

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: Winery Road

Application Property Number: Erf 169 and 270 Raithby

Applicant: D.P. Burger for Friedlaender Burger Volkmann

Owners: Cypruslane Investments Pty Ltd and the Forester Family Trust

Application Reference: LU/ 13783

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 169 Raithby into Portion A (measuring ± 0.95 ha in extent) and the Remainder (measuring ± 38.6 ha in extent); and to consolidate the Remainder Erf 169 with Erf 270 Raithby with a combined area of ± 48.6 ha

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 **29 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 GEÏNTEGREERDE 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: Winery Pad

Aansoek eiendom beskrywing: Erf 169 en 270 Raithby

Aansoeker: D.P.Burger vir Friedlaender Burger Volkmann

Eienaars: Cypruslane Investments Pty Ltd en The Forester Family Trust

Aansoek Verwysing: LU/13783

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 169 Raithby in twee gedeelte naamlik Gedeelte A (groot ±0.95 ha) en die Restant (groot ±38.6 ha); en die konsolidasie van die Restant Erf 169 met Erf 270 Raithby met n gekombineerde oppervlakte ±48.6 ha

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 ooreweging. 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 **29 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 and Consolidations

ERF 169 RAITHBY AND ERF 270 RAITHBY

Western Cape Province

Prepared by

Friedlander, Burger and Volkmann
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1 Proposal

Acting on behalf of the owner of Erven 169 and Erven 270 Raithby, we propose to cancel the existing 99 year lease areas on Erf 169 Raithby and subdivide off Portion A, similar in area to the existing lease areas. In addition the Remainder of Erf 169 will be consolidated with Erf 270

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 ± 0.95 Ha of Erf 169 Raithby leaving a remainder of ± 38.6 and
- ii. Consolidation of Remainder of 169 Raithby with Erf 270 Raithby with a combined area of ± 48.6 ha

Erf 169 is owned by Cypruslane Investments Pty Ltd

Erf 270 is owned by The Forester Family Trust

The properties are situated on Winery Road close to the Raithby Villages within the Stellenbosch Municipal Area

The property is subject to two 99 years leasehold areas measuring a total of 0.8985 ha

The two properties are zoned Agriculture and currently farmed as one unit comprising the following:

- Vineyards - 25ha
- Homestead – 1ha
- Equestrian / Stables - 1 ha
- Paddocks/Grazing - 12 ha
- Staff housing and gardens - 4 ha
- Road reserves - 6ha
- Dam - 1 ha

2 Reason for the proposal

The proposal is to consolidate the farming activities into one property and replace the existing 99-year leasehold area with a separate title.

3 Motivation

The existing two lease areas have already alienated the homestead from the rest of the farm.

The proposal replaces the lease areas with a subdivision and consolidated the remainder with the adjoining farm resulting in all the farming activities falling on one property.

There is a significant improvement to local agriculture as the consolidated farms now meets the requirements stipulated in the DAFF guidelines for an economic unit. The subdivision and consolidation has already been approved by th Dept. of Agriculture Western Cape and Pretoria

There is no increase in the number of properties and Portion A is similar size to the portion of the land than was already encumbered by the lease area and not utilised a part of the existing farming activities.

There is therefore no impact on agriculture in creating Portion A as a separate property.

