATION: ERF 21 AND 22 KYLEMORE

Hi Bulelwa

The department Community Services had no objection against the rezoning of ERF 21 and 22 KYLEMORE, to accommodate a cemetery on Erf 21 and 22, Kylemore.

Kind Regards / Vriendelike Groete



Winners of the Arbor City Awards 2014 & 2017 Local Municipality Category

Albert van der Merwe

B.Parke & Rekreasiebestuur, Hons. Sportbestuur

Senior Bestuurder: Gemeenskapsdienste

Senior Manager: Community Services

Community & Protection Services

T: +27 21 808 8165 | F: +27 21 887 7446
123 Merriman Avenue, Stellenbosch, 7600

www.stellenbosch.gov.za

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From: Bulelwa Mdoda

Sent: Wednesday, 20 April 2022 11:30

To: Barbara-Ann Henning <Barbara-Ann.Henning@stellenbosch.gov.za>; Albert van der Merwe <Albert.vanderMerwe@stellenbosch.gov.za>; Schalk Van der Merwe <Schalk.VanderMerwe@stellenbosch.gov.za>

Subject: COMMENT ON LAND USE APPLICATION: ERF 21 AND 22 KYLEMORE

Good day All;

The application below was circulated to your Department for comments in February 2022.

Your comments are still outstanding.



Kind regards,

Bulelwa Mdoda

Land Use Management

Planning & Economic Development

T: +27 21 808 8690 : F +27 21 886 6899
3rd Floor, Eikestad Mall, Andringa Street,
Stellenbosch

www.stellenbosch.gov.za



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From: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>

Sent: Wednesday, 02 February 2022 10:15

To: Development Admin <Development.Admin@stellenbosch.gov.za>; Tyrone King <Tyrone.King@stellenbosch.gov.za>; Colin Taylor <Colin.Taylor@stellenbosch.gov.za>; Abdullah Daniels <Abdullah.Daniels@stellenbosch.gov.za>; Fabian van Wyk <fabian@capewineland.gov.za>; Ferencia September <ferencia@capewineland.gov.za> <ferencia@capewineland.gov.za>; Albert van der Merwe <Albert.vanderMerwe@stellenbosch.gov.za>; Schalk Van der Merwe <Schalk.VanderMerwe@stellenbosch.gov.za>; Barbara-Ann Henning <Barbara-Ann.Henning@stellenbosch.gov.za>; Bernabe De La Bat <Bernabe.DeLaBat@stellenbosch.gov.za>; Bradley Williams <Bradley.Williams@stellenbosch.gov.za>; Martin Slabber <Martin.Slabber@stellenbosch.gov.za>; Piet Smit <Piet.Smit@stellenbosch.gov.za>

Subject: COMMENT ON LAND USE APPLICATION: ERF 21 AND 22 KYLEMORE

Good morning All;

Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish me with your comment by email, if any, in order to enable me to submit the application to the decision making authority for consideration.

ERF / FARM NUMBER & APPLICATION NUMBER:

Erf 21 and 22 Kylemore (LU/13621)

DESCRIPTION OF THE PROPOSAL

Application is made in terms of Section 15(2)(a) of the Stellenbosch Land Use Planning By-law (2015) for the **rezoning** of Erf 21, Kylemore from Subdivisional Area Zone to Private Open Space Zone.

Application is made in terms of Section 15(2)(a) of the Stellenbosch Land Use Planning By-law (2015) for the **rezoning** of Erf 22, Kylemore from Public Open Space Zone to Private Open Space Zone.

Application is made in terms of Section 15(2)(o) of the Stellenbosch Land Use Planning By-law (2015) for a **consent use** in order to accommodate a cemetery on Erf 21 and 22, Kylemore.

Application is made in terms of Section 15(2)(e) of the Stellenbosch Land Use Planning By-law (2015) in order to **consolidate** Erf 21 and 22, Kylemore to form a 1.5886 land unit.

Application is made in terms of Section 15(2)(n) of the Stellenbosch Land Use Planning By-law (2015) for the **closure of a public place** in order to use Erf 22, Kylemore for cemetery purposes.

APPLICANT:

Jolandie Linnemann (CK Rumboll & Partners)

PROPERTY ADDRESS:

School Street, Kylemore

Please note that your comments must be submitted on or before **02 March 2022** from the date of this email.



Kind regards,
Bulelwa Mdoda
Land Use Management
Planning & Economic Development

T: +27 21 808 8690 : F +27 21 886 6899
3rd Floor, Eikestad Mall, Andringa Street,
Stellenbosch
www.stellenbosch.gov.za



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Jolandie Linnemann

From: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>
Sent: Friday, February 4, 2022 9:46 AM
To: Jolandie Linnemann
Subject: FW: COMMENT ON LAND USE APPLICATION: ERF 21 AND 22 KYLEMORE

Morning Jolandie;

Please find comment below from **Property Management.**

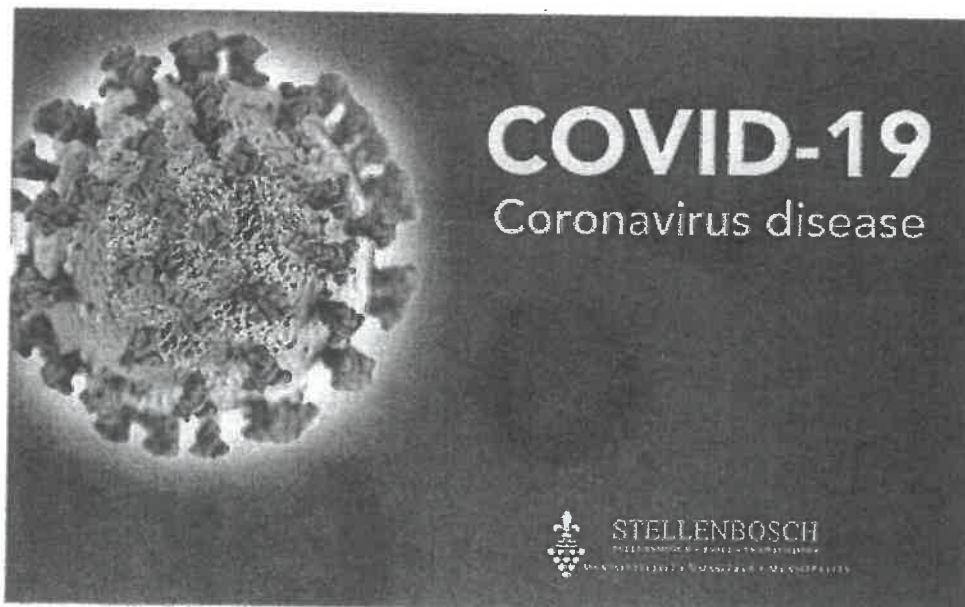


Kind regards,
Bulelwa Mdoda
 Land Use Management
 Planning & Economic Development

T: +27 21 808 8690 : F +27 21 886 6899
 3rd Floor, Eikestad Mall, Andringa Street,
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- Provincial Hotline 021 9284102
- WhatsApp 0600 123 456

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From: Piet Smit <Piet.Smit@stellenbosch.gov.za>

Sent: 04 February 2022 09:10 AM

To: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>; Development Admin <Development.Admin@stellenbosch.gov.za>; Tyrone King <Tyrone.King@stellenbosch.gov.za>; Colin Taylor <Colin.Taylor@stellenbosch.gov.za>; Abdullah Daniels <Abdullah.Daniels@stellenbosch.gov.za>; Fabian van Wyk <fabian@capewinlands.gov.za>; Ferencia September <ferencia@capewinlands.gov.za>; Albert van der Merwe <Albert.vanderMerwe@stellenbosch.gov.za>; Schalk Van der Merwe <Schalk.VanderMerwe@stellenbosch.gov.za>; Barbara-Ann Henning <Barbara-Ann.Henning@stellenbosch.gov.za>; Bernabe De La Bat <Bernabe.DeLaBat@stellenbosch.gov.za>; Bradley Williams <Bradley.Williams@stellenbosch.gov.za>; Martin Slabber <Martin.Slabber@stellenbosch.gov.za>

Subject: RE: COMMENT ON LAND USE APPLICATION: ERF 21 AND 22 KYLEMORE

Hi Bulelwa,

This Department is in support of the application.

Kind regards

Piet

From: Bulelwa Mdoda

Sent: Wednesday, 02 February 2022 10:15

To: Development Admin <Development.Admin@stellenbosch.gov.za>; Tyrone King <Tyrone.King@stellenbosch.gov.za>; Colin Taylor <Colin.Taylor@stellenbosch.gov.za>; Abdullah Daniels <Abdullah.Daniels@stellenbosch.gov.za>; Fabian van Wyk <fabian@capewinlands.gov.za>; Ferencia September <ferencia@capewinlands.gov.za>; Albert van der Merwe <Albert.vanderMerwe@stellenbosch.gov.za>; Schalk Van der Merwe <Schalk.VanderMerwe@stellenbosch.gov.za>; Barbara-Ann Henning <Barbara-Ann.Henning@stellenbosch.gov.za>; Bernabe De La Bat <Bernabe.DeLaBat@stellenbosch.gov.za>; Bradley Williams <Bradley.Williams@stellenbosch.gov.za>; Martin Slabber <Martin.Slabber@stellenbosch.gov.za>; Piet Smit <Piet.Smit@stellenbosch.gov.za>

Subject: COMMENT ON LAND USE APPLICATION: ERF 21 AND 22 KYLEMORE

Good morning All;

Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish me with your comment by email, if any, in order to enable me to submit the application to the decision making authority for consideration.

ERF / FARM NUMBER & APPLICATION NUMBER:

Erf 21 and 22 Kylemore (LU/13621)

DESCRIPTION OF THE PROPOSAL

Slabber <Martin.Slabber@stellenbosch.gov.za>; Piet Smit <Piet.Smit@stellenbosch.gov.za>

Subject: COMMENT ON LAND USE APPLICATION: ERF 21 AND 22 KYLEMORE

Good morning All;

Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish me with your comment by email, if any, in order to enable me to submit the application to the decision making authority for consideration.

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APPLICANT:

Jolandie Linnemann (CK Rumboll & Partners)

PROPERTY ADDRESS:

School Street, Kylemore

Please note that your comments must be submitted on or before 02 March 2022 from the date of this email.



Kind regards,
Bulelwa Mdoda
Land Use Management
Planning & Economic Development

T: +27 21 808 8690 : F +27 21 886 6899
3rd Floor, Eikestad Mall, Andringa Street,
Stellenbosch
www.stellenbosch.gov.za



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 **Jolandie Linnemann**

From: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>
Sent: Friday, February 4, 2022 11:59 AM
To: Jolandie Linnemann
Subject: FW: COMMENT ON LAND USE APPLICATION: ERF 21 AND 22 KYLEMORE

Hi Jolandie;

Please find below comments from **Electrical Department**.

