

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

**APPLICATION FOR THE SUBDIVISION AND CONSOLIDATION : ERF 7575 AND ERF 7576
STELLENBOSCH**

Application Address: Cnr Paul Kruger/Bird Street

Applicant: D.P. Burger for Friedlaender Burger Volkmann

Owners: The Archbishop of the Archdiocese of Cape Town of the Roman Catholic Church/Cova Da Iria Trust

Application Reference: LU/ 13692

Description of land development application:

1. Application is made in terms Section 15(2)(d) of the Land Use Planning Bylaw for the subdivision of Erf 7575, Stellenbosch into three (3) portion, Erf 10839 (411 sqm), Erf 10840 (170 sqm) and a Remainder.
2. Application is also made in terms of Section 15(2)(e) of the said bylaw for the consolidation of Erf 10839 (411 sqm) and Erf 10840 (170 sqm) with Erf 7576, Stellenbosch.

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

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **29 April 2022**

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at 021-8864004 during normal office hours.

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

AANSOEK VIR ONDERVERDELING EN KONSOLIDASIE : ERF 7575 AND ERF 7576 STELLENBOSCH

Adres van eiendom: Paul Kruger/Bird Straat

Aansoeker: D.P.Burger vir Friedlaender Burger Volkmann

Eienaars: The Archbishop of the Archdiocese of Cape Town of the Roman Catholic Church/Cova Da Iria Trust

Aansoek Verwysing: LU/ 13692

Beskrywing van grondontwikkelingsaansoek:

1. Aansoek word gedoen in terme van Artikel 15(2)(d)) van die Stellenbosch Munisipale Verordening op Grondverbruiksbeplanning , 2015 vir die Onderverdeling van Erf 7575, Stellenbosch in drie (3) gedeeltes, Erf 10839 (411 sqm), Erf 10840 (170 sqm) en die Restant
2. Aansoek word ook gedoen in terme van Artikel 15(2)(e) van die Stellenbosch Munisipale Verordening op Grondverbruiksbeplanning , 2015 vir die konsolidasie van Erf 10839 (411 sqm)en Erf 10840 (170 sqm) met Erf 7576 Stellenbosch.

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 tydspan van die publieke deelname proses by die volgende adres: <https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie 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: comment@fbvsurvey.co.za attention Damien Burger

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **29 April 2022**

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermeldde elektroniese pos adres of telefonies by 021-8864004 gedurende normale kantoor ure.

EXECUTIVE SUMMARY

PROPOSED

**SUBDIVISION OF REMAINDER OF ERF 7575
IN TERMS OF SECTION 15(2) (d)
AND CONSIDERATION OF THE TWO SUBDIVIDED
PORTIONS WITH REMAINDER OF ERF 7576 IN TERMS
OF SECTION 15(2) (e): STELLENBOSCH**

FOR A PREVIOUSLY APPROVED APPLICATION

Prepared by

Friedlander, Burger and Volkmann

House 4 Patrysvlei Estate, Stellenbosch, 7600 | P.O. Box 154, Stellenbosch, 7599

Tel +27 21 8864004 Fax +27 21 8878088 Email info@fbvsurvey.co.za

1 Proposal

Acting on behalf of the owners of Erf 7575 and 7576 Stellenbosch we propose to subdivide two portion off Erf 7575 and consolidation the two portions with the adjoining Erf 7576

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

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

- i. Subdivision of Erf 10839 (a portion of Erf 7575) Stellenbosch measuring 411 square meters
and the subdivision Erf 10840 (a portion of Erf 7575) Stellenbosch measuring 170 square meters

and the

- ii. Consolidation of Erf 10839 and Erf 10840 with Remainder of Erf 7576 Stellenbosch

2 The Erven

- **Erf 7575** – measuring 3927 square meters – is the existing Roman Catholic Church site owned by The Archbishop of the Archdiocese of Cape Town of the Roman Catholic Church
- **Erf 7576** – measuring 5169 square – is an open site with an existing excavation for future development owned by Cova Da Iria Trust

No rezoning is applied for as part of this the application. The consolidated property has access off both Molteno Street and Paul Kruger Street. No additional services are required at this stage as the application in an adjustment of the common boundary and no additional property will be created after consolidation

The Cova Da Iria Trust purchased Erf 7576 from the Roman Catholic Church in 1989. The purchase agreement included additional land that the Church was not utilising at the time and that could be added to the purchased property as a further adjustment of the common boundary, to increase the size of the developable property. Two portions of Erf 7575, now represented by Erf 10839 and 10840, would also be sold to the Trust and consolidated with Erf 7576.

The Municipality approved the subdivision and the survey was lodged with the Surveyor General and were approved in 1990. The original consolidation was withdrawn and replaced with Erf 13071 in 1996 due to the adjustment of the street widening along Bird Street.

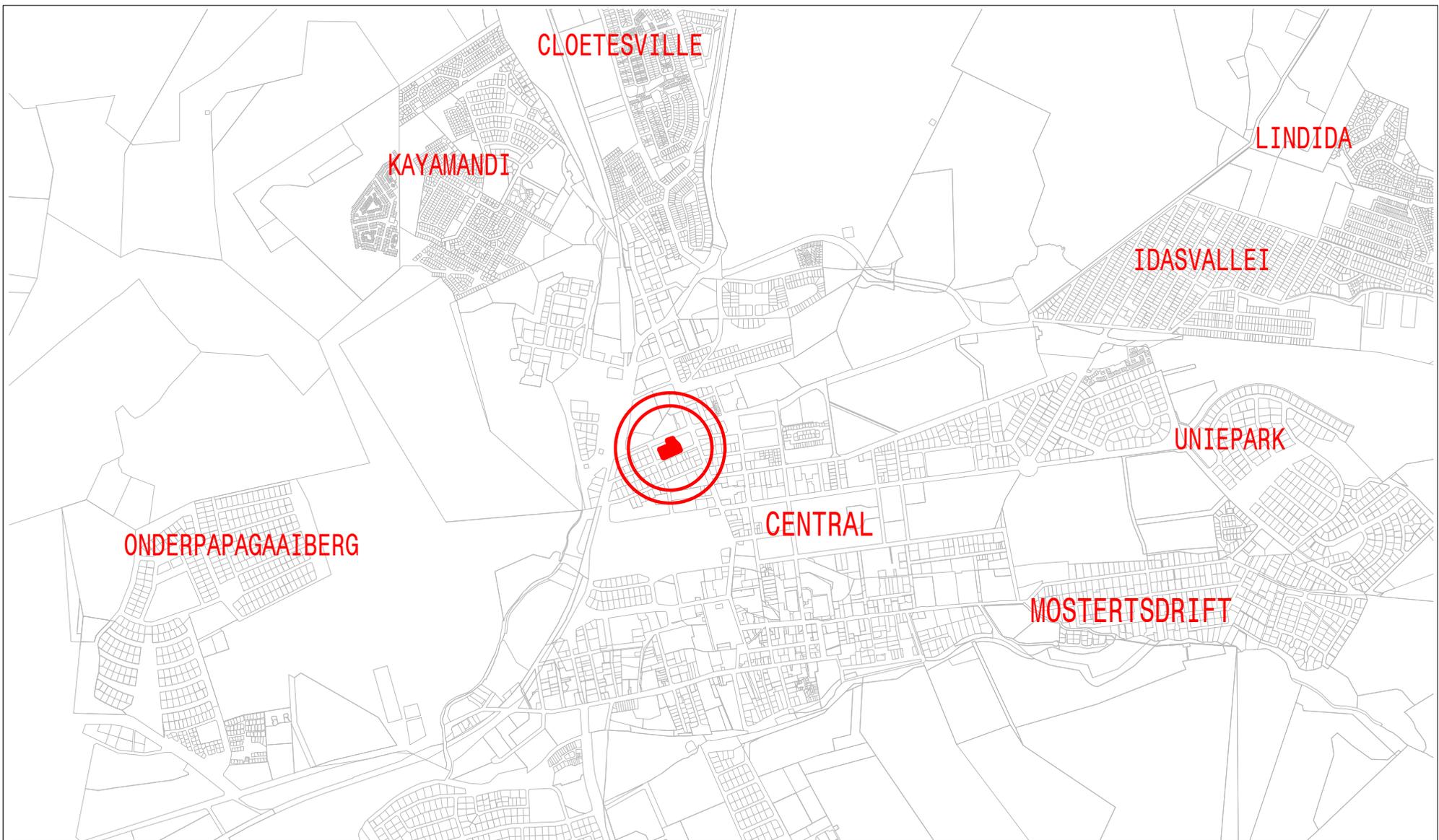
The subdivision and consolidation, due to numerous reasons, was not registered and the original approval for subdivision lapsed.

The Trust would like to conclude the land purchase traction in preparation of the pending development of the property. The two small portions of Erf 7575 that are to be subdivided will simultaneously be consolidated with Erf 7576. The application is effectively an adjustment of the common boundary between the two properties and no additional land unit will be created.

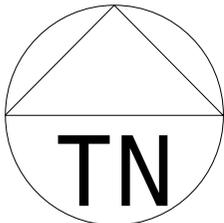
All the boundary walls around the Church have already been adjusted to accommodate the new boundary position.

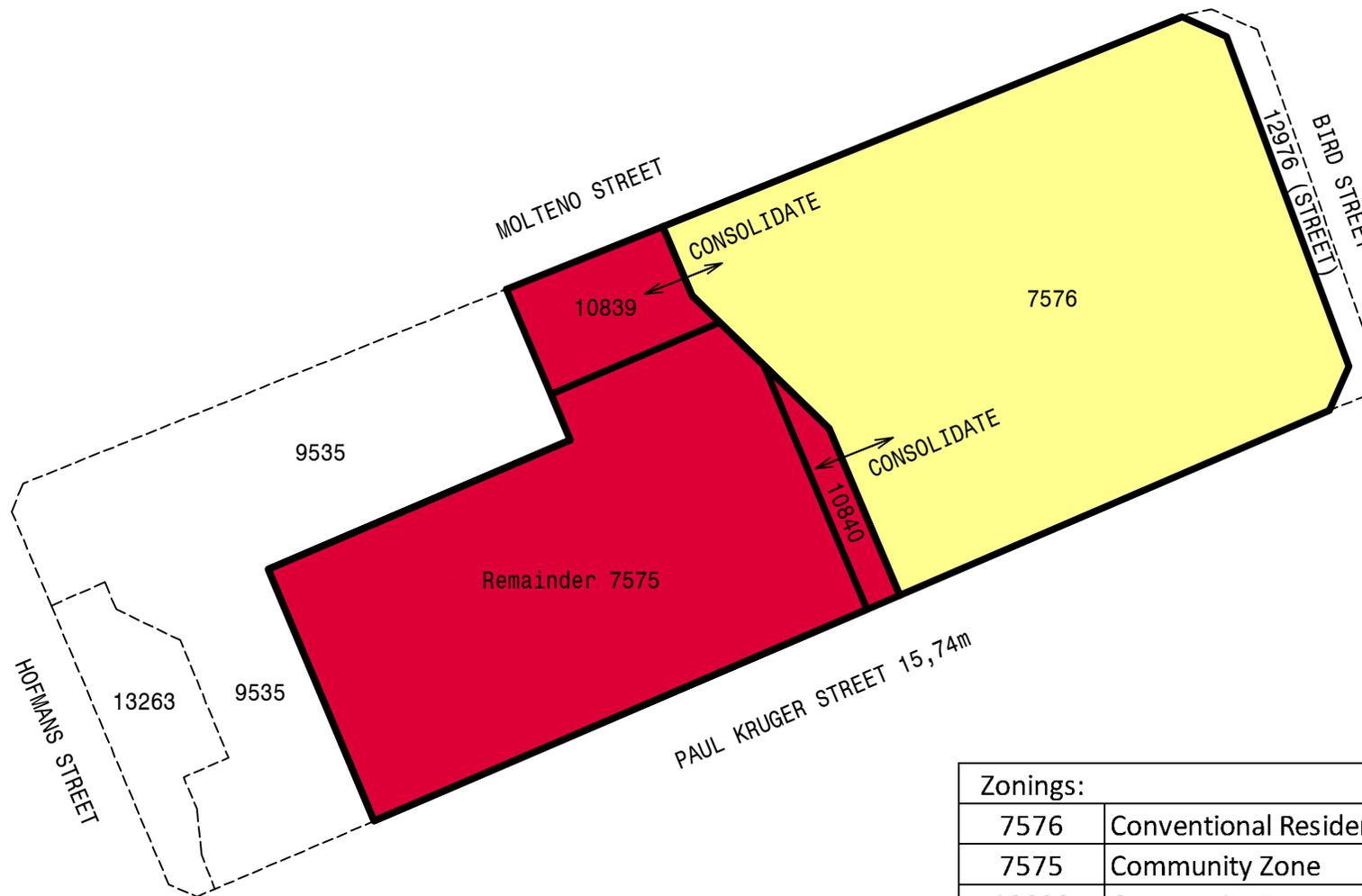
The application is in line with the principles of both the IDP and SDF. There is no negative impact on the natural environment, cultural heritage, or transport as a result of the adjustment of the boundary between the two properties.

