

**NOTICE OF LAND DEVELOPMENT APPLICATION
IN THE STELLENBOSCH MUNICIPAL AREA**

APPLICATION TYPE: SUBDIVISION OF ERF 6007 BRANDWACHT, STELLENBOSCH

Application Address: 62 Brandwacht Street/Erf 6007 Brandwacht, Stellenbosch

Applicant: Sydney Holden Town Planners/Property Consultants. Email: sholden@telkomsa.net
Cell: 084 6293328

Owner: Johannes Franciscus Nieuwoudt. Email: Hans@hnconstruction.co.za
Charlene Nieuwoudt Cell: 082 8737320

Application Reference: LU//13601

Description of land development application:

Application is made in terms of Section 15 (2) (d) of the Stellenbosch Municipal Land Use Planning By-Law dated 20 October 2015 for the subdivision of Erf 6007, Stellenbosch into 2 portions namely, Remainder (1108 m²) and Portion 1 (997 m²).

Notice is hereby given in terms 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.

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 Bylaw to the Applicant by electronic mail as follows: **Sydney Holden Town Planners/Property Consultants. Email: sholden@telkomsa.net** 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 **8 April 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 **084 6293328 / 021 8551156** during normal office hours.

**KENNISGEWING VAN GRONDONTWIKKELINGSAANSOEK
IN DIE STELLENBOSCH MUNISIPALE AREA**

AANSOEK TIE: ONDERVERDELING VAN ERF 6007 BRANDWACHT, STELLENBOSCH

Adres van eiendom: Brandwacht Straat 62/Erf 6007 Brandwacht, Stellenbos

Aansoeker: Sydney Holden Town Planners/Property Consultants. Epos: sholden@telkomsa.net
Sel: 084 6293328

Eienaar: Johannes Franciscus Nieuwoudt. Epos: Hans@hnconstruction.co.za
Charlene Nieuwoudt Sel: 082 8737320

Aansoek Verwysing: LU/13601

Beskrywing van grondontwikkelingsaansoek:

Aansoek word gemaak in terme van Artikel 15 (2) (d) van die Stellenbos Munisipaliteit se Grondgebruik Beplannings Verordening gedateer 20 Oktober 2015 vir die onderverdeling van Erf 6007, Stellenbos in twee dele, naamlik, Restant (1108 m²) en Gedeelte 1 (997 m²).

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 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-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 verwysings nommer van die aansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, die redes 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 by wyse van elektroniese pos as volg: **Sydney Holden Town Planners/Property Consultants. Epos: sholden@telkomsa.net** 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.

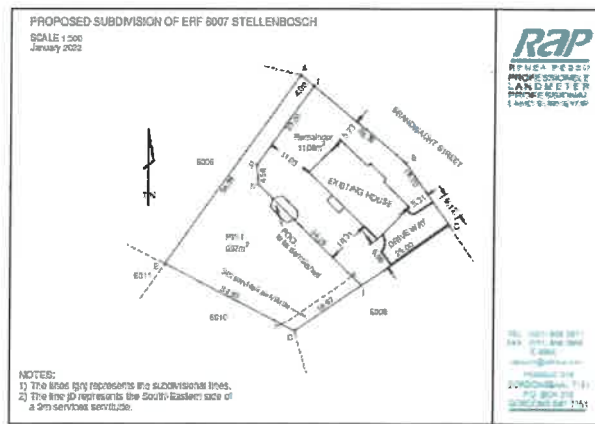
Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **8 April 2022**.

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 voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by **084 6293328 / 021 8551156** gedurende normale kantoor ure.

**APPLICATION FOR
SUBDIVISION OF
ERF 6007 BRANDWACHT, STELLENBOSCH (62 BRANDWACHT
STREET, STELLENBOSCH)**



Locality



Subdivision Proposal

JANUARY 2022

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**APPLICATION FOR SUBDIVISION OF ERF 6007 BRANDWACHT,
STELLENBOSCH (62 BRANDWACHT STREET)**

I PREAMBLE/BACKGROUND

Erf 6007 Stellenbosch forms part of the Brandwacht Township (Stellenbosch Extension 15) and is currently developed with a single residential building.

It is proposed to **subdivide erf 6007 (which has an extent of 2105 m²) into 2 portions to enable the alienation of Portion 1 (measuring 997 m²). The current parent property is zoned Conventional Residential. The Remainder portion of the property which contains the existing dwelling will have an extent of 1108 m².**

The extent of Portion 1 and the Remainder will be similar to that of other single dwelling erven in the vicinity; as an example, erf 9048 to the south of the subject property has an extent of 1160 m² whilst erf 6616 (located to the south-west of the subject property) has an extent of 1013 m². The subdivision of erf 6007 will be in compliance with the Subdivision Policy of Stellenbosch.

The building lines that will be applicable to Portion 1 will be 2.5 m from the common boundaries; whilst no buildings will be erected in the panhandle.

Access to Portion 1 will be obtained via a 4.0 m wide panhandle on the northern boundary of the subject property. The intention is to alienate Portion 1 and its development will have to comply with the development parameters contained in the Conventional Residential zone as per Zoning Scheme Bylaw.

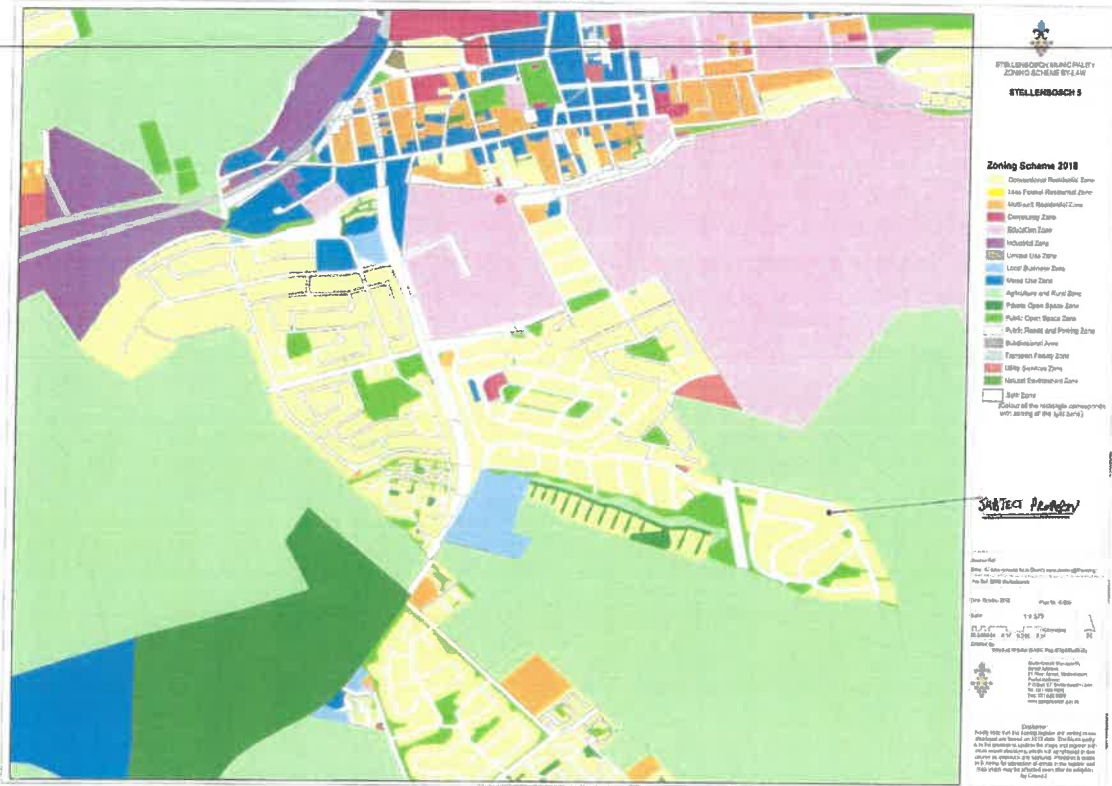
Notwithstanding the panhandle and building lines, the effective development area (coverage) of Portion 1 could still be ±600 m² which in terms of the existing development parameters contained in the Bylaw for conventional residential is more than permitted (Clause 55 (1)). However, the prescriptions of the Bylaw will be adhered to.

II PROPERTY DETAILS

SUBJECT PROPERTY:	Erf 6007, Brandwacht, Stellenbosch
LOCATION:	62 Brandwacht Street, Stellenbosch
EXTENT:	2105 m ²
TITLE DEED:	T24469/2020. There are no restrictions contained in the Title Deed precluding subdivision . The Conveyancer has researched the current and all the pivot deeds. The relevant conveyancer's certificate is attached as Appendix D.

OWNER: Johannes Franciscus Nieuwoudt and Charlene Nieuwoudt

CURRENT ZONING: Conventional Residential



Zoning Plan for Stellenbosch 5

III LOCALITY



Broad Locality Plan



Locality Plan of Subject Property

The subject property (erf 6007) forms part of Stellenbosch Extension 15 (Brandwacht) which is located at the north-eastern extremity of the Township.

Brandwacht is accessible via Barry and Brandwacht Street which links to the Stellenbosch Road (R44) to the West via Van Reede Street.

The subject property is located near the furthest extremity of Brandwacht Street and is abutted by both residential properties and agricultural land to the south and north, respectively.

The subject property therefore has reasonable but circuitatous accessibility to significant distributor/collector traffic routes.

The property is in close proximity to numerous group housing dwellings, conventional dwellings and tourist accommodation establishments.

The balance of the **surrounding properties are zoned Conventional Residential and Conventional Residential with consent for group housing.** It should be noted that **several subdivisions of single residential properties have taken place in the vicinity of the subject property.**

The above and attached **Zoning Plan and Locality/Subdivision Plan** of the immediate surrounds **places the subject property in its development context.**

Being located in **relative close proximity and accessibility to the road network of the R44 and associated community and service-orientated facilities,** makes the **subdivision of the subject property both viable and desirable.**

IV PROPOSAL

It is proposed to:

- **Subdivide Erf 6007 into 2 portions** – being a Remainder Erf measuring $\pm 1108 \text{ m}^2$ and Portion 1, measuring $\pm 997 \text{ m}^2$.

Zoning Scheme: Subdivision

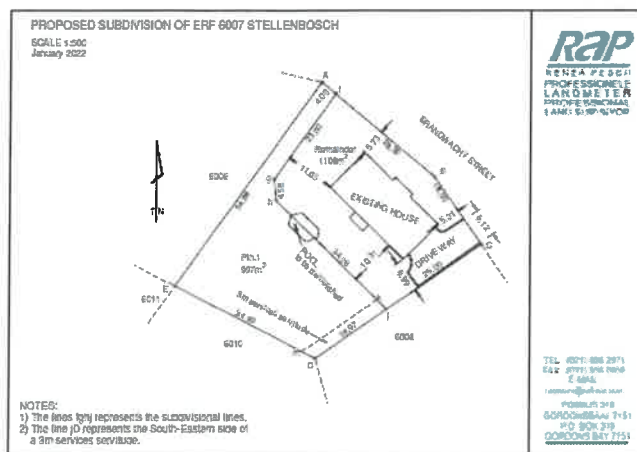
Application is made in terms of Section 15 (2) (d) of the Land Use Planning By-Law for the subdivision of the property into 2 portions, measuring $\pm 1108 \text{ m}^2$ and $\pm 997 \text{ m}^2$, respectively. The subdivision diagram is attached as Appendix J. (Reference: René Pesch dated January 2022)

The property has a sloping gradient from the north-east to south-west with the position of the existing dwelling on the Remainder Portion being depicted. Existing and proposed services connections are also depicted. (See Appendix K: Plan 9421/01 dated 23/08/2021.

The property is **well-vegetated with mature and small trees and shrubs as well as lawned area.**

V MOTIVATION

❖ SUBDIVISION



Subdivision Diagram

The subdivision of the subject property into 2 portions measuring $\pm 1108 \text{ m}^2$ (Remainder) and $\pm 997 \text{ m}^2$ (Portion 1) is fully merited for the following reasons:

- The subject property is in close proximity to several subdivided properties which range in extent from $\pm 930 \text{ m}^2$ – 3018 m^2 .
- The subject property is located in a low-trafficked area being at the north-eastern edge of Brandwacht. However, access to a prominent distributor/collector traffic route, namely, Stellenbosch Road (R44) facilitates access to the CBD of Stellenbosch and Somerset West.
- Several subdivisions have taken place in the immediate vicinity of the subject property which display similar subdivided extents; for example, Erf 9048 to the south of the subject property has an extent of 1160 m^2 , whilst Erf 6616 (located to the south-west of the subject property) has an extent of 1013 m^2 .

It is also important to realize that the configuration of the subdivision is such that dwelling placement can easily be achieved whilst adhering to building lines and accommodating vegetation. The shape and effective area for development on Portion 1 (i.e. $\pm 600 \text{ m}^2$) is substantial whilst the Remainder Portion has already been developed with an existing dwelling. A subdivision density of 2 cadastrally subdivided erven in this locality is fully merited.

In terms of Council's Subdivision Policy the proposed subdivision may not be smaller than 50% of the existing average size of the 10 surrounding properties. In this regard the closest 10 erven measure as follows:

10 CLOSEST SURROUNDING ERVEN

Erf	Extent (m ²)
6005	1623
6006	2340
6008	2181
6010	3018
6011	2529
9048	1160
6009	1651
4980	1567
4979	1876
4978	1518
TOTAL	19463 m²
AVERAGE	1946.3 m²
50%	973 m²



Plan depicting the location of closest 10 surrounding erven

From the above table it is evident that the subject property subdivision may not measure less than 973 m². The extents of the proposal are that the Remainder

measures 1108 m² and Portion 1 measures 997 m² which is fully in compliance with the subdivisional policy.

- The configuration of the subdivision is necessitated by the location of the existing dwelling on the property, as well as to achieve access to the rear (southern portion) of the property. The extent of portion 1, namely, 997 m², has an adequate effective extent to accommodate a dwelling with outbuildings.
- The fact that the subdivision configuration is slightly different from the conventional is in view of the position of the existing dwelling. However, such configuration is still highly practical and does not undermine or preclude dwelling placement, whilst still adhering to the provisions of section 55 contained in the Zoning Scheme By-Law 2019. With subdivision, the common building lines (for all components of the subdivision) will be 2.5 m.

