

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

Affected person's Name

Affected persons Physical Address

Affected person's Title:

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

Application Property Address: 31A Dirkie Uys Street, Franschoek

Application Property Number: Erven 644 and 645 Franschoek

Applicant: Anton Mitchell Land Surveyors, Yzerfontein. Tel. 0837633351

Owner: Hugh and Celia McGuinness

Application Reference: LU/ 12575

Application Type: Consolidation of erven 644 and 645 Franschoek

Detailed description of land use or development proposal, including its intent and purpose:  
An application has been made to the Stellenbosch Municipality i.t.o. Section 15(2)(e) of their Municipal Land Use Planning By-law to consolidate erven 644 and 645 Franschoek in order for the owner to do renovations and extensions to the existing house on erf 645.

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: <https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
  - Indicate the facts and circumstances that explain the comments;
  - Where relevant demonstrate the undesirable effect that the application will have if approved;

- o Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
- o Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows:  
Anton Mitchell Land Surveyors, Yzerfontein.  
Email address: anton@surveyorsa.co.za

The comments must be submitted within 30 days (**60 days if it is an state entity**) from the date of this notice to be received on or before the closing date of (**9 July 2021**) – 30/ 60 day notice period must exclude the first day on which the notice was served and include the last day, save for when the last day falls on a weekend day, in which case the closing date will be considered the following Monday, or if the closing day falls on a public holiday, in which case the closing date will fall on the next normal working day).

It should be noted that the Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/ objection received after the closing date.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at 083 763 3351) during normal office hours.(9 am to 4 pm)

Yours faithfully

Anton Mitchell

**AFRIKAANSE WEERGAWE VAN ADVERTENSIE:**

**KENNISGEWING VAN GROND ONTWIKKELINGS AANSOEK AAN GEITRESEERDE EN GEAFFEKTERDE PARTYE VIR KOMMENTAAR.**

Naam van geaffekteerde persoon

Fisiese adres van geaffekteerde persoon

Titel van geaffekteerde persoon:

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

Adres van aansoek eiendom: Drkie Uysstraat 31A

Aansoek eiendom beskrywing: Erwe 644 en 645 Franschhoek

Aansoeker: Anton Mitchell Landmeters. Yzerfontein. Tel. 0837633351

Eienaar: Hugh en Celia McGuinness

Aansoek Verwysing: LU/ 12575

Tipe Aansoek: Konsolidasie van erwe 644 en 645 Franschhoek

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms: 'n Aansoek is ingedien by die Stellenbosch Munisipaliteit i.t.v. Artikel 15(2)(e) van hul Munisipale Grondgebruik Beplannings Verordening vir die konsolidasie van erwe 644 en 645 Franschhoek sodat die eienaar verbeteringe en uitbreidings aan die bestaande huis op erf 645 kan onderneem

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydsduur van die publieke deelname proses by die volgende adres: <https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening wat die volgende vereistes en besonderhede moet bevat:

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.
- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsigte van die volgende aspekte:
  - Die feite en omstandighede aantoon wat die die kommentaar toelig;
  - Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;
  - Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
  - Dat die insette voldoende inligting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: (Herhaal naam van Applikant en e-pos adres vir stuur van kommentaar).

Die kommentaar moet binne 30 dae (**60 dae indien dit 'n staatsentiteit sal wees**) vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van (**9 Julie 2021**) – die 30/ 60 dae kennisgewing periode moet die eerste dag van kennisgewing uitsluit en die laaste dag van die 30 dae periode insluit, tensy die laaste dag op enige naweeksdag val, in welke geval die sluitingsdatum die daaropvolgende Maandag sal wees, of indien die sluitingsdatum op enige publieke vakansiedag val, sal die sluitingsdatum die eerste daaropvolgende normale werkersdag wees.)

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsiening gemaak is nie, kan die Aansoeker

geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 0837633351 gedurende normale kantoor ure (9 vm tot 4 nm)

Die uwe

Anton Mitchell



## Nicole Katts

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**From:** Nicole Katts  
**Sent:** Tuesday, 06 April 2021 10:42  
**To:** 'Anton'  
**Subject:** INVOICE: APPLICATION FOR A CONSOLIDATION-ERF 644 & 645 FRANSCHHOEK  
**Attachments:** INV - ERF 644 & 645 FH.pdf

Dear Anton

I trust that you are well.

Pre-scrutiny of your documentation as submitted on 25 March 2021 has been completed. The documentation is considered complete and you may now pay the following fees into Council's bank account within the next two (2) working days. Please provide this office with a copy of your proof of payment.

**Application is made for the following:**

- Consolidation



*Kind regards / Vriendelike Groete*

**Nicole Katts**

Administrative Officer: Customer

Interface and Administration

**Planning & Economic Development**

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T: +27 21 808 8318

43 Andringa Str, Eikestad Mall, 3<sup>rd</sup>

Floor

[www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)



## PLANNING & ECONOMIC DEVELOPMENT

LAND USE APPLICATION COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW, 2015			Date of Submission of Application	25/03/2021	
Erf / Erven/ Farm no	644 & 645	Portion(s) if farm	Allotment Area	Franschhoek	
Owner / Applicant	Anton Mitchell	Contact number	083 763 3351		
Email address	<a href="mailto:anton@surveyorsa.co.za">anton@surveyorsa.co.za</a>				
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION			ADMIN TO VERIFY <sup>1</sup>		PLANNER TO EVALUATE <sup>2</sup>
			YES	NO	
1. Completed application form that is signed			✓		
2. Power of Attorney / Owners' Consent if the applicant is an agent			✓		
3. Bondholders' consent			✓		
4. Proof that applicant is authorized to act on behalf of an entity					
5. Proof of ownership or rights held in land					
6. Motivation based on criteria in s65			✓		
7. SG diagram or General Plan			✓		
8. Locality plan			✓		
9. Site development plan or plan showing the land development			✓		
10. Subdivision plan					
11. Permission for required servitude					
12. Title Deed			✓		
13. Conveyancer's certificate					
14. Feedback on Pre-application scrutiny			✓		
15. Minutes of Pre-consultation Meeting					
16. Consolidation plan					
17. Street name and numbering plan					

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

<sup>2</sup> Technical evaluation by Planner of the documentation attached for completeness and correctness thereof.







**Our ref:** SAHL 3498437 / Anushinee Bisnath

10 February 2021

Mr. HE and Mrs. C Mc Guinness  
31 A Dirkie Uys Street  
Franschoek  
Western Cape  
7390

Dear Mr. HE and Mrs. C Mc Guinness

**CONSENT TO THE PRE-APPROVAL ONLY FOR CONSOLIDATION OF ERF 644 & Erf 645**

**ERF 645 ,Franschoek , Western Cape  
SA HOMELOAN ACC. 3498437**

We have pleasure in advising that SA Home Loans has consented to the above subject to the following conditions:

1. All cost to be borne by client
2. No contravention of local municipality rules/regulations
3. Clients to ensure that all rates and taxes are paid up to date
- 4. Consent to the pre-approval only. A formal consent & instructions to attorneys will only be given once in receipt of formal request from either an attorney or client together with approved SG Diagrams**
5. SAHL will not finance any development to the existing security
6. Title Deed and Mortgage Bond to be endorsed accordingly once formal consent is given.

I trust that you find the above in order. Should you require any further assistance, please do not hesitate to contact me.