No reason for refusal of the application is apparent as the Municipality approved the adjustment of boundaries in 1989.



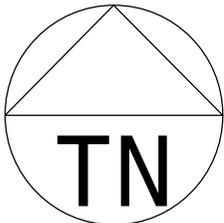
Notes

	Caveat 1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey. 2. All levels are to be confirmed prior to construction.		Scale 1:25000 @ A4	Date: 1 September 2021	System: WG 19
	LOCALITY PLAN		Ref:ERF13071	Dwg:LOCALITY	<div style="text-align: right;">  friedlaender, burger & volkmann <small>PROFESSIONAL LAND SURVEYORS, SECTIONAL TITLE CONSULTANTS, MAPPING CONSULTANTS</small> <small>Stellenbosch House 4, Patrystru 7600 T +27 21 8864004 Cape Town 150 St. George's Mall, 8000 T +27 21 0071861 Rosebank Kaatcol 3 Berging, Walter Street, 7300 T +27 21 4481024 enquiries@fbvsurvey.co.za • www.fbvsurvey.co.za</small> </div>



Zonings:		
7576	Conventional Residential Zone	
7575	Community Zone	
10839	Community Zone	
10840	Community Zone	

Notes

	Caveat 1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey. 2. All levels are to be confirmed prior to construction.	Scale 1:1000 @ A4	Date: 28 January 2022	System: WG 19
	PROPOSED SUBDIVISION OF ERF 7575 AND CONSOLIDATION WITH ERF 7576 STELLENBOSCH		 PROFESSIONAL LAND SURVEYORS, SECTIONAL TITLE CONSULTANTS, MAPPING CONSULTANTS <small>Stellenbosch House 4, Parys Ave, 7600 T +27 21 886 001 Cape Town 150 St George's Mall, 8000 T +27 21 027 185 Fiebee's Kaaitaal 3 de Waag, Water Street, 7800 T +27 21 448 1024 enquiries@fbvsurvey.co.za • www.fbvsurvey.co.za</small>	
Ref: ERF13071		Dwg: PROP_SUB-REV1		

TAX INVOICE



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

PO BOX 17, STELLENBOSCH, 7599
PLANNING & ECONOMIC DEVELOPMENT: PLANNING

DATE:	2022-01-28	DOCUMENT NO:	722748
ERF / FARM NO:	7575 & 7576	CREATED BY:	Bulelwa Mdoda
LOCALITY:	Paul Kruger , STELLENBOSCH	APPLICATION NO:	LU/13692
OWNER'S NAME:	Archbishop of Archdiocese & Cova Da Iria Trust	APPLICATION VAT NO:	4130103692
ADDRESS:	PO Box 154 Stellenbosch 7599	VAT NO:	4700102181
		APPLICANT:	Friedlaender, Burger & Volkmann
		TEL NO:	0218864004

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
SUBDIVISION & CONSOLIDATION - Subdivision & Consolidation (Amendment/Cancellation of Subdivisional Plan / General Plan / Diagram), Per Application	5000.00	1	20180711011497	5000.00

TOTAL AMOUNT PAYABLE 10000.00

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

VAT INCLUDED @ 15%

1304.35

CALCULATED BY

NAME:

SIGNATURE

DATE: 28/01/22

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:

SIGNATURE

DATE:

18 FEB 2022

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

0.00

LU/13692



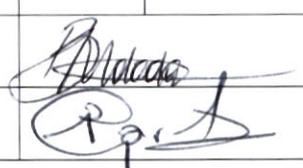
PLANNING & ECONOMIC DEVELOPMENT

LAND USE APPLICATION COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW, 2015			Date of Submission of Application	24-11-2021	
Erf / Erven/ Farm no	7575 & 7576	Portion(s) if farm	Allotment Area	STELLENBOSCH	
Owner / Applicant	Damien Burger		Contact number	0834543467	
Email address	damien@fbvsurvey.co.za				
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION			ADMIN TO VERIFY ¹		PLANNER TO EVALUATE ²
			YES	NO	
1. Completed application form that is signed			✓		
2. Power of Attorney / Owners' Consent if the applicant is an agent and Company Resolution			✓		
3. Bondholders' consent					
4. Proof that applicant is authorized to act on behalf of an entity					
5. Proof of ownership or rights held in land					
6. Motivation based on criteria in s65			✓		
7. SG diagram or General Plan			✓		
8. Locality plan			✓		
9. Site development plan or plan showing the land development					
10. Subdivision plan			✓		
11. Permission for required servitude					
12. Title Deed			✓		
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					

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

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

2 of 2

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: BULELWA		
VERIFIED & SIGNED BY PLANNER	NAME: PEDRO		

Outstanding information (to be completed by Planner):

1. Zoning plan must be submitted showing split related to the consolidated property as no rezoning is applied for.
2. Annexure A has not been attached.

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)(ii)].
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)].

Bulelwa Mdoda

From: Damien Burger <damien.burger@fbvsurvey.co.za>
Sent: 28 January 2022 11:00 AM
To: Pedro April
Cc: Bulelwa Mdoda
Subject: [EX] RE: Application for subdivision & Consolidation: erf 7575 and 7576.
Attachments: PROP_SUB-REV1.pdf

Dear Pedro

Please find attached the amended subdivisional plan as requested.

Damien Burger

FRIEDLAENDER, BURGER & VOLKMANN

Find us: <https://goo.gl/maps/JhVno5PrrXw4qmNr5>

Professional Land Surveyors • Sectional Title Consultants • Mapping Consultants

Professionele Landmeters • Deeltitel Konsultante • Kartering Konsultante

House 4 Patrysvlei Estate – Libertas Farm • TEL: 021 8864004, FAX 021 8878088 • PO Box / Posbus 154, Stellenbosch, 7599 • E-mail:

damien@fbvsurvey.co.za

Please note that this message is intended for specific recipients and its content is private and confidential. If you are not the intended recipient please return the message and then delete it.

From: Pedro April [mailto:Pedro.April@stellenbosch.gov.za]

Sent: Wednesday, December 15, 2021 11:45 AM

To: Damien Burger (damien.burger@fbvsurvey.co.za)

Cc: Bulelwa Mdoda

Subject: Application for subdivision & Consolidation: erf 7575 and 7576.

Dear Mr Burger

You previous emails to this department in the above-mentioned regard refers.

Please note the zoning of the following erven as per the correct conversion from information on the files is;

1. Erf 7575, Stellenbosch: - Community Zone (Place of Worship)
2. Erf 7576, Stellenbosch: - Conventional Residential

Unregistered Erf 13071 indicated on the zoning plan as conventional residential in its entirety is incorrect, considering that the GIS technician have not created different layers for spit zonings. The subject zoning map can at any stage be corrected/amended to reflect the correct zoning of a property as per the municipal approvals on file.

We have only requested that you show the zonings of the existing properties and portions on the proposed subdivisional plan, so that for future reference we need to know that the consolidated property have a spit zoning and must subsequently be rezoned from Conventional Residential and Community Zone to any other zoning applied for.

The currently application therefore do not require an application for rezoning, if it is not the intend of the applicant to rezone at this stage, but the zonings of the respective properties must be indicated on the subdivisional plans. Soonest we received the revised information we can continue with the processing of the application.



Yours faithfully

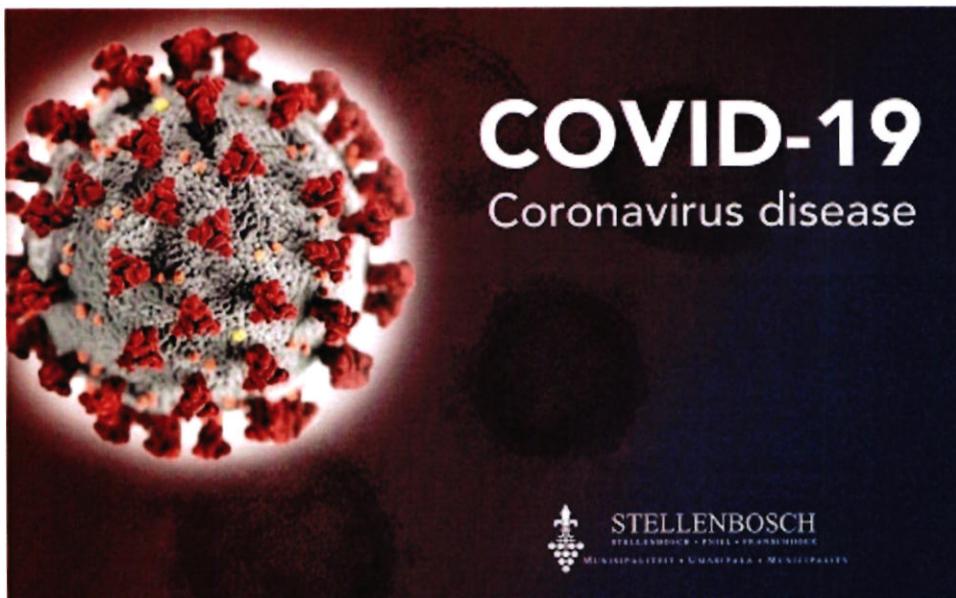
Pedro April
Senior Town Planner
Department:
Land Use Management
Directorate:
Planning & Economic Development
Stellenbosch Municipality

Departmental Email Addresses:
Landuse.enquiries@stellenbosch.gov.za
Landuse.applications@stellenbosch.gov.za
Landuse.appeals@stellenbosch.gov.za

T: +27 21 808 8683 | Fax: +27 21 886 6899
43 Andringa Str, Eikestad Mall, 3rd Floor,
Stellenbosch, 7600
www.stellenbosch.gov.za



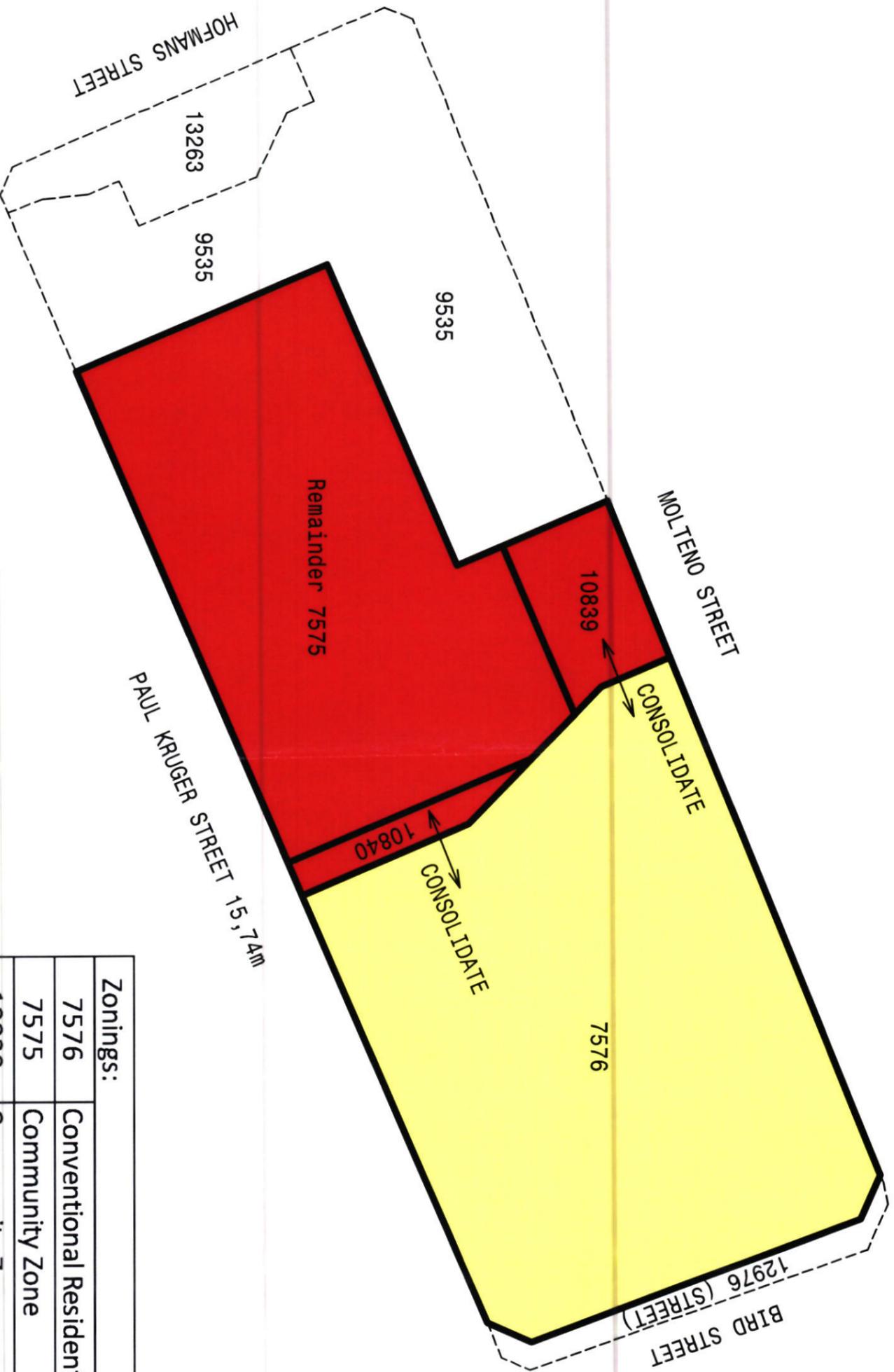
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http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm



For official COVID-19 advice, updates and queries:

- National Hotline 0800 029 999
- Provincial Hotline 021 9284102
- WhatsApp 0600 123 456

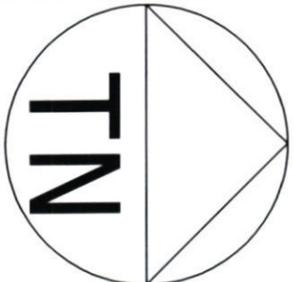
Stay alert, stay updated and stay safe.



Zonings:	
7576	Conventional Residential Zone
7575	Community Zone
10839	Community Zone
10840	Community Zone

Notes

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



Scale 1:1000 @ A4

Date: 28 January 2022

System: WG 19

PROPOSED SUBDIVISION OF ERF 7575 AND CONSOLIDATE WITH ERF 7576 STELLENBOSCH

Ref: ERF13071

Dwg: PROP_SUB-REV1

friedlaender, burger & volkmann
 PROFESSIONAL LAND SURVEYORS, SECTIONAL TITLE CONSULTANTS, MAPPING CONSULTANTS
 Steubenweg 11, Stellenbosch, 7600 T: 021 21 860001 Cell: 082 351 9159 Fax: 021 21 860002
 P.O. Box 111, Stellenbosch, 7600 T: 021 21 860001 Cell: 082 351 9159 Fax: 021 21 860002
 www.friedlaenderburger.com

Pedro April

From: Pedro April
Sent: Wednesday, 15 December 2021 11:45
To: Damien Burger (damien.burger@fbvsurvey.co.za)
Cc: Bulelwa Mdoda
Subject: Application for subdivision & Consolidation: erf 7575 and 7576.
Attachments: SMFD-Eikest21121511170.pdf

Dear Mr Burger

You previous emails to this department in the above-mentioned regard refers.

Please note the zoning of the following erven as per the correct conversion from information on the files is;

1. Erf 7575, Stellenbosch: - Community Zone (Place of Worship)
2. Erf 7576, Stellenbosch: - Conventional Residential

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The currently application therefore do not require an application for rezoning, if it is not the intend of the applicant to rezone at this stage, but the zonings of the respective properties must be indicated on the subdivisional plans. Soonest we received the revised information we can continue with the processing of the application.



Yours faithfully

Pedro April

Senior Town Planner

Department:

Land Use Management

Directorate:

Planning & Economic Development

Stellenbosch Municipality

Departmental Email Addresses:

Landuse.enquiries@stellenbosch.gov.za

Landuse.applications@stellenbosch.gov.za

Landuse.appeals@stellenbosch.gov.za

T: +27 21 808 8683 | Fax: +27 21 886 6899

43 Andringa Str, Eikestad Mall, 3rd Floor,

Stellenbosch, 7600

www.stellenbosch.gov.za



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

Bulelwa Mdoda

From: Damien Burger <damien.burger@fbvsurvey.co.za>
Sent: 26 November 2021 12:45 PM
To: Landuse Enquiries
Subject: [EX] RE: Application for Subdivision & Consolidation : ERVEN 7575 AND 7576 STELLENBOSCH
Attachments: ANNEXURE A.pdf; inset.pdf

Hi Bulelwa

If you look carefully at the Stellenbosch Zoning Scheme they have allocated the same zoning as if the subdivision has taken place. Possibly because of the approved diagrams.

There is no split zoning for the resulting consolidation – I have enlarged the extract – all shown as conventional residential

The approved zoning plan follows the new consolidation boundary position.

Please confirm if the explanation is acceptable.

I have re-attached Annexure A

Regards

Damien Burger

FRIEDLAENDER, BURGER & VOLKMANN

Find us: <https://goo.gl/maps/JhVno5PrrXw4qmNr5>

Professional Land Surveyors • Sectional Title Consultants • Mapping Consultants

Professionele Landmeters • Deeltitel Konsultante • Kartering Konsultante

House 4 Patrysvlei Estate – Libertas Farm • TEL: 021 8864004, FAX 021 8878088 • PO Box / Posbus 154, Stellenbosch, 7599 • E-mail:

damien@fbvsurvey.co.za

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From: Landuse Enquiries [mailto:Landuse.Enquiries@stellenbosch.gov.za]

Sent: Friday, November 26, 2021 7:51 AM

To: 'Damien Burger'; Landuse Enquiries

Subject: RE: Application for Subdivision & Consolidation : ERVEN 7575 AND 7576 STELLENBOSCH

Good Morning Damien;

Your application submitted on 19 November 2021, refers.

Please take note of the following:

- Zoning plan must be submitted showing split related to the consolidated property as no rezoning is applied for.
- Annexure A has not been attached.



Kind regards,

Bulelwa Mdoda

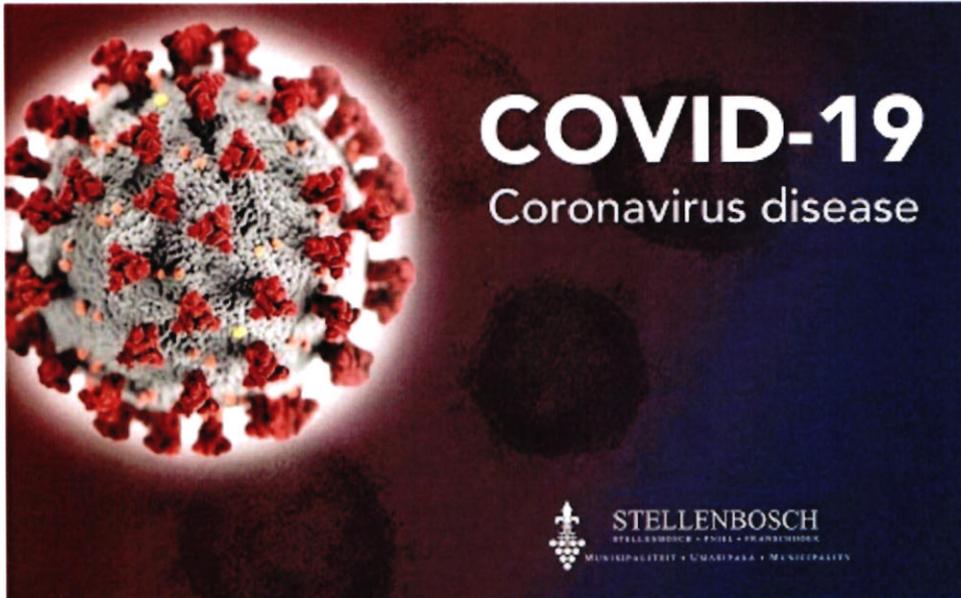
Land Use Management

Planning & Economic Development

T: +27 21 808 8690 : F +27 21 886 6899
3rd Floor, Eikestad Mall, Andringa Street,
Stellenbosch



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



For official COVID-19 advice, updates and queries:

- National Hotline 0800 029 999
- Provincial Hotline 021 9284102
- WhatsApp 0600 123 456

Stay alert, stay updated and stay safe.



STELLENBOSCH
STELLENBOSCH • FRIEL • FRANSCHHOEK
MUNICIPALITEIT • UMADIPALA • MUNICIPALITY



About Stellenbosch Municipality

Our mission is to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens.



Our head office is at Town House Complex, Plein Street, Stellenbosch, 7600, South Africa. For more information about Stellenbosch Municipality, please call +2721-808-8111, or visit www.stellenbosch.gov.za

Disclaimer:

The information contained in this communication from landuse.enquiries@stellenbosch.gov.za sent at 2021-11-26 07:51:22 is confidential and may be legally privileged. It is intended solely for use by damien.burger@fbvsurvey.co.za and others authorized to receive it. If you are not damien.burger@fbvsurvey.co.za you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this information is strictly prohibited and may be unlawful. Powered by [IOCO](#)

From: Damien Burger <damien.burger@fbvsurvey.co.za>

Sent: 19 November 2021 05:42 PM

To: Landuse Enquiries <Landuse.Enquiries@stellenbosch.gov.za>

Subject: [EX] Application for Subdivision & Consolidation : ERVEN 7575 AND 7576 STELLENBOSCH

Dear Sir/Madam

APPLICATION IN TERMS OF SECTION 15(2)(d) and 15(2)(e) – PLANNING BY-LAW :



Bulelwa Mdoda

From: Damien Burger <damien.burger@fbvsurvey.co.za>
Sent: 19 November 2021 05:42 PM
To: Landuse Enquiries
Subject: [EX] Application for Subdivision & Consolidation : ERVEN 7575 AND 7576 STELLENBOSCH
Attachments: combined.pdf

Dear Sir/Madam

**APPLICATION IN TERMS OF SECTION 15(2)(d) and 15(2)(e) – PLANNING BY-LAW :
ERVEN 7575 AND 7576 STELLENBOSCH**

Please find attached our full application and accompanying documents for the above application.

Please could you acknowledge confirmation of receipt to damien@fbvsurvey.co.za

Regards

Damien Burger

FRIEDLAENDER, BURGER & VOLKMANN

Find us: <https://goo.gl/maps/JhVno5PrrXw4qmNr5>

Professional Land Surveyors • Sectional Title Consultants • Mapping Consultants

Professionele Landmeters • Deeltitel Konsultante • Kartering Konsultante

House 4 Patrysvlei Estate – Libertas Farm • TEL: 021 8864004, FAX 021 8878088 • PO Box / Posbus 154, Stellenbosch, 7599 • E-mail:

damien@fbvsurvey.co.za

Please note that this message is intended for specific recipients and its content is private and confidential. If you are not the intended recipient please return the message and then delete it.



PLANNING & ECONOMIC DEVELOPMENT

LAND USE APPLICATION – CHECK LIST				Date	19/11/2021	
Erf/Erven/ Farm no	ERVEN 7575 AND 7576	Portion(s) if farm	N/A	Allotment Area	Stellenbosch	
Owner/ Applicant	Damien Burger		Contact number	0834543467		
Email address	damien@fbvsurvey.co.za					
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION				OWNER/APPLICANT TO INDICATE		CUSTOMER INTERFACE VERIFY <input checked="" type="checkbox"/> *
				YES	NO	
1. Application form completed in full and signed?				<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Correct copy of the Title Deed of the property?				<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Motivation attached?				<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Site Development Plan / Subdivision Plan / Consolidation Plan (A4/A3 size in colour?)				<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Property Registered in a Trust or Company – Power of Attorney as well as Trust / Company Resolution				<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. Neighbours Consent Forms (completed in full and signed) / Locality Plan indicating advertising to be undertaken				<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Five (5) sets of copies of all documentation (One set for permanent departure applications)				<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. Proof of payment				<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SIGNED BY OWNER/APPLICANT				<i>D. Burger</i>		
VERIFIED & SIGNED BY CUSTOMER INTERFACE OFFICER						

*Verification only of the documentation attached and not the completeness or correctness of that documentation.

**Please note that your documentation is not considered as a submitted application until such time as it has been scrutinized, all initial outstanding information (if any) has been submitted and payment is reflected in Council's bank account.

***Should the initial outstanding information and/or payment of fees not be received, all documentation will be discarded.

Outstanding information (to be completed by planner):

 Planner

 Date



friedlaender, burger & volkmann

PROFESSIONAL LAND SURVEYORS SECTIONAL TITLE CONSULTANTS, MAPPING CONSULTANTS

39 Herte Str., Stellenbosch, 7600

PO Box 154, Stellenbosch, 7599



+27 21 8864004



+27 21 8878088



info@fbvsurvey.co.za



www.fbvsurvey.co.za

Our ref: ERF7576

19/11/2021

The Municipal Manager

Landuse.Enquiries@stellenbosch.gov.za

Dear Sir/Madam

SUBDIVISION OF REMAINDER OF ERF 7575 IN TERMS OF SECTION 15(2) (d) AND CONSIDERATION OF THE SUBDIVIDED PORTIONS WITH REMAINDER OF ERF 7576 IN TERMS OF SECTION 15(2) (e) STELLENBOSCH FOR A PREVIOUSLY APPROVED APPLICATION

Please find herewith our electronic submission of the application and supporting documents in the above matter.

Please contact our office if further information is required.

Yours sincerely

D.P. Burger

pp. Friedlaender, Burger and Volkmann



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • 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)	Damien				
Surname	Burger				
Company name (if applicable)	Friedlaender, Burger and Volkmann				
Postal Address	P.O. Box 154, Stellenbosch				
			Postal Code	7599	
Email	damien@fbvsurvey.co.za				
Tel	+27 21 8864004	Fax	+27 21 8878088	Cell	+27 83 454 3467

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

Registered owner(s)	1. Erf 7575 – The Archbishop of the Archdiocese of Cape Town of the Roman Catholic Church 2. Erf 7576 - Cova Da Iria Trust				
Physical address	21 Robbertse Street : Brandwacht				
			Postal code	7599	
E-mail	Sonia de Canha : soninat@googlemail.com				
Tel	021-8870832	Fax	N/A	Cell	0720862597

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

Erf No.	1. ERF 7575 2. ERF 7576	Portion(s) if Farm		Allotment area	Stellenbosch		
Physical Address	Cnr Paul Kruger /Bird Street						
	Stellenbosch						
Current Zoning	Conventional Residential and Multi Unit Residential	Extent	ERF 7575 - 3927 sqm ERF 7576 - 5169 sqm	Are there buildings?	existing	<input checked="" type="checkbox"/>	N

Applicable Zoning Scheme	Stellenbosch Municipality									
Current Land Use	Erf7575 - Church Erf7576 - vacant plot									
Title Deed number and date	T	37446/1979								
Attached Conveyance's Certificate	Y	<input checked="" type="checkbox"/>	Any Restrictions to the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate							
Are the restrictive conditions in favour of a third party(ies)?	Y	<input checked="" type="checkbox"/>	If Yes, list the party(ies):							
Is the property encumbered by a bond?	Y	<input checked="" type="checkbox"/>	If Yes, list the bondholder(s):							
Is the property owned by Council?	Y	<input checked="" type="checkbox"/>	If Yes, kindly <u>attach a power of attorney</u> from the Manager Property Management							
Is the building located within the historical core?	Y	<input checked="" type="checkbox"/>	Is the building older than 60 years?	Y	<input checked="" type="checkbox"/>	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹	Y	<input checked="" type="checkbox"/>	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)?	Y	<input checked="" type="checkbox"/>	If yes, is this application to legalize the building / land use ² ?		Y	<input checked="" type="checkbox"/>				
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	Y	<input checked="" type="checkbox"/>	Are there any land claim(s) registered on the subject property(ies)?		Y	<input checked="" type="checkbox"/>				

PART D: PRE-APPLICATION CONSULTATION

Has there been any pre-application consultation?	Y	<input checked="" type="checkbox"/>	If Yes, please attach the minutes of the pre-application consultation.							
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PART E: LAND USE PLANNING APPLICATIONS AND APPLICATION FEES PAYABLE**APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)**

Tick	Type of application: <i>Cost are obtainable from the Council Approved tariffs³</i>
	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;
<input checked="" type="checkbox"/>	15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;
<input checked="" type="checkbox"/>	15(2)(e) a consolidation of land that is not exempted in terms of section 24;

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

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

³ <http://www.stellenbosch.gov.za/documents/dp-budget/2017-2/4873-appendix-3-tariff-book-2017-2018/file>

	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); <i>Provincial Gazette</i> ; 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	<i>Provincial Gazette</i>	R
	INTEGRATED PROCEDURES	T.B.C	R
TOTAL B:			R
TOTAL APPLICATION FEES* (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.:	198765		
Account no.:	1152271679		
SWIFT	NEDSZAJJ		
Payment reference: (Erf/Farm number)		

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

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

Information and documentation required

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

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

Y	<input checked="" type="checkbox"/>	If required, has application for EIA / HIA / TIA / TIS / 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))
			Y <input checked="" type="checkbox"/> National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
Y	<input checked="" type="checkbox"/>	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)	Y <input checked="" type="checkbox"/> National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
Y	<input checked="" type="checkbox"/>	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)	Y <input checked="" type="checkbox"/> National Water Act, 1998 (Act 36 of 1998)
Y	<input checked="" type="checkbox"/>	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations	Y <input checked="" type="checkbox"/> Other (specify)
Y	<input checked="" type="checkbox"/>	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)	
Y	<input checked="" type="checkbox"/>	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

PROPOSED

**SUBDIVISION OF REMAINDER OF ERF 7575
IN TERMS OF SECTION 15(2) (d)
AND CONSIDERATION OF THE TWO SUBDIVIDED
PORTIONS WITH REMAINDER OF ERF 7576 IN TERMS
OF SECTION 15(2) (e) : STELLENBOSCH**

FOR A PREVIOUSLY APPROVED APPLICATION

Prepared by

Friedlander, Burger and Volkmann

House 4 Patrysvlei Estate, Stellenbosch, 7600 | P.O. Box 154, Stellenbosch, 7599

Tel +27 21 8864004 Fax +27 21 8878088 Email info@fbvsurvey.co.za

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1 Proposal

Acting on behalf of the owners of Erf 7575 and 7576 Stellenbosch ("the properties") we propose to subdivide two portion off Erf 7575 and consolidation the two portions with the adjoining Erf 7576

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

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

- i. Subdivision of Erf 10839 (a portion of Erf 7575) Stellenbosch measuring 411 square meters
and the subdivision Erf 10840 (a portion of Erf 7575) Stellenbosch measuring 170 square meters

and the

- ii. Consolidation of Erf 10839 and Erf 10840 with Remainder of Erf 7576 Stellenbosch

2 Pre-Application Scrutiny Feedback

The pre-application scrutiny feedback is attached as **Annexure C**

3 Authority to apply

The Properties are owned by:

- Erf 7575 – The Archbishop of the Archdiocese of Cape Town of the Roman Catholic Church ("The Church")
The title deed is attached as **Annexures D and** the power of attorney/and authorisation as **Annexure E** and a further power of Attorney as **Annexure F**
- Erf 7576 - Cova Da Iria Trust ("The Trust")
The title deed is attached as **Annexures G and** the power of attorney/and authorisation as **Annexure H**

4 The Erven

4.1 Description

Erf 7575 – measuring 3927 square meters – is the existing Roman Catholic Church site

Erf 7576 – measuring 5169 square – is an open site with an existing excavation for future development.

The diagrams are attached as **Annexures J & K**

4.2 Current use and zoning

The properties are zoned Conventional Residential and Multi- Unit Residential . An extract from the Zoning plans is attached as **Annexure L**

As can be seen the Current Zoning Plan already shows the adjusted boundary and the consolidated property will be zoned Conventional Residential.

No rezoning is applied for as part of this the application.

4.3 Access

The consolidated property has access off both Molteno Street and Paul Kruger Street

4.4 Services

No additional services are required at this stage as the application in an adjustment of the common boundary and no additional property will be created after consolidation

4.5 Restrictive Title Conditions

There are no restrictive Title Conditions that restrict subdivision and the Conveyancer Certificate is attached as **Annexure M**

5 Reason for the proposal

The Cova Da Iria Trust purchased Erf 7576 from the Roman Catholic Church in 1989.

As part of the original agreement the church had also agreed that two further portion of Erf 7575, now represented by Erf 10839 and 10840,, would also be sold to the Trust and consolidated with Erf 7576.

The Municipality approved the subdivision and the survey was lodged with the Surveyor General. Erf 10839 and Erf 10740 was approved by the Surveyor General in 1990. The original consolidation was withdrawn and replaced with Erf 13071 in 1996 due to the adjustment of the street widening along Bird Street.

The subdivision and consolidation, due to numerous reasons, was not registered and the original approval lapsed.

The Trust would like to conclude the land purchase in preparation of the pending development of the property

6 Motivation

6.1 Adjustment of boundary between Erf 7575 and Erf 7576

The Trust purchased Erf 7576 with the intention of developing in the future. The purchase agreement included additional land that the Church was not utilising at the time and that could be added to the property already sold as a further adjustment of the common boundary to increase the size of the developable property.

6.2 Subdivision & consolidation

The two small portions of Erf 7575 that are to be subdivided will simultaneously be consolidated with Erf 7576. The application is effectively an adjustment of the common boundary between the two properties and no additional land unit will be created.

The Municipality approved the subdivision in 1989 but the approval has lapsed as the subdivision was not registered within the prescribed period.

All the boundary walls around the Church have already been adjusted to accommodate the new boundary position.

The intention is still to develop Erf 7576, but the Trust would first like to finalise the land traction that was concluded in 1989 and adjust the common boundary between the two properties, so that they can finalise the proposed new development on the property.

6.3 Principles of IDP & Municipal SDF

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

There is no negative impact on the natural environment, cultural heritage, or transport as a result of the adjustment of the boundary between the two properties.

There is no change in land use at this stage as the Zoning Scheme has assumed the adjusted boundary position.

6.4 Summary

No reason for refusal of the application is apparent as the Municipality approved the adjustment of boundaries in 1989 .

7 List of Annexures

Annexure A	Locality Plan
Annexure B	Subdivision Plan
Annexure C	Pre Application Scrutiny Feedback
Annexure D	Title Deed T64474/89 - ERF 7575
Annexure E	Power of Attorney and authorization from Roman Catholic Church
Annexure F	Further Power of Attorney from Church
Annexure G	Title Deed T64480/89 - ERF 7576
Annexure H	Power of Attorney and authorization from Trust
Annexure J	Diagram Erf 7575
Annexure K	Diagram Erf 7576
Annexure L	Extract from Zoning Scheme
Annexure M	Conveyancer Certificate

Damien Burger

From: Pedro April <Pedro.April@stellenbosch.gov.za> on behalf of Pedro April
Sent: Tuesday, September 28, 2021 12:15 AM
To: Damien Burger (damien@fbvsurvey.co.za)
Cc: Bulelwa Mdoda
Subject: Pre-scrutiny application: Application for subdivision and consolidation: Erf 7575 and 7576, Stellenbosch.

Friedlaender, Burger & Volkman Land Surveyors

Dear Mr Burger

Feedback: Pre-Application Scrutiny

1. Your pre-application scrutiny submission on the above property, refers.
2. Your submission has been duly scrutinized for your intended land use and / or land development application.
3. Your intended land use and/ or land development application as depicted in the submission represents on face value an accurate approach to the prevailing provisions in the Stellenbosch Land Use Planning Bylaw (2015) [SLUPB] and Stellenbosch Zoning Scheme Bylaw (2019) [SZSB] and you may proceed to submit for consideration a corresponding application for subdivision and consolidation for an previously approved application.