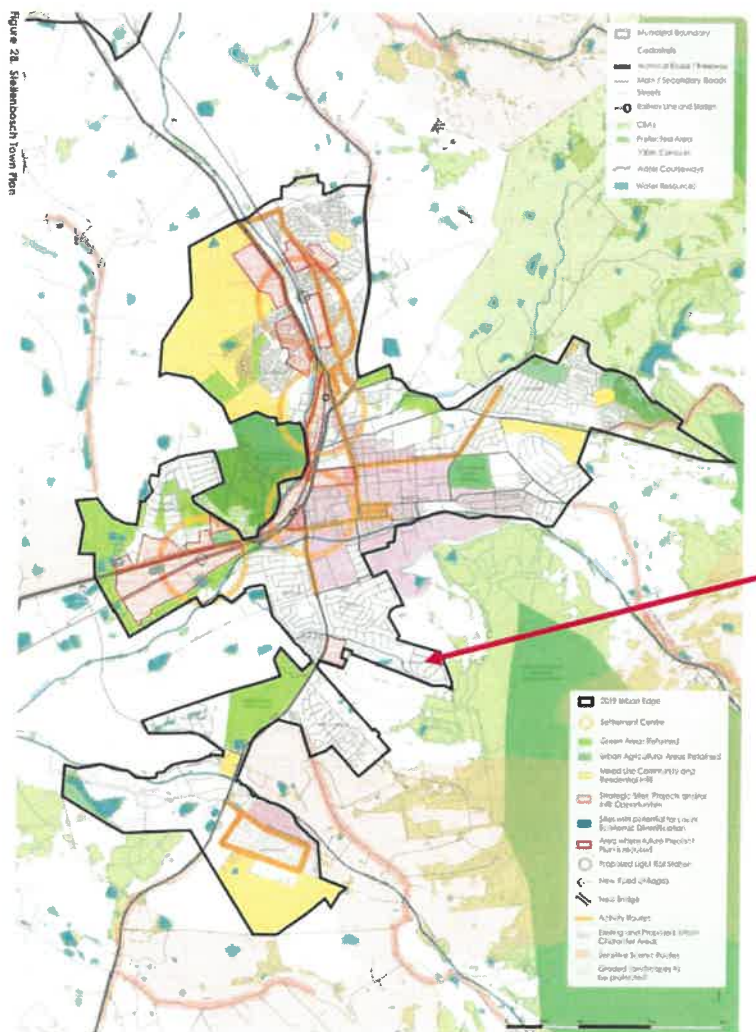
The act of cadastral subdivision does, in this instance, not change the nature of the surrounding built environment or in any way undermine the character of the neighbourhood.

- Due consideration has been given to existing vegetation.
- The subdivision proposal is consistent with Councils densification/compact urban form policy and is regarded as incremental densification which is defined as “small-scale densification” that has a relatively low impact on the character of the area: e.g. “the subdivision of a residential property”.

It is clearly evident that there is no substantive reason why the subdivision cannot be approved given the new legislative environment within the Municipality and clearer policy direction relating to incremental densification.

The approval of the subdivision indicates no adverse or material impact on the surrounding built environment. Such subdivision proposal is not only policy compliant but is consistent with numerous subdivisions and the subdivision pattern that has occurred and is occurring in the immediate vicinity.

❖ **PLANNING POLICY**



STELLENBOSCH FRAMEWORK

Locality of subject property in relation to the Stellenbosch framework

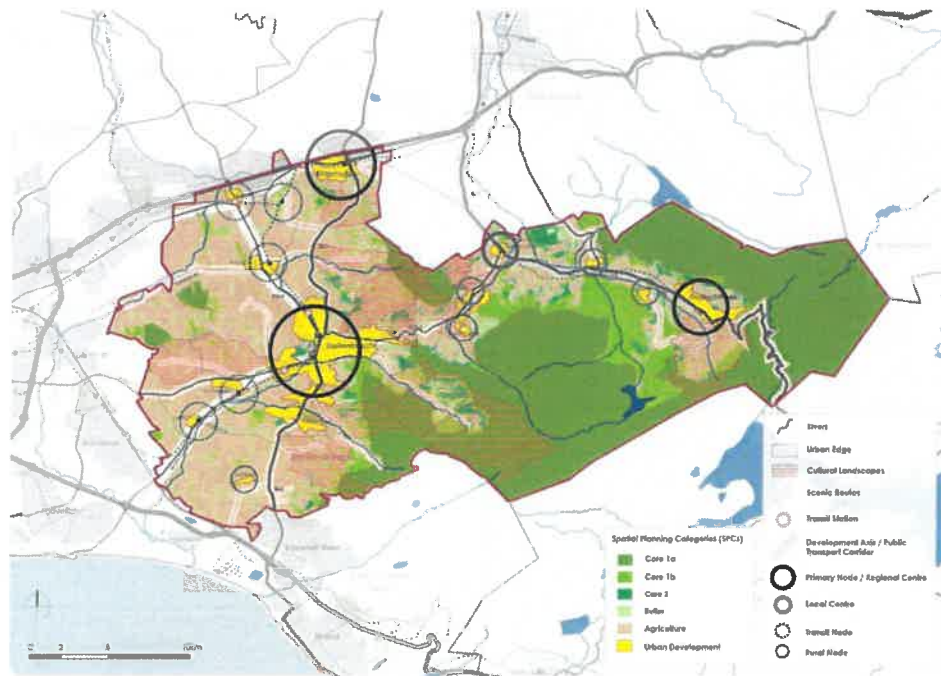


Figure 24 Municipal Spatial Framework for the SM area

Spatial Development Framework for Stellenbosch

In terms of the **Stellenbosch Spatial Development Framework (2019)** the subject property falls within the **Urban Edge of Stellenbosch** and is identified for **Urban Development**.

A **specific change action** in terms of **spatial policy** is the focus of **infill development** on undeveloped land within the **Urban Edge of Stellenbosch**.

The **proposal** therefore **complies** with the broader vision and goals of the **Spatial Development Framework** inasmuch as it will allow for **improved urban efficiency (through incremental densification)**. The proposed increase in densification will lead to **better access to opportunities, the provision of a quality urban environment** and a more compact urban form that will enhance resource efficiency.

The subdivision of the subject property would not be inconsistent with **Council's Spatial Development Framework (SDF)**. The approach towards incremental densification has gained considerable traction in the assessment of development applications.

The **Conventional Residential Zoned** subject property lends itself physically to subdivision and the proximity to community and employment related facilities, as well as similarly sized residential properties in the immediate vicinity, bears testimony to the suitability of the subject property for cadastral subdivision.

The subdivision of the subject property into 2 Portions is regarded as being **aligned and consistent with the SDF**.

There are relevant policy or strategy documentation approved by the Municipality to guide decision-making and which are relevant to this particular application:

Policy Compliance

In terms of **Policy** the subdivision of the subject property aligns with the SDF in the following respects:

Strategy 4: Clarity/Respect the different roles and potentials of settlements and maintain the identity of each.

Policy: Maximize livelihood opportunity through building on the availability of existing public facilities.

Response: The subdivision and the creation of a new erf/dwelling opportunity improves the efficiency of existing services and promotes housing opportunities.

Strategy 6: Develop all settlements as balanced, inclusive, appropriately serviced communities.

Policy: Work towards and maintain a compact form and structure to achieve greater efficiency in service delivery and resource use.

Response: The subdivision of the property does contribute to facilitating a more compact urban environment.

❖ **PARKING/ACCESS/TRAFFIC**

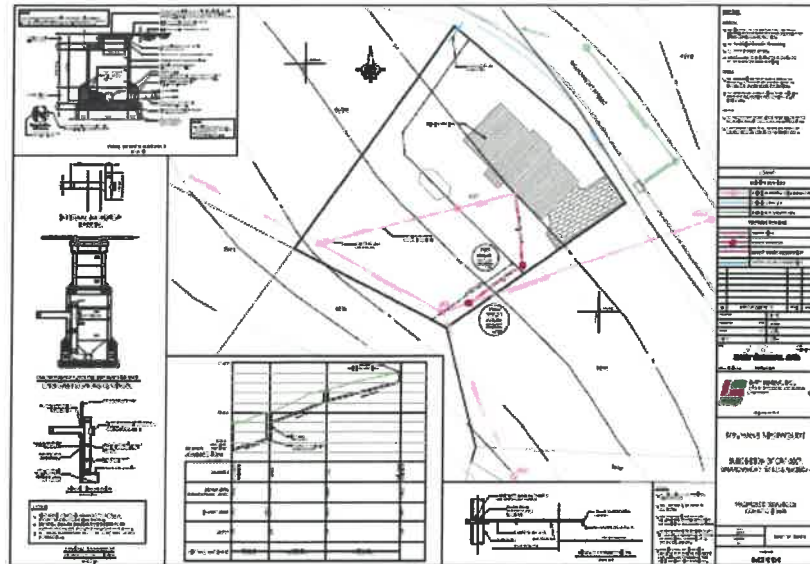
With the subdivision and eventual development of Portion 1 adequate provision is available for on-site parking in accordance with zoning scheme prescriptions. The remainder portion is already improved with driveway access and parking.

The impact on traffic is not regarded as being material given the locational context and nature of the development proposal (subdivision into 2 portions). The access to the erven will be from the abutting roadway. The existing dwelling obtains access via Brandwacht Street at the north-east corner of the property whereas a 4 m wide panhandle will provide access to Portion 1 at the northern-most boundary onto Brandwacht Street.

❖ **SERVICES**

All municipal services are available in the area. The municipal services which cross the subject property are depicted on the attached Appendix K.

It should be noted from the services plan compiled by Lukas Louw of Bart Senekal Inc., a 3.0 m services servitude will be registered over Portion 1 to accommodate a sewer pipeline from the Remainder erf, whilst appropriate services connections are provided for.



Service Plan

❖ **PUBLIC INTEREST**

It should be noted that there are **no onerous subdivision conditions contained in the title deed** (attached as Appendix C). **Subdivision of the property is regarded as being in the public interest.**

The subdivision of this property is an enhancement of the public interest and beneficial to the interest of the area and that of the township. Job creation, skills development, employment and socio-economic upliftment is being promoted (albeit at a small-scale) through this application. **The proposal contributes to the efficient utilization of both land resources and services infrastructure.**

The promotion of a more compact urban form in well-located residential areas within the urban edge is much-needed in order to counter a proliferation of urban sprawl to decentralised localities.

The subdivision as proposed is seen as **complementing Councils' strategic initiatives** in this regard in not only **contributing** (albeit in a small measure) to **promoting a more compact urban environment**, but also **creating sustainable living environments.**

The subdivision proposal is in the interests of the public, the area and the township with **no negative implication for the public or private realm.**

❖ **DESIRABILITY AND PUBLIC INTEREST**

The subdivision proposal is in conformity with **Councils Subdivisional Policy and with typical subdivisions in the area, as well as being in relative close proximity to conventional developments and community facilities** including Open Space and Educational facilities. The proposal has **no negative impacts on the streetscape, character and urban design/aesthetic of the surrounding properties, neighbourhood, services or traffic.**

The proposal **does not compromise the safety, amenity or privacy** of abutting properties and has **no negative impact on existing rights**.

The proposal **contributes** to the policy of **localised incremental densification** without **impacting negatively on the amenity or character of the neighbourhood**.

It is noted that **several erven in the vicinity of the subject property have also been subdivided to extents similar to that being proposed**.

The subdivision proposal is regarded as being desirable in terms of the prescriptions contained in legislation.

IN THE ABOVE REGARD, THE FOLLOWING:

- (i) the proposal is **consistent with the Spatial Development Framework for Stellenbosch** as is evidenced by the **intensification of residential uses** in the vicinity of the subject property.
- (ii) **the subdivision of the property has no negative impact on surrounding properties or their existing rights.**
- (iii) the subdivision of the property has **significant (albeit small-scale) socio-economic benefit for the owners** who will be able to **sustain themselves economically by either disposing of the property or developing it**. **Job creation** (albeit on a small-scale) in the construction industry **will be promoted** through this particular proposal.
- (iv) the residential subdivision **proposal** is regarded as being **highly compatible** with the **nature of the surrounding properties/land uses**.
- (v) the **proposal has no negative impact on external engineering services**. All bulk services are available to the property.
- (vi) the **proposal promotes both the safety** and well-being of the surrounding community in that the **current vacant portion will in time be developed**. The nature of the proposal is deemed to be an **enhancement of the well-being** of the **surrounding community**.
- (vii) **the existing building does not trigger any requirements for a Heritage Permit** and there is **no negative impact on the bio-physical environment**. **Significant vegetation will be retained, particularly on the boundaries of Portion 1**.
- (viii) the **subdivision proposal is small-scale** and has **no negative impact on traffic circulation, ingress/egress or parking**. On-site parking could be adequately provided for. **Sightlines** are furthermore **not impeded in any way**. The access to the subdivided portions of the property will be such as to **facilitate safe vehicle movement, with such access to be taken from the existing Brandwacht Street**.

❖ **COMPLIANCE WITH LAND USE PLANNING PRINCIPLES**

Although the **subdivision of property into 2 Portions may not be directly relevant to achieving the land use planning principles** stipulated in Section 59 of the Land Use Planning Act, 2014 and Section 7 of the Spatial Planning and Land Use Management Act 2013; **a few salient comments in this regard is made, namely,**

Spatial Justice

The **subdivision of the property will facilitate access to land in this locality and promote its use for residential opportunities.**

Spatial Sustainability

The **subdivision of the property does promote land development that is more spatially compliant and within the fiscal means (services provision) of the local authority. The subdivision will furthermore promote and stimulate the current land market for available erven in this locality. The low-key increase in density does contribute indirectly to the viability of the community in which the property is located.**

Principle of Efficiency

The **subdivision of the property would contribute in a small way to the more optimal use of resources and infrastructure. More people would be brought closer to existing community facilities and good road-based transport infrastructure.**

Contextually appropriate intensification and densification, as is the case in this instance, results in more efficient use of land and municipal services.

Good Administration

Such principle is **contained within the administrative and implementation processes of Council where stated urban compaction/densification policies are applied consistently and transparently.**

VI CONCLUSION

The above **proposal has merit** and is not only **in keeping with and complementary to the surrounding developments** but **does not compromise the integrity** of adjoining properties or **negatively impact** on the **public or private realm** – the proposal is considered an enhancement of the public interest, the interest of the area and that of the township.

The proposal supports the notion of promoting a more compact urban environment and is policy compliant.

The impacts are considered to be positive and the proposal fully merited and in compliance with desirability criteria.

