

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

Neem asseblief kennis dat hierdie kennisgewing in Afrikaans hieronder volg.

Dear Sir/Mam

To Whom it may concern

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

Application Property Address: 6 Tortelduif Street, Onder Pappegaaiberg, Stellenbosch

Application Property Number: Erf 3672, Stellenbosch

Applicant: ICatPlan CC, (t/a I.C.@Plan), Cornelia van Zyl

Owner: Adrian Kuyper – 079 589 9546

Application Reference: LU/ 15841

Application Type: The Administrator's consent for Relaxation of Title Deed Condition & Departure

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

- (a) The Administrator's consent to relax the restrictive title deed condition as contained in Deed of Transfer No T.40598/2019, Clause C.3.(d) in order to relax the restrictive title deed street building line from 20 feet (6,09 m) to 4 m and to relax the title deed street building lines from 10 feet (3,048 m) to 1 m (on both sides) in order to accommodate the proposed additions to the existing house and the proposed garage on Erf 3672, Stellenbosch;
- (b) The departure in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Planning By-Law, 2015 in order to relax the common building line (adjacent to Erf 3671, Stellenbosch) from 2,5 m to 1 m in order to accommodate the proposed additions to the existing house on Erf 3672, Stellenbosch.

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.

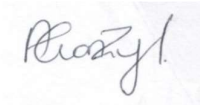
The comments must be addressed to the applicant by electronic mail as follows: Ciska Smit, ciska@icaplan.co.za. By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **23 October 2023**.

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 084 493 0339 during office hours (Monday to Thursday 8:00-17:00 & Friday 8:00-13:00).

Yours faithfully



A.C. van Zyl

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

Wie dit mag aangaan

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

Adres van aansoek eiendom: Tortelduifstraat 6, Onder Pappegaaiberg, Stellenbosch

Aansoek eiendom beskrywing: Erf 3672, Stellenbosch

Aansoeker: ICatPlan BK (t/a I.C.@Plan) – Cornelia van Zyl

Eienaar: Adrian Kuyper – 079 589 9546

Aansoek Verwysing: LU/15841

Tipe Aansoek: Die Administrateur se toestemming om die beperkte titelaktevoorwaarde te verslap en Afwyking

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

(a) Die Administrateur se toestemming om die beperkende titelaktevoorwaarde soos vervat in Transportakte No T.40598/2019, Klousule C.3.(d) te verslap ten einde die beperkende titelakte straatboulyn van 20 voet (6,09m) te verslap tot 4 m en om die titelakte syboulyne(aan beide kante) te verslap van 10 voet (3,048 m) tot 1 m ten einde die voorgestelde aanbouings tot die bestaande huis en die voorgestelde motorhuis op Erf 3672, Stellenbosch te akkommodeer;

(b) Die afwyking ingevolge Artikel 15(2)(b) van die Stellenbosch Munisipaliteit Grondgebruikbeplanningsverordening, 2015 ten einde die gemeenskaplike boulyn (aangrensend Erf 3671, Stellenbosch) te verslap van 2,5 m na 1 m ten einde die voorgestelde aanbouings tot die bestaande huis op Erf 3672, Stellenbosch te akkommodeer.

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 tydsduur 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 geding 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.

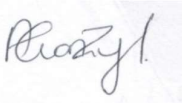
Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: Ciska Smit, ciska@icaplan.co.za. Deur 'n beswaar, kommentaar of versoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

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 **23 Oktober 2023**.

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 084 493 0339 gedurende kantoor ure (Maandag to Donderdag 8:00-17:00 & Vrydag 8:00-13:00).

Die uwe





A.C. van Zyl

Erf 3672, Stellenbosch



Legend

-  Farm Portions
-  Erf

Map Center: Lon: 18°49'52.9"E
Lat: 33°56'22.6"S

Scale: 1:9 028

Date created: July 10, 2023



Western Cape
Government

FOR YOU

Agriculture



Our Reference: Erf 3672, Stellenbosch

10 July 2023

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599






ATTENTION: MR. GERRIT GOOSEN

Dear Sir

APPLICATION FOR RELAXATION OF TITLE DEED CONDITIONS: ERF 3672, 6 TORTELDUIF STREET, ONDER PAPPEGAAIBERG

We herewith submit a formal application for the relaxation of title deed conditions pertaining to the common boundary building lines on Erf 3672, Stellenbosch.

The following documentation is herewith attached for your perusal:

-  Motivation
-  Municipal Application Form
-  Power of Attorney
-  Copy of Title Deed
-  Plans (locality plan and departure plan).

We trust that you will find the above in order.

Yours faithfully

A handwritten signature in black ink, appearing to read "A.C. van Zyl", is written over a light blue rectangular background.

A.C. van Zyl

Members: I.K. Germishuys, A.C. van Zyl

E-mail: info@icaplan.co.za | 083 657 8220 | 082 978 7151

Physical Address: 25 De Beers Avenue, Unit 2A Crossfire House, Paardevlei, 7130

Postal Address: Postnet Suite 176, Private Bag X15, Somerset West, 7129

CK Nr. 2004/078584/23, VAT Nr. 4750218135

1. INTRODUCTION AND BACKGROUND

Erf 3672, Stellenbosch (hereafter referred to as “the property”) is situated at 6 Tortelduif Street, Onder Papegaaiberg in the Stellenbosch. The property is currently zoned Conventional Residential in terms of the Stellenbosch Municipality: Zoning Scheme By-Law, 2019 and contains a single residential dwelling with related outbuildings. Access to the property is obtained via Tortelduif Street.

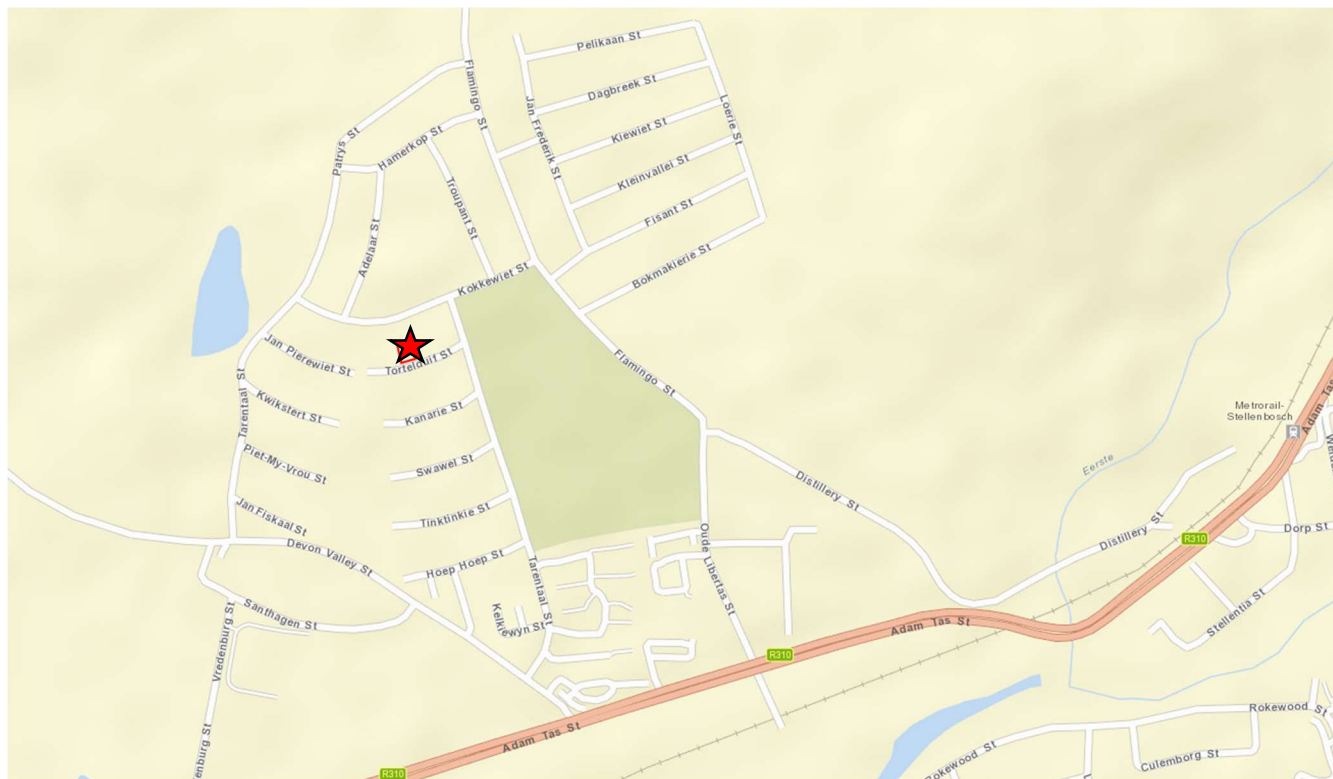


Figure 1: Location

The owner wishes to extend his dwelling and add a garage along the common boundaries of the property. These additions will deviate from the title deed conditions (discussed in more details below) and application is accordingly required for the relaxation of the title deed conditions pertaining to the common boundary building lines. The owner accordingly appointed I.C. @ Plan Town Planners to apply for the relaxation of the title deed conditions to allow for the additions.

The power of attorney and municipal application form is attached herewith.