You are however reminded of the following;

- The power of attorney of both property owners must be obtained for the submission of the application.
 - Clear reference must be made in the application of the confirmed zoning of both properties.
 - Should land parcels with different zonings be consolidated with each other, clear reference must be made whether the consolidated property will have a split zoning indicated on plan or whether simultaneous application for rezoning is applied for as well.
 - Should the owner in future wants to use the property for any business related activities, the restrictive title deed conditions must be removed if applicable or a conveyancers certificate be submitted confirming that no title deed conditions exist that prohibit the use of the property for certain business activities.
4. The intended land use and/ or land development application needs to fulfil 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://stellenbosch.gov.za/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 authorized 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.
7. For any enquiries on this correspondence please respond by e-mail to the writer hereof or to the email; landuse.enquiries@stellenbosch.gov.za



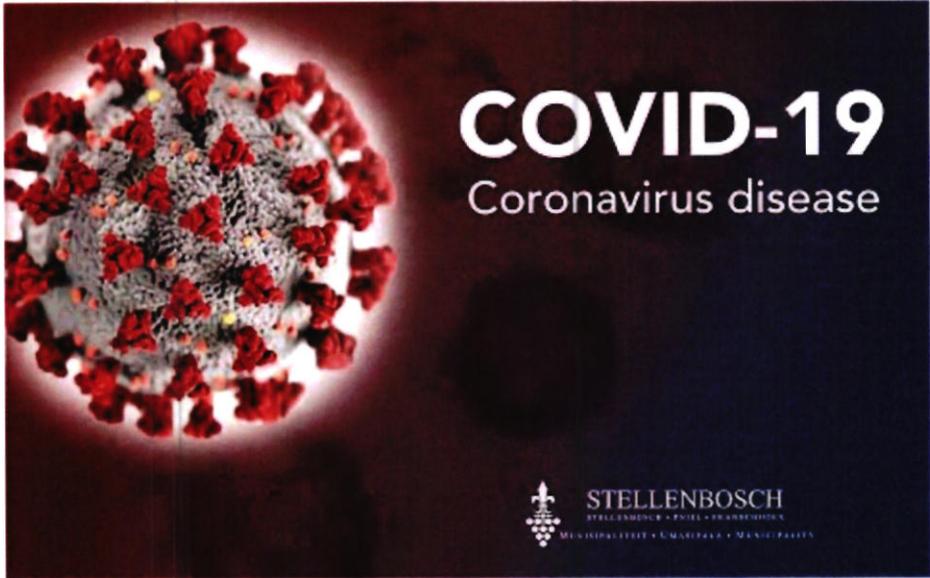
Yours faithfully

Pedro April
Senior Town Planner
Department:
Land Use Management
Directorate:
Planning & Economic Development
Stellenbosch Municipality
Departmental Email Addresses:
Landuse.enquiries@stellenbosch.gov.za
Landuse.applications@stellenbosch.gov.za
Landuse.appeals@stellenbosch.gov.za

T: +27 21 808 8683 | Fax: +27 21 886 6899
43 Andringa Str, Eikestad Mall, 3rd Floor,
Stellenbosch, 7600
www.stellenbosch.gov.za



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



For official COVID-19 advice, updates and queries:

- National Hotline 0800 029 999
- Provincial Hotline 021 9284102
- WhatsApp 0600 123 456

Stay alert, stay updated and stay safe.



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNICIPALITEIT • UMABHALA • MUNICIPAALITY



About Stellenbosch Municipality

Our mission is to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens.

Our head office is at Town House Complex, Plein Street, Stellenbosch, 7600, South Africa. For more information about Stellenbosch Municipality, please call +2721-808-8111, or visit www.stellenbosch.gov.za

Disclaimer:

The information contained in this communication from pedro.april@stellenbosch.gov.za sent at 2021-09-28 00:15:12 is confidential and may be legally privileged. It is intended solely for use by damien@fbvsurvey.co.za and others authorized to receive it. If you are not damien@fbvsurvey.co.za you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this information is strictly prohibited and may be unlawful. Powered by [IOCO](https://www.io.co.za/)

ANNEXURE D

129. MAREE WINCKLER

Prepared by me

JAN DE MUNCK
Conveyancer

FOR FURTHER ENDORSEMENTS SEE
VIR VERDIE OORSPRONKELIKE WEL... page 5

T 64474 · 89

CERTIFICATE OF REGISTERED TITLE

Issued under the provisions of section 43 of the Deeds
Registries Act, 1937 (No 47 of 1937)

WHEREAS,

THE ARCHBISHOP OF THE ARCHDIOCESE OF CAPE TOWN OF THE
ROMAN CATHOLIC CHURCH

has applied for the issue to him of a Certificate of
Registered Title under section 43 of the Deeds
Registries Act, 1937, in respect of the undermentioned
land, being portion of the land registered in his name

under Certificate of Consolidated Title No T 64473 · 89

NOW THEREFORE, in pursuance of the provisions of the said Act, I, the Registrar of Deeds at Cape Town do hereby certify that the said

**THE ARCHBISHOP OF THE ARCHDIOCESE OF CAPE TOWN OF THE
ROMAN CATHOLIC CHURCH**

- WHITE GROUP -

his Successors in Title or assigns, is the registered owner of

ERF 7575 (a portion of Erf 7574) STELLENBOSCH, in the Municipality and Division of Stellenbosch

IN EXTENT 5107 (Five Thousand One Hundred and Seven) square metres

as will more fully appear from Diagram No 1418/82 hereto annexed and held by Certificate of Consolidated Title No T 64473.89

A. SUBJECT

A. To such conditions as are referred to in Deed of Transfer No. T 33174/1982

B. To the following special conditions imposed by HENDRIK JOHANNES LOUW DU TOIT as owner of the remaining land held by him by Certificate of Registered Title No T 7946/1931 and the land held by him by Deed of Transfer No T 149/1888, for the benefit of himself as owner of the land held by the aforesaid Deeds, or any future owner thereof, or part thereof, who shall at all times be entitled to obtain redress for any breach of any of the said conditions contained in Deed of Transfer No T 504/1932, namely:-

- (1) That the above lot shall not be entitled to the use of any water out of the Kromme Rivier for domestic or any other purposes - the Transferor reserving to himself as owner of the land remaining registered in his name at this date under the Certificate of Registered Title

8

aforesaid and Transfer No 149 dated 15th October, 1888, and his successors-in-title, all his hitherto existing rights to such water as a riparian owner.

- (3) No bottlestore, canteen, or place of obtaining strong drink shall be erected on the above land; nor shall any Hotel, butcher, general or other business of a like nature be carried on or conducted thereon.

C. To the conditions (b), (c), (d), (f), (h) and (j) upon which the Administrator granted his approval in terms of Ordinance 13 of 1927, Section 15 to the establishment of the Kromme Rivier A Township, as contained in Deed of Transfer No T 504/1932, namely:-

(b)

(c)

(d)

(f) That no building shall be erected on any erf within 3,15 metres of any boundary line between the said erf and any street, road or avenue on which such erf abuts.

(h) That the erven be not entitled to any share of the water to which the farm Kromme Rivier may be entitled.

(j) That the further condition desired by the Municipality shall also apply, ie:-

- (3) That the purchaser of each lot and his successors-in-title shall be obliged to allow the drainage or sewerage of any other lot or lots to be conveyed over such lot if deemed necessary by the Municipality and in such manner and in such position as may from time to time be reasonably required by the Municipality.

| 

AND THAT by virtue of these presents the said Archbishop of the Archdiocese of Cape Town of the Roman Catholic Church, his Successors in Title or assigns, now is and henceforth shall be entitled thereto conformably to local custom, the State, however, reserving its rights.

IN WITNESS whereof, I the said Registrar, have subscribed to these presents and have caused the seal of the office to be affixed thereto.

THUS done and executed at the Office of the Registrar of Deeds at Cape Town

on this 8th day of NOVEMBER 1989.


.....
REGISTRAR OF DEEDS

|
|
|

|

Certificate of Registered Title
Sertifikaat van Geregistreerde Titel T 64476-189 /19
issued in terms of sect. 43 Act 47/1937
Ligging en oppervlakte van Erf 9534 area 1180 m²
in respect of the
tenement van

Remainder 3927 m²
Resand

DEEDS OFFICE
AKTESKANTOOR
CAPE TOWN/KAAPSTAD

[Signature]
Registrar
registrator

1985 11-08

Certified a true copy of the original filed
of record in this Registry in terms of

Reg 46

Deeds Registry
Cape Town

1.6 JUL 2021

Chandler
Registrar of Deeds

" "

B2

SPECIAL POWER OF ATTORNEY

We, the undersigned,

**THE ARCHBISHOP OF THE ARCHDIOCESE OF CAPE TOWN OF THE
ROMAN CATHOLIC CHURCH**

CONFIRM THAT WHEREAS:

1. On or about 08 November 1989, we sold and transferred Erf 7576, Stellenbosch (hereinafter referred to as "the Property") to Cova Da Iria Trust, IT731/88, as represented by Mr. Francisco Paulo de Canha.
2. We were in agreement with Cova Da Iria Trust that they would also take transfer of further subdivided portions from the mother erf, namely Erf 7575, Stellenbosch, to be designated as Erven 10839 and 10840, Stellenbosch (hereinafter referred to as "the subdivided erven"), which are designated on the land surveyor diagrams attached hereto marked "A" and "B" respectively.
3. It has come to our attention that land surveyor diagrams were drawn up in respect of the subdivided erven and registered at the Cape Town Surveyor General Office on or about February 1996 but were never registered at the Cape Town Deeds Office nor were the transfer of the subdivided erven registered from ourselves to Cova Da Iria Trust.
4. Cova Da Iria Trust has expressed their intention to develop the property comprising the consolidation of the Property and the subdivided erven as soon as possible.

NOW THEREFORE:

5. We hereby authorise for Cova Da Iria Trust to:
 - 5.1 apply at the Stellenbosch Municipality for the subdivision of the subdivided erven from Erf 7575, Stellenbosch and the simultaneous rezoning of the property (Erf 13071, Stellenbosch), which will be comprised of the Property (Erf 7576, Stellenbosch) and the subdivided erven; and
 - 5.2 draw up the relevant subdivisional consents and transfer documents so as to effect the registration of the transfer of the subdivided erven from ourselves to Cova Da Iria Trust.
6. All costs of the aforementioned subdivision, consolidation and rezoning applications shall be solely for the account of Cova Da Iria Trust.

.. 0

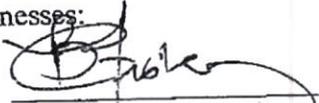
2 - 1

7. We hereby appoint Mr. Francisco Daniel de Canha with power of substitution, to be our lawful Agent and in my name, place and stead to act on our behalf and sign all documents as required to achieve the above.

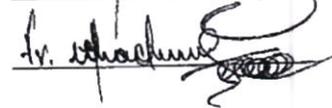
SIGNED AT CAPE TOWN on 13 MAY 2011

As witnesses:

1.



2.



E. O'Neill

For and on behalf of **THE ARCHBISHOP
OF THE ARCHDIOCESE OF CAPE
TOWN OF THE ROMAN CATHOLIC
CHURCH** (duly authorised)

Name: EDMUND O'NEILL

Designation: PROPERTY ADMINISTRATOR

u h
A

Friedlaender, Burger & Volkmann Land Surveyors

OFFICE 06FY

Description of Beacons :

A, B, C, D, E, F, G, H, J ----- 12 mm iron peg

S.G. No.

381/1996

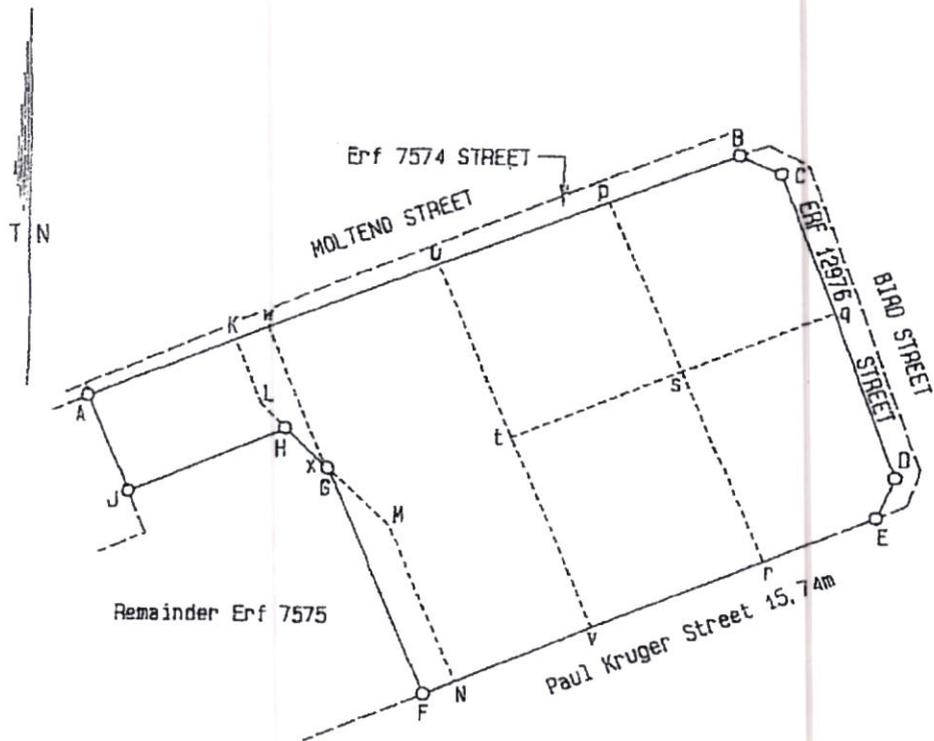
Approved.

Albuer

for

Surveyor - General
1996-02-22

SHEET 2 OF 2 SHEETS



ERF No 13071 - STELLENBOSCH

Surveyed in March 1980 - February 1995
by me

Hans J Volkmann
Hans J Volkmann
Pr Land Surveyor PLS0695

SCALE 1 : 1 000

13071

M Es
1 0 0

B^u

Friedlaender, Burger & Volkmann Land Surveyors

OFFICE COPY

SIDES Metres	ANGLES OF DIRECTION	CO-ORDINATES System Lo 19				S.G. No. 381/1996 Approved. <i>M. Volkmann</i> for Surveyor - General 1996-02-22
		Y	X	Y	X	
	Constants :		0,00		+ 3700000,00	
AB	107,45	248 16 00	A +	13241,34	+ 55547,68	
BC	7,10	294 18 00	B +	13141,53	+ 55507,89	
CD	51,42	339 28 30	C +	13135,07	+ 55510,82	
DE	7,02	23 48 10	D +	13117,04	+ 55558,97	
EF	74,36	66 59 50	E +	13119,87	+ 55565,39	
FG	38,65	156 59 30	F +	13188,32	+ 55594,45	
GH	9,20	133 48 20	G +	13203,42	+ 55558,88	
HJ	26,91	67 00 00	H +	13210,06	+ 55552,51	
JA	16,67	157 00 10	J +	13234,83	+ 55563,03	

SHEET 1 OF 2 SHEETS

N 28 A	⊕ +	13132,78	+ 55499,81
O 28 B	⊕ +	13315,84	+ 55577,53

Components:

- Figure AKLHJ represents Erf 10839 Stellenbosch;
See diagram 3299/90, D/T
- Figure KBCDENML represents the Remainder of Erf 7576 Stellenbosch;
See diagram 1419/82, D/T 1989- -54475
- Figure GMNF represents Erf 10840 Stellenbosch;
See diagram 3300/90, D/T

The figure represents **A B C D E F G H J** 5502 square metres of land, being **ERF 13071 STELLENBOSCH** and comprises figures 1.- 3. listed above

Situate in Kromme Rivier A Township in the Stellenbosch Transitional Local Council in the Administrative District of Stellenbosch Province of the Western Cape Surveyed in March 1980 - February 1995 by me

Hans J Volkmann
Hans J Volkmann
Pr Land Surveyor PLS0695

This diagram is annexed to No. Dated i.f.o.	The original diagrams are as quoted above	File No. S/2641/53 S.R. No. E1069/90 E143/1996 Comp. BHSZ-1411 (M 2750) BHSZ-1413 (M 2753) E1786/89
Registrar of Deeds		

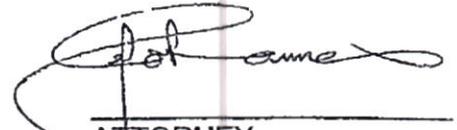
13071

[Signature]
Eon

33

ARENDSE LOUBSER METTLER
ATTORNEYS

Prepared by me


ATTORNEY
JOHANNES, A

**GENERAL POWER OF ATTORNEY
KNOW ALL MEN WHOM IT MAY CONCERN :**

That I/we the undersigned

STEPHEN BRISLIN

in his capacity as Archbishop of the Archdiocese of Cape Town
of the Roman Catholic Church

do hereby nominate, constitute and appoint

EDMUND ANTHONY O'NEILL

in his capacity as Property Administrator of the
Archdiocese of Cape Town of the Roman Catholic Church

to be my/our Attorney(s) and/or Agent(s) for managing and transacting my/our business in the Republic of South Africa and in every territory or Country anywhere in the world with full power and authority for my/us and in my/our name and for my/our account and benefit to ask, demand, sue for, recover and receive all debts or sums of money, goods, effects and things whatsoever which now are or hereafter may become due, owing, payable or belong to me/us,

AND to adjust, settle, compromise and submit to arbitration all accounts, debts, claims, demands, disputes and matters which may subsist or arise between me/us and any person, persons, Company(ies), Corporation(s) or body(ies) whatsoever and for the purpose of arbitration to make the necessary appointments and sign and execute the necessary acts and instruments in that behalf,

AND to let, either on lease or otherwise, and also to improve, alter, or otherwise deal with any stands, houses or other property belonging to me/us or with which I/we am/are entitled to deal,

AND to collect and receive rents, and, if necessary, cancel any lease or other tenancy and take all legal proceedings for ejection or otherwise in connection with such lease or other tenancy, or the cancellation thereof,

+ Stephen Brislin


AND to open and operate any account with a Financial Institution and to overdraw such account; to draw, sign and endorse cheques; to draw, accept and endorse bills of exchange and promissory notes; to negotiate for and take discounts and leans with or without security; to pledge any species of security for the repayment thereof; and to withdraw securities and to sign receipts therefor; to establish credits for others; to guarantee payment of any liability or indebtedness of others; to bind me/us as surety "in solidum" and as co-principal debtor and under renunciation of the benefits of division and excussion,

AND to buy or sell movable or immovable property (including Stands) and also Claim and other Mining Rights of all kinds and in connection with any purchase or sale to make the necessary Declaration as to the truth of the amount of the purchase price; to receive or to make and give, as the case may be, the necessary contracts or acts and deeds of transfer or leases of and relating to any immovable or leasehold property, stands, claims or mining rights or mining titles in due and customary form according to the local laws and usages,

AND to invest any money in my/our hands on Mortgage of movable, immovable or leasehold property and from time to time to vary or later such investments should it be deemed necessary or expedient to do so, and to consent to the modification of all or any of the terms, or to the cancellation of any Bond or Bonds and to cede the same or any interest thereunder to any person or persons acquiring the same,

AND to take up money under security of property movable or immovable and to appear before any Registrar of Deeds, or any official with like duties and powers, or any Magistrate, Notary Public or other competent authority, and to make and execute all such Mortgage Bonds or other Securities as may be requisite or necessary in that behalf or to secure debts due by me/us before the passing of such Bonds or that may become due thereafter under obligation of my/our person and property of every description,

AND to waive any rights that I/We may have or be or become entitled to as usufructuary(ies) in respect of any property in favour of the holder or holders of any bond or bonds thereover,

AND to commence, and prosecute and to defend, compound and abandon all actions, suits, claims and demands and proceedings in regard to me/us or my/our property or in relation to my/our affairs in or before any Court or other body or persons in the Republic of South Africa and in any Territory or Country anywhere in the world.

AND to suffer judgment or decree to be given against me/us in any of such proceedings by default as my/our said Attorney shall deem fit,

AND to attend all meetings of Creditors of any person or persons, Company or Companies, Syndicate or Syndicates, indebted to me/us whether in insolvency or otherwise and to prove my/our claim at any such meeting or meetings and to vote for the election of Trustee or Trustees or to consent to the assignment of the Estate of any of my/our Debtors to sign the necessary deeds and to vote for the election of an Assignee or Assignees, and also to vote on all questions submitted to any such meeting of Creditors and generally to exercise all rights attaching to me/us as Creditor,

+ Stephen Bass

AND to attend meetings of persons interested in any Estate, Testate or Intestate, with which I/we may be concerned as next of kin, heir, legatee, creditor or otherwise, to vote for the appointment of any Executor or Executors Dative to do whatever may be required to prove my/our claim, and to act for me/us in all matters pertaining to such Estate,

AND make application in my/our name for shares in any Company or Syndicate, to receive such shares as may be allotted to me/us and to sign any Memorandum and Articles of Association and other document requiring the signature of Shareholders,

AND to appear in person or by proxy at the Meetings of Shareholders of any Company or Syndicate in which I/we may hold a share or shares and to vote thereat on my/our behalf,

AND to buy, sell, and exchange Script or Shares and to sign the necessary transfers and documents to pass title thereto,

AND further to give and grant receipts, releases or other effectual discharges for any sum of money or thing recovered on my/our behalf, which receipt whether given in my/our name or in the name of my/our Attorney shall exonerate the person or persons paying such moneys from seeing to the application thereof,

AND for me and in my name to enter into Partnership, dissolve or liquidate any Partnership and to sell or transfer any Partnership property and to represent me in all matters relating to any Company or Companies that may at any time hereafter be registered or incorporated in the Republic of South Africa or in any Territory or Country anywhere in the world.

AND to sign or execute any Deed or Instrument in writing as effectually as I/we might or could do if personally present,

AND to choose "domicilium citandi et executandi", AND GENERALLY to do, execute and suffer any such act, deed, matter or thing whatsoever, as the said Attorney may deem necessary or expedient in or about my/our concerns, HEREBY GIVING and GRANTING to the said Attorney power to appoint a substitute or substitutes, and the same at pleasure to displace or remove and appoint another or others, hereby ratifying and agreeing to ratify whatsoever shall be done or suffered by virtue of these presents.

AND without in any way restricting or limiting the aforementioned general powers and authorities, I/we do hereby specially authorise my/our said Attorney and Agent to do all or any of the following acts, matters and things in relation to any Company or Companies in the Republic of South Africa or in any Territory or Country anywhere in the world.

1. To sign and subscribe my/our name to the Memorandum and Articles of Association of any such Company or Companies as a member thereof, and to undertake to purchase from such Company or Companies and subscribe to the Memorandum of Association of all or any of such Company or Companies for such number of shares in the Share Capital of the Company or Companies as my/our said Attorney and Agent may deem fit.

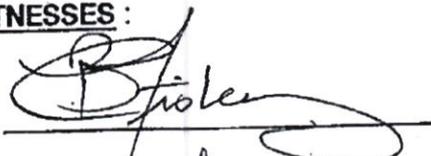
+ Stephen Bishi
BP

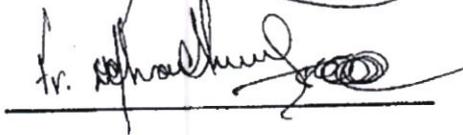
2. In my/our name and on my/our behalf and in respect of all or any of such Company or Companies to sign, execute and deliver and cause to be lodged with the Registrar of Companies or other competent official, a consent in writing to act as a Director on the Board of Directors of any such Company or Companies and in terms of the Companies Act, 1973, of the Republic of South Africa or any similar legislative provision in any Territory or Country anywhere in the world.
3. If so deemed necessary and in lieu and instead of subscribing the Memorandum of Association of any such Company or Companies, in my/our name and on my/our behalf to sign, execute and deliver and lodge with the Registrar of Companies aforesaid a contract in my/our name and on my/our behalf to take from and pay unto any such Company or Companies such number of shares in the Share Capital of the Company concerned as will be necessary to qualify me/us as a Director(s) in terms of the Companies Act 1973, of the Republic of South Africa or any similar legislative provision in any Territory or Country anywhere in the world.
4. Upon my/our being named as a Director or proposed Director in any Prospectus or statement in lieu of Prospectus, to be lodged by any such Company or Companies, to sign and execute such Prospectus or statement in lieu of Prospectus in my/our name and on my/our behalf.

5. **SPECIAL PROVISIONS**

Dated at CAPE TOWN on this _____ day of _____ 2010
in the presence of the undersigned witnesses.

AS WITNESSES :

1. 

2. 

+ 

STEPHEN BRISLIN

SPECIAL POWER OF ATTORNEY

I / We, the undersigned

ROMAN CATHOLIC CHURCH – CAPE TOWN

in my capacity as the lawful Agent of the registered owner(s) (duly authorized thereto)
of

ERF 7575 STELLENBOSCH

(property)

do hereby nominate, constitute and appoint Damien Pieter Burger and / or Mark Bernard Straughan and / or Matthew Stuart-Fox of the firm Friedlaender, Burger and Volkmann, Land Surveyors with the power of Substitution, to be my / our lawful Agent(s) in my / our name, place and stead, to make the necessary applications for the following:

PROPOSED SUBDIVISION OF ERVEN 10839 AND 10840 STELLENBOSCH (UNREGISTERED PORTIONS OF ERF 7575) AND THE CONSOLIDATION OF THE TWO PROPERTIES WITH THE REMAINDER ERF 7576 STELLENBOSCH

CONFIRMATION OF THE EXEMPTION APPLICATION IN TERMS OF SECTION 24 FOR ERF 12976 (PORTION OF ERF 7576) STELLENBOSCH REQUIRED FOR ROAD PURPOSES.

AND to proceed with any required survey work to the final end and termination thereof

and generally for effecting the purposes aforesaid, to do our cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes, as I/we might or could do if personally present and acting herein – hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever my/our said Agent(s) shall lawfully do, or cause to be done.

SIGNED at STELLENBOSCH this 15th day of July 2021

in the presence of the undersigned witness.

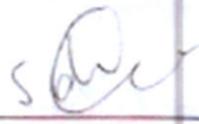
Signature (Owner(s) or Lawful Agent)


FRANCISCO DANIEL DE CANHA

WITNESS 1:


LEZEL MARGOSA DE CANHA

WITNESS 2:


SANTA NATALIA DE CANHA

129. MAREE WINCKLER

MAREE WINCKLER

RECEIVED	
REGISTERED	INDEXED
MAREE WINCKLER	
20 DEC 1988	
4703	
<i>[Signature]</i>	
REGISTRAR OF DEEDS	

THE WORDS "NOTHING" HAVE

NOTHING, GENERAL OR
OTHER BUSINESS OF A
LIKE NATURE BE CALLED
ON OR CONDUCTED THEREON.

T 64480 89

Prepared by me

[Signature]
JAN DE MUNCK
Conveyancer

NOT A REGISTERED DOCUMENT
FOR THE PURPOSES OF THE ACT

DEED OF TRANSFER

by virtue of a power of attorney

KNOW ALL MEN WHOM IT MAY CONCERN

That ^{JAN DE MUNCK} ~~CARL HEINRICH WINCKLER~~ appeared before me, the Registrar of Deeds at Cape Town, he being duly authorised by a power of attorney executed at Cape Town on the 20th day of December 1988, by

THE ARCHBISHOP OF THE ARCHDIOCESE OF CAPE TOWN OF THE ROMAN CATHOLIC CHURCH

AND/ . . .

|

[Signature]

AND THE APPEARER declared that on the 26th April 1988 his said Principal had truly and legally sold and that he in his capacity aforesaid did by these presents cede and transfer in full and free property unto and on behalf of

The Trustees for the time being of
COVA DA IRIA TRUST

- WHITE GROUP -

its administrators or assigns

ERF 7576 (a portion of Erf 7574) STELLENBOSCH, in the Municipality and Division of Stellenbosch

IN EXTENT 5169 (Five Thousand One Hundred and Sixty Nine) square metres

FIRST REGISTERED and still held by Certificate of Registered Title No T 64475,89 and Diagram No 1419/82 relating thereto.

A. SUBJECT

A. To such conditions as are referred to in Deed of Transfer No. T 33174/1982

B. To the following special conditions imposed by HENDRIK JOHANNES LOUW DU TOIT as owner of the remaining land held by him by Certificate of Registered Title No T 7946/1931 and the land held by him by Deed of Transfer No T 149/1888, for the benefit of himself as owner of the land held by the aforesaid Deeds, or any future owner thereof, or part thereof, who shall at all times be entitled to obtain redress for any breach of any of the said conditions contained in Deed of Transfer No T 504/1932, namely:-

- (1) That the above lot shall not be entitled to the use of any water out of the Kromme Rivier for domestic or any other purposes - the Transferor reserving to himself as owner of the land remaining registered in his name at this date under the Certificate of Registered Title aforesaid and Transfer No. 149 dated 15th October, 1888, and his successors-in-title, all his hitherto existing rights to such water as a riparian owner.

WHITE GROUP
BLANKIE GROEP

7

- (3) No bottlestore, canteen, or place of obtaining strong drink shall be erected on the above land; nor shall any Hotel, butcher, general or other business of a like nature be carried on or conducted thereon. /

afgehef
(X)

C. To the conditions (b), (c), (d), (f), (h) and (j) upon which the Administrator granted his approval in terms of Ordinance 13 of 1927, Section 15 to the establishment of the Kromme Rivier A Township, as contained in Deed of Transfer No T 504/1932, namely:-

(b)

(c)

(d)

(f) That no building shall be erected on any erf within 3,15 metres of any boundary line between the said erf and any street, road or avenue on which such erf abuts.

(h) That the erven be not entitled to any share of the water to which the farm Kromme Rivier may be entitled.

(j) That the further condition desired by the Municipality shall also apply, ie:-

- (3) That the purchaser of each lot and his successors-in-title shall be obliged to allow the drainage or sewerage of any other lot to be conveyed over such lot if deemed necessary by the Municipality and in such manner and in such position as may from time to time be reasonably required by the Municipality.

WHEREFORE/ . . .

WHEREFORE the appearer in his said capacity, renouncing all the right and title the said Archbishop of the Archdioces of Cape Town of the Roman Catholic Church heretofore had to the premises, did in consequence also acknowledge the said transferor to be entirely dispossessed of, and disentitled to same, and that by virtue of these presents the said Cova da Iria Trust his heirs, executors, administrators or assigns now is and henceforth shall be entitled thereto conformably to local custom, the State however reserving its rights.

AND FINALLY acknowledging the said transferor to be satisfactorily paid the whole of the purchase price, amounting to R 550 000,00 (Five Hundred and Fifty Thousand Rand)

IN WITNESS whereof I, the said Registrar, together with the Appearer qq have subscribed to these presents and have caused the seal of office to be affixed thereto.

THUS DONE AND SIGNED at the office of the Registrar of Deeds in Cape Town,

on the 8th day of NOVEMBER 1989.

.....
qq

in my presence

.....
REGISTRAR OF DEEDS

BC 000005269 / 200
 GEKANSLEER
 CANCELLED
 REGISTRAR GENERAL
 2001-02-11

VERBOND NOTORIS

VIR FOR R 1 300 000 00

23668 93

02 04 93

[Signature]

THE FOLLOWING ENDORSEMENT
 DATED 1.4.1993 APPEARS ON
 THE DU COPY HEREOF :

ENDORSEMENT IN TERMS OF SECTION 31 (B) OF ACT NO. 47 OF
 1957 (AS AMENDED)
 ENDOSSEMENT KRAGTENS ARTIKEL 31 (B) VAN WET NR. 47 VAN
 1957 (SOOS GEWYSIG)

Pothoos
 The hereby mentioned property *MEXI I 482 m²*
 Die erfdom hierin verbon *SPILLENBOSCH MUNICIPALITY*
 has been extinguished by *SEC-123 MUNICIPAL ACT OF 1974*
 in terms of *12/12/88* dtd *7-5-1990*
 krante *ET 309/1990*
 Vide Notice of extinction No. *ET 309/1990*
 Vide intension of the *ET 309/1990*
 final as exten. of *ET 309/1990*
 commissar of *ET 309/1990*
 lussef. *ET 309/1990*
 DEBOS VERHEJ, *A. KAISEX*
 ADEWANTOON,
 CARO LAMM,
 KAMMERS.

1/4/1993

VIR ENDOSSEMENTE KYK BLADSY
 FOR ENDORSEMENTS SEE PAGE 6 SEC

W.O.P.

VERBIND		MORTGAGED	
VIA FOR R. 2.000.000,00			
B 261461 98		GEKANSELEER CANCELLED <i>halper</i> REGISTRATEUR/REGISTRAR 2001-02-01	
1998-05-04		<i>halper</i> REGISTRATEUR/REGISTRAR	

W.O.P.

VERBIND		MORTGAGED	
VIA FOR R. 15.000.000,00			
B 000005953 / 2001		<i>halper</i> REGISTRATEUR/REGISTRAR	
2001-02-01			

ENDORSMENT IN TERMS OF SECTION 21 (1) OF ACT 47 OF 1957

ENGOSSELWEDING VAN 'N VERBODDE WED. VAN 1957

Port of

The herein-mentioned property
 Die hierin hierin vermeld
 has been expropriated by Stellenbosch Municipality
 uitgesien deur die
 in terms of § 123 Mun Ord. 1974
 ingesien
 with notice of expropriation No. d.d.
 with intimation/kennisgewing No. d.d.
 met as eksprop. oorsak Ex 77/1990 met as oorsake
 met as oorsake van die eksprop. oorsak EX 77/90 met as oorsake
 met as oorsake van die eksprop. oorsak EX 77/90 met as oorsake

halper
 REGISTRATEUR/REGISTRAR
 2001-02-01

Die verband is geskiediglik
 Nie fasiliteit uiterskiedenis is
 7

ENDORSEMENT IN TERMS OF SECTION 31 (5) OF ACT 47 OF 1937
(AS AMENDED)
(AS AANGEVOND)

A pt'n of the herein-mentioned property
 Die aandeel hierin vermeld
 has been expropriated by Stellenbosch Town Council
 in terms of § 123 Mun Ord 1974
 in terms of EX 219/94
 vide notice of expropriation No. EX 219/94 plans in duplicate filed
 vide intimation/ kennisgewing No. EX 219/94 plans in tweevoud
 filed as ext'op on the part of the expropriator as mentioned above
 gelaasend

DEEDS OFFICE
 AKTERANTOOR
 CAPE TOWN/KAAPSTAD
 2001-02-01

[Handwritten Signature]
 REGISTRAR OF DEEDS
 REGISTRATIEUR VAN AKTES

ANNEXURE H

SPECIAL POWER OF ATTORNEY

I / We, the undersigned

COVA DA IRIA TRUST

in my capacity as the lawful Agent of the registered owner(s) (duly authorized thereto)
of

ERF 7576 STELLENBOSCH

(property)

do hereby nominate, constitute and appoint Damien Pieter Burger and / or Mark Bernard Straughan and / or Matthew Stuart-Fox of the firm Friedlaender, Burger and Volkmann, Land Surveyors with the power of Substitution, to be my / our lawful Agent(s) in my / our name, place and stead, to make the necessary applications for the following:

PROPOSED SUBDIVISION OF ERVEN 10839 AND 10840 STELLENBOSCH (UNREGISTERED PORTIONS OF ERF 7575) AND THE CONSOLIDATION OF THE TWO PROPERTIES WITH THE REMAINDER ERF 7576 STELLENBOSCH

CONFIRMATION OF THE EXEMPTION APPLICATION IN TERMS OF SECTION 24 FOR ERF 12976 (PORTION OF ERF 7576) STELLENBOSCH REQUIRED FOR ROAD PURPOSES.

AND to proceed with any required survey work to the final end and termination thereof

and generally for effecting the purposes aforesaid, to do our cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes, as I/we might or could do if personally present and acting herein – hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever my/our said Agent(s) shall lawfully do, or cause to be done.

SIGNED at Stellenbosch this 14 day of July 2021

in the presence of the undersigned witness.

Signature (Owner(s) or Lawful Agent)



WITNESS 1:



WITNESS 2:

RESOLUTION OF THE TRUSTEES OF COVA DA IRIA TRUST

HEREINAFTER "THE TRUST",

TAKEN AT STELLENBOSCH. ON 14 July 2021.
(place) (date)

IT IS HEREBY RESOLVED THAT

1. An application be made for the proposed subdivision of Erven 10839 and 10840 (unregistered portions of Erf 7575) Stellenbosch and the consolidation of the two properties with the remainder Erf 7576 Stellenbosch
2. Confirmation of the exemption application in terms of Section 24 for Erf 12976 (portion of erf 7576) Stellenbosch required for road purposes.

3. Mr Francisco Paulo de Canha (full name) is authorised to sign

any and all documentation required for the above applications and matters related thereto.