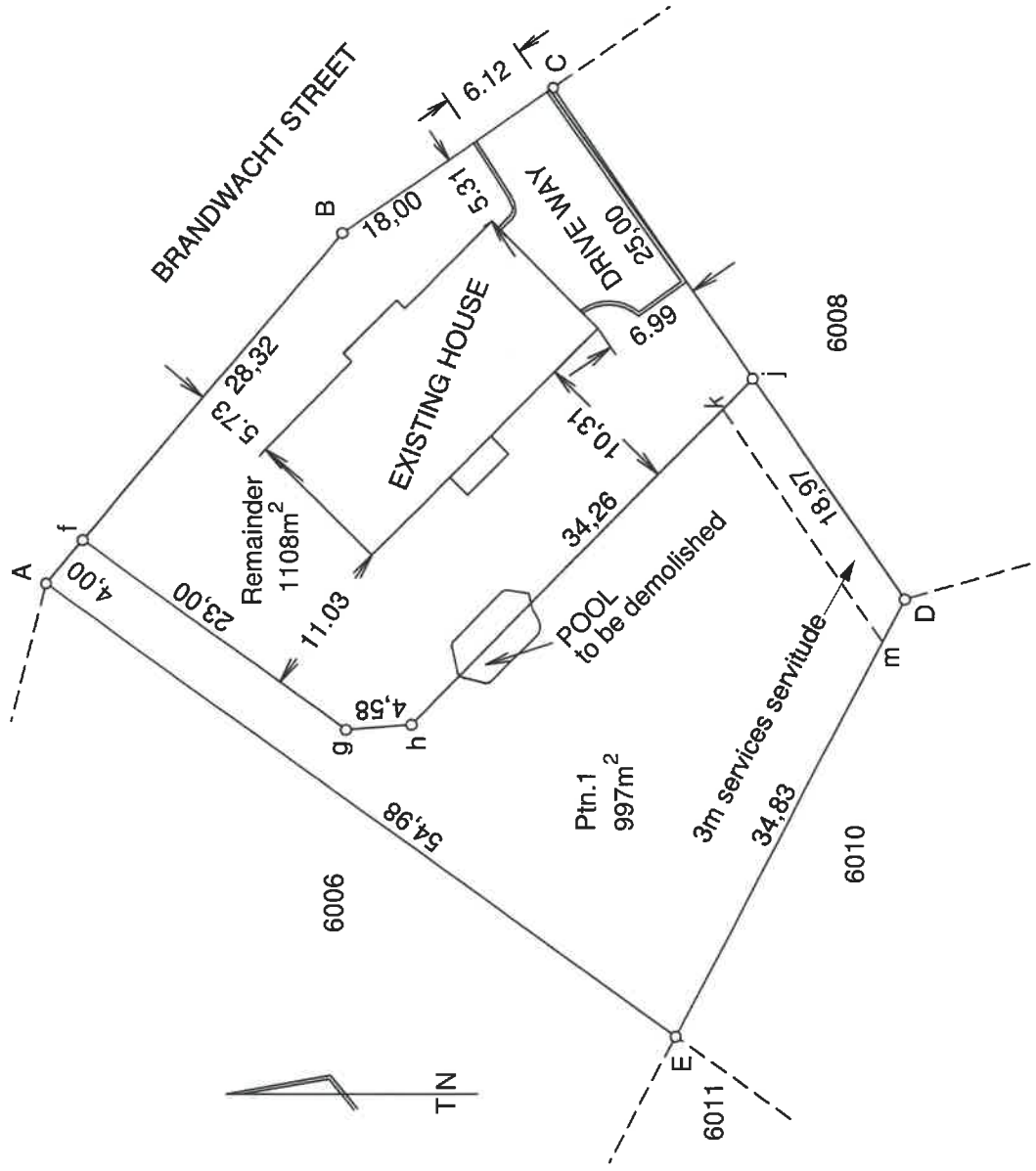
VII RECOMMENDATION

It is therefore recommended that: –

- **The property be approved for subdivision into 2 portions measuring ±1108 m² (Remainder), and ±997 m² (Portion 1); respectively.**

PROPOSED SUBDIVISION OF ERF 6007 STELLENBOSCH

SCALE 1:500
January 2022



- NOTES:
- 1) The lines fghj represents the subdivisional lines.
 - 2) The line jD represents the South-Eastern side of a 3m services servitude.



TAX INVOICE

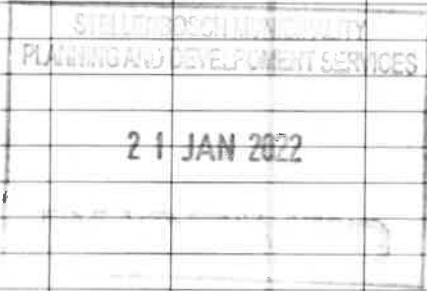
STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

PO BOX 17, STELLENBOSCH, 7599

PLANNING & ECONOMIC DEVELOPMENT: PLANNING

DATE:	2022-01-13	DOCUMENT NO:	721651
ERF / FARM NO:	6007	CREATED BY:	Nicole Katts
LOCALITY:	62 Brandwacht Street, STELLENBOSCH	APPLICATION NO:	LU/13601
OWNER'S NAME:	Johannes Franciscus Nieuwoudt	APPLICATION VAT NO:	0
ADDRESS:	60 Acacia Street Herdervue Somerset West 7130	VAT NO:	4700102181
		APPLICANT:	Sydney Holden Town Planners
		TEL NO:	0218551156

FEE DESCRIPTION	AMOUNT PER UNIT (R)	NUMBER OF UNITS	VOTE NUMBER	AMOUNT (R)
SUBDIVISION & CONSOLIDATION - Subdivision & Consolidation (Amendment/Cancellation of Subdivisional Plan / General Plan / Diagram), Per Application	5000.00	1	20180711011497	5000.00
				

TOTAL AMOUNT PAYABLE 5000.00

ALL TARIFFS INCLUDE 15% VAT FROM 1 JULY 2021 TO 30 JUNE 2022

CALCULATED BY

NAME: Nicole Katts
SIGNATURE

DATE: 13 01 2022

PAYMENTS MUST BE MADE AT THE APPLICABLE DISTRICT OFFICE
CHEQUES TO BE MADE PAYABLE TO STELLENBOSCH
MUNICIPALITY

APPLICANT TO RETURN THIS FORM TO THE ADVICE CENTRE FOR
DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT

VERIFIED BY

NAME: SCAN NR:
SIGNATURE: E. Coetzee

COLLABORATOR NR:

DATE:

BANKING DETAILS FOR EFT PAYMENT:

ACCOUNT HOLDER: Stellenbosch Municipality
BANK: First National Bank (FNB)
ACCOUNT NUMBER: 62869253684
BRANCH CODE: 210554
REFERENCE: LU/_____ and ERF/FARM_____

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

0.00

0

Nicole Katts

From: Nicole Katts
Sent: Thursday, 13 January 2022 13:19
To: 'S. Holden'
Subject: INVOICE: APPLICATION FOR A SUBDIVISION - ERF 6007 STELLENBOSCH
Attachments: INV - ERF 6007 SB.pdf

Good day Sydney

Your land use application for Erf 6007 Stellenbosch is considered complete, you may now pay the following fees into Council's bank account within the next two (2) working days. Please provide this office with a copy of your proof of payment.

Application is made for the following:

- Subdivision



Kind regards / Vriendelike Groete

Nicole Katts

Administrative Officer: Customer

Interface and Administration

Planning & Economic Development

T +27 21 808 8318

43 Andringa Str. Eikestad Mall, 3rd

Floor

www.stellenbosch.gov.za





PLANNING & ECONOMIC DEVELOPMENT

LAND USE APPLICATION COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW, 2015			Date of Submission of Application	11 January 2022	
Erf / Erven/ Farm no	6007	Portion(s) if farm	Allotment Area	Stellenbosch	
Owner / Applicant	Sydney Holden Town Planners		Contact number	084 629 3328	
Email address	sholden@telkomsa.net				
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			✓		✓
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			✓		✓
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					

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

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

INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION		ADMIN TO VERIFY	PLANNER TO VERIFY
18. Land use plan / zoning plan		✓	✓
19. Landscaping / tree plan			
20. Flood line plan			
21. Neighbours' consent			
22. HOA consent			
23. Assessments: EIA, HIA, TIA, TIS, MHIA, EA/ROD			
24. Services 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		
VERIFIED & SIGNED BY PLANNER	NAME: Bongwiwe Zondo		

Outstanding information (to be completed by Planner):

NOTES:

1. 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.
2. Should it be found that the application is not complete, the Applicant will be notified of outstanding information [s41(1)(c)(i)].
3. 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)].
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)].



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Sydney Holden Town Planners
Sholden@telkomsa.net
084 6293328 / 021 8551156

23 March 2020

SUBJECT: PRE-APPLICATION SCRUTINY FEEDBACK, ERF 6007 STELLENBOSCH

1. Your pre-application scrutiny submission on the above property dated **14 March 2021**, refers.
2. Your submission has been duly scrutinized for your intended land use application.
3. Your intended land use application needs to address the following requirements to satisfy the prevailing provisions in the Stellenbosch Land Use Planning Bylaw (2015) [SLUPB] and Stellenbosch Zoning Scheme Bylaw (2019) [SZSB]:

3.1 Please note that due to the restrictive title deed conditions indicated on the Conveyance certificate, the particular restrictive title deed conditions must be removed, you are therefore required to apply for the Removal of Restrictive title deed conditions application.

3.2 Please also note that the Stellenbosch Subdivisional Policy requires the following:

"A single residential erf may be subdivided if none of the portions that will be formed will be smaller than 50% of the existing average size of the 10 surrounding properties."

4. The intended land use and/ or land development application also needs to fulfill the requirements as stipulated in Section 38 of the SLUPB. The required application documents and related information on any applicable Bylaws, Policies and Spatial Plans are available on the Planning Portal of the Municipal Website. (<https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal/>)
5. Please note that the sole purpose of this pre-application scrutiny feedback is to facilitate an accurate approach for the intended land use and/ or land development application. The feedback should consequently not be interpreted to represent any position on the merit nor desirability of such intended land use and/ or land development application, which can only be determined once a complete application has been received and duly processed and decided on by the authorised decision maker.
6. It should also be noted that 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. Once proof of payment is received, the application will be regarded as duly submitted in accordance with a notice as contemplated in terms of Section 41(1)(c)(i) of the SLUPB.

Page 1 of 2

7. For any enquiries on this correspondence please respond by e-mail to the writer hereof.

Kind regards

Bongiwe Zondo

bongiwe.zondo@stellenbosch.gov.za

**SYDNEY HOLDEN TOWN PLANNERS/
PROPERTY CONSULTANTS**

Tel.: (021) 855 1156
Cell: 084 629 3328
Fax: 086 666 5511
E-mail: sholden@telkomsa.net



60 Acacia Street
Heldervue
SOMERSET WEST, 7130

10 January 2022

landuse.applications@stellenbosch.gov.za

The Manager: Land Use Management (att.: Ms Bongiwe Zondo)
Planning and Economic Development
Stellenbosch Municipality
43 Andringa Street
STELLENBOSCH
7600

Dear Bongiwe

PROPOSED SUBDIVISION OF ERF 6007 BRANDWACHT, STELLENBOSCH

Following receipt of the pre-application scrutiny feedback (dated 23/03/2021) and discussion with yourself please find attached the prescribed land use application form duly completed, together with relevant motivation report and attachments.

As required, also please find attached the **subdivision diagram** including **existing/proposed services**, a **copy of the title deed**, **conveyancer's certificate**, **general plan**, **aerial photo** and a **locality plan** of the property.

The consent of the bondholder to the subdivision is also appended, as well as the assessment of the Land Use Principles contained in the Land Use Planning Act, 2014.

Your expeditious and favourable consideration of this application would be much appreciated.

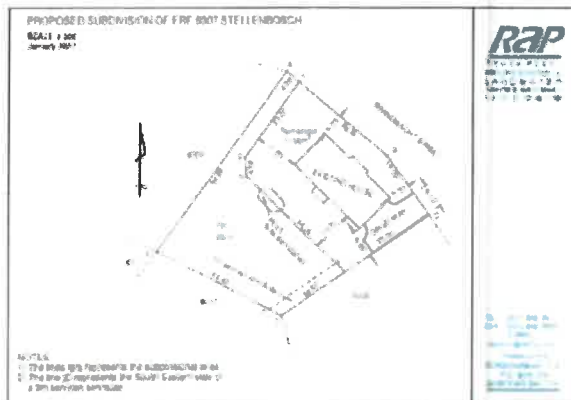
Yours faithfully

SYDNEY HOLDEN

**APPLICATION FOR
SUBDIVISION OF
ERF 6007 BRANDWACHT, STELLENBOSCH (62 BRANDWACHT
STREET, STELLENBOSCH)**



Locality



Subdivision Proposal

JANUARY 2022

TABLE OF CONTENT

I. PREAMBLE/BACKGROUND**II. PROPERTY DETAILS****III. LOCALITY****IV. PROPOSAL****V. MOTIVATION**

- Subdivision
- Planning (Zoning, Policy, Land use)
- Parking/Access/Traffic
- Services
- Desirability and Public Interest
- Compliance with Land Use Planning Principles contained in LUPA and SPLUMA

VI. CONCLUSION**VII. RECOMMENDATION****VIII. APPENDICES**

- A Locality
- B Zoning Plan
- C Title Deed
- D Conveyancer's Certificate
- E Property Diagram/General Plan
- F Power of Attorney/Bond Holder's Consent
- G Photographs
- H Application Form
- I Aerial Photo
- J Subdivision diagram
- K Existing and Proposed Services Connections
- L Pre-Application Scrutiny Feedback

**APPLICATION FOR SUBDIVISION OF ERF 6007 BRANDWACHT,
STELLENBOSCH (62 BRANDWACHT STREET)**

I PREAMBLE/BACKGROUND

Erf 6007 Stellenbosch forms part of the Brandwacht Township (Stellenbosch Extension 15) and is currently developed with a single residential building.

It is proposed to subdivide erf 6007 (which has an extent of 2105 m²) into 2 portions to enable the alienation of Portion 1 (measuring 997 m²). The current parent property is zoned Conventional Residential. The Remainder portion of the property which contains the existing dwelling will have an extent of 1108 m².

The extent of Portion 1 and the Remainder will be similar to that of other single dwelling erven in the vicinity; as an example, erf 9048 to the south of the subject property has an extent of 1160 m² whilst erf 6616 (located to the south-west of the subject property) has an extent of 1013 m². The subdivision of erf 6007 will be in compliance with the Subdivision Policy of Stellenbosch.

The building lines that will be applicable to Portion 1 will be 2.5 m from the common boundaries; whilst no buildings will be erected in the panhandle.

Access to Portion 1 will be obtained via a 4.0 m wide panhandle on the northern boundary of the subject property. The intention is to alienate Portion 1 and its development will have to comply with the development parameters contained in the Conventional Residential zone as per Zoning Scheme Bylaw.

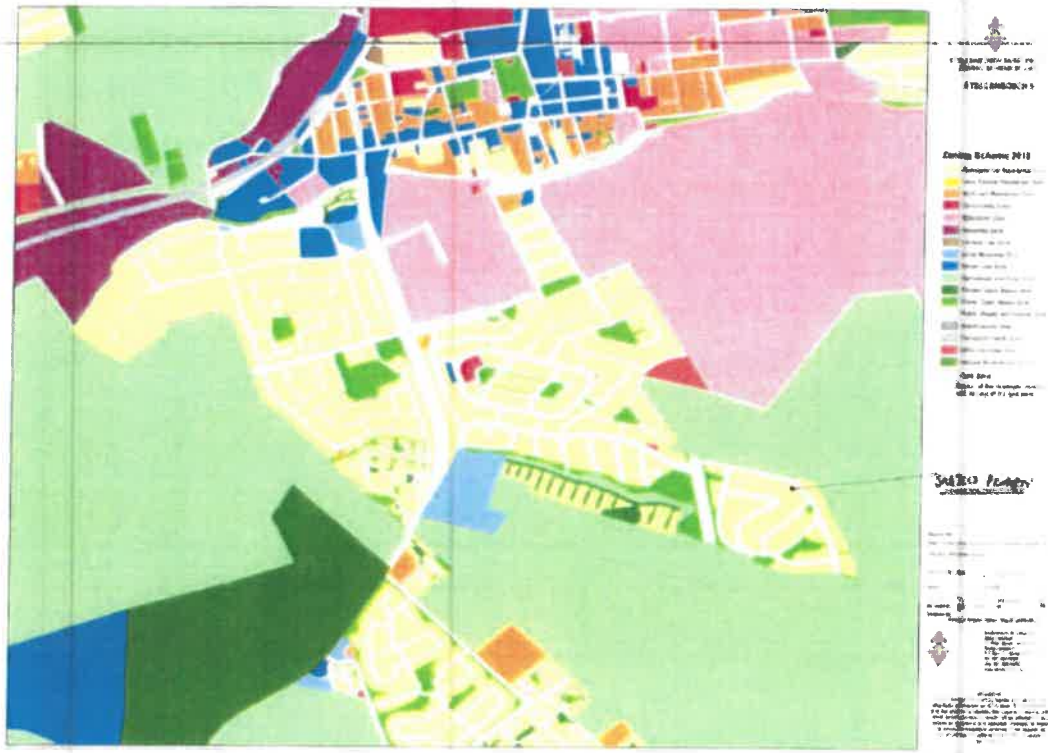
Notwithstanding the panhandle and building lines, the effective development area (coverage) of Portion 1 could still be ±600 m² which in terms of the existing development parameters contained in the Bylaw for conventional residential is more than permitted (Clause 55 (1)). However, the prescriptions of the Bylaw will be adhered to.

II PROPERTY DETAILS

SUBJECT PROPERTY:	Erf 6007, Brandwacht, Stellenbosch
LOCATION:	62 Brandwacht Street, Stellenbosch
EXTENT:	2105 m ²
TITLE DEED:	T24469/2020. There are no restrictions contained in the Title Deed precluding subdivision . The Conveyancer has researched the current and all the pivot deeds. The relevant conveyancer's certificate is attached as Appendix D.

OWNER: Johannes Franciscus Nieuwoudt and Charlene Nieuwoudt

CURRENT ZONING: Conventional Residential



Zoning Plan for Stellenbosch 5

Sydney Holden BA; B.Comm (Hons.) Real Estate (Cum Laude); M (TRP)
Professional Planner (Reg. No A237/1985) / Professional Associated Valuer (Reg. No 3254)

III LOCALITY**Broad Locality Plan****Locality Plan of Subject Property**

The subject property (erf 6007) forms part of Stellenbosch Extension 15 (Brandwacht) which is located at the north-eastern extremity of the Township.

Brandwacht is accessible via Barry and Brandwacht Street which links to the Stellenbosch Road (R44) to the West via Van Reede Street.

The subject property is located near the furthest extremity of Brandwacht Street and is abutted by both residential properties and agricultural land to the south and north, respectively.

The **subject property therefore has reasonable but circuituous accessibility to significant distributor/collector traffic routes.**

The property is in **close proximity to numerous group housing dwellings, conventional dwellings and tourist accommodation establishments.**

The balance of the **surrounding properties are zoned Conventional Residential and Conventional Residential with consent for group housing.** It should be noted that **several subdivisions of single residential properties have taken place in the vicinity of the subject property.**

The above and attached **Zoning Plan and Locality/Subdivision Plan** of the immediate surrounds places the subject property in its development context.

Being located in **relative close proximity and accessibility to the road network of the R44 and associated community and service-orientated facilities,** makes the subdivision of the subject property both viable and desirable.

IV PROPOSAL

It is proposed to:

- **Subdivide Erf 6007 into 2 portions – being a Remainder Erf measuring $\pm 1108 \text{ m}^2$ and Portion 1, measuring $\pm 997 \text{ m}^2$.**

Zoning Scheme: Subdivision

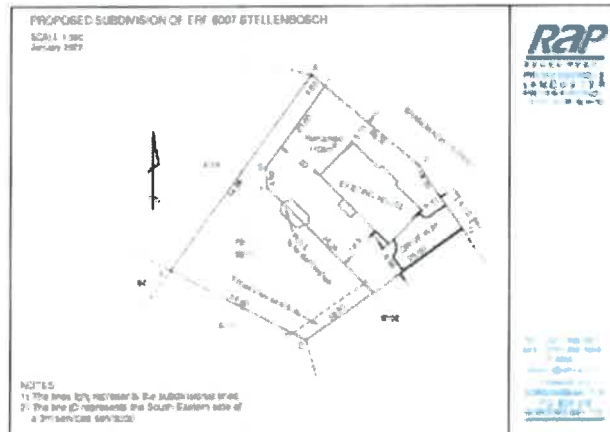
Application is made in terms of Section 15 (2) (d) of the Land Use Planning By-Law for the subdivision of the property into 2 portions, measuring $\pm 1108 \text{ m}^2$ and $\pm 997 \text{ m}^2$, respectively. The subdivision diagram is attached as Appendix J. (Reference: René Pesch dated January 2022)

The property has a sloping gradient from the north-east to south-west with the position of the existing dwelling on the Remainder Portion being depicted. Existing and proposed services connections are also depicted. (See Appendix K: Plan 9421/01 dated 23/08/2021.

The property is **well-vegetated with mature and small trees and shrubs as well as lawned area.**

V MOTIVATION

❖ SUBDIVISION



Subdivision Diagram

The subdivision of the subject property into 2 portions measuring $\pm 1108 \text{ m}^2$ (Remainder) and $\pm 997 \text{ m}^2$ (Portion 1) is fully merited for the following reasons:

- The subject property is in close proximity to several subdivided properties which range in extent from $\pm 930 \text{ m}^2$ – 3018 m^2 .
- The subject property is located in a low-trafficked area being at the north-eastern edge of Brandwacht . However, access to a prominent distributor/collector traffic route, namely, Stellenbosch Road (R44) facilitates access to the CBD of Stellenbosch and Somerset West.
- Several subdivisions have taken place in the immediate vicinity of the subject property which display similar subdivided extents; for example, Erf 9048 to the south of the subject property has an extent of 1160 m^2 , whilst Erf 6616 (located to the south-west of the subject property) has an extent of 1013 m^2 .

It is also important to realize that the configuration of the subdivision is such that dwelling placement can easily be achieved whilst adhering to building lines and accommodating vegetation. The shape and effective area for development on Portion 1 (i.e. $\pm 600 \text{ m}^2$) is substantial whilst the Remainder Portion has already been developed with an existing dwelling. A subdivision density of 2 cadastrally subdivided erven in this locality is fully merited.

In terms of Council's Subdivision Policy the proposed subdivision may not be smaller than 50% of the existing average size of the 10 surrounding properties. In this regard the closest 10 erven measure as follows:

10 CLOSEST SURROUNDING ERVEN

Erf	Extent (m²)
6005	1623
6006	2340
6008	2181
6010	3018
6011	2529
9048	1160
6009	1651
4980	1567
4979	1876
4978	1518
TOTAL	19463 m²
AVERAGE	1946.3 m²
50%	973 m²



Plan depicting the location of closest 10 surrounding erven

From the above table it is evident that the subject property subdivision may not measure less than 973 m². The extents of the proposal are that the Remainder

measures 1108 m² and Portion 1 measures 997 m² which is fully in compliance with the subdivisional policy.

- The configuration of the subdivision is necessitated by the location of the existing dwelling on the property, as well as to achieve access to the rear (southern portion) of the property. The extent of portion 1, namely, 997 m², has an adequate effective extent to accommodate a dwelling with outbuildings.
- The fact that the subdivision configuration is slightly different from the conventional is in view of the position of the existing dwelling. However, such configuration is still highly practical and does not undermine or preclude dwelling placement, whilst still adhering to the provisions of section 55 contained in the Zoning Scheme By-Law 2019. With subdivision, the common building lines (for all components of the subdivision) will be 2.5 m.

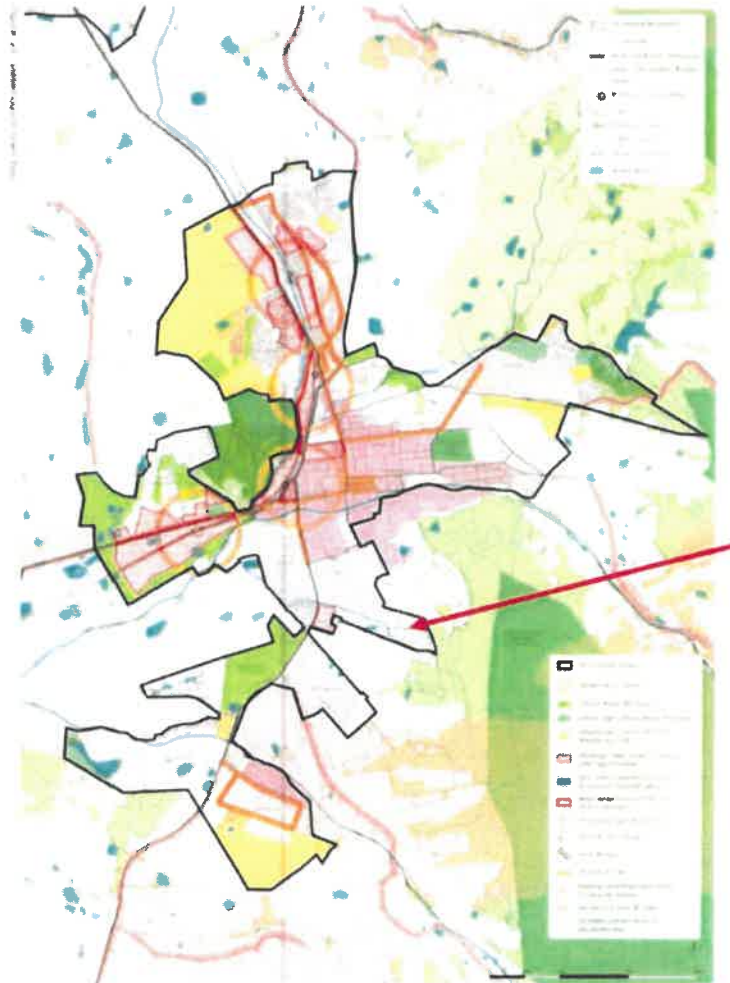
The act of cadastral subdivision does, in this instance, not change the nature of the surrounding built environment or in any way undermine the character of the neighbourhood.

- Due consideration has been given to existing vegetation.
- The subdivision proposal is consistent with Councils densification/compact urban form policy and is regarded as incremental densification which is defined as "small-scale densification" that has a relatively low impact on the character of the area: e.g. "the subdivision of a residential property".

It is clearly evident that there is no substantive reason why the subdivision cannot be approved given the new legislative environment within the Municipality and clearer policy direction relating to incremental densification.

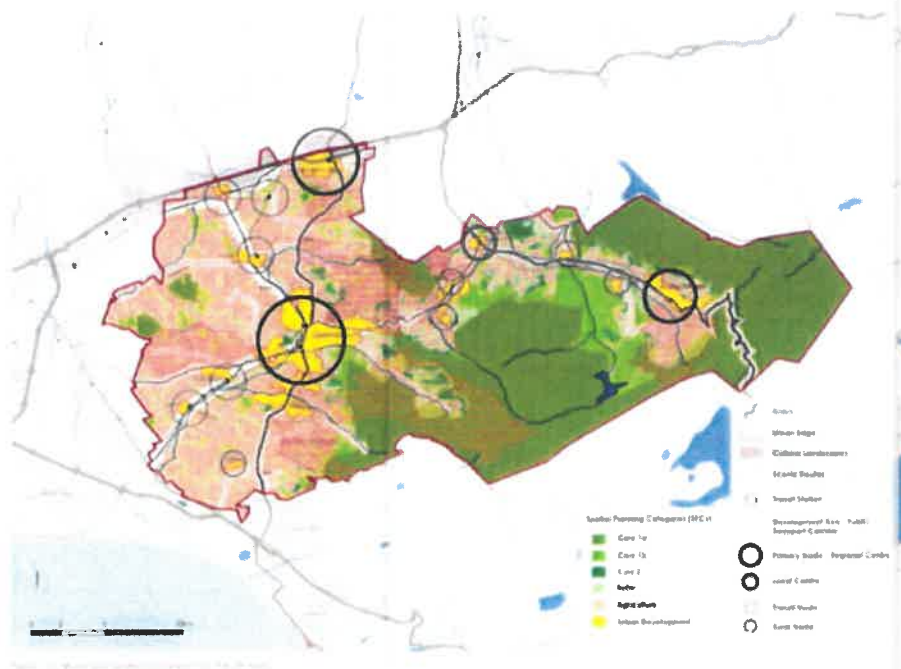
The approval of the subdivision indicates no adverse or material impact on the surrounding built environment. Such subdivision proposal is not only policy compliant but is consistent with numerous subdivisions and the subdivision pattern that has occurred and is occurring in the immediate vicinity.