2. THE APPLICATION

The application entails the relaxation of Condition C.3.(d) as are provided for in Title Deed T40598/2019 which reads as follow:

“C. SUBJECT FURTHER to the following special conditions imposed by the Administrator under the provisions of Section 18(3) of Ordinance Number 33 of 1934 contained in Deed of Transfer Number T28206/1948:

...3. Hierdie Erf is onderhewig aan die volgende voorwaardes met dien verstande dat indien die Administrateur na oorleg met die Dorpekommissie en die plaaslike owerheid dit raadsaam ag dat die beperking in enige sodanige voorwaarde te eniger tyd opgeskort of versag behoort te word, hy die nodige opskorting of versagting kan goedkeur onderworpe aan sodanige voorwaardes as wat hy oplê:

...(d) geen gebou of struktuur of enige gedeelte daarvan behalwe grensmure en heinings, mag binne 20 voet van die straatlyn wat 'n grens van hierdie erf vorm, opgerig word nie, ook nie binne 10 voet van die agtergrens of sygrens van 'n aangrensende erf nie.”

The application therefore entails the relaxation of the 3.048m (“10 voet”) common boundary building line stipulated in the title deed to 1.0m, to permit extensions to the existing dwelling.

3. PROPERTY DETAILS

Property Description	Erf 3672, Stellenbosch
Address	6 Tortelduif Street, Onder Pappegaaiberg
Extent	1021m ²
Title Deed No	T40598/2019
Restrictive Title Conditions	Condition C.3.(d)
Registered Owner	Adrian Neal Kuypers
Zoning	Conventional Residential Zone
Current Use	Residential

Table 1: Property information

4. DETAILS OF THE PROPOSAL

It is proposed to relax the common boundary building line stipulated in Title Deed 40598/2019, condition C.3.(d) from 3.048m ("10 voet") to 1.0m to permit extensions to the existing dwelling. The extensions entail the addition of a new main bedroom with an on-suite bathroom and living room/ lounge area along the boundary with Erf 3671 & a garage along the boundary with Erf 3673.

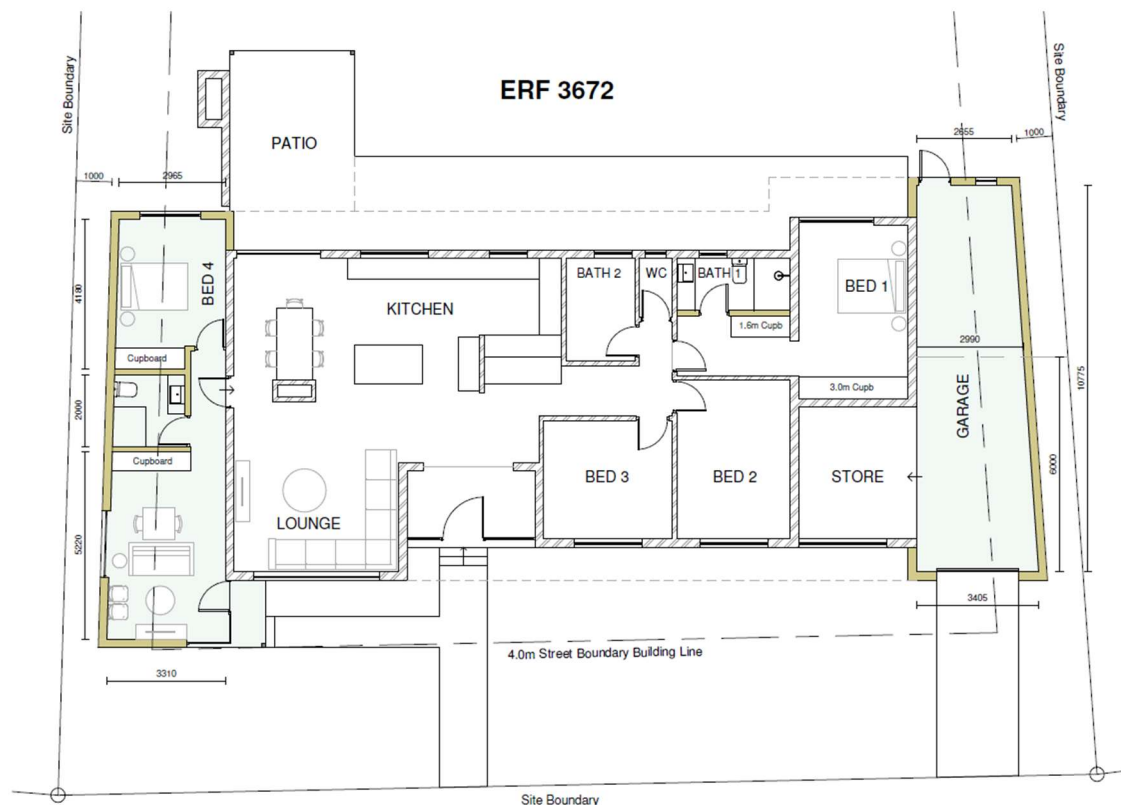


Figure 2: Extract from plan indicating proposed internal layout

- In terms of the position and layout of the existing dwelling, the proposal reflects the most functional extensions to interact with the existing dwelling. A double storey could be considered, but would have far greater implications on the adjoining property owners' privacy.
- The garage will provide safe and secure on-site (tandem) parking for two vehicles. It does not encroach onto the street building line and according allow for an off-street visitor's parking.
- In terms of Section 55.(2)(b) of the Stellenbosch Municipality: Zoning Scheme By-Law (2019), a garage is permitted up to 0m on common boundaries. The proposal is therefore in line with the zoning scheme requirements.

- No windows or doors are proposed in the wall of the garage which faces Erf 3673, and the proposal will accordingly not impact on the adjoining property owners' privacy or amenity value.
- In terms of Section 55.(2)(c) of the Stellenbosch Municipality: Zoning Scheme By-Law, 2019, a dwelling is permitted up to 1m from a common boundary, with the adjoining property owner's consent. It is therefore a generally accepted common boundary building line distance. This application will include public participation during which the adjoining property owners will be notified and provided with an opportunity to comment.
- Only one window is proposed in the living room/lounge area of the main bedroom extension adjoining Erf 3671. This window is situated in line with the adjoining property owners' garage and will not overlook any of their private use areas. It will therefore not impact negatively on them.

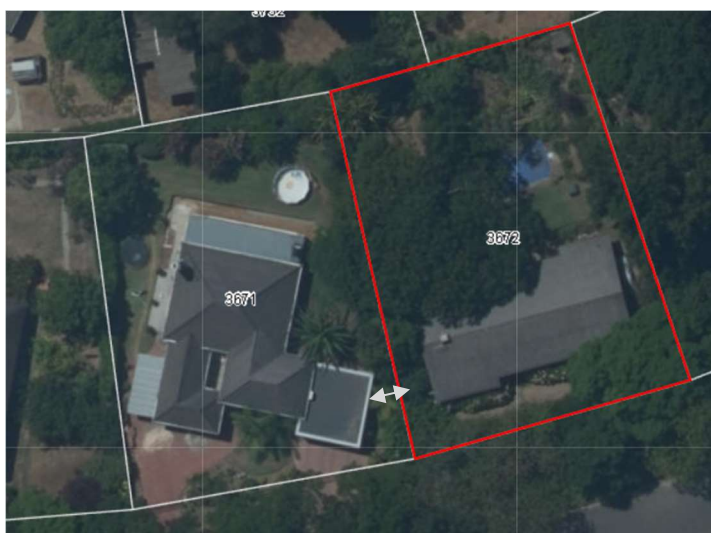


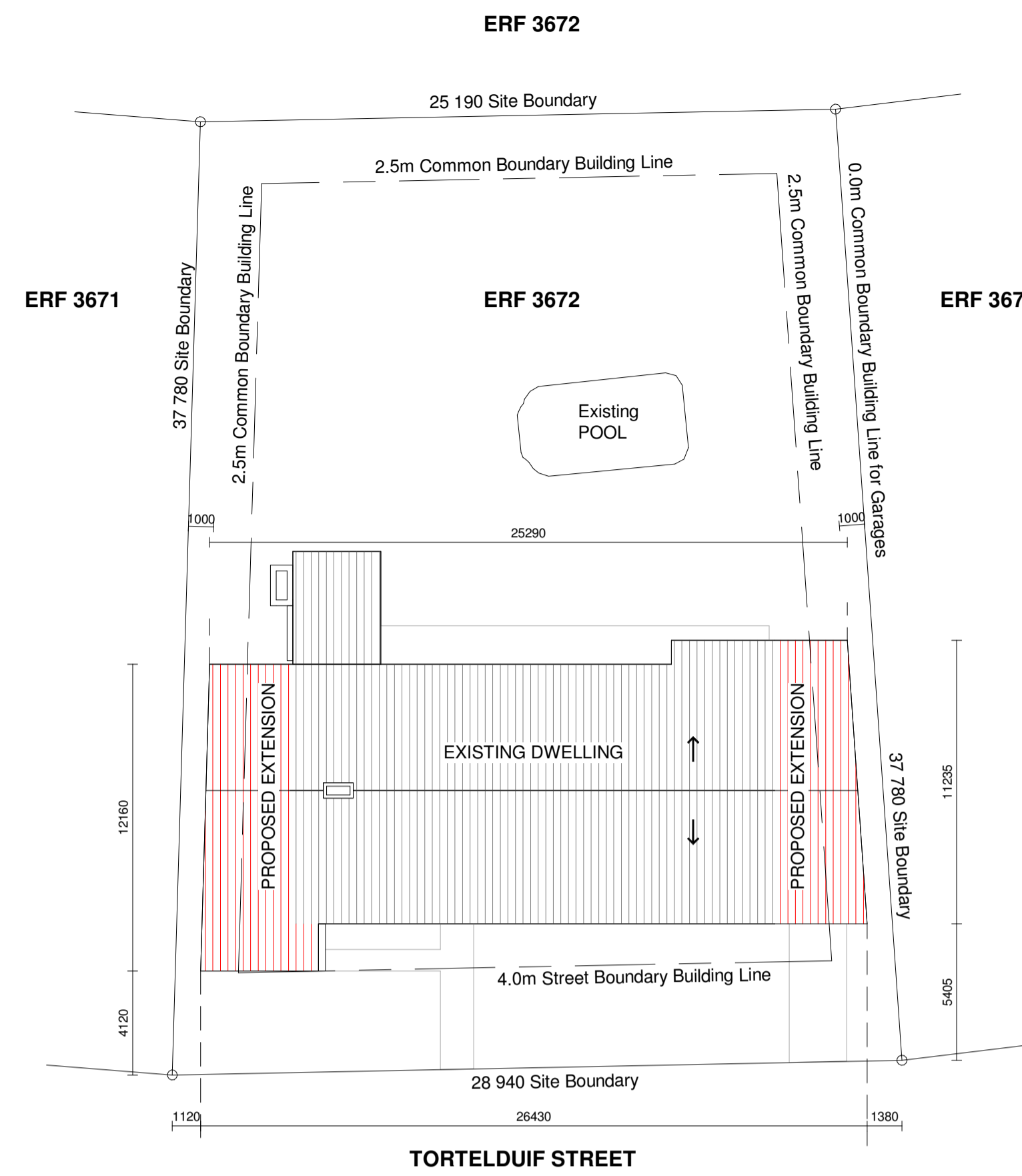
Figure 3: Estimated location of proposed window facing Erf 3671