Yours faithfully

**Anushinee Bisnath**  
Bond Variation Specialist  
Tel: (031) 576 5708  
Fax: 0867434528  
E-mail: [AnushineeB@sahomeloans.com](mailto:AnushineeB@sahomeloans.com)

**SA Home Loans Proprietary Limited** (Registration Number: 2006/0254542/07; 2 Milnerod Crescent, Milnerod Park, Le Tloaeng Ridge, 4013; PO Box 4918, Durban, 4001.  
Tel: 031 960 5000 Client Services Tel: 0851 838 777 Email: [admin@sahomeloans.com](mailto:admin@sahomeloans.com)  
[www.sahomeloans.com](http://www.sahomeloans.com)

SA Home Loans is a Registered Credit Provider (Registration Number: NRCP135)



23/02/2021

The Municipal Manager  
Stellenbosch Municipality

Sir

**Proposed consolidation of erven 644 and 645 Franschhoek.**

Herewith application i.t.o. Sect. 15(2)(e) of the Stellenbosch Land Use By-Law for the consolidation of abovementioned two erven. Included are:

- Application form
- Motivation Report
- Proposed consolidation plan
- Development plan
- Locality plan
- Land use plan
- S.G. diagrams
- S.G. noting sheet
- Power of attorney
- Bondholders consent
- Title deeds

Yours faithfully.

A.Mitchell.

157

Kessler De Jager Inc./Ing.  
171 Vasco Boulevard  
Goodwood  
7460

Prepared by me

Fee endorsement		
	Amount	Office fee
Purchase price/Value	R. 2250 000,00	R. 1100,00
Mortgage Capital Amount	R. ....	R. ....
Reason for exemption	Exempt Lt. o	
	Cat. ....	section. .... Act. ....

  
 CONVEYANCER  
 JOHN CEDRIC GILMOUR

T 000007783 / 2015

### DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

**JOHN CEDRIC GILMOUR**

appeared before me, REGISTRAR OF DEEDS at Cape Town, the said appearer being duly authorised thereto by a General Power of Attorney which said Power of Attorney was signed at CAPE TOWN on 6 June 2014 by

**BRETT ROBERT MICHAEL GAGE**  
 Identity Number 560817 5052 08 8  
 Married out of community of property

DATA / CAPTURE  
 27 FEB 2015  
 NTYATYAMBA NOLUVUYO

REKENAAR DATA MASLENGING/COMPUTER DATA CAPTURE		
	DATE/TIME	OPERATOR/OPERATOR
OPGENEER/OPERATOR	3/3	
CESTAF/VERVALDER		

GhostConvey 15.2.3.3



And the appearer declared that his said principal had, on 6 June 2014, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

1. **HUGH EDWARD MC GUINNESS**  
Born on 23 February 1972  
Married, which marriage is governed by the laws of ISLE OF MAN
2. **CELIA MC GUINNESS**  
Identity Number 790405 0129 08 5  
Married, which marriage is governed by the laws of ISLE OF MAN

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

REMAINDER ERF 644 FRANSCHHOEK,  
SITUATED IN MUNICIPALITY OF STELLENBOSCH,  
DIVISION PAARL,  
PROVINCE OF THE WESTERN CAPE

IN EXTENT 736 (SEVEN HUNDRED AND THIRTY SIX) SQUARE METRES

FIRST TRANSFERRED by Deed of Transfer T1438/1972 with Diagram No 3595/1971 relating thereto and held by Deed of Transfer Number 2765/2007

- A. SUBJECT to the conditions referred to in Deed of Transfer No. T5366/1903.
- B. SUBJECT FURTHER to the provisions of a servitude referred to in an endorsement dated 6 July 1905 on Deed of Transfer No. T5366/1903, which endorsement reads as follows:-

"By Deed of 17<sup>th</sup> June 1905, certain water rights is conceded to the Colonial Government subject to conditions as will more fully appear on reference to the copy annexed hereto."

- C. SUBJECT FURTHER to the following conditions contained in Deed of Transfer No. T1438/1972, imposed by the Administrator in term of Ordinance 33/1934, namely:

"(a) Die eienaar van hierdie erf is verplig om sonder betaling van vergoeding toe te laat dat elektrisiteitskabels of -drade, hoof- en ander waterpype en die rioolvuil en dreinerings, insluitende stormwater van enige ander erf of erwe oor hierdie erf gevoer word indien dit deur die plaaslike owerheid nodig geag word en wel op die wyse en plek wat van tyd tot tyd redelikerwys vereis word. Dit sluit die reg op toegang te alle redelike tye tot die eiendom in met die doel om enige werke met betrekking tot bogenoemde aan te lê, te verwyder of te inspekteer.

GhostConvey 15.2.3.3

- (b) Die eienaar van hierdie erf is verplig om sonder vergoeding op die erf die materiaal te ontvang of uitgrawings op die erf toe te laat al na vereis word, sodat die volle breedte van die straat gebruik kan word en die wal veilig en behoorlik skuins gemaak kan word omrede van die verskil tussen die hoogte van die straat soos finaal aangelê en die erf tensy hy verkies om steunmure te bou tot genoeg van en binne 'n tydperk wat die plaaslike owerheid bepaal.

A handwritten signature in black ink, appearing to be 'J. M.' or similar, written in a cursive style.

*GhostConvey 15.2.3.3*

WHEREFORE the said Appearer, renouncing all right and title which the said  
**BRETT ROBERT MICHAEL GAGE, Married as aforesaid**

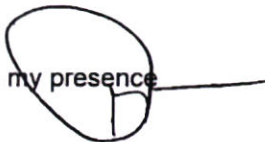
heretofore had to the premises, did in consequence also acknowledge him to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

1. **HUGH EDWARD MC GUINNESS, Married as aforesaid**
2. **CELIA MC GUINNESS, Married as aforesaid**

their Heirs, Executors, Administrators or Assigns, now are and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R2 250 000,00 (TWO MILLION TWO HUNDRED AND FIFTY THOUSAND RAND).

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

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at Cape Town on **20 FEBRUARY** 2015

In my presence 

\_\_\_\_\_  
REGISTRAR OF DEEDS

  
\_\_\_\_\_  
q.q.



**MARK SCHÄFER**  
Prokureur/Attorney

**276**  
**CTN1215**

TEL: 021 715 0638

## DEED OF TRANSFER

in favour of

**HUGH EDWARD MC GUINNESS and CELIA MC GUINNESS**

over

**ERF 645 FRANSCHHOEK**

MARK SCHÄFER  
31 HEERENGRACHT ROAD  
BERGVLIET  
7945  
Tel: 021 715 0638

*GhostConvey 14.8.2.10*

276 CTN1215

MARK SCHÄFER  
31 Heerengracht Road  
Bergvliet  
7945

Prepared by me

*Mark Schäfer*  
CONVEYANCER  
MARK TREVOR SCHÄFER

Fee endorsement	
Purchase price/Value	R 2 500 000,00
Mortgage capital Amount	R 1 100 000,00
Reason for acquisition	

<b>VERBIND</b>		<b>MORTGAGED</b>	
VIR FOR R 2 200 000,00			
<b>B</b>	00002625	(2013)	<i>[Signature]</i>
17 SEP 2013		REGISTRATEUR/REGISTRAR	

DATA / CAPTURE  
27 SEP 2013  
MADAMAL

000049519 / 2013

### DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

~~MARK TREVOR SCHÄFER~~ ALISON TOOLEY

appeared before me, REGISTRAR OF DEEDS at Cape Town, the said appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at CAPE TOWN on 2 AUGUST 2013 and BRIDPORT, DORSET, UNITED KINGDOM on 26 JULY 2013 respectively granted to him by

1. PHILIP JOHN LEVI  
Born on 21 February 1945  
Unmarried
2. RICHARD ALEN VALADAS MARQUES  
Born on 14 May 1950  
Married, which marriage is governed by the laws of ENGLAND

DATA / VERBOD  
27 SEP 2013  
BELINDA CONOLVES

GhostConvey 14.7.3.8



And the appearer declared that his said principal had, on 25 May 2013, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

NOW THEREFORE he, the said appearer, in his capacity aforesaid, did, by virtue these presents, cede and transfer to and on behalf of:

1. **HUGH EDWARD MC GUINNESS**  
Born on 23 February 1972  
Married, which marriage is governed by the laws of ISLE OF MAN
2. **CELIA MC GUINNESS**  
Identity Number 7904050129085  
Married, which marriage is governed by the laws of ISLE OF MAN

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

ERF 645 FRANSCHHOEK, SITUATED IN THE MUNICIPALITY OF  
STELLENBOSCH, PAARL DIVISION, Province of the Western Cape

IN EXTENT 779 (SEVEN HUNDRED AND SEVENTY NINE) SQUARE  
METRES

FIRST TRANSFERRED by Deed of Transfer Number T 1438/1972 with  
Diagram SG No. 3596/1971 relating thereto and held by Deed of Transfer  
Number T84247/2006

- A SUBJECT to the conditions referred to in Deed of Transfer No.  
T5366/1903.
- B SUBJECT FURTHER to the terms of the Servitude referred to in the  
endorsement 6 July 1905 on Deed of Transfer No T5366/1902 which  
reads as follows:  
  
"By Deed of 17 June 1905 certain water right is conceded to the Colonial  
Government subject to conditions as will more fully appear on reference  
to the copy annexed hereto. "
- C SUBJECT FURTHER to the following conditions contained in Deed of Transfer  
No. T1438/1972 imposed by the Administrator of the Cape Province in terms of  
Section 9 of Ordinance 33 of 1934 with the approval of the subdivision, namely:
- a) Die eienaar van hierdie erf is verplig om sonder betaling van vergoeding  
toe te laat dat hoofgasleidings, elektisiteits-, telefoon- en televisiekabels  
en/of drade , hoof en ander waterpype en die rioolvuil en dreinerings,  
insluitende stormwater van enige ander erf of erwe oor hierdie erf  
gevoer word en dat bogrondse installasies soos minisubstasies, meter  
kiosks en dienspale daarop geïnstalleer word, indien dit deur die  
plaaaslike owerheid nodig geag word. Dit sluit in die reg op toegang te

*GhostConvey 14.7.3.8*

*2011*

alle redelike tye tot die eiendom in met die doel om enige werke met betrekking tot bogenoemde aan te lê, te wysig, te verwyder of te inspekteer.

- b) Die eienaar van hierdie erf is verplig om sonder vergoeding op die erf die materiaal te ontvang of uitgrawings op die erf toe te laat al na vereis word, sodat die volle breedte van die straat gebruik kan word en die wal veilig en behoorlik skuins gemaak kan word omrede van die verskil tussen die hoogte van die straat soos finaal aangelê en die erf, tensy hy verkies om steun mure te bou tot genoeg van en binne 'n tydperk wat die plaaslike owerheid bepaal.

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

1. PHILIP JOHN LEVI, Unmarried
2. RICHARD ALEN VALADAS MARQUES, Married as aforesaid

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

1. HUGH EDWARD MC GUINNESS, Married as aforesaid
2. CELIA MC GUINNESS, Married as aforesaid


their Heirs, Executors, Administrators or Assigns, now are and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R2 500 000,00 (TWO MILLION FIVE HUNDRED THOUSAND RAND).

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

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at Cape Town on 17 SEPTEMBER 2013

A \_\_\_\_\_  
q.q.

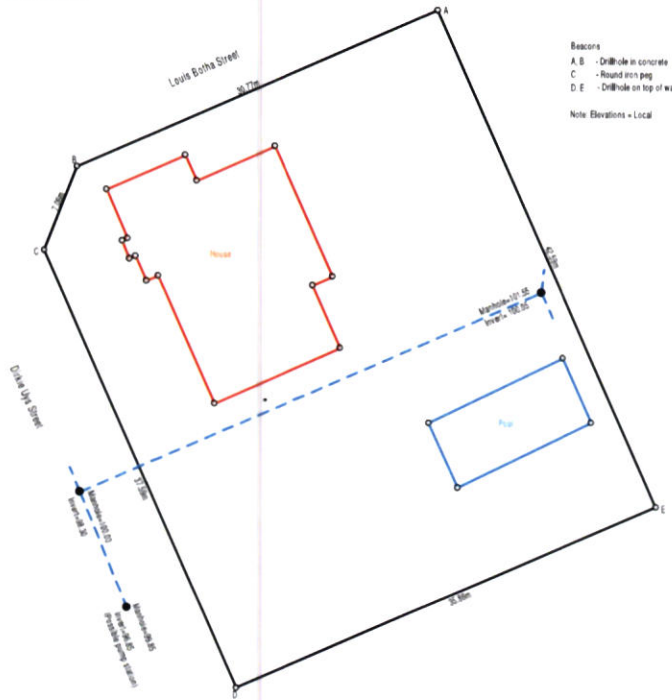
In my presence

  
\_\_\_\_\_  
REGISTRAR OF DEEDS

GhostConvey 14.7.3.8



Main developments on erven 644 and 645 Franschoek  
 Scale 1:400 on A4

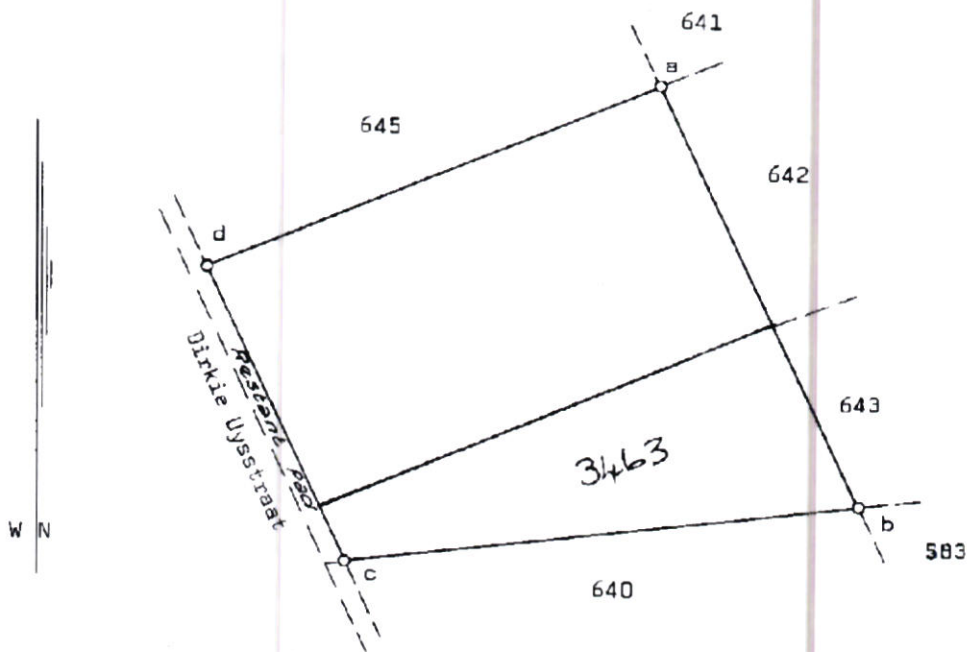


Beacons  
 A.B. - Drillhole in concrete  
 C. - Round iron peg  
 D.E. - Drillhole on top of wall  
 Note: Elevations = Local



SYE Meter	RIGTINGS -HOEKE	KOORDINATE Stelsel Lo 19° X			L.G. No.  3 5 9 5 / 7 1
		Y			
	Konstant	+	0,00	+3700000,00	Goedgekeur <i>[Handwritten Signature]</i> Landmeter-generaal 23.6.71
ab	336 05 20	a	-11 009,46	+ 53 089,29	
bc	83 24 20	b	-11 104,05	+ 53 122,20	
cd	156 13 10	c	-11 066,72	+ 53 126,52	
da	246 20 50	d	-11 056,65	+ 53 103,66	
	46	Middenberg	- 6 881,61	+ 52 965,39	
	96	Victoria Peak	- 3 341,42	+ 64 731,34	

a b c d 12mm yster pen



Skaal: 1:500

Die figuur a b c d  
stel voor 1094 vierkante meter grond, synde  
Erf 644 Franschhoek, h gedeelte van Erf 77  
geleë in Munisipaliteit van Franschhoek Administratiewe Distrik  
Paarl Provinsie Kaap die Goeie Hoop.  
Opgemeet in Maart, 1971  
deur my, *[Handwritten Signature]* Landmeter

Hierdie kaart is geheg aan No. gedateer 1438/72 t.g.v. Registateur van Aktes	Die oorspronklike kaart is. No. 450/1862 geheg aan Transport/Grondbrief No. 1862.62.232	Lêer No. B/7042/33 M.S. No. E.941/71 Komp. DI-7CA/X54 Gen Plan F13(2620)
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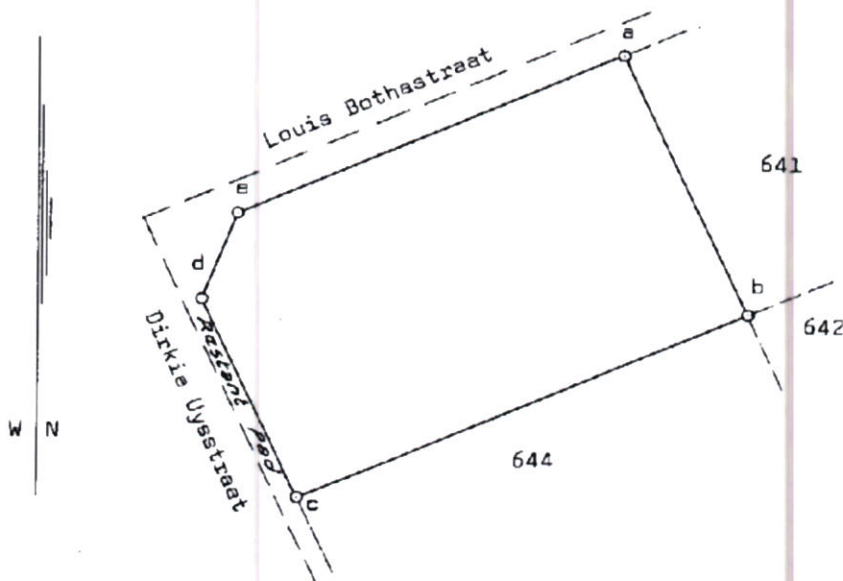
S  
C  
A  
P

SYE Meter	RIGTINGS -HOEKE	KOÖRDINATE			L.G. No.
		Y	Stelsel	Lo 19 <sup>D</sup> X	
	Konstante	±	0,00	+3700000,00	3 5 9 6 / 7 1
ab	22,09	336 05 20	a	-11 080,51	+ 53 069,10
bc	35,82	66 20 50	b	-11 089,46	+ 53 089,29
cd	17,09	156 13 10	c	-11 056,65	+ 53 103,66
de	7,06	201 17 00	d	-11 049,76	+ 53 088,02
ea	30,77	246 20 50	e	-11 052,32	+ 53 081,44
	49	Middenberg		- 6 881,61	+ 52 965,39
	96	Victoria Peak		- 3 341,42	+ 64 731,34

Goedgekeur

*E. J. J. J.*  
Landmeter-generaal  
23.6.71

a b c d e 12mm yster pen



Skaal: 1:500

Die figuur a b c d e

stel voor 779 vierkante meter

grond, synde

Erf 645, n gedeelte van Erf 77 Franschoek

geleë in die Munisipaliteit van Franschoek  
Paarl

Administratiewe Distrik

Provinsie Kaap die Goeie Hoop.

Opgemeet in Maart 1971  
deur my,

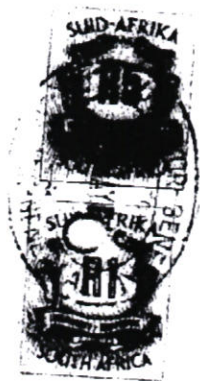
*E. J. J. J.*  
Landmeter

Hierdie kaart is geheg aan  
No. *1430/72*  
gedateer  
t.g.v.

Die oorspronklike kaart is.  
No. 450/1862 geheg aan  
Transport/Grondbrief  
No. 1862. 62 .232

Lêer No. S/7042/33  
M.S. No. E.941/71  
Komp. BI-7CA/X54  
Gen. Plan F13 (2620)

Registrateur van Aktes



D  
S  
C



# 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)	Anton		
Surname	Mitchell		
Company name (if applicable)	Anton Mitchell Land Surveyors		
Postal Address	P.O. Box 536		Postal Code
	Vzerfontein		
Email	anton@surveyorsa.co.za		
Tel		Fax	Cell
			08376 33351

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

Registered owner(s)	Hugh Edward McGuinness Celia McGuinness		
Physical address	c/o Dirkie Uys Street + Louis Botha Street.		
		Postal code	
E-mail	paarl@taxshop.co.za		
Tel		Fax	Cell
			0798060986

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

<del>Er</del> / Erven / Farm <del>No.</del>	644 and 645	Portion(s) if Farm	Allotment area	Franschhoek	
Physical Address	c/o Dirkie Uys Street + Louis Botha Street				
Current Zoning	Residential 1	Extent	736 + 779 m <sup>2</sup> / <del>ha</del>	Are there buildings?	existing <input checked="" type="checkbox"/> N <input type="checkbox"/>

Applicable Zoning Scheme											
Current Land Use	Residential 1										
Title number and date	T		T 1783/2015 and T 49519/2013								
Attached Conveyance's Certificate	Y	N	Any Restrictions into 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	X	If Yes, list the party(ies):								
Is the property encumbered by a bond?	X	N	If Yes, list the bondholder(s):								
Is the property owned by Council?	Y	X	If Yes, kindly <u>attach a power of attorney</u> from the Manager Property Management								
Is the building located within the historical core?	Y	N	Is the building older than 60 years?	Y	N	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) <sup>1</sup>	Y	N	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)?					X	If yes, is this application to legalize the building / land use <sup>2</sup> ?	Y	N			
Are there any pending court case(s) / order(s) relating to the subject property(ies)?					X	Are there any land claim(s) registered on the subject property(ies)?					
<b>PART D: PRE-APPLICATION CONSULTATION</b>											
Has there been any pre-application consultation?			X	If Yes, please attach the minutes of the pre-application consultation.							
<b>PART E: LAND USE PLANNING APPLICATIONS AND APPLICATION FEES PAYABLE</b>											
<b>APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)</b>											
Tick	Type of application: Cost are obtainable from the Council Approved tariffs <sup>3</sup>										
	15(2)(a) Rezoning of Land										
	15(2)(b) a permanent departure from the development parameters of the zoning scheme										
	15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;										
	15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;										
X	15(2)(e) a consolidation of land that is not exempted in terms of section 24;										

<sup>1</sup> 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

<sup>2</sup> 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)

<sup>3</sup> <http://www.stellenbosch.gov.za/documents/idp-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		
<b>OTHER APPLICATIONS</b>			
	Deviation from Council Policies/By-laws;	R	
	Other (specify) : _____	R	
<b>TOTAL A:</b>		<b>R</b>	
<b>PRESCRIBED NOTICE AND FEES** (for completion and use by official)</b>			
<b>Tick</b>	<b>Notification of application in media</b>	<b>Type of application</b>	<b>Cost</b>
	<b>SERVING OF NOTICES</b>	Delivering by hand; registered post; data messages	R
	<b>PUBLICATION OF NOTICES</b>	Local Newspaper(s); <i>Provincial Gazette</i> ; site notice; Municipality's website	R
	<b>ADDITIONAL PUBLICATION OF NOTICES</b>	Site notice, public meeting, local radio station, Municipality's website, letters of consent or objection	R
	<b>NOTICE OF DECISION</b>	<i>Provincial Gazette</i>	R
	<b>INTEGRATED PROCEDURES</b>	T.B.C	R
<b>TOTAL B:</b>		<b>R</b>	
<b>TOTAL APPLICATION FEES*</b> <b>(TOTAL A + B)</b>		<b>R</b>	
* 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.			
<b>BANKING DETAILS</b>			
Name:	Stellenbosch Municipality		
Bank:	NEDBANK		
Branch no.:	198765		
Account no.:	1152271679		
SWIFT	NEDSZAJJ		
<b>Payment reference:</b> (Erf/Farm number)	.....		

DETAILS FOR INVOICE	
Name & Surname/Company name (details of party responsible for payment)	Anton Mitchell Land Surveyors
Postal Address	P.O. Box 536 Yzerfontein, 7351
Vat Number (where applicable)	/

PART F: DETAILS OF PROPOSAL							
Building line encroachment	Street		From	m	To	m	
	Street		From	m	To	m	
	Side		From	m	To	m	
	Side		From	m	To	m	
	Aggregate side		From	m	To	m	
	Rear		From	m	To	m	
Exceeding permissible site coverage		From	%	To	%		
Exceeding maximum permitted bulk / floor factor / no of habitable rooms		From		To			
Exceeding height restriction		From	m	To	m		
Exceeding maximum storey height		From	m	To	m		
Consent/Conditional Use/Special Development							
To permit..... in terms of Section.....of the.....Zoning Scheme Regulations							
Other (please specify)	<hr/> <hr/> <hr/>						

**Brief description of proposed development / Intent of application:**

Consolidation of Erven 644 + 645 Franschoek

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**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

Y	N		Power of attorney / Owner's consent if applicant is not owner	<input checked="" type="checkbox"/>	N		Bondholder's consent (if applicable)
Y	N		Resolution or other proof that applicant is authorised to act on behalf of a juristic person	Y	N		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	<input checked="" type="checkbox"/>	N		Site development plan or conceptual layout plan (A4 or A3 only) to scale
Y	N		Proposed subdivision plan (A4 or A3 only) to scale	Y	N		Proof of agreement or permission for required servitude
Y	N		Proof of payment of application fees	<input checked="" type="checkbox"/>	N		Proof of registered ownership ( <b>Full copy of the title deed</b> )
Y	N		Conveyancer's certificate	Y	N		Minutes of pre-application consultation meeting (if applicable)
<input checked="" type="checkbox"/>	N	N/A	Consolidation plan (A4 or A3 only) to scale	Y	<input checked="" type="checkbox"/>	N/A	Land use plan / Zoning plan (A4 or A3 only) to scale
Y	N	N/A	Street name and numbering plan (A4 or A3 only) to scale	Y	<input checked="" type="checkbox"/>	N/A	1 : 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale
Y	N	N/A	Landscaping / Tree plan (A4 or A3 only) to scale	Y	<input checked="" type="checkbox"/>	N/A	Home Owners' Association consent
Y	<input checked="" type="checkbox"/>	N/A	Abutting owner's consent	Y	<input checked="" type="checkbox"/>	N/A	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	<input checked="" type="checkbox"/>	N/A	Proof of failure of Home owner's association
Y	N	<input checked="" type="checkbox"/>	Copy of original approval and conditions of approval	Y	N	N/A	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	N/A	Other (specify)
Y	N	N/A	Required number of documentation copies	Y	N	N/A	

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

Y	X	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	X	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
Y	X	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)	Y	X	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
Y	X	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)	Y	X	National Water Act, 1998 (Act 36 of 1998)
Y	X	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations	Y	N/A	Other (specify)
Y	X	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)			
Y	X	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, please attach motivation.			

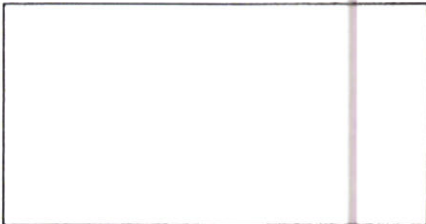
**SECTION I: DECLARATION**

I hereby wish to confirm the following :

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. I'm aware that it is an offense in terms of section 86(1)(e) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.
3. I am properly authorized to make this application on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto.
4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
5. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
6. I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.
7. It is the owner's responsibility to ensure that approval is not sought for a building or land use which will be in conflict with any applicable law.
8. The Municipality assesses an application on the information submitted and declarations made by the owner or on his behalf on the basis that it accepts the information so submitted and declarations so made to be correct, true and accurate.
9. Approval granted by the Municipality on information or declarations that are incorrect, false or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.
10. The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false or misleading information or declarations being set aside.
11. Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or

- declarations made as to his or her qualification as a Competent person and/or registration as a professional.
12. A person who provides any information or certificate required in terms of Regulation A19 of the National Building Regulations and Building Standards Act No 103 of 1977 which he or she knows to be incomplete or false shall be guilty of an offence and shall be prosecuted accordingly.
  13. A person who supplies particulars, information or answers in a land use application in terms of the Stellenbosch Municipality Land Use Planning By-law knowing it to be incorrect, false or misleading or not believing them to be correct shall be guilty of an offence and shall be prosecuted accordingly.
  14. The Municipality will refer a complaint to the professional council or similar body with whom a Competent Person/professional person is registered in the event that it has reason to believe that information submitted or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.

Applicant's signature:	<u>Anton Mitchell</u>	Date:	<u>22/02/2021</u>
Full name:	<u>Anton Mitchell</u>		
Professional capacity:	<u>Land Surveyor</u>		

FOR OFFICE USE ONLY	
Date received: _____	
Received By: _____	

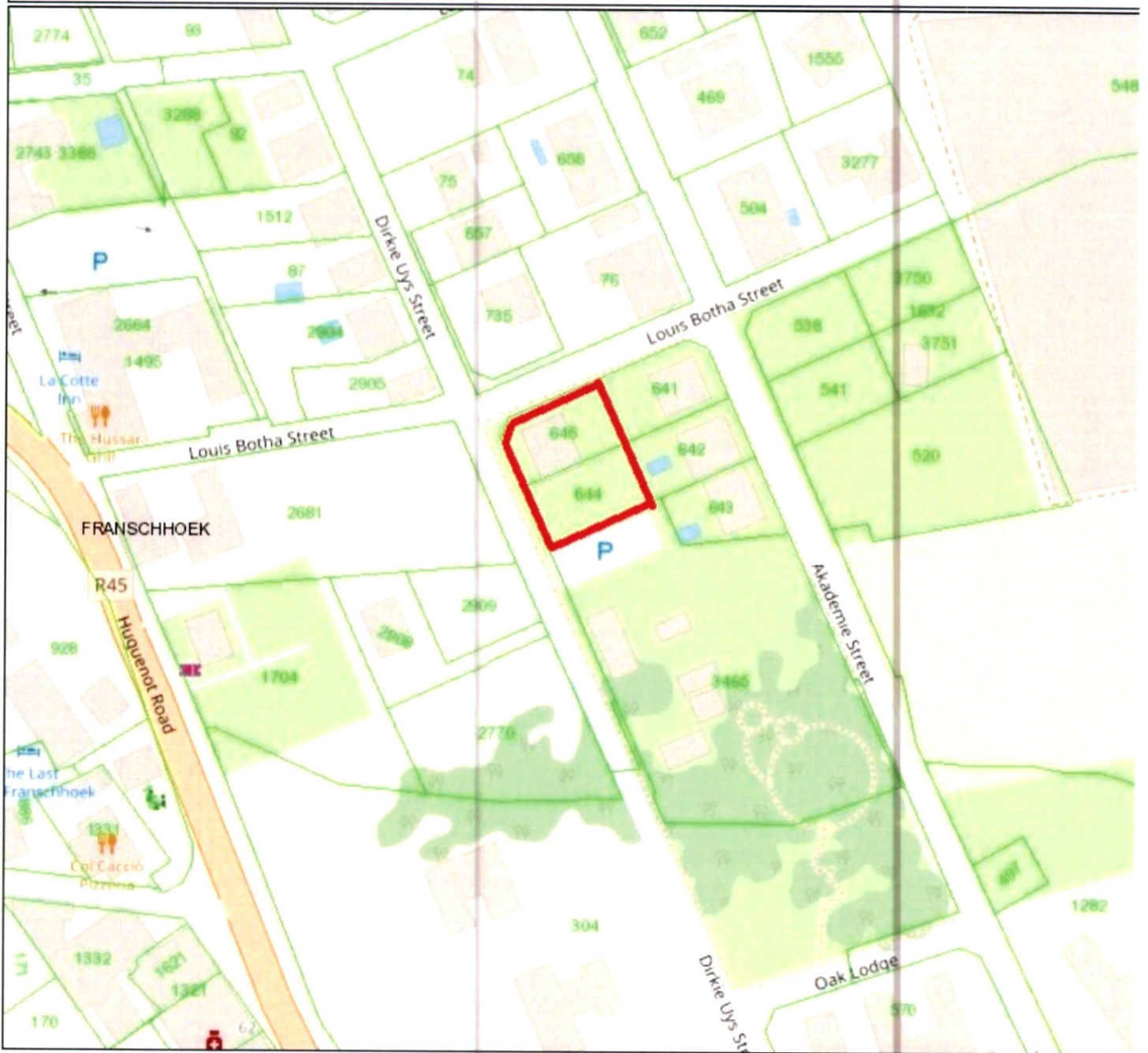
# Land Use



Google Earth

© 2021 Google  
© 2021 Airbus (Pty) Ltd.  
Images © 2021 Maxar Technologies

# Locality



**Application to consolidate erven 644 and 645 Franschhoek**

**Situate in the Stellenbosch Municipality**

**Admin. Dist. Paarl**

**Province Western Cape**

**Prepared by:**

**Anton Mitchell , Land Surveyor**

**Yzerfontein**

**Tel. 083 763 3351**



### **Property details:**

	<b>Erf 644</b>	<b>Erf 645</b>
Title Deed description	Erf 644 Franschoek	Erf 645 Franschoek
Title Deed No.	T7783/2015	T49519/2013
Owner	Hugh Edward McGuinness and Celia McGuinness for both erven	
Property size	736 sq.m.	779 sq.m.
Bond	Bondholder's consent included	

There are no restrictive condition in either Title Deed.

### **Application Specifications**

At present erf 645 contains the existing house and garage , both in very good condition. A fairly large pool is situated on erf 644. (see attached development plan)

The owners wish to consolidate the two erven because they are thinking of making alterations and extensions to the existing house.

### **Contextual Information**

#### **Locality:**

Erf 645 is located on the corner of Louis Botha Street and Dirkie Uys Street, with Erf 644 adjacent to it in Dirkie Uys Street. The properties are located at approximately 33.54.26,1 S and 19.07.07,3 E.

#### **Zoning:**

Both erven are zoned as Residential 1

#### **Land Use:**

Both erven are used for residential purposes.

#### **Site Characteristics:**

Both erven has a gentle slope from north to south with the higher points being on the northern side. Both erven have been developed with erf 645 containing the house and erf 644 containing the pool and vegetable garden. The area has got many trees and has a rustic, quiet atmosphere.

Access to the property is at the moment from Dirkie Uys Street and will remain as such. The residential dwellings in the area are varied in size and appearance. The consolidated property will enhance the character of the area and will have no detrimental impact.

### **Policy Frameworks:**

The application area is located within the urban edge of Franschhoek and is therefore suitable for urban development.

The proposed consolidation is in line with:

The promotion of sustainable development.

Containing urban sprawl.

### **Spatial Planning and Land Use Management Act (Act 16/2013)**

One of the main objectives of this act is to provide a framework for spatial planning and land use management to address past spatial and regulatory imbalances.

Sect. 42 of SPLUMA prescribe certain aspects that have to be taken into consideration when deciding on an application. These are:

- Development principles set out in Chapter 2 of SPLUMA
- Protect and promote the sustainable use of agricultural land
- National and provincial policies
- The municipal spatial development framework, and
- Take into account-
  - (i) The public interest
  - (ii) The constitutional transformation imperatives and related duties of the State
  - (iii) The facts and circumstances relevant to the application
  - (iv) The respective rights and obligations of all those affected

- (v) The state and impact of engineering services, social infrastructure and open space requirements

### **Consistency with Spatial Policy Directives**

This proposal is consistent with the approved spatial policy framework for the area.

### **Consistency with the Character of the Area**

The proposal will be consistent with the established land use character of the area and will not impact negatively on the existing character.

### **Accessibility of the area**

As mentioned earlier, access at the moment is from Dirkie Uys Street and will remain so. The proposal will also not impact on traffic volumes in the area.

### **Impact on Existing Rights**

The proposal will have no impact on existing rights.

### **Services Infrastructure**

All services are available in the area. This proposal will put no additional load on said services.

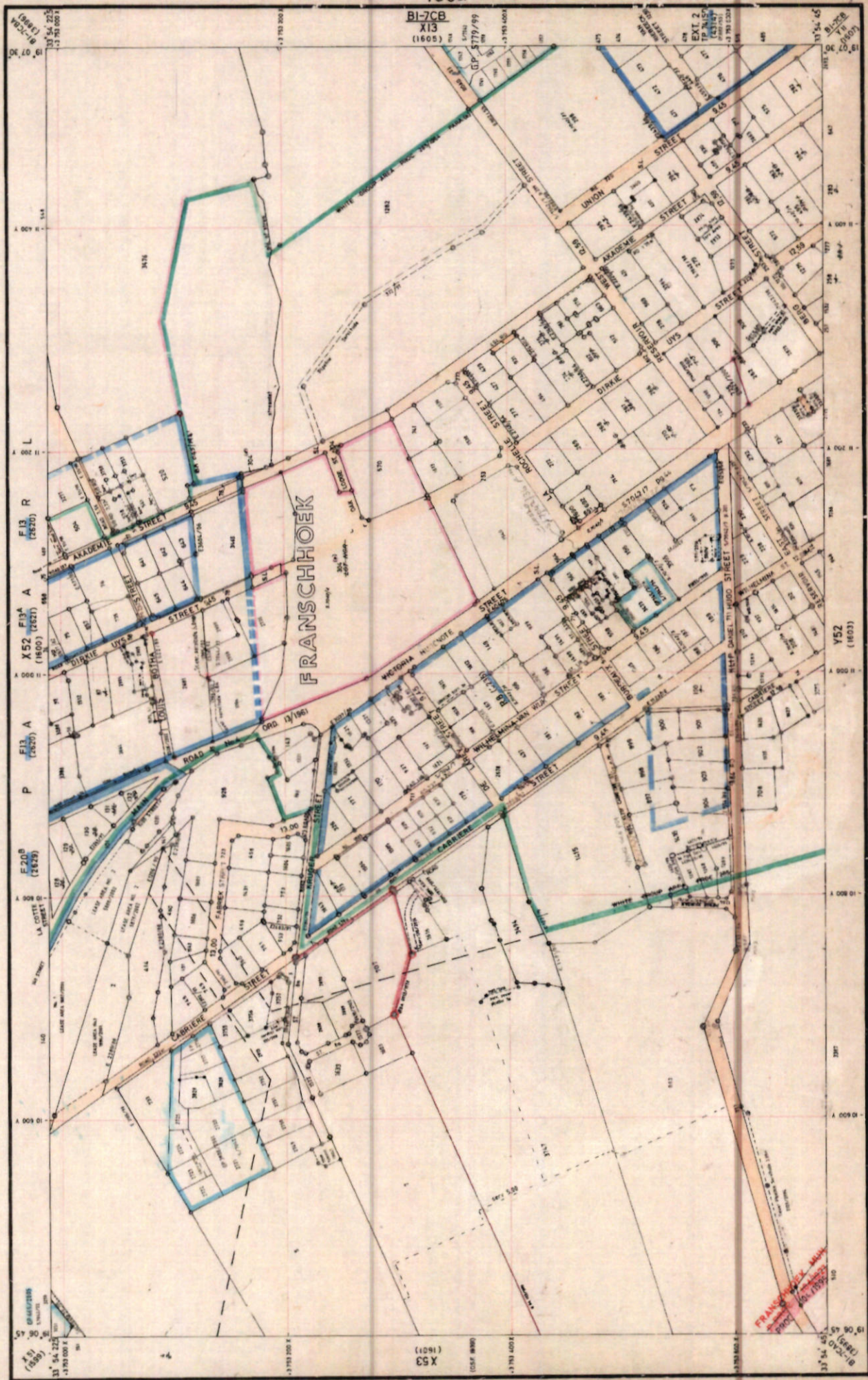
### **Conclusion**

The nature of this application is desirable and it is recommended that it be approved.

BI-7CA  
X54

FRANSCHHOEK

1:1250



160  
BI-7CB  
X13  
(1608)

1602

BI-7CA  
X54



S

COPYRIGHT

Compiled in the office of the Surveyor General, Cape Town, March, 1915.  
Revised, November, 1915. 1777/1800. Common.  
1915. State No. 17.  
Revised, March, 1916. D. & Co. of Bloemfontein. (T.C.A.D. 1916)

X53  
(1601)

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**Power of Attorney.**

We, André de Guinan..... and

Celina de Guinan....., owners of erven 644 and

645 Franschoek, hereby give power of attorney to Anton Mitchell, Land

Surveyor, to act on our behalf in the application for consent to

consolidate the two erven.

Signed at Franschoek on this 26<sup>th</sup> day of January 2021

Owner: (1) André de Guinan.....

(2) .....

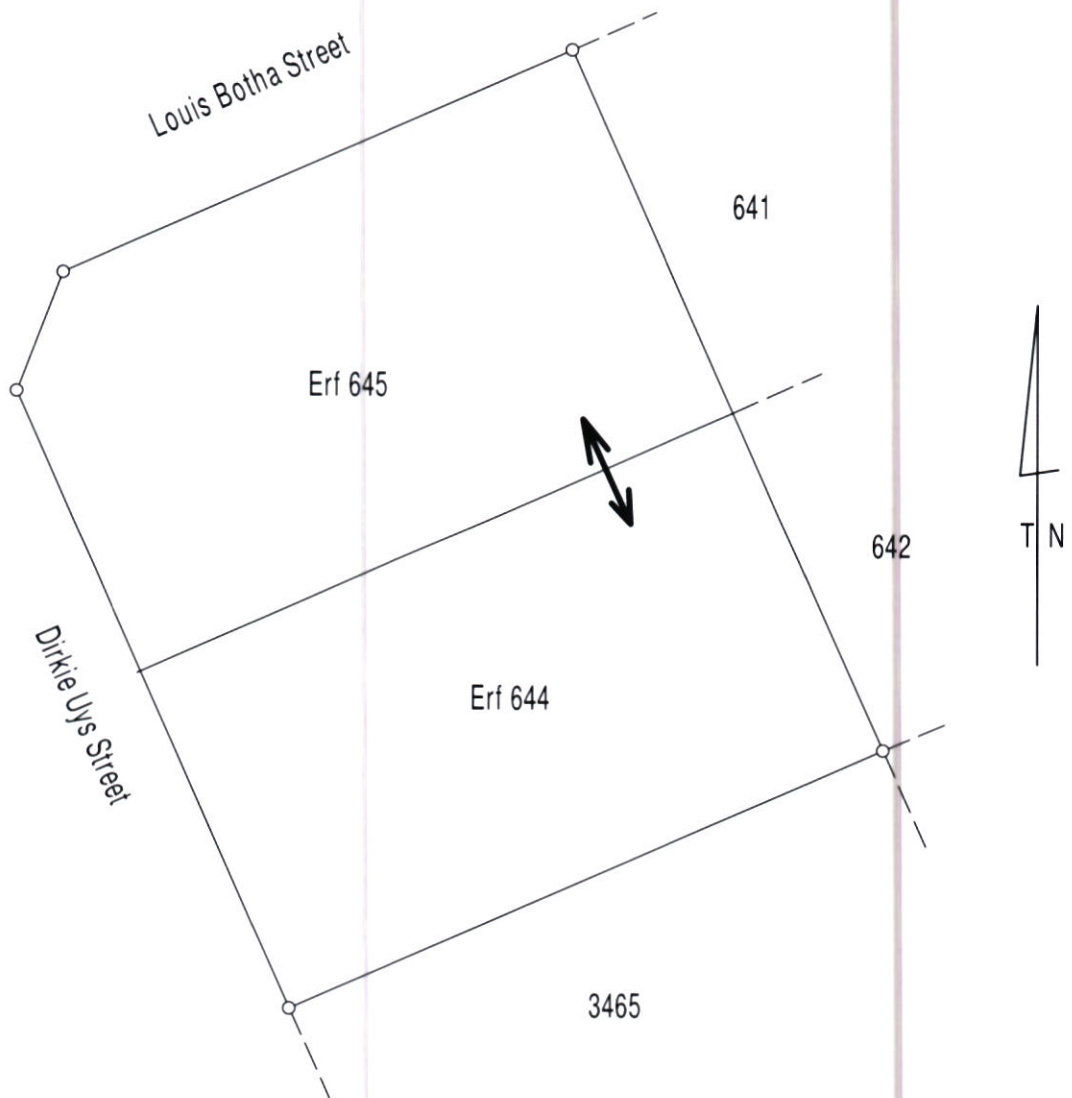
Witness: (1) [Signature].....

(2) [Signature].....