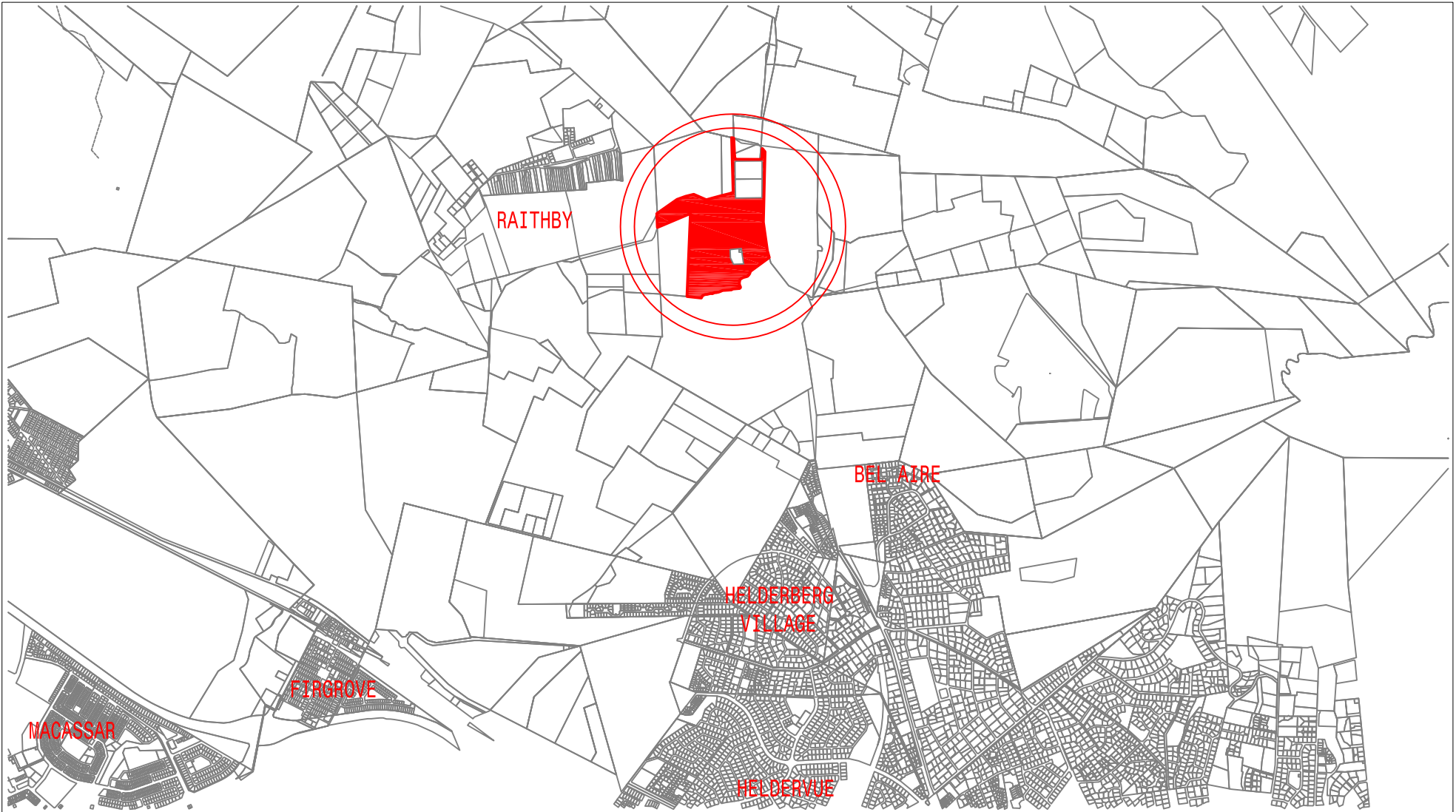
The application is in line with the principles of both the IDP and SDF.

It does not lead to the further fragmentation of agricultural land as no additional land unit is created and the existing leasehold areas is effectively replaced by the new subdivision.

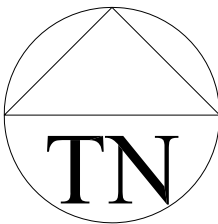

There is no negative impact on the natural environment, cultural heritage, or transport as a result of the application as there is no change to the existing situation.

