

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

Please take note of the following application regarding a land development as prescribed in the Stellenbosch Land Use Planning Bylaw, 2015. Stellenbosch Municipality reference number: LU 12073

Locality: Erf 6572 – 27 Rowan Street and Erf 13831 – 6 Thibault Street.

Applicant: Dupré Lombaard, Virdus Works (Pty) Ltd, 77 Buitekring, Dalsig, STELLENBOSCH, 7600; Email: dupre.lombaard@virdus.com

Owner: Mr HAJ Lourens, Cell: +27 82 462 1147, E-mail: [henklourens@capitecbank.co.za](mailto:henklourens@capitecbank.co.za), Address: 6 Thibault Street, Stellenbosch, 7600

**Application type:** The owner recently purchased Erf 6572 and wishes to redevelop Erven 6572 (0,0918ha) and 13831 (0,0920ha), Stellenbosch by the consolidation thereof and the development of a new swimming pool, recreation room and outbuildings simultaneous with the renovation and upgrading of the existing house on Erf 13831. The existing building (old dwelling house) on Erf 6572 has been approved for demolition (BP20/1283 dd 11 September 2020). The house on Erf 13831 will be renovated and the new buildings and structures will be constructed over what is currently the common boundary between the two erven, hence the need to consolidate them.

This is an application in keeping with Section 15 of the Stellenbosch Municipality Land Use Planning Bylaw, 2015. The application covers the following aspect(s):

- (1) Section 15 (2)(e) a consolidation of land that is not exempted in terms of section 24; and
- (2) Section 15 (2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit.

The proposed use and development parameters will be in keeping with the Stellenbosch Municipality Zoning Scheme Bylaw, 2019.

Erf 6572 is held by Deed 20025/2020 and Erf 13831 is held by Deed 39312/2013. There are no title deed restrictions preventing the proposed land development. There is a title condition in favour of certain neighbouring properties (Erven 1713 – 1716 and 1720), restricting the subdivision of the property, the construction thereon of one dwelling unit, the value of a house, the keeping of pigs and the maintenance of a 9,45m street building line.

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: [\[https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal\]](https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal). 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: Dupré Lombaard, [dupre.lombaard@virdus.com](mailto:dupre.lombaard@virdus.com).

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of 01 March 2021. 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 082 895 6362 during normal office hours.

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

Neem asseblief kennis van die volgende aansoek om ontwikkeling soos uiteengesit in die Stellenbosch Grondgebruikbeplanningsverordening, 2015. Stellenbosch Munisipaliteit verwysing: LU 12073

Ligging: Erf 6572 – 27 Rowan Street and Erf 13831 – 6 Thibault Street.

Aansoeker: Dupré Lombaard, Virdus Works (Pty) Ltd, 77 Buitekring, Dalsig, STELLENBOSCH, 7600; E-pos: dupre.lombaard@virdus.com

Eienaar: Mnr HAJ Lourens, Cell: +27 82 462 1147, E-pos: [henklourens@capitecbank.co.za](mailto:henklourens@capitecbank.co.za), Adres: 6 Thibaultstraat, Stellenbosch, 7600

Tipe aansoek: Die eienaar het onlangs Erf 6572 gekoop en wil graag Erwe 6572 (0,0918ha) en 13831 (0,0920ha), Stellenbosch herontwikkel deur die konsolidasie van die erwe, die bou van 'n swembad en ontspanningskamer, verwante buitegeboue en die opgradering van die bestaande woonhuis op Erf 13831. Die bestaande huis op Erf 6572 is goedgekeur vir sloping (BP20/1283 dd 11 September 2020). Die nuwe verbeterings sal oor die grens tussen die twee erwe val, aldus die nodigheid om die eiendom te konsolideer.

Die aansoek word gedoen ingevolge Artikel 15 van die Stellenbosch Munisipaliteit Grondgebruikbeplanning Verordening, 2015. Dit dek die volgende aspek(te):

- (1) Artikel 15 (2)(e) 'n konsolidasie van grond wat nie vrygestel is ingevolge Artikel 24 nie; en
- (2) Artikel 15 (2)(f) 'n verwydering, opskorting, of wysiging van beperkende voorwaardes van toepassing op 'n grondeenheid.

Die verbetering aan die eiendom sal pas in die bestaande boulyne en grondgebruik parameters ingevolge die Stellenbosch Munisipaliteit Soneringskema Verordening, 2019.

Erf 6572 word gehou onder Titelakte 20025/2020 en Erf 13831 word gehou onder Akte 39312/2013. Daar is geen titel beperkings wat die herontwikkeling of konsolidasie verhoed nie. Daar is egter beperkende voorwaardes ten gunste van sekere aanliggende eiendomme (Erwe 1713 -1716 en 1720), wat onderverdeling, die waarde van 'n woonhuis, die aanhou van varke en die verpligte oprigting van 'n woning, verder as 9,45m van die straatgrens, aanspreek.

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 tydsduur van die publieke deelname proses by die volgende adres: [<https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal>]. 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 de 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: Dupré Lombaard, dupre.lombaard@virdus.com.

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 01 Maart 2021. Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of dit nie moontlik is om geskrewe kommentaar, 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 082 895 6362 gedurende normale kantoor ure.

## DESCRIPTION OF PROPOSED DEVELOPMENT

Application is made in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, for the following on Erf 6572 and Erf 13831, Stellenbosch:

1. Consolidation (section 15(2)(e)) of Erf 6572 and Erf 13831, Stellenbosch to form a land unit of  $\pm 1\ 838\text{m}^2$  in extent.
2. Removal of restrictive title deed conditions (section 15(2)(f) ) Clause 2(1-4) as contained in Deed of Transfer No. T20025/202 pertaining to Erf 6572 and Clause 2A (1-4) as contained in the Deed of Transfer No. T39312/2013 pertaining to Erf 13831, Stellenbosch. The conditions read as follows:

**Paragraph 2:** Subject further to the following special conditions contained in Deed of Transfer Number T99827/1999 imposed for the benefit of the owners of the above mentioned immovable property and for premises J S transferred to JJ Strasheim on January 1933 Number 63 and for all the subdivisions of premises 255 to 265 which is located immediately to the east of the said premises J S the said conditions are imposed due to a servitude endorsement dated 13 January 1933 on the said Deed of Transfer Number 5171 dated 5 June 1918, namely:

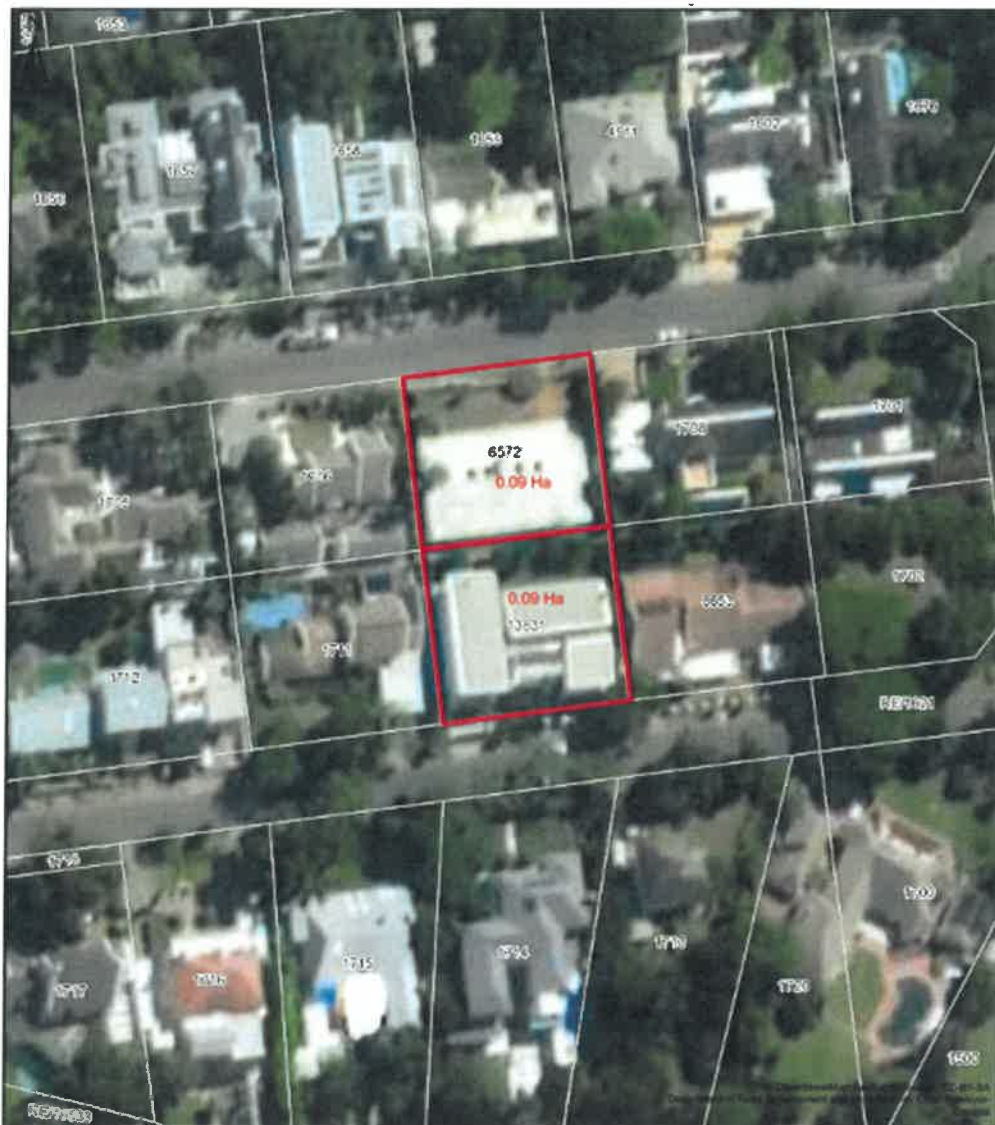
**Paragraph 2(1)** "...Dot alleenlik een woonhuis op gesegde perseel opgerig word wot 'n enkel en nie semi-detached woonhuis sol wees nie en ten minste 9,45m van die aanliggende straat";

**Paragraph 2(2)** "...Dat geen woonhuis op gesegde perseel gebou sol word van minder waarde don die perseel onder verdeel nie";

**Paragraph 2(3)** "...Dot die transportontvanger en sy opvolgers in titel nie die reg sal hê om die gesegde perseel onder te verdeel nie";

**Paragraph 2(4)** "...Dat geen varke op die grond gehou mag word nie".

**LAND DEVELOPMENT APPLICATION FOR:  
REMOVAL OF TITLE CONDITIONS AND  
CONSOLIDATION OF  
ERVEN 6572 AND 13831, STELLENBOSCH**



October 2020

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**EXECUTIVE SUMMARY**

<p><b><u>Owner:</u></b></p> <p><b>Mr HAJ Lourens</b></p> <p>Cellular phone: +27 82 462 1147</p> <p>E-mail: <a href="mailto:henklourens@capitecbank.co.za">henklourens@capitecbank.co.za</a></p> <p>Address: 6 Thibault Street, Stellenbosch, 7600</p>	<p><b><u>Project Consultant:</u></b></p> <p><b>Mr Dupré Lombaard</b></p> <p>Virdus Works (Pty) Ltd Reg. No. 2018/585747/07</p> <p>SACPLAN: B/8076/1998</p> <p>Cellular phone: +27 82 895 6362</p> <p>E-mail: <a href="mailto:dupre.lombaard@virdus.com">dupre.lombaard@virdus.com</a></p> <p>Address: 77 Buitekring, Dalsig, Stellenbosch, 7600, South Africa</p>
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The owner recently purchased Erf 6572 and wishes to redevelop Erven 6572 (0,0918ha) and 13831 (0,0920ha), Stellenbosch by the consolidation thereof and the development of a new swimming pool, recreation room and outbuildings simultaneous with the renovation and upgrading of the existing house on Erf 13831. The existing building (old dwelling house) on Erf 6572 has been approved for demolition (BP20/1283 dd 11 September 2020). The house on Erf 13831 will be renovated and the new buildings and structures will be constructed over what is currently the common boundary between the two erven, hence the need to consolidate them.

This is an application in keeping with Section 15 of the Stellenbosch Municipality Land Use Planning Bylaw, 2015. The application covers the following aspect(s):

- (1) Section 15 (2)(e) a consolidation of land that is not exempted in terms of section 24; and
- (2) Section 15 (2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit.

The proposed use and development parameters will be in keeping with the Stellenbosch Municipality Zoning Scheme Bylaw, 2019.

Erf 6572 is held by Deed 20025/2020 and Erf 13831 is held by Deed 39312/2013. There are no title deed restrictions preventing the proposed land development. There is a title condition in favour of certain neighbouring properties, restricting the subdivision of the property, the construction on it of one dwelling unit and the maintenance of a 9,45m street building line.



## 1. BACKGROUND

### 1.1 Introduction

The owner resides on Erf 13831 and recently purchased the abutting Erf 6572, as indicated in the attached conveyancer's certificate and title deed. The two properties were previously consolidated Erven 1707 and 1710 and existed as Erf 6572, until Erf 13831 was subdivided in 2000.

The application deals with the proposed consolidation and redevelopment of Erven 6572 and 13831, Stellenbosch. Both properties contain a dwelling house. The house on Erf 6572 has been approved for demolition (BP20/1283 dd 11 September 2020). The owner wishes to upgrade the existing house on Erf 13831, on Thibault Street, built 5m from the street boundary and 2,5m from each of the side boundaries. The building lines are in keeping with the Stellenbosch Municipality Zoning Scheme Bylaw, 2019, but require the permission of the neighbouring properties in terms of the restrictive conditions in the title deeds, which restrict the buildings to a 9,45m street building line.

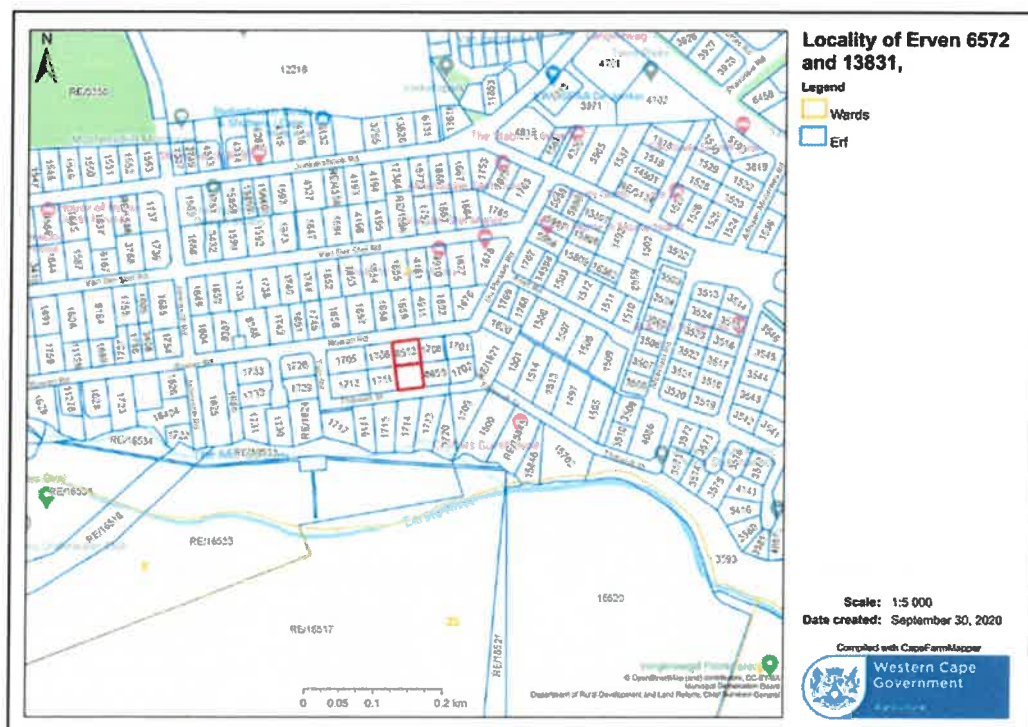


Figure 1: Erven 6572 and 13831 locality shown in red

### 1.2 Title deed

The title deeds contains a specific condition as a servitude right in favour of some of the neighbouring properties regarding the subdivision, the use of the property, the value of a house to be built on the property and the street building line. The properties that have the benefit of the restrictive conditions, are Erven 1713, 1714, 1715, 1716 and 1720 (Annexure D).

These owners would have to be consulted to give their specific permission for the removal of the relevant title condition and cancellation of the servitude right entered by servitude endorsement into the historic Title Deed no. 5171 of 05 June 1918.

2. A. Onderhewig verder aan die volgende spesiale voorwaardes soos vervat in Transportakte No. T99827/1999 neergelê vir die voordeel van die eienaars van die voorgenoemde vaste eiendom en vir perseel J S getranspoteer aan J J STRASHEIM op 13 Januarie 1933 Nommer 63, en viral die onderverdelings van persele 255 tot 265 wat geleë is onmiddelik ten ooste van gesegde perseel J S (die gemelde voorwaardes is opgefê ten gevolge van 'n serwitut endossement gedateer 13 Januarie 1933 op gemelde transportakte Nommer 5171 gedateer 5 Junie 1918, naamlik:
1. Dat alleenlik een woonhuis op gesegde perseel opgerig word wat 'n enkel en nie "semi-detached" woonhuis sal wees nie en ten minste 9,45 meter van die aanliggende straat.
  2. Dat geen woonhuis op gesegde perseel gebou sal word van minder waarde dan die perseel onder verdeel nie.
  3. Dat die transportontvanger en sy opvolgers in titel nie die reg sal hê om die gesegde perseel onder te verdeel nie.
  4. Dat geen varke op die grond gehou mag word nie.

Figure 2: Historic title conditions applicable to Erven 6572 and 13831



Figure 3: Historic title condition beneficiary properties

## 2. LAND DEVELOPMENT APPLICATION AND AUTHORISATION

### 2.1 Development context

- 2.1.1 The subject property is located in a residential neighbourhood, where surrounding properties are similarly zoned and used. Houses in the area are uniform in size and scale. As is visible in Figure 3 above, it was only the house on Erf 6572 that was set back from the street, while most others are built up to four or five metres from the street.

The majority of the houses have well developed gardens with large trees, creating a green neighbourhood where the residential density is around 7,5 units per gross hectare.

- 2.1.2 The Stellenbosch Municipality Spatial Development Framework, 2019, indicates the area as a potential character conservation area. It is however not included in the Urban Conservation Overlay Zone in the Zoning Scheme Bylaw. It falls inside of the Mostertsdrift townscape character area that is described as having significance at the local level of the town. The character area is defined by the many older, Victorian-era villa structures, complemented by modern houses of similar scale and development form. The tree-lined streets and the expansive street facing gardens are indicated as being characteristic of the area.

### 2.2 Land use planning / land development application

- 2.2.1 Application in terms of Section 15 (2)(e) a consolidation of land that is not exempted in terms of section 24.

The properties are zoned for Conventional Residential use, inside of the urban edge and inside of an identified urban character area. Neither property has any historical significance. The two properties were created in 1904, consolidated in 1978 and again subdivided in 2000.

The title deed restrictions do not prohibit the consolidation of the erven.

- 2.2.2 Application in terms of Section 15 (2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit.

The properties are subject to a title condition imposed by servitude agreement between the then owner(s) of the beneficiary properties and one J Strasheim who purchased the properties in 1933. The servitude conditions were endorsed on the 1933 title deeds of Erven 1707 and 1710, the properties which were consolidated to Erf 6572. The title restrictions are of limited scope and are of interest only to the beneficiary properties.

The title conditions are no longer applicable, given the development of the house on Erf 13831, at a distance of 5m from the street building line

and the subdivision of the properties in 2000. The conditions regarding the value of the houses to be built on the properties and the keeping of pigs are similarly outdated.

## 2.3 Motivation

- 2.3.1 The proposed consolidation and removal of the restrictive conditions will have no negative effect on the residential character of the surrounding environment.

An analysis of the Mostertsdrift townscape character area indicates that the creation of large street facing gardens and tree lined streets are important. By consolidation of the two properties, these character elements could be reinforced, especially on Rowan Street where the existing house will be demolished and replaced with a garden and recreation area.

- 2.3.2 The Integrated Development Plan 2020 (IDP), including the municipal spatial development framework approved in 2019 make specific provision for the retention of the character of certain identified areas. The Mostertsdrift area is identified as a townscape character area and proposed redevelopment of the consolidated erven takes cognisance of and enhances the character elements (large gardens and tree lined streets).

- 2.3.3 The restrictive title conditions in the title deeds are relevant only to the beneficiary properties as indicated in Annexure D. The conditions do not have any bearing on the properties in the wider Karindal and Mostertsdrift area.

These are restrictive conditions of a servitude registered against the title deed of the property, the beneficiaries of which are known. The purpose of title restrictions is mainly to protect the value and character of the particular area, being Thibault Street and more specifically some of the properties (Erven 1713 – 1716 and 1720) to the south thereof. Numerous court judgments have indicated that when an owner removes such a condition, the rights of the specific owners of the beneficiary properties are diminished or extinguished. The title deed restrictions are for the benefit of the identified owners and the owner of the restricted properties is burdened thereby.

The removal process requires an application to be lodged with the Municipality, in terms of the Land Use Planning Bylaw. However, each of the individual beneficiary owners need to grant their consent for such removal, failing which the application should be lodged through the High Court. This application is for the permanent removal of conditions 1 and 2 from the title deeds of Erven 6572 and 13831, which are also conditions imposed in the Certificate of Consolidated Title in Deed No. 3488/1978, which conditions are highlighted in Figure 2 above.

The judgment in the *Camps Bay Ratepayers and Residents Association and Others v Minister of Planning, Culture and Administration, Western Cape 2001(4) SA294 (C)* indicates that one or more of the following need to be indicated for the removal of a restriction:

- It must be desirable to remove the restriction in the interests of the public;
- It must be desirable to remove the restriction in the interests of an establishment;
- It must be desirable to remove the restriction in the interests of a development; or
- It must be desirable to remove the restriction in the interests of any area.

It further indicates that any removal, amendment or suspension of a restrictive title deed condition must be in accordance with section 25 of the Constitution of the Republic of South Africa Act, 1996, Act 108 of 1996 (The Constitution), in so far as it implies a deprivation of land rights. The requested removal must therefore be supported by the written consent of all those affected or beneficiary property owners as contemplated in section 25 of The Constitution.

#### 2.4 SPLUMA and LUPA principles

The matters referred to in Section 42 of the Spatial Planning and Land Use Management Act, 2013 and the principles referred to in Chapter VI of the Western Cape Land Use Planning Act, 2014, with specific reference to spatial justice, spatial sustainability, efficiency and good administration have all been considered.

The LUPA considerations and development principles of SPLUMA require:

- ✓ The protection and promotion of the sustainable use of agricultural land. Not applicable.
- ✓ Consideration of the public interest, which is done through the compliance with the spatial planning policies and guidelines as indicated above. As indicated above, the proposed redevelopment of the property will improve the townscape character by creating a larger street facing garden and allowing for larger trees.
- ✓ Promotion of constitutional transformation imperatives and the related duties of the state. No comment.
- ✓ Proper consideration of the facts and circumstances relevant to the application, as have been set out above, indicating grounds for a positive land development consideration and decision. The relevant facts are that the restrictive conditions do not apply to the neighbourhood, but to a specified area and specific landowners. Moreover, these conditions are no longer relevant, given the development of the properties since 2000.
- ✓ The respective rights and obligations of all those potentially affected, primarily the existing residents and surrounding property owners, public and private service providers and the wider community have been considered and there are

no identified significant issues. The only identified issue is the removal of the restrictive conditions as indicated above.

- ✓ The impact of the proposed development on engineering services infrastructure, social infrastructure, and open space requirements. There is no impact, as the proposed redevelopment makes use of existing resources and reduces demand.
- ✓ Spatial justice must be considered, and past spatial and other development imbalances must be redressed through improved access to and use of land. At the scale of the proposed development and the nature thereof, it does not offer any significant opportunity for redress. The proposed development does not have any negative effect on the spatial development framework and policies for such redress.
- ✓ Spatial sustainability has been considered and the proposed land development is within the fiscal, institutional, and administrative means of the state, given that the development will contribute to the municipal and local economic revenue base, without requiring public expenditure to occur. It is unlikely to cause the lowering of the service levels in municipal or other public infrastructure.
- ✓ Efficiency (optimising the use of existing resources and infrastructure) is insignificant at the scale of the proposed redevelopment.
- ✓ Spatial resilience has been addressed, as the SDF and other policies allow for flexibility to ensure sustainable development, amongst others by determining policy to assess the applications for land development in the area.
- ✓ Good administration is a function of the authorities, not affected by the proposed development, except for the direct approach of the beneficiary landowners to comment on the removal of the restrictive conditions.

## 2.5 Heritage

The proposed land development does not require authorisation in terms of Section 34 or 38 of the National Heritage Resources Act, 1999, Act 25 of 1999. Further, as indicated above, the townscape character area guidelines and elements have been considered and the proposed redevelopment will enhance the character area.

## 2.6 Engineering

A traffic statement for the proposed redevelopment is not necessary as more traffic is not generated. Storm water, water and sewerage services are existing, and the demand will reduce. Solid waste is removed by the Municipality. Electrical services and capacity are existing.

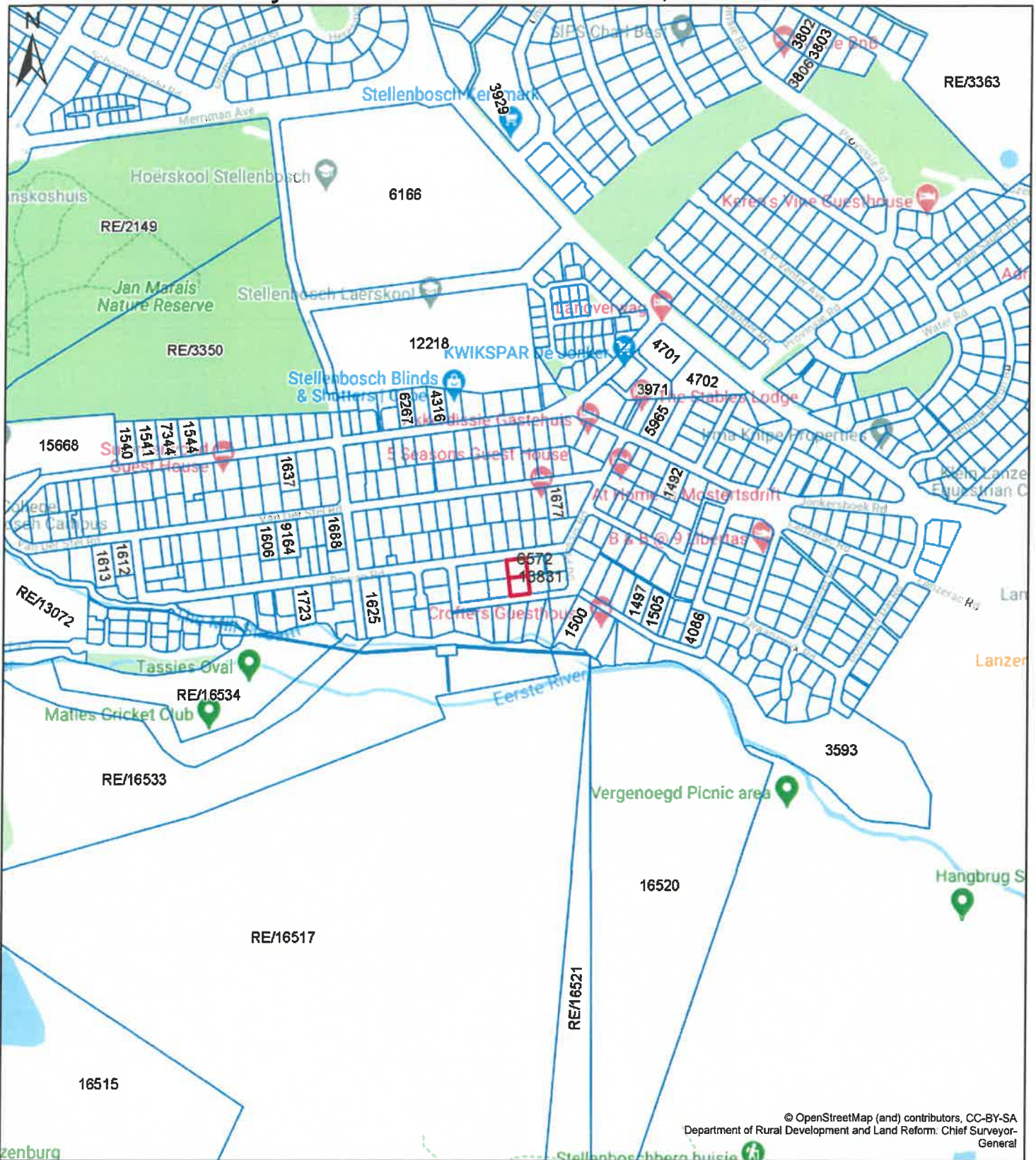
## 3. CONCLUSION

The application for the consolidation of Erven 6572 and 13831, Stellenbosch is aligned to the development vision as set out in the Stellenbosch SDF and it is aligned to the predominant use of erven in the area and can accordingly be approved.

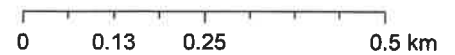
The owners of the beneficiary properties have all been requested to provide their written agreement with the removal of the restrictive conditions, as included in Annexure D. The agreement is unanimous and the restrictive conditions 1 and 2 can accordingly be removed.

## ANNEXURE A: LOCALITY

# Locality of Erven 6572 and 13831, Stellenbosch



**Legend**  
 Erf



**Scale:** 1:10 000

**Date created:** September 30, 2020

Compiled with CapeFarmMapper



**Western Cape  
Government**

Agriculture

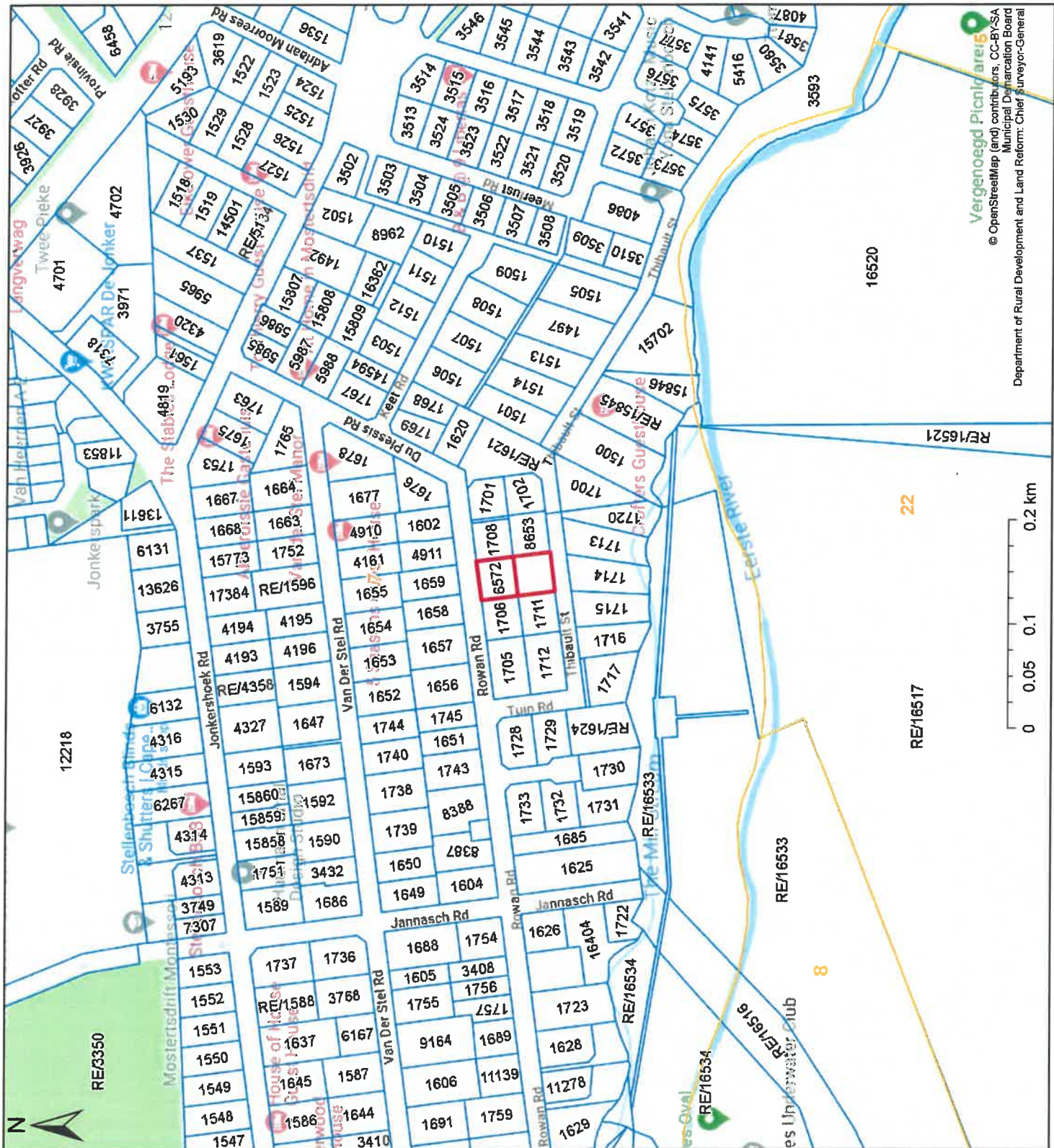
© OpenStreetMap (and) contributors, CC-BY-SA  
 Department of Rural Development and Land Reform. Chief Surveyor-General



# Locality of Erven 6572 and 13831, and 13831,

- Legend**
- Wards
  - Erf

**Scale:** 1:5 000  
**Date created:** September 30, 2020



Vergenoegd Picturaris  
 © OpenStreetMap (and) contributors, CC-BY-SA  
 Municipal Demarcation Board  
 Department of Rural Development and Land Reform: Chief Surveyor-General

Compiled with CapeFarmMapper



**TAX INVOICE**  
**STELLENBOSCH**  
STELLENBOSCH • P.N.E.E • TRASSIEBOEK  
 MUNICIPALITY • UMASIPATA • MUNISIPALITEIT

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

DATE:	2020-10-22	DOCUMENT NO.:	696157
ERF/FARM NO:	6572 and 13831	CREATED BY:	Nicole Katts
LOCALITY:	27Rowanand6Thibault St, STELLENBOSCH	APPLICATION NO.:	LU/12073
OWNER'S NAME:	H A J Lourens	APPLICANT VAT NO.:	0
ADDRESS:	77 Buitekroonring Dalsig Stellenbosch	VAT NO.:	4700102181
		APPLICANT:	Virdus Works (Pty) Ltd Duursma Lombard
		TEL NO.:	0828956362

FEE DESCRIPTION	AMOUNT PER UNIT (R)	NUMBER OF UNITS	VOTE NUMBER	AMOUNT (R)
REMOVAL / SUSPENSION / AMENDMENT - Removal, Suspension or Amendment of Restrictive Title Deed Conditions, Per application	R 2,500.00	1	20180711011484	R 2,500.00
SUBDIVISION and CONSOLIDATION - Subdivision and Consolidation (Amendment/Cancellation of Subdivisional Plan / General Plan / Diagram).	R 5,000.00	1	20180711011497	R 5,000.00
<b>TOTAL AMOUNT PAYABLE</b>				R 7,500.00
VAT included @ 15%				R 978.26

**All Tariffs include 15% VAT  
 FROM 1 JULY 2020 TO 30 JUNE 2021**

CALCULATED BY:  
 NAME: *Nicole Katts*  
 SIGNATURE: \_\_\_\_\_

VERIFIED BY:  
 NAME:  
 SIGNATURE: \_\_\_\_\_

DATE: *23 10 2020*

DATE: \_\_\_\_\_

PAYMENT 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

BANKING DETAILS FOR EFT PAYMENT:  
 ACCOUNT HOLDER: Stellenbosch Municipality  
 BANK: Nedbank  
 ACCOUNT NUMBER: 1152271679  
 BRANCH CODE: 198765  
 REF: 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



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

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## DUPLICATE RECEIPT

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Local Authority: Stellenbosch Municipality

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17, STELLENBOSCH 7599  
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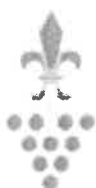
## Nicole Katts

---

**From:** Nicole Katts  
**Sent:** Thursday, 22 October 2020 09:37  
**To:** 'Dupré Lombaard (Virdus Works)'  
**Cc:** 'sonita.matthee@virdus.com'  
**Subject:** APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND CONSOLIDATION - ERF 6572 AND 13831 STELLENBOSCH (LU/12073)  
**Attachments:** INV - ERF 6572 & 13831 SB.pdf

Dear Mr Lombaard

Please find attached updated invoice. Once payment has been made kindly furnish me with the proof of payment.



*Kind regards / Vriendelike Groete*

**Nicole Katts**

Administrative Officer

Land Use Management

Planning & Economic Development

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T +27 21 808 8318

43 Andringa Str. L'ekstad Mall 3

Stellenbosch

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



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Duprè Lombaard  
Viridus Works (Pty) Ltd  
77 Buitekring Street  
Dalsig  
STELLENBOSCH  
7600

21 October 2020


**SUBJECT: PRE-APPLICATION SCRUTINY FEEDBACK**

**APPLICATION FOR CONSOLIDATION AND REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS  
– ERF 6572, ROWAN STREET AND ERF 13831, THIBAUT STREET, STELLENBOSCH**

1. Your pre-application scrutiny submission on the above property dated **12 October 2020**, 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.
4. The intended land use and/ or land development application also needs to fulfill the requirements as stipulated in Section 38 of the SLUPB. The required application documents and related information on any applicable Bylaws, Policies and Spatial Plans are available on the Planning Portal of the Municipal Website. (<https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal>)
5. Please note that the sole purpose of this pre-application scrutiny feedback is to facilitate an accurate approach for the intended land use and/ or land development application. The feedback should consequently not be interpreted to represent any position on the merit nor desirability of such intended land use and/ or land development application, which can only be determined once a complete application has been received and duly processed and decided on by the authorised decision maker.
6. It should also be noted that the complete application should first be submitted without the payment of any applicable application fees. Only when satisfied that a complete and accurate application has been submitted, will a proforma invoice be submitted to the applicant with payment instructions. Once proof of payment is received, the application will be regarded as duly submitted in accordance with a notice as contemplated in terms of Section 41(1)(c)(i) of the SLUPB.