Proposed consolidation of:  
(1) Erf 644 Franschoek, 736 sq.m. in extent, and  
(2) Erf 645 Franschoek, 779 sq.m. in extent  
situate in the Stellenbosch Municipality  
Administrative District Paarl

Province Western Cape

Sketch  
Scale 1:400





## LAND USE PRE-APPLICATION SCRUTINY FORM

### KINDLY NOTE:

1. This Pre-Application Scrutiny form must be submitted prior to the submission of any Land Use and Land Development application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015. (SLUPB)
2. Relevant documents can be accessed at:  
<https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal/legislation/3116-stellenbosch-municipality-land-use-planning-by-law-2015/file>
3. The applicant will receive feedback per e-mail following a weekly internal technical discussion on the pre-application scrutiny submission.
4. A pre-application consultation meeting may be required in terms of Section 37 of the said Bylaw on receipt and consideration of this Pre-Application Scrutiny.

### PART A: APPLICANT, OWNERSHIP & PROPERTY PARTICULARS

Applicant Name	Anton Mitchell
E-Mail	anton@surveyorsa.co.za
Tel/ Cell	083 76 33351
Registered Owner:	Hugh Edward McGuinness Celia McGuinness
Property Description	Erven 644 + 645 Franschoek
Physical Address:	c/o Dirkie Lys St and Louis Botha St.
Suburb & Town	Franschoek
Current Zoning	Residential 1
Current land use	Residential

Are there existing buildings on the subject property(ies)?	Yes <input checked="" type="checkbox"/>	No
Are there any existing unauthorized buildings and/or land use on the subject property(ies)?	Yes	No <input checked="" type="checkbox"/>
If yes, is this application to legalize the building/ land use?	Yes	No
Are there any pending court case(s)/ order(s) relating to the subject property(ies)?	Yes	No <input checked="" type="checkbox"/>
Is the property located in a heritage area or contains any heritage significant buildings?	Yes	No <input checked="" type="checkbox"/>
Does the property fall inside the urban edge?	Yes <input checked="" type="checkbox"/>	No

## PART B: APPLICATION

### 1. WHAT LAND USE PLANNING APPLICATIONS ARE REQUIRED IN TERMS OF SECTION 15(2) OF THE SLUPB?

<input type="checkbox"/>	Rezoning	<input type="checkbox"/>	Subdivision	<input type="checkbox"/>	Removal/Suspension Amendment of restrictive conditions	<input type="checkbox"/>	Consent use
<input type="checkbox"/>	Permanent Departure	<input checked="" type="checkbox"/>	Consolidation	<input type="checkbox"/>	Closure of public place	<input type="checkbox"/>	Rectification/ disestablishment of HOA
<input type="checkbox"/>	Temporary Departure	<input type="checkbox"/>	Amendment of condition(s) of approval	<input type="checkbox"/>	Extension of validity period of approval	<input type="checkbox"/>	Amendment/cancel ation of approved subdivision plan
<input type="checkbox"/>	Determination of a zoning	<input type="checkbox"/>	Occasional use	<input type="checkbox"/>	Permission in terms of zoning scheme	<input type="checkbox"/>	Permission in terms of condition of approval

<input type="checkbox"/>	OTHER	<input type="checkbox"/>	Technical Approval	<input type="checkbox"/>	Exemption	<input type="checkbox"/>	
--------------------------	-------	--------------------------	-----------------------	--------------------------	-----------	--------------------------	--

**Details of the Proposal:** (Brief description of proposal (not a full motivation))

Consolidation of even 644 and 645 Franschoek



2. RELEVANCE OF ANY PLANNING LEGISLATION/ POLICIES AND PLANS

RELEVANT PLANNING CONSIDERATIONS		
(a) Are any Municipal plans/policies/guidelines, or any restrictive title conditions, or other legislation / authorizations applicable to the application, and if yes, is the proposal consistent/ compliant with such?	Yes	<del>NO</del>
Details with reference to applicable plans/ policies/ guidelines:		
(b) Does the proposal require the following additional infrastructure / services? e.g. electricity; water; sewerage; road network; other?	YES	<del>NO</del>
Details on required infrastructure:		
(c) Does the development proposal include the provision of residential units, and if so, what is the target market re: range in income bracket/ selling price or rental for the units ?	YES	<del>NO</del>
Details on target market:		
(d) In addressing the SPLUMA principle of Spatial Justice and as it relates to prescripts on the provision of inclusionary housing, how will this development proposal target affordable market segments?	YES	NO
Details on inclusionary housing provision: <i>Proposal falls in higher income area</i>		

**PART C: COPIES OF PLANS / DOCUMENTS TO BE SUBMITTED AS PART OF PRE-APPLICATION SCRUTINY**

The following minimum documentation **must** be attached to this pre-application scrutiny form:

- ✓1. **Locality plan**
- ✓2. **Layout Plan of proposal** (e.g. copy of existing building plan, indicating proposal on site plan, etc.)
- ✓3. **Full copy of the title deed or Conveyance Certificate**

**Please Note:**

- The Municipality may request any other information deemed necessary for the purpose of this pre-application scrutiny.
- If an incomplete pre-application scrutiny form or the required minimum supporting documents are not submitted the pre-application scrutiny form will not be accepted by the Municipality.

**DECLARATION:** I hereby confirm that the information contained in this pre-application scrutiny form and accompanying documentation is complete and accurate.

Applicant's signature: *Amy Mitchell* Date: 24/2/2021

**FOR OFFICE USE:**

Municipal Stamp
Received by: _____
Date: _____

**DETERMINATION BY AUTHORISED OFFICIAL**

Additional Information	Pre-Application Consultation	Application Ready
Sign: _____		Date: _____

**APPLICANT INFORMED BY RESPONSIBLE OFFICIAL**

Sign: _____	Date: _____
-------------	-------------



Anton Mitchele  
anton@surveyorsa.co.za  
Cnr of Dirke uys & Louis Botha street  
Franschhoek

10 March 2021

**SUBJECT: PRE-APPLICATION SCRUTINY FEEDBACK, ERF 644 & 645, FRANSCHHOEK**

1. Your pre-application scrutiny submission on the above property dated **24 February 2021**, refers.
2. Your submission has been duly scrutinized for your intended land use application.
3. Your intended land use 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].
4. The intended land use and/ or land development application also 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://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal>).
5. Please note that the sole purpose of this pre-application scrutiny feedback is to facilitate an accurate approach for the intended land use and/ or land development application. The feedback should consequently not be interpreted to represent any position on the merit nor desirability of such intended land use and/ or land development application, which can only be determined once a complete application has been received and duly processed and decided on by the authorised decision maker.
6. It should also be noted that the complete application should first be submitted without the payment of any applicable application fees. Only when satisfied that a complete and accurate application has been submitted, will a proforma invoice be submitted to the applicant with payment instructions. Once proof of payment is received, the application will be regarded as duly submitted in accordance with a notice as contemplated in terms of Section 41(1)(c)(i) of the SLUPB.
7. For any enquiries on this correspondence please respond by e-mail to the writer hereof.

Kind regards  
Bongiwe Zondo  
[bongiwe.zondo@stellenbosch.gov.za](mailto:bongiwe.zondo@stellenbosch.gov.za)



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DUPLICATE RECEIPT

AMPTELIKE KWITANSIE / OFFICIAL RECEIPT

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

Receipt M/c: DIR1 Duplicate Rec.No: 177096 Date: 08/04/2021

Local Authority: Stellenbosch Municipality

1 STB N 5000.00

30111060201 05040 FNB OB PMT

DIRECT 030111060201 REF LU/12592 AND ERF

X100 Key: STB -009-20210408-000000019

X10 Key: STB D00000177096000002

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AMPTLIKE KWITANSIE \ OFFICIAL RECEIPT

☎ 051 889 1318  
☎ 051 876-6518 \ 85-17 \ 85-19  
P.O. 15, STELLENBOSCH 7600