❖ PLANNING POLICY



STELLENBOSCH FRAMEWORK

Locality of subject property in relation to the Stellenbosch framework



Spatial Development Framework for Stellenbosch

In terms of the **Stellenbosch Spatial Development Framework (2019)** the subject property falls within the **Urban Edge of Stellenbosch** and is identified for **Urban Development**.

A specific change action in terms of **spatial policy** is the focus of **infill development** on undeveloped land within the **Urban Edge of Stellenbosch**.

The proposal therefore complies with the broader vision and goals of the **Spatial Development Framework** inasmuch as it will allow for **improved urban efficiency (through incremental densification)**. The proposed increase in densification will lead to **better access to opportunities, the provision of a quality urban environment** and a more compact urban form that will **enhance resource efficiency**.

The subdivision of the subject property would not be inconsistent with **Council's Spatial Development Framework (SDF)**. The approach towards **incremental densification** has gained considerable traction in the assessment of development applications.

The **Conventional Residential Zoned** subject property lends itself physically to subdivision and the proximity to **community and employment related facilities**, as well as similarly sized residential properties in the immediate vicinity, bears testimony to the suitability of the subject property for cadastral subdivision.

The subdivision of the subject property into 2 Portions is regarded as being aligned and consistent with the **SDF**.

There are relevant **policy or strategy documentation** approved by the Municipality to guide decision-making and which are relevant to this particular application:

Policy Compliance

In terms of Policy the subdivision of the subject property aligns with the SDF in the following respects:

Strategy 4: Clarity/Respect the different roles and potentials of settlements and maintain the identity of each.

Policy: Maximize livelihood opportunity through building on the availability of existing public facilities.

Response: The subdivision and the creation of a new erf/dwelling opportunity improves the efficiency of existing services and promotes housing opportunities.

Strategy 6: Develop all settlements as balanced, inclusive, appropriately serviced communities.

Policy: Work towards and maintain a compact form and structure to achieve greater efficiency in service delivery and resource use.

Response: The subdivision of the property does contribute to facilitating a more compact urban environment.

❖ PARKING/ACCESS/TRAFFIC

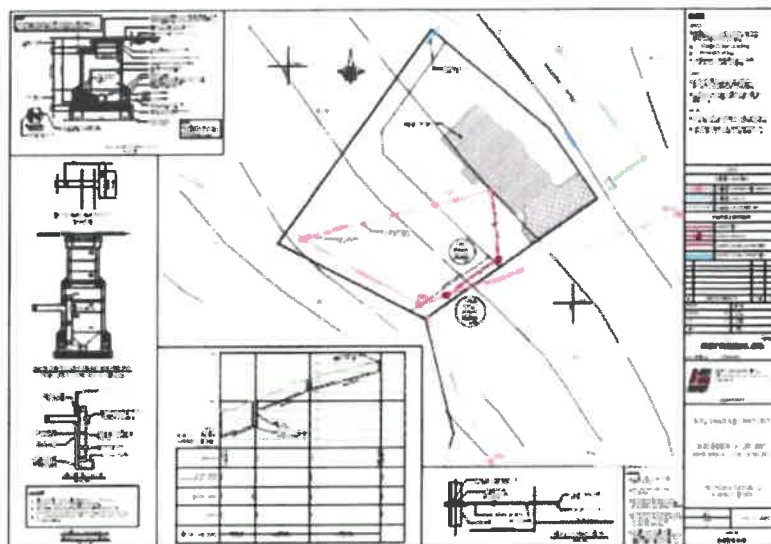
With the subdivision and eventual development of Portion 1 adequate provision is available for on-site parking in accordance with zoning scheme prescriptions. The remainder portion is already improved with driveway access and parking.

The impact on traffic is not regarded as being material given the locational context and nature of the development proposal (subdivision into 2 portions). The access to the erven will be from the abutting roadway. The existing dwelling obtains access via Brandwacht Street at the north-east corner of the property whereas a 4 m wide panhandle will provide access to Portion 1 at the northern-most boundary onto Brandwacht Street.

❖ SERVICES

All municipal services are available in the area. The municipal services which cross the subject property are depicted on the attached Appendix K.

It should be noted from the services plan compiled by Lukas Louw of Bart Senekal Inc., a 3.0 m services servitude will be registered over Portion 1 to accommodate a sewer pipeline from the Remainder erf, whilst appropriate services connections are provided for.



Service Plan

❖ **PUBLIC INTEREST**

It should be noted that there are **no onerous subdivision conditions contained in the title deed** (attached as Appendix C). **Subdivision of the property is regarded as being in the public interest.**

The subdivision of this property is an enhancement of the public interest and beneficial to the interest of the area and that of the township. Job creation, skills development, employment and socio-economic upliftment is being promoted (albeit at a small-scale) through this application. **The proposal contributes to the efficient utilization of both land resources and services infrastructure.**

The promotion of a more compact urban form in well-located residential areas within the urban edge is much-needed in order to counter a proliferation of urban sprawl to decentralised localities.

The subdivision as proposed is seen as **complementing Councils' strategic Initiatives** in this regard in not only **contributing** (albeit in a small measure) to **promoting a more compact urban environment**, but also **creating sustainable living environments.**

The subdivision proposal is in the interests of the public, the area and the township with **no negative implication for the public or private realm.**

❖ **DESIRABILITY AND PUBLIC INTEREST**

The subdivision proposal is in **conformity with Councils Subdivisional Policy and with typical subdivisions in the area**, as well as being in **relative close proximity to conventional developments and community facilities** including Open Space and Educational facilities. The proposal has **no negative impacts on the streetscape, character and urban design/aesthetic of the surrounding properties, neighbourhood, services or traffic.**

The proposal **does not compromise the safety, amenity or privacy** of abutting properties and has **no negative impact on existing rights**.

The proposal **contributes** to the policy of **localised incremental densification without impacting negatively on the amenity or character of the neighbourhood**.

It is noted that **several erven in the vicinity of the subject property have also been subdivided to extents similar to that being proposed**.

The subdivision proposal is regarded as being desirable in terms of the prescriptions contained in legislation.

IN THE ABOVE REGARD, THE FOLLOWING:

- (i) the proposal is **consistent with the Spatial Development Framework for Stellenbosch** as is evidenced by the **intensification of residential uses** in the vicinity of the subject property.
- (ii) the subdivision of the property has **no negative impact on surrounding properties or their existing rights**.
- (iii) the subdivision of the property has **significant (albeit small-scale) socio-economic benefit for the owners** who will be able to **sustain themselves economically by either disposing of the property or developing it**. **Job creation (albeit on a small-scale) in the construction industry will be promoted** through this particular proposal.
- (iv) the residential subdivision **proposal is regarded as being highly compatible with the nature of the surrounding properties/land uses**.
- (v) the **proposal has no negative impact on external engineering services**. All bulk services are available to the property.
- (vi) the **proposal promotes both the safety and well-being of the surrounding community** in that the **current vacant portion will in time be developed**. The nature of the proposal is deemed to be an **enhancement of the well-being of the surrounding community**.
- (vii) the **existing building does not trigger any requirements for a Heritage Permit** and there is **no negative impact on the bio-physical environment**. **Significant vegetation will be retained, particularly on the boundaries of Portion 1**.
- (viii) the **subdivision proposal is small-scale** and has **no negative impact on traffic circulation, ingress/egress or parking**. On-site parking could be adequately provided for. **Sightlines are furthermore not impeded in any way**. The access to the subdivided portions of the property will be such as to **facilitate safe vehicle movement, with such access to be taken from the existing Brandwacht Street**.

❖ **COMPLIANCE WITH LAND USE PLANNING PRINCIPLES**

Although the subdivision of property into 2 Portions may not be directly relevant to achieving the land use planning principles stipulated in Section 59 of the Land Use Planning Act, 2014 and Section 7 of the Spatial Planning and Land Use Management Act 2013; a few salient comments in this regard is made, namely,

Spatial Justice

The subdivision of the property will facilitate access to land in this locality and promote its use for residential opportunities.

Spatial Sustainability

The subdivision of the property does promote land development that is more spatially compliant and within the fiscal means (services provision) of the local authority. The subdivision will furthermore promote and stimulate the current land market for available erven in this locality. The low-key increase in density does contribute indirectly to the viability of the community in which the property is located.

Principle of Efficiency

The subdivision of the property would contribute in a small way to the more optimal use of resources and infrastructure. More people would be brought closer to existing community facilities and good road-based transport infrastructure.

Contextually appropriate intensification and densification, as is the case in this instance, results in more efficient use of land and municipal services.

Good Administration

Such principle is contained within the administrative and implementation processes of Council where stated urban compaction/densification policies are applied consistently and transparently.

VI CONCLUSION

The above proposal has merit and is not only in keeping with and complementary to the surrounding developments but does not compromise the integrity of adjoining properties or negatively impact on the public or private realm – the proposal is considered an enhancement of the public interest, the interest of the area and that of the township.

The proposal supports the notion of promoting a more compact urban environment and is policy compliant.

The impacts are considered to be positive and the proposal fully merited and in compliance with desirability criteria.

VII RECOMMENDATION

It is therefore recommended that: –

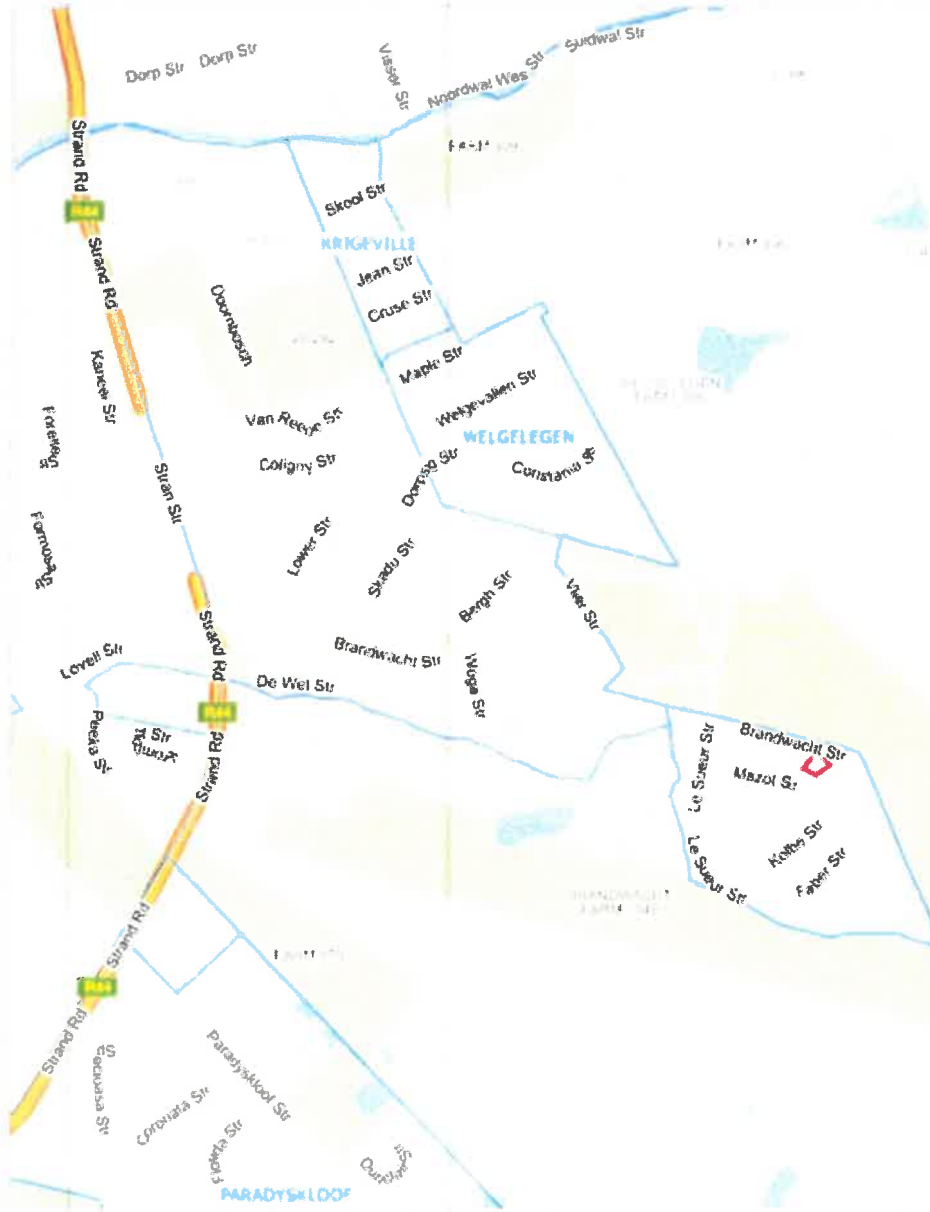
- The property be approved for subdivision into 2 portions measuring $\pm 1108 \text{ m}^2$ (Remainder), and $\pm 997 \text{ m}^2$ (Portion 1); respectively.



Sydney Holden Town Planners/Property Consultants - Cape Town
Sydney Holden

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STELLENBOSCH MUNICIPALITY
ZONING SCHEME BY-LAW

STELLENBOSCH 5

Zoning Scheme 2018

- Conventional Residential Zone
- Large Formal Residential Zone
- Mid-Low 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
- Spill Zone

(Colour of the rectangles corresponds with zoning of the spill zone)

SAGTEC PEOPLE

Drawn By: [Name]
Date: 17/03/2018
File No: 2018/00000000

Scale: 1:4 072

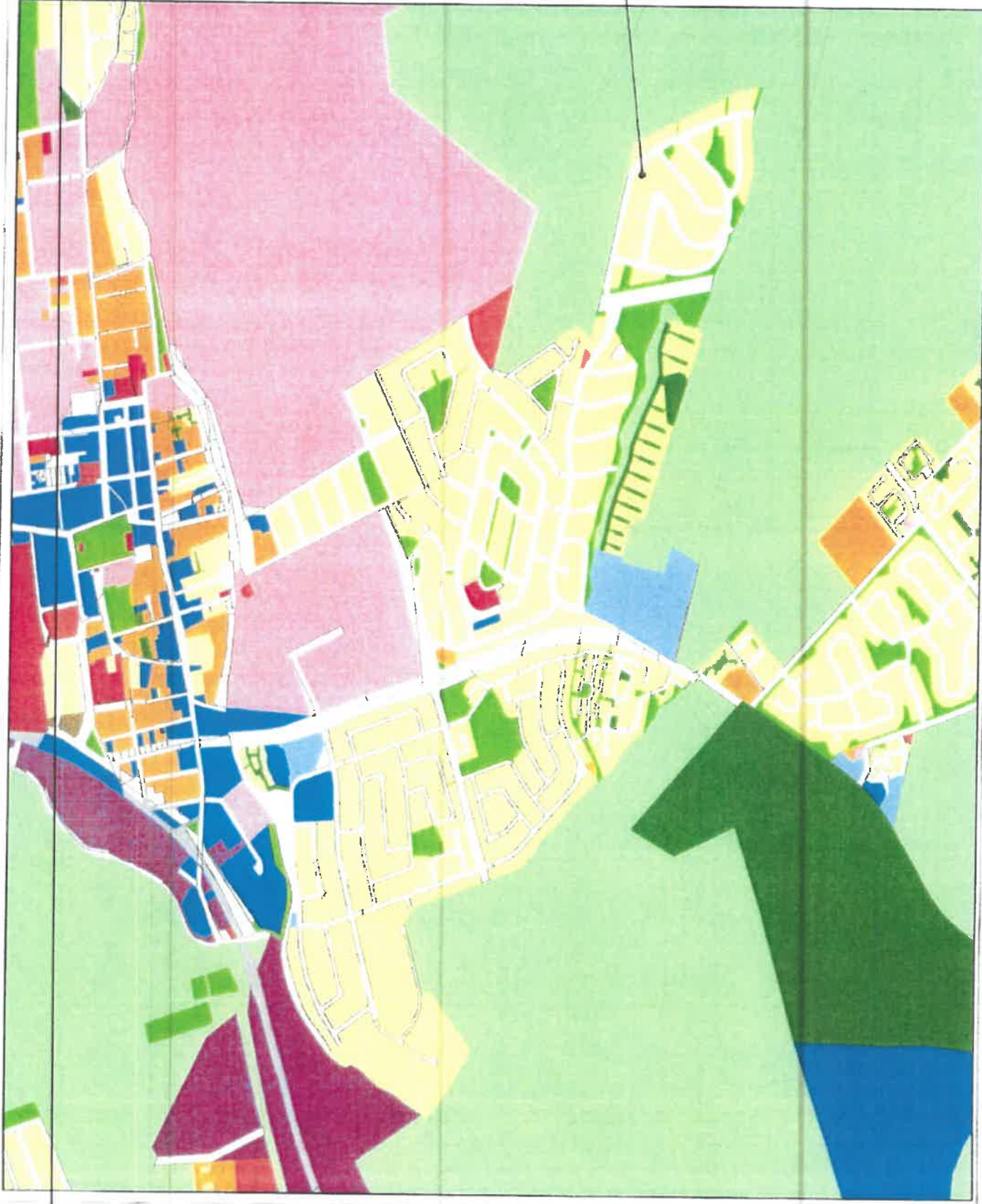


Author: [Name]



Stellenbosch Municipality
11 Rivers Road, Stellenbosch
7201
Tel: 022 799 1000
Fax: 022 799 1001
www.stellenbosch.gov.za

Disclaimer:
While every effort has been made to ensure the accuracy and reliability of the information contained in this document, the Municipality does not accept any liability for errors or omissions, which may be contained in this document. The Municipality is not responsible for any loss or damage, which may be incurred by any person, who relies on the information contained in this document. The Municipality is not responsible for any loss or damage, which may be incurred by any person, who relies on the information contained in this document.



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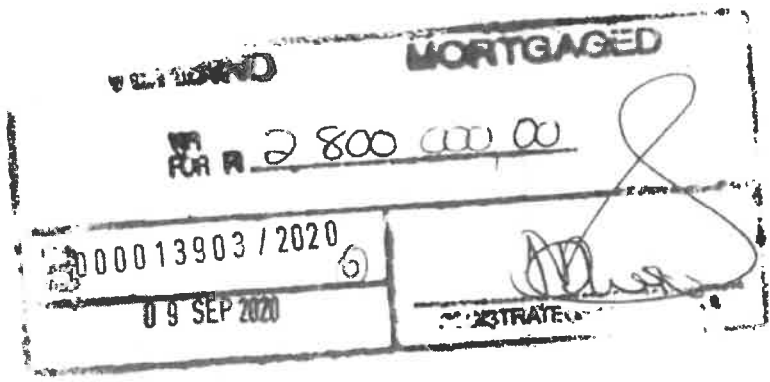
Karien van der Merwe Attorneys Inc
12 Reservoir Street
Somerset West
7130

Prepared by me

K. van der Merwe

CONVEYANCER
KARIEN VAN DER MERWE

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 4 500 000	R. 2051,00
Reason for exemption	Category Exemption	Exemption i l o. Sec/Reg. Act/Proc.



DATA / CAPTURE
02 -10- 2020
LINDA NCAPAI

T 000024469 / 2020

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

GREGORY JOHN CLAUGHTON

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

The Executrix in the Estate Late
HERIBERT HERMANN WIRTH
Number 11442/2019

which said Power of Attorney was signed at STELLENBOSCH on 17 January 2020

Gesertifiseerd 'n ware afskrif
Certified a true copy

[Handwritten signature]

10 -10- 2020
FATGEYAN LARNEY

[Handwritten initials]

GRANT ALASTAIR GREGORY HILL
COMMISSIONER OF OATHS
PRACTISING ATTORNEY, RSA
PARC DU LINKS
NIBLICK WAY / WEG
SOMERSET WEST

Lexis® Convey 17.1.11.21

19

And the appearer declared that his/her said principal had, on 12 November 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:

JOHANNES FRANCISCUS NIEUWOUDT
Identity Number 681030 5048 08 0
and
CHARLENE NIEUWOUDT
Identity Number 731118 0062 08 9
Married in community of property to each other

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

ERF 6007 STELLENBOSCH
IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH
WESTERN CAPE PROVINCE

IN EXTENT 2105 (TWO THOUSAND ONE HUNDRED AND FIVE) Square metres

FIRST TRANSFERRED AND STILL HELD by Deed of Transfer Number T26910/1974 with General Plan TP No. 8376 relating thereto

- A. SUBJECT to the conditions as are referred to in Deed of Transfer no 2732 dated 3rd March, 1903.
- B. SUBJECT FURTHER to the following conditions contained in Deed of Transfer Number T26910/1974 imposed by The Administrator of the Cape of Good Hope when approving of Stellenbosch Township Extension no 15 in accordance with Ordinance No 33 of 1934, namely :-
- "1. Any words and expressions used in the following conditions shall have the same meaning as may have been assigned to them by the regulations published under Provincial Notice No. 383 dated 13th June, 1958.
 2. In the event of a Town Planning Scheme or any portion thereof applying or being made applicable to this erf, any provisions thereof which are more restrictive than any conditions of title applicable to this erf shall take precedence. Furthermore, nothing in these conditions shall be construed as overriding the provisions of Section 146 of Ordinance No 15 of 1952 as amended.
 3. The owner of this erf shall without compensation be obliged to allow electricity cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven inside or outside this township to be conveyed across this erf, if deemed necessary by the local authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.

Gesertifiseerd 'n ware afskrif
Certified a true copy

GRANT ALASTAIR GREGORY HILL
COMMISSIONER OF OATHS
PRACTISING ATTORNEY, RSA
PARC DU LINKS
NIBLICK WAY / WEG
SOMERSET WEST


Lexis® Convey 17.1.11.21

8

4. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructed and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.
5. No building on this erf shall be used or converted to use for any purpose other than that permitted in terms of these conditions.
6. (a) This erf shall be used solely for the purpose of erecting thereon one dwelling or other buildings for such purposes as the Administrator may, from time to time after reference to the Townships Board and the local authority, approve, provided that if the erf is included within the area of a Town Planning Scheme, the local authority may permit such other buildings as are permitted by the scheme subject to the conditions and restrictions stipulated by the scheme.

(b) No buildings or structure or any portion thereof except boundary walls or fences shall be erected nearer than 4.6 metres to the street line which forms a boundary of this erf neither within 3 metres of the rear boundary nor within 2,3 metres of the lateral boundary.

(c) On consolidation of this erf or any portion thereof with any abutting erf which is subject to the same conditions as herein set forth these conditions shall apply to the consolidated holding as if it was one erf.

(d) In the event of this erf being subdivided each subdivided portion, other than any portion deducted for road or similar purposes, shall be subject to the conditions herein set forth as if it were the original erf.

Gesertifiseerd 'n ware afskrif
Certified a true copy

GRANT ALASTAIR GREGORY HILL
COMMISSIONER OF OATHS
PRACTISING ATTORNEY, RSA
PARC DU LINKS
NIBLICK WAY / WEG
SOMERSET VEST

8

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

Estate Late HERIBERT HERMANN WIRTH

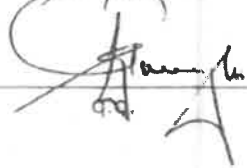
heretofore had to the premises, did in consequence also acknowledge him to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

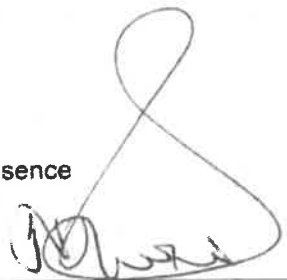
**JOHANNES FRANCISCUS NIEUWOUDT and CHARLENE NIEUWOUDT,
Married as aforesaid**

their Heirs, Executors, Administrators or Assigns, now are 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 R4 500 000,00 (FOUR MILLION FIVE HUNDRED 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

9 September 2020


In my presence

REGISTRAR OF DEEDS

Gesertifiseerd 'n ware afskrif
Certified a true copy

GRANT ALASTAIR GREGORY HILL
COMMISSIONER OF OATHS
PRACTISING ATTORNEY, RSA
PARC DU LINKS
NIBLICK WAY / WEG
SOMERSET WEST





STELLENBOSCH - PLET-DRANSCHOUK
MUNISIPALITEIT - UMASIPALA - MUNISIPALITEIT

CONVEYANCER CERTIFICATE

I, Grant Alastair Gregory Hill
(conveyancer's name in full)

Practising at:

Miller Bosman Le Roux Hill Inc
Parc du Links
9 Niblick Way
Somerset West
7130

(firm and place of practice)

In respect of:

Erf 6007 Stellenbosch
In the Municipality and Division of Stellenbosch
Western Cape Province

(the property, its nature, its location and the deed of sale)

Hereby certify that a search was conducted in the Deeds Registry, regarding the said property (ies) (including both current and earlier title deeds/pivot deeds/deeds of transfer):

- 1. Holding Deed T.24469/2020
- 2. Pivot Deed T.2732/1903
- 3. Prior Deed T.26910/1974
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.

(For example Deeds of Transfer T12345, 2000) or Certificate of Registered Sectional Title ST1234, 2010 (if a portion of this deed number will do.)



STELLENBOSCH

STELLENBOSCH • PHIL • FRANSCHOUER

MUNISIPALITEIT • MUNICIPALITY • MUNICIPAALITEIT

A. IDENTIFY RESTRICTIVE TITLE CONDITIONS (if any)

Categories		Are there deed restrictions (indicate below)		Title Deed and Clause number if restrictive conditions are found
1.	Use of land	Y	<input checked="" type="radio"/> N	
2.	Building lines	Y	<input checked="" type="radio"/> N	
3.	Height	Y	<input checked="" type="radio"/> N	
4.	Number of Dwellings	Y	<input checked="" type="radio"/> N	
5.	Bulk floor area	Y	<input checked="" type="radio"/> N	
6.	Coverage/built upon area	Y	<input checked="" type="radio"/> N	
7.	Subdivision	Y	<input checked="" type="radio"/> N	
8.	Servitudes that may be registered over or in favour of the property	Y	<input checked="" type="radio"/> N	
9.	Other Restrictive Conditions	Y	<input checked="" type="radio"/> N	



B. INDICATE AFFECTED PARTIES AS PER TITLE DEED (if any)

In respect of which it was found that there are/are no restrictive condition with reference to section 3(4) (a) (b) (c) of the Land Use Planning By-Law (2015) registered against such property (ies) prohibiting it from being utilised/developed for the following purpose (as elaborated in the accompanying application)

a.	Organ(s) of State that might have an interest in the restrictive condition	
b.	A person whose rights or legitimate expectation will be affected by the removal/suspension/amendment of a restriction condition.	
c.	All persons mentioned in the Deed for whose benefit the restrictive condition applies	

C. PROCESS BY WHICH RELEVANT CONDITIONS WILL BE ADDRESSED

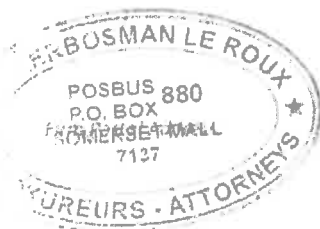
(please tick appropriate box)

Application in terms of Section 15 of the Stellenbosch Municipal Land Use Planning By-Law (2015)	Notarial Deed of Cancellation (Submit Copy of Signed Agreement)	Action by way of court order (Submit Copy of the Court Order)	If Other, Please Specify
--	---	---	--------------------------

Signed at Somerset West (place) on this 05 (Day) March (Month) of 2021

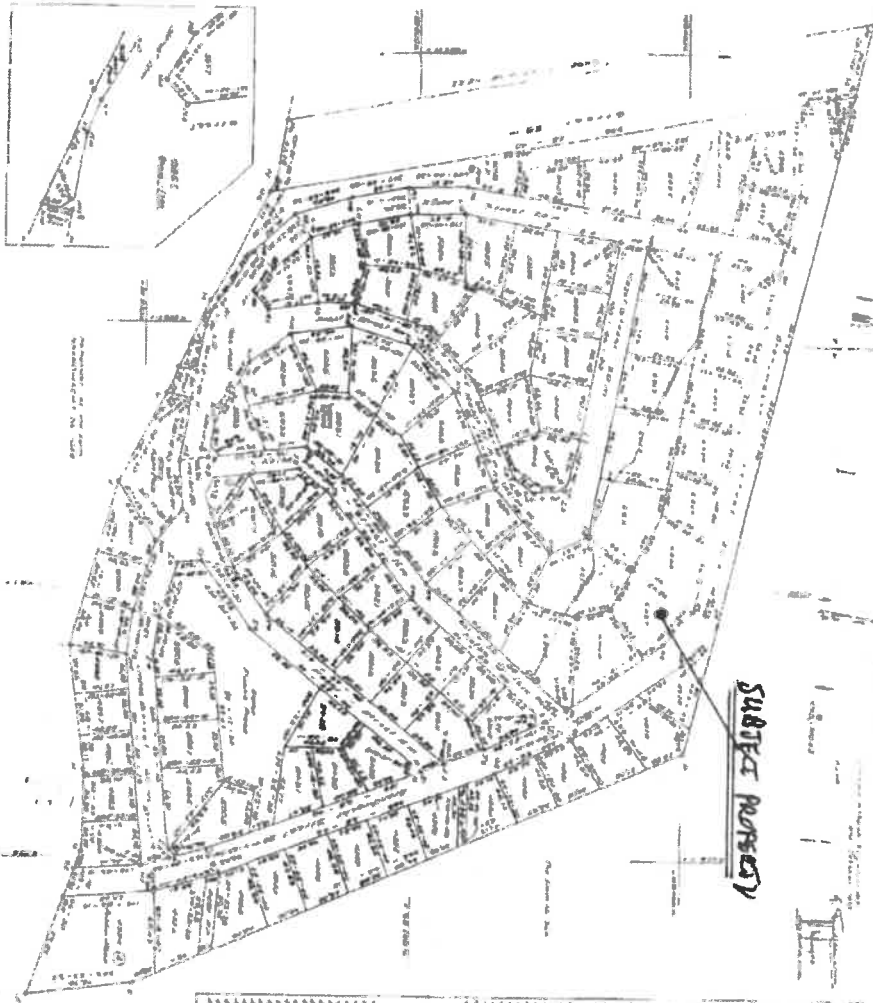
Full names and surname: Grant Alastair Gregory Hill

Signature:



Tel: (021) 840 8000 Email: grant@mbih.co.za
Cell: 082 557 2449

D.R.



GENERAL PLAN No. 8376
STELLENBOSCH EXTENSION No. 15

D.R.

Approved by the Council of the City of Stellenbosch on 15th October 1970. The Council has resolved to approve the General Plan No. 8376, Stellenbosch Extension No. 15, subject to the conditions set out in the Schedule to this Resolution.

Lot No.	Area (sq. m)	Frontage (m)	Depth (m)	Frontage (m)	Depth (m)	Frontage (m)	Depth (m)	Frontage (m)	Depth (m)
1	1000	10	100	10	100	10	100	10	100
2	1000	10	100	10	100	10	100	10	100
3	1000	10	100	10	100	10	100	10	100
4	1000	10	100	10	100	10	100	10	100
5	1000	10	100	10	100	10	100	10	100
6	1000	10	100	10	100	10	100	10	100
7	1000	10	100	10	100	10	100	10	100
8	1000	10	100	10	100	10	100	10	100
9	1000	10	100	10	100	10	100	10	100
10	1000	10	100	10	100	10	100	10	100

S

Lot No.	Area (sq. m)	Frontage (m)	Depth (m)	Frontage (m)	Depth (m)	Frontage (m)	Depth (m)	Frontage (m)	Depth (m)
11	1000	10	100	10	100	10	100	10	100
12	1000	10	100	10	100	10	100	10	100
13	1000	10	100	10	100	10	100	10	100
14	1000	10	100	10	100	10	100	10	100
15	1000	10	100	10	100	10	100	10	100
16	1000	10	100	10	100	10	100	10	100
17	1000	10	100	10	100	10	100	10	100
18	1000	10	100	10	100	10	100	10	100
19	1000	10	100	10	100	10	100	10	100
20	1000	10	100	10	100	10	100	10	100

Lot No.	Area (sq. m)	Frontage (m)	Depth (m)	Frontage (m)	Depth (m)	Frontage (m)	Depth (m)	Frontage (m)	Depth (m)
21	1000	10	100	10	100	10	100	10	100
22	1000	10	100	10	100	10	100	10	100
23	1000	10	100	10	100	10	100	10	100
24	1000	10	100	10	100	10	100	10	100
25	1000	10	100	10	100	10	100	10	100
26	1000	10	100	10	100	10	100	10	100
27	1000	10	100	10	100	10	100	10	100
28	1000	10	100	10	100	10	100	10	100
29	1000	10	100	10	100	10	100	10	100
30	1000	10	100	10	100	10	100	10	100

B



Home Loans
Sales and Service Enablement

9 Lothbury Road
Auckland Park, 2092
Private Bag 72007
Cresta, 2118
South Africa

T 0860 111 007
Swift address: ABSAZAJJ
absa.co.za

17.12.2021

Private/Confidential

**SYDNEY HOLDEN TOWN PLANNERS PROPERTY CONSULTANTS
60 ACACIA STREET
HELDERVUE
SOMERSET
7130**

Ref: Syney Holden

**REQUEST RECEIVED FOR: CONSENT FOR PROPOSED SUBDIVISION & REMOVAL OF RESTRICTIVE
CONDITIONS ON THE TITLE DEED**

Borrower(s)' name: MR JF & MRS C NIEUWOUDT

Mortgage loan account number: 8087367815

Property description: ERF 6007 STELLENBOSCH

We refer to the above account and agree to the consent for the removal of restrictive condition Clause 6(a) in Title Deed T24469/2020 and proposed subdivision on the above -mentioned property.

Please instruct a conveyancing attorney to attend to the removal of these restrictive conditions on the title deed. Only a conveyancing attorney can attend at the Deeds office to remove the conditions.

Yours faithfully

Property Control
Our ref: Nadine Wahl
Tel: 011 846 5471

Special Power of Attorney

We, the undersigned,

JOHANNES FRANCISCUS NIEUWOUDT and CHARLENE NIEUWOUDT

Being the Registered Owners of

ERF 6007 STELLENBOSCH


Do hereby nominate, constitute and appoint

SYDNEY HOLDEN (CONSULTANT)

With power of substitution, to be our lawful representative and agent in our name, place and stead to

- a) Apply in terms of the Municipal Planning By-Law 2015 for the Subdivision and any related Town Planning Applications on Erf 6007 Stellenbosch.
- b) Apply in terms of the Municipal Planning Bylaw 2015 for the amendment/removal/relaxation of any title deed condition which may preclude or restrict the Subdivision of the subject property for residential purposes.
- c) Sign all documentation necessary for the approval of the applications referred to in a) and b).
- d) Generally for effecting the purposes aforesaid, to do, or cause to be done, whatsoever shall be requisite, as fully and effectually to all intents and purposes, as we might or could do if personally present and acting herein, and we hereby ratify, allow and confirm, and also agree to ratify, allow and confirm, all our said Consultant shall do or cause to be done lawfully by virtue of this document

Signed at **STELLENBOSCH** on this **14TH** day of **MARCH** 2020.


JOHANNES FRANCISCUS NIEUWOUDT


CHARLENE NIEUWOUDT

PHOTOGRAPHS - APPENDIX G



Existing dwelling



Existing access gate to main dwelling



Existing pool to be demolished



Vegetation screening remainder erf from Portion 1



Portion 1 part of developable area



Panhandle roadway from Portion 1 to Brandwacht Street



Portion 1 part of developable area. Well screened by vegetation



Existing dwelling as viewed from rear garden



Clear sight lines on exit from Portion 1 pan-handle to Brandwacht Street



STELLENBOSCH

STELLENBOSCH • PNIEI • FRANSCHHOEK

MUNICIPALITEIT • UMSTADIA • MUNICIPALITY

LAND USE PLANNING APPLICATION FORM 2017

(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)	SYDNEY		
Surname	HOLDEN		
Company name (if applicable)	SYDNEY HOLDEN TOWN PLANNERS / PROPERTY CONSULTANTS		
Postal Address	60 ACACIA STREET, HELDERBERG, SOMERSET WEST		Postal Code 7130
Email	SHOLDEN@TELKOMSA.NET		
Tel	021 8551156	Fax	Cell 0846293328

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

Registered owner(s)	JOHANNES FRANCISCUS NIEUWOUDT AND CHARLENE NIEUWOUDT.		
Physical address	62 BRANDWACHT STREET, BRANDWACHT STELLENBOSCH		Postal code 6507
E-mail	KANS@HYCONSTRUCTION.CO.ZA		
Tel	021 8510509	Fax	Cell 0828737320

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

Erf / Erven / Farm No.	ERF 6007	Portion(s) if Farm	Alotment area	BRANDWACHT STELLENBOSCH
Physical Address	62 BRANDWACHT STREET, BRANDWACHT STELLENBOSCH 6507			
Current Zoning	CONVENTIONAL RESIDENTIAL	Extent	2105 m ² /ha	Are there existing buildings? <input checked="" type="checkbox"/>

Applicable Zoning Scheme	STELLENBOSCH ZONING SCHEME BY-LAW 2019					
Current Land Use	EXISTING CONVENTIONAL DWELLING					
Title Deed number and date	T	24469/2020				
Attached Conveyance's Certificate	✓	Any Restrictions to the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate (NO RESTRICTIONS FOR THIS PROPOSAL)				
Are the restrictive conditions in favour of a third party(ies)?	✓	If Yes, list the party(ies):				
Is the property encumbered by a bond?	✓	If Yes, list the bondholder(s): ABSA				
Is the property owned by Council?	✓	If Yes, kindly attach a power of attorney from the Manager Property Management				
Is the building located within the historical core?	✓	Is the building older than 60 years?	<table border="1"> <tr> <td>Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999)?</td> <td>✓</td> <td>If Yes, kindly indicate which section are triggered and attached the relevant permit if applicable.</td> </tr> </table>	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999)?	✓	If Yes, kindly indicate which section are triggered and attached the relevant permit if applicable.
Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999)?	✓	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)?	✓	If yes, is this application to legalize the building / land use??				
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	✓	Are there any land claim(s) registered on the subject property(ies)?	✓			

PART D: PRE-APPLICATION CONSULTATION

Has there been any pre-application consultation?	✓	If Yes, please attach the minutes of the pre-application consultation. <i>SEE ATTACHED APPENDIX L</i>
--	---	--

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; Cost are obtainable from the Council Approved tariffs?
	15(2)(a) Rezoning of Land
	15(2)(b) a permanent departure from the development parameters of the zoning scheme
	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.
✓	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;
	15(2)(e) a consolidation of land that is not exempted in terms of section 24;

All applications triggered by section 15(1)(a)-(c) in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999) must be processed without a permit issued by the relevant authority.
 No application may be submitted to legalize or authorize existing work and/or land use on the property if a notice have been served in terms of Section 47(1)(a) and until such time a Section 47 Certificate have been issued in terms of the Stellenbosch Land Use Planning By-law (2015).
 * See also the relevant sections in the By-law (Section 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100)

	15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit;		
	15(2)(g) a permission required in terms of the zoning scheme;		
	15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval;		
	15(2)(i) an extension of the validity period of an approval;		
	15(2)(j) an approval of an overlay zone as contemplated in the zoning scheme;		
	15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram;		
	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;		
	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	
	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; data messages	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
TOTAL B:		R	
TOTAL APPLICATION FEES*		R	
(TOTAL A + B)		R	

* Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany an application.

** 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

Name: Stellenbosch Municipality
 Bank: NEDBANK
 Branch no.: 198755
 Account no: 11522116/V
 SWIFT: NEDS7A1J
 Payment reference (if/for number): _____

DETAILS FOR INVOICE

Name & Surname/Company name (details of party responsible for payment)

S. N. HOLDEN

Postal Address

60 ACACIA STREET
HELDERVUE, SUMERSET WEST 7130

Vat Number (where applicable)

N/A.

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
	Road	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... THE SUBDIVISION OF ERF 6007 BRANDWACHT INTO 2 PORTIONS
 in terms of Section 14 of the STELLENBOSCH Zoning Scheme Regulations

Other (please specify)

Brief description of proposed development / intent of application:

• TO SUBDIVIDE ERF 6007 BRANDWACHT INTO 2 PORTIONS; BEING 1 REMINDER
 (MEASURING 1108 M²) AND 1 PORTION 1 (MEASURING 997 M²)

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.

✓	Power of attorney / Owner's consent if applicant is not owner	✓	Boardholder's consent (if applicable)
	Resolution or other proof that applicant is authorised to act on behalf of a juristic person		Proof of any other relevant right held in the land concerned
✓	Written motivation pertaining to the need and desirability of the proposal	✓	S.G. diagram / General plan extract (A4 or A3 only) <i>SECTION</i>
✓	Locality plan (A4 or A3 only) to scale	✓	Site development plan or conceptual layout plan (A4 or A3 only) to scale
✓	Proposed subdivision plan (A4 or A3 only) to scale		Proof of agreement or permission for required servitude
	Proof of payment of application fees	✓	Proof of registered ownership (Full copy of the title deed)
✓	Conveyancer's certificate	✓	Minutes of pre application consultation meeting (if applicable)
	✓ Consolidation plan (A4 or A3 only) to scale		Land use plan / Zoning plan (A4 or A3 only) to scale
	Street name and numbering plan (A4 or A3 only) to scale	✓	
	✓ Landscaping / Tree plan (A4 or A3 only) to scale		✓ 1 : 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale
	✓ Awaiting owner's consent		✓ Home Owners' Association consent
	✓ 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)	✓	Services Report or indication of all municipal services / registered servitudes
	✓ Copy of original approval and conditions of approval		✓ Proof of failure of Home owner's association
	Proof of lawful use right		Any additional documents or information required as listed in the pre-application consultation form / minutes
	Required number of documentation copies	✓	Other (specify) PHOTOGRAPHS

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

	If required, has application for EIA / HIA / TIA / IIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.		Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 [Act 73 of 1989])
		✓	National Environmental Management: Air Quality Act, 2004 [Act 39 of 2004]
	✓ Subdivision of Agricultural Land Act, 1970 [Act 70 of 1970]	✓	National Environmental Management: Waste Act, 2008 [Act 59 of 2008]
	Spatial Planning and Land Use Management Act, 2013 [Act 16 of 2013] (SPLUMA)	✓	National Water Act, 1998 [Act 36 of 1998]
	✓ Occupational Health and Safety Act, 1993 [Act 85 of 1993]. Major Hazard Installations Regulations		Other (specify)
	Land Use Planning Act, 2014 [Act 3 of 2014] (LUPA)		
Do you want to follow an integrated application procedure in terms of section 44(1) of the 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: *Sydney Holden* Date: 6/1/2022

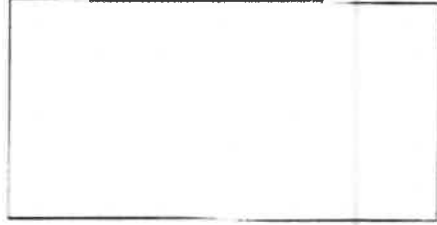
Full name: SYDNEY HOLDEN

Professional capacity: TOWN PLANNER

FOR OFFICE USE ONLY

Date received: _____

Received By: _____





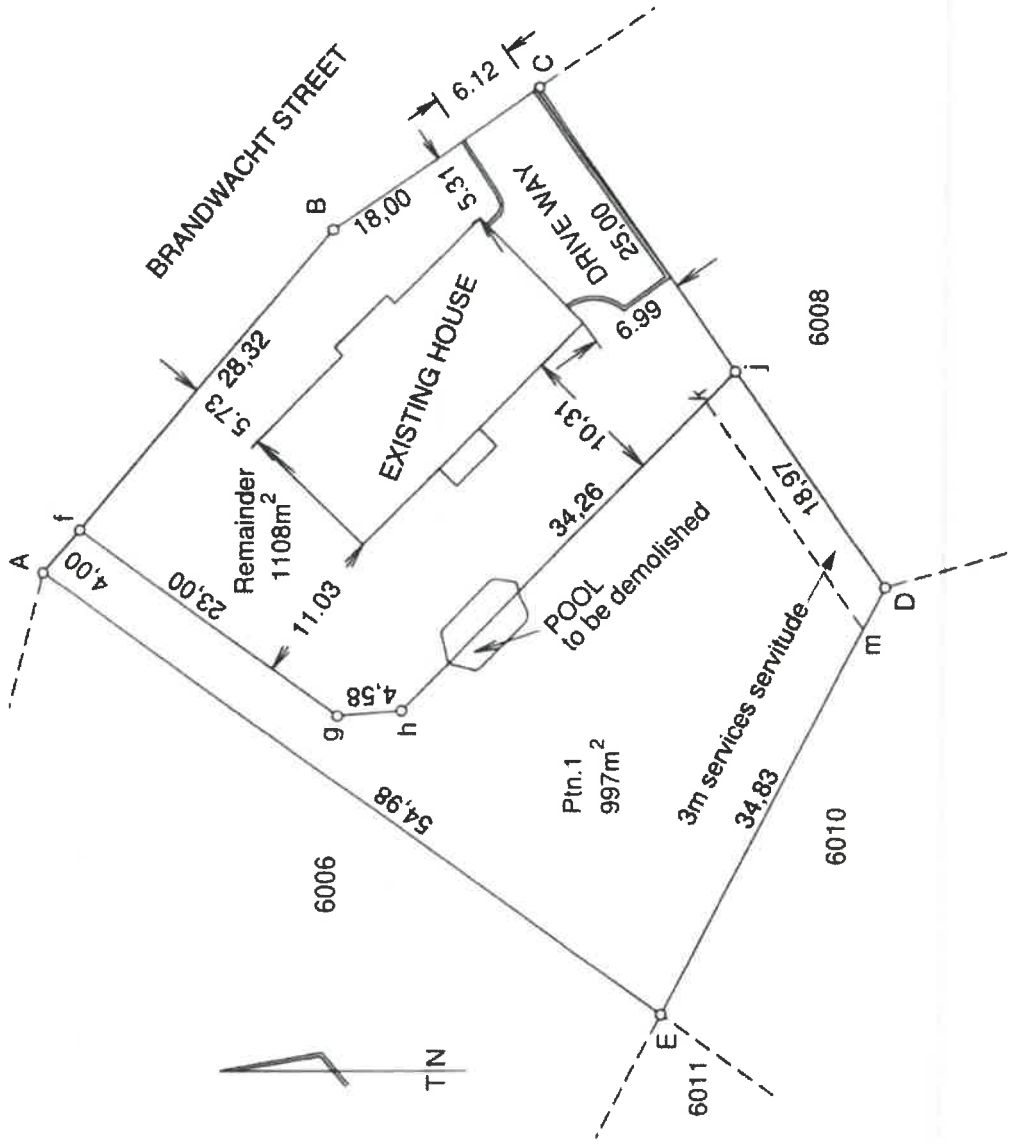
PROPOSED SUBDIVISION OF ERF 6007 STELLENBOSCH

SCALE 1:500
January 2022

RAP
RENEA. PESCH
PROFESIONELE
LANDMETER
PROFESSIONAL
LAND SURVEYOR

TEL : (021) 856 2971
FAX : (021) 856 0958
E-MAIL :

rapsurv@iafrica.com
POSBUS 319
GORDONSBAAL, 7151
P.O. BOX 319
GORDONS BAY 7151



NOTES:

- 1) The lines fghj represents the subdivisional lines.
- 2) The line jD represents the South-Eastern side of a 3m services servitude.

NOTES:

1. RESPONSIBILITY OF THE ENGINEER SHALL BE THE DESIGN AND CONSTRUCTION OF THE SEWER CONNECTION TO THE EXISTING MAINLINE.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF TOWNSHIPS 15A BY-LAW.
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF TOWNSHIPS 15A BY-LAW.
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF TOWNSHIPS 15A BY-LAW.
5. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF TOWNSHIPS 15A BY-LAW.

REVISIONS:

NO.	DATE	DESCRIPTION
1	2018-01-15	ISSUED FOR PERMIT
2	2018-01-15	ISSUED FOR PERMIT
3	2018-01-15	ISSUED FOR PERMIT
4	2018-01-15	ISSUED FOR PERMIT
5	2018-01-15	ISSUED FOR PERMIT

EXISTING SERVICES

TYPE	LOCATION	DEPTH	DIAMETER
EXISTING SEWER WITH MANHOLE			
EXISTING WATER			
EXISTING STORMWATER			
PROPOSED SERVICES			
SEWER PIPE			
SEWER MANHOLE			
SEWER HOUSE CONNECTION			
WATER HOUSE CONNECTION			

AMENDMENTS

NO.	DATE	DESCRIPTION
1	2018-01-15	ISSUED FOR PERMIT
2	2018-01-15	ISSUED FOR PERMIT
3	2018-01-15	ISSUED FOR PERMIT
4	2018-01-15	ISSUED FOR PERMIT
5	2018-01-15	ISSUED FOR PERMIT

BART SEWERAL INC.
Civil & Structural Consulting Engineers

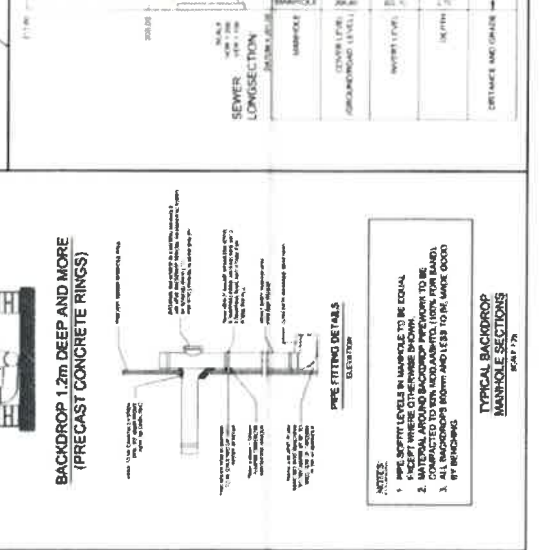
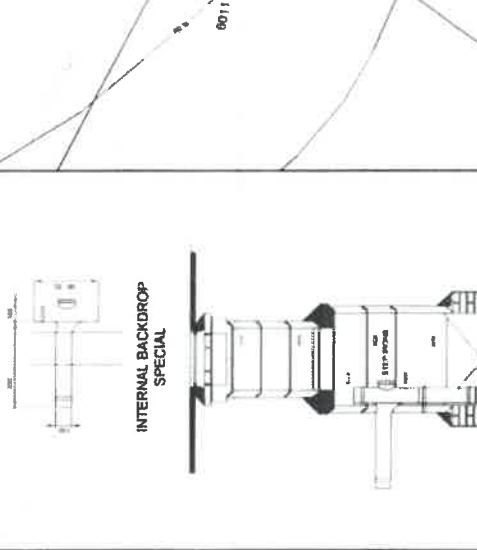
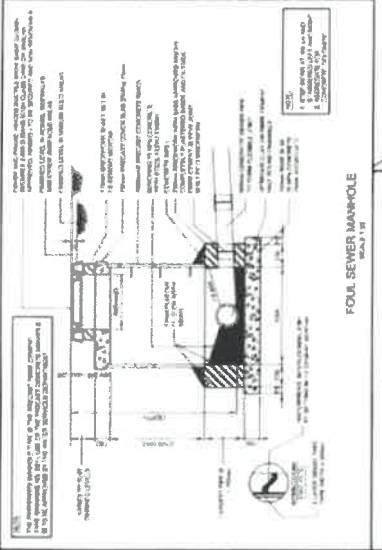
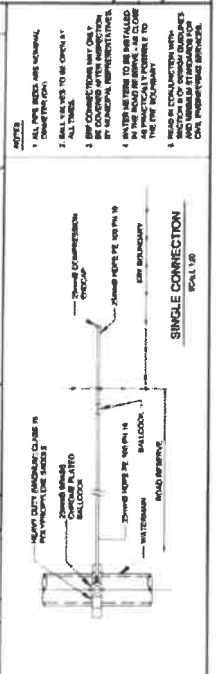
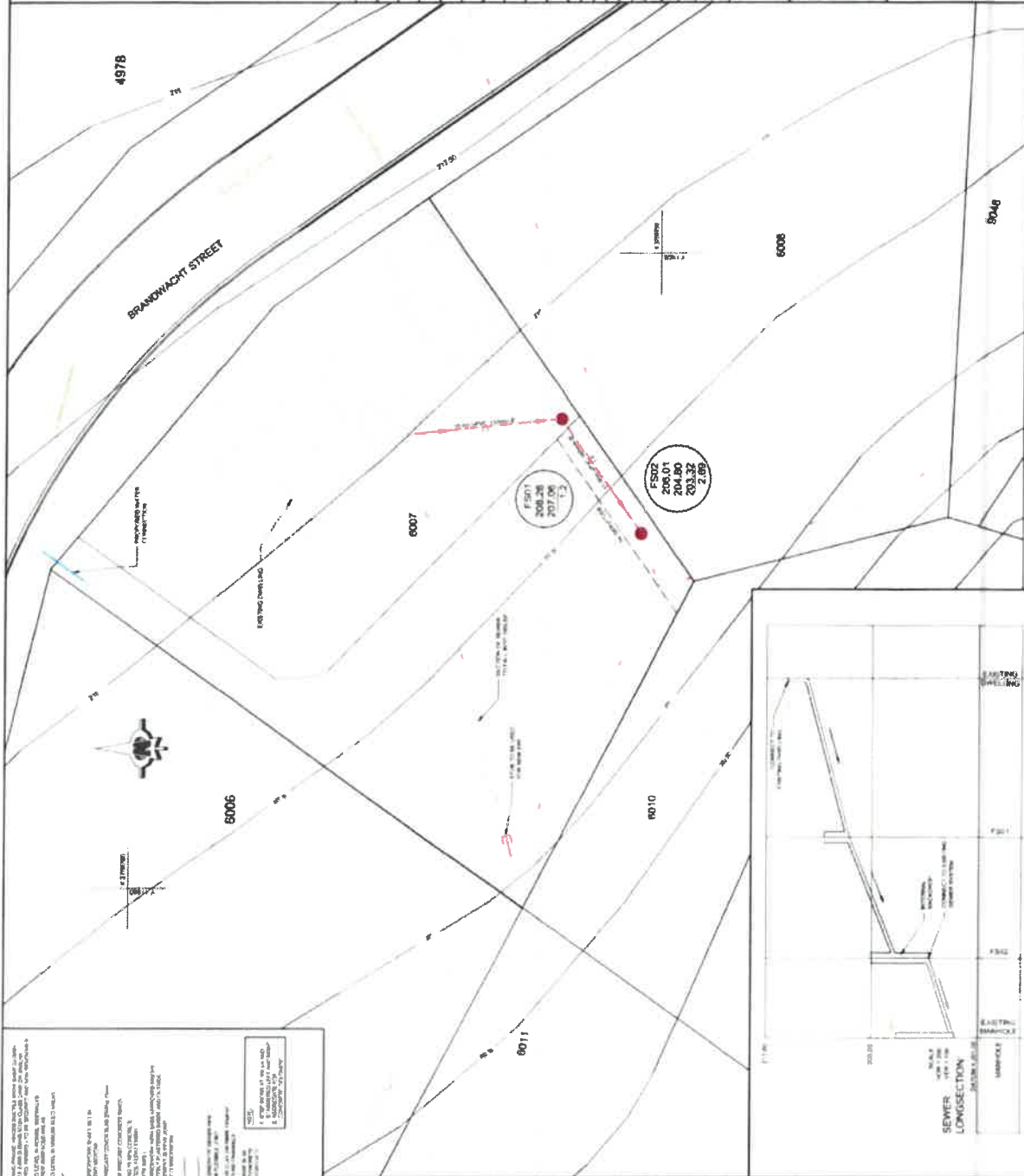
MR. HANS NIEUWOUT

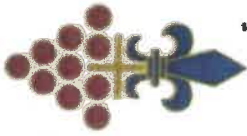
SUBDIVISION OF ERF 6007, BRANDWACHT, STELLENBOSCH

PROPOSED SERVICES CONNECTIONS

NO.	DATE	DESCRIPTION
1	2018-01-15	ISSUED FOR PERMIT
2	2018-01-15	ISSUED FOR PERMIT
3	2018-01-15	ISSUED FOR PERMIT
4	2018-01-15	ISSUED FOR PERMIT
5	2018-01-15	ISSUED FOR PERMIT

942101





STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

AMPTELIKE KWITANSIE / OFFICIAL RECEIPT

17, STELLENBOSCH 7599
021 808-8578 / 8547 / 8546
021 886 7318

DUPELLE RESEPTE

Recept N 01 1181 001/1901
Lokaal: 001/1901
1 973

2011080001 05018 INT-SKOUTING PER PPM
010811 00011001001 10 1201 001/1901

1108 0018 018 001 001001001001001
010 001 018 00001001001001

SLEGS MASJENGEDRUKTE KWITANSIES GELDIG/ONLY MACHINE PRINTED RECEIPTS VALID • ONTVANG SONDER BENADELING VAN REGTE/RECEIVED WITHOUT PREJUDICE TO RIGHTS