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

Kind regards



Louisa Guntz  
Senior Town Planner  
[Louisa.Ollyn@stellenbosch.gov.za](mailto:Louisa.Ollyn@stellenbosch.gov.za)



## LAND USE PRE-APPLICATION CONSULTATION FORM

### **KINDLY NOTE:**

- This Pre-Application 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) (<https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal/legislation/3116-stellenbosch-municipality-land-use-planning-by-law-2015/file>)*
- The applicant will be notified if a pre-consultation meeting will be required in terms of Section 37 of the said Bylaw on receipt and scrutiny of this Pre-Application form.*

### **PART A: APPLICANT & PROPERTY PARTICULARS**

NAME: Dupré Lombaard (Virdus Works (Pty) Ltd

E-MAIL: dupre.lombaard@virdus.com

TEL/CELL: +27 82 895 6362

Registered Erf Number(s) / Farm & Portion Number(s): Erven 6572 and 13831, Stellenbosch

Physical Address: 27 Rowan Street (Erf 6572) and 6 Thibault Street (Erf 13831)

Suburb & Town: Dr Malan, Stellenbosch

Registered Owner: HAJ Lourens

Current Zoning: Conventional Residential Zone

Current land use: Residential dwelling (house on Erf 6572 approved for demolition)

Are there existing buildings on the subject property(ies)?	Yes	No
Are there any existing unauthorized buildings and/or land use on the subject property(ies)?	Yes	No
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
Is the property located in a heritage area or contains any heritage significant buildings?	Yes	No
Does the property fall inside the urban edge ?	Yes	No

### **PART B: QUESTIONNAIRES**

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

	Rezoning		Subdivision	X	Removal/Suspension Amendment of restrictive conditions		Consent use
	Permanent Departure	X	Consolidation		Closure of public place		Rectification/ disestablishment of HOA
	Temporary Departure		Amendment of condition(s) of approval		Extension of validity period of approval		Amendment/cancela tion of approved subdivision plan
	Determination of a zoning		Occasional use		Permission in terms of zoning scheme		Permission in terms of condition of approval
<b>OTHER</b>			Technical Approval		Exemption		

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

The owner recently purchased Erf 6572 and wishes to redevelop Erven 6572 (0,0918ha) and 13831 (0,0920ha), Stellenbosch by the consolidation thereof and the development of a new swimming pool, recreation room and outbuildings simultaneous with the renovation and upgrading of the existing house on Erf 13831. The existing building (old dwelling house) on Erf 6572 has been approved for demolition (BP20/1283 dd 11 September 2020). The house on Erf 13831 will be renovated and the new buildings and structures will be constructed over what is currently the common boundary between the two erven, hence the need to consolidate them.

This is an application in keeping with Section 15 of the Stellenbosch Municipality Land Use Planning Bylaw, 2015. The application covers the following aspect(s):

- (1) Section 15 (2)(e) a consolidation of land that is not exempted in terms of section 24; and
- (2) Section 15 (2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit.

The proposed use and development parameters will be in keeping with the Stellenbosch Municipality Zoning Scheme Bylaw, 2019.

Erf 6572 is held by Deed 20025/2020 and Erf 13831 is held by Deed 39312/2013. There are no title deed restrictions preventing the proposed land development. There is a title condition in favour of certain neighbouring properties, restricting the subdivision of the property, the construction on it of one dwelling unit and the maintenance of a 9,45m street building line.

**RELEVANCE OF ANY PLANNING LEGISLATION/ POLICIES AND PLANS**

QUESTIONS REGARDING PLANNING CONTEXT	YES	NO	Details
Are any Municipal plans / policies / guidelines, or any restrictive title conditions, or other legislation / authorizations applicable on the application, and if yes, is the proposal consistent / compliant of such?	X		<b>Stellenbosch Municipality SDF, 2019</b>



Describe: The SDF promotes the conservation of the townscape character elements in the Mostertsdrift area.		
<b>DOES THE PROPOSAL REQUIRE THE FOLLOWING ADDITIONAL INFRASTRUCTURE / SERVICES? E.g. Electricity; Water; Sewerage; Road network; other?</b>	<b>YES</b>	<b>NO</b>
Details: The existing services are sufficient for the proposed consolidation and use.		<b>X</b>

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

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

- 1. Locality plan**
- 2. Layout Plan of proposal** (eg 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.
- Incomplete pre-applications forms or if required minimum supporting documents is not submitted the pre-application form will not be accepted by the Municipality.

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

Applicant's signature: \_\_\_\_\_ Date: \_\_\_\_\_

**FOR OFFICE USE:**

Municipal Stamp
Received by: _____
Date: _____

**DETERMINATION BY AUTHORISED OFFICIAL**

Additional Information	Pre-Application Consultation	Application Ready	<input checked="" type="checkbox"/>
------------------------	------------------------------	-------------------	-------------------------------------

Sign: <i>[Signature]</i>	Date: 21/10/20
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**APPLICANT INFORMED BY RESPONSIBLE OFFICIAL**

Sign: Dumb

Date: 21/10/20

**LAND DEVELOPMENT APPLICATION FOR:  
REMOVAL OF TITLE CONDITIONS AND  
CONSOLIDATION OF  
ERVEN 6572 AND 13831, STELLENBOSCH**



October 2020

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**ANNEXURE F: CONSOLIDATION PLAN**

**EXECUTIVE SUMMARY**

<p><b>Owner:</b> <b>Mr HAJ Lourens</b></p> <p>Cellular phone: +27 82 462 1147</p> <p>E-mail: <a href="mailto:henklourens@capitechank.co.za">henklourens@capitechank.co.za</a></p> <p>Address: 6 Thibault Street, Stellenbosch, 7600</p>	<p><b>Project Consultant:</b> <b>Mr Dupré Lombaard</b></p> <p>Viridus Works (Pty) Ltd Reg No 2018/585747/07</p> <p>SACPLAN: B/8076/1998</p> <p>Cellular phone: +27 82 895 6362</p> <p>E-mail: <a href="mailto:dupre.lombaard@viridus.com">dupre.lombaard@viridus.com</a></p> <p>Address: 77 Buitekring, Dalsig, Stellenbosch, 7600, South Africa</p>
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The owner recently purchased Erf 6572 and wishes to redevelop Erven 6572 (0,0918ha) and 13831 (0,0920ha), Stellenbosch by the consolidation thereof and the development of a new swimming pool, recreation room and outbuildings simultaneous with the renovation and upgrading of the existing house on Erf 13831. The existing building (old dwelling house) on Erf 6572 has been approved for demolition (BP20/1283 dd 11 September 2020). The house on Erf 13831 will be renovated and the new buildings and structures will be constructed over what is currently the common boundary between the two erven, hence the need to consolidate them.

This is an application in keeping with Section 15 of the Stellenbosch Municipality Land Use Planning Bylaw, 2015. The application covers the following aspect(s):

- (1) Section 15 (2)(e) a consolidation of land that is not exempted in terms of section 24; and
- (2) Section 15 (2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit

The proposed use and development parameters will be in keeping with the Stellenbosch Municipality Zoning Scheme Bylaw, 2019.

Erf 6572 is held by Deed 20025/2020 and Erf 13831 is held by Deed 39312/2013. There are no title deed restrictions preventing the proposed land development. There is a title condition in favour of certain neighbouring properties, restricting the subdivision of the property, the construction on it of one dwelling unit and the maintenance of a 9,45m street building line.

## 1. BACKGROUND

### 1.1 Introduction

The owner resides on Erf 13831 and recently purchased the abutting Erf 6572, as indicated in the attached conveyancer's certificate and title deed. The two properties were previously consolidated Erven 1707 and 1710 and existed as Erf 6572, until Erf 13831 was subdivided in 2000.

The application deals with the proposed consolidation and redevelopment of Erven 6572 and 13831, Stellenbosch. Both properties contain a dwelling house. The house on Erf 6572 has been approved for demolition (BP20/1283 dd 11 September 2020). The owner wishes to upgrade the existing house on Erf 13831, on Thibault Street, built 5m from the street boundary and 2,5m from each of the side boundaries. The building lines are in keeping with the Stellenbosch Municipality Zoning Scheme Bylaw, 2019, but require the permission of the neighbouring properties in terms of the restrictive conditions in the title deeds, which restrict the buildings to a 9,45m street building line.



Figure 1: Erven 6572 and 13831 locality shown in red

### 1.2 Title deed

The title deeds contains a specific condition as a servitude right in favour of some of the neighbouring properties regarding the subdivision, the use of the property, the value of a house to be built on the property and the street building line. The properties that have the benefit of the restrictive conditions, are Erven 1713, 1714, 1715, 1716 and 1720 (Annexure D).

These owners would have to be consulted to give their specific permission for the removal of the relevant title condition and cancellation of the servitude right entered by servitude endorsement into the historic Title Deed no. 5171 of 05 June 1918.

2. A. Onderhewig verder aan die volgende spesiale voorwaardes soos vervat in Transportakte No. T99827/1999 neergelê vir die voordeel van die eienaars van die voorgenoemde vaste eiendom en vir perseel J S getranspoteer aan J J STRASHEIM op 13 Januarie 1933 Nommer 63, en vir al die onderverdelings van persele 255 tot 265 wat geleë is onmiddelik ten ooste van gesegde perseel J S (die gemelde voorwaardes is opgelê ten gevolge van 'n serwituit endossement gedateer 13 Januarie 1933 op gemelde transportakte Nommer 5171 gedateer 5 Junie 1918, naamlik:
  1. Dat alleenlik een woonhuis op gesegde perseel opgerig word wat 'n enkele en nie "semi-detached" woonhuis sal wees nie en ten minste 9,45 meter van die aanliggende straat.
  2. Dat geen woonhuis op gesegde perseel gebou sal word van minder waarde dan die perseel onder verdeel nie.
  3. Dat die transportontvanger en sy opvolgers in tite! nie die reg sal hê om die gesegde perseel onder te verdeel nie.
  4. Dat geen varke op die grond gehou mag word nie.

Figure 2: Historic title conditions applicable to Erven 6572 and 13831

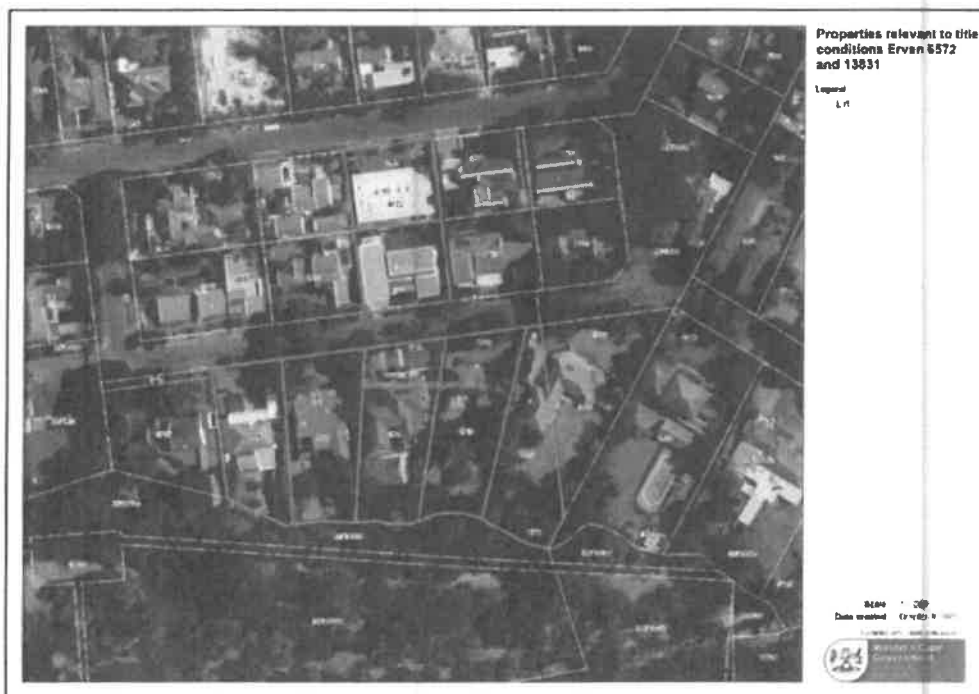


Figure 3: Historic title condition beneficiary properties

## 2. LAND DEVELOPMENT APPLICATION AND AUTHORISATION

### 2.1 Development context

2.1.1 The subject property is located in a residential neighbourhood, where surrounding properties are similarly zoned and used. Houses in the area are uniform in size and scale. As is visible in Figure 3 above, it was only the house on Erf 6572 that was set back from the street, while most others are built up to four or five metres from the street.

The majority of the houses have well developed gardens with large trees, creating a green neighbourhood where the residential density is around 7,5 units per gross hectare.

2.1.2 The Stellenbosch Municipality Spatial Development Framework, 2019, indicates the area as a potential character conservation area. It is however not included in the Urban Conservation Overlay Zone in the Zoning Scheme Bylaw. It falls inside of the Mostertsdrift townscape character area that is described as having significance at the local level of the town. The character area is defined by the many older, Victorian-era villa structures, complemented by modern houses of similar scale and development form. The tree-lined streets and the expansive street facing gardens are indicated as being characteristic of the area.

### 2.2 Land use planning / land development application

2.2.1 Application in terms of Section 15 (2)(e) a consolidation of land that is not exempted in terms of section 24.

The properties are zoned for Conventional Residential use, inside of the urban edge and inside of an identified urban character area. Neither property has any historical significance. The two properties were created in 1904, consolidated in 1978 and again subdivided in 2000.

The title deed restrictions do not prohibit the consolidation of the erven.

2.2.2 Application in terms of Section 15 (2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit.

The properties are subject to a title condition imposed by servitude agreement between the then owner(s) of the beneficiary properties and one J Strasheim who purchased the properties in 1933. The servitude conditions were endorsed on the 1933 title deeds of Erven 1707 and 1710, the properties which were consolidated to Erf 6572. The title restrictions are of limited scope and are of interest only to the beneficiary properties.

The title conditions are no longer applicable, given the development of the house on Erf 13831, at a distance of 5m from the street building line



and the subdivision of the properties in 2000. The conditions regarding the value of the houses to be built on the properties and the keeping of pigs are similarly outdated.

## 2.3 Motivation

- 2.3.1 The proposed consolidation and removal of the restrictive conditions will have no negative effect on the residential character of the surrounding environment.

An analysis of the Mostertsdrift townscape character area indicates that the creation of large street facing gardens and tree lined streets are important. By consolidation of the two properties, these character elements could be reinforced, especially on Rowan Street where the existing house will be demolished and replaced with a garden and recreation area.

- 2.3.2 The Integrated Development Plan 2020 (IDP), including the municipal spatial development framework approved in 2019 make specific provision for the retention of the character of certain identified areas. The Mostertsdrift area is identified as a townscape character area and proposed redevelopment of the consolidated erven takes cognisance of and enhances the character elements (large gardens and tree lined streets)

- 2.3.3 The restrictive title conditions in the title deeds are relevant only to the beneficiary properties as indicated in Annexure D. The conditions do not have any bearing on the properties in the wider Karindal and Mostertsdrift area.

These are restrictive conditions of a servitude registered against the title deed of the property, the beneficiaries of which are known. The purpose of title restrictions is mainly to protect the value and character of the particular area, being Thibault Street and more specifically some of the properties (Erven 1713 – 1716 and 1720) to the south thereof. Numerous court judgments have indicated that when an owner removes such a condition, the rights of the specific owners of the beneficiary properties are diminished or extinguished. The title deed restrictions are for the benefit of the identified owners and the owner of the restricted properties is burdened thereby.

The removal process requires an application to be lodged with the Municipality, in terms of the Land Use Planning Bylaw. However, each of the individual beneficiary owners need to grant their consent for such removal, failing which the application should be lodged through the High Court. This application is for the permanent removal of conditions 1 and 2 from the title deeds of Erven 6572 and 13831, which are also conditions imposed in the Certificate of Consolidated Title in Deed No. 3488/1978, which conditions are highlighted in Figure 2 above.

The judgment in the *Camps Bay Ratepayers and Residents Association and Others v Minister of Planning, Culture and Administration, Western Cape 2001(4) SA294 (C)* indicates that one or more of the following need to be indicated for the removal of a restriction:

- It must be desirable to remove the restriction in the interests of the public;
- It must be desirable to remove the restriction in the interests of an establishment;
- It must be desirable to remove the restriction in the interests of a development; or
- It must be desirable to remove the restriction in the interests of any area.

It further indicates that any removal, amendment or suspension of a restrictive title deed condition must be in accordance with section 25 of the Constitution of the Republic of South Africa Act, 1996, Act 108 of 1996 (The Constitution), in so far as it implies a deprivation of land rights. The requested removal must therefore be supported by the written consent of all those affected or beneficiary property owners as contemplated in section 25 of The Constitution.

#### 2.4 SPLUMA and LUPA principles

The matters referred to in Section 42 of the Spatial Planning and Land Use Management Act, 2013 and the principles referred to in Chapter VI of the Western Cape Land Use Planning Act, 2014, with specific reference to spatial justice, spatial sustainability, efficiency and good administration have all been considered.

The LUPA considerations and development principles of SPLUMA require:

- ✓ The protection and promotion of the sustainable use of agricultural land. Not applicable.
- ✓ Consideration of the public interest, which is done through the compliance with the spatial planning policies and guidelines as indicated above. As indicated above, the proposed redevelopment of the property will improve the townscape character by creating a larger street facing garden and allowing for larger trees.
- ✓ Promotion of constitutional transformation imperatives and the related duties of the state. No comment.
- ✓ Proper consideration of the facts and circumstances relevant to the application, as have been set out above, indicating grounds for a positive land development consideration and decision. The relevant facts are that the restrictive conditions do not apply to the neighbourhood, but to a specified area and specific landowners. Moreover, these conditions are no longer relevant, given the development of the properties since 2000.
- ✓ The respective rights and obligations of all those potentially affected, primarily the existing residents and surrounding property owners, public and private service providers and the wider community have been considered and there are

no identified significant issues. The only identified issue is the removal of the restrictive conditions as indicated above.

- ✓ The impact of the proposed development on engineering services infrastructure, social infrastructure, and open space requirements. There is no impact, as the proposed redevelopment makes use of existing resources and reduces demand.
- ✓ Spatial justice must be considered, and past spatial and other development imbalances must be redressed through improved access to and use of land. At the scale of the proposed development and the nature thereof, it does not offer any significant opportunity for redress. The proposed development does not have any negative effect on the spatial development framework and policies for such redress.
- ✓ Spatial sustainability has been considered and the proposed land development is within the fiscal, institutional, and administrative means of the state, given that the development will contribute to the municipal and local economic revenue base, without requiring public expenditure to occur. It is unlikely to cause the lowering of the service levels in municipal or other public infrastructure.
- ✓ Efficiency (optimising the use of existing resources and infrastructure) is insignificant at the scale of the proposed redevelopment.
- ✓ Spatial resilience has been addressed, as the SDF and other policies allow for flexibility to ensure sustainable development, amongst others by determining policy to assess the applications for land development in the area.
- ✓ Good administration is a function of the authorities, not affected by the proposed development, except for the direct approach of the beneficiary landowners to comment on the removal of the restrictive conditions.

## **2.5 Heritage**

The proposed land development does not require authorisation in terms of Section 34 or 38 of the National Heritage Resources Act, 1999, Act 25 of 1999. Further, as indicated above, the townscape character area guidelines and elements have been considered and the proposed redevelopment will enhance the character area.

## **2.6 Engineering**

A traffic statement for the proposed redevelopment is not necessary as more traffic is not generated. Storm water, water and sewerage services are existing, and the demand will reduce. Solid waste is removed by the Municipality. Electrical services and capacity are existing.

## **3. CONCLUSION**

The application for the consolidation of Erven 6572 and 13831, Stellenbosch is aligned to the development vision as set out in the Stellenbosch SDF and it is aligned to the predominant use of erven in the area and can accordingly be approved.

The owners of the beneficiary properties have all been requested to provide their written agreement with the removal of the restrictive conditions, as included in Annexure D. The agreement is unanimous and the restrictive conditions 1 and 2 can accordingly be removed.

## ANNEXURE A: LOCALITY

# Locality of Erven 6572 and 13831, Stellenbosch



## Legend

 Erf

0 0.13 0.25 0.5 km

Scale: 1:10 000

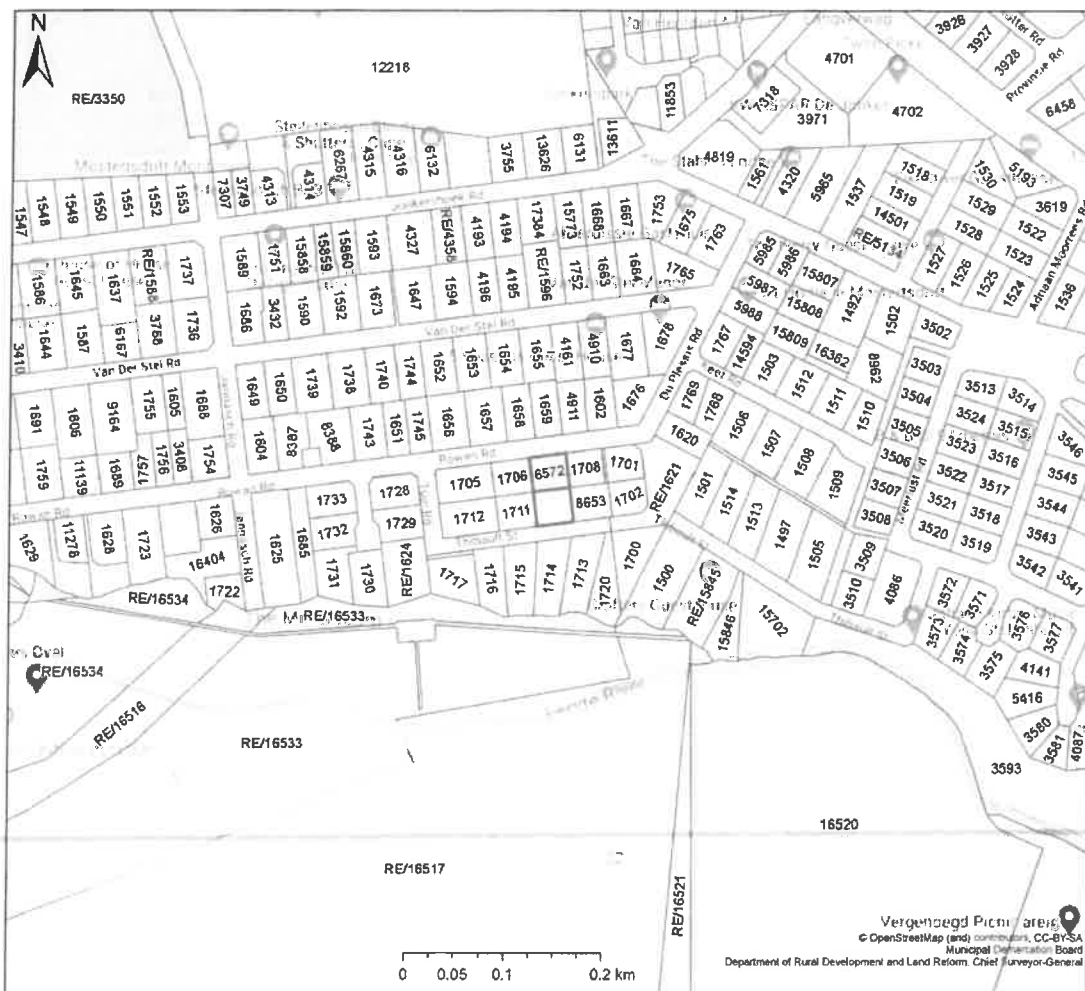
Date created: September 30, 2020

Compiled with CapeFarmMapper



Western Cape  
Government

Agriculture



### Locality of Erven 6572 and 13831,

#### Legend

- Wards
- Er

Scale: 1:5 000  
 Date created: September 30, 2020

Compiled with CapeFarmMapper



Western Cape  
 Government  
 Agriculture

Vergoedheid Pictorial  
 © OpenStreetMap (and) contributors, CC-BY-SA  
 Municipal Information Board  
 Department of Rural Development and Land Reform, Chief Surveyor-General

## **ANNEXURE B: APPLICATION AUTHORISATION AND FORM**



# STELLENBOSCH

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## 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)	Dupré					
Surname	Lombaard					
Company name (if applicable)	Virdus Works (Pty) Ltd					
Postal Address	77 Buitekring, Dalsig, Stellenbosch				Postal Code	7600
	Email					dupre.lombaard@virdus.com
Tel		Fax		Cell	082 895 6362	

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

Registered owner(s)	H A J Lourens					
Physical address	6 Thibault Street, Stellenbosch				Postal code	7600
	E-mail					henklourens@capitecbank.co.za
Tel	+27 21 809 5921	Fax		Cell	+27 82 462 1147	

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

Erf / Erven / Farm No.	6572 and 13831	Portion(s) if Farm		Allotment area	Stellenbosch
Physical Address	Erf 6572 - 27 Rowan Street and Erf 13831 - 6 Thibault Street, Stellenbosch				
Current Zoning	Conventional Residential	Extent	0,92 ha	Are there existing	Y



Applicable Zoning Scheme	<b>Stellenbosch Municipality IZS Bylaw 2019</b>					
Current Land Use	<b>Single dwellings - house on Erf 6572 approved for demolition</b>					
Title Deed number and date	T	<b>Erf 6572: Deed 20025/2020 and Erf 13831: Deed 39312/2013</b>				
Attached Conveyance's Certificate	<input checked="" type="radio"/>	N	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)?	<input checked="" type="radio"/>	Y	If Yes, list the party(ies): <b>Neighbouring properties Erven 1713 - 1716 and 1720 only</b>			
Is the property encumbered by a bond?	<input checked="" type="radio"/>	N	If Yes, list the bondholder(s): <b>Investec</b>			
Is the property owned by Council?	<input checked="" type="radio"/>	N	If Yes, kindly <u>attach a power of attorney</u> from the Manager Property Management			
Is the building located within the historical core?	<input checked="" type="radio"/>	N	Is the building older than 60 years?	<input checked="" type="radio"/>	N	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) <sup>1</sup>
Any existing unauthorized buildings and/or land use on the subject property(ies)?			<input checked="" type="radio"/>	N	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) <sup>1</sup>	If Yes, kindly indicate which section are triggered and attached the relevant permit if applicable.
Are there any pending court case(s) / order(s) relating to the subject property(ies)?			<input checked="" type="radio"/>	N	Are there any land claim(s) registered on the subject property(ies)?	<input checked="" type="radio"/>
<b>PART D: PRE-APPLICATION CONSULTATION</b>						
Has there been any pre-application consultation?			<input type="radio"/>	N	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: <i>Cost are obtainable from the Council Approved tariffs<sup>3</sup></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 <u>primary rights</u> 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;					
<b>X</b>	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> The relevant tariffs are available on the Council's website: [www.stellenboschmunicipality.gov.za](http://www.stellenboschmunicipality.gov.za) page 201 - 202 and 203.

X	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
<b>TOTAL A:</b>	<b>R</b>

**PRESCRIBED NOTICE AND FEES\*\* (for completion and use by official)**

Tick	Notification of application in media	Type of application	Cost
	<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> (TOTAL A + 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.

**BANKING DETAILS**

Name: Stellenbosch Municipality  
 Bank: NEDBANK  
 Branch no.: 198765  
 Account no.: 1152271679  
 SWIFT: NEDSZAJJ  
 Payment reference:  
 (Erf/Farm number) .....

DETAILS FOR INVOICE	
Name & Surname/Company name (details of party responsible for payment)	DUPRÉ LOMBAARD
Postal Address	77 BUITEKRING, DALSIG, STELLENBOSCH, 7600, SOUTH AFRICA
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)		_____					
		_____					
		_____					

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

The property is currently zoned for residential use. The applicant proposes to develop the property for residential use, specifically for the construction of a residential building. The proposed development is in accordance with the zoning scheme regulations. The applicant has obtained all necessary permits and approvals from the relevant authorities. The proposed development is in accordance with the zoning scheme regulations. The applicant has obtained all necessary permits and approvals from the relevant authorities. The proposed development is in accordance with the zoning scheme regulations. The applicant has obtained all necessary permits and approvals from the relevant authorities.

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

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

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

**SECTION I: DECLARATION**

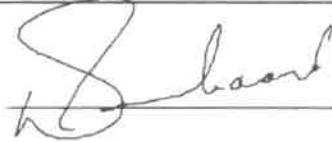
I hereby wish to confirm the following :

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

declarations made as to his or her qualification as a Competent person and/or registration as a professional.

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

Applicant's signature:



Date:

**10 October 2020**

Full name:

**DUPRÉ LOMBAARD**

Professional capacity:

**Applicant**

**FOR OFFICE USE ONLY**

Date received: \_\_\_\_\_

Received By: \_\_\_\_\_



**LETTER OF AUTHORISATION/ POWER OF ATTORNEY**

(Requirement in terms of the Stellenbosch Municipality Land Use Planning Bylaw, 2015 and other relevant legislation)

I, Hendrik Albertus Jacobus Lourens, ID. No. 6601075026087, the undersigned landowner of Erven 6572 and 13831, Stellenbosch, confirm that permission and special power of attorney has been granted to Viridus Works (Pty) Ltd (Reg. No. 2018/585747/07) and Dupré Lombaard, to act on the behalf of the land owner(s) to perform any act which he/ she/ it may be legally entitled to undertake to accomplish the following objectives and goals in terms of the above Bylaw and any other applicable legislation:

***To prepare and submit applications for the authorisation of the following activities/ land use / development in terms of the relevant Acts and Bylaws:***

*The consolidation of the properties, removal of restrictive title conditions and any other limitations contained in the title deeds of the properties, and the relaxation of the building lines, inclusive applications in terms of the National Heritage Resources Act, 1999, Act 25 of 1999, if required.*

-----

**Contact details (physical address / phone/ fax):**

Physical address: 6 Thibault Street, Stellenbosch, 7600

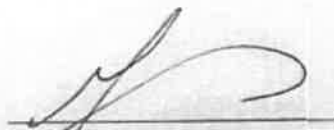
Postal address: as above

Telephone: 021 8095900

Facsimile: n/a

Cellular: 0824621147

Email: henklourens@capitecbank.co.za



Signed:

30/9/20

Date

By my / our signature(s) I / we confirm that I / we have been fully authorised to act on behalf the above landowner (in terms of the applicable resolution or other proof of authorisation to act on behalf of a juristic person hereto).

## **ANNEXURE C: CONVEYANCER'S CERTIFICATE, TITLE DEEDS AND DIAGRAMS**





**CONVEYANCER CERTIFICATE**

I/We Lucille Geldenhuys

(If you are a natural person)

Practising at:

1st floor Merlot House, Brandwacht  
 Office Park, Trumali Street,  
 Stellenbosch, 7600

(If you are a firm)

In respect of:

Remainder Erf 6572 Stellenbosch  
 In the Municipality and Division  
 Stellenbosch, Western Cape  
 Province, in extent 918 square metres

(If you are a firm, please specify the deed of sale)

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

1. T66659/2008 dated 16/10/2008
2. T66151/2000 dated 7/8/2000
3. T3488/1978 dated 1/3/1978
4. T99827/1999 dated 13/12/1999
5. T5171/1918 dated 5/6/1918
6. T63/1933 dated 13/1/1933
7. ....
8. ....

For use by the Deeds Office: (If you are a firm, please specify the deed of sale)



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	<input checked="" type="radio"/> Y	<input type="radio"/> N	T66659/2008 Clause 2A1 Clause 2A4
2.	Building lines	<input type="radio"/> Y	<input type="radio"/> N	T66659/2008 Clause 2A1
3.	Height	<input type="radio"/> Y	<input checked="" type="radio"/> N	
4.	Number of Dwellings	<input type="radio"/> Y	<input type="radio"/> N	T66659/2008 Clause 2A1
5.	Bulk floor area	<input type="radio"/> Y	<input checked="" type="radio"/> N	
6.	Coverage/built upon area	<input type="radio"/> Y	<input checked="" type="radio"/> N	
7.	Subdivision	<input checked="" type="radio"/> Y	<input type="radio"/> N	T66659/2008 Clause 2A3
8.	Servitudes that may be registered over or in favour of the property	<input type="radio"/> Y	<input checked="" type="radio"/> N	
9.	Other Restrictive Conditions	<input checked="" type="radio"/> Y	<input type="radio"/> N	T66659/2008 Clause 2A4



# STELLENBOSCH

STELLENBOSCH • STIEL • STANSCHOUK

MUNICIPALITEIT • UMUSIPALA • MUNICIPALITY

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

Indicate the names of all persons whose rights or legitimate expectations will be affected by the removal/suspension/amendment of a restrictive condition as per Section 15(1) (a, b or c) of the Land Use Planning By-Law (2015) and the name of each property (as per the title deed) for which the restrictive condition applies.

a. Organ(s) of State that might have an interest in the restrictive condition	_____
b. A person whose rights or legitimate expectations will be affected by the removal/suspension/amendment of a restriction condition.	
c. All persons mentioned in the deed for whose benefit the restrictive condition applies	OWNERS of ERVEN 1713, 1714, 1715, 1716 and 1720 Stellenbosch.

## C. PROCESS BY WHICH RELEVANT CONDITIONS WILL BE ADDRESSED

Indicate the process by which relevant conditions will be addressed.

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

Signed at Stellenbosch (Place) on this 23 (Day) July (Month) of 2020.

Full names and surname: Lucille Geldenhuys

Signature: \_\_\_\_\_

PO Box 12669  
Die Baard  
7613

LUCILLE GELDENHUYS ATTORNEYS  
LUCILLE GELDENHUYS  
COMMISSIONER OF OATHS/NOTARY  
1st FLOOR MERLOT HOUSE  
BRANDWAGT OFFICE PARK, TRUMALI STREET  
STELLENBOSCH, WESTERN CAPE PROVINCE  
REPUBLIC OF SOUTH AFRICA  
CELL: 083 232 4507

Tel: 021 88 79149

Email: lucy@geldenhuys.co.za

Cell: 0832324507

**A. VIR AKTEBESORGER SE GEBRUIK / FOR CONVEYANCER'S USE:**

(a) Gelyktydiges met ander registrasiekantore/deelklets: Smults with other registries/sectional titles.

Kode/Code	Firma / Firm	Eiendom / Property	Kantoor / Office
1			
2			
3			
4			

(b) Klient afskrifte van aktes permanent in Aktekantoor gelêgseer:  
Client copies of deed filed permanently in Deeds Office

Aard en nommer van akte / Nature and number of deed: \_\_\_\_\_  
Cover No. / Omslag Nr.: \_\_\_\_\_  
Parow van ondersoekers initials of Examiners: \_\_\_\_\_

(c) Notas / Notes

---

**B. VIR AKTEKANTOOR GEBRUIK / FOR DEEDS OFFICE USE:**

Intersidie nageproef deur / Interdicts checked by:	Opmerkinge / Remarks	Paragraf / Article
<p>(1) Die goewerke / The works</p> <p>(2) Die goewerke / The works</p> <p>(3) Die goewerke / The works</p> <p>(4) Die goewerke / The works</p> <p>(5) Die goewerke / The works</p> <p>(6) Die goewerke / The works</p> <p>(7) Die goewerke / The works</p> <p>(8) Die goewerke / The works</p> <p>(9) Die goewerke / The works</p>		

Kantoor instruksies / Office instructions  
Sekasie / Section:

329  
CTN 1107  
LUCILLE GELDENHUY'S ATTORNEYS (TEL 021 887-9149)  
LUCILLE GELDENHUY'S PROKUREURS

Datum van indiening / Date of lodgement

Ref. No./View No: 22/16/200

**LODGED** 13 AUG 2020

**INGEBEDIEN** 13-07-2020

**RATES CLEARANCE CERTIFICATE**  
EXPIRES 13/08

Ondersoekers / Examiners	Kamers / Rooms	Skakeling / Linking	Verwerp / Reject	Passasie / Pass
G. WHYDLE 1350				
S. MALLICK		11		

**B. VIR AKTEBESORGER SE GEBRUIK / FOR CONVEYANCER'S USE:**

Aard van Akte / Nature of Deed: *konst. akte*  
*W.T. 4/1/1969*  
*HAT LINDEN*  
t.g. villo

T 00002025 / 2020

Skakeling / Linking: 1 1  
Titelaktes, ens. binne / Title deeds, etc. within: TL dde 59 k 2008

**GELYKTYDIGES / SIMULS**

Reël no. / Rule No.	Kode / Code	Naam van Partys / Name of Parties	Naam van Firma / Name of Firm	Firma no. / Firm No.
1		<i>T. P. ...</i>	<i>L. ...</i>	<i>329</i>
2				
3				
4				
5				
6				
7				
8				
9				
10				

REGISTRASIE VERSOEK DEUR: **LYNNE BOTHA**  
REGISTRATION REQUESTED BY:  
DATUM / DATE: 17 AUG 2020

080007190673

MAKED IN THE EXECUTION  
AUG 17 2020  
HANDS ON FOR EXECUTION

(Kont.) Opgelywing van eiendom (leings sake 1 in Akte) (Ruler) description of property (insert per 1 in Deed)  
*Komende tot 65 W. Stellenbosch*

329

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

Prepared by me

  
CONVEYANCER  
LUCILLE GELDENHUYS

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 7 300 000,00	R. 244 200
Reason for exemption	Category Exemption.....	Exemption i/o. Sec/Reg..... Act/Proc.....

DATA CAPTURE  
17-09-2020  
LITHA VUYO MADAMA

T 000020025/2020

### DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

**LYNNE BOTHA**

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

**WESSEL JOHANNES PIENAAR**  
Identity Number 500709 5019 08 9  
and  
**HESTER ISABEL PIENAAR**  
Identity Number 530408 0093 08 2  
Married in community of property to each other

DATA/VERIFY  
23-09-2020  
NOLUVOMTYATYAMBA

which said Power of Attorney was signed at STELLENBOSCH on 12 JUNE 2020

And the appearer declared that his/her said principal had, on 9 June 2020, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

**HENDRIK ALBERTUS JACOBUS LOURENS**  
**Identity Number 660107 5026 08 7**  
**Married out of community of property**

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

**REMAINDER ERF 6572 STELLENBOSCH**  
**IN THE MUNICIPALITY AND DIVISION STELLENBOSCH**  
**PROVINCE OF THE WESTERN CAPE**

**IN EXTENT 918 (NINE HUNDRED AND EIGHTEEN) Square metres**

**FIRST registered by Certificate of Consolidated Title Number T3488/1978**  
**with Diagram SG Number 713/1978 attached thereto and held by Deed of**  
**Transfer Number T66659/2008**

1. SUBJECT to the conditions contained in Certificate of Consolidated Title Number T3488/1978.
2. SUBJECT further to the following special conditions contained in Deed of Transfer Number T 99827/1999 imposed for the benefit of the owners of the above mentioned immovable property and for premises J S transferred to J J STRASHEIM on 13 January 1933 Number 63 and for all the subdivisions of premises 255 to 265 which is located immediately to the east of the said premises J S (the said conditions are imposed due to a servitude endorsement dated 13 January 1933 on the said Deed of Transfer Number 5171 dated 5 June 1918, namely :
- "1. Dat alleenlik een woonhuis op gesegde perseel opgerig word wat 'n enkel en nie "semi-detached" woonhuis sal wees nie en ten minste 9,45 meter van die aanliggende straat.
  2. Dat geen woonhuis op gesegde perseel gebou sal word van minder waarde dan die perseel onder verdeel nie.
  3. Dat die transportontvanger en sy opvolgers in titel nie die reg sal hê om die gesegde perseel onder te verdeel nie.
  4. Dat geen varke op die grond gehou mag word nie."

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

**WESSEL JOHANNES PIENAAR and HESTER ISABEL PIENAAR, 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

**HENDRIK ALBERTUS JACOBUS LOURENS, Married as aforesaid**

his Heirs, Executors, Administrators or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R7 300 000,00 (SEVEN MILLION THREE 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 August 2020.   
q.q.

In my presence

  
REGISTRAR OF DEEDS'

329

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

Prepared by me

  
CONVEYANCER  
LUCILLE GELDENHUYS

## POWER OF ATTORNEY TO PASS TRANSFER

We, the undersigned

**WESSEL JOHANNES PIENAAR**  
Identity Number 500709 5019 089  
and  
**HESTER ISABEL PIENAAR**  
Identity Number 530408 0093 082  
Married in community of property to each other

do hereby nominate and appoint LYNNE BOTHA and/or HELENE MEYER and/or  
LUCILLE GELDENHUYS and/or ARNO WATSON

with power of substitution to be our true and lawful Attorney and Agent in our name,  
place and stead to appear at the Office of the REGISTRAR OF DEEDS at CAPE  
TOWN or any other competent official in the Republic of South Africa and then and  
there to act as our Attorney and Agent and to pass transfer to:

**HENDRIK ALBERTUS JACOBUS LOURENS**  
Identity Number 660107 5026 087  
Married out of community of property


the property described as:

**REMAINDER ERF 6572 STELLENBOSCH  
IN DIE MUNICIPALITY AND DIVISION STELLENBOSCH  
PROVINCE OF THE WESTERN CAPE**

**IN EXTENT 918 (NINE HUNDRED AND EIGHTEEN) Square metres**

**HELD BY Deed of Transfer Number T66659/2008**

the said property having been sold by us on 9 June 2020, to the said transferee/s  
for the sum of R7 300 000,00 (Seven Million Three Hundred Thousand Rand);





and further cede and transfer the said property in full and free property to the said Transferee; to renounce all right, title and interest which the Transferor here tofore had in and to the said property, and generally, for effecting the purposes aforesaid, to do or cause to be done whatsoever shall be requisite, as fully and effectually, to all intents and purposes, as the Transferor might or could do if personally present and acting therein; hereby ratifying allowing and confirming all and whatsoever the said Agents shall lawfully do or cause to be done in the premises by virtue of these presents.

Signed at STELLENBOSCH on 12 June 2020  
in the presence of the undersigned witnesses.

AS WITNESSES:

1. [Signature]

[Signature]  
WESSEL JOHANNES PIENAAR

2. [Signature]

[Signature]  
HESTER ISABEL PIENAAR

Box 329  
CT.17/107



2

**Transfer Duty Declaration**

**TDR EP**

**Reference Details**

Transfer Duty Reference Number: TDE03B83E9

**Details**

**Details of Seller / Transferor / Time Share Company**

Surname / Registered Name	PIENAAR	Full Name	WESSEL JOHANNES
ID Number	5007095019089	Date of Birth (CCYYMMDD)	1950-07-09
Company / CC / Trust Reg No.		Marital Status	M.I.C OF PROPERTY
Marital Notes if applicable	South Africa	Spouse Initials	H
Spouse ID Number	5304080093082	Spouse Passport Number	

**Details of Seller / Transferor / Time Share Company**

Surname / Registered Name	PIENAAR	Full Name	HESTER ISABEL
ID Number	5304080093082	Date of Birth (CCYYMMDD)	1953-04-08
Company / CC / Trust Reg No.		Marital Status	M.I.C OF PROPERTY
Marital Notes if applicable	South Africa	Spouse Initials	WJ
Spouse ID Number	5007095019089	Spouse Passport Number	

**Details of Purchaser / Transferee**

Full Name	HENDRIK ALBERTUS JACOBUS	Surname / Registered Name	LOURENS
Date of Birth (CCYYMMDD)	1986-01-07	ID Number	6601075026087
Company / CC / Trust Reg No.		Marital Notes if applicable	South Africa
Marital Status	M.O.C OF PROPERTY	Spouse Initials	

**Details of the Property**

Date of Transaction/Acquisition (CCYYMMDD)	2020-06-08	Total Fair Value	R 7300000.00	Total Consideration	R 7300000.00
--	------------	------------------	--------------	---------------------	--------------

**Calculation of Duty and Penalty / Interest**

Transfer Duty Payable on Natural Person	R 7300000.00
---	--------------

**Property Description**

1) THE REMAINDER ERF 6572 STELLENBOSCH IN THE MUNICIPALITY AND DIVISION STELLENBOSCH PROVINCE OF THE WESTERN CAPE IN EXTENT 918 (NINE HUNDRED AND EIGHTEEN) Square metres

**Receipt**

**Receipt Details**

Transfer Duty Reference Number	TDE03B83E9	Receipt No.	12007 40900
Receipt Amount	R 619000.00		

**Declaration by Conveyancer / Attorney**

I certify that this is a true copy of the transfer duty declaration / receipt / exemption certificate drawn from the SARS eFiling site, which will be retained by me for 5 years from the date of registration of transfer.

LUCILLE GELDENHUYS

XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX

Please ensure you sign over the 2 lines of 'X's above

11914b66a2c8876558a568dc6d772559b3068f71

**LUCILLE GELDENHUYS ATTORNEYS  
LUCILLE GELDENHUYS  
COMMISSIONER OF OATHS/NOTARY  
1st FLOOR MERLOT HOUSE  
BRANDWACHT OFFICE PARK, TRUMALI STREET  
STELLENBOSCH, WESTERN CAPE PROVINCE  
REPUBLIC OF SOUTH AFRICA  
CELL: 083 292 1187**

Date (CCYYMMDD) **20200703**

For enquiries go to [www.sars.gov.za](http://www.sars.gov.za) or call 0800 00 SARS (7277)

Box 309  
CTN.1107



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • I MUNISIPALITEIT

30

CERTIFICATE IN TERMS OF SECTION 118 OF THE LOCAL GOVERNMENT:  
MUNICIPAL SYSTEMS ACT, 2000(ACT No. 32 of 2000)  
(AS PRESCRIBED IN TERMS OF SECTION 120 OF ACT No. 32 OF 2000)

## ISSUED BY STELLENBOSCH MUNICIPALITY

Authority is hereby granted in terms of Section 118 of the Local Government  
Municipal Systems Act, 2000 (32 of 2000), for the registration of the transfer of  
the property/ies mentioned herein.

### Property Description:

REMAINDER ERF 6572 STELLENBOSCH  
IN THE MUNICIPALITY AND DIVISION STELLENBOSCH  
PROVINCE OF THE WESTERN CAPE

IN EXTENT 918 (NINE HUNDRED AND EIGHTEEN) Square metres

Municipal Reference Number/ 21 Digit Code: C06700220000657200000

Registration division/Administrative District: STELLENBOSCH MUNICIPALITY

### Registered Owner:

WESSEL JOHANNES PIENAAR  
Identity Number 500709 5019 08 9  
and  
HESTER ISABEL PIENAAR  
Identity Number 530408 0093 08 2  
Married in community of property to each other


### Name and Identity/ Registration number of all purchaser/s:

HENDRIK ALBERTUS JACOBUS LOURENS  
Identity Number 660107 5026 08 7  
Married out of community of property

This certificate is valid until: ...31 August 2020...

Given under my hand at ...Stellenbosch.., on ...30 June 2020...



  
.....  
For: Municipal Manager  
Stellenbosch Municipality

Date Issued: .....

Authorised Official: L. Anthony

49

TRACK NUMBER : 80007190673

BLACK-BOOKING ENQUIRY ON NAME - PIENWAR WESSEL JOHANNES  
ID NUMBER - 5007095019009  
BIRTH DATE - 19500709  
MARITAL STATUS - MARRIED IN  
HIDDEN NAME -  
TYPE OF PERSON - PRIVATE PERSON

PERSON NAME AND ID

CONTRACTS/INTERDICTS

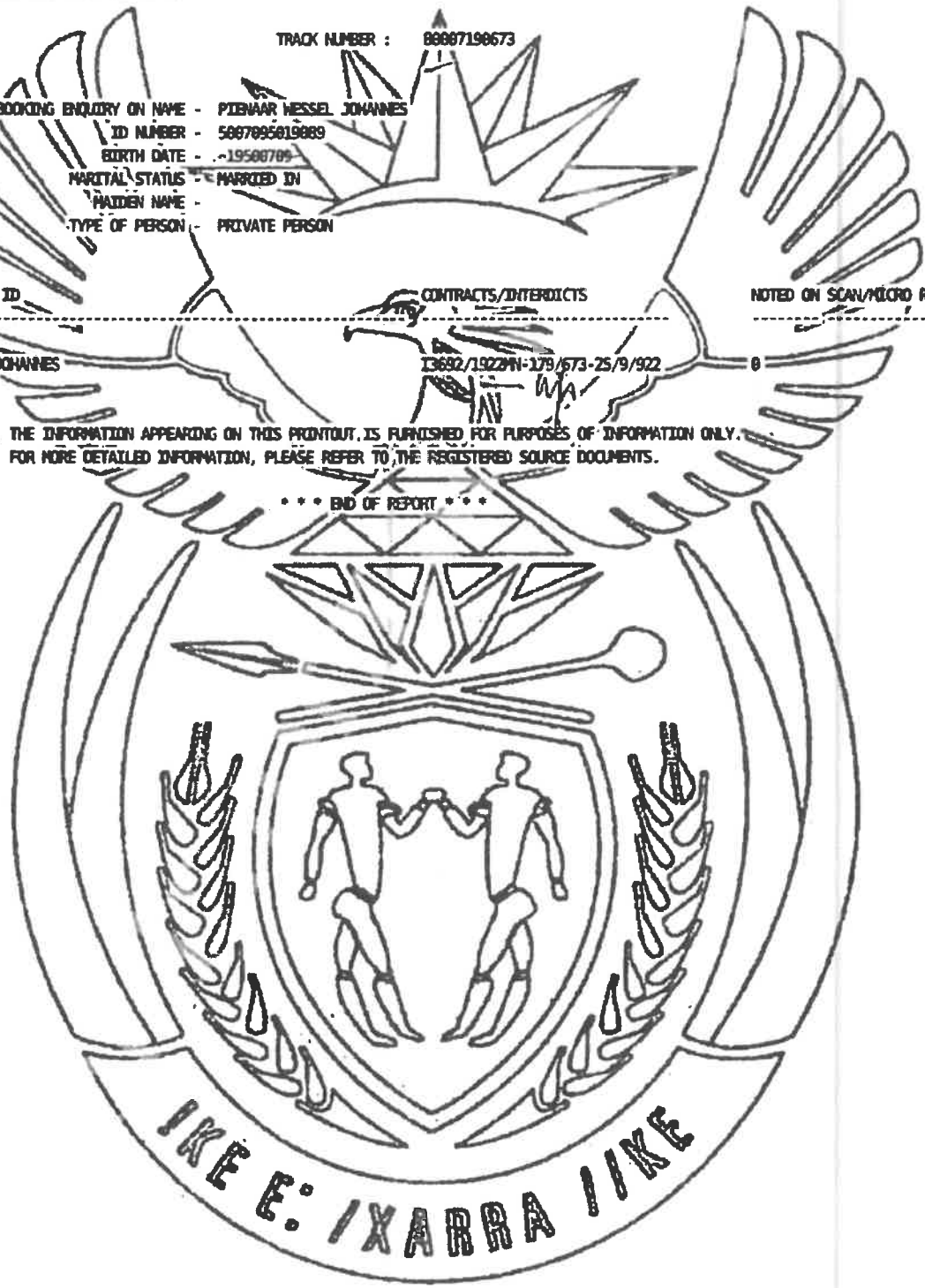
NOTED ON SCAN/MICRO REF

PIENWAR WESSEL JOHANNES

13692/1922/N-179/573-25/9/922

\*\* PLEASE NOTE : THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.  
FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

\*\*\* END OF REPORT \*\*\*



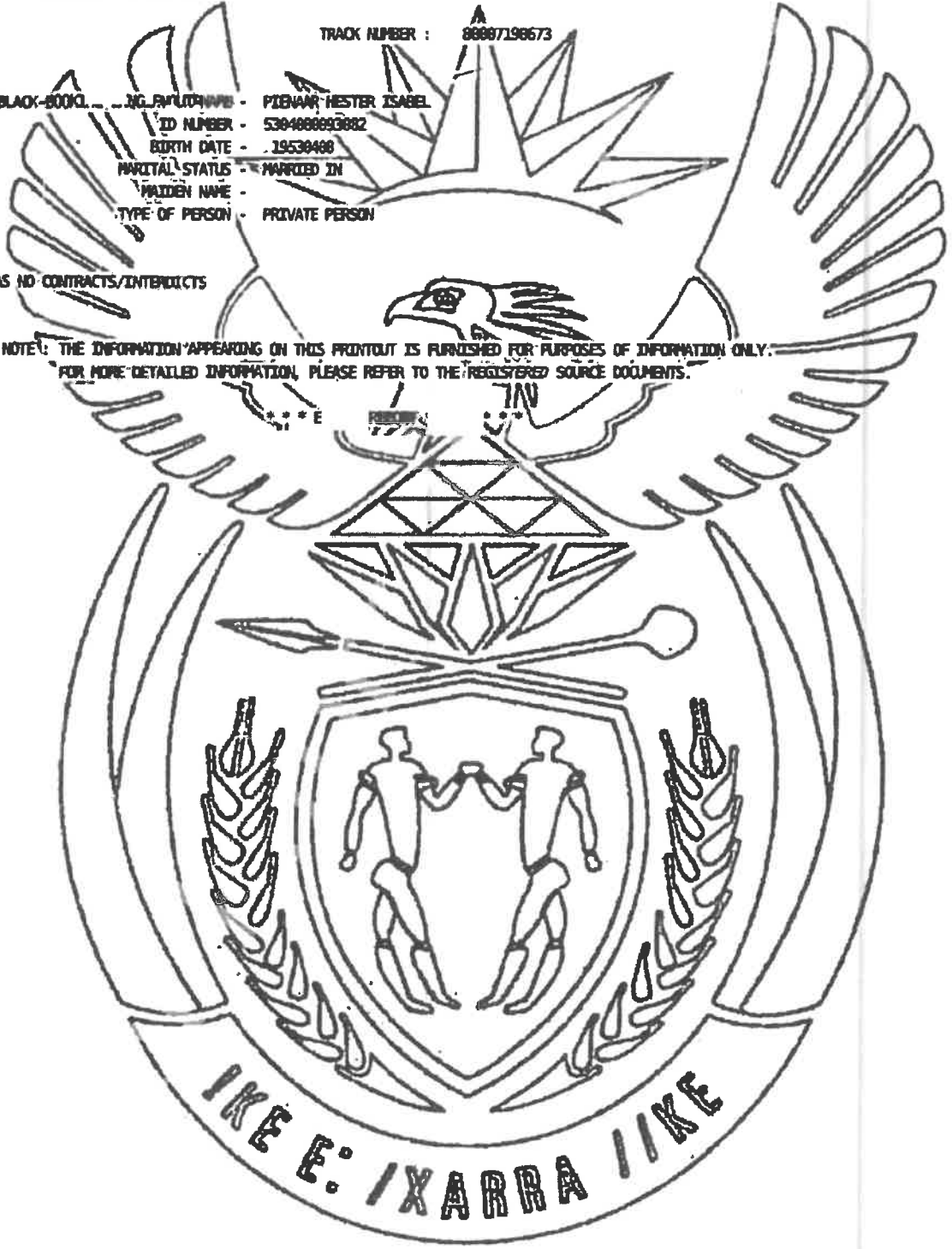
54

TRACK NUMBER : 88887198673

BLACK-BOOK... JG... PIENAR: HESTER ISABEL  
ID NUMBER - 5304088893082  
BIRTH DATE - 19530400  
MARITAL STATUS - MARRIED IN  
MAIDEN NAME -  
TYPE OF PERSON - PRIVATE PERSON

PERSON HAS NO CONTRACTS/INTERDICTIONS

\*\* PLEASE NOTE: THE INFORMATION APPEARING ON THIS PRINTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.  
FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.



67

TRACK NUMBER : 80007190673

PROPERTY DETAILS FRONT FOR PORTION (R/E)  
EFF. NO 6572  
TOWNSHIP STELLENBOSCH  
REG. DOCUMENT AVAILABLE

PROVINCE WESTERN CAPE  
PREV. DESCRIPTION T3480/1978  
DIAGRAM DEED NO 918 SQM  
EXTENT STELLENBOSCH MUN  
CLEARANCE

SUBDIVISION TO TOWN STELLENBOSCH, EFF 13831, PRTN 0

NO INTERDICTS

DOCUMENTS  
EFF-1707,1710

HOLDER AMOUNT O/P/A SCAN/MICRO REF MDD

OWNER DETAILS

FULL NAME & SHARE  
PIENAR WESSEL JOHANNES

PIENAR WESSEL ISABEL

PURCHASER/REASON	O/P/A	IDB	NTITY	TITLE DEED	MDD	MICROFILM REF
20000505	0	500	7095019009	T66659/2000	1816	20160926122249
20000505	0	0	1000003002	T66659/2000	1816	20160926122249

20000505 RACS 0000.00 0

\* O/P/ 0 - TITLE OWNER MULTIPLE PROPERTY SA - MULTIPLE OWNER 2 AND PROPERTY

\*\* PLEASE NOTE : THE INFORMATION APPEARING ON THIS FRONTOUT IS FURNISHED FOR PURPOSES OF INFORMATION ONLY.  
FOR MORE DETAILED INFORMATION, PLEASE REFER TO THE REGISTERED SOURCE DOCUMENTS.

\*\*\* END OF REPORT \*\*\*

WRE: /XARRA /RE

130

WEAVIND & WEAVIND  
POSBUS 34  
PRETORIA

Opgestel deur my

Purchase		Amount	Office fee
Price / Pruys	R. 7 000 000.00		R. 1500.00
Mortgage Capital:			R. 0.00
Amount / Bedrag			
Reason for exemption		Exempt i.t.o.	
Cat.:	section:	Act:	

TRANSPORT BEDIENING  
YOLANDA VIVIERS

DATA VERIFY  
23 AUG 2013  
TALJAARD DEBRA

<b>VERBIND MORTGAGED</b>	
VIR FOR R. 7 000 000.00	
0000027767/2013	REGISTRATEUR/REGISTRAR
2013-10-02	

000039312/2013

### TRANSPORTAKTE

HIERBY WORD BEKEND GEMAAK DAT

DATA CAPTURE  
20 AUG 2013  
CAN. ILWENDY

MELANIE SARA LEWIS

voer my verskyn het, REGISTRATEUR VAN AKTES te Kaapstad, sy die genoemde komparant synde behoorlik daartoe gemagtig deur 'n Volmag aan haar verteen deur

6 THIBAUT STREET STELLENBOSCH PROPERTY INVESTMENT CC  
Registrasienuommer 1997/002125/23

geteken te PRETORIA op: 24. Mei 2013

En genoemde Komparaat het verklaar dat haar prinsipaal, op 21 April 2013, wettig en wettiglik verkoop by Privaat ooreenkoms, en dat sy, in haar voorgenoemde hoedanigheid hierby, sêde, er, en transporte er aan en ten gunste van,

**HENDRIK ALBERTUS JACOBUS LOURENS**  
Identiteitsnommer 660107 5026 087  
Getroud buite gemeenskap van goed

sy Erfgenaam, Eksëkuteurs, Administrateurs of Regverkrygendes, in volkome en vrye eiendom

ERF 13831, STELLENBOSCH  
IN DIE MUNISIPALITEIT EN AFDELING VAN STELLENBOSCH  
PROVINSIE VAN DIE WES-KAAP

GRÖÖT: 920 (NE GEHÖNDERD EN TWINTIG) Vierkante meter

AANVANKLIK OORGEDRA EN STEEDS GEHÖUK RAISTENS AKTE VAN  
TRANSPORT T.66152/2000 MET KAART L.G.NOMIMER 1898/2000 WAT  
DAAROP BETREKING HET

1. ONDERHEWIG Aan die vöorwaardes soos, verval in Sertifikaat van Verenigde Titel Nömmer T3488/1978
2. A. ONDERHEWIG VERDER aan die volgende Spesiale Voorwaardes soos verval om Transportakte Nömmer T99827/1999 neergelö vir die voordeel van die eienaars van die voorgenoemde vaste eiendom en vir perseel J S getranspöteer aan J.J. Strašheim op 13. Januarie 1933 Nömmer 63, en vir al die onderverdelings van persele 255 tot 265 wat geleö is onmiddellik ten ooste van gesegde perseel J.S (de gemelde voorwaardes is öpgelö ten gevolge van 'n serwituit endossement gedateer 13 Januarie 1933 op gemelde transportakte Nömmer 5171 gedateer 5 Junie 1918, naamlik:
  1. Dat alleentlik een woonhuis op gesegde perseel öpgörigsal word wat 'n enkel en nie "semi-detacheid" woonhuis sal wees nie en ten minste 9,45 meter van die aanliggende straat.
  2. Dat geen woonhuis op gesegde perseel geböu sal word van minder waarde dan die perseel onder verdeelnie.
  3. Dat die transportontvangör en sy öpvölgeris in titel nie die reg sal hē nie om die gesegde perseel onder te verdeel nie.
  4. Dat geen varke op die grönd gehöu mag word nie.