- Numerous common boundary building line departures/encroachments are found in the surrounding area. Aside from the precedent that has been set, the proposal is also in line with the character of the surrounding area.
- Temporary jobs will be created during the construction phase of the development. The extensions will also have a positive impact on the property values in the area and contribute to increased rates and taxes for the Stellenbosch Municipality. The proposal will accordingly have a positive socio-economic impact.
- The proposal addresses existing use rights and will accordingly have no transport related impact or impact on the engineering services.

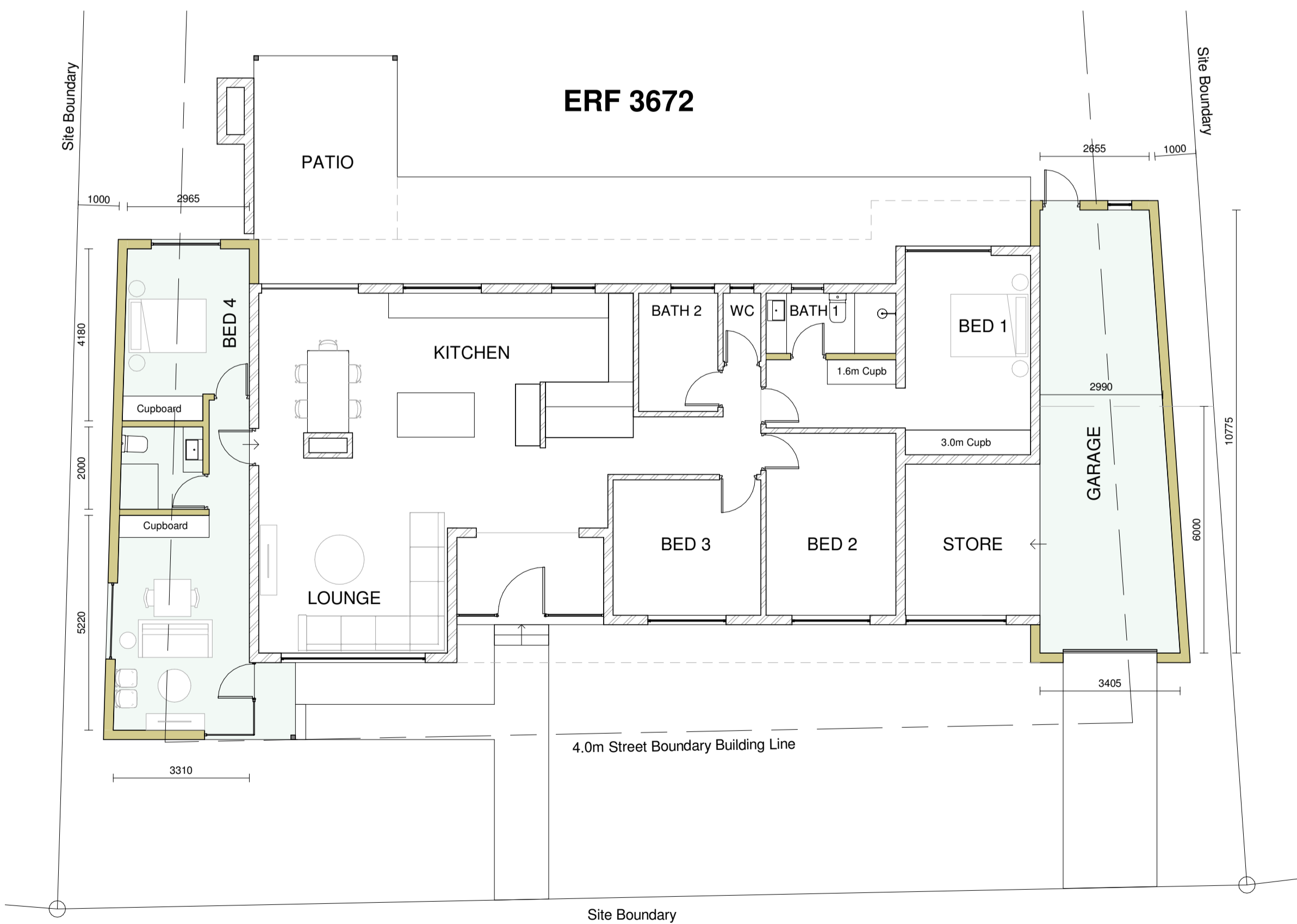
- The application proposes the relaxation of title deed conditions and not the removal thereof. Any future proposals will accordingly have to either adhere to the restrictions, or an application will have to be submitted for consideration and public comment. It will therefore protect the rights of the surrounding property owners.

5. CONCLUSION

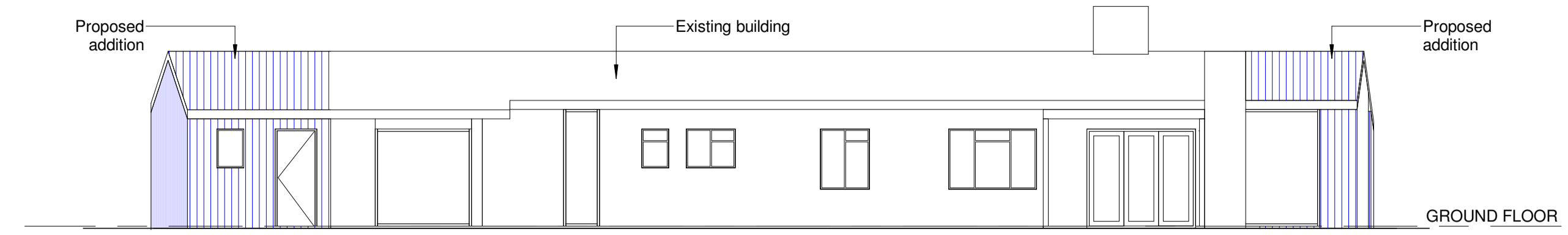
From the above, it is clear that the proposal respects the rights and privacy of the abutting owners. It further adheres to the general character of the area. With this in mind, it is envisaged that Council favourably considers the proposed application.