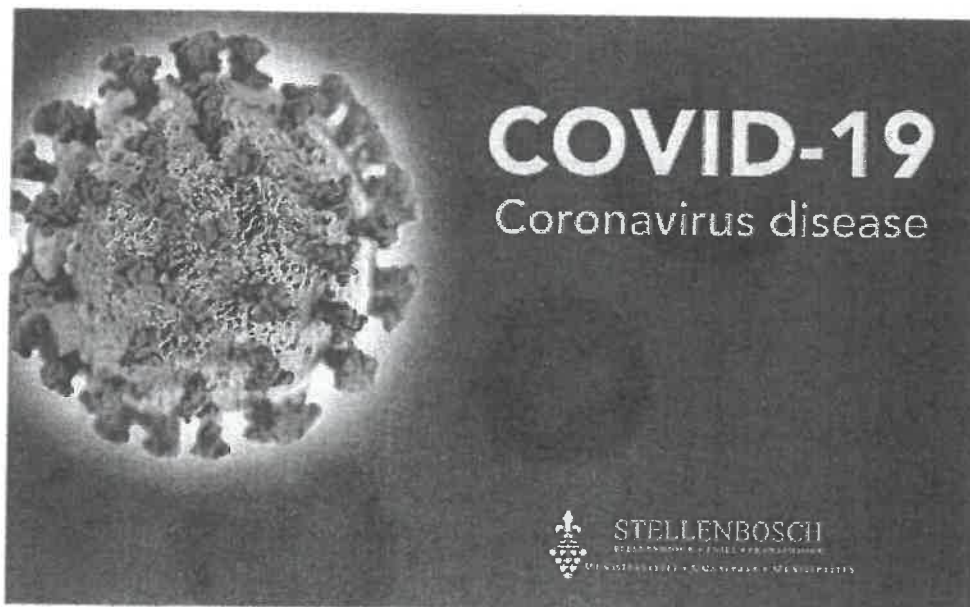


Kind regards,
Bulelwa Mdoda
 Land Use Management
 Planning & Economic Development

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 3rd Floor, Eikestad Mall, Andringa Street,
 Stellenbosch
www.stellenbosch.gov.za



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From: Martin Slabber <Martin.Slabber@stellenbosch.gov.za>
Sent: 04 February 2022 11:58 AM
To: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>
Subject: RE: COMMENT ON LAND USE APPLICATION: ERF 21 AND 22 KYLEMORE

GENERAL: None
 CONDITIONS: Outside electrical network area – ESKOM
 TX

Groete:
 Martin Slabber
 Supt. Dwarsrivier Elect.
 Engineering Services



Martin.slabber@stellenbosch.gov.za
 C: +27 83603 3431
 T: + 27 21 808 8338
www.stellenbosch.gov.za

www.facebook.com/stellenboschmunicipality

twitter.com/StellMun
 Hugenate Road 23 Franschoek 7690
 PO Box 18, Franschoek, 7690
 PO Box 17, Stellenbosch, 7599

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 Published at the following link: <http://www.stellenbosch.gov.za/main/pages/disclaimerpage.htm>

From: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>
Sent: Wednesday, 02 February 2022 10:15
To: Development Admin <Development.Admin@stellenbosch.gov.za>; Tyrone King <Tyrone.King@stellenbosch.gov.za>; Colin Taylor <Colin.Taylor@stellenbosch.gov.za>; Abdullah Daniels <Abdullah.Daniels@stellenbosch.gov.za>; Fabian van Wyk <fabian@capewinelandsgov.za>; Ferencia September <ferencia@capewinelandsgov.za>; Albert van der Merwe <Albert.vanderMerwe@stellenbosch.gov.za>; Barbara-Ann Henning <Barbara-Ann.Henning@stellenbosch.gov.za>; Schalk Van der Merwe <Schalk.VanderMerwe@stellenbosch.gov.za>; Bernabe De La Bat <Bernabe.DeLaBat@stellenbosch.gov.za>; Bradley Williams <Bradley.Williams@stellenbosch.gov.za>; Martin



STELLENBOSCH MUNICIPALITY
STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag	Bulelwa Mdoda
From ▫ Van:	Manager: Development (Infrastructure Services)
Author ▫ Skrywer:	Tyrone King
Date ▫ Datum:	2 Feb 2022
Our Ref ▫ Ons Verw:	Civil LU 2255
Your Ref:	LU/13621
Re ▫ Insake:	Erf 21 and 22 Kylemore : Cemetery development

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

1. Civil Engineering Services

- 1.1 No objection, no municipal services are affected. There are existing services (roads, water, sewer) in the vicinity of the proposed cemetery, to which can be tied into, should it be required. Details of service connection must be indicated on the building plans.

2. Electrical Engineering

- 2.1 Refer to **Annexure: Electrical**

Tyrone King Pr Tech Eng
MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)

ANNEXURE: ELECTRICAL

Kylemore 21/22

GENERAL COMMENT:

1. Outside Stellenbosch area of supply.
2. All Electrical requirements should be directed to Eskom.

CONDITIONS

3. No conditions.

Bradley Williams

Date.....23/03/2022.....



Signature



CAPE WINELANDS DISTRICT

MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

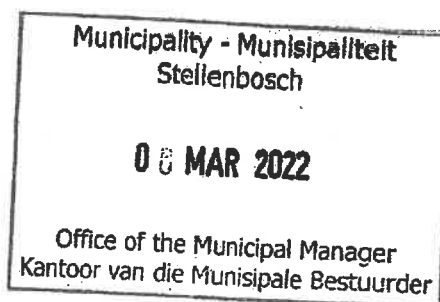
NAVRAE/ENQUIRIES/IMBUZO:
TELEFOON/TELEPHONE/UMNXEBA:
FAKS/FAX/IFEKSI:
E-POS/E-MAIL/E-MAIL:
U VERW/YOUR REF/REF YAKHO:
ONS VERW/OUR REF/REF YETHU:

Lorenzo Pharo
021 888 5800
021 887 9365
lorenzo@capewinelands.gov.za
17/1/1/5/8
8387187

Trappesstraat 51 Trappes Street
☒ 91
WORCESTER
6849

01/03/2022

The Municipal Manager
Stellenbosch Municipality
PO Box 17
Stellenbosch
7599



ATTENTION: Ms. G Van Deventer

Madam

APPLICATION FOR LAND USE APPLICATION: ERF 21 AND 22 KYLEMORE, STELLENBOSCH.

Your application correspondence dated 02/02/2022 in the above regard refers.

From an environmental health perspective this application may be recommended for approval; provided that the following conditions are complied with:

NATIONAL HEALTH ACT, 2003 (ACT NO. 61 OF 2003)

REGULATIONS RELATING TO THE MANAGEMENT OF HUMAN REMAINS

CHAPTER 5 - BURIAL IN EXCAVATED LAND

Burial sites and burials

15 (1) No land or site shall be identified and used for the purpose of a burial site, unless environmental authorization has been granted in terms of the National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA), Environmental Impact Assessment Regulations, R543 of 18 June 2010, as amended (EIA Regulations).

- In the case of private burial sites, a land survey has been conducted by a local government and necessary approval granted, such approval must be in writing and should contain such conditions for use as the availability of waste management and ablution facilities which shall include access to potable water and sanitation facilities.

- (2) All burial sites must comply with the following environmental requirements:
- (a) be located outside the 100 year floodplain;
 - (b) be located at least 350 m from ground water sources used for drinking purposes and at least 500m from the nearest habitable building;
 - (c) for a preferred burial site with a soil of sand-clay mix of low porosity and a small and fine-grain texture, the water table should be at least 2.5m deep in order to allow for traditional grave depth of six feet (1.8 meters);
 - (d) for areas with higher water tables, the local government may determine a reasonable depth with additional walling recommendations to protect underground water; and
 - (e) the covering soil shall not be less than 1 m, should two bodies be buried in the same grave, 300mm of soil shall be maintained between the coffins.
- (3) All burials must be registered with the relevant local government, and the local government concerned shall enter all burials in the register of burials of such local government.
 - (4) Surface or ground water must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
 - (5) Any solid waste must be disposed of at a waste disposal facility licensed in terms of applicable legislation.
 - (6) Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape.
 - (7) The applicable requirements with respect to relevant legislation pertaining to occupational health and safety must be adhered to.
 - (8) The holder of the Environmental Authorisation must, always, ensure that the construction activities comply with the Noise Control Regulations in terms of the relevant legislation, namely:
 - (a) All noise and sound generated during all phases of the proposed development, as well as during the operation of the Kylemore Cemetery, must comply with relevant SANS Codes and Standards.
 - (b) No pure tone sirens or sounds must be used unless in emergency situations, or when required with respect to health and safety regulations.
 - (c) Silencers must be installed and maintained on machinery, vehicle and earth moving equipment.
 - (9) Dust suppression methods must be used to mitigate dust during the construction phase.
 - (10) Adequate ablution facilities must be provided on site during construction. The ratio of 15 people per ablution facility must not be exceeded.

- (11) A search and rescue of conservation worthy plants species must be conducted prior to any construction activities.
- (12) Notwithstanding the Environmental Authorization, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.

Please contact me if you have any further questions or comments in this regard.

Kind Regards



Lorenzo Pharo

APPENDIX F

Conveyancer Certificate for Erf 22, Kylemore

AKTEBESORGERSERTIFIKAAT

Ek, die ondergetekende

JAN HENDRIK POTGIETER

in my hoedanigheid as aktebesorger praktiserende te Piet Retiefstraat 13, Malmesbury sertifiseer hiermee dat ek 'n soektog gedoen het in die Akteskantoor, Kaapstad ten opsigte van die volgende eiendom, te wete:

ERF 22 Kylemore, in die Munisipaliteit en Afdeling van Stellenbosch, in die Provinsie Wes-Kaap;

GROOT 2771 vierkante meter


Gehou kragtens Sertifikaat van Geregistreerde Nommer T.77355/1999

(hierna genoem "Erf 22")

ten einde vas te stel of voormelde transportakte of enige vorige transportaktes ten opsigte van Erf 22, voorwaardes bevat wat die konsolidasie met 'n ander eiendom of die hersonering daarvan of die gebruik daarvan as 'n begraafplaas verbied.

Geen voorwaardes kon gevind word wat die konsolidasie van Erf 22 met 'n ander eiendom of die hersonering of die gebruik as 'n begraafplaas verbied nie.

GEDATEER TE MALMESBURY OP 30 MEI 2022.



J H POTGIETER
TRANSPORTBESORGER



APPENDIX G

Municipal Spatial Planning Comments



STELLENBOSCH

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Spatial Planning

To : **Manager: Land Use Management**

From : **Manager: Spatial Planning**

Reference : **Erf 21 & Erf 22, Kylemore**

LU No : **LU/13621**

Date : **8 March 2022**

Re : **Application for rezoning, consent use, consolidation and closure of public place on Erf 21 & Erf 22, Kylemore**

I refer to your request for comment on the above application.

Application is made for the following:

- **Rezoning** of Erf 21, Kylemore from Subdivisional Area Zone to Private Open Space Zone.
- **Rezoning** of Erf 22, Kylemore from Public Open Space Zone to Private Open Space Zone.
- **Consent use** in order to accommodate a cemetery on Erf 21 and 22, Kylemore.
- **Consolidation** Erf 21 and 22, Kylemore to form a 1.5886 land unit.
- **Closure of a public place** in order to use Erf 22, Kylemore for cemetery purposes.

1) Opinion/reasoning:

The new approved Municipal Spatial Development Framework for the WC024 area was approved by Council in November 2019 and recognises that the spatial decisions and actions of many make what settlements are.

In terms of this approved document, seven principles need to be considered:

1. Maintain and grow the assets of Stellenbosch Municipality's natural environment and farming areas;
2. Respect and grow cultural heritage;
3. Direct growth to areas of lesser natural and cultural significance as well as movement opportunity;
4. Clarify and respect the different roles and potentials of existing settlements;
5. Clarify and respect the roles and functions of different elements of movement structure;
6. Ensure balanced, sustainable communities;
7. Focus collective energy on a few catalytic lead projects.

With the enactment of the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA), a new planning regime was introduced in South Africa. It replaced disparate apartheid era laws with a coherent legislative system as the foundation for all spatial planning and land use management activities in South Africa. It seeks to promote consistency and uniformity in procedures and decision-making. Other objectives include addressing historical spatial imbalances and the integration of the principles of sustainable development into land use and planning regulatory tools and legislative instruments.

Chapter 2 of SPLUMA sets out the development principles that must guide the preparation, adoption and implementation of any SDF, policy or by-law concerning spatial planning and the development or use of land. These principles are the following:

- Spatial Justice
- Spatial Efficiency
- Spatial Sustainability
- Spatial Resilience
- Good Administration

The subject property is located inside the urban edge within the residential area of Kylemore. In terms of the MSDP the area is identified for mixed use, community purposes and residential infill.

2) Supported / not supported:

This department supports the proposal for the expansion of the cemetery subject to the condition that a buffer zone must be created between the cemetery and the backyards of the adjacent housing units.



BJG de la Bat
MANAGER: SPATIAL PLANNING

APPENDIX H

Directorate: Infrastructure Services comments



STELLENBOSCH MUNICIPALITY
STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag	Bulelwa Mdoda
From ▫ Van:	Manager: Development (Infrastructure Services)
Author ▫ Skrywer:	Tyrone King
Date ▫ Datum:	2 Feb 2022
Our Ref ▫ Ons Verw:	Civil LU 2255
Your Ref:	LU/13621
Re ▫ Insake:	Erf 21 and 22 Kylemore : Cemetery development

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

1. Civil Engineering Services

1.1 No objection, no municipal services are affected. There are existing services (roads, water, sewer) in the vicinity of the proposed cemetery, to which can be tied into, should it be required. Details of service connection must be indicated on the building plans.

2. Electrical Engineering

2.1 Refer to **Annexure: Electrical**

Tyrone King Pr Tech Eng
MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)

ANNEXURE: ELECTRICAL

Kylemore 21/22

GENERAL COMMENT:

1. Outside Stellenbosch area of supply.
2. All Electrical requirements should be directed to Eskom.

CONDITIONS

3. No conditions.

Bradley Williams

Date.....23/03/2022.....



Signature

APPENDIX I

Cape Winelands District Municipalities Health
comments.



CAPE WINELANDS DISTRICT

MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

NAVRAE/ENQUIRIES/IMIBUZO:
TELEFOON/TELEPHONE/UMNXEBA:
FAKS/FAX/FEKSI:
E-POS/E-MAIL/E-MAIL:
U VERW/YOUR REF/REF YAKHO:
ONS VERW/OUR REF/REF YETHU:

Lorenzo Pharo
021 888 5800
021 887 9365
lorenzo@capewinelands.gov.za
17/1/1/5/8
8387187

Trappesstraat 51 Trappes Street
☒ 91
WORCESTER
6849

01/03/2022

The Municipal Manager
Stellenbosch Municipality
PO Box 17
Stellenbosch
7599

Municipality - Munisipaliteit
Stellenbosch

08 MAR 2022

Office of the Municipal Manager
Kantoor van die Munisipale Bestuurder

ATTENTION: Ms. G Van Deventer

Madam

APPLICATION FOR LAND USE APPLICATION: ERF 21 AND 22 KYLEMORE, STELLENBOSCH.

Your application correspondence dated 02/02/2022 in the above regard refers.

From an environmental health perspective this application may be recommended for approval; provided that the following conditions are complied with:

NATIONAL HEALTH ACT, 2003 (ACT NO. 61 OF 2003)

REGULATIONS RELATING TO THE MANAGEMENT OF HUMAN REMAINS

CHAPTER 5 - BURIAL IN EXCAVATED LAND

Burial sites and burials

15 (1) No land or site shall be identified and used for the purpose of a burial site, unless environmental authorization has been granted in terms of the National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA), Environmental Impact Assessment Regulations, R543 of 18 June 2010, as amended (EIA Regulations).

- In the case of private burial sites, a land survey has been conducted by a local government and necessary approval granted, such approval must be in writing and should contain such conditions for use as the availability of waste management and ablution facilities which shall include access to potable water and sanitation facilities.

Alle korrespondensie moet aan die Munisipale Bestuurder gerig word/


All correspondence to be addressed to the Municipal Manager/Yonke imbalelwano mayithunyelwe kuMlawuli kaMasipala
Telefoon/Telephone/Umnxeba: 0861 265 263 • E-pos/E-mail/E-mail: admin@capewinelands.gov.za • Faks/Fax/IFeksi: 023 342 8442

- (2) All burial sites must comply with the following environmental requirements:
- (a) be located outside the 100 year floodplain;
 - (b) be located at least 350 m from ground water sources used for drinking purposes and at least 500m from the nearest habitable building;
 - (c) for a preferred burial site with a soil of sand-clay mix of low porosity and a small and fine-grain texture, the water table should be at least 2.5m deep in order to allow for traditional grave depth of six feet (1.8 meters);
 - (d) for areas with higher water tables, the local government may determine a reasonable depth with additional walling recommendations to protect underground water; and
 - (e) the covering soil shall not be less than 1 m, should two bodies be buried in the same grave, 300mm of soil shall be maintained between the coffins.
- (3) All burials must be registered with the relevant local government, and the local government concerned shall enter all burials in the register of burials of such local government.
 - (4) Surface or ground water must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
 - (5) Any solid waste must be disposed of at a waste disposal facility licensed in terms of applicable legislation.
 - (6) Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape.
 - (7) The applicable requirements with respect to relevant legislation pertaining to occupational health and safety must be adhered to.
 - (8) The holder of the Environmental Authorisation must, always, ensure that the construction activities comply with the Noise Control Regulations in terms of the relevant legislation, namely:
 - (a) All noise and sound generated during all phases of the proposed development, as well as during the operation of the Kylemore Cemetery, must comply with relevant SANS Codes and Standards.
 - (b) No pure tone sirens or sounds must be used unless in emergency situations, or when required with respect to health and safety regulations.
 - (c) Silencers must be installed and maintained on machinery, vehicle and earth moving equipment.
 - (9) Dust suppression methods must be used to mitigate dust during the construction phase.
 - (10) Adequate ablution facilities must be provided on site during construction. The ratio of 15 people per ablution facility must not be exceeded.

- (11) A search and rescue of conservation worthy plants species must be conducted prior to any construction activities.
- (12) Notwithstanding the Environmental Authorization, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.

Please contact me if you have any further questions or comments in this regard.

Kind Regards



Lorenzo Pharo

APPENDIX J

DEADP:

Directorate Development Management Region 1



REFERENCE: 16/3/3/6/B4/28/1064/22

DATE: 5/5/2022

The Members
CK Rumboll and Partners
P O Box 211
MALMESBURY
7299

Attention: Ms J Linnemann

Tel: 022 482 1845
Email: jolandie@rumboll.co.za

Dear Madam

APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED CLOSURE, REZONING, CONSENT USE AND CONSOLIDATION OF ERVEN 21 AND 22, KYLEMORE

1. This electronic copy of the aforementioned document, received by this Department on 3 March 2022 and the additional information received on 8 April 2022, refer.
2. According to the information contained in the aforementioned documents this Department notes the proposal entails the following:
 - 2.1 The rezoning of Erven 21 and 22 in Kylemore to Private Open Space with a consent use for cemetery usage and the consolidation of the erven to operate the proposed cemetery as one entity,
 - 2.2 The closure of a public place in order to use Erf No. 22 in Kylemore for cemetery purposes.
 - 2.3 An Environmental Authorisation ("EA") was issued for the expansion of the Kylemore Village Cemetery on 22 June 2011 and the authorised expanded development footprint included Erven 21 and 22.
 - 2.4 The departmental correspondence dated 21 August 2021, issued in response to an applicability checklist received on 21 July 2021 and additional information received between 28 July 2021 and 25 August 2021, confirmed that the expansion of the cemetery on Erven 21 and 22 in a manner that is consistent with the aforementioned EA will not require further authorisation from the competent authority.
 - 2.5 The departmental correspondence also highlighted that the road constructed across Erven 21 and 22 is regarded as unlawful commencement with a listed activity requiring EA prior to commencement and that the matter will be referred for further investigation and appropriate action.

- 2.6 The above was however retracted and replaced with the departmental correspondence issued on 16 September 2021, which confirmed that based on further investigation the road was only developed on Erf No. 21 and did not trigger any listed activities and is therefore not regarded as unlawful in terms of the EIA Regulations, 2014 (as amended).
3. Your attention is therefore drawn to the listed activities in terms of the NEMA EIA Regulations 2014 (as amended) as defined in Listing Notices ("LN") 1, 2 & 3 of 7 April 2017. Be advised that, based on the information provided and as confirmed in the departmental correspondence of 21 August 2021, the closure, rezoning, consent use and consolidation of Erven 21 and 22, Kylemore to accommodate the proposed expanded cemetery will not require any further authorisation in terms of the EIA Regulations, 2014 (as amended) as long as the expansion of the cemetery onto Erven 21 and 22 is consistent with the EA granted on 22 June 2011.
 4. However, should any revision of the proposed development on the said erven constitute a listed activity(ies) as defined in terms of Listing Notice 1, 2 & 3, an application must be submitted, and environmental authorisation obtained before such activity(ies) may commence.
 5. The applicant is reminded of his/her general duty of care and the remediation of environmental damage, Section 28(1) of NEMA specifically states that – "Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."
 6. Please note that the applicant must comply with any other statutory requirements that may be applicable to the undertaking of the activity.
 7. The Department reserves the right to revise its comments and request further information from you based on any new or revised information received.

Yours faithfully

Andrea Thomas
 Digitally signed by
 Andrea Thomas
 Date: 2022.05.05
 12:54:36 +02'00'

pp HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Cc: (1) Mr S van der Merwe (Stellenbosch Municipality)

Email:Schalk.VanderMerwe@stellenbosch.gov.za



REFERENCE: 16/3/3/6/1/B4/28/1235/21
DATE OF ISSUE: 16 September 2021

The Proponent
Stellenbosch Municipality
P. O. Box 17
STELLENBOSCH
7599

Attention: Ms. S. van der Merwe

Tel: (021) 808 8679

E-mail: schalk.vandermerwe@stellenbosch.gov.za

Dear Madam

THE APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) WITH RESPECT TO THE PROPOSED DEVELOPMENT OF A CEMETERY ON ERF 21 AND 22 KYLEMORE AND THE DEVELOPMENT OF A ROAD.

1. The checklist for the determination of the applicability of the EIA Regulations, 2014 (as amended) received via electronic mail correspondence by this Department on 21 July 2021, this Directorate's request for additional information on 28 July 2021, 3 August 2021 and 25 August 2021, the additional information received by this Directorate on 2 August 2021, 4 August 2021 and 25 August 2021 and this Directorate's correspondence dated 26 August 2021, refer.
2. Based on further investigation with respect to the development of a road (point 5 of the Department's correspondence dated 26 August 2021), the following was noted:
 - 2.1. The road of approximately 5m wide and 250m in length has been developed on Erf 21.
 - 2.2. No development of a road occurred on Erf 22 which is zoned public open space.
 - 2.3. In light of the above, the development of the road did not trigger Activity 4 of Listing Notice 3 of the EIA Regulations, 2014 (as amended) as indicated in this Department's correspondence dated 26 August 2021. The development of the road is therefore not regarded to be unlawful in terms of the EIA Regulations, 2014 (as amended).
3. This Department apologise for any inconvenience caused.
4. Kindly quote the abovementioned reference number in any future correspondence concerning the proposed development.

5. This Department reserves the right to revise or withdraw its comments and request further information from you based on any information received.

Your interest in the future of the environment is greatly appreciated.

Yours faithfully

Melanese
Schippers

Digitally signed by
Melanese Schippers
Date: 2021.09.16 07:11:58
+02'00'

pp **HEAD OF COMPONENT**

DIRECTORATE: DEVELOPMENT MANAGEMENT – REGION 1

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING



Western Cape
Government

Department of Environmental Affairs and Development Planning
Ndivhuho Mudau
 Development Management
Ndivhuho.Mudau@westerncape.gov.za | Tel.: 021 483 2881

REFERENCE: 16/3/3/6/1/B4/28/1235/21
DATE OF ISSUE: 26 August 2021

The Proponent
 Stellenbosch Municipality
 P. O. Box 17
STELLENBOSCH
 7599

Attention: Ms. S. van der Merwe

Tel: (021) 808 8679

E-mail: schalk.vandermerwe@stellenbosch.gov.za

Dear Madam

THE APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) WITH RESPECT TO THE PROPOSED DEVELOPMENT OF A CEMETERY ON ERF 21 AND 22 KYLEMORE.

1. The checklist for the determination of the applicability of the EIA Regulations, 2014 (as amended) received via electronic mail correspondence by this Department on 21 July 2021, this Directorate's request for additional information on 28 July 2021, 3 August 2021 and 25 August 2021 and the additional information received by this Directorate on 2 August 2021, 4 August 2021 and 25 August 2021, refer.
2. This letter serves to confirm the applicability of the NEMA EIA Regulations, 2014 (as amended), with respect to the proposed development.
3. Based on the information provided by you, this Directorate notes following:
 - 3.1. The proposed development will entail the expansion of the Kylemore cemetery by 10 500m² and the development of an administration building with a footprint of approximately 460m² on Erven 21 and 22, Kylemore.
 - 3.2. The municipality obtained environmental authorisation ("EA") (Reference number: E12/2/4/1-B4/24-1030/10 issued on 22 June 2011) for the expansion of the cemetery on Erven 9, 21, 22, 34, 35, 36 and 71, Kylemore, Stellenbosch. It has been confirmed that the expansion of the cemetery commenced on Erven 9, 34, 35 and 71 within the validity period of EA.
 - 3.3. A residential development has been proposed on Erf 21 and the necessary rezoning has been done in 2016 and the Erf has been rezoned to Subdivisinal Area. However, the residential development never materialized.
 - 3.4. Between 2016 and 2018 there has been encroachment onto Erven 21 and 22 with grave sites with a footprint of approximately 1840m². These activities have been undertaken by the local churches.
 - 3.5. In 2017 a road of approximately 5m wide and 250m in length has been developed on Erven 21 and 22 of which Erf 22 is zoned public open space.

7. This Department reserves the right to revise or withdraw its comments and request further information from you based on any information received.

Your interest in the future of the environment is greatly appreciated.

Yours faithfully

**Melanese
Schipers**

Digitally signed by
Melanese Schippers
Date: 2021.08.26
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pp **HEAD OF COMPONENT**

DIRECTORATE: DEVELOPMENT MANAGEMENT – REGION 1

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING



DEPARTMENT of
ENVIRONMENTAL AFFAIRS
& DEVELOPMENT PLANNING

Provincial Government of the Western Cape

Directorate: Land Management (Region 1)

Samonev.Alkaster@gowc.gov.za
tel: +27 21 483 5828/51 13, fax: +27 21 483 3633
1 Dorp Street, Cape Town, 8001
www.capegateway.gov.za/eqdp

REFERENCE: E12/2/4/1-B4/24-1030/10

ENQUIRIES: S Alkaster

DATE OF ISSUE:

2011 -06- 2 2

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Attention: G Esau

Tel: (021) 808 8111
Fax: (021) 808 8026

Dear Sir/Madam

APPLICATION: EXPANSION OF KYLEMORE VILLAGE CEMETERY ON ERVEN 9, 21, 22, 34, 35, 36 and 71, KYLEMORE, STELLENBOSCH.

With reference to your application, find below the environmental authorisation, hereinafter referred to as "the environmental authorisation" in respect of this application.

ENVIRONMENTAL AUTHORISATION

A. DESCRIPTION OF ACTIVITY:

This Environmental Authorisation is for Alternative 1 which entails the expansion of the existing cemetery on Erven 9, 21, 22, 34, 35, 36 and 71 by approximately 2 hectares. The site is situated on the south-eastern border of the town Kylemore.

The following activity is identified in GN No. R. 544 of 18 June 2010, being:

Activity 46:

The expansion of cemeteries by an additional 2500 square metres or more.

These are activities identified in GN No. R. 546 of 18 June 2010, being:

Activity 12:

The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation.

- (a) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;
- (b) Within critical biodiversity areas identified in bioregional plans;
- (c) Within the littoral active zone or 100 metres inland from the high water mark of the sea or an estuary, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas,

Activity 13:

The clearance of an area of 1 hectare or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for: (1) the undertaking of a process or activity included in the list

*Department of Environmental Affairs and Development Planning
Directorate: Land Management (Region 1)*

of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), in which case the activity is regarded to be excluded from this list; (2) the undertaking of a linear activity falling below the thresholds mentioned in Listing Notice 1 in terms of GN No. R. 544 of 2010.

- (a) Critical biodiversity areas and ecological support areas as identified in systematic biodiversity plans adopted by the competent authority.
- (b) National Protected Area Expansion Strategy Focus areas.
- (c) In the Western Cape:
 - i. In an estuary;
 - ii. Outside urban areas, the following:
 - (aa) A protected area identified in terms of NEMPAA, excluding conservancies;
 - (bb) National Protected Area Expansion Strategy Focus areas;
 - (cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;
 - (dd) Sites or areas identified in terms of an International Convention;
 - (ee) Core areas in biosphere reserves;
 - (ff) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; and
 - (gg) Areas seawards
 - (hh) of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined.
 - iii. In urban areas, the following:
 - (aa) Areas zoned for use as public open space;
 - (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;
 - (cc) Areas seawards of the development setback line; and
 - (dd) Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined,

hereinafter referred to as "**the activities**".

B. LOCATION:

The development will be located on Erven 9, 21, 22, 34, 35, 36 and 71, Kylemore, Stellenbosch,

Co-ordinates: Latitude 33° 34' 42" S

Longitude 18° 39' 02" E,

hereinafter referred to as "**the property**".

C. APPLICANT:

Stellenbosch Municipality
% G Esau
PO Box 17
STELLENBOSCH
7599
Tel: (021) 808 8111
Fax: (021) 808 8026

*Department of Environmental Affairs and Development Planning
Directorate: Land Management (Region 1)*

D. ENVIRONMENTAL ASSESSMENT PRACTITIONER:

Cape Lowlands Environmental Services
% Mr Nicolaas Hanekom
PO Box 70
DARLING
7345
Tel: (022) 492 3435
Fax: (088) 022 492 3435

E. SITE VISIT(S):

No site visit was conducted. The information submitted in the application documentation (i.e. photographs and maps of the site) together with relevant information contained in the Departmental Information base, was considered sufficient to provide adequate information on the nature of the receiving environment.

F. DECISION:

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activities specified above.

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2010 the Department hereby authorises the activities described above.

The granting of this environmental authorisation is subject to the conditions set out below.

G. CONDITIONS OF AUTHORISATION:

1. The activities, including site preparation, may not commence within 20 ("twenty") days after having received this environmental authorisation. In the event that an appeal notice and subsequent appeal is lodged with the competent authority, the effect of this environmental authorisation will be suspended until such time as the appeal is decided.
2. The applicant, must, in writing, within 20 days of the issue of this authorisation, confirm acceptance of the conditions of this authorisation, failing which the Environmental Authorisation may be suspended until such time as these conditions of authorisation are accepted.
3. This Environmental Authorisation is for Alternative 1 which entails the expansion of the existing cemetery on Erven 9, 21, 22, 34, 35, 36 and 71 by approximately 2 hectares. The site is situated on the south-eastern border of the town Kylemore.
4. One week's notice, in writing, must be given to the Directorate: Land Management (Region 1), (hereinafter referred to as "this Directorate"), before commencement of the activities.
 - 4.1 Such notice shall make clear reference to the site location details and reference number given above, and
 - 4.2 The said notice must also include proof of compliance with the following conditions described herein:
Conditions: 1, 2, 7 and 9.
5. Should any heritage remains be exposed during excavations, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in terms of the National Heritage Resources Act, 1999 (Act No. 25 of 1999)). Heritage remains uncovered or disturbed during

*Department of Environmental Affairs and Development Planning
Directorate: Land Management (Region 1)*

earthworks must not be disturbed further until the necessary approval has been obtained from Heritage Western Cape.

- 5.1 If any archaeological remains (including but not limited to fossil bones and fossil shells, coins, indigenous and/or colonial ceramics, any articles of value or antiquity, stone artefacts and bone remains, structures and other built features, rock art and rock engravings) are discovered during construction they must immediately be reported to Heritage Western Cape and must not be disturbed further until the necessary approval has been obtained from Heritage Western Cape, and
- 5.2 If any graves or unmarked human burials are discovered, they must be treated with respect and South African Heritage Resources Agency ("SAHRA") must be notified immediately and the burials must not be disturbed further until the necessary approval has been obtained from SAHRA. An archaeologist must be contracted to remove the remains at the expense of the developer.
6. The Environmental Management Programme ("EMP") submitted as part of the application for authorisation is accepted and must be implemented.
7. The holder of the authorisation must appoint a suitably experienced Environment Control Officer ("ECO") (or Site Agent where appropriate) for the Construction Phase of the development before commencement of any land clearing or construction activities and to ensure compliance with the provisions of the environmental authorisation and EMP for the Construction Phase.
8. The ECO must, at all times, ensure that the construction activities comply with the Noise Regulations in terms of the Environment Conservation Act, 1989 (Act No. 73 of 1989).
9. The applicant must in writing, within 12 (twelve) calendar days of the date of the decision on the application –
 - 9.1 Notify all registered Interested & Affected Parties (I&AP's) of –
 - 9.1.1 The outcome of the application;
 - 9.1.2 The reasons for the decision; and
 - 9.1.3 The date of the decision.
 - 9.2 Inform all registered I&AP's of the appeal procedure provided for in Chapter 7 of the Regulations.
 - 9.3 Inform all registered I&AP's of the manner in which they can access the decision.
 - 9.4 Advise all registered I&AP's that, should they wish to appeal, they must lodge a Notice of Intention to Appeal with the Minister within 20 (twenty) days of date of the Department's decision and must submit their appeal within 30 (thirty) days after the lapsing of the 20 (twenty) days contemplated in Regulation 60(1), for the lodging of the Notice of Intention to Appeal.
 - 9.5 Inform all registered I&AP's that the prescribed Notice of Intention to Appeal form and Appeal form are obtainable from the Minister's office at telephone number (021) 483 3721, or 483 3915, email Jaap.deVilliers@pawc.gov.za or via the URL <http://www.capegateway.gov.za/eadp>.
 - 9.6 Inform all registered I&AP's that should they wish to appeal, the appellant must serve on the applicant, within 10 (ten) days of having submitted the Notice of Intention to Appeal with the Minister, a copy of the Notice of Intention to Appeal form as well as a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.

*Department of Environmental Affairs and Development Planning
Directorate: Land Management (Region 1)*

- 9.7 If the applicant should decide to appeal the decision, the applicant must -
- 9.7.1 Lodge a Notice of Intention to Appeal with the Minister, within 20 (twenty) days after the date of the decision.
 - 9.7.2 Submit the appeal within 30 (thirty) days after the lapsing of the 20 (twenty) days contemplated in Regulation 60(1), for the lodging of the Notice of Intention to Appeal.
 - 9.7.3 Within 10 (ten) days of having lodged the Notice of Intention to Appeal, provide each person and Organ of State registered as an I&AP in respect of the application, with -
 - 9.7.3.1 A copy of the Notice of Intention to Appeal form;
 - 9.7.3.2 A notice indicating where and for what period the appeal submission will be made available for inspection by such person or Organ of State, on the day of lodging it with the Minister, and that a responding statement may be made on the appeal within 30 (thirty) days from the date the appeal submission was lodged with the Minister. A person, Organ of State or applicant who submits a responding statement in terms of Regulation 63(1) must within 10 (ten) days of having submitted the responding statement, serve a copy of the statement on the appellant.
10. The holder of the authorisation shall be responsible for ensuring compliance with the conditions by any person acting on his behalf, including but not limited to, an agent, sub-contractor, employee or any person rendering a service to the holder of the authorisation.
11. Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the Regulations.
12. The holder of the authorisation must notify this Department and any other relevant authority, in writing, within 24 hours thereof if any condition of this authorisation is not adhered to.
13. A copy of this authorisation must be kept at the property where the activities will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
14. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
15. Non-compliance with a condition of this authorisation may result in the suspension of the authorisation and may render the holder liable for criminal prosecution.
16. This Department must be notified, within 30 days thereof, of any change of ownership and/or project developer. A request for the transfer of the rights and obligations contained in this environmental authorisation must be submitted in the following way:

*Department of Environmental Affairs and Development Planning
Directorate: Land Management (Region 1)*

- 16.1 The current holder of the environmental authorisation must submit an original signed letter to the Department stating that he/she wishes the rights and obligations contained in this environmental authorisation to be transferred, provide the Department with (a) confirmation that the environmental authorisation is still in force (i.e. validity period have not yet expired or the activities were lawfully commenced with), (b) the contact details of the person to whom the rights and obligations are to be transferred, and (c) the reasons for the requested transfer.
- 16.2 The person to whom the rights and obligations are to be transferred must also submit an original signed letter to the Department (a) accepting the rights and obligations contained in this environmental authorisation and (b) must indicate that he/she has the ability to implement the mitigation measures and to comply with the conditions of authorisation.

If the transfer is found to be appropriate by the Department, the Department will issue a letter confirming the transfer of the rights and obligations contained in this environmental authorisation.

17. Departmental officials shall be given access to the property referred to in B above for the purpose of assessing and/or monitoring compliance with the conditions contained in this environmental authorisation, at all reasonable times.
18. The activities which are authorised may only be carried out at the property indicated above.
19. Notwithstanding this authorisation, the holder of the authorisation must still comply with any other statutory requirements that may be applicable to the undertaking of the activities.
20. These activities must commence within a period of five (5) years from the date of issue. If commencement of the activities does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activities to be undertaken, unless the holder of this environmental authorisation has lodged a valid application for the amendment of the duration of expiry of this authorisation before the expiry of this authorisation, in which case, the validity of this environmental authorisation is automatically extended from the day before this environmental authorisation would otherwise have expired until the amendment application for extension is decided ("the period of automatic extension"). The activities including site preparation may not commence during the period of automatic extension.

H. REASONS FOR THE DECISION:

All information available to the Department was taken into account in the Department's consideration of the application which included the following -

- a) The Application Form for environmental authorisation as submitted by Nicolaas Hanekom from Cape Lowlands Environmental Services, as received by this Department on 20 September 2010 and the additional information dated 20 October 2010,
- b) The information contained in the Basic Assessment Report as submitted by Nicolaas Hanekom from Cape Lowland Environmental Services, received by this Department on 30 March 2011,
- c) Relevant information contained in the Departmental information base, and
- d) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the NEMA.

A summary of the issues which, in the Department's view, were of the most significance is set out below.

*Department of Environmental Affairs and Development Planning
Directorate: Land Management (Region 1)*

Need and Desirability

The expansion of the cemetery is in line with the Provincial Spatial Development Framework and Integrated Development Plan of Stellenbosch Municipality. The communal cemetery of Kylemore has almost reached full capacity. By expanding the existing cemetery, it will provide additional burial space for the local community of Kylemore and the surrounding areas.

Alternatives

Site Alternatives

Site Alternative 1 (Preferred Alternative)

This activity entails the expansion of the existing cemetery on Erven 9, 21, 22, 34, 35, 36 and 71 by approximately 2 hectares. The site is situated on the south-eastern border of the town Kylemore. This is the preferred site as it is in immediate proximity to the existing cemetery. Topographical and botanical requirements for cemeteries were considered and it was concluded that this site is the most suited in terms of service requirements, social and community needs, as well as current service provision to surrounding properties.

Alternative 2

Due to the fact that acquisition of suitable land from private entities or individuals could be prohibitively expensive, the study focused mainly on portions of land owned by Stellenbosch Municipality. A desktop study of all municipal owned land identified 21 potential sites. Only the Kylemore cemetery site was pursued further as it complied with the topographical and botanical requirements.

No-go Alternative:

This alternative represents the status-quo and was rejected since it will not satisfy the needs for additional burial space.

Public Participation

The Public Participation Process ("PPP") comprised of the following:

- A notice was placed on site on 22 June 2010;
- An advertisement was placed in the "Eikestad Nuus" newspaper on 25 June 2010;
- Letters were posted to all owners and occupiers of land adjacent to, and within 100 metres of the site, the ward councillor, local municipality and relevant government departments on 26 June 2010;
- The draft BAR was made available on 6 September 2010; and
- The final BAR was made available to registered I&AP's on 22 February 2011.

At the end of the commenting period, comments were received, none of which were objections.

Meeting held on 20 October 2010:

Persons Present: Ms Mare-Liez Oosthuizen, Ms Loretta Osborne, Ms Rondine Isaacs and Mr Clement Arendse of the Department of Environmental Affairs & Development Planning and Mr Nicolaas Hanekom from Cape Lowlands Environmental Services.

Authority Consultation

The following authorities commented but had no objection to the development:

- Heritage Western Cape;
- Department of Agriculture;
- Department of Water Affairs;
- Cape Nature;
- Department of Health; and
- Cape Winelands District Municipality.

*Department of Environmental Affairs and Development Planning
Directorate: Land Management (Region 1)*

Comments and recommendations provided by the other relevant authorities have been considered in the evaluation of this application. Where possible and relevant, the conditions imposed by these authorities have been included in this Environmental Authorisation insofar as it relates to the environmental aspects of the proposed activities. This authorisation is issued only in terms of the NEMA and the applicant is required to obtain all other necessary approvals before commencing with the activities.

In view of the above, this Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. The application is accordingly granted.

I. APPEAL:

Appeals must comply with the provisions as outlined in Chapter 7 of the Regulations.

If the applicant should decide to appeal, the applicant must, in terms of, Regulation 60(1), lodge a Notice of Intention to Appeal with the Minister, within 20 (twenty) days after the date of the decision, and must within 10 (ten) days of having submitted the notice contemplated in Regulation 60(1), provide each person and Organ of State registered as an Interested and Affected Party in respect of the application with a copy of the Notice of Intention to Appeal; a notice indicating where and for what period the appeal submission will be made available for inspection by such person or Organ of State on the day of lodging it with the Minister, and indicate that a responding statement may be made on the appeal within 30 (thirty) days from the date the appeal submission was lodged with the Minister.

A person, Organ of State or applicant who submits a responding statement in terms of Regulation 63(1) must within 10 (ten) days of having submitted the responding statement, serve a copy of the statement on the appellant.

If the applicant should decide to appeal, the applicant must submit the appeal within 30 (thirty) days after the lapsing of the 20 (twenty) days contemplated in Regulation 60(1), for the lodging of the Notice of Intention to Appeal.

Should any other person, or an Interested and Affected Party, decide to appeal, they must, in terms of, Regulation 60(1), lodge a Notice of Intention to Appeal with the Minister, within 20 (twenty) days after the date of the decision. An appeal must be submitted within 30 (thirty) days after the lapsing of the 20 (twenty) days contemplated in Regulation 60(1).

The appellant must provide the applicant, within 10 days of having lodged the notice contemplated in Regulation 60(1), with a copy of the notice referred to in Regulation 60(1), and a notice indicating where and for what period the appeal submission will be available for inspection by the applicant. A responding statement may be made on the appeal within 30 (thirty) days from the date the appeal submission was lodged with the Minister.

The prescribed Notice of Intention to Appeal form and Appeal form are obtainable from the Minister's office, as well as assistance regarding the appeal processes, at telephone number (021) 483 3721, or 483 3915, email Jaap.DeVilliers@pgwc.gov.za or via the URL <http://www.capegateway.gov.za/eadp>.

All Notice of Intention to Appeal and Appeal forms must be submitted by means of one of the following methods:

Department of Environmental Affairs and Development Planning
Directorate: Land Management (Region 1)

By post: Western Cape Ministry of Local Government, Environmental Affairs and
Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr. Jaap de Villiers
3rd floor Leeusig Building
1 Dorp Street
CAPE TOWN
8001

Provincial Government, Local Authority or committees appointed in terms of the conditions of the application or any other public authority or organisation shall not be held responsible for any damages or losses suffered by the developer or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the developer with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Your interest in the future of our environment is greatly appreciated.

Yours faithfully



AYUB MOHAMED

DIRECTOR: LAND MANAGEMENT (REGION 1)

DATE OF DECISION: 21/06/2011

Cc: Mr N Hanekom (Cape Lowlands Environmental Services)

Fax: (088) 022 492 3435

APPENDIX K

DEADP:

Directorate Development Management: Region 2



Reference: 15/3/2/12/BS2

CK Rumboll & Partners
PO Box 211
MALMESBURY
7299

REQUEST FOR PROVINCIAL PLANNING COMMENT: REZONING, CONSOLIDATION & CONSENT USE: ERVEN 21 & 22, KYLEMORE

1. Your request for comment, dated 28 February 2022, has reference.
2. The application as submitted by CK Rumboll & Partners is for the following:
 - o **Rezoning** of Erf 21 from Subdivisional Area to Private Open Space.
 - o **Rezoning** of Erf 22 from Public Open Space to Private Open Space.
 - o **Consent use** on Erven 21 and 22 under the Private Open Space zoning for a cemetery.
 - o **Consolidation** of Erven 21 and 22.
 - o **Closure** of a public place in order to use Erf 22 for purposes of a cemetery.
3. Although Erf 21 is shown as Subdivisional Area in the zoning scheme maps, this presumably refers to a Subdivisional Area Overlay Zone. Any change of zoning will, however, be required from the pre-existing base zone and not from 'Subdivisional Area' as proposed.
4. The application entails the expansion of the existing cemetery, which is nearing capacity. The adjacent Erven 21 and 22 are located within the urban edge of Kylemore and are earmarked for "Mixed Use Community and Residential Infill" in terms of the Stellenbosch Municipal Spatial Development Framework. The proposal is thus not deemed to be inconsistent with the MSDF.

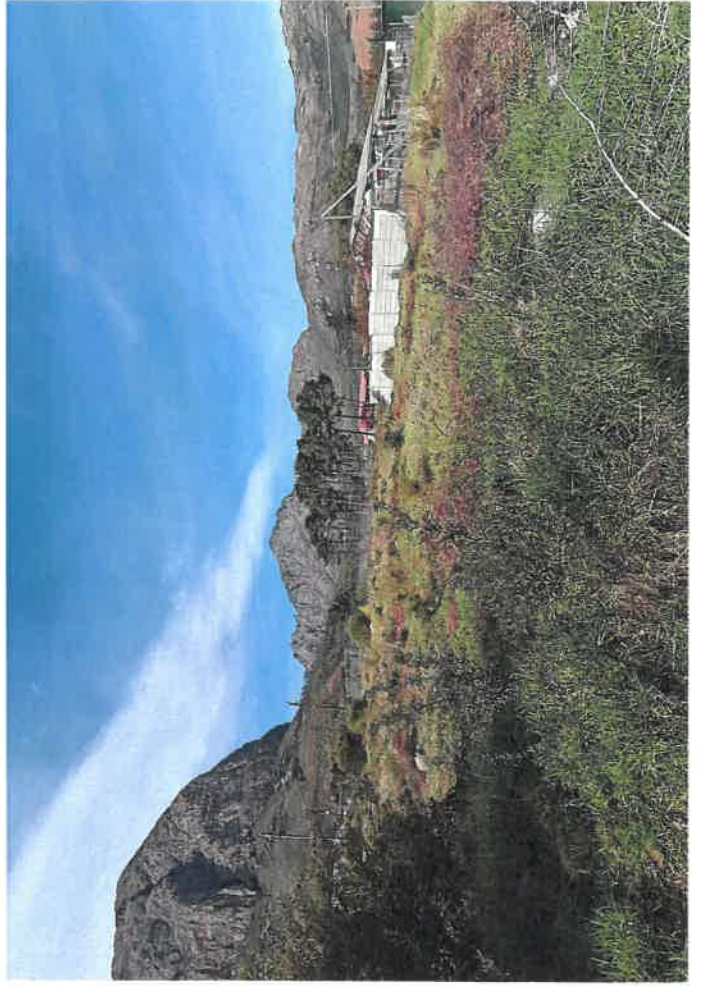
4. From a provincial land use planning perspective, there is no objection to development of the subject property for purposes of a cemetery.

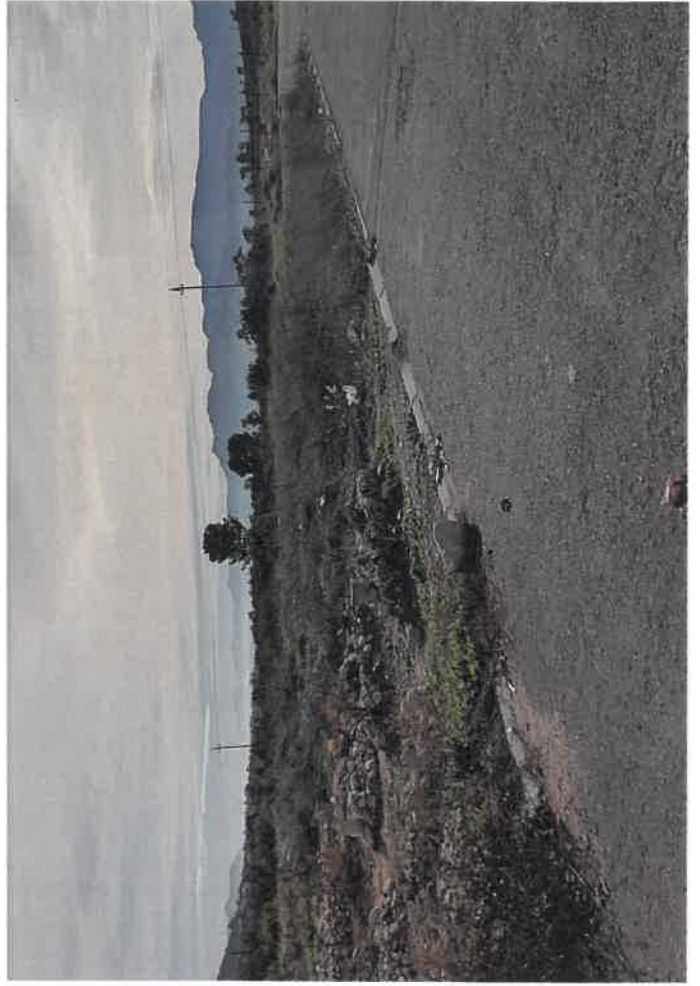
Kobus Munro Digitally signed by Kobus Munro
Date: 2022.03.17 11:41:01
+02'00'

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 2)

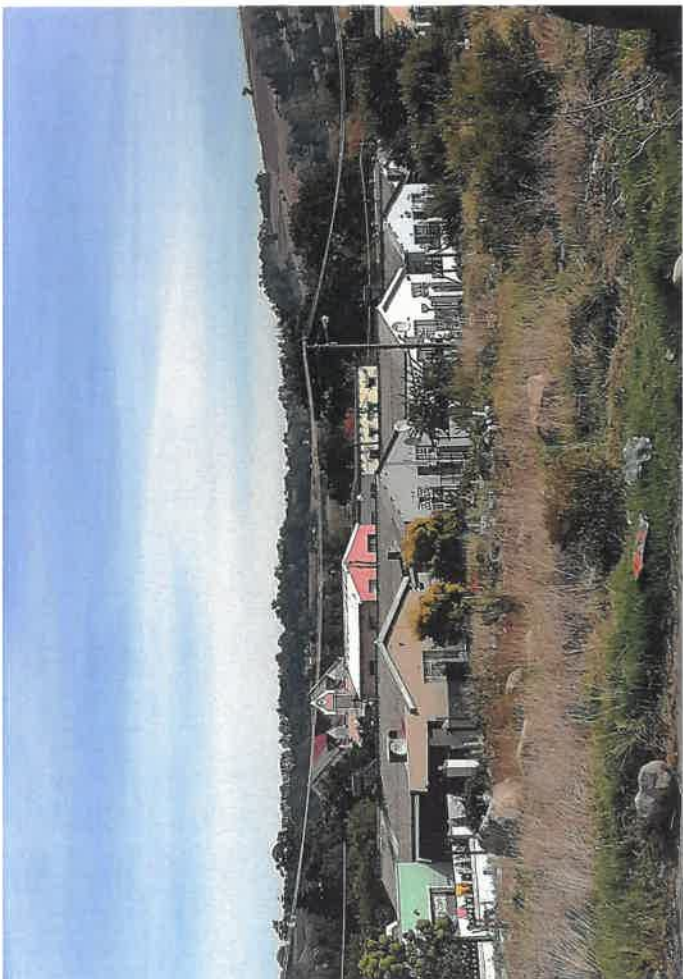
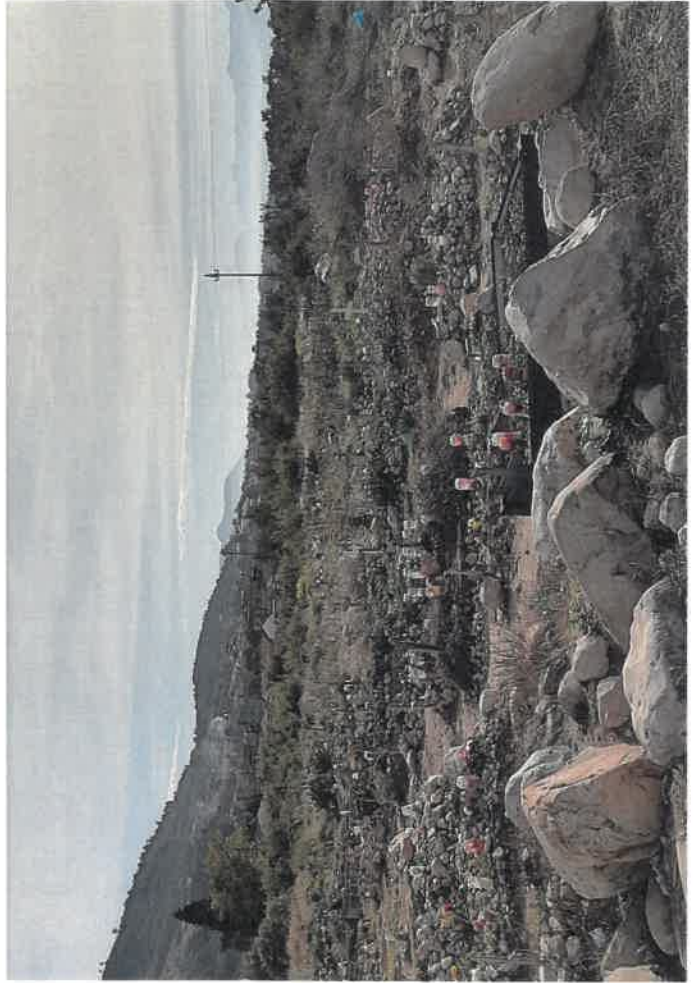
APPENDIX L

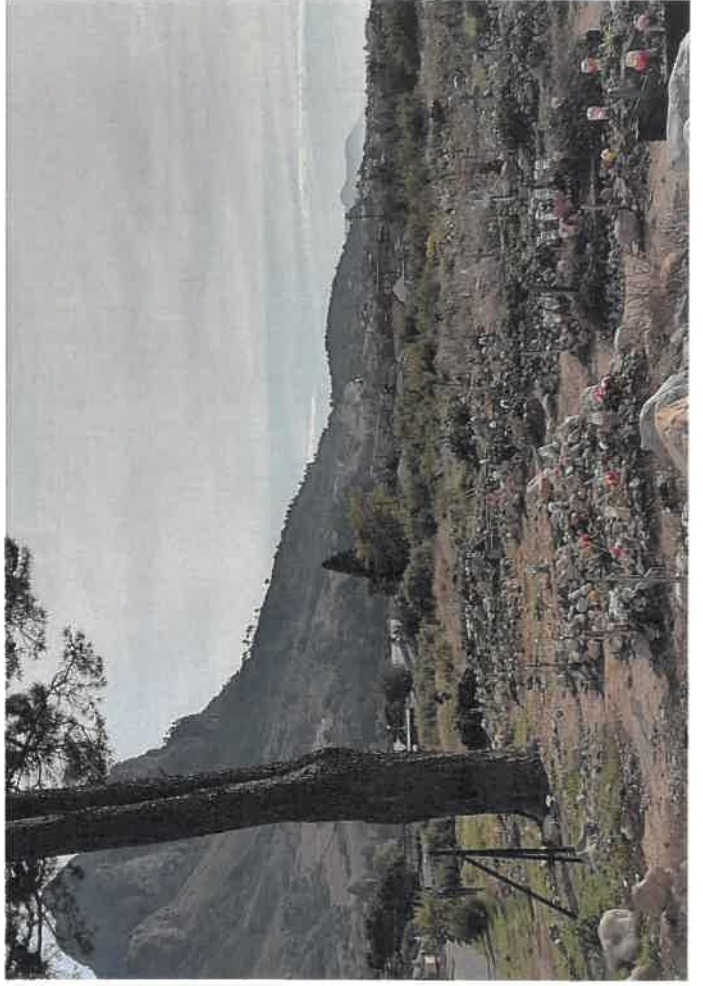
Site Photos











APPENDIX M

The report on the evaluation of soil suitability.

Pedro April

From: Nicolaas Hanekom <nicolaas@enviro-eap.co.za>
Sent: Friday, 24 June 2022 18:59
To: Schalk Van der Merwe
Subject: [EX] RE: Kylemore Cemetery
Attachments: Evaluation of suitability of land at Kylemore.pdf

Good evening Schalk

Yes, a soil study was done. See attached. Please don't hesitate to contact me should you need anything else.

Vriendelike Groete / Kind regards


Nicolaas Hanekom
 Director. Enviro-EAP
 Pri Sci Nat (Ecology) 400274/11
 Reg. EAP (EAPASA): 2020/1146
 Competent Carbon Footprint Analyst

Contact number: 076 963 6450
 School str 2
 Agulhas
 South Africa
 7287



Enviro-EAP
 Environmental Consultants



 Enviro-EAP (Pty) Ltd
 Reg: 2018/435233/07
 Director: Nicolaas Hanekom
 EAP's: Johanna Pienaar & Lauren Abrahams

Office: +27 (0) 76 963 6450
 Email: admin@enviro-eap.co.za
 Web: www.enviro-eap.co.za

 Postal Address
 School Str 2
 Agulhas
 South Africa
 7287

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From: Schalk Van der Merwe <Schalk.VanderMerwe@stellenbosch.gov.za>
Sent: Friday, 24 June 2022 12:56
To: Nicolaas Hanekom <nicolaas@enviro-eap.co.za>
Subject: FW: Kylemore Cemetery

Mr Hanekom and team, good day.

We recently submitted a land use application for the expansion of the existing Kylemore cemetery on Erf 21 and 22, Stellenbosch. The application served at the latest Municipal Planning Tribunal meeting. The attached Environmental Authorisation (2011) and subsequent information from DEADP (NEMA applicability) was submitted along with the application. The said EA and DEADP communication was accepted, however, a question was raised as to whether a soil (or any geohydrological) study was undertaken as part of the Environmental Impact Assessment undertaken.

Can you assist with information in this regard?

Regards



Schalk van der Merwe

Environmental Planner

**Community & Protection Services:
Stellenbosch Municipality**

T: +27 21 808 8679

Plein Street, Stellenbosch, 7600

www.stellenbosch.gov.za



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About Stellenbosch Municipality

Our mission is to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens.



Our head office is at Town House Complex, Plein Street, Stellenbosch, 7600, South Africa. For more information about Stellenbosch Municipality, please call +2721-808-8111, or visit www.stellenbosch.gov.za

Disclaimer:

The information contained in this communication from schalk.vandermerwe@stellenbosch.gov.za sent at 2022-06-24 12:56:20 is confidential and may be legally privileged. It is intended solely for use by nicolaas@enviro-eap.co.za and others authorized to receive it. If you are not nicolaas@enviro-eap.co.za you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this information is strictly prohibited and may be unlawful. Powered by [IOCO](#)

Evaluation of soil suitability for the expansion of the existing cemetery at Kylemore

Report compiled by:

Dr JE Hoffman

(Pri. Sci. Nat: Soil Science)

Soil physicist



Soil Doctor

Executive summary

On 28 May 2010 an onsite investigation was done adjacent to the current two old cemeteries at Kylemore. Profile pits were dug to investigate and classify the soil. Soil samples were taken from the different soil horizons and laboratory analyses were done to determine certain physical parameters. The texture, gravel-, stone- and boulder content of the different soil horizons were determined in the field. The height of the seasonal water table was measured for each of the soil profiles. Laboratory analyses were done to determine the permeability of each horizon of the different soils.

The soils were all classified as an Oakleaf soil form with moderate to high agricultural potential. The Cemetery Soil Suitability Index was used for each soil profile and all the sites were found to be suitable for burial ground purposes.

The problems that emerged at each site will have to be addressed with special measures. The large amount of boulders and large stones in the subsoil will create problems for graves digging and stabilization of the bottom the grave. Although soils of the investigated Kylemore areas have CSSI values of between 14.75 and 18, water logging during periods of high rainfall in winter, might cause problems. Special measures must be put in place to address this problem. Cut-off drains between the river and above the sites must be dug. Engineers must decide, according to the outlay and slope of the cemetery, on the best position for these cut-off drains.

With the necessary measures as proposed in place, both Kylemore site soils are suitable for use as a cemetery.

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Introduction

An onsite investigation was carried out at Kylemore on the 28th May 2010 to determine the suitability of the soil for the development of a graveyard (ASTM D 730-96, 1996). The investigated areas at Kylemore are shown in Figure 1. Profile pits were dug with a digger at predetermined positions and the profile investigations were done on the same day. Samples were taken for laboratory analyses.

Investigation Procedure

A complete profile description was done at the proposed sites, at the positions indicated in Figure 1. The different GPS positions are shown in Table 1.

Table 1. GPS positions and height above mean sea level at the Kylemore site.

Profile pit #	Latitude	Longitude	Altitude (m)
K01	33.92089	18.95553	289
K02	33.92144	18.95607	300
K03	33.92257	18.95699	307

The profile descriptions are shown in Tables 2 to 4. The master horizons were determined according to the South African soil classification system (Soil Classification working group, 1991) and the soil form identified. The soil texture (field method) and the soil colour (Munsell soil color charts, 2000) were determined in the field. Samples were taken from each horizon and the texture (Deibert, French & Hoag, 1965) and permeabilities (ASTM F1815-01) were determined in the laboratory. This data is also shown in the relevant profile forms, in Tables 2 to 4. This data was used to compile a summary of the data as shown in Table 5.

Discussion of results

Profile 01

Profile K01 (Figure 2) is situated on the old river terrace on a lot of boulders and stones occur on the surface. The stones and boulders are of Table Mountain Sandstone (TMS) origin and are part of the alluvial material deposited here. The soil contains a lot of stones and boulders of varying sizes through the profile, as indicated in Table 1. The matrix soil of this profile contains mainly coarse sandy material with a texture of 3%. This soil is well drained in all the different horizons as indicated by the high permeability values in Table 5. Waterlogging may be present at a depth of 1800 mm during spells of high rainfall. This profile is classified as an Oakleaf soil form, with moderate to high agriculture potential.

Profile 02

This soil (Table 3 & Figure 3) has the same properties as the soil from Profile 01. This soil have more stones in the topsoil, but less in the subsoil (Table 5). It is also classified as an Oakleaf soil form, with a little bit lower agriculture potential than the soil of Profile 01. The subsoil deeper than 2000 mm may also be waterlogged during high rainfall periods. The bottom part of the profile, deeper than 1800 mm, contains up to 20% boulders (sizes ranging from 250- 400 mm). This might cause problems during grave digging.

Profile 03

This soil (Table 4 & Figure 4) contains the same sandy material as the soils at Profile 01 and 02, but with less stones and boulders (Table 5). The gravel content of this soil is also higher than the soils of Profile 01 and 02. This Oakleaf soil has the same agriculture potential as the soil of Profile 01. A water table will be present at a depth of 1800 mm during high rainfall periods in winter. This will drain during summer.

Criteria for determining the Cemetery Soil Suitability Index (CSSI).

Criteria were developed from data of field research work (Soil Survey Staff, 1993), past experience as well as laboratory analyses and the parameters with the relevant criteria is shown in Table 6. The Erodibility index is based on field observations at the soil profile and varied from a value of -1 to 1. The different depths were measured in the profile pit, whereas the textures were determined in the field and in the laboratory. Gravel and stone content were determined by the volume percentage distribution of it in the soil profile pit.

The signs of wetness of the soil consists of grey and low chroma colours, as defined by the Soil Classification Working Group, (1991). This is an indication of periods of water logging that occurs in the soil profile. This is regarded as a negative parameter for Burial ground (cemetery) and therefore has a negative score (Table 6). The permeability of each soil horizon was determined in the laboratory, from the soil sampled in the field. The soil sample was repacked as described in ASTM F 1815-01, (2009) and the saturated permeability determined in cm/h as shown in Table 5. Permeability values below 0.1 cm/h is regarded as to low for cemetery purposes and will causes water logging.

The data of Table 5 combined with the parameters and criteria of Table 6 were used to compile the Cemetery Soil Suitability Index (CSSI) as shown in Table 7. Soils with CSSI values below zero are not suitable for use as a cemetery. This is mainly because the presence of a permanent or semi permanent water table (3- 6 months water logged) made the soil unsuitable for burial ground purposes.

Recommendations

The investigated areas are flat and no special surface drainage matters are necessary. The soil profiles are deep enough for burial ground purposes. A large amount of boulders and large stones in the subsoil will create problems for graves digging and stabilization of the bottom the grave.

Although the soils of the Kylemore investigated areas have CSSI values of between 14.75 and 18, water logging during periods of high rainfall in winter, might causes problems. Special measures must be put in place to address the problem. Cut-off drains between the river and upslope from the sites must be dug to prevent underground water from the nearby stream aggravating the problem. Engineers must decide depending on the outlay and slope of the cemetery, on the best position for these cut-off drains.

The soils of the two sites of Kylemore are both suitable for use as a cemetery with the necessary measures as proposed.

References

- ASTM D 730-96. 1996. Standard Guide for Site Characterization for Environmental Purposes With Emphasis on Soil, Rock, the Vadouse Zone and Ground Water. ASTM International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken, United States.
- ASTM F 1815-01., 2009. Standard Test Methods for Saturated Hydraulic Conductivity, Water Retention, Porosity, and Bulk Density of Putting Green and Sports Turf Root Zones. ASTM International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken, United States.
- DEIBERT, E.J., FRENCH, E. & HOAG, B., 1965. Particle fractionation and particle-size. In: *Methods of Soil Analysis. Part 1.* (Ed. C.A. Black) Madison: Am. Soc. Agron. (9):545 – 567.
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- Soil Survey Staff., 1993. National Soil Survey Handbook, title 430-VI. United States Department of Agriculture, Soil Conservation Service. U.S. Government Printing Office, Washington, D.C.



Figure 1. Map of investigated area at Kylemore. Border is indicated by a red line and the positions of different investigation profile pits are indicated by flags.

Table 2. Profile description of soil profile K01 at Kylemore.

Profile number	K01		Soil form	Oakleaf	
Date	28/05/2010	Terrain unit	flood plain, flat		Slope (%)
Latitude	33.92089	Longitude	18.9553	Altitude (m)	289
Erosion type	None		Erodibility of top soil	Surface stones % and type	
Depth to weathered rock	Unknown		Parent material	Boulders, 30-80 cm in diameter	
Depth of profile pit	2100		TBS alluvial material	Degree of weathering	
Horizon	Orthic A	Structure	Apedal	Colour description	Yellow-brown
Depth of lower boundary (mm)	450	Moisture status	Moist	Permeability (cm/h)	28.6
Moisture status	Moist	Lab. Texture (%)	4	Signs of wetness	None
Field texture (%)	6	Coarse fragments occurrence %	3	Field sand grade	Coarse
Fine gravel *	Coarse gravel *	Stones *	Coarse stone *	Boulders *	Other coarse fragment %
15	5	5	0	0	None
Orthic A horizon. Apedal horizon, no signs of wetness. Gradual transition to next horizon. Many roots in horizon. Contains 1- 15% Fine gravel with ~5% coarse gravel. Stones (200 mm) on transition to lower horizon.					
Horizon	B1 Neocutanic	Structure	Apedal, Unspecified material	Colour description	Yellowish
Depth of lower boundary (mm)	800	Moisture status	Moist	Permeability (cm/h)	28.6
Moisture status	Moist	Lab. Texture (%)	6	Signs of wetness	None
Field texture (%)	6	Coarse fragments occurrence %	3	Field sand grade	Coarse
Fine gravel	Coarse gravel	Stones	Coarse stone	Boulders	Other coarse fragments %
60	15	5	0	0	0
B1 horizon. Apedal, fine sandy soil, yellow with no signs of wetness.					
Horizon	B2 Neocutanic	Structure	Apedal, single grain	Colour description	Light yellow colour
Depth of lower boundary (mm)	1800	Moisture status	Moist	Permeability (cm/h)	28.6
Moisture status	Moist	Lab. Texture (%)	6	Signs of wetness	None
Field texture (%)	6	Coarse fragments occurrence %	3	Field sand grade	Coarse
Fine gravel	Coarse gravel	Stones	Coarse stone	Boulders	Other coarse fragments %
20	0	0	40	5	None
Neocutanic B2 horizon. Apedal, coarse sandy soil, yellow with no signs of wetness.					
Horizon	B2 Unspecified	Structure	Apedal, single grain	Colour description	Grey colours
Depth of lower boundary (mm)	2100	Moisture status	Moist	Permeability (cm/h)	28.6
Moisture status	Moist	Lab. Texture (%)	4	Signs of wetness	1800
Field texture (%)	4	Coarse fragments occurrence %	3	Field sand grade	Coarse
Fine gravel	Coarse gravel	Stones	Coarse stone	Boulders	Other coarse fragments %
0	5	10	40	35	None
Single grain, unspecified material with signs of wetness. Horizon consist mainly of stones (90%), varying in size.					
* = Fine gravel (2 - 6 mm); Coarse gravel (6 - 25 mm); Stones (25 - 75 mm); Coarse stone (75 - 250 mm); Boulders (>250 mm);					



Figure 2. Profile 01 at the Kylemore site

Table 3. Profile description of soil profile K02 at Kylemore.

Profile number	K02		Soil form	Oakleaf	
Date	28/05/2010	Flood plain, flat	Slope (%)	1	
Latitude	33.92144	Longitude	18.95607	Altitude (m)	300
Erosion type	None	Erodibility of top soil	Low	Surface stones % and type	
Depth to weathered rock	Unknown	Parent material	TBS alluvial material	Degree of weathering	
Depth of profile pit	2100	Surface flooding	Occasionally	Depth of water table	
Horizon	Orthic A	Structure	Apedal	Colour description	Yellow
Depth of lower boundary (mm)		350		Permeability (cm/h)	28.6
Moisture status	Moist	Colour matrix	10YR 5/6	Signs of wetness	None
Field texture (%)	4	Lab. Texture (%)	3	Field sand grade	Coarse
		Coarse fragments occurrence %, size and shape →			
Fine gravel *	Coarse gravel *	Stones *	Coarse stone *	Boulders *	Other coarse fragments %
5	20	0	0	75	0
Orthic A horizon. Apedal horizon, no signs of wetness. Coarse sandy material. Consisted mainly of boulders.					
Horizon	B1 Neocutanic	Structure	Apedal, unspecified material	Colour description	Yellowish
Depth of lower boundary (mm)		800		Permeability (cm/h)	28.6
Moisture status	Moist	Colour matrix	10YR 5/8	Signs of wetness	None
Field texture (%)	6	Lab. Texture (%)	3	Field sand grade	Coarse
		Coarse fragments occurrence %, size and shape →			
Fine gravel	Coarse gravel	Stones	Coarse stone	Boulders	Other coarse fragments %
60	15	5	0	0	0
B1 horizon. Apedal, fine sandy soil, yellow with no signs of wetness.					
Horizon	B21	Structure	Unspecified, Apedal	Colour description	Yellow
Depth of lower boundary (mm)		1800		Permeability (cm/h)	28.6
Moisture status	Moist	Colour matrix	7.5YR 3/4	Signs of wetness	None
Field texture (%)	6	Lab. Texture (%)	3	Field sand grade	Coarse
		Coarse fragments occurrence %, size and shape →			
Fine gravel	Coarse gravel	Stones	Coarse stone	Boulders	Other coarse fragments %
60	0	0	35	5	0
Coarse sandy matrix with many stones and a few boulders. Some red secondary material between boulders.					
Horizon	B22	Structure	Unspecified	Colour description	Yellow
Depth of lower boundary (mm)		2100		Permeability (cm/h)	28.6
Moisture status	Moist	Colour matrix	7.5YR 3/4	Signs of wetness	2000
Field texture (%)	8	Lab. Texture (%)		Field sand grade	Coarse
		Coarse fragments occurrence %, size and shape →			
Fine gravel	Coarse gravel	Stones	Coarse stone	Boulders	Other coarse fragments %
0	10	5	40	20	0
Coarse material sandy material, with many boulders. Signs of wetness (water table) evident.					
* = Fine gravel (2 - 6 mm); Coarse gravel (6 - 25 mm); Stones (25 - 75 mm); Coarse stone (75 - 250 mm); Boulders (>250 mm);					



Figure 3. Profile 02 at the Kylemore site



Figure 4. Profile 03 at the Kylemore site

Table 4. Profile description of soil profile K03 at Kylemore.

Profile number	K03	Soil form	Oakleaf	
Date	28/05/2010	Terrain unit	Flood plain, flat	Slope (%)
Latitude	33.32257	Longitude	18.95689	Altitude (m)
Erosion type	None	Erodibility of top soil	Low	Surface stones % and type
Depth to weathered rock	Unknown	Parent material	TBS alluvial material	Degree of weathering
Depth of profile pit	2100	Surface flooding	Occasionally	Depth of water table
Horizon	Orthic A	Structure	Apedal	Colour description
Depth of lower boundary (mm)			450	Permeability (cm/h)
Moisture status	Moist	Colour matrix	7.5YR 4/4	Signs of wetness
Field texture (%)	3	Lab. Texture (%)	3	Field sand grade
		Coarse fragments occurrence %	size and shape →	
Fine gravel *	Coarse gravel *	Stones *	Coarse stone *	Boulders *
15	20	0	0	0
Orthic A horizon. Apedal horizon, no signs of wetness. Coarse sandy material. Gradual transition to next horizon.				
Horizon	B1 Neocutanic	Structure	Apedal, unspecified material	Colour description
Depth of lower boundary (mm)			800	Permeability (cm/h)
Moisture status	Moist	Colour matrix	7.5YR 4/6	Signs of wetness
Field texture (%)	5	Lab. Texture (%)	3	Field sand grade
		Coarse fragments occurrence %	size and shape →	
Fine gravel	Coarse gravel	Stones	Coarse stone	Boulders
0	2	0	80	0
B1 horizon. Apedal, fine sandy soil, yellow with no signs of wetness. Mainly large boulders				
Horizon	B21	Structure	Unspecified, Apedal	Colour description
Depth of lower boundary (mm)			1800	Permeability (cm/h)
Moisture status	Moist	Colour matrix	7.5YR 3/4	Signs of wetness
Field texture (%)	6	Lab. Texture (%)	3	Field sand grade
		Coarse fragments occurrence %	size and shape →	
Fine gravel	Coarse gravel	Stones	Coarse stone	Boulders
60	0	0	35	5
Coarse sandy matrix with many stones and a few boulders. Some red secondary material between boulders.				
Horizon	B22	Structure	Unspecified	Colour description
Depth of lower boundary (mm)			2100	Permeability (cm/h)
Moisture status	Moist	Colour matrix	7.5YR 3/4	Signs of wetness
Field texture (%)	6	Lab. Texture (%)	3	Field sand grade
		Coarse fragments occurrence %	size and shape →	
Fine gravel	Coarse gravel	Stones	Coarse stone	Boulders
30	45	10	15	0
Coarse material sandy material, with much gravel. Signs of wetness (water table) evident.				
* = Fine gravel (2 - 6 mm); Coarse gravel (6 - 25 mm); Stones (25 - 75 mm), Coarse stone (75 - 250 mm); Boulders (>250 mm);				

Table 5. Summary of field and laboratory data of the soil profiles at the Kylemore site used to determine the Cemetery Soil Suitability Index (CSSI).

Parameter	K01	K02	K03
Slope (%)	1.5	1	0.5
Erodibility of top soil	Low	Low	Low
Depth of profile (mm)	2100	2100	2100
Depth to weathered rock (mm)	Unknown	Unknown	Unknown
Depth of water table (mm)	1800	2000	1800
Texture of top soil (%)	3	3	3
Texture of B-Horizon (%)	3	3	3
Texture of C-Horizon (%)	3	0	3
Gravel content of top soil (%)	20	25	35
Gravel content of sub soil (%)	33	48	46
Stone content of top soil (%)	5	75	0
Stone content of sub soil (%)	85	65	25
Wetness of subsoil (depth mm)	1800	2000	1800
Structure of the B-horizon	Apedal,	Apedal,	Apedal,
Permeability of top soil (cm/h)	28.6	28.6	28.6
Permeability of B-horizon (cm/h)	28.6	28.6	28.6
Permeability of C-horizon (cm/h)	28.6	28.6	28.6

Table 6. Parameters and criteria used to evaluate the different soil profiles and determine the CSSI.

Parameter	Criteria
Slope	(0-10%)=0; (10-15%)=-0.5; (15-20%)=-1; (20-30%)=-1.5; (>30%)=-2
Erodibility of top soil	(Very low)=1;(Low)=0.5; (average)=0; (High) =-0.5; (Very high) =-1
Depth of profile	(<1.5m) =-8; (1.5-1.8m)=-4; (1.8-2.1m)=-2; (2.1-2.5m)=0
Depth to weathered rock	(<1.0m) =-4; (1.0-1.5m)=-3; (1.8-1.8m)=-2; (1.8-2.1m)=-1; (2.1-2.5m)=0
Depth of water table	(<1.0m) =-16; (1.0-1.5m)=-8; (1.8-1.8m)=-4; (1.8-2.1m)=-2; (2.1-2.5m)=0
Texture of top soil	(0-10%)=3; (10-15%)=2; (15-25%)=1; (25-35%)=0; (35-45%)=-1, (>45%)=-2
Texture of B-Horizon	(0-10%)=3; (10-15%)=2; (15-25%)=1; (25-35%)=0; (35-45%)=-1, (>45%)=-2
Texture of C-Horizon	(0-10%)=3; (10-15%)=2; (15-25%)=1; (25-35%)=0; (35-45%)=-1, (>45%)=-2
Gravel content of top soil	(0-20%)=0; (20-40%)=0.25; (40-60%)=0.5; (60-80%)=-0.25; (80-100%)=-0.5
Gravel content of sub soil	(0-40%)=0; (40-100%)=0.25
Stone content of top soil	(0-20%)=0; (20-40%)=-0.25; (40-60%)=-0.5; (60-80%)=-0.75; (80-100%)=-1
Stone content of sub soil	(0-20%)=0; (20-40%)=-1; (40-60%)=-2; (60-80%)=-3; (80-100%)=-4
Wetness of subsoil	(<1.0m) =-16; (1.0-1.5m)=-8; (1.8-1.8m)=-4; (1.8-2.1m)=-2; (2.1-2.5m)=0
Structure of the B-horizon	(Apedal)=0; (Pedocutanic)=1; (Prismatic)=-2;(Column)=3; (G horizon)=-4
Permeability of top soil	(<0.13 cm/h)=-4; (0.13-0.14 cm/h)=-3; (0.14-0.17 cm/h)=-2; (0.17-0.1 cm/h)=-1; (0.1-0.26 cm/h)=0; (0.26-0.86 cm/h)=0.5; (0.86-2.13)=1; (2.13-4.39)=1.5; (4.39-12.28)=2; (12.28-16)=2.5; (>16)=3
Permeability of B-horizon	(<0.13 cm/h)=-4; (0.13-0.14 cm/h)=-3; (0.14-0.17 cm/h)=-2; (0.17-0.1 cm/h)=-1; (0.1-0.26 cm/h)=0; (0.26-0.86 cm/h)=0.5; (0.86-2.13)=1; (2.13-4.39)=1.5; (4.39-12.28)=2; (12.28-16)=2.5; (>16)=3
Permeability of C-horizon	(<0.13 cm/h)=-4; (0.13-0.14 cm/h)=-3; (0.14-0.17 cm/h)=-2; (0.17-0.1 cm/h)=-1; (0.1-0.26 cm/h)=0; (0.26-0.86 cm/h)=0.5; (0.86-2.13)=1; (2.13-4.39)=1.5; (4.39-12.28)=2; (12.28-16)=2.5; (>16)=3

Table 7. Parameter scores used to evaluate the different soil profiles of the Kylemore site to determine the CSSI.

Parameter	K01	K02	K03
Slope	0	0	0
Erodibility of top soil	0.5	0.5	0.5
Depth of profile	0	0	0
Depth to weathered rock	0	0	0
Depth of water table	0	0	0
Texture of top soil	3	3	3
Texture of B-Horizon	3	3	3
Texture of C-Horizon	3	3	3
Gravel content of top soil	0.25	0.25	0.25
Gravel content of sub soil	0	0.25	0.25
Stone content of top soil	0	-0.75	0
Stone content of sub soil	-4	-3	-1
Wetness of subsoil	0	0	0
Structure of the B-horizon	0	0	0
Permeability of top soil	3	3	3
Permeability of B-horizon	3	3	3
Permeability of C-horizon	3	3	3
Total score (CSSI)	14.75	15.25	18

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