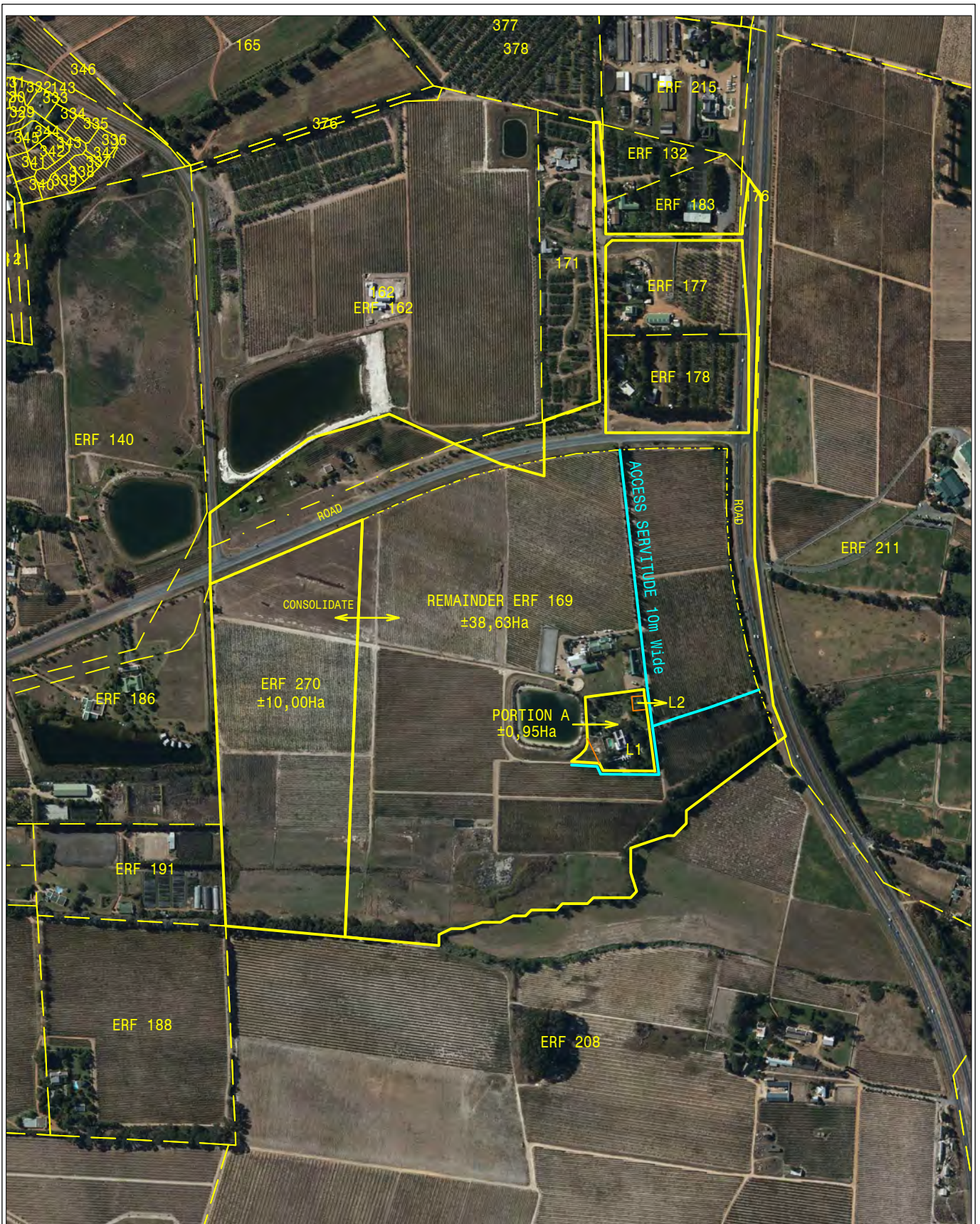
There is no proposed change in land use and the consolidation will result in a larger land unit in line with the economic unit land size required by Dept. of Agriculture.

ANNEXURE A



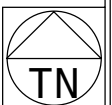
Notes

	Caveat 1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey. 2. All levels are to be confirmed prior to construction.	Scale 1:40 000	Date: 24/03/2020	Contours: N/A	System: WG 19
		LOCALITY PLAN		 friedlaender, burger & volkmann <small>PROFESSIONAL LAND SURVEYORS. SECTIONAL TITLE CONSULTANTS. MAPPING CONSULTANTS</small> <small>39 Herte Street, Stellenbosch, 7600 • PO Box 154, Stellenbosch, 7599 Tel +27 21 886 4004 • Email info@fbvsurvey.co.za</small>	
		Ref: RAITH169	Dwg: LOCALITY-NEW		



Notes

1. L1 and L2 represents existing Leasehold Areas to be cancelled.
2. Portion A in extent ±0,95Ha to be subdivided from Erf 169
3. Remainder Erf 169 to be consolidated with Erf 270.



Scale 1:7500 - A4	Date:27/03/2020	Contours: N/A	System: WG 19
<p>PROPOSED SUBDIVISION OF ERF 169 AND CONSOLIDATION WITH ERF 270, RAITHY</p>		 <p>friedlaender, burger & volkmann PROFESSIONAL LAND SURVEYORS, SECTIONAL TITLE CONSULTANTS, MAPPING CONSULTANTS <small>Sarabedoch Private A Pty (Pty) Ltd, T: +27 21 5004004 Cape Town 100 St. George's Mall, 8000 F: +27 21 5011801 Hermanus Marine & Shipping, Water Street, 7203 F: +27 22 4801004 8020196@fbv.co.za • www.fbv.co.za</small></p>	
Ref:RAITH169	Dwg:SUB-REV2		