

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

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

Application Property Address:	17 Nerina Street, Franschhoek
Application Property Number:	Unregistered Erf 3993 (Portion of Erf 619), Franschhoek
Applicant:	ARoux Town Planning, andre@arouxplanning.co.za
Owner:	John & Carme Anne Wyse, wysebarry@eircom.net
Application Reference:	LU/ 13300
Application Type:	Application for a consent use: Unregistered Erf 3993 (Portion of 619), Franschhoek

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

- Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-law for a consent use to use two proposed dwelling units on Unregistered Erf 3993 (Portion of Erf 619) for tourist dwelling units.

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

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

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address;
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
 - Indicate the facts and circumstances that explain the comments;
 - Where relevant demonstrate the undesirable effect that the application will have if approved;
 - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
 - Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: André Roux, andre@arouxplanning.co.za

By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **25 February 2022**.

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

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at 083 448 0376 during normal office hours.

Yours faithfully

André Roux

ARoux Town Planning

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

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

Adres van aansoek eiendom:	17 Nerina Straat, Franschhoek
Aansoek eiendom beskrywing:	Ongeregistreerde Erf 3993 (Gedeelte van Erf 619), Franschhoek
Aansoeker:	ARoux Stadsbeplanning, andre@arouxplanning.co.za
Eienaar:	John & Carme Anne Wyse, wysebarry@eircom.net
Aansoek Verwysing:	LU/ 13300
Tipe Aansoek:	Aansoek vir toestemmingsgebruik: Ongeregistreerde Erf 3993 (Gedeelte van 619), Franschhoek

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

- Aansoek word gedoen ingevolge Artikel 15(2)(o) van die Stellenbosch Munisipale Grondgebruikbeplanningsverordening vir 'n vergunningsgebruik om twee voorgestelde wooneenhede op Ongeregistreerde Erf 3993 (Gedeelte van Erf 619) vir toeristewooneenhede te gebruik.

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydsduur van die publieke deelname proses by die volgende adres:

<https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

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

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.
- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsigte van die volgende aspekte:
 - Die feite en omstandighede aanton wat die die kommentaar toelig;
 - Indien toepaslik, aanton 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: André Roux, andre@arouxplanning.co.za

Deur 'n beswaar, kommentaar of versoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **25 Februarie 2022**.

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 083 448 0376 gedurende normale kantoor ure.

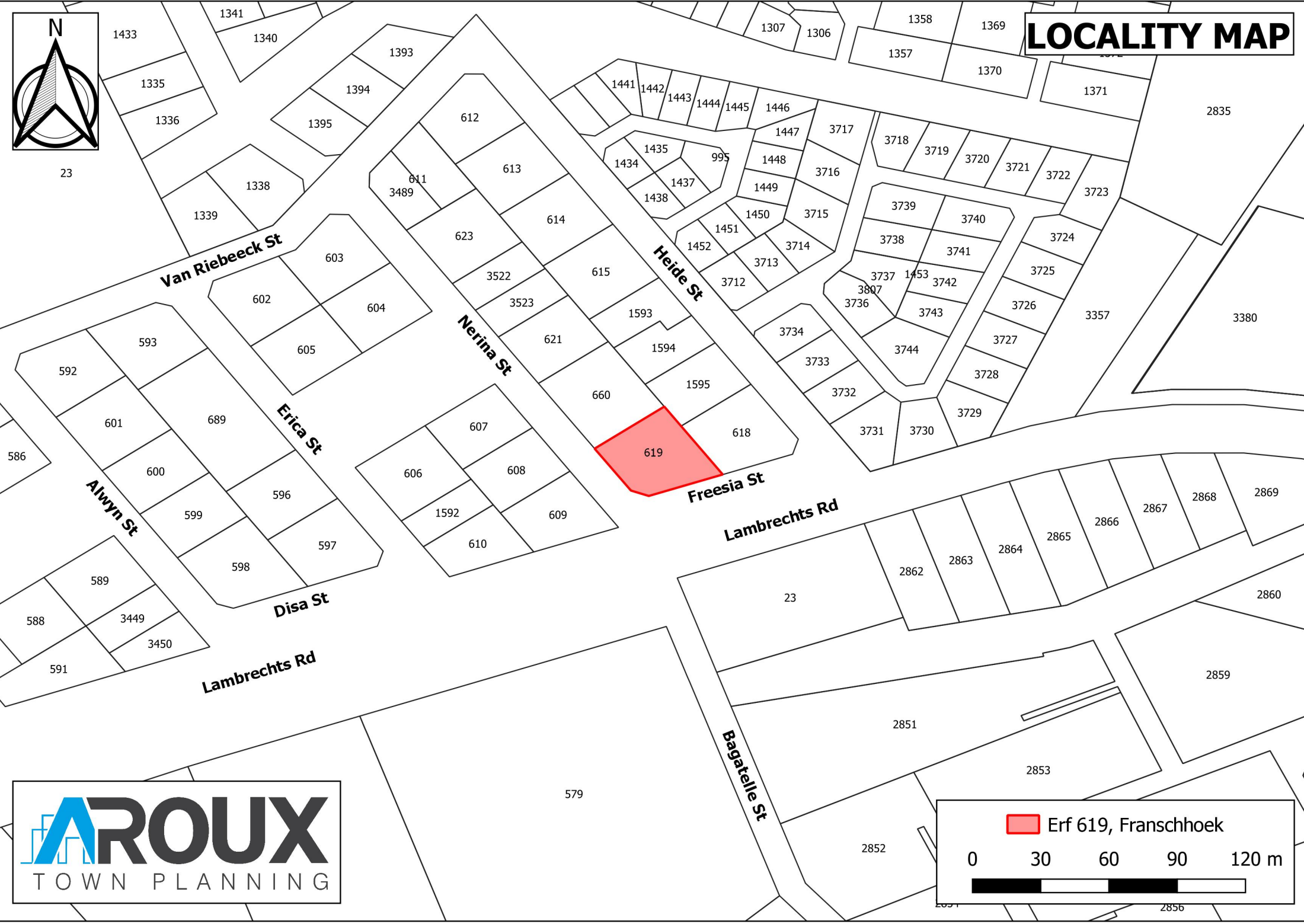
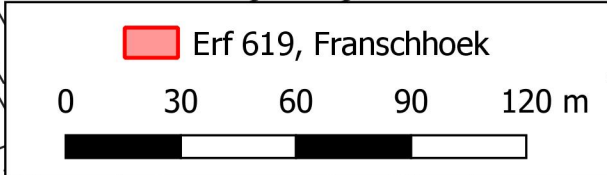
Die uwe

André Roux

ARoux Stadsbeplanning



LOCALITY MAP



EXECUTIVE SUMMARY

THE APPLICATION

Application is hereby made for Council's consent, in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-law (2015), to permit tourist dwelling units on Unregistered Erf 3993 (portion of Erf 619), Franschhoek.

Table I provides a summary of the application and property details:

Table I – Summary of Property and Application Details			
Property Description	Unregistered Erf 3993 (portion of Erf 619), Franschhoek		
Property Address	17 Nerina Street, Franschhoek		
Registered Owner	John & Carmel Anne Wyse		
Applicant	ARoux Town Planning		
Property Extent	616m ²		
Current Zoning	Conventional Residential Zone		
Current Land Use	Single residential – two semi-detached dwelling units to be constructed		
Applicable Zoning Scheme	Stellenbosch Municipality Zoning Scheme By-Law (20019)		
Municipality	Stellenbosch Municipality		
Title Deed	T34281/2016	Title Deed Restrictions	No (restrictive conditions in process of being removed)
Subject to SAHRA	No	Subject to NEMA	No
Proposed Development / Land Use	Council's consent to permit tourist dwelling units.		
Policy Compliant	Yes		

THE PROPOSAL

- Unregistered Erf 3993 (Portion of Erf 619), Franschhoek (from here-on referred to as "the property") is situated in Franschhoek, at the corner of Nerina and Freesia Streets. An application was recently approved by the Stellenbosch Municipality for the subdivision of Erf 619, Franschhoek into two portions, the removal of restrictive title deed conditions and a departure to permit an additional dwelling unit on Portion 2 of the subdivision (Unregistered Erf 3993, Franschhoek).
- It is proposed for the two dwelling units approved for Unregistered Erf 3993, Franschhoek to be used as tourist dwelling units. Tourist dwelling units are not permitted as a primary land use right in the Conventional Residential Zone, but will Council's consent. Application is therefore made for Council's consent to permit tourist dwelling units on Unregistered Erf 3993, Franschhoek.