(specimen signature)

Signed: Sonia de Canha

Name: Sonia de Canha (Trustee)

Signed: Francisco de Canha

Name: Francisco de Canha (Trustee)

Signed: _____

Name: _____ (Trustee)

Signed: _____

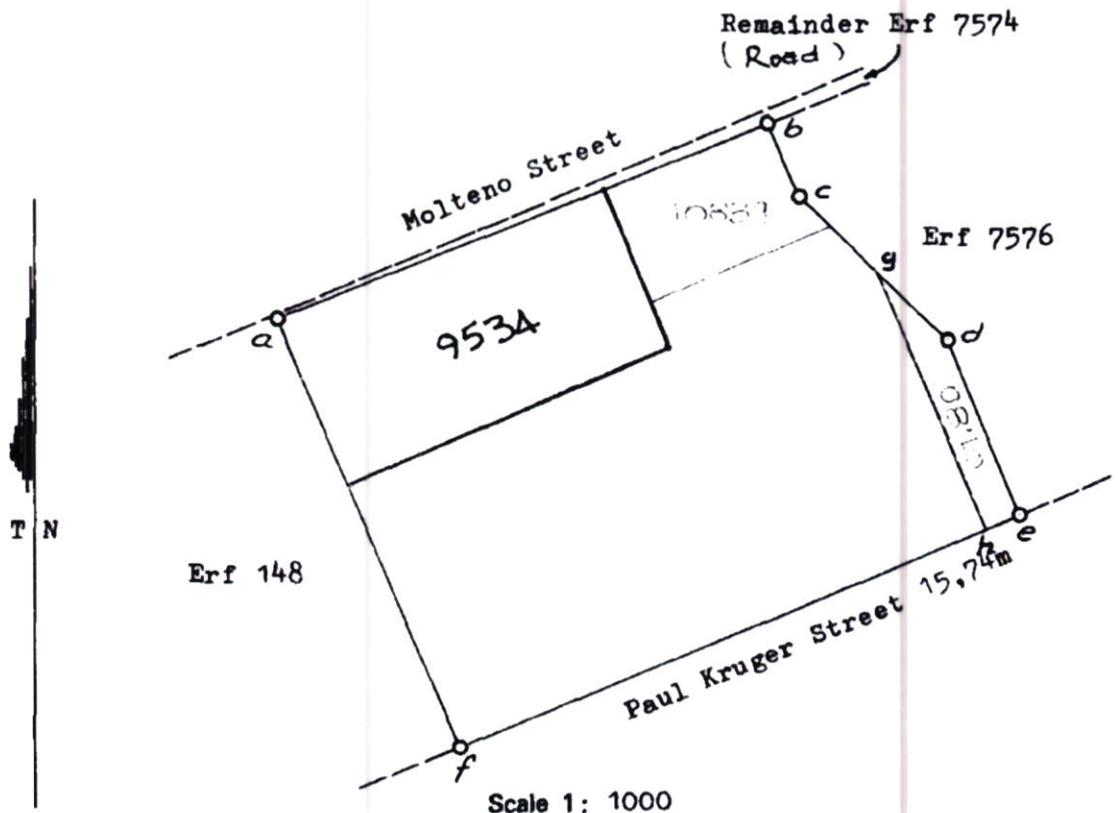
Name: _____ (Trustee)

SIDES Metres	ANGLES OF DIRECTION	CO-ORDINATES		S.G. No. 1418/82
		Y System	Lo. 19° X	
ab	73,00	248 16 20	a + 13 000,00	+3755000,00
bc	11,00	337 00 00	b + 286,18	+ 565,69
cd	27,99	313 48 50	c + 218,37	+ 538,66
de	26,50	337 00 00	d + 214,07	+ 548,79
ef	84,00	67 00 00	e + 193,88	+ 568,16
fa	64,85	157 00 00	f + 183,52	+ 592,56
		N28A	⊕ + 132,77	+ 499,95
		O28B	⊕ + 315,83	+ 577,66

Approved
N.H. J. J. J.
Surveyor-General
12.07.1982

Beacons:

a, b, c, d, e, f : 12mm iron peg



The figure a b c d e f represents 5107 sq.m. of land, being

ERF 7575 (a portion of Erf 7574) STELLENBOSCH situate in the Municipality and Kromme River A Township in

Administrative District of Stellenbosch Province of Cape of Good Hope.

Surveyed in March 1980 and February 1982

by me,

J. J. J.
Land Surveyor

This diagram is annexed to
No. **CRT 764474/89**
dated
i.f.o.
Registrar of Deeds

The original diagram is
No. 1417/1982 annexed to
Transfer/Grant **CCT**
No. **764473/89**

File No. **S/2641/8253**
S.R. No. **E 445/82**
Comp. **BH-8DA/Z51 (1480)**
M 2753

C

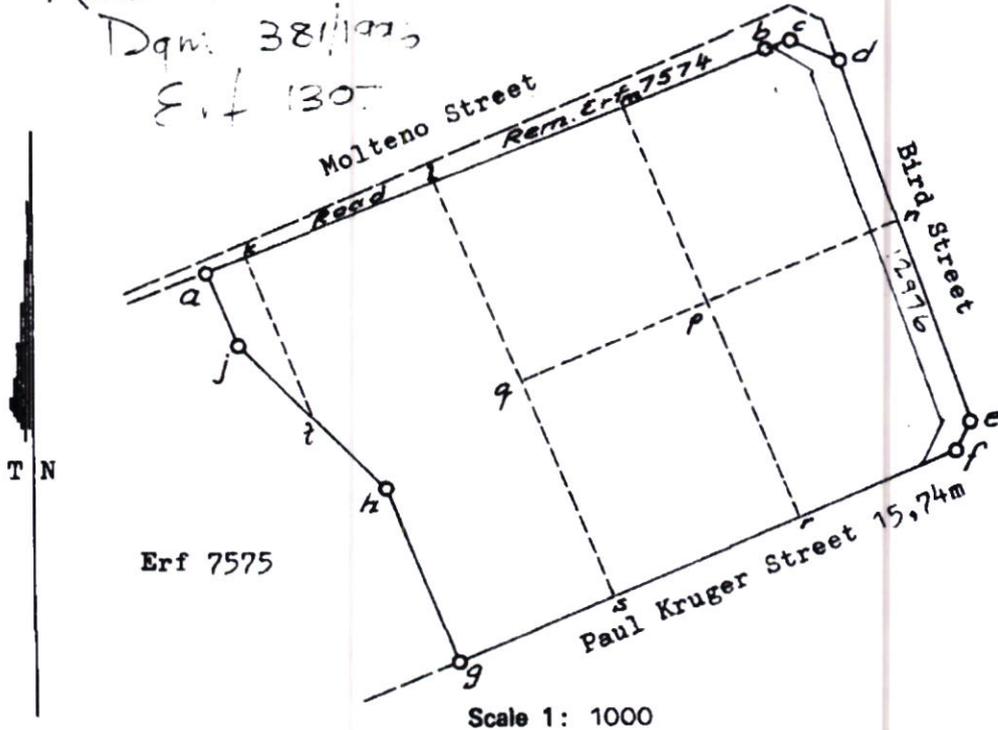
ANNEXURE K

SIDES Metres	ANGLES OF DIRECTION	CO-ORDINATES		S.G. No.
		Y	System Lo. 19° X	
		+ 13 000,00	+ 3755000,00	1419/82 Approved <i>UWA Deuring</i> Surveyor-General 12.07.1982.
ab	83,74 248 16 20	a + 218,37	+ 538,66	
bc	3,45 253 23 20	b + 140,58	+ 507,66	
cd	7,26 296 52 00	c + 137,28	+ 506,67	
de	52,37 340 20 40	d + 130,80	+ 509,95	
ef	4,59 23 40 20	e + 113,19	+ 559,27	
fg	74,41 67 00 00	f + 115,03	+ 563,48	
gh	26,50 157 00 00	g + 183,52	+ 592,56	
hj	27,99 133 48 50	h + 193,88	+ 568,16	
ja	11,00 157 00 00	j + 214,07	+ 548,79	
	N28A	⊕ + 132,77	+ 499,95	
	028B	⊕ + 315,83	+ 577,66	

Beacons:

- a, b, c, d, g, h, j : 12mm iron peg
- e : 12mm iron peg against oak tree
- f : Flat iron against light rail section fence post

Remainder Included in Const
Dqm. 38/1975
Erf 130



The figure a b c d e f g h j represents 5169 sq.m. of land, being

ERF 7576 (a portion of Erf 7574) STELLENBOSCH

situate in the Municipality and Kromme River A Township in

Administrative District of Stellenbosch

Province of Cape of Good Hope.

Surveyed in March 1980 and February 1982

by me.

Jan G. Volkmann
Land Surveyor

This diagram is annexed to No. CRT T 64475/89 dated i.f.o.	The original diagram is No. 1417/1982 annexed to Transfer/Graat CCT No. T 64473/89	File No. S/2641/53 S.R. No. E 445/82 Comp. BH-8DA/251 (1480) Bdy. de established.
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Registrar of Deeds

M 2753

FOR ENDORSEMENTS
SEE BACK OF DIAGRAM

THE FOLLOWING DEDUCTIONS HAVE BEEN MADE FROM THIS DIAGRAM						
SURVEY RECORD	DIAGRAM NO.	SUBDIVISION	AREA HA./SQ. M.	TRANSFER NO.	INITIALED	REMARKS
E1786/87 E143/96	5258/89 380/96	Erf 10734 Erf 12976		WITHDRAWN		

1419/1982

APPROVED IN TERMS OF SECT. 9
OF ORD. 33/1934
REF. AF. 105/6/686
DATE 1980-02-15



STELLENBOSCH MUNICIPALITY
ZONING SCHEME BY-LAW

KAYAMANDI

Zoning Scheme 2018

- Conventional Residential Zone
- Less Formal Residential Zone
- Multi-unit Residential Zone
- Community Zone
- Education Zone
- Industrial Zone
- Limited Use Zone
- Local Business Zone
- Mixed Use Zone
- Agriculture and Rural Zone
- Private Open Space Zone
- Public Open Space Zone
- Public Roads and Parking Zone
- Subdivisional Area
- Transport Facility Zone
- Utility Services Zone
- Natural Environment Zone
- Split Zone

(Colour of the rectangle corresponds with zoning of the split zone)

Source Ref:

Date: All data received from Client's consultants (@Planning)
File Ref: 0100 Stellenbosch

Date: October 2018 Plan No: 0301

Scale: 1:3 839

00.008.07 0.14 0.21 0.28

Created By: **Marius Nelke (MAG Reg 0749166833)**

Stellenbosch Municipality
Street Address: Stellenbosch
Postal Address: Stellenbosch
P.O. Box 17, Stellenbosch 7566
Tel: 021 885 9500
www.stellenbosch.gov.za

Disclaimer
CityStableMap is the planning map used to determine zoning and zoning maps. It is in the process of updating the map and register with more recent decisions, which will be reflected in due course. The CityStableMap is provided as a guide only. In the event of any discrepancy between the map and the register, the register shall prevail. The CityStableMap is not a legal document and no liability for errors in the register and map which may be reflected even after its adoption by Council.





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 X	N	T64480/89 Clause C(f) and caveate endorsements on pages 5,6 and 7 T64475/89 Clause B(3)
2.	Building lines	Y X	N	T64480/89 Clause C(f) T64475/89 Clause C(f)
3.	Height	Y	N X	
4.	Number of Dwellings	Y	N X	
5.	Bulk floor area	Y	N X	
6.	Coverage/built upon area	Y	N X	
7.	Subdivision	Y	N X	
8.	Servitudes that may be registered over or in favour of the property	Y	N X	
9.	Other Restrictive Conditions	Y	N X	



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

In respect of which it was found that there "are/are no restrictive conditions with reference to Section 15(1) (a, b or c) of the Land Use Planning By-law (2015) registered against such property (ies) prohibiting it from being utilised/developed for the following purposes (a) elaborated in the accompanying application).

a.	Organ(s) of State that might have an interest in the restrictive condition	Stellenbosch Municipality
b.	A person whose rights or legitimate expectations will be affected by the removal/suspension/amendment of a restriction condition.	None - No conditions being removed
c.	All persons mentioned in the deed for whose benefit the restrictive condition applies	None - No conditions being removed

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 Registration of the diagram representing the expropriated land for road purposes
--	---	---	--

Signed at Stellenbosch (Place) on this 20 (Day) September (Month) of 2021

Full names and Surname: Jan de Munck

Signature: [Handwritten Signature]

Print Full Address:
PO Box 1038
Stellenbosch
7599

CERTIFIED A TRUE COPY OF THE ORIGINAL
 JAN DE MUNCK, B. PROC.
 UNIT 3 DE CAMERON BUILDING
 PLEIN STREET
 STELLENBOSCH 7600

Tel: 021 887 0022

Email: jdemunck@iofisica.com

Cell: 0824182001



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

AMPTELIKE KWITANSIE / OFFICIAL RECEIPT

✉ 17, STELLENBOSCH 7599

☎ 021 808-8578 / 8547 / 8546

☎ 021 886 7318

DUPPLICATE RECEIPT

Receipt M/c: DIR1 Duplicate Rec.No: 190122 Date: 09/02/2022

Local Authority: Stellenbosch Municipality

1 STB

N

10000.00

12200103750000 05236 LU/13692

DIRECT 200103750000 LU/13692 ERF LU/13692 ERF7575&7576 CDVA DA

X100 Key: STB -009-20220209-00000121

X10 Key: STB DDP0019212200001

RECEIVED FROM THE MUNICIPALITY OF TELLENBOSCH FOR THE PURPOSES OF THE MUNICIPALITY OF TELLENBOSCH

TELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

TELLENBOSCH

AMPTLIKE VILLAGSIN / OFFICIAL RECEIPT

DATE: 2011/01/12
AMOUNT: R 1000.00
BY: [Signature]