WESHALWE die komp arant afstand doen van al die regte en titel wat

**6 THIBAUT STREET STELLENBOSCH PROPERTY INVESTMENT CC**  
Registrasiënommer 1997/002125/23

voorheen op genoemde eiendom gehad het, en gevolglik ook erken het dat dit geheel en al van die besit daarvan onthef en nie meer daartoe geregtig is nie en dat, kragtens hierdie akte, bogenoemde

**HENDRIK ALBERTUS JACOBUS LOURENS**, Getroud soos vermeld

sy Erfgename, Eksekuteurs, Administrateurs, of Regverkrygendes, tans en voortaan, daartoe geregtig is, ooreenkomstig plaaslike gebruik, behoudens die regte van die Staat en ten slotte erken hy, dat die verkoopprijs die bedrag van **R4 500 000,00 (Vier Miljoen Vyf Honderd Duizend Rand)** beloop.

TEN BEWYSE WAARVAN ek, genoemde Regstrateur, tesame met die Komparant, hierdie Akte onderteken en dit met die ampseël bekragtig het.

ALDUS GEDOEN EN VERLY op die Kantoer van die REGISTRATEUR VAN AKTES te Kaapstad op **12 Augustus 2013**

In my teenwoordigheid.

REGISTRATEUR VAN AKTES

*mluis*

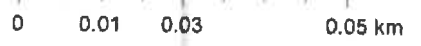
99

W

# Erven 6572 and 13831, Stellenbosch



Legend  
Erf



Scale: 1:750

Date created: July 15, 2020

Compiled with CapeFarmMapper



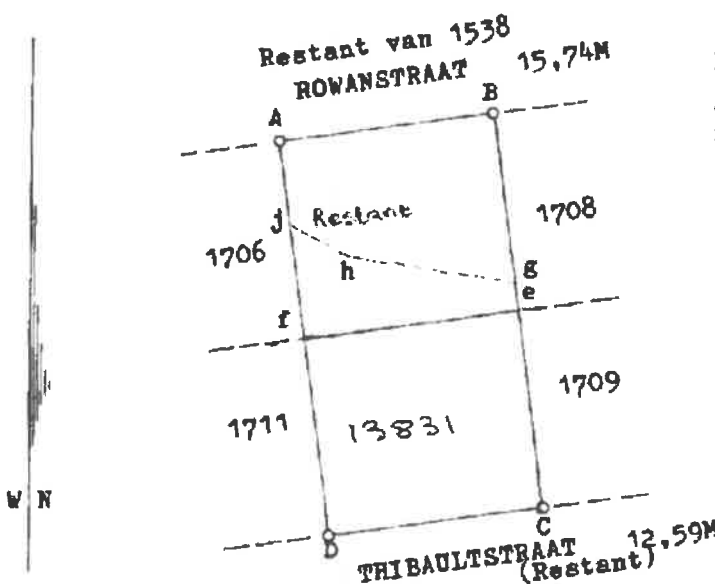
KANTOORAFSKRIF

SYE METER		RIGTINGS-HOEKE	KOÖRDINATE			L.G. No.
		Konstante	Y	Stelsel	Lo. 19°	X
			±	0,00		+3700000,00
AB	31,49	262.37.20	A	+ 10	766,98	+ 56 333,90
BC	58,40	352.37.20	B	+ 10	735,75	+ 56 329,85
CD	31,49	82.37.20	C	+ 10	728,25	+ 56 387,77
DA	58,40	172.37.20	D	+ 10	759,48	+ 56 391,82

Goedgekeur  
*[Handwritten Signature]*  
 Landmeter-generaal  
 D 7 FEB 1978

Beskrywing van Bakens

A, B, C, D ..... 450 x 12mm ysterpenne.



Die figuur ABghj groot 602 vk. Meter is Eiendomsland.

	DIE FIGUUR	ERF NO.	KAART NO.	TRANSPORTAKTE NO.
1.	A B e f	1707	4857/43	1944-9-412
2.	f.e.C.D	1710	4855/43	1944-9-412

Skaal 1: 1000

Die figuur A B C D stel voor 1838 vierkante Meter grond, synde ERF 6572, STELLENBOSCH en bestaan uit die 2 erwe soos hierbo aangegee geleë in ~~Mootersdorp~~ die Munisipaliteit en Administratiewe Distrik STELLENBOSCH Provinsie Kaap die Goeie Hoop. ~~Opgemaak in~~ Saangestel in Januarie 1978 deur my, *P. Burger* Landmeter

Hierdie kaart is gehog aan No. S.V.T. 3488/1978 gedateer l.g.v. Registrateur van Aktes	Die oorspronklike kaart is. soos hierbo aangegee No. gehog aan Transport/Grondbrief No.	Lêer No. S.2641/7 M.S. No. Sanestelling Komp. BH - 8DB/Z.13 (1492)
--	---	--

VINCENTS  
 6572

RECORDS FROM THE DIAGRAM						
BUYER REQ. NO.	ITEM	QTY	UNIT	REORDER NO.	INITIALS	REMARKS
E. 816/2000	1898/2000	Erf 1355/		920	66150/da	G.T.C

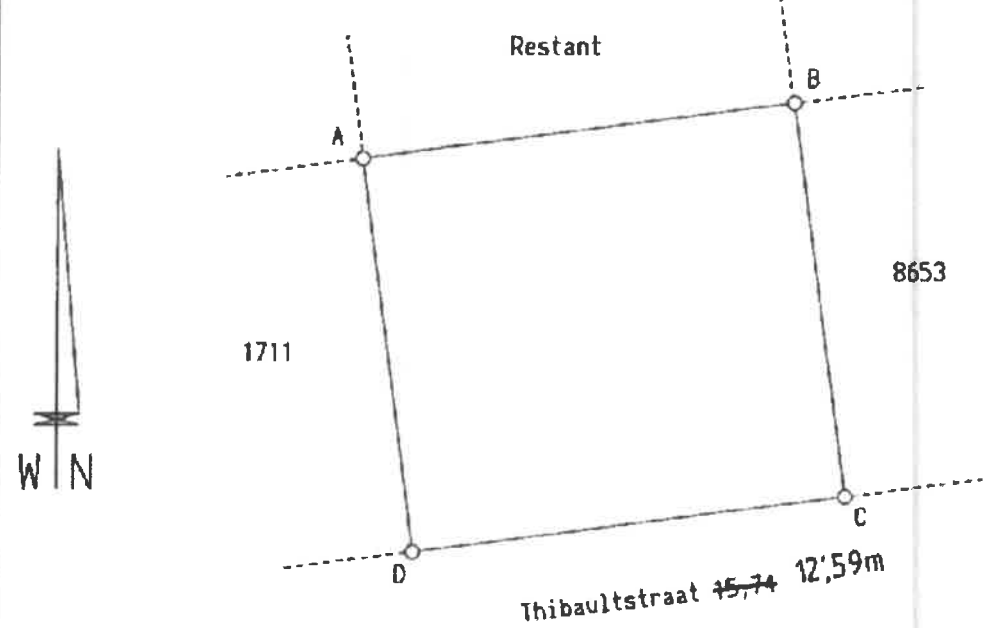
Friedlaender, Burger & Volkmann Landmeters

SYE Meter	RIGTINGS- HOEKE	KOORDINATE			
		Y	Stelsel	WG 19°	X
	Konstante :		0,00		+ 3700000,00
AB	31,49	262 36 10	A +	10826,29	+ 56661,90
BC	29,20	352 37 20	B +	10795,06	+ 56657,85
CD	31,49	82 35 30	C +	10791,31	+ 56686,81
DA	29,21	172 37 20	D +	10822,54	+ 56690,87
	55 Nooit		Δ +	17428,68	+ 51436,72
	403 Welstb		Δ +	14093,96	+ 51728,21

L.G. No  
**1898/2000**  
Gaedgekeur  
*B. Miskatze*  
2000-04-19  
for  
Landmeter-generaal

Beskrywing van bakens

- A 12mm ysterpen in muur
- B, C 12mm ysterpen
- D 12mm ysterpen teen voet van ysterdraadstaander



SKAAL 1:500

Die figuur ABCD  
stel voor 920 vierkante meter grond, synde

**ERF 13831 ('n Gedeelte van Erf 6572) STELLENBOSCH**

gelee in die Stellenbosch Munisipaliteit  
Administratiewe Distrik van Stellenbosch  
Opgemeet in Maart en April 2000  
deur my

*MB Straughan*  
MB Straughan PLS0907D Pr Landmeter

GOEGEFUR KLAGTENS ART. 25  
 VAN ORD. 150395  
 VERWYSING Erf 6572  
 DATUM 09-02-2000

Hierdie kaart is geheg aan No.	Die oorspronklike kaart is No 713/78	Leer No. S/2641/7
Gedateer 66150/2000 t.g.v.	Geheg aan S.V.T 3488/1978	M.S. No. E 816/2000
Registrateur van Aktes		Komp. BHSZ - 1461 (M2775)

## **ANNEXURE D: BENEFICIARY PROPERTIES AND HISTORIC DIAGRAM**

En genoemde Komparant het verklaar dat sy prin sipaal, op 5 Mei 2008, waarlik en wettiglik verkoop by Privaat ooreenkoms, en dat hy, in sy voorgenoemde hoedanigheid hierby sedeer en transporteer aan en ten gunste van

**WESSEL JOHANNES PIENAAR**  
Identiteitsnommer 500709 5019 08 9  
en  
**HESTER ISABEL PIENAAR**  
Identiteitsnommer 530408 0093 08 2  
Getroud binne gemeenskap van goed met mekaar

hulle Erfgename, Eksekuteurs, Administrateurs of Regverkrygendes in volkome en vrye eiendom,

RESTANT ERF 6572 STELLENBOSCH  
IN DIE MUNISIPALITEIT EN AFDELING VAN STELLENBOSCH  
PROVINSIE WES-KAAP

GROOT 918 (NEGE HONDERD EN AGTIEN) Vierkante Meter

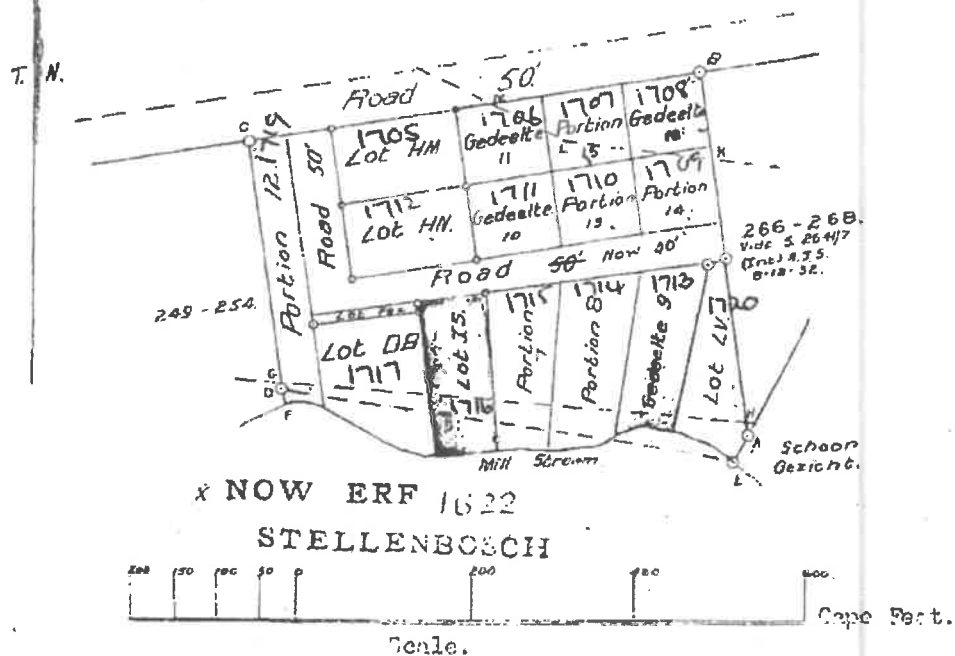
Eerste geregistreer kragtens Sertifikaat van Verenigde Titel No. T3488/1978 met diagram L.G. No. 713/78 daarby aangeheg en gehou kragtens Akte van Verdelingstransport No. T66151/2000 en Notariële Akte van Sessie van Vruggebruik No. K1300/1999S

1. Onderhewig aan die voorwaardes soos vervat in Sertifikaat van Verenigde Titel No. T3488/1978.
2. A. Onderhewig verder aan die volgende spesiale voorwaardes soos vervat in Transportakte No. T99827/1999 neergelê vir die voorgeel van die eienaars van die voorgenoemde vaste eiendom en vir perseel J 5 g transporteer aan J J STRASHEIM op 13 Januarie 1933 Nommer 63, en vir al die onderverdelings van persele 255 tot 265 wat geleë is onmiddelik ten ooste van gesegde perseel J 5 (die gemelde voorwaardes is opgelê ten gevolge van 'n serwitut endossement gedateer 13 Januarie 1933 op gemelde transportakte Nommer 5171 gedateer 5 Junie 1918, naamlik: *Dus sê ek 1713, 1714, 1715, 1720*
  1. Dat alleenlik een woonhuis op gesegde perseel opgerig word wat 'n enkel en nie "semi-detached" woonhuis sal wees nie en ten minste 9,45 meter van die aanliggende straat.
  2. Dat geen woonhuis op gesegde perseel gebou sal word van minder waarde dan die perseel onder verdeel nie.
  3. Dat die transportontvanger en sy opvolgers in titel nie die reg sal hê om die gesegde perseel onder te verdeel nie.
  4. Dat geen varke op die grond gehou mag word nie.

The numerical data of this diagram are sufficiently correct.  
 To. 10648/1903.  
 (Sgd.) M. O. Vos,  
 Examiner.

LENGTHS.		ANGLES.	
AF	441.04	A	165.39. 0
BC	550.00	B	90. 0. 0
CD	305.00	C	90. 0. 0
DE	553.04	D	107.58. 40
EA	42.12	E	106.42. 20
CA	299.78	CAF	103.23. 10
CE	565.35	CEB	76.35. 50
ED	430.66		

Rect. Area ABCDE = 2 H. 302 Sq. F.  
 30 Sq. F.



The above figure BCF inner bank of MILL Stream EA represents 2 Morgen 353 Square Roads 30 Square Feet of Land at MostertsDrift, P.C. Stellenbosch in the Stellenbosch Division, being Lots 255 to 265, of the farm MostertsDrift on the Jonkershoek Road; comprising BKLN = 115 Sq. R. 40 Sq. F. of Freehold Land and WRCNE = 2 H. 79 Sq. R. 95 Sq. F. of quitrent land, portions of the property granted to A. F. Roux on the 15th of July 1903; and EAE inner bank of MILL Stream EC = 158 Sq. R. 30 Sq. F., portion of the property granted to A. F. Roux on the 13rd of November 1903.

- 1. bounded N. by Road 50'
- 2. by Lots 266 to 268
- 3. E. by Schoongezicht.
- 4. by inner bank of MILL Stream.
- 5. by Lots 249 to 254.

Drawn from actual Survey.  
 (Sgd.) J. H. Rudler.  
 Government Land Surveyor.  
 August 1903.

Excerpt from the diagram relating to  
 Transfer of the Deed No. 2441  
 3rd March 1904.  
 in favour of  
 C. L. Marsis.

*J. H. Rudler*  
 SURVEYOR-GENERAL.

12



Name

Q L

Sq. Rds.

Erf	1705	1712	1717	1716	1718	1720	1715	1714	1713	1711	1706	1719	1710	1709	1707	1708
	A2 795/1921.	A2796/1921.	A38 42/1924.	E672/1932.	E938/1932.	1067/1934.	E258/1939.	E1702/1939.	E921/1940.	E510/1941.	E511/1941.	E1300/1942.	E1253/43	E 1253/43	E1253/43	E 1253/43
	2621/1932.	3871/1932.	2889/1939.	2621/1932.	3871/1932.	1067/1934.	2889/1939.	6093/1939.	3227/1940.	1510/1941.	1511/1941.	4438/1942.	4855/1943.	4856/1943.	4857/1943.	320/1944.
	Lot HM.	Lot HN.	Lot DB.	Lot J.S.	Lot PB.	Lot LV.	Portion 7.	Portion 8.	Gedeelte 9	Gedeelte 10	Gedeelte 11	Portion 12	Portion 13	Portion 14	Portion 15	Gedeelte 16.
	96	96	122	13615	1250	13626	15701	16678	17106	9554	9553	17100	9275	8964	9275	8964
	88.5	88.5	95	13615	1250	13626	15701	16678	17106	9554	9553	17100	9275	8964	9275	8964
	17 .1 0.1924	7.10.1924	31.112.1924	13. 1.1933.	5. 4.1933.	21. 6.1934.										
	9443.	9443.	12114.	63.	1768.	5176.	9252/1939.	1890/1940.	9452/1940.	8160/1941.	8160/1941.	1369/1943.	412/1944.	413/1944.	412/1944.	5237/1944.

1st no.  
 1st no.  
 1st no.



**Properties relevant to title conditions Erven 6572 and 13831**

**Legend**  
Erf

Scale: 1:1 000  
Date created: October 8, 2020  
Compiled with CapeMap  
Western Cape Government  
Spatial Information



**ANNEXURE E: BENEFICIARY PROPERTY OWNERS'  
NOTICES**

## SEARCH INFORMATION

### Summary

Search Type	DATABASE PROPERTY ERF
Search Description	ERF 1713, STELLENBOSCH (CAPE TOWN)
Reference	SONRAY
Date	23/07/2020

## ERF INFORMATION

### Summary

Deeds Office	CAPE TOWN
Property Type	ERF
Township	STELLENBOSCH
Erf Number	1713
Portion Number	0
Registration Division	STELLENBOSCH RD
Municipality	STELLENBOSCH MUN
Province	WESTERN CAPE
Title Deed Number	T9452/1940
Size (Registered)	1696 m <sup>2</sup>
Size (Cadastral)	1696 m <sup>2</sup>
Last Sale Date	-
Last Sale Price	-
EPI Code	C06700220000171300000
Street Address	-

## ENDORSEMENT(S)

Bond Number	Institution	Reg. Date	Amount
-------------	-------------	-----------	--------

Click to expand/collapse

## OWNER INFORMATION

### Owner 1 of 1

Owner Name	GAAST PIETER EILES VAN DER-TRUSTEES
Owner Type	UNKNOWN
ID / Reg. Number	-
Title Deed	T9452/1940
Share	0

**REPORT INFORMATION**

Date of Information 23/07/2020 14:18  
Print Date 23-07-2020 14:18  
Generated By SONRAY DREYER  
Reference SONRAY  
Report Type DATABASE PROPERTY ERF





# ERF 1714, STELLENBOSCH (CAPE TOWN)

Database Property Erf

OPREKANT WERKSWERK 2 WESBEEK KONTAK WERK  
114  
Kontak Werswerk  
2008 2008 2008 2008 2008

## SEARCH INFORMATION

### Summary

Search Type	DATABASE PROPERTY ERF
Search Description	ERF 1714, STELLENBOSCH (CAPE TOWN)
Reference	SONRAY
Date	23/07/2020

## ERF INFORMATION

### Summary

Deeds Office	CAPE TOWN
Property Type	ERF
Township	STELLENBOSCH
Erf Number	1714
Portion Number	0
Registration Division	STELLENBOSCH RD
Municipality	STELLENBOSCH MUN
Province	WESTERN CAPE
Title Deed Number	T23306/2008
Size (Registered)	1653 m <sup>2</sup>
Size (Cadastral)	1653 m <sup>2</sup>
Last Sale Date	15/02/2008
Last Sale Price	R 8 500 000,00
LPI Code	C06700220000171400000
Street Address	-

## ENDORSEMENT(S)

Bond Number	Institution	Reg. Date	Amount
-------------	-------------	-----------	--------

Search Information

## OWNER INFORMATION

### Owner 1 of 1

Owner Name	HARRIS KEVIN PAUL
Owner Type	PERSON
ID / Reg Number	7709135184082
Date Of Birth	13/09/1977
Gender	MALE
Age	42
Marital Status	MARRIED OUT
Title Deed	T23306/2008
Share	0

**REPORT INFORMATION**

Date of Information: 23/07/2020 14:17  
Print Date: 23-07-2020 14:17  
Generated By: SONRAY DREYER  
Reference: SONRAY  
Report Type: DATABASE PROPERTY ERF





# ERF 1715, STELLENBOSCH (CAPE TOWN)

Database Property Erf

Form ERF - Database Property Erf  
2018-06-01  
2018-06-01

## SEARCH INFORMATION

### Summary

Search Type DATABASE PROPERTY ERF  
Search Description ERF 1715, STELLENBOSCH (CAPE TOWN)  
Reference SONRAY  
Date 23/07/2020

## ERF INFORMATION

### Summary

Deeds Office CAPE TOWN  
Property Type ERF  
Township STELLENBOSCH  
Erf Number 1715  
Portion Number 0  
Registration Division STELLENBOSCH RD  
Municipality STELLENBOSCH MUN  
Province WESTERN CAPE  
Title Deed Number T72845/2008  
Size (Registered) 1557 m<sup>2</sup>  
Size (Cadastral) 1557 m<sup>2</sup>  
Last Sale Date 06/10/2008  
Last Sale Price R 16 700 000,00  
LPI Code C06700220000171500000  
Street Address -

## ENDORSEMENT(S)

Bond Number	Institution	Reg. Date	Amount
B2077/2020	INVESTEC BANK LTD	05/02/2020	R 27 000 000,00

## OWNER INFORMATION

### Owner 1 of 1

Owner Name JEAN MANDI TRUST  
Owner Type TRUST  
ID / Reg Number 3810/95  
Title Deed T72845/2008  
Share 0



**REPORT INFORMATION**

Date of Information 23/07/2020 14:16  
Print Date 23-07-2020 14:16  
Generated By SONRAY DREYER  
Reference SONRAY  
Report Type DATABASE PROPERTY ERF





# ERF 1716, STELLENBOSCH (CAPE TOWN)

Database Property Erf

SEARCH WORKS  
10000 VORSTER STREET, WILLOWDALE, CAPE TOWN  
7441  
Tel: 021 550 1000  
Fax: 021 550 1001  
Email: info@searchworks.co.za

## SEARCH INFORMATION

### Summary

Search Type: DATABASE PROPERTY ERF  
Search Description: ERF 1716, STELLENBOSCH (CAPE TOWN)  
Reference: SONRAY  
Date: 23/07/2020

## ERF INFORMATION

### Summary

Deeds Office: CAPE TOWN  
Property Type: ERF  
Township: STELLENBOSCH  
Erf Number: 1716  
Portion Number: 0  
Registration Division: STELLENBOSCH RD  
Municipality: STELLENBOSCH MUN  
Province: WESTERN CAPE  
Title Deed Number: T6797/1995  
Size (Registered): 1350 m<sup>2</sup>  
Size (Cadastral): 1350 m<sup>2</sup>  
Last Sale Date: 10/08/1994  
Last Sale Price: R 900 000,00  
LPI Code: C06700220000171600000  
Street Address: -

## ENDORSEMENT(S)

Bond Number	Institution	Reg. Date	Amount
B26548/2008	NEDBANK LTD	21/04/2008	R 1 500 000,00
B54711/2001	CAPE OF GOOD HOPE BANK LTD	05/10/2001	R 3 500 000,00

## OWNER INFORMATION

### Owner 1 of 1

Owner Name: SLAZUS JOSEPH JOHANNES  
Owner Type: PERSON  
ID / Reg. Number: 5202085062088  
Date Of Birth: 08/02/1952  
Gender: MALE  
Age: 68  
Marital Status: MARRIED OUT  
Title Deed: T6797/1995

**OWNER INFORMATION**

Share 0

**REPORT INFORMATION**

Date of Information 23/07/2020 14:25  
Print Date 23-07-2020 14:25  
Generated By: SONRAY DREYER  
Reference SONRAY  
Report Type DATABASE PROPERTY ERF



## SEARCH INFORMATION

### Summary

Search Type	DATABASE PROPERTY ERF
Search Description	ERF 1720, STELLENBOSCH (CAPE TOWN)
Reference	SONRAY
Date	23/07/2020

## ERF INFORMATION

### Summary

Deeds Office	CAPE TOWN
Property Type	ERF
Township	STELLENBOSCH
Erf Number	1720
Portion Number	0
Registration Division	STELLENBOSCH RD
Municipality	STELLENBOSCH MUN
Province	WESTERN CAPE
Title Deed Number	T53540/1984
Size (Registered)	1351 m <sup>2</sup>
Size (Cadastral)	1351 m <sup>2</sup>
Last Sale Date	11/09/1984
Last Sale Price	R 210 000,00
LPI Code	C06700220000172000000
Street Address	

## ENDORSEMENT(S)

Bond Number	Institution	Reg. Date	Amount
-------------	-------------	-----------	--------

None found for this erf.

## OWNER INFORMATION

### Owner 1 of 2

Owner Name	SCHMITZ MARIA THERESIA
Owner Type	PERSON
ID / Reg. Number	371109
Date Of Birth	09/11/1937
Gender	UNKNOWN
Age	82
Marital Status	UNMARRIED
Title Deed	T53540/1984
Share	0.5

## OWNER INFORMATION

## OWNER INFORMATION (CONTINUED)

### Owner 2 of 2

Owner Name	SCHMITZ MARIA THERESIA
Owner Type	PERSON
ID / Reg Number	371109
Date Of Birth	09/11/1937
Gender	UNKNOWN
Age	82
Marital Status	UNMARRIED
Title Descr	T58993/1993
Share	0.5

## REPORT INFORMATION

Date of Information	23/07/2020 14:18
Print Date	23-07-2020 14:18
Generated By	SONRAY DREYER
Reference	SONRAY
Report Type	DATABASE PROPERTY ERF



**Viridus Works (Pty) Ltd (Reg. No. 2018/585747/07)**

Development Management Consultants and  
Environmental Assessment Practitioners



10 October 2020

The Trustees Pieter Eiles van der Gaast Trust  
9 Thibault Street  
Stellenbosch  
7600  
Per: Hand - D Lombaard

Dear Sir / Madam      Geagte Heer / Dame

**NOTICE OF LAND DEVELOPMENT APPLICATION: ERVEN 6572 AND 13831, STELLENBOSCH /  
KENNISGEWING VAN GROND ONTWIKKELING AANSOEK: ERWE 6572 EN 13831, STELLENBOSCH**

(YOUR INTEREST (Property or function) / U BELANG (Eiendom of funksie): 1713)

Please take note of the following application regarding a land development as prescribed in the Stellenbosch Land Use Planning Bylaw, 2015. // Neem asseblief kennis van die volgende aansoek om ontwikkeling soos uiteengesit in die Stellenbosch Grondgebruikbeplanningsverordening, 2015.

**Locality / Ligging:** Erf 6572 – 27 Rowan Street and Erf 13831 – 6 Thibault Street.

**Applicant / Aansoeker:** Dupré Lombaard, Viridus Works (Pty) Ltd, 77 Buitekring, Dalsig, STELLENBOSCH, 7600; Email / E-pos: [dupre.lombaard@viridus.com](mailto:dupre.lombaard@viridus.com)

**Owner / Eienaar:** Mnr HAJ Lourens, Cell: +27 82 462 1147, E-mail: [henklourens@capitecbank.co.za](mailto:henklourens@capitecbank.co.za), Adres: 6 Thibaultstraat, Stellenbosch, 7600

**Application type / Tipe aansoek:** The owner recently purchased Erf 6572 and wishes to redevelop Erven 6572 (0,0918ha) and 13831 (0,0920ha), Stellenbosch by the consolidation thereof and the development of a new swimming pool, recreation room and outbuildings simultaneous with the renovation and upgrading of the existing house on Erf 13831. The existing building (old dwelling house) on Erf 6572 has been approved for demolition (BP20/1283 dd 11 September 2020). The house on Erf 13831 will be renovated and the new buildings and structures will be constructed over what is currently the common boundary between the two erven, hence the need to consolidate them.

This is an application in keeping with Section 15 of the Stellenbosch Municipality Land Use Planning Bylaw, 2015. The application covers the following aspect(s):

- (1) Section 15 (2)(e) a consolidation of land that is not exempted in terms of section 24; and
- (2) Section 15 (2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit.

The proposed use and development parameters will be in keeping with the Stellenbosch Municipality Zoning Scheme Bylaw, 2019.

Erf 6572 is held by Deed 20025/2020 and Erf 13831 is held by Deed 39312/2013. There are no title deed restrictions preventing the proposed land development. There is a title condition in favour of certain neighbouring properties, restricting the subdivision of the property, the construction on it of one dwelling unit and the maintenance of a 9,45m street building line.

Die eienaar het onlangs Erf 6572 gekoop en wil graag Erwe 6572 (0,0918ha) en 13831 (0,0920ha), Stellenbosch herontwikkel deur die konsolidasie van die erwe, die bou van 'n swembad en ontspanningskamer, verwante buitegeboue en die opgradering van die bestaande woonhuis op Erf 13831. Die bestaande huis op Erf 6572 is goedgekeur vir sloping (BP20/1283 dd 11 September 2020). Die nuwe verbeterings sal oor die grens tussen die twee erwe val, aldus die nodigheid om die eiendomme te konsolideer.

Die aansoek word gedoen ingevolge Artikel 15 van die Stellenbosch Munisipaliteit Grondgebruikbeplanning Verordening, 2015. Dit dek die volgende aspek(te):

- (1) Artikel 15 (2)(e) 'n konsolidasie van grond wat nie vrygestel is ingevolge Artikel 24 nie; en
- (2) Artikel 15 (2)(f) 'n verwydering, opskorting, of wysiging van beperkende voorwaardes van toepassing op 'n grondeenheid.

Die verbetering aan die eiendom sal pas in die bestaande boulyne en grondgebruik parameters ingevolge die Stellenbosch Munisipaliteit Soneringskema Verordening, 2019.

Erf 6572 word gehou onder Titelakte 20025/2020 en Erf 13831 word gehou onder Akte 39312/2013. Daar is geen titel beperkings wat die herontwikkeling of konsolidasie verhoed nie. Daar is egter beperkende voorwaardes ten gunste van sekere aanliggende eiendomme, wat onderverdeling, die waarde van 'n woonhuis, die aanhou van varke en die verpligte oprigting van 'n woning, verder as 9,45m van die straatgrens, aanspreek.

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#### **Comment request / Versoek vir kommentaar:**

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/documents/planning-and-building-plans/planning-portal>]. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

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

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:

- Indicate the facts and circumstances that explain the comments;
- Where relevant demonstrate the undesirable effect that the application will have if approved;
- Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
- Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: Dupré Lombaard, Viridus Works, dupre.lombaard@viridus.com. The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **15 November 2020**.

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 +27 82 895 6362 during normal office hours.

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/documents/planning-and-building-plans/planning-portal>]. 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 ingevolge 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 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: Dupré Lombaard, Viridus Works, dupre.lombaard@viridus.com. 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 **15 November 2020**.



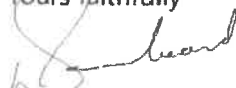
Document: NOTICE OF LAND DEVELOPMENT APPLICATION: ERVEN 6572 AND 13831, STELLENBOSCH /  
KENNISGEWING VAN GROND ONTWIKKELING AANSOEK: ERWE 6572 EN 13831, STELLENBOSCH  
Date: 12 October 2020

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 +27 82 895 6362 gedurende normale kantoor ure.

Your support of the application by completion of the form below will be appreciated. // U ondersteuning van die aansoek deur voltooiing van die vorm hieronder sal waardeer word.

Yours faithfully



**Dupré Lombaard**

**Herewith I, the undersigned owner / duly authorised representative of the owner, .....**

**residing at .....**

**contactable on telephone / cellular ..... and**

**email .....**

**confirm that I have no objection to the removal of the restrictive conditions from the title deeds as specified above and as set out in the relevant land development application.**

**Signed at ..... on this the ..... day of ..... 2020.**

**Full name and surname .....**

**ID / Passport no. ....**

**Signature .....**

**Virdus Works (Pty) Ltd (Reg. No. 2018/585747/07)**

Development Management Consultants and  
Environmental Assessment Practitioners



10 October 2020

The Trustees Jean Mandi Trust  
5 Thibault Street  
Stellenbosch  
7600  
Per: Hand - D Lombaard

Dear Sir / Madam      Geagte Heer / Dame

**NOTICE OF LAND DEVELOPMENT APPLICATION: ERVEN 6572 AND 13831, STELLENBOSCH /  
KENNISGEWING VAN GROND ONTWIKKELING AANSOEK: ERWE 6572 EN 13831, STELLENBOSCH**

(YOUR INTEREST (Property or function) / U BELANG (Eiendom of funksie): 1715)

Please take note of the following application regarding a land development as prescribed in the Stellenbosch Land Use Planning Bylaw, 2015. // Neem asseblief kennis van die volgende aansoek om ontwikkeling soos uiteengesit in die Stellenbosch Grondgebruikbeplanningsverordening, 2015.

**Locality / Ligging:** Erf 6572 – 27 Rowan Street and Erf 13831 – 6 Thibault Street.

**Applicant / Aansoeker:** Dupré Lombaard, Virdus Works (Pty) Ltd, 77 Buitekring, Dalsig, STELLENBOSCH, 7600; Email / E-pos: dupre.lombaard@virdus.com

**Owner / Eienaar:** Mnr HAJ Lourens, Cell: +27 82 462 1147, E-mail: [hajklourens@capitecbank.co.za](mailto:hajklourens@capitecbank.co.za), Adres: 6 Thibaultstraat, Stellenbosch, 7600

**Application type / Tipe aansoek:** The owner recently purchased Erf 6572 and wishes to redevelop Erven 6572 (0,0918ha) and 13831 (0,0920ha), Stellenbosch by the consolidation thereof and the development of a new swimming pool, recreation room and outbuildings simultaneous with the renovation and upgrading of the existing house on Erf 13831. The existing building (old dwelling house) on Erf 6572 has been approved for demolition (BP20/1283 dd 11 September 2020). The house on Erf 13831 will be renovated and the new buildings and structures will be constructed over what is currently the common boundary between the two erven, hence the need to consolidate them.

This is an application in keeping with Section 15 of the Stellenbosch Municipality Land Use Planning Bylaw, 2015. The application covers the following aspect(s):

- (1) Section 15 (2)(e) a consolidation of land that is not exempted in terms of section 24; and
- (2) Section 15 (2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit.

The proposed use and development parameters will be in keeping with the Stellenbosch Municipality Zoning Scheme Bylaw, 2019.

Erf 6572 is held by Deed 20025/2020 and Erf 13831 is held by Deed 39312/2013. There are no title deed restrictions preventing the proposed land development. There is a title condition in favour of certain neighbouring properties, restricting the subdivision of the property, the construction on it of one dwelling unit and the maintenance of a 9,45m street building line.

Die eienaar het onlangs Erf 6572 gekoop en wil graag Erwe 6572 (0,0918ha) en 13831 (0,0920ha), Stellenbosch herontwikkel deur die konsolidasie van die erwe, die bou van 'n swembad en ontspanningskamer, verwante buitegeboue en die opgradering van die bestaande woonhuis op Erf 13831. Die bestaande huis op Erf 6572 is goedgekeur vir sloping (BP20/1283 dd 11 September 2020). Die nuwe verbeterings sal oor die grens tussen die twee erwe val, aldus die nodigheid om die eiendomme te konsolideer.

Die aansoek word gedoen ingevolge Artikel 15 van die Stellenbosch Munisipaliteit Grondgebruikbeplanning Verordening, 2015. Dit dek die volgende aspek(te):

- (1) Artikel 15 (2)(e) 'n konsolidasie van grond wat nie vrygestel is ingevolge Artikel 24 nie; en
- (2) Artikel 15 (2)(f) 'n verwydering, opskorting, of wysiging van beperkende voorwaardes van toepassing op 'n grondeenheid.

Die verbetering aan die eiendom sal pas in die bestaande boulyne en grondgebruik parameters ingevolge die Stellenbosch Munisipaliteit Soneringskema Verordening, 2019.

Erf 6572 word gehou onder Titelakte 20025/2020 en Erf 13831 word gehou onder Akte 39312/2013. Daar is geen titel beperkings wat die herontwikkeling of konsolidasie verhoed nie. Daar is egter beperkende voorwaardes ten gunste van sekere aanliggende eiendomme, wat onderverdeling, die waarde van 'n woonhuis, die aanhou van varke en die verpligte oprigting van 'n woning, verder as 9,45m van die straatgrens, aanspreek.

---

#### **Comment request / Versoek vir kommentaar:**

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: [\[https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal\]](https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal). If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

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

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:

- Indicate the facts and circumstances that explain the comments;
- Where relevant demonstrate the undesirable effect that the application will have if approved;
- Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
- Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: Dupré Lombaard, Viridus Works, dupre.lombaard@viridus.com. The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **15 November 2020**.

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 +27 82 895 6362 during normal office hours.

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/documents/planning-and-building-plans/planning-portal>]. 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 ingevolge 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 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: Dupré Lombaard, Viridus Works, dupre.lombaard@viridus.com. 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 **15 November 2020**.

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 +27 82 895 6362 gedurende normale kantoor ure.

Your support of the application by completion of the form below will be appreciated. // U ondersteuning van die aansoek deur voltooiing van die vorm hieronder sal waardeer word.

Yours faithfully



**Dupré Lombaard**

**Herewith I, the undersigned owner / duly authorised representative of the owner, .....**

**residing at .....**

**contactable on telephone / cellular ..... and**

**email .....**

**confirm that I have no objection to the removal of the restrictive conditions from the title deeds as specified above and as set out in the relevant land development application.**

**Signed at ..... on this the ..... day of ..... 2020.**

**Full name and surname .....**

**ID / Passport no. ....**

**Signature .....**

**Virdus Works (Pty) Ltd (Reg. No. 2018/585747/07)**

Development Management Consultants and  
Environmental Assessment Practitioners



10 October 2020

Mr K P Harris  
7 Thibault Street  
Stellenbosch  
7600  
Per: Hand - D Lombaard

Dear Sir / Madam      Geagte Heer / Dame

**NOTICE OF LAND DEVELOPMENT APPLICATION: ERVEN 6572 AND 13831, STELLENBOSCH /  
KENNISGEWING VAN GROND ONTWIKKELING AANSOEK: ERWE 6572 EN 13831, STELLENBOSCH**

(YOUR INTEREST (Property or function) / U BELANG (Eiendom of funksie): 1714)

Please take note of the following application regarding a land development as prescribed in the Stellenbosch Land Use Planning Bylaw, 2015. // Neem asseblief kennis van die volgende aansoek om ontwikkeling soos uiteengesit in die Stellenbosch Grondgebruikbeplanningsverordening, 2015.

**Locality / Ligging:** Erf 6572 – 27 Rowan Street and Erf 13831 – 6 Thibault Street.

**Applicant / Aansoeker:** Dupré Lombaard, Virdus Works (Pty) Ltd, 77 Buitekring, Dalsig, STELLENBOSCH, 7600; Email / E-pos: [dupre.lombaard@virdus.com](mailto:dupre.lombaard@virdus.com)

**Owner / Eienaar:** Mnr HAJ Lourens, Cell: +27 82 462 1147, E-mail: [henklourens@capitecbank.co.za](mailto:henklourens@capitecbank.co.za), Adres: 6 Thibaultstraat, Stellenbosch, 7600

**Application type / Tipe aansoek:** The owner recently purchased Erf 6572 and wishes to redevelop Erven 6572 (0,0918ha) and 13831 (0,0920ha), Stellenbosch by the consolidation thereof and the development of a new swimming pool, recreation room and outbuildings simultaneous with the renovation and upgrading of the existing house on Erf 13831. The existing building (old dwelling house) on Erf 6572 has been approved for demolition (BP20/1283 dd 11 September 2020). The house on Erf 13831 will be renovated and the new buildings and structures will be constructed over what is currently the common boundary between the two erven, hence the need to consolidate them.

This is an application in keeping with Section 15 of the Stellenbosch Municipality Land Use Planning Bylaw, 2015. The application covers the following aspect(s):

- (1) Section 15 (2)(e) a consolidation of land that is not exempted in terms of section 24; and
- (2) Section 15 (2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit.

The proposed use and development parameters will be in keeping with the Stellenbosch Municipality Zoning Scheme Bylaw, 2019.

Erf 6572 is held by Deed 20025/2020 and Erf 13831 is held by Deed 39312/2013. There are no title deed restrictions preventing the proposed land development. There is a title condition in favour of certain neighbouring properties, restricting the subdivision of the property, the construction on it of one dwelling unit and the maintenance of a 9,45m street building line.

Die eienaar het onlangs Erf 6572 gekoop en wil graag Erwe 6572 (0,0918ha) en 13831 (0,0920ha), Stellenbosch herontwikkel deur die konsolidasie van die erwe, die bou van 'n swembad en ontspanningskamer, verwante buitegeboue en die opgradering van die bestaande woonhuis op Erf 13831. Die bestaande huis op Erf 6572 is goedgekeur vir sloping (BP20/1283 dd 11 September 2020). Die nuwe verbeterings sal oor die grens tussen die twee erwe val, aldus die nodigheid om die eiendomme te konsolideer.

Die aansoek word gedoen ingevolge Artikel 15 van die Stellenbosch Munisipaliteit Grondgebruikbeplanning Verordening, 2015. Dit dek die volgende aspek(te):

- (1) Artikel 15 (2)(e) 'n konsolidasie van grond wat nie vrygestel is ingevolge Artikel 24 nie; en
- (2) Artikel 15 (2)(f) 'n verwydering, opskorting, of wysiging van beperkende voorwaardes van toepassing op 'n grondeenheid.

Die verbetering aan die eiendom sal pas in die bestaande boulyne en grondgebruik parameters ingevolge die Stellenbosch Munisipaliteit Soneringskema Verordening, 2019.

Erf 6572 word gehou onder Titelakte 20025/2020 en Erf 13831 word gehou onder Akte 39312/2013. Daar is geen titel beperkings wat die herontwikkeling of konsolidasie verhoed nie. Daar is egter beperkende voorwaardes ten gunste van sekere aanliggende eiendomme, wat onderverdeling, die waarde van 'n woonhuis, die aanhou van varke en die verpligte oprigting van 'n woning, verder as 9,45m van die straatgrens, aanspreek.

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### **Comment request / Versoek vir kommentaar:**

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/documents/planning-and-building-plans/planning-portal>]. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

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

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:

- Indicate the facts and circumstances that explain the comments;
- Where relevant demonstrate the undesirable effect that the application will have if approved;
- Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
- Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: Dupré Lombaard, Viridus Works, dupre.lombaard@viridus.com. The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **15 November 2020**.

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 +27 82 895 6362 during normal office hours.

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/documents/planning-and-building-plans/planning-portal>]. 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 ingevolge 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 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: Dupré Lombaard, Viridus Works, dupre.lombaard@viridus.com. 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 **15 November 2020**.




Document: NOTICE OF LAND DEVELOPMENT APPLICATION: ERVEN 6572 AND 13831, STELLENBOSCH /  
KENNISGEWING VAN GROND ONTWIKKELING AANSOEK: ERWE 6572 EN 13831, STELLENBOSCH  
Date: 12 October 2020

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 +27 82 895 6362 gedurende normale kantoor ure.

Your support of the application by completion of the form below will be appreciated. // U ondersteuning van die aansoek deur voltooiing van die vorm hieronder sal waardeer word.

Yours faithfully



**Dupré Lombaard**

**Herewith I, the undersigned owner / duly authorised representative of the**  
**owner, .....**  
**residing at .....**  
**contactable on telephone / cellular ..... and**  
**email .....**  
**confirm that I have no objection to the removal of the restrictive conditions from the title deeds**  
**as specified above and as set out in the relevant land development application.**

**Signed at ..... on this the ..... day of ..... 2020.**

**Full name and surname .....**

**ID / Passport no. ....**

**Signature .....**

**Virdus Works (Pty) Ltd (Reg. No. 2018/585747/07)**

Development Management Consultants and  
Environmental Assessment Practitioners



10 October 2020

Mr J J Slazus  
3 Thibault Street  
Stellenbosch  
7600  
Per: Hand - D Lombaard

Dear Sir / Madam      Geagte Heer / Dame

**NOTICE OF LAND DEVELOPMENT APPLICATION: ERVEN 6572 AND 13831, STELLENBOSCH /  
KENNISGEWING VAN GROND ONTWIKKELING AANSOEK: ERWE 6572 EN 13831, STELLENBOSCH**

(YOUR INTEREST (Property or function) / U BELANG (Eiendom of funksie): 1716)

Please take note of the following application regarding a land development as prescribed in the Stellenbosch Land Use Planning Bylaw, 2015. // Neem asseblief kennis van die volgende aansoek om ontwikkeling soos uiteengesit in die Stellenbosch Grondgebruikbeplanningsverordening, 2015.

**Locality / Ligging:** Erf 6572 – 27 Rowan Street and Erf 13831 – 6 Thibault Street.

**Applicant / Aansoeker:** Dupré Lombaard, Virdus Works (Pty) Ltd, 77 Buitekring, Dalsig, STELLENBOSCH, 7600; Email / E-pos: [dupre.lombaard@virdus.com](mailto:dupre.lombaard@virdus.com)

**Owner / Eienaar:** Mnr HAJ Lourens, Cell: +27 82 462 1147, E-mail: [henklourens@capitecbank.co.za](mailto:henklourens@capitecbank.co.za), Adres: 6 Thibaultstraat, Stellenbosch, 7600

**Application type / Tipe aansoek:** The owner recently purchased Erf 6572 and wishes to redevelop Erven 6572 (0,0918ha) and 13831 (0,0920ha), Stellenbosch by the consolidation thereof and the development of a new swimming pool, recreation room and outbuildings simultaneous with the renovation and upgrading of the existing house on Erf 13831. The existing building (old dwelling house) on Erf 6572 has been approved for demolition (BP20/1283 dd 11 September 2020). The house on Erf 13831 will be renovated and the new buildings and structures will be constructed over what is currently the common boundary between the two erven, hence the need to consolidate them.

This is an application in keeping with Section 15 of the Stellenbosch Municipality Land Use Planning Bylaw, 2015. The application covers the following aspect(s):

- (1) Section 15 (2)(e) a consolidation of land that is not exempted in terms of section 24; and
- (2) Section 15 (2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit.

The proposed use and development parameters will be in keeping with the Stellenbosch Municipality Zoning Scheme Bylaw, 2019.

Erf 6572 is held by Deed 20025/2020 and Erf 13831 is held by Deed 39312/2013. There are no title deed restrictions preventing the proposed land development. There is a title condition in favour of certain neighbouring properties, restricting the subdivision of the property, the construction on it of one dwelling unit and the maintenance of a 9,45m street building line.

Die eienaar het onlangs Erf 6572 gekoop en wil graag Erwe 6572 (0,0918ha) en 13831 (0,0920ha), Stellenbosch herontwikkel deur die konsolidasie van die erwe, die bou van 'n swembad en ontspanningskamer, verwante buitegeboue en die opgradering van die bestaande woonhuis op Erf 13831. Die bestaande huis op Erf 6572 is goedgekeur vir sloping (BP20/1283 dd 11 September 2020). Die nuwe verbeterings sal oor die grens tussen die twee erwe val, aldus die nodigheid om die eiendom te konsolideer.

Die aansoek word gedoen ingevolge Artikel 15 van die Stellenbosch Munisipaliteit Grondgebruikbeplanning Verordening, 2015. Dit dek die volgende aspek(te):

- (1) Artikel 15 (2)(e) 'n konsolidasie van grond wat nie vrygestel is ingevolge Artikel 24 nie; en
- (2) Artikel 15 (2)(f) 'n verwydering, opskorting, of wysiging van beperkende voorwaardes van toepassing op 'n grondeenheid.

Die verbetering aan die eiendom sal pas in die bestaande boulyne en grondgebruik parameters ingevolge die Stellenbosch Munisipaliteit Soneringskema Verordening, 2019.

Erf 6572 word gehou onder Titelakte 20025/2020 en Erf 13831 word gehou onder Akte 39312/2013. Daar is geen titel beperkings wat die herontwikkeling of konsolidasie verhoed nie. Daar is egter beperkende voorwaardes ten gunste van sekere aanliggende eiendomme, wat onderverdeling, die waarde van 'n woonhuis, die aanhou van varke en die verpligte oprigting van 'n woning, verder as 9,45m van die straatgrens, aanspreek.

---

#### **Comment request / Versoek vir kommentaar:**

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/documents/planning-and-building-plans/planning-portal>]. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

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

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:

- Indicate the facts and circumstances that explain the comments;
- Where relevant demonstrate the undesirable effect that the application will have if approved;
- Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
- Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: Dupré Lombaard, Viridus Works, dupre.lombaard@viridus.com. The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **15 November 2020**.

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 +27 82 895 6362 during normal office hours.

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: [\[https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal\]](https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal). 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 ingevolge 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 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: Dupré Lombaard, Viridus Works, dupre.lombaard@viridus.com. 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 **15 November 2020**.

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 +27 82 895 6362 gedurende normale kantoor ure.

Your support of the application by completion of the form below will be appreciated. // U ondersteuning van die aansoek deur voltooiing van die vorm hieronder sal waardeer word.

Yours faithfully



**Dupré Lombaard**

**Herewith I, the undersigned owner / duly authorised representative of the**  
**owner, .....**  
**residing at .....**  
**contactable on telephone / cellular ..... and**  
**email .....**  
**confirm that I have no objection to the removal of the restrictive conditions from the title deeds**  
**as specified above and as set out in the relevant land development application.**

**Signed at ..... on this the ..... day of ..... 2020.**

**Full name and surname .....**

**ID / Passport no. ....**

**Signature .....**

**Virdus Works (Pty) Ltd (Reg. No. 2018/585747/07)**

Development Management Consultants and  
Environmental Assessment Practitioners



10 October 2020

Ms M T Schmitz  
11 Thibault Street  
Stellenbosch  
7600  
Per: Hand - D Lombaard

Dear Sir / Madam      Geagte Heer / Dame

**NOTICE OF LAND DEVELOPMENT APPLICATION: ERVEN 6572 AND 13831, STELLENBOSCH /  
KENNISGEWING VAN GROND ONTWIKKELING AANSOEK: ERWE 6572 EN 13831, STELLENBOSCH**

(YOUR INTEREST (Property or function) / U BELANG (Eiendom of funksie): 1720)

Please take note of the following application regarding a land development as prescribed in the Stellenbosch Land Use Planning Bylaw, 2015. // Neem asseblief kennis van die volgende aansoek om ontwikkeling soos uiteengesit in die Stellenbosch Grondgebruikbeplanningsverordening, 2015.

**Locality / Ligging:** Erf 6572 – 27 Rowan Street and Erf 13831 – 6 Thibault Street.

**Applicant / Aansoeker:** Dupré Lombaard, Virdus Works (Pty) Ltd, 77 Buitekring, Dalsig, STELLENBOSCH, 7600; Email / E-pos: [dupre.lombaard@virdus.com](mailto:dupre.lombaard@virdus.com)

**Owner / Eienaar:** Mnr HAJ Lourens, Cell: +27 82 462 1147, E-mail: [henklourens@capitecbank.co.za](mailto:henklourens@capitecbank.co.za), Adres: 6 Thibaultstraat, Stellenbosch, 7600

**Application type / Tipe aansoek:** The owner recently purchased Erf 6572 and wishes to redevelop Erven 6572 (0,0918ha) and 13831 (0,0920ha), Stellenbosch by the consolidation thereof and the development of a new swimming pool, recreation room and outbuildings simultaneous with the renovation and upgrading of the existing house on Erf 13831. The existing building (old dwelling house) on Erf 6572 has been approved for demolition (BP20/1283 dd 11 September 2020). The house on Erf 13831 will be renovated and the new buildings and structures will be constructed over what is currently the common boundary between the two erven, hence the need to consolidate them.

This is an application in keeping with Section 15 of the Stellenbosch Municipality Land Use Planning Bylaw, 2015. The application covers the following aspect(s):

- (1) Section 15 (2)(e) a consolidation of land that is not exempted in terms of section 24; and
- (2) Section 15 (2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit.

The proposed use and development parameters will be in keeping with the Stellenbosch Municipality Zoning Scheme Bylaw, 2019.

Erf 6572 is held by Deed 20025/2020 and Erf 13831 is held by Deed 39312/2013. There are no title deed restrictions preventing the proposed land development. There is a title condition in favour of certain neighbouring properties, restricting the subdivision of the property, the construction on it of one dwelling unit and the maintenance of a 9,45m street building line.

Die eienaar het onlangs Erf 6572 gekoop en wil graag Erwe 6572 (0,0918ha) en 13831 (0,0920ha), Stellenbosch herontwikkel deur die konsolidasie van die erwe, die bou van 'n swembad en ontspanningskamer, verwante buitegeboue en die opgradering van die bestaande woonhuis op Erf 13831. Die bestaande huis op Erf 6572 is goedgekeur vir sloping (BP20/1283 dd 11 September 2020). Die nuwe verbeterings sal oor die grens tussen die twee erwe val, aldus die nodigheid om die eiendom te konsolideer.

Die aansoek word gedoen ingevolge Artikel 15 van die Stellenbosch Munisipaliteit Grondgebruikbeplanning Verordening, 2015. Dit dek die volgende aspek(te):

- (1) Artikel 15 (2)(e) 'n konsolidasie van grond wat nie vrygestel is ingevolge Artikel 24 nie; en
- (2) Artikel 15 (2)(f) 'n verwydering, opskorting, of wysiging van beperkende voorwaardes van toepassing op 'n grondeenheid.

Die verbetering aan die eiendom sal pas in die bestaande boulyne en grondgebruik parameters ingevolge die Stellenbosch Munisipaliteit Soneringskema Verordening, 2019.

Erf 6572 word gehou onder Titelakte 20025/2020 en Erf 13831 word gehou onder Akte 39312/2013. Daar is geen titel beperkings wat die herontwikkeling of konsolidasie verhoed nie. Daar is egter beperkende voorwaardes ten gunste van sekere aanliggende eiendomme, wat onderverdeling, die waarde van 'n woonhuis, die aanhou van varke en die verpligte oprigting van 'n woning, verder as 9,45m van die straatgrens, aanspreek.

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#### **Comment request / Versoek vir kommentaar:**

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/documents/planning-and-building-plans/planning-portal>]. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

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

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:

- Indicate the facts and circumstances that explain the comments;
- Where relevant demonstrate the undesirable effect that the application will have if approved;
- Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
- Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: Dupré Lombaard, Viridus Works, dupre.lombaard@viridus.com. The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **15 November 2020**.

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 +27 82 895 6362 during normal office hours.

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/documents/planning-and-building-plans/planning-portal>]. 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 ingevolge 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 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: Dupré Lombaard, Viridus Works, dupre.lombaard@viridus.com. 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 **15 November 2020**.



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 +27 82 895 6362 gedurende normale kantoor ure.

Your support of the application by completion of the form below will be appreciated. // U ondersteuning van die aansoek deur voltooiing van die vorm hieronder sal waardeer word.

Yours faithfully



**Dupré Lombaard**

**Herewith I, the undersigned owner / duly authorised representative of the owner, .....**  
**residing at .....**  
**contactable on telephone / cellular ..... and email .....**  
**confirm that I have no objection to the removal of the restrictive conditions from the title deeds as specified above and as set out in the relevant land development application.**

**Signed at ..... on this the ..... day of ..... 2020.**

**Full name and surname .....**

**ID / Passport no. ....**

**Signature .....**

## ANNEXURE F: CONSOLIDATION PLAN

# Consolidation of Erven 6572 and 13831, Stellenbosch



## Legend

Erf

0 0.01 0.02 0.04 km

Scale: 1:1 000

Date created: September 30, 2020

Compiled with CapeFarmMapper



Western Cape  
Government

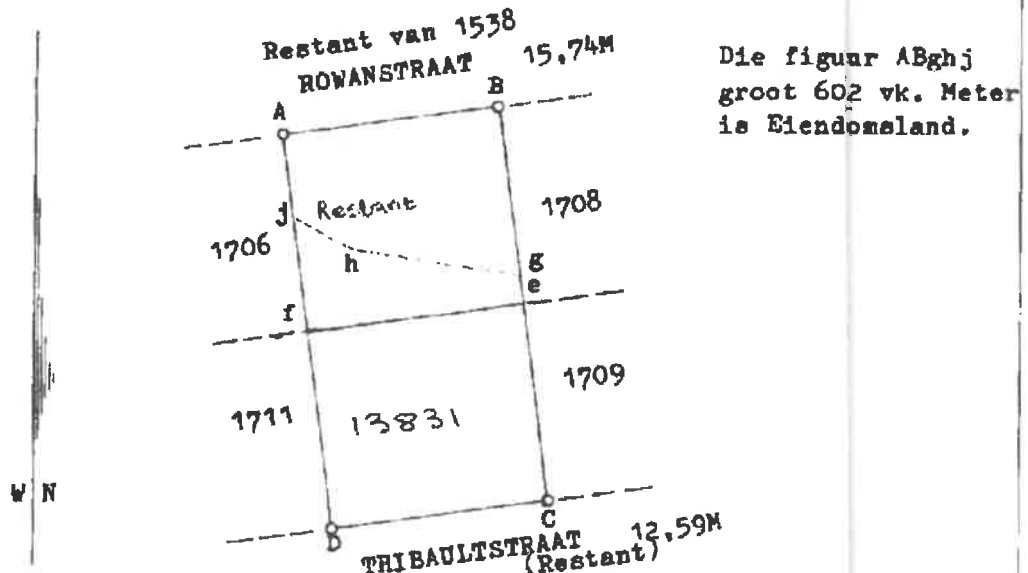
Agriculture

KANTOORAFSKRIF

SYE METER		RIGTINGS- HOEKE	KOÖRDINATE Stelsel Lo. 19 <sup>o</sup>			L.G. No.
		Konstante	Y	X		
			±	0,00	+3700000,00	7 1 3 7 8
AB	31,49	262.37.20	A	+ 10 766,98	+ 56 333,90	Goedgekeur <i>[Handwritten Signature]</i> Landmeter-generaal D 7 FEB 1978
BC	58,40	352.37.20	B	+ 10 735,75	+ 56 329,85	
CD	31,49	82.37.20	C	+ 10 728,25	+ 56 387,77	
DA	58,40	172.37.20	D	+ 10 759,48	+ 56 391,82	

Beskrywing van Bakens

A,B,C,D ..... 450 x 12mm ysterpenne.



	DIE FIGUUR	ERF NO.	KAART NO.	TRANSPORTAKTE NO.
1.	A B e f	1707	4857/43	1944-9-412
2.	f.e.C.D	1710	4855/43	1944-9-412

Skaal 1: 1000

Die figuur A B C D  
stel voor 1838 vierkante Meter grond, synde  
ERF 6572, STELLENBOSCH  
en bestaan uit die 2 erwe soos hierbo aangegee  
geleë in ~~Meestersdorp~~ en in die Munisipaliteit en Administratiewe Distrik  
STELLENBOSCH Provinsie Kaap die Goeie Hoop.

Opgemeet in Saangestel in Januarie 1978  
deur my,

*P. Burger*  
Landmeter

Hierdie kaart is gehog aan  
No. S.V.T. 3488/1978  
gedateer  
lg.v.

Die oorspronklike kaart is.  
soos hierbo aangegee  
No. gehog aan  
Transport/Grondbrief  
No.

Lêer No. S.2641/7  
M.S. No. Sanestelling  
Komp.  
BH - 8DB/2.13 (1492)

Registrateur van Aktes