MOTIVATION

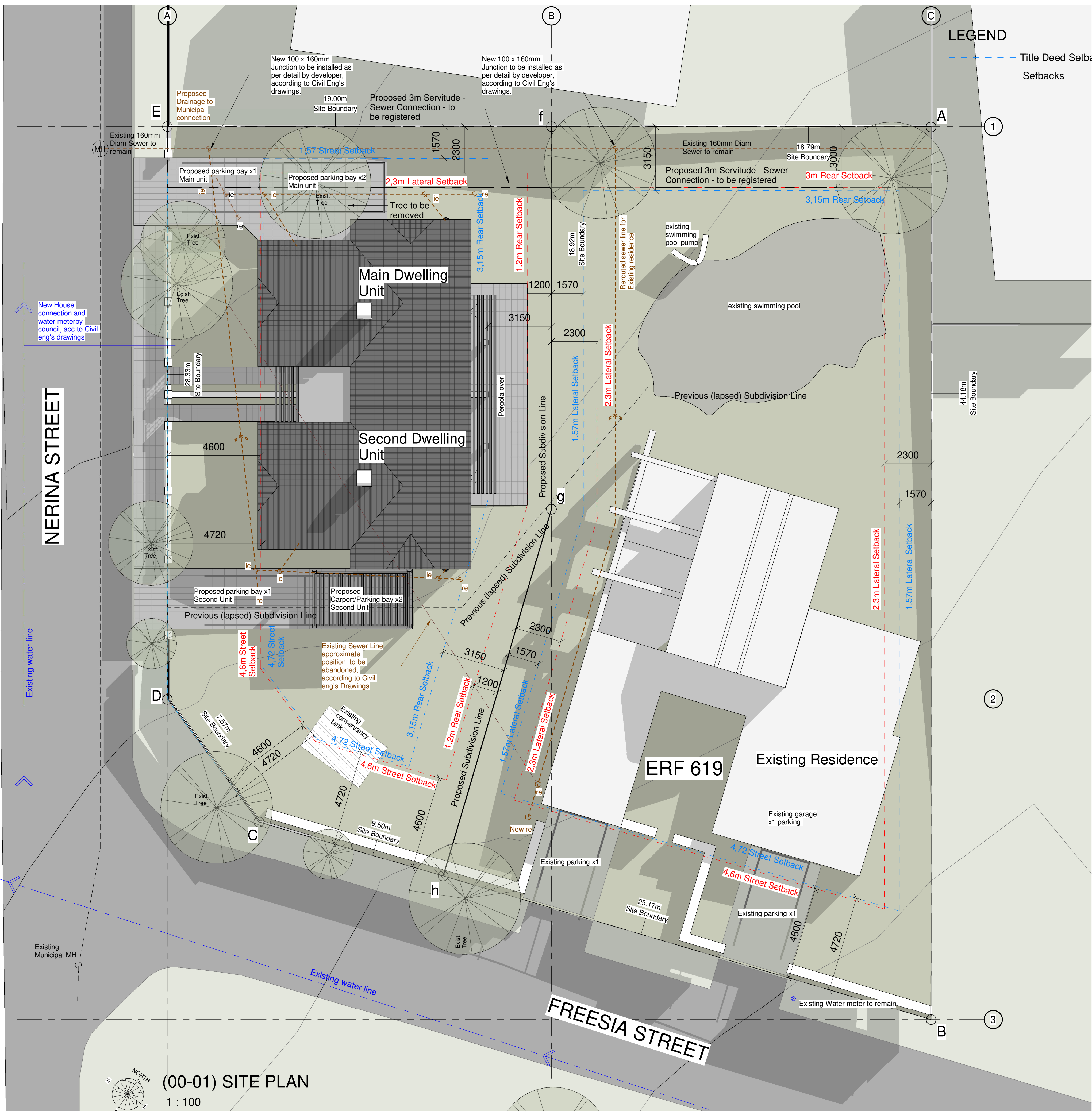
- The use of the approved dwelling units as tourist accommodation is aligned with all relevant planning legislation and provincial and municipal spatial development frameworks.
- Franschhoek is characterized by many tourist facilities, with the tourism industry being one of the largest economic sectors in Franschhoek. A number of existing guest houses, bed-and-breakfasts and

self-catering guest accommodation facilities are situated in the area surrounding the property. The use of the approved dwelling units as tourist accommodation will thus be consistent with the existing character of the area and will contribute positively to the local tourism industry.

- The proposed tourist dwelling units are relatively small and can accommodate one small family only. The small-scale nature of the facility will not result in large groups of people visiting the area.
- The proposed dwelling units will be complimentary to the existing tourism industry and will contribute positively to the local economy.
- The proposed tourist dwelling units will result in less-frequent vehicular trips to and from the property, as opposed to standard dwelling units which mostly accommodate daily trips. It should also be noted that the property is situated adjacent to Lambrechts Road and can therefore be accessed easily and without requiring vehicles to enter the residential area.
- Sufficient provision is made for on-site parking on the property. The parking requirement for tourist accommodation facilities is between 0,7 bays per bedroom and 1 bay per self-catering unit (subject to the Municipality's assessment). The proposed dwelling units contain one bedroom each and the provision of one on-site parking bay for each residential unit is therefore compliant with the zoning regulations.
- Erf 619, Franschhoek is currently serviced with electricity, water and sewerage infrastructure. Additional service connections are in the process of being installed for the approved subdivision. The proposed use of the dwelling units for tourist accommodation will not result in additional demand on municipal services as service usage by tourists by likely be less compared so standard conventional residential properties.

CONCLUSION

It has been demonstrated that the application to permit the proposed tourist dwelling units is desirable and will not result in any negative impact on the surrounding environment. ARoux Town Planning recommends that this application, for Council's consent to permit the proposed tourist dwelling unit on Unregistered Erf 3993 (Portion of Erf 619), Franschhoek, be considered for approval.



(00-01) SITE PLAN
1 : 100

LEGEND

- Title Deed Setbacks
- Setbacks

LEGAL REQUIREMENTS

DIMENSIONS, DESCRIPTIONS & QUANTITIES ON THESE DRAWINGS TO BE VERIFIED ON SITE BEFORE ORDERING MATERIAL OR COMMENCING WITH WORK.

ALL WORK TO BE CARRIED OUT IN STRICT ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS & STANDARDS ACT (ACT 103 OF 1977 & SANS 10400).

ALL TIMBER SIZES & GRADES TO BE VERIFIED & APPROVED BY SUPPLIER'S ENGINEER.

ALL TRUSSES TO BE IN ACCORDANCE WITH SUPPLIER'S / ENGINEER'S DESIGN & APPROVAL BY CLIENT.

ALL MATERIALS TO BE BUILT IN / APPLIED STRICTLY IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS AND INSTRUCTIONS.

ALL LOCAL AUTHORITY, UTILITY SERVICE PROVIDER REQUIREMENTS TO BE ESTABLISHED IN ADVANCE AND ADHERED TO.

ALL BOUNDARY PEGS TO BE LOCATED, AND MARKED, BEFORE WORK IS TAKEN IN HAND.

ANY DISCREPANCIES BETWEEN THESE DRAWINGS & LEGISLATION, LOCAL AUTHORITY, UTILITY SERVICE PROVIDER & GOOD CONSTRUCTION PRACTICE TO BE REFERRED TO THE ARCHITECT BEFORE CONSTRUCTION COMMENCES.

ANY ASPECT DEEMED TO BE UNCLEAR TO BE REFERRED TO THE ARCHITECT FOR CLARITY.

THESE DRAWINGS DO NOT CONSTITUTE A COMPREHENSIVE SPECIFICATION FOR THE WORKS.

NO DIMENSIONS TO BE SCALED FROM THESE DRAWINGS.

REVISIONS

No.	Description	Date	By	To
A	Subdivision Layout	2020/11/03	PB	AR

Zoning classification: Project Stage

Occupation classification:

Developer/Development:

THIS DRAWING TO BE STAMPED BY BPAS FOR PENDING APPROVAL & CONSTRUCTION.

BPAS CAN NOT BE HELD LIABLE RESPONSIBLE OR ACCOUNTABLE FOR ANY UNAUTHORIZED DRAWINGS USED FOR CONSTRUCTION. THE CONTRACTOR AND/OR EMPLOYER TO ENSURE THAT ALL DRAWINGS ARE STAMPED.

Client :

Client Represent.: Client Name

Date : Issue Date

Client signature:

Design Architecture:

bpas
architects

P.O. Box 15256 | Panorama | 7506 | Tel +27 21 914-5960
Fax +27 21 914-5962 | www.bpas.co.za | info@bpas.co.za

Professional:

SACAP no.:

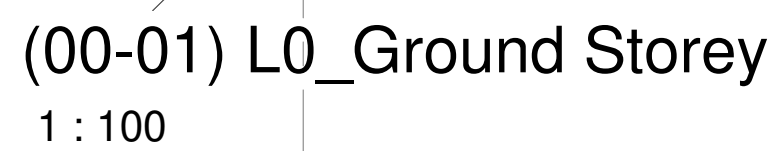
Architect signature:

Project:

Proposed New building on Erf 619, Franschhoek

Drawing: SITE INFORMATION

DATE	2020/11/03	DRAWN	PB	PAPER SIZE
SCALE	1 : 100	CHECKED	IC	A1
PROJECT	405	DRAWING NO	01-00-001	REVISION
				A



DIMENSIONS, DESCRIPTIONS & QUANTITIES ON THESE DRAWINGS TO BE VERIFIED ON SITE BEFORE ORDERING MATERIAL OR COMMENCING WITH WORK

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No.	Description	Date	By	To
A	Subdivision Layout	2020/11/03	PB	AR

No.	Description	Date	By	To
A	Subdivision Layout	2020/11/03	PB	AR

Developer/Development:

Client :

Client signature: _____



Professional:	
---------------	--

Architect signature: _____

**Proposed New building on Erf 619,
Franschhoek**

Drawing: **PLAN AND SITE PHOTOS**

DATE	2020/11/03	DRAWN	PB	PAPER SIZE A1
SCALE	1 : 100	CHECKED	IC	
PROJECT	405	DRAWING NO	01-00-002	



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DUPLICATE RECEIPT

Receipt M/c: DIR1 Duplicate Rec.No: 184497 Date: 19/10/2021

Local Authority: Stellenbosch Municipality

1 578 N 2500.00

12200103520000 05040 FNB DB PMT

DIRECT 200103520000 LU/13300 ERF 619 FR

X100 Key:

X10 Key :

AMPTELIKE KWITANSIE / OFFICIAL RECEIPT

✉ 17, STELLENBOSCH 7599

☎ 021 808-8578 / 8547 / 8546

🖨 021 886 7318

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**TAX INVOICE****STELLENBOSCH**
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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

PO BOX 17, STELLENBOSCH, 7599

PLANNING & ECONOMIC DEVELOPMENT: PLANNING

DATE:	2021-10-14	DOCUMENT NO:	715272
ERF / FARM NO:	619	CREATED BY:	Bulelwa Mdoda
LOCALITY:	17 Nerina Street, FRANSCHHOEK	APPLICATION NO:	LU/LU/13300
OWNER'S NAME:	John and Carmel Wyse	APPLICATION VAT NO:	0
ADDRESS:	17 Nerina Street FRANSCHHOEK 7690	VAT NO:	4700102181
		APPLICANT:	John and Carmel Wyse
		TEL NO:	0879672720

FEE DESCRIPTION	AMOUNT PER UNIT (R)	NUMBER OF UNITS	VOTE NUMBER	AMOUNT (R)
TEMPORARY DEPARTURE/OCCASIONAL USE OF LAND/CONSENT USE IN TERMS OF THE ZONING SCHEME/TECHNICAL APPROVAL/PERMISSION IN TERMS OF ZONING SCHEME/PERMISSION REQUIRED IN TERMS OF THE TITLE DEED: Submitted in urban and rural areas - Submitted in urban and rural areas, Per application per property	2500.00	1	20180711011476	2500.00
FILE NR: 619 FH SCAN NR: COLLABORATOR:			STELLENBOSCH MUNICIPALITY PLANNING AND DEVELOPMENT SERVICES 22 OCT 2021 RECEIVED	
	0.00	0		0.00

TOTAL AMOUNT PAYABLE 2500.00

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

VAT INCLUDED @ 15% 326.09

CALCULATED BY

NAME:

SIGNATURE

DATE: 14/10/2021

PAYMENTS MUST BE MADE AT THE APPLICABLE DISTRICT OFFICE
CHEQUES TO BE MADE PAYABLE TO STELLENBOSCH
MUNICIPALITYAPPLICANT TO RETURN THIS FORM TO THE ADVICE CENTRE FOR
DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT

VERIFIED BY

NAME:

SIGNATURE

DATE:

BANKING DETAILS FOR EFT PAYMENT:

ACCOUNT HOLDER: Stellenbosch Municipality
BANK: First National Bank (FNB)
ACCOUNT NUMBER: 62869253684
BRANCH CODE: 210554
REFERENCE: LU/_____ and ERF/FARM _____Please use both the Land Use Application number and the Erf/Farm
number indicated on this invoice as a reference when making EFT
payment.

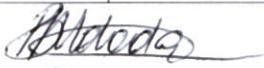


PLANNING & ECONOMIC DEVELOPMENT

LAND USE APPLICATION COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW, 2015				Date of Submission of Application	23-09-2021
Erf	Unregistered Erf 3993	Portion(s) if farm	619	Allotment Area	FRANSCHHOEK
Owner / Applicant	André Roux		Contact number	0834480376	
Email address	andre@arouxplanning.co.za				
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION			ADMIN TO VERIFY ¹		PLANNER TO EVALUATE ²
			YES	NO	
1. Completed application form that is signed			✓		✓
2. Power of Attorney / Owners' Consent if the applicant is an agent and Company Resolution			✓		✓
3. Bondholders' consent					
4. Proof that applicant is authorized to act on behalf of an entity					
5. Proof of ownership or rights held in land					
6. Motivation based on criteria in s65			✓		✓
7. SG diagram or General Plan			✓		✓
8. Locality plan			✓		✓
9. Site development plan or plan showing the land development			✓		✓
10. Subdivision plan			✓		✓
11. Permission for required servitude					
12. Title Deed			✓		✓
13. Conveyancer's certificate					
14. Feedback on Pre-application scrutiny			✓		✓
15. Minutes of Pre-consultation Meeting					
16. Consolidation plan					
17. Street name and numbering plan					

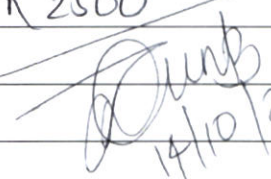
¹ Verification by Admin only of the documentation attached and completeness of application and not the correctness thereof.

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

INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION		ADMIN TO VERIFY		PLANNER TO VERIFY
18. Land use plan / zoning plan				
19. Landscaping / tree plan				
20. Flood line plan				
21. Neighbours' consent				
22. HOA consent				
23. Assessments: EIA, HIA, TIA , TIS, MHIA, EA/ROD				
24. Services report				
25. Previous approvals		✓		✓
26. Proof of failure of HOA				
27. Proof of lawful use right / zoning certificate				
28. Other documents Specify:				
VERIFIED & SIGNED BY ADMIN	NAME: BULELWA			
VERIFIED & SIGNED BY PLANNER	NAME: LOUISA			

Outstanding information (to be completed by Planner):

① Application for (consent use) - R 2500


14/10/2024

NOTES:

1. The documentation is not considered as a registered application until such time as it has been scrutinized, all outstanding information (if any) has been submitted and payment is reflected in Council's bank account, after Applicant has been requested by Admin to make payment.
2. Should it be found that the application is not complete, the Applicant will be notified of outstanding information [s41 (1) (c) (ii)].
3. Once payment has been confirmed and the application has been registered, the Applicant will be notified of the complete application [s41 (1) (c) (i)] and will receive instructions to advertise [s48(4)].
4. Should the outstanding information and/or payment of fees not be received, the applicant will be notified that the application will not proceed due to failure to submit required information [s41 (4)].



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Andre Roux
AROUX TOWN PLANNING
andre@arouxplanning.co.za

09 September 2021

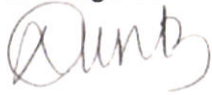
SUBJECT: PRE-APPLICATION SCRUTINY FEEDBACK

APPLICATION FOR CONSENT USE ON UNREGISTERED ERF 3993 (PORTION OF ERF 619, FRANSCHHOEK)

1. Your pre-application scrutiny submission on the above property dated **27 July 2021**, 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



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DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

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

SUBMIT COMPLETED FORM TO landuse.applications@stellenbosch.gov.za

LAND USE PRE-APPLICATION SCRUTINY FORM

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

PART A: APPLICANT, OWNERSHIP & PROPERTY PARTICULARS

Applicant Name	ANDRÉ Roux
E-Mail Address	andre@arouxplanning.co.za
Tel/ Cell Number	083 448 0376
Registered Owner	JOHN & CARMEL WYSE
Property Description (Erf / Farm Number)	UNREGISTERED ERF 3993 (PORTION OF ERF 619)
Physical / Street Address	17 NERINA STREET
Suburb & Town	FRANSCHHOEK
Current Zoning	CONVENTIONAL RESIDENTIAL
Current Land Use Activities / Buildings	VACANT

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: APPLICATION

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

	Rezoning		Removal / Suspension Amendment of restrictive conditions		Permission in terms of condition of approval		Disestablishment of HOA
s15 (2)(b)	Permanent Departure	s15 (2)(g)	Permission in terms of zoning scheme		Determination of a zoning	(2)(g)	Rectify failure by HOA
s15 (2)(c)	Temporary Departure		Amendment of condition(s) of approval	s15	Closure of a public place		Permission required for the reconstruction of a building Other:
	Subdivision		Extension of validity period of approval	☒ s15 (2)(d)	Consent use		
	Consolidation	(2)(h)	Amendment / cancellation of approved subdivision plan	(2)(e)	Occasional use		Other:
OTHER	Technical Approval		Exemption		Title Deed consent / permissions		

Details of the Proposal: (Brief description of development proposal. List expected land use activities. Short motivation of intended land use. Detail planned outcome. If change of zoning is required, list which zoning is applied for. Describe additional use planned for. List type of consent use applied for.)

APPLICATION FOR COUNCIL'S CONSENT TO UTILISE
PREVIOUSLY APPROVED PROPOSED DWELLING UNITS (DOUBLE)
FOR TOURIST ACCOMMODATION

APPLICATION WAS APPROVED UNDER OLD FRANSCHHUEK
SCHEME, WHICH IS NOW REVOKED.

CONSENT FOR TOURIST ACCOMMODATION NOW NEEDED
UNDER STELLENBOSCH ZONING SCHEME.

2. RELEVANCE OF ANY PLANNING LEGISLATION/ POLICIES AND PLANS

RELEVANT PLANNING CONSIDERATIONS		
(a) Are any Municipal plans/policies/guidelines, or any restrictive title conditions, or other legislation / authorizations applicable to the application, and if yes, is the proposal consistent/ compliant with such?	Yes	No
	☒	
Details with reference to applicable plans/ policies/ guidelines: STELLENBOSCH MSDP - TARGETS TOURISM.		
(b) Does the proposal require the following additional infrastructure / services? e.g. electricity; water; sewerage; road network; other?	YES	NO
	☒	
Details on required infrastructure: SEWERAGE NEW SERVICE CONNECTION POINTS ARE BEING INSTALLED.		
(c) Does the development proposal include the provision of residential units, and if so, what is the target market re: range in income bracket/ selling price or rental for the units?	YES	NO
	☒	
Details on target market: UNSURE, DOUBLE DWELLING UNITS TO BE UTILISED AS TOURIST ACCOMMODATION		
(d) In addressing the SPLUMA principle of Spatial Justice and as it relates to prescripts on the provision of inclusionary housing, how will this development proposal target affordable market segments?	YES	NO
Details on inclusionary housing provision: DOUBLE DWELLING UNITS TO BE USED AS TOURIST ACCOMMODATION ONLY.		

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

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

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

Note:

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

DECLARATION:

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

Applicant's signature: _____

Date: 2021-07-27**FOR OFFICE USE:**

Municipal Stamp

Received by: _____

Date: _____

DETERMINATION BY AUTHORISED OFFICIAL

Additional Information	Pre-Application Consultation	Application Ready
Sign: <u>Dunk</u>		☒
	Date: <u>09/09/2021</u>	

APPLICANT INFORMED BY RESPONSIBLE OFFICIAL

Sign: <u>Dunk</u>	Date: <u>09/09/2021</u>
-------------------	-------------------------



22 September 2021

Our reference: 18091

Department: Planning & Economic Development
Stellenbosch Municipality
Plein Street
Stellenbosch
7600

Attention: Mr Stiaan Carstens

Dear Stiaan

APPLICATION FOR COUNCIL'S CONSENT: UNREGISTERED ERF 3993 (PORTION OF ERF 619), FRANSCHHOEK

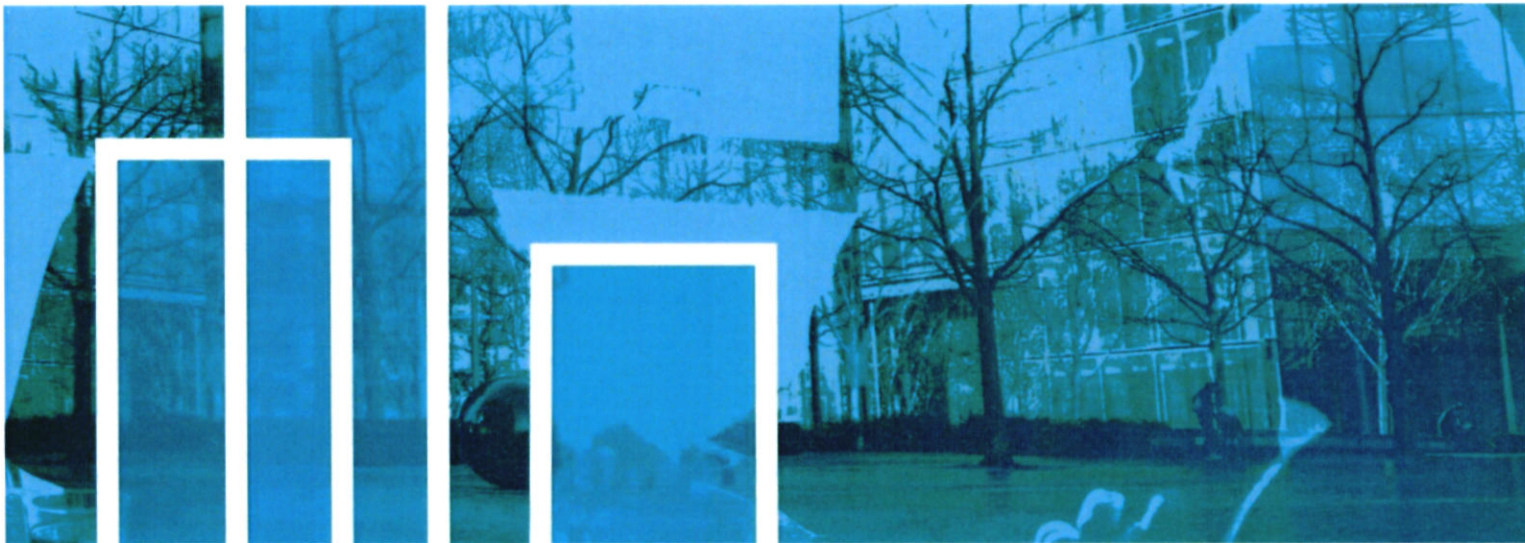
Previous discussions with your department regarding the above-mentioned proposed application refer.

Please find herewith the above-mentioned land use application for council's consent to permit tourist dwelling units on Unregistered Erf 3993 (Portion of Erf 619), Franschhoek.

We trust that you will find the above in order and readily provide any additional information, should it be required.

Your sincerely

André Roux
ARoux Town Planning



UNREGISTERED ERF 3993 (PORTION OF ERF 619), FRANSCHHOEK

APPLICATION FOR COUNCIL'S CONSENT

SUBMITTED TO THE STELLENBOSCH MUNICIPALITY

ON BEHALF OF

JOHN AND CARMEL ANNE WYSE

SEPTEMBER 2021

(Revision 1)



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Office B1, La Concorde Building, 57 Main Road, Paarl 7646

www.arouxplanning.co.za



REGISTERED AT



The South African
Council for Planners
SACPLAN

EXECUTIVE SUMMARY

THE APPLICATION

Application is hereby made for Council's consent, in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-law (2015), to permit tourist dwelling units on Unregistered Erf 3993 (portion of Erf 619), Franschhoek.

Table I provides a summary of the application and property details:

Table I – Summary of Property and Application Details			
Property Description	Unregistered Erf 3993 (portion of Erf 619), Franschhoek		
Property Address	17 Nerina Street, Franschhoek		
Registered Owner	John & Carmel Anne Wyse		
Applicant	ARoux Town Planning		
Property Extent	616m ²		
Current Zoning	Conventional Residential Zone		
Current Land Use	Single residential – two semi-detached dwelling units to be constructed		
Applicable Zoning Scheme	Stellenbosch Municipality Zoning Scheme By-Law (20019)		
Municipality	Stellenbosch Municipality		
Title Deed	T34 281/2016	Title Deed Restrictions	No (restrictive conditions in process of being removed)
Subject to SAHRA	No	Subject to NEMA	No
Proposed Development / Land Use	Council's consent to permit tourist dwelling units.		
Policy Compliant	Yes		

THE PROPOSAL

- Unregistered Erf 3993 (Portion of Erf 619), Franschhoek (from here-on referred to as "the property") is situated in Franschhoek, at the corner of Nerina and Freesia Streets. An application was recently approved by the Stellenbosch Municipality for the subdivision of Erf 619, Franschhoek into two portions, the removal of restrictive title deed conditions and a departure to permit an additional dwelling unit on Portion 2 of the subdivision (Unregistered Erf 3993, Franschhoek).
- It is proposed for the two dwelling units approved for Unregistered Erf 3993, Franschhoek to be used as tourist dwelling units. Tourist dwelling units are not permitted as a primary land use right in the Conventional Residential Zone, but will Council's consent. Application is therefore made for Council's consent to permit tourist dwelling units on Unregistered Erf 3993, Franschhoek.

MOTIVATION

- The use of the approved dwelling units as tourist accommodation is aligned with all relevant planning legislation and provincial and municipal spatial development frameworks.
- Franschhoek is characterized by many tourist facilities, with the tourism industry being one of the largest economic sectors in Franschhoek. A number of existing guest houses, bed-and-breakfasts and

self-catering guest accommodation facilities are situated in the area surrounding the property. The use of the approved dwelling units as tourist accommodation will thus be consistent with the existing character of the area and will contribute positively to the local tourism industry.

- The proposed tourist dwelling units are relatively small and can accommodate one small family only. The small-scale nature of the facility will not result in large groups of people visiting the area.
- The proposed dwelling units will be complimentary to the existing tourism industry and will contribute positively to the local economy.
- The proposed tourist dwelling units will result in less-frequent vehicular trips to and from the property, as opposed to standard dwelling units which mostly accommodate daily trips. It should also be noted that the property is situated adjacent to Lambrechts Road and can therefore be accessed easily and without requiring vehicles to enter the residential area.
- Sufficient provision is made for on-site parking on the property. The parking requirement for tourist accommodation facilities is between 0,7 bays per bedroom and 1 bay per self-catering unit (subject to the Municipality's assessment). The proposed dwelling units contain one bedroom each and the provision of one on-site parking bay for each residential unit is therefore compliant with the zoning regulations.
- Erf 619, Franschhoek is currently serviced with electricity, water and sewerage infrastructure. Additional service connections are in the process of being installed for the approved subdivision. The proposed use of the dwelling units for tourist accommodation will not result in additional demand on municipal services as service usage by tourists by likely be less compared so standard conventional residential properties.

CONCLUSION

It has been demonstrated that the application to permit the proposed tourist dwelling units is desirable and will not result in any negative impact on the surrounding environment. ARoux Town Planning recommends that this application, for Council's consent to permit the proposed tourist dwelling unit on Unregistered Erf 3993 (Portion of Erf 619), Franschhoek, be considered for approval.

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1.0 INTRODUCTION

1.1 PROPERTY AND APPLICATION DETAILS

Table 1 below provides a summary of the property and application details:

Table 1 – Property and Application Details	
Property Description	Unregistered Erf 3993 (Portion of Erf 619), Franschhoek
Property Address	17 Nerina Street, Franschhoek
Registered Owner	John & Carmel Anne Wyse
Applicant	ARoux Town Planning
Property Extent	616m ²
Current Zoning	Conventional Residential Zone
Current Land Use	Single residential – two semi-detached dwelling units to be constructed (as approved)
Applicable Zoning Scheme	Stellenbosch Municipality Zoning Scheme By-law (2019)
Municipality	Stellenbosch Municipality
Title Deed	T31 281/2016 (registered on 14 June 2016)
Title Deed Restrictions	None
Proposed Development / Land Use	Tourist accommodation
Application Components	Council's consent to permit tourist dwelling units
Subject to PHRA / SAHRA	No
Subject to NEMA	No
Policy Compliant	Yes

1.2 BACKGROUND

Erf 619, Franschhoek is situated in the southern region of Franschhoek and contains an existing old Dutch style cottage which is used as a temporary residence by the owner (who otherwise resides in Europe).

An application for subdivision, permanent departure and removal of restrictive title deed conditions for Erf 619, Franschhoek was approved by the Stellenbosch Municipality on 18 May 2021. This allows the property to be subdivided into two portions, with the existing dwelling house on Portion 1 and two new semi-detached dwelling units on Portion 2. A copy of this approval is attached as **Annexure H**.

The application was submitted in terms of the previous Franschhoek Zoning Scheme, which applied at the time. Although this scheme has since been revoked with the approval of the new Stellenbosch Zoning Scheme By-Law, the regulations of the Franschhoek Scheme remained applicable as the application was submitted before the promulgation of the Stellenbosch Zoning Scheme By-Law.

The two dwelling units on portion 2 of the approved subdivision (Unregistered Erf 3993, Franschhoek) was initially intended to be used as self-catering tourist accommodation units. However, the Franschhoek Zoning Scheme did not permit tourist accommodation in the Single Residential Zone, as a primary land use right or with Council's consent. The above-mentioned approval could therefore not include approval for tourist accommodation for Unregistered Erf 3993, Franschhoek.

The new Stellenbosch Zoning Scheme By-Law, which now applies, does however allow tourist accommodation with Council's consent. Application is thus hereby made for Council's consent for tourist dwelling units, in terms of the Stellenbosch Municipality Zoning-Scheme By-Law, to permit the approved dwelling units on Unregistered Erf 3993, Franschhoek, as tourist accommodation.

ARoux Town Planning was appointed by the property owner to submit the required land use application to the Stellenbosch Municipality on their behalf (refer to the power of attorney attached as **Annexure B**).

1.3 LOCALITY

Franschhoek is situated within the Cape Winelands district of the Western Cape, approximately 25km east of Stellenbosch and 23km south of Paarl. Erf 619, Franschhoek is situated in the southern region of Franschhoek, at the corner of Nerina and Freesia Streets, adjacent to the R5 (Lambrechts Road) (refer to **Figure 1**).

A locality map is attached as **Annexure E**.



Figure 1 – Regional Context

1.4 CHARACTER OF THE AREA

The area can be described as an upmarket residential area, with many properties in the area being used as guest accommodation facilities. This includes the LAB Lifestyle Franschhoek guest house situated on Erf 660 which abuts the property to the north. Other properties in the vicinity of the subject property which are also used as guest accommodation facilities include Erven 623, 613 and 689.

Most properties in the area are zoned Conventional Residential (refer to **Figure 2**).



Figure 2 – Zoning Map (showing the previous, and now lapsed, subdivision)



Figure 3 – Aerial Image (the approved subdivision not indicated)

1.5 STATUTORY INFORMATION OF THE PROPERTY

1.5.1 Property Ownership and Registration

The property is formally registered as Erf 619, Franschhoek and is owned by John and Carmel Anne Wyse, as confirmed in the title deed with number T~~3~~ 281/2016 (registered on ~~14~~ June 2018 – refer to **Annexure C**).

Approval for the subdivision of the property into two portions has been approved by the Municipality in May 2021. The registration of the subdivision has not yet been approved, but is in process. Portion 2 of the approved subdivision has been allocated a new erf number and will be registered as Erf 3993, Franschhoek.

1.5.2 Restrictive Title Deed Conditions

Erf 619, Franschhoek's title deed contains restrictive conditions, namely Conditions B.13.(b) and B.13.(b). The removal of these conditions has been approved by the Municipality as part of the afore-mentioned land use approval issued in May 2021 and a notice has been placed in the Provincial Gazette. The official removal of these conditions in the Deeds Office is in process.

1.5.3 Servitudes

There are no existing servitudes registered on the property, but a new 3,0m sewer servitude along the property's northern boundary in favour of Stellenbosch Municipality will be registered as part of the registration of the approved subdivision. Refer to the SG Diagram, attached as **Annexure D** and the approved subdivision plan attached as **Annexure F**.

1.5.4 Zoning

Erf 619, Franschhoek is zoned Conventional Residential Zone in terms of the Stellenbosch Municipality Zoning Scheme By-Law (2019). This zoning will be retained for both portions of the approved subdivision.

2.0 THE APPLICATION

2.1 NATURE OF THE APPLICATION

Application is made for Council's consent to allow tourist dwelling units on Unregistered Erf 3993, (a portion of Erf 619), Franschhoek, in terms of **Section 15(2)(o)** of the Stellenbosch Municipality Land Use Planning By-Law (2015), read with Section 4 9(1) of the Stellenbosch Municipality Zoning Scheme By-law (2019).

2.2 THE PROPOSED LAND USE

As mentioned, two semi-detached dwelling units have been approved on Unregistered Erf 3993, Franschhoek by the Stellenbosch Municipality as part of the land use approval issued in May 2021. Refer to the layout of the approved dwelling units in **Figure 4** below. It is proposed to use the approved dwelling units for tourist accommodation, i.e. self-catering tourist dwelling units that will be rented out separately on a short-term basis.

Note that no new development or additional structures are proposed. The approved dwelling units will be utilised as tourist accommodation only.

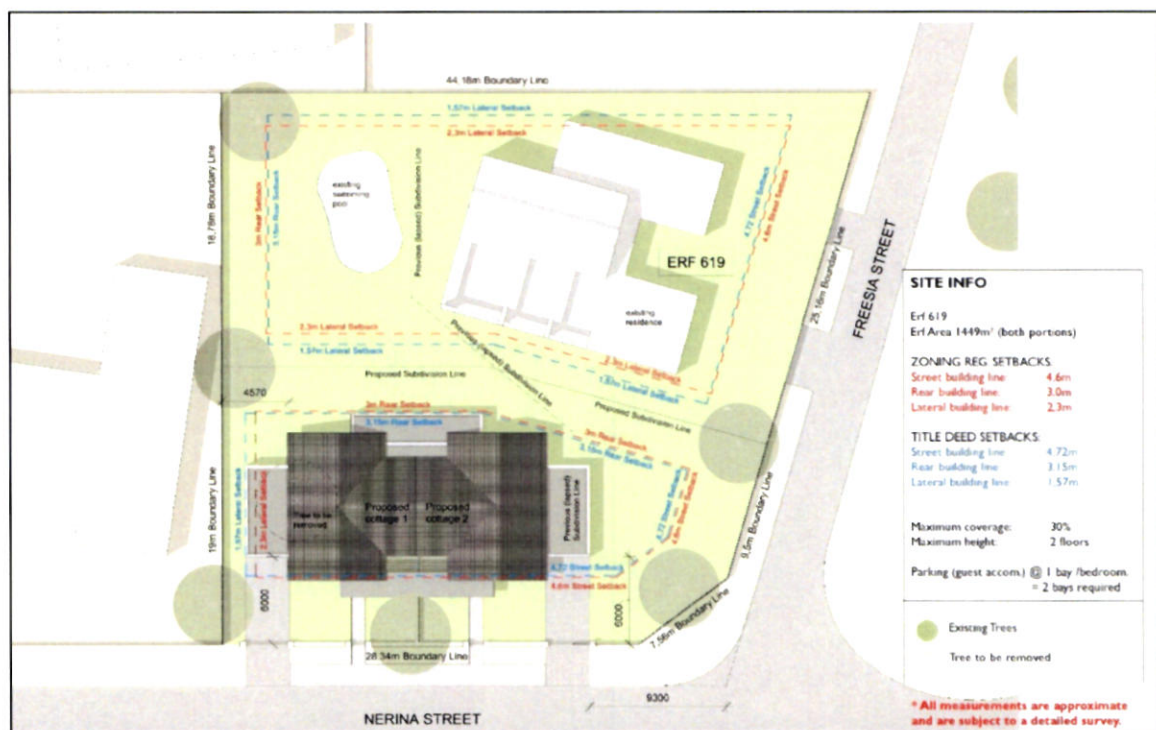


Figure 4 – Site Development Plan (BPAS Architects)

The dwelling units have floor areas of 82m² and 80m² respectively and each contain one en-suite bedroom with an open plan living / dining area and kitchenette. Separate carports are provided for each unit and provide for ample on-site parking.

The Site Development Plan (SDP) is attached as **Annexure G**.

3.0 MOTIVATION

3.1 CONSISTENCY WITH PLANNING LEGISLATION (SPLUMA & LUPA)

Both the Spatial Planning and Land Use Management Act No.16 of 2013 (SPLUMA) and the Western Cape Land Use Planning Act No.3 of 2014 (LUPA) specifies that, in considering and deciding a land use application, decision-making authorities must be guided by a set of development principles, including the principles of spatial justice, spatial sustainability, efficiency, good administration and spatial resilience.

The proposed development adheres to the development principles relevant to this application, as stipulated below:

- **Spatial Justice** - The proposal contributes to the principle of spatial justice and redressing of past spatial and other development imbalances as it ensures improved utilisation of land and will contribute to the local economy;
- **Spatial Sustainability** – The proposal does not have any impact on natural habitat, areas with high biodiversity or heritage resources;
- **Efficiency** – The proposal will ensure that existing resources and infrastructure is optimised;
- **Spatial Resilience** – The proposal is aligned with the municipal spatial development frameworks and will contribute to sustainable livelihoods in the local community.

3.2 CONSISTENCY WITH SPATIAL DEVELOPMENT FRAMEWORKS

The **Western Cape Spatial Development Framework (PSDF)** was approved by the executive authority in 2014 and endorsed by the Provincial Cabinet to replace the previous PSDF. The PSDF recognises the Western Cape as a world class tourism destination, given the attraction and authenticity of rural landscapes of scenic, cultural and natural splendour. Tourism which are based in settlements and along regional tour routes, is identified as one the economic sub-sectors that the Western Cape Government are targeting for growth.

The amended **Stellenbosch Spatial Development Framework (SSDF)** has been drafted by the Stellenbosch Municipality in accordance with the relevant legislative requirements to guide the future spatial form of the greater Stellenbosch area. Franschhoek is described as an administrative and agricultural service centre that has become popular as a destination for upmarket tourism and cuisine. Amongst the village's advantages, from a spatial planning perspective, are its tourist destinations and historical buildings while the over-capacity of the successful tourism industry is identified as a challenge by the SDF as it results in traffic congestion in its main streets.

The proposed tourist dwelling units are therefore aligned with the strategic policies and principles of the applicable provincial and municipal spatial development frameworks.

3.3 COMPLIANCE WITH THE STELLENBOSCH ZONING SCHEME BY-LAW

Unregistered Erf 3993 (Portion of Erf 619), Franschhoek is zoned Conventional Residential Zone in terms of the Stellenbosch Municipality Zoning Scheme By-Law (2019).

The Conventional Residential Zone allows for a dwelling house as a primary land use. Several other land uses are also permitted as additional land uses, with technical approval or with Council's consent. This includes a tourist dwelling unit which is permitted with Council's consent.

Application is made for Council's consent to permit the approved semi-detached tourist dwelling units to be utilised as tourist accommodation. As no additional development or structures are proposed, the proposal remains compliant with the zoning regulations applicable to the property, subject to approval of the consent use application.

3.4 DESIRABILITY OF THE PROPOSED LAND USE

- Franschhoek is characterized by many tourist facilities, with the tourism industry being one of the largest economic sectors in Franschhoek. A number of existing guest houses, bed-and-breakfasts and self-catering guest accommodation facilities are situated in the area surrounding the property. The use of the approved dwelling units as tourist accommodation will thus be consistent with the existing character of the area and will contribute positively to the local tourism industry.
- The proposed tourist dwelling units are relatively small and can accommodate one small family only. The small-scale nature of the facility will not result in large groups of people visiting the area.
- The proposed dwelling units will be complimentary to the existing tourism industry and will contribute positively to the local economy.
- The proposed tourist dwelling units will result in less-frequent vehicular trips to and from the property, as opposed to standard dwelling units which mostly accommodate daily trips. It should also be noted that the property is situated adjacent to Lambrechts Road and can therefore be accessed easily and without requiring vehicles to enter the residential area.
- Sufficient provision is made for on-site parking on the property. The parking requirement for tourist accommodation facilities is between 0,7 bays per bedroom and 1 bay per self-catering unit (subject to the Municipality's assessment). The proposed dwelling units contain one bedroom each and the provision of one on-site parking bay for each residential unit is therefore compliant with the zoning regulations.

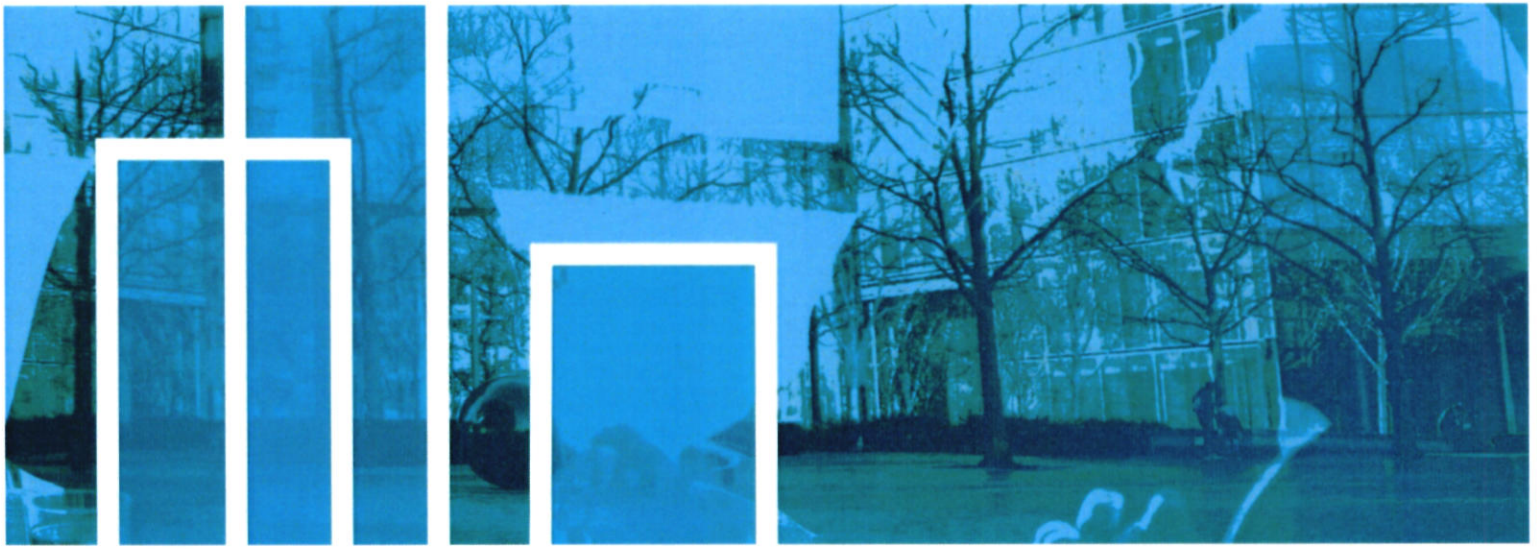
3.5 IMPACT ON ENGINEERING SERVICES

Erf 619, Franschhoek is currently serviced with electricity, water and sewerage infrastructure. Additional service connections are in the process of being installed for the approved subdivision. The proposed use of the dwelling units for tourist accommodation will not result in additional demand on municipal services as service usage by tourists is likely to be less compared to standard conventional residential properties.

4.0 CONCLUSION & RECOMMENDATION

It has been demonstrated that the application to permit a tourist dwelling units on Unregistered Erf 3993, Franschhoek is desirable and will not result in any negative impact on the surrounding environment. The proposal is aligned with all relevant spatial development frameworks and municipal planning policies and will support the tourist industry of Franschhoek.

ARoux Town Planning recommends that this application for council's consent to permit tourist dwelling units on Unregistered Erf 3993 (Portion of Erf 619), Franschhoek, be considered for approval.



ANNEXURE A

Stellenbosch Municipality Application Form



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

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

 SUBMIT COMPLETED FORM TO landuse.applications@stellenbosch.gov.za

LAND USE PLANNING APPLICATION FORM

(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)	ANDRÉ				
Surname	ROUX				
Company name (if applicable)	AROUX TOWN PLANNING				
Postal Address	OFFICE B1, LA CONCORDE BUILDING, 57 MAIN ROAD, PAARL				Postal Code 7646
Email	andrie@arouxplanning.co.za				
Tel	021 180 3171	Fax	/	Cell	083 448 0376

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

Registered owner(s)	JOHN & CARMEL WYSE				
Physical address	17 NERINA STREET, FRANSCHHOEK				Postal code 7690
E-mail	wysebarry@eircom.net				
Tel	/	Fax	/	Cell	081 967 2720

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

Erf / Erfen / Farm No.	UNREGISTERED ERF 3993	Portion(s) if Farm	PORTION OF ERF 619	Allotment area	FRANSCHHOEK	
Physical Address	17 NERINA STREET, FRANSCHHOEK					
Current Zoning	CONVENTIONAL RESIDENTIAL	Extent	616 m ² /b ⁶	Are there existing buildings?	Y	(N)
Applicable Zoning Scheme	STELLENBOSCH MUNICIPALITY ZONING SCHEME (2019)					

Current Land Use	VACANT									
Title Deed number and date	T	34281 / 2016								
Attached Conveyance's Certificate	Y	☒ 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)?	Y	☒ N	If Yes, list the party(ies):							
Is the property encumbered by a bond?	Y	☒ N	If Yes, list the bondholder(s):							
Is the property owned by Council?	Y	☒ N	If Yes, kindly <u>attach a power of attorney</u> from the Manager Property Management							
Is the building located within the historical core?	Y	☒ N	Is the building older than 60 years?	Y	☒ N	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹	Y	☒ N	If Yes, kindly indicate which section are triggered and attached the relevant permit if applicable.	
Any existing unauthorized buildings and/or land use on the subject property(ies)?				Y	☒ N	If yes, is this application to legalize the building / land use ² ?			Y	☒ N
Are there any pending court case(s) / order(s) relating to the subject property(ies)?				Y	☒ N	Are there any land claim(s) registered on the subject property(ies)?			Y	☒ N

PART D: PRE-APPLICATION CONSULTATION

Has there been any pre-application consultation?	☒ N	If Yes, please attach the minutes of the pre-application consultation.
Has the pre-application scrutiny form been submitted?	☒ N	If yes, please attach the written feedback received.

PART E: LAND USE PLANNING APPLICATIONS AND APPLICATION FEES PAYABLE**APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)**

Tick	Type of application: <i>Cost are obtainable from the Council Approved tariffs</i>
☐	15(2)(a) rezoning of Land
☐	15(2)(b) a permanent departure from the development parameters of the zoning scheme
☐	15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land
☐	15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement
☐	15(2)(e) a consolidation of land that is not exempted in terms of section 24
☐	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

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

² No application may be submitted to legalize unauthorised building work and or land use on the property if a notice has 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)

	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
	Consent / Permission required in terms of a title deed	R
	Technical approval in terms of the Zoning Scheme Bylaw, 2019	R
	Other (specify): _____	R
TOTAL A:		R

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

Tick	Notification of application in media	Type of application	Cost
	SERVING OF NOTICES	Delivering by hand; registered post; electronic communication methods	R
	PUBLICATION OF NOTICES	Local Newspaper(s); <i>Provincial Gazette</i> ; site notice; Municipality's website	R
	ADDITIONAL PUBLICATION OF NOTICES	Site notice, public meeting, local radio station, Municipality's website, letters of consent or objection	R
	NOTICE OF DECISION	<i>Provincial Gazette</i>	R
	INTEGRATED PROCEDURES	T.B.C	R
TOTAL B:			R
<u>TOTAL APPLICATION FEES*</u> (TOTAL A + B)			R

* The complete application should first be submitted without the payment of any applicable application fees. Only when satisfied that a complete and accurate application has been submitted, will a proforma invoice be submitted to the applicant with payment instructions. Application fees that are paid to the Municipality are non-refundable and once proof of payment is received, the application will be regarded as duly submitted.

****All indigent residents who are registered as such with the Municipality and with proof submitted together with application will be exempted from applicable fees for Permanent Departure applications including but not limited to building lines, coverage, height, bulk, parking. Contact: indigent.office@stellenbosch.gov.za or 021 808 8501 or 021 808 8579**

*** 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

Account Holder Name: Stellenbosch Municipality
 Bank: FIRST NATIONAL BANK (FNB)
 Branch no.: 210554
 Account no.: 62869253684
 Payment reference: LU/_____ and ERF/FARM _____

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

DETAILS FOR INVOICE

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

JOHN 3 CARMEL WYSE

Postal Address

17 NERINA STREET, FRANSCHHOEK, 7690.

Vat Number (where applicable)

/

PART F: DETAILS OF PROPOSAL

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

Brief description of proposed development / intent of application:

COUNCIL'S CONSENT TO UTILISE PREVIOUSLY APPROVED PROPOSED DOUBLE DWELLING UNITS FOR TOURIST ACCOMMODATION.

SEE ATTACHED MOTIVATION REPORT.

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

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

Y	N	N/A	Proof of lawful use right	Y	N	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes
✓	N	N/A	Required number of documentation copies	Y	N	N/A	Other (specify)

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

Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.	Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989))
Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)	Y N/A National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
✓	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)	Y N/A National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations	Y N/A National Water Act, 1998 (Act 36 of 1998)
✓	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)	Y N/A Other (specify)
Y	N	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:

2021-09-14

Full name:

ANDRÉ Roux

(ARoux Town Planning)

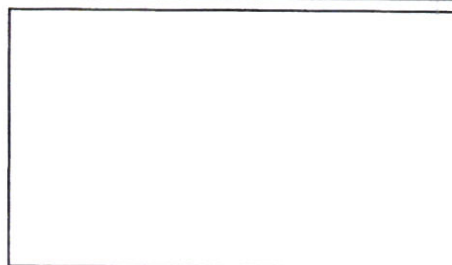
Professional capacity:

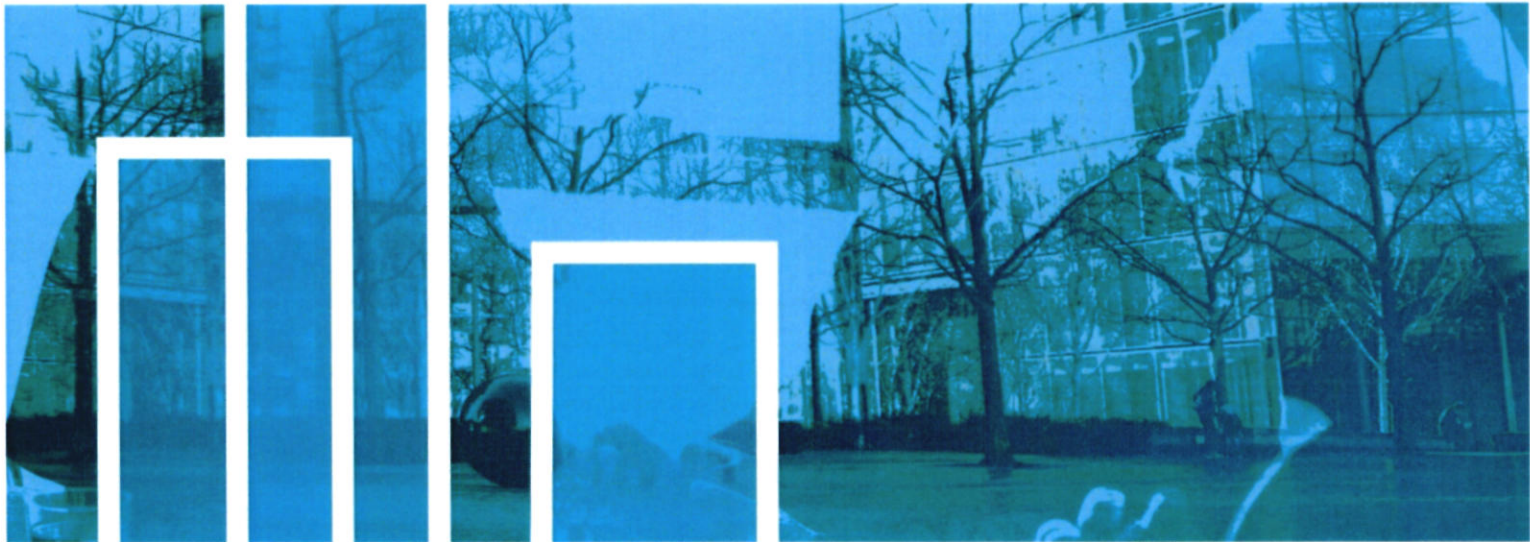
TOWN PLANNER

FOR OFFICE USE ONLY

Date received: _____

Received By: _____





ANNEXURE B

Power of Attorney



✉ wysebarry@eircom.net
☎ +353 (0)87 9672720
🏠 17 Nerina Street, Franschhoek,
Western Cape, 7690
🌐 www.honeypotcottage.co.za

The Municipal Manager
Stellenbosch Municipality
Plein Street
Stellenbosch
7600

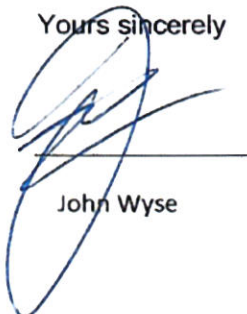
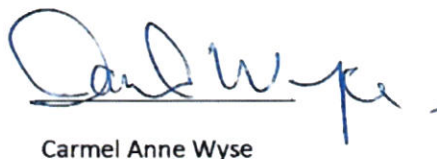
Date: 01/12/2018

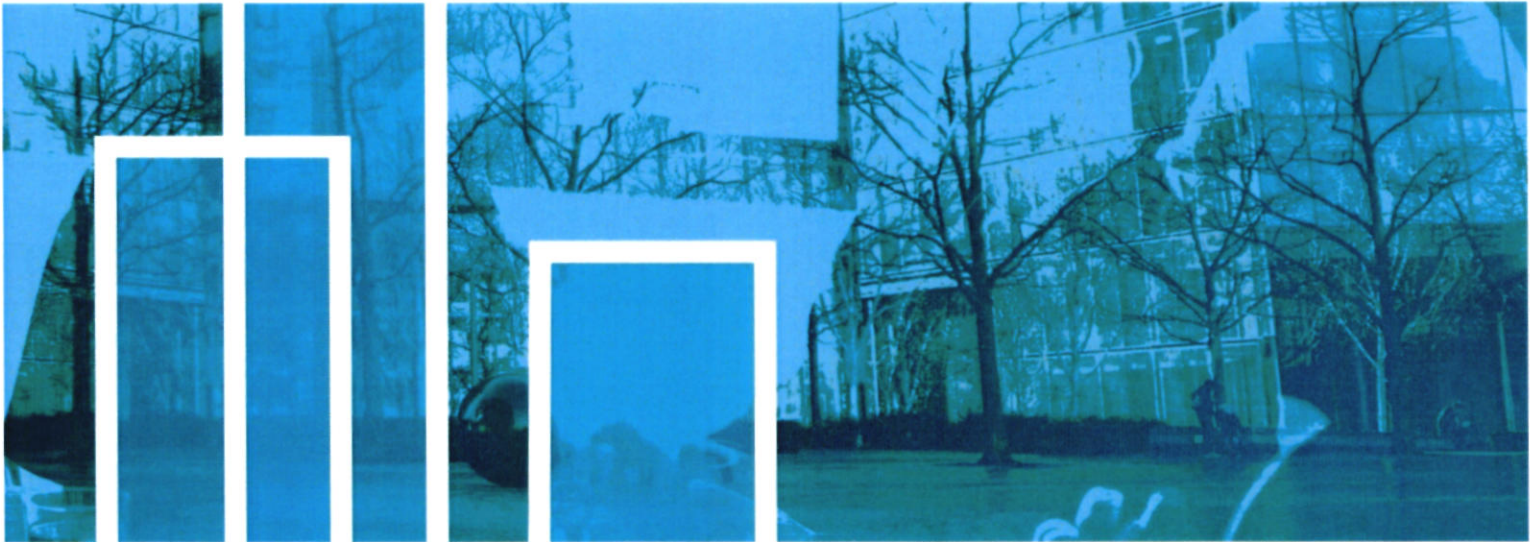
TