

NOTICE OF LAND DEVELOPMENT APPLICATION TO INTERESTED AND AFFECTED PARTIES FOR COMMENT

Affected person's Name

Affected persons Physical Address

Dear Sir/ Madam

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2015, refers:

Application Property Address: Cordoba Road

Application Property Number: ERF 221 RAITHBY AND FARM NO. 1342 STELLENBOSCH DIVISION

Applicant: D.P. Burger for Friedlaender Burger Volkmann

Owners: RHJ Farm Investments and Wines of Cordoba Pty Ltd

Application Reference: LU/13044

Application Type: APPLICATION FOR SUBDIVISION AND CONSOLIDATION

Detailed description of land use or development proposal, including its intent and purpose:

1. Application is made in terms of Section 15(2)(d) and Section 15(2)(e) of the Stellenbosch Land Use Planning By-Law, 2015 for the Subdivision of Erf 221 Raithby into Portion A (measuring ±2.96 ha in extent) and the Remainder (measuring ±49,55 ha in extent); and to consolidate Portion A with Farm No. 1342, Stellenbosch Division

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 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.

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:
 - Indicate the facts and circumstances that explain the comments;
 - Where relevant demonstrate the undesirable effect that the application will have if approved;
 - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and

- Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows:

e-mail comment@fbvsurvey.co.za attention Damien Burger.

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 18 April 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 021-8864004 during normal office hours.

Yours faithfully

D.P.Burger

**KENNISGEWING VAN GROND ONTWIKKELINGS AANSOEK AAN GEÏTRESEERDE EN
GEAFFEKTEERDE PARTYE VIR KOMMENTAAR.**

Naam van geaffekteerde persoon

Fisiese adres van geaffekteerde persoon

Geagte Meneer/Mevrou

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning, 2015, verwys:

Adres van aansoek eiendom: J Cordoba Pad

Aansoek eiendom beskrywing: : PLAAS 345/16 en PLAAS 345/20 : STELLENBOSCH AFDELING

Aansoeker: D.P.Burger vir Friedlaender Burger Volkmann

Eienaars: RHJ Farm Investments and Wines of Cordoba Pty Ltd

Aansoek Verwysing: LU/ 13044

Tipe Aansoek: Aansoek vir Onderverdeling en Konsolidasie

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoek word gedoen in terme van Artikel 15(2)(d) en Artikel 15(2)(e) van die Stellenbosch Munisipale Verordening op Grondverbruiksbeplanning , 2015 vir die Onderverdeling van Erf 221 Raithby in twee gedeelte namelik Gedeelte A (groot ±2.96 ha) en die Restant (groot ±49,55 ha): en die konsolidasie van Gedeelte A met Plaas No. 1342, Stellenbosch Afdeling

Kennis word hiermee gegee in terme van die voorskrifte van 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 tydspan van die publieke deelname proses 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 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: comment@fbvsurvey.co.za vir aandag Damien Burger.

Deur 'n beswaar, kommentaar of verhoë 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 **18 April 2022**

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde 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 vermelde elektroniese pos adres of telefonies by by 021-8864004 gedurende normale kantoor ure.

Die uwe

D.P. Burger

EXECUTIVE SUMMARY

Proposed Subdivisions

SUBDIVISION ERF 221 RAITHBY AND CONSOLIDATION WITH FARM NO. 1342 STELLENBOSCH

Western Cape Province

Prepared by

Friedlander, Burger and Volkmann
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1 Proposal

Acting on behalf of the owner of the Farm No. 1342 and Erf 221 Raithby we propose to subdivide 2,96ha off Erf 221 Raithby and consolidate it with the adjoining Farm No. 1342

A locality plan is provided as **Annexure A** and a plan of proposed subdivision as **Annexure B**

In terms of Section 15(2)(d) and 15(2)(e) of the Stellenbosch Municipality Planning Land Use Planning By-Law, application is therefore made for the

- i. Subdivision of Portion A, in extent $\pm 2,96$ Ha, of Erf 221 Raithby leaving a remainder of $\pm 49,5483$ ha, and
- ii. Consolidation of Portion A with the farm No. 1342 with a combined area of $\pm 14,6086$ ha

The Properties are owned by:

Erf 221 - RHJ Farm Investment - measuring 52,5083 Ha

The Farm No. 1342 - Wines of Cordoba Pty Ltd - measuring 11,6486 ha

The properties are both wine farms close to Somerset West within the Stellenbosch Winelands area. The properties are zoned Agriculture and Rural and currently farmed as Wine Farms

2 Reason for the proposal

Portion A is a small triangular piece of land that is currently not utilised by Erf 221 and is not part of their current farming activities.

Farm No. 1342 has recently been purchased by Wines of Cordoba and they would like to expand their vineyards and general approach to the farm over this portion of land

3 Motivation

The competent authority dealing with the subdivision of Agricultural Land in terms of Act 70 of 1970 has issued an consent. In issuing the consent for subdivision the Department is satisfied that application has met the conditions required for the subdivision of agricultural land.

Conditions pertaining to this consent stipulate that Portion A must be consolidated with Portion 1 of the farm No 550.

It is this condition that triggers the requirement for the application in terms of Section 15 of the Planning- Bylaw. The proposal is effectively an adjustment of boundaries between the two properties and no additional land unit will be created.

The land has not been utilised by Erf 221 and can be better utilised by Farm No. 1342.

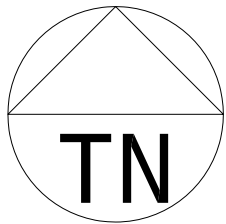
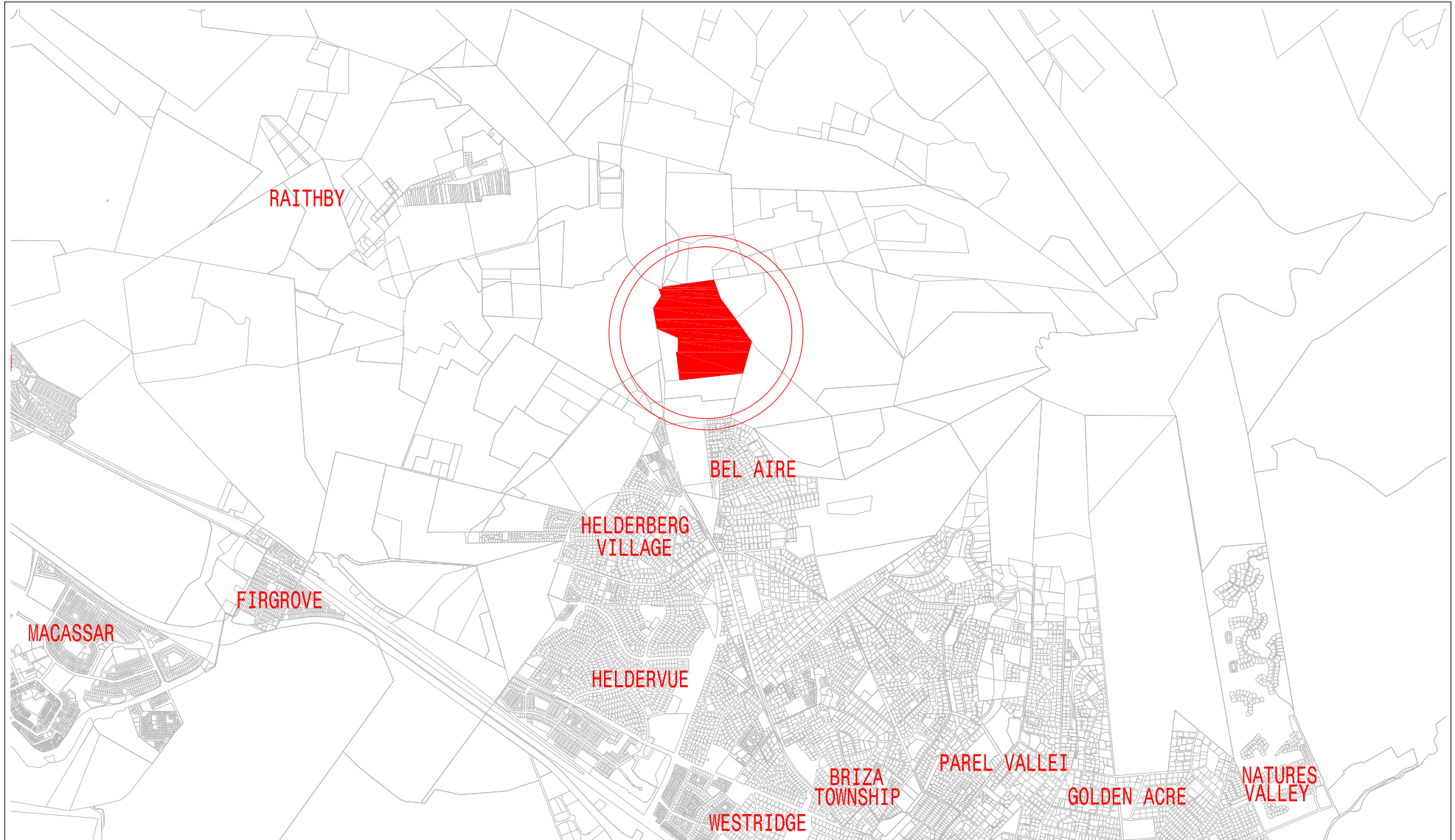
There is no negative impact to local agriculture as the small piece of land is not part of the production area of the Erf 221.

The consolidation does slightly improve the potential area of Farm No. 1342 , and while it still does not a meet the full requirement of an economic unit, it will lead to the better utilisation of the land and a larger agricultural unit.

The application is in line with the principles of both the IDP and SDF. There is no negative impact on the natural environment, cultural heritage or transport as a result of the subdivision and consolidation. There is no new development or change in land use or zoning as a result of the subdivision and consolidation.

There is no fragmentation of agricultural land as no additional property is created with the implementation of the consolidation condition contained in the Act 70/1970 approval

ANNEXURE A



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

Scale 1:50000 @A4

Date:18/03/2020

Contours: N/A

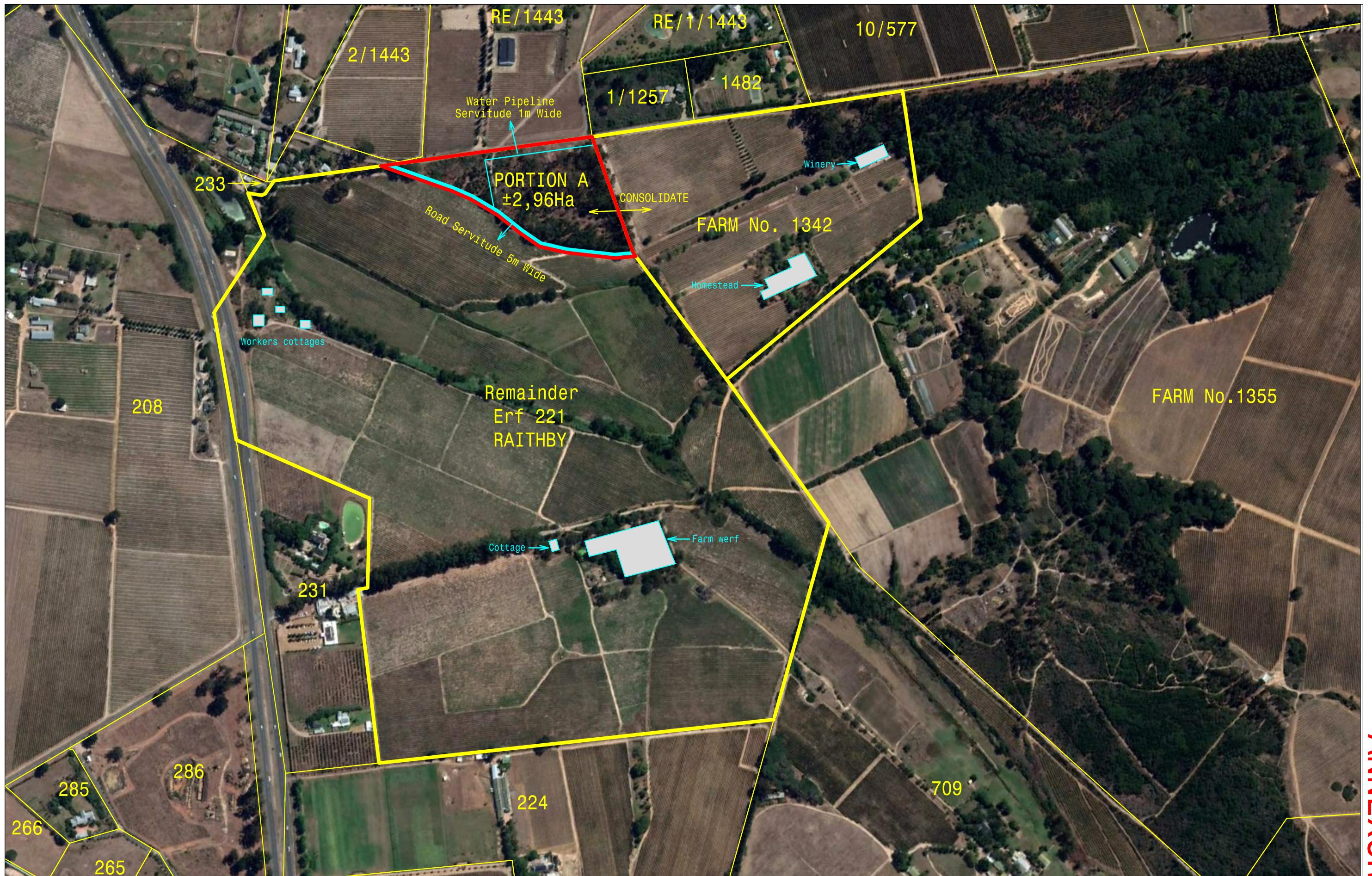
System: WG 19

LOCALITY PLAN

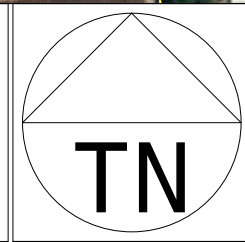
Ref:RAITH221

Dwg:LOCALITY


friedlaender, burger & volkmann
PROFESSIONAL LAND SURVEYORS. SECTIONAL TITLE CONSULTANTS. MAPPING CONSULTANTS
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Notes:
 Portion A measuring 2,96Ha to be consolidated with Farm No. 1342, Stellenbosch.



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

Scale 1:5000
 Date: 11/08/2021
 Contours: N/A
 System: WG 19

PROPOSED SUBDIVISION OF Erf 221 RAITHY
 Ref: RAITH221
 Dwg: PROPOSED SUB-REV1

fbv
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