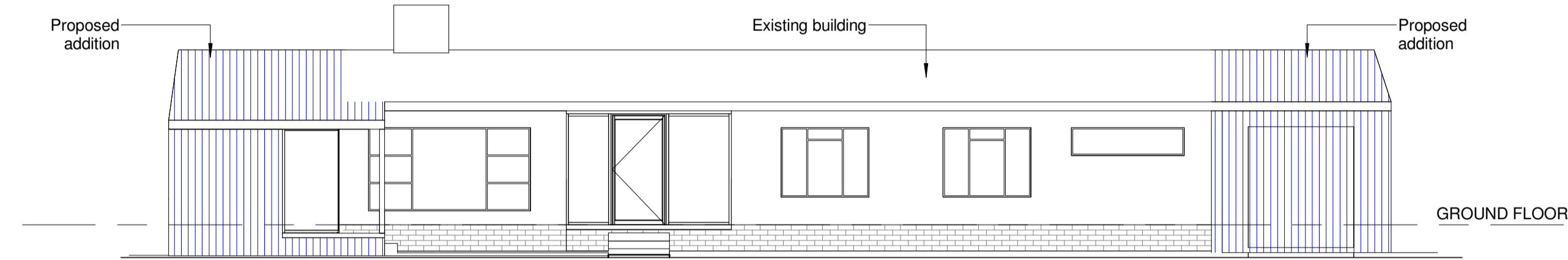
A Site Plan
1 : 200



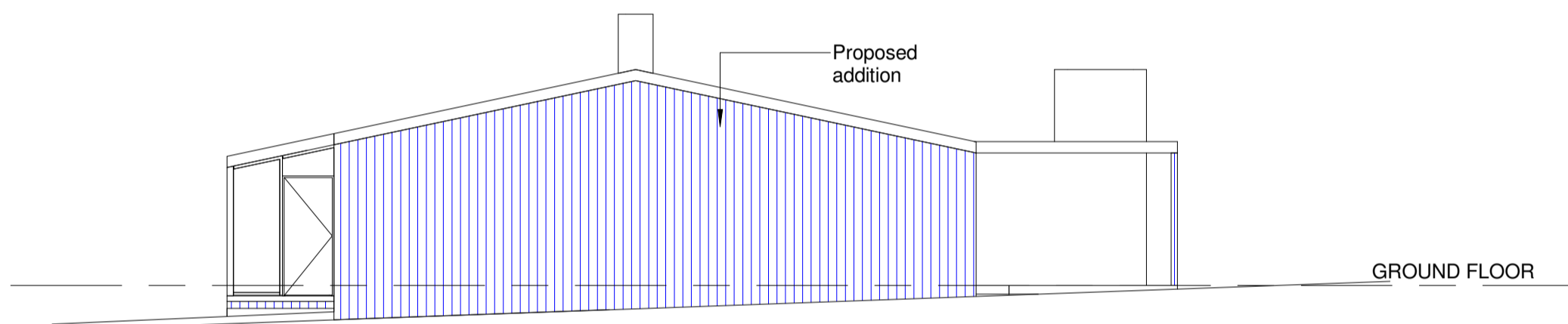
B Ground Floor Plan
1 : 100



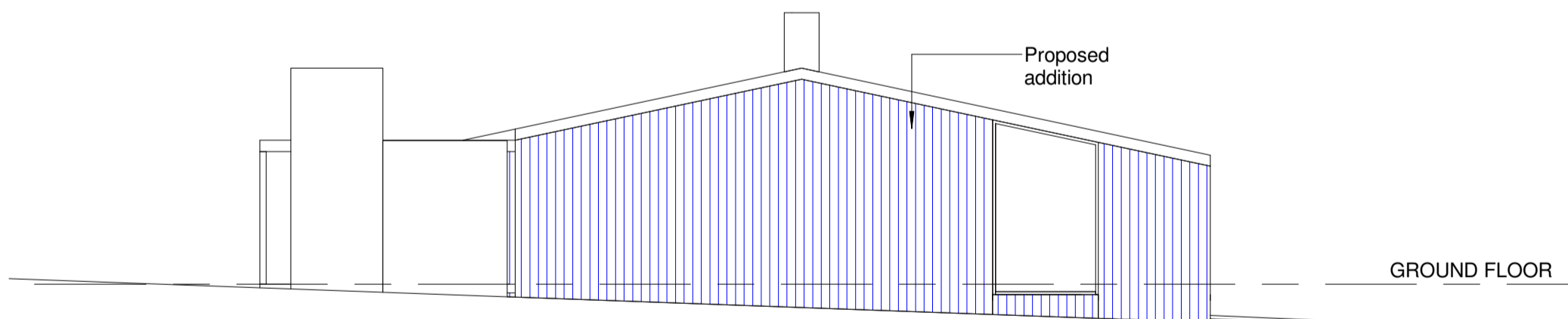
C North
1 : 100



D South
1 : 100



E East
1 : 100



F West
1 : 100

Revision	Date/Description
A	2023.06.05 Issued to Townplanner

NOTES:

General
All materials used in the construction of works indicated on these drawings shall either be SABS approved or have an Agreement South Africa Certificate unless otherwise stated. No deviations from approved building plans shall be allowed unless approved by the Local Authority prior to construction. The Contractor shall adhere to all applicable National Acts, Regulations, Standards and By-laws during construction.

Construction
All construction work shall be executed by the contractor in terms of the following requirements as per SANS 10400 - Application of the National Building Regulations, unless otherwise stated:

Part A - General Requirements; Part B - Structural;
Part C - Dimensions; Part D - Public Safety;
Part E - Site Operations; Part G - Excavations;
Part H - Foundations; Part J - Floors; Part K - Walls;
Part L - Roofs; Part M - Stairways; Part N - Glazing;
Part O - Lighting and Ventilation; Part P - Drainage;
Part R - Stormwater disposal; Part S - Accessible Buildings; Part T - Fire Protection; Part V - Space Heating;
Part W - Fire Installation; Part XA - Energy Usage

All geyser installations shall comply with Regulation XA2 of the National Building Regulations
Solar installations shall comply with SANS1307, SANS1016, SANS 10254
Heat pumps shall comply with ISO5149 and SANS1352

Water reticulation system installations shall comply with SANS 10252-1
Electrical installations shall comply with SANS10142-1

All drawings, dimensions and levels to be checked by contractor prior to setting out of the work. Architect to be notified of any discrepancies.
Structural work to be the responsibility of a structural engineer as referenced

Drawing status **Information**

Project	House Kuypers - Erf 3672
Name	3 Tortelduif Street
Address	Onderpapegaalberg
	Stellenbosch
Number	2023.01
Client	
Name	Adrian Kuypers
Signature	
Architect	
Name	Hannes Jacobs
Sacap no	24749675
Signature	
Drawing	Site Development Plan
No	100
Scale (A1)	As indicated
Rev	A
Drawn	HJ
Date	2023.06.05



Company registration number 2020/044843/07
Hannes Jacobs Bsc(Arch)JP + M(ArchProf)NMMU
0829252799 hannes@doggedarchitects.co.za

3 Tortelduif Street - Stellenbosch - 7600



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

March 2022

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

Receipt Nr: 232185

NM/15841

LAND USE APPLICATION COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW, 2015				Date of Submission of Application	11 July 2023
Erf No	3672	Town		Suburb	Stellenbosch
Farm No	n/a	Farm Portion	n/a	Nearest Town	n/a
Owner / Applicant	Cornelia Van Zyl – ICatPlan CC		Contact number	082 978 7151	
Email address	cornelia@icaplan.co.za				
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION	ADMIN TO VERIFY ¹		PLANNER TO EVALUATE ²		
	YES	NO			
1. Completed application form that is signed	✓		✓		
2. Power of Attorney / Owners' Consent if the applicant is an agent and Company Resolution	✓		✓		
3. Bondholders' consent					
4. Proof that applicant is authorized to act on behalf of an entity					
5. Proof of ownership or rights held in land					
6. Motivation based on criteria in s65	✓		✓		
7. SG diagram or General Plan					
8. Locality plan	✓		✓		
9. Site development plan or plan showing the land development	✓		✓		
10. Subdivision plan					
11. Permission for required servitude					
12. Title Deed	✓		✓		



¹ Verification by Admin only of the documentation attached and completeness of application and not the correctness thereof.

² Technical evaluation by Planner of the documentation attached for completeness and correctness thereof.

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

03 AUG 2023 ^{Page 1 of 2}

RECEIVED

13. Conveyancer's certificate			
14. Feedback on Pre-application scrutiny			
15. Minutes of Pre-consultation Meeting			
16. Consolidation plan			
17. Street name and numbering plan			
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION	ADMIN TO VERIFY	PLANNER TO EVALUATE	
18. Land use plan / zoning plan			
19. Landscaping / tree plan			
20. Flood line plan			
21. Neighbours' consent			
22. HOA / Body Corporate consent			
23. Assessments: EIA, HIA, TIA , TIS, MHIA, EA/ROD			
24. Services report (Engineers report)			
25. Previous approvals			
26. Proof of failure of HOA			
27. Proof of lawful use right / zoning certificate			
28. Other documents Specify:			
VERIFIED & SIGNED BY ADMIN	NAME Nicole Katts	SIGNATURE 	DATE 11/07/2023
<p>Outstanding information (to be completed by Planner):</p> <p>Comments from the affected property owners of Erf. 3671, 3673, 3660, 3663, 3664 (to be requested @Circulation phase)</p>			
<p>Applications to be invoiced (to be completed by Planner):</p>			
EVALUATED & SIGNED BY PLANNER	NAME Nopinki (13.07.2023)	SIGNATURE 	DATE 20/07/2023
<p>NOTES:</p> <ol style="list-style-type: none"> The documentation is not considered as a registered application until such time as it has been scrutinized, all outstanding information (if any) has been submitted and payment is reflected in Council's bank account, after Applicant has been requested by Admin to make payment. Should it be found that the application is not complete, the Applicant will be notified of outstanding information [s41(1)(c)(ii)]. Once payment has been confirmed and the application has been registered, the Applicant will be notified of the complete application [s41(1)(c)(i)] and will receive instructions to advertise [s48(4)]. Should the outstanding information and/or payment of fees not be received, the applicant will be notified that the application will not proceed due to failure to submit required information [s41(4)]. 			

Nicole Katts

From: Sharise De Klerk
Sent: Wednesday, 02 August 2023 09:15
To: Bulelwa Mdoda
Cc: Nicole Katts; Nolusindiso Momoti
Subject: RE: RECEIPTS

Local Authority : STB Stellenbosch Municipality LIVE Vote : 12200103450000
Financial Year : 2023 Period : 1 Level : 4

Pr Post.	Date	TC	LV	Reference	Amount	Lt.	Comment
1	03/07/2023	11	4	1000230984	1956.23-	N A:DIR1	4331 LU13948 ERF
1	04/07/2023	11	4	1000231065	2173.92-	N A:DIR1	4331 TP375/2023 L
1	05/07/2023	11	4	1000231164	434.79-	N A:DIR1	4331 LU/15703 ERF
1	05/07/2023	11	4	1000231187	434.79-	N A:DIR1	4331 LU/15761 ERF
1	06/07/2023	11	4	1000231262	2173.92-	N A:DIR1	4331 TP252/2023 F
1	07/07/2023	11	4	1000231432	2173.92-	N A:DIR1	4331 TP396/2023 L
1	10/07/2023	11	4	1000231546	2173.92-	N A:DIR1	4331 TP321/2023 L
1	10/07/2023	11	4	1000231560	2260.87-	N A:DIR1	4331 TP219/2022 E
1	10/07/2023	11	4	0000395344	869.57-	N A:CASH3	2502B202307100016
1	12/07/2023	11	4	1000231631	2260.87-	N A:DIR1	4331 LU/15801 ERF
1	13/07/2023	11	4	1000231726	2260.87-	N A:DIR1	4331 TP402/2023 L
1	14/07/2023	11	4	1000231753	2260.87-	N A:DIR1	4331 LU/15810 ERF
1	14/07/2023	12	4	1000231730	2260.87-	N TP406/2023	OR LB202307140011
1	17/07/2023	11	4	1000231919	2260.87-	N A:DIR1	4331 TP422/2023 L
1	18/07/2023	11	4	0000395545	478.26-	N A:CASH3	2507B202307180016
1	19/07/2023	12	4	1000231954	2260.87-	N TP409/2023	LANDB202307190016
1	20/07/2023	11	4	1000232064	2173.92-	N A:DIR1	4331 TP401/2023
1	20/07/2023	11	4	1000232073	478.27-	N A:DIR1	4331 LU/15822 ERF
1	21/07/2023	11	4	1000232115	478.27-	N A:DIR1	4331 LU/15837 -60
1	21/07/2023	11	4	1000232140	434.79-	N A:DIR1	4331 LU/15710 ERF
1	24/07/2023	11	4	1000232185	2260.87-	N A:DIR1	4331 LU/15841 ERF
1	24/07/2023	11	4	1000232196	869.57-	N A:DIR1	4331 LU/15667 ERF
1	24/07/2023	11	4	1000232206	478.27-	N A:DIR1	4331 LU/15850 LAN
1	24/07/2023	11	4	1000232219	1434.79-	N A:DIR1	4331 LU/13144 FAR
1	25/07/2023	11	4	1000232378	913.05-	N A:DIR1	4331 LU/15866 FAR
1	25/07/2023	11	4	1000232432	2260.87-	N A:DIR1	4331 TP428/2023 B
1	25/07/2023	12	4	1000231138	4347.84-	N TP164/2022	LANDB202307250014
1	25/07/2023	12	4	1000231791	4347.83-	N TP388/2023	LANDB202307250014
1	25/07/2023	12	4	1000232159	9043.48-	N TP368/2023	FARMB202307250015
1	25/07/2023	12	4	1000231395	869.57-	N LU/11470	ERF 1 B202307250015
1	25/07/2023	12	4	1000231531	869.57-	N LU/11470	ERF 1 B202307250015
1	25/07/2023	12	4	1000231755	86.96-	N LU/11470	ERF 1 B202307250015
1	25/07/2023	12	4	1000231756	86.96-	N LU/11470	ERF 1 B202307250015
1	26/07/2023	11	4	1000232661	4521.74-	N A:DIR1	4331 TP168/2022 F
1	26/07/2023	11	4	1000232669	6782.61-	N A:DIR1	4331 TP414/2023 F
1	27/07/2023	11	4	1000232724	43.48-	N A:DIR1	4331 LU/15876 ERF
1	27/07/2023	11	4	1000232813	2173.92-	N A:DIR1	4331 TP379/2023 E
1	27/07/2023	11	4	1000232814	2260.87-	N A:DIR1	4331 TP427/2023 L
1	27/07/2023	11	4	1000232815	2260.87-	N A:DIR1	4331 TP340/2023 B

1 29/07/2023 11 4 1000233047	4521.74- N A:DIR1	4331 TP437/2023 L
1 31/07/2023 11 4 1000233144	478.27- N A:DIR1	4331 LU/15882 LAN
1 31/07/2023 11 4 1000233237	2260.87- N A:DIR1	4331 TP371/2023 E
1 31/07/2023 11 4 0000485499	478.26- N A:CASH2	2715B202307310016

Total: 85912.92-

Grand Total: 85912.92-
=====

From: Bulelwa Mdoda <Bulelwa.Mdoda@ Stellenbosch.gov.za>
Sent: Wednesday, August 2, 2023 9:13 AM
To: Sharise De Klerk <Sharise.Deklerk@ Stellenbosch.gov.za>
Cc: Nicole Katts <Nicole.Katts@ Stellenbosch.gov.za>; Nolusindiso Momoti <Nolusindiso.Momot@ Stellenbosch.gov.za>
Subject: RECEIPTS

Morning Sharise;

Can we please have receipt numbers.



Kind regards,
Bulelwa Mdoda
Land Use Management
Planning & Economic Development

T: +27 21 808 8690
1st Floor, NPK Building
Cnr Plein and Ryneveld Street
Stellenbosch
7600
www.stellenbosch.gov.za



Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions published at the following link:
http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm

From: Nicole Katts
Sent: Friday, 21 July 2023 09:47
To: Cornelia van Zyl
Subject: ERF 3672 STELLENBOSCH - OUTSTANDING INFORMATION
Attachments: Consent Form Jan 2022v1.doc; Consent Form Jan 2022v1.pdf; PROPERTY OWNERS - APPLICATION-ERF 3672 SB.pdf

Good day Cornelia

I trust that you are well.

Please find below outstanding information.

- Comments from the affected property owners of Erf 3671, 3673, 3660, 3663, 3664.

I attach the necessary form to this e-mail.



Kind regards / Vriendelike Groete

Nicole Katts
Administrative Officer
Development Management
Planning & Economic Development

T: +27 21 808 8318
NPK Building, 20 Plein Street
Stellenbosch, 7600
www.stellenbosch.gov.za



Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions published at the following link:

http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

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

FOR ENQUIRIES CONTACT landuse.enquiries@stellenbosch.gov.za or 021- 808 8606

SUBMIT APPLICATION TO landuse.applications@stellenbosch.gov.za

NOTE: The Bylaw on Municipal Land Use Planning 2023 in section 68(c) regulates certain types of applications must be decided by the Municipality. If the application is to obtain permission either in terms of the zoning scheme or in terms of a condition of approval or in terms of the title deed, *Land Use Application Form C* must be completed and submitted via email.

For all other applications, depending on the type of application, *Land Use Application Form A* or *Form B* must be completed. *Land Use Application Form B* can be used if the application ONLY comprises of a permanent departure.

LAND USE PLANNING APPLICATION FORM C

Applications in terms of Sections 15(2)(g) and 15(2)(l) of the Municipal Bylaw on Land Use Planning 2023

Permission in terms of the zoning scheme & Permission in terms of a condition of approval

AND

Applications to obtain consent or **permission in terms of the Title Deed**

Complete this form using BLOCK letters and ticking the appropriate boxes

PART A: APPLICANT DETAILS

First name(s)	Cornelia
Surname	Van Zyl
Company name (If applicable)	ICatPlan CC, t/a I.C.@Plan
Postal Address	Postnet Suite 176, Private Bag X15, Somerset West, 7129
Email Address	cornelia@icaplan.co.za
Contact Number	082 978 7151

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

Registered owner(s) Name	Adrian Neal Kuypers
E-mail Address	c/o I.C.@Plan
Contact Number	c/o I.C.@Plan

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

Erf No	3672	Suburb	Onder Pappagaiberg	Town	Stellenbosch
Farm no	-	Farm Portion	-	Nearest Town	-
Physical or Street Address	6 Tortelduif Street		Property / Business / Farm known as	-	
Current Zoning	Conventional Residential Zone				

Additional or Consent Uses	None			
Current activities	Residential			
Property Size / Extent	1021m ²	Are there existing buildings?	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N
Title Deed number	T40598/2019			
PART D: PRE-APPLICATION CONSULTATION AND OR SCRUTINY (Not compulsory)				
Has there been any pre-application consultation / scrutiny form submitted?	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N	If yes, attach the minutes of the pre-application consultation or written feedback received.	
PART E: LAND USE PLANNING APPLICATIONS AND PAYMENT OF FEES				
APPLICATIONS IN TERMS OF SECTION 15 OF THE MUNICIPAL BYLAW ON LAND USE PLANNING 2023				
Type of application				Tick
15(2)(g) a permission required in terms of the zoning scheme				<input type="checkbox"/>
15(2)(l) a permission required in terms of a condition of approval				<input type="checkbox"/>
OTHER APPLICATIONS				
Consent / Permission required in terms of a title deed (includes where permission is required in terms of the Advertising on Roads and Ribbon Development Act, Act 21 of 1940)				<input checked="" type="checkbox"/> X
DETAILS FOR INVOICE				
Name & Surname (party responsible for payment)	ANK Projects and Construction			
Postal Address	6 Tortelduif Street, Stellenbosch			
Vat Number (where applicable)	4780264679			
<p>1. Application fees are per the Council Approved Tariffs. 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 as per the Tariff Rules. Once proof of payment is received, the application will be regarded as duly submitted.</p> <p>2. 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.</p>				
BANKING DETAILS				
Account Holder Name:	Stellenbosch Municipality			
Bank:	FIRST NATIONAL BANK (FNB)			
Branch no.:	210554			
Account no.:	62869253684			
Payment reference:	LU/_____ and ERF/FARM _____			
<i>Please use both the Land Use Application number and the Erf/Farm number indicated on the invoice as a reference when making EFT payment</i>				
PART F: DETAILS OF PROPOSAL (Brief description of intent of development)				
Permission required in terms of the title deed T40598/2019 for the relaxation of the Condition C.3.(d) to permit the relaxation of the common boundary building lines specified in the said title deed to permit extensions to the existing dwelling.				
PART G: MOTIVATION FOR APPLICATION				
Please see motivation letter.				

PART H: 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.

<u>Y</u>	N	Power of attorney / Owner's consent if applicant is not owner	Y	N	<u>N/A</u>	Copy of original approval and conditions of approval
Y	<u>N</u>	Resolution or other proof that applicant is authorised to act on behalf of a juristic person	Y	N	<u>N/A</u>	Written feedback of pre-application scrutiny and Minutes of pre-application consultation meeting
<u>Y</u>	N	Proof of registered ownership (Full copy of the title deed)	Y	<u>N</u>	N/A	Abutting owner's consent
<u>Y</u>	N	Locality plan (A4 or A3 only) to scale	Y	N	<u>N/A</u>	Owners' association consent
<u>Y</u>	N	Site development plan or conceptual layout plan (A4 or A3 only) to scale	Y	N	<u>N/A</u>	Owners' association constitution
Y	<u>N</u>	Landscaping / Tree plan (A4 or A3 only) to scale	Y	N	<u>N/A</u>	Design guidelines
Y	<u>N</u>	Other (specify):	Y	N	<u>N/A</u>	Other (specify):

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) of said bylaw 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 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 if it has reason to believe that information submitted, or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.
15. I am aware that by lodging an application, the information in the application and obtained during the process may be made available to the public.

Applicant's signature:



Date:

7 Julie 2023

Full name:

Anna Cornelia van Zyl

Professional capacity:

Town Planning Consultant

Erf 3672, Stellenbosch

- Legend
- Farm Portions
 - Erf



Map Center: Lon: 18°49'52.9"E
Lat: 33°56'22.6"S

Scale: 1:9 028

Date created: July 10, 2023



FOR YOU

Agriculture

SPECIAL POWER OF ATTORNEY

I, Adrian Neal Kuypers, being the registered owner of Erf 3672, Stellenbosch do hereby nominate, constitute and appoint:

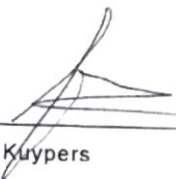
A.C. van Zyl / I.K. Germishuys from I.C. @ Plan Town Planners

With power of substitution, to be my lawful Attorney and Agent to take any action that may be necessary to:

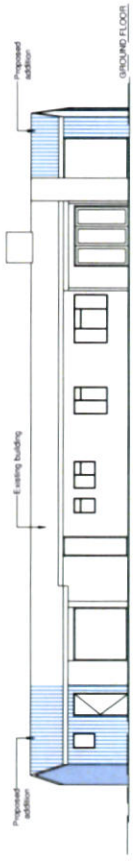
Submit an application for the relaxation of title deed conditions relating to Erf 3672, Stellenbosch

and to sign all documents and to do all things that may be necessary in connection with the application and generally for effecting the purpose aforesaid to do or cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes, as the owner might or could if personally present and acting herein - hereby ratify, allow and confirm all and whatsoever the owner's Attorney and Agent shall lawfully do or cause to be done, by virtue of these presents.

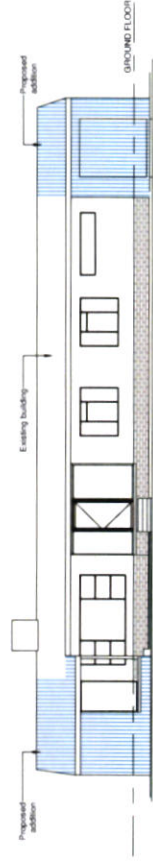
SIGNED AT DIEP RIVER THIS 15TH DAY
OF JUNE 2023



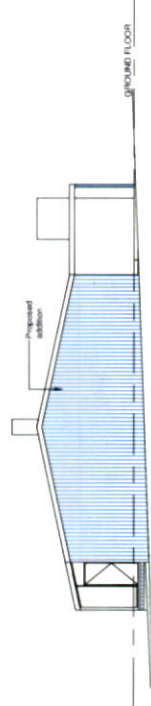
A.N. Kuypers



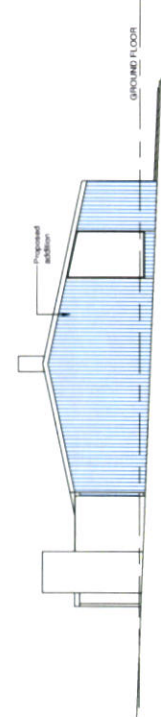
C North
1:100



D South
1:100



E East
1:100



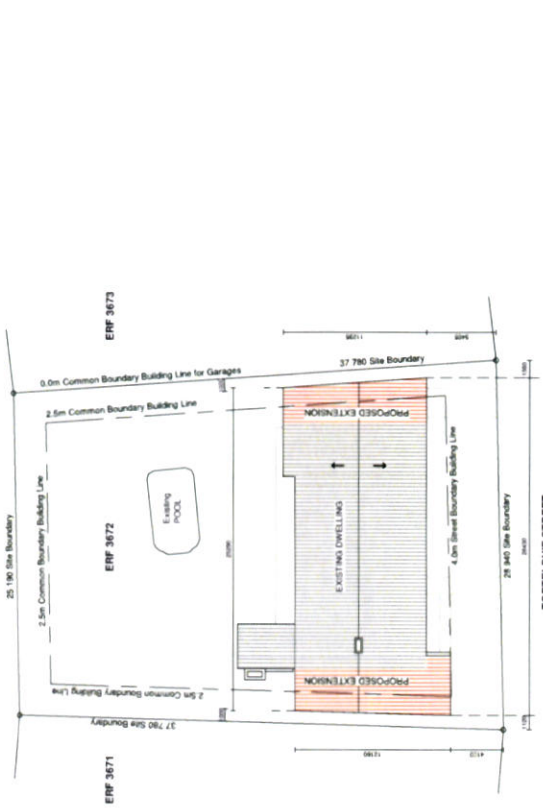
F West
1:100

NOTES

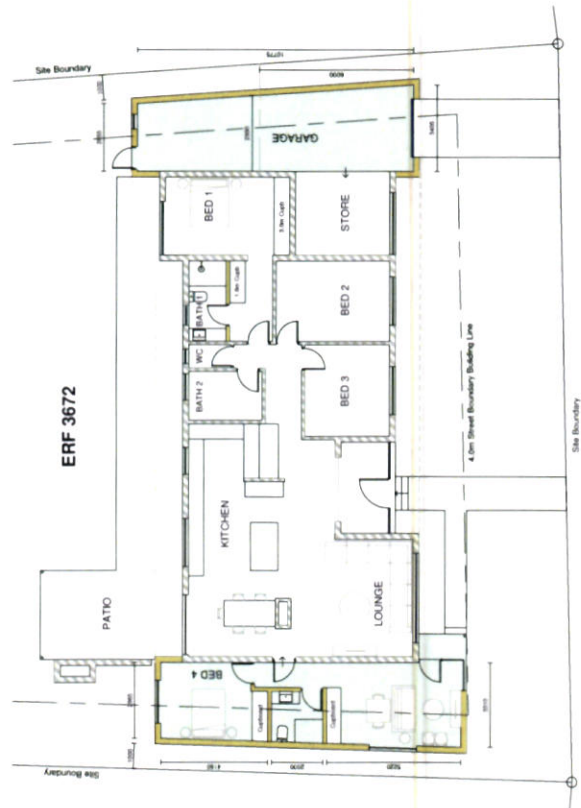
General
 All works shall be in accordance with the National Act, Regulations and By-laws relating to building construction.
 All works shall be in accordance with the National Act, Regulations and By-laws relating to building construction.
 All works shall be in accordance with the National Act, Regulations and By-laws relating to building construction.
 All works shall be in accordance with the National Act, Regulations and By-laws relating to building construction.

Information

Project Name	House Kuypers - Erf 3672
Address	3 Torfeld Street Stellenbosch
Number	2023.01
Client Name	Adrian Kuypers
Signature	
Architect Name	Hannes Jacobs
Scale No	2474875
Signature	
Drawing Title	Site Development Plan
Scale (A1)	As indicated
Rev	A
Drawn	[Name]
Date	2023.06.05



A Site Plan
1:200



B Ground Floor Plan
1:100



Our Reference: Erf 3672, Stellenbosch

10 July 2023

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

ATTENTION: MR. GERRIT GOOSEN

Dear Sir

APPLICATION FOR RELAXATION OF TITLE DEED CONDITIONS: ERF 3672, 6 TORTELDUIF STREET, ONDER PAPPEGAAIBERG

We herewith submit a formal application for the relaxation of title deed conditions pertaining to the common boundary building lines on Erf 3672, Stellenbosch.

The following documentation is herewith attached for your perusal:

- 📎 Motivation
- 📎 Municipal Application Form
- 📎 Power of Attorney
- 📎 Copy of Title Deed
- 📎 Plans (locality plan and departure plan).

We trust that you will find the above in order.

Yours faithfully

A handwritten signature in black ink, appearing to read "A.C. van Zyl", written in a cursive style.

A.C. van Zyl

Members: I.K. Germishuys, A.C. van Zyl

E-mail: info@icaptan.co.za | 083 657 8220 | 082 978 7151

Physical Address: 25 De Beers Avenue, Unit 2A Crossfire House, Paardevlei, 7130

Postal Address: Postnet Suite 176, Private Bag X15, Somerset West, 7129

CK Nr. 2004/078584/23, VAT Nr. 4750218135

1. INTRODUCTION AND BACKGROUND

Erf 3672, Stellenbosch (hereafter referred to as “the property”) is situated at 6 Tortelduif Street, Onder Papegaaiberg in the Stellenbosch. The property is currently zoned Conventional Residential in terms of the Stellenbosch Municipality: Zoning Scheme By-Law, 2019 and contains a single residential dwelling with related outbuildings. Access to the property is obtained via Tortelduif Street.

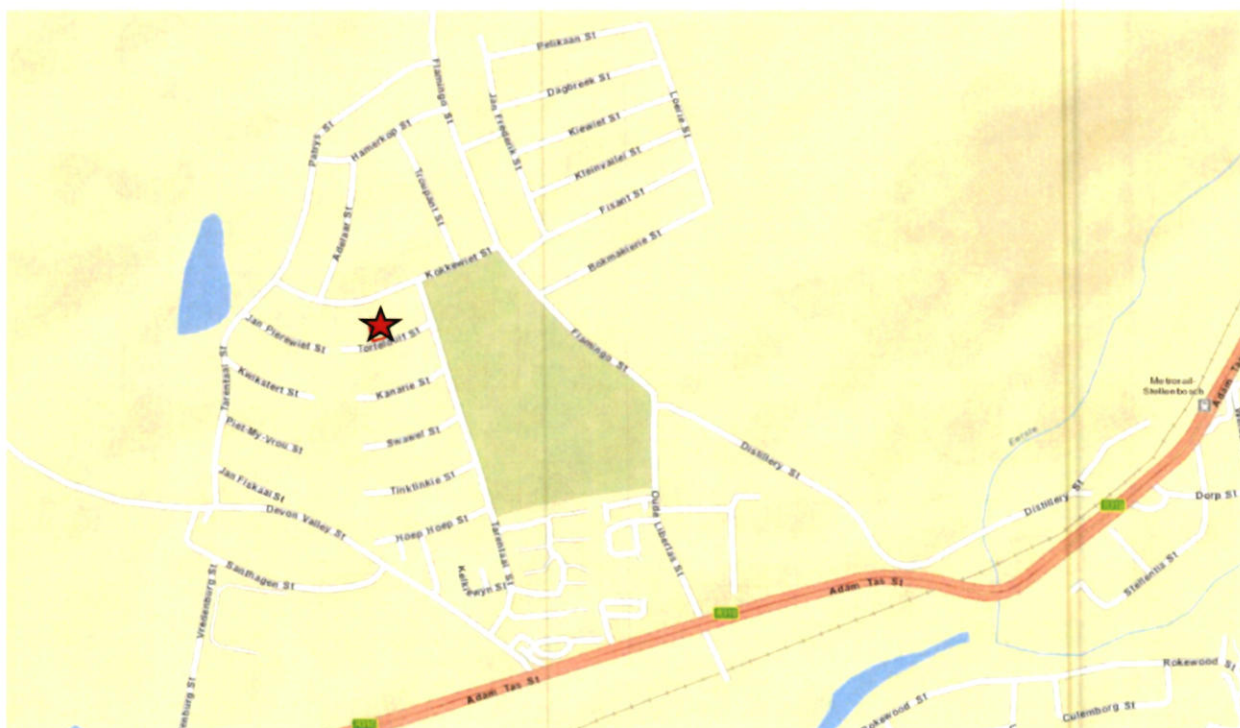


Figure 1: Location

The owner wishes to extend his dwelling and add a garage along the common boundaries of the property. These additions will deviate from the title deed conditions (discussed in more details below) and application is accordingly required for the relaxation of the title deed conditions pertaining to the common boundary building lines. The owner accordingly appointed I.C. @ Plan Town Planners to apply for the relaxation of the title deed conditions to allow for the additions.

The power of attorney and municipal application form is attached herewith.

2. THE APPLICATION

The application entails the relaxation of Condition C.3.(d) as are provided for in Title Deed T40598/2019 which reads as follow:

“C. SUBJECT FURTHER to the following special conditions imposed by the Administrator under the provisions of Section 18(3) of Ordinance Number 33 of 1934 contained in Deed of Transfer Number T28206/1948:

...3. Hierdie Erf is onderhewig aan die volgende voorwaardes met dien verstande dat indien die Administrateur na oorleg met die Dorpekommissie en die plaaslike owerheid dit raadsaam ag dat die beperking in enige sodanige voorwaarde te eniger tyd opgeskort of versag behoort te word, hy die nodige opskorting of versagting kan goedkeur onderworpe aan sodanige voorwaardes as wat hy oplê:

...(d) geen gebou of struktuur of enige gedeelte daarvan behalwe grensmure en heinings, mag binne 20 voet van die straatlyn wat 'n grens van hierdie erf vorm, opgerig word nie, ook nie binne 10 voet van die agtergrens of sygrens van 'n aangrensende erf nie.”

The application therefore entails the relaxation of the 3.048m (“10 voet”) common boundary building line stipulated in the title deed to 1.0m, to permit extensions to the existing dwelling.

3. PROPERTY DETAILS

Property Description	Erf 3672, Stellenbosch
Address	6 Tortelduif Street, Onder Pappegaaiberg
Extent	1021m ²
Title Deed No	T40598/2019
Restrictive Title Conditions	Condition C.3.(d)
Registered Owner	Adrian Neal Kuypers
Zoning	Conventional Residential Zone
Current Use	Residential

Table 1: Property information

4. DETAILS OF THE PROPOSAL

It is proposed to relax the common boundary building line stipulated in Title Deed 40598/2019, condition C.3.(d) from 3.048m ("10 voet") to 1.0m to permit extensions to the existing dwelling. The extensions entail the addition of a new main bedroom with an on-suite bathroom and living room/ lounge area along the boundary with Erf 3671 & a garage along the boundary with Erf 3673.

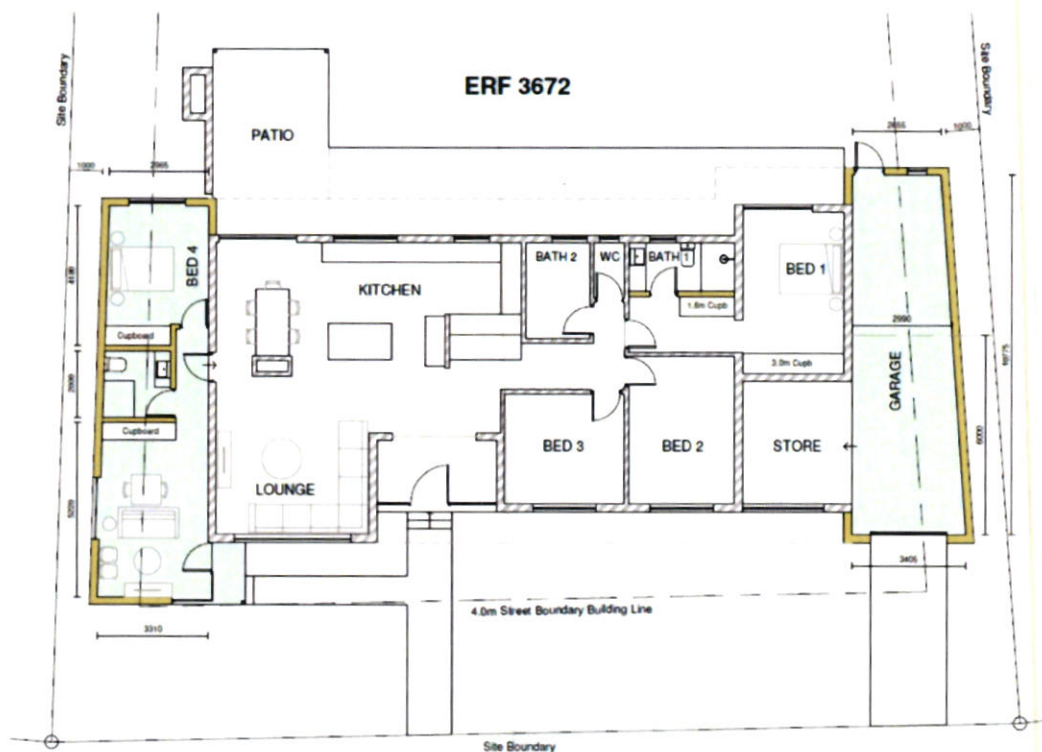


Figure 2: Extract from plan indicating proposed internal layout

- In terms of the position and layout of the existing dwelling, the proposal reflects the most functional extensions to interact with the existing dwelling. A double storey could be considered, but would have far greater implications on the adjoining property owners' privacy.
- The garage will provide safe and secure on-site (tandem) parking for two vehicles. It does not encroach onto the street building line and according allow for an off-street visitor's parking.
- In terms of Section 55.(2)(b) of the Stellenbosch Municipality: Zoning Scheme By-Law (2019), a garage is permitted up to 0m on common boundaries. The proposal is therefore in line with the zoning scheme requirements.

- No windows or doors are proposed in the wall of the garage which faces Erf 3673, and the proposal will accordingly not impact on the adjoining property owners' privacy or amenity value.
- In terms of Section 55.(2)(c) of the Stellenbosch Municipality: Zoning Scheme By-Law, 2019, a dwelling is permitted up to 1m from a common boundary, with the adjoining property owner's consent. It is therefore a generally accepted common boundary building line distance. This application will include public participation during which the adjoining property owners will be notified and provided with an opportunity to comment.
- Only one window is proposed in the living room/lounge area of the main bedroom extension adjoining Erf 3671. This window is situated in line with the adjoining property owners' garage and will not overlook any of their private use areas. It will therefore not impact negatively on them.



Figure 3: Estimated location of proposed window facing Erf 3671

- Numerous common boundary building line departures/encroachments are found in the surrounding area. Aside from the precedent that has been set, the proposal is also in line with the character of the surrounding area.
- Temporary jobs will be created during the construction phase of the development. The extensions will also have a positive impact on the property values in the area and contribute to increased rates and taxes for the Stellenbosch Municipality. The proposal will accordingly have a positive socio-economic impact.
- The proposal addresses existing use rights and will accordingly have no transport related impact or impact on the engineering services.

- The application proposes the relaxation of title deed conditions and not the removal thereof. Any future proposals will accordingly have to either adhere to the restrictions, or an application will have to be submitted for consideration and public comment. It will therefore protect the rights of the surrounding property owners.

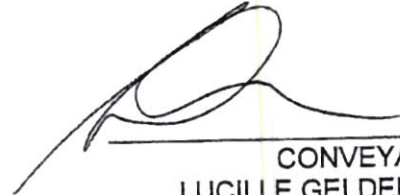
5. CONCLUSION

From the above, it is clear that the proposal respects the rights and privacy of the abutting owners. It further adheres to the general character of the area. With this in mind, it is envisaged that Council favourably considers the proposed application.

329

CTN 1107
LUCILLE GELDENHUYS ATTORNEYS,
NOTARIES AND CONVEYANCERS
1 ST FLOOR, MERLOT HOUSE
BRANDWACHT OFFICE PARK
TRUMALI STREET, STELLENBOSCH, 7600
TEL NO: 021 887 9149

Prepared by me



CONVEYANCER
LUCILLE GELDENHUYS


Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 2660.00	R. 1588.00
Reason for exemption	Category Exemption	Exemption i t o. Sec/Reg Act/Proc

VERBIND **MORTGAGED**

VR FOR R. 2 394 000.00

000021953 / 2019

30 SEP 2019



T 000040598 / 2019

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

LYNNE BOTHA

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

MARLENE VAN NIEKERK
Identity Number 5411100034085
Unmarried

which said Power of Attorney was signed at STELLENBOSCH on 12 AUGUST 2019

DRAG CAPTURE
01-10-2019

DATA / VERIFY
02-10-2019
JENNY VAN WINK

And the appearer declared that his/her said principal had, on 27 June 2019, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

ADRIAN NEAL KUYPERS
Identity Number 7806125153083
Married out of community of property

his Heirs, Executors, Administrators or Assigns, in full and free property

ERF 3672 STELLENBOSCH
IN THE MUNICIPALITY AND DIVISION STELLENBOSCH
PROVINCE OF THE WESTERN CAPE

IN EXTENT 1021 (ONE THOUSAND AND TWENTY ONE) SQUARE METRES

FIRST TRANSFERRED BY DEED OF TRANSFER NUMBER T28206/1948
WITH DIAGRAM NUMBER 1345/1948 ANNEXED THERETO AND HELD BY
DEED OF TRANSFER NUMBER T96680/1999

A. **SUBJECT** to the conditions as are referred to in Deed of Transfer Number T28206/1948.

B. **ENTITLED** to the benefit of the conditions referred to in the two endorsements dated 20th September 1938 on Deed of Grant dated 22nd June 1908 (Stellenbosch Freeholds Volume 8 Number 15) reading:

"REGISTRATION OF SERVITUDE

By Transfer No 9729 dated 20.9.1938

- (a) A right of way 24 feet wide over the property thereby conveyed and numbered z h g and 1,2 on the diagram thereto annexed, joining up with the right of way from g to 1, indicated on the said diagram has been granted in favour of the owner and his successors in title of the property held hereunder,
- (b) A strip of land 20 feet wide along the boundary marked q p on the said diagram shall not be cultivated by the owner of the property thereby conveyed but only be used for the road purposes, as will more fully appear on reference to the said transfer."

"REGISTRATION OF SERVITUDE

By Transfer No 9730 dated 20.9.1938 a right of way 24 feet wide from the beacon h to the beacon j on the property held thereunder and indicated on the diagram thereof is granted in favour of the remainder of the land held hereunder, as will more fully appear on reference to the said Transfer."

C. **SUBJECT FURTHER** to the following special conditions imposed by the Administrator under the provisions of Section 18 (3) of Ordinance Number 33 of 1934 contained in Deed of Transfer Number T28206/1948:

- "1. Enige woorde en uitdrukkings wat in die volgende voorwaardes gebesig word het dieselfde betekenis as wat daaraan geheg word by die regulasies afgekondig by Kennisgewing van die Provinsiale Administrasie, Nr 401 van 17 Oktober 1935, en in die memorandum wat genoemde regulasies vergesel het.
2. Die eienaar van hierdie erf is verplig om sonder betaling van vergoeding toe te laat dat die rioolvuil en dreinerings insluitende reënwater van enige ander erf of erwe oor hierdie erf gevoer word indien dit deur die plaaslike owerheid nodig geag word, en wel op die wyse en ligging wat van tyd tot tyd redelikerwys vereis word. Dit sal die reg op toegang te alle redelike tye tot die eiendom insluit met die doel om rioler, inspeksieputte, vore, waterleidings en ander werke behorende daartoe te bou, onderhou, verander, verwyder of te inspekteer.
3. Hierdie erf is onderhewig aan die volgende voorwaardes met dien verstande dat indien die Administrateur na oorleg met die Dorpekommissie en die plaaslike owerheid dit raadsaam ag dat die beperking in enige sodanige voorwaarde te eniger tyd opgeskort of versag behoort te word, hy die nodige opskorting of versagting kan goedkeur onderworpe aan sodanige voorwaardes as wat hy oplê:
 - (a) dit mag nie onderverdeel word nie;
 - (b) dit mag alleen gebruik word vir die doel om een woning tesame met die buitegeboje wat gewoonlik in verband daarmee gebruik word daarop op te rig;
 - (c) op nie meer as een-derde van die oppervlakte daarvan mag gebou word nie;
 - (d) geen gebou of struktuur of enige gedeelte daarvan behalwe grensmure en heinings, mag binne 20 voet van die straatlyn wat 'n grens van hierdie erf vorm, opgerig word nie, ook nie binne 10 voet van die agtergrens of sygrens van 'n aangrensende erf nie."

D. **SUBJECT FURTHER** to the following special conditions contained in Deed of Transfer Number T28206/1948, imposed by the Council of the Municipality:

- "1. Die eienaar van hierdie erf sal nie geregtig wees om 'n woonhuis wat 'n oppervlakte van minder as 1 200 vierkant voet beslaan, waarby 'n motorhuis en bediendekamer nie ingesluit is nie, en van 'n waarde wat minder is as 'n Munisipale waardasie van £600, op hierdie erf op te rig nie. Indien sodanige woonhuis opgerig is en daarna gedeeltelik of geheel en al vernietig word, moet die woonhuis binne 'n tydperk van twee jaar, gereken vanaf die datum van vernietiging herstel of opnuut opgerig word na gelang van die geval sodat dit aan bogenoemde vereistes voldoen. Indien sodanige woonhuis nie soos voornoem herstel of heropgerig word nie, moet gelikwiderde skadevergoeding gelyk aan die jaarlikse belasting en fooie wat betaalbaar sou gewees het, op die basis van sodanige waardasie, aan die Stadsraad betaal word bo en behalwe die belasting wat op die waardering van die grond in iedere en elke jaar gehef word todat sodanige woonhuis herstel of heropgerig is tot die bevrediging van gesegde Stadsraad.

W



2. Die eienaar van hierdie erf is verplig om te sorg dat die geboue wat sy op hierdie erf gaan oprig wat die boukundige hoedanighede daarvan betref aan die vereistes van die Bouregulasies van die gemelde Munisipaliteit van Stellenbosch voldoen wat van toepassing is wanneer die gebou opgerig word en ook voldoen aan die beleid van die gesegde Raad wat betref die ontwerp, konstruksies en aansigte van geboue. Geen gebou mag op hierdie erf opgerig word nie wat nie volgens die opinie van die gemelde Raad by die geboue in die omgewing pas nie en wat, in die opinie van die Stadsraad, van 'n minderwaardiger gehalte is wat betref vertoning en materiaal as ander geboue in die omgewing.
3. Planne vir alle omheinings van hierdie erf, van watter materiaal dit ook mag wees, moet aan die Stadsraad van Stellenbosch vir goedkeuring voorgelê word en geen sinkplaatomheinings van eniger aard mag op hierdie erf aangebring word nie.
4. Die dakke van alle geboue op hierdie erf moet eenvormig wees wat materiaal en styl betref. Platdakke vir buitegeboue sal slegs toegelaat word as die hoofgebou ook 'n platdak het.
5. Die eienaar van hierdie erf aanvaar geen bedrywigheid wat deur geraas of in enige ander opsigte 'n oorlast vir ander bewoners van erwe sal veroorsaak nie. Sys al nie op hierdie erf hout vir wins saag of kap nie, of toelaat dat dit gedoen word, nog enige materiaal wat sy in verband met enige besigheid wat sy buite hierdie erf mag drywe, op hierdie erf mag bêre nie."

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WHEREFORE the said Appearer, renouncing all rights and title which the said

MARLENE VAN NIEKERK, Unmarried

heretofore had to the premises, did in consequence also acknowledge her to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

ADRIAN NEAL KUYPERS, Married as aforesaid

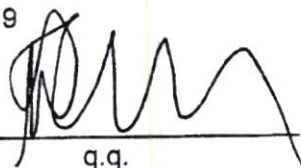
his Heirs, Executors, Administrators or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of **R2 660 000,00 (TWO MILLION SIX HUNDRED AND SIXTY THOUSAND RAND)**.

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on

30 September

2019



q.q.

In my presence



REGISTRAR OF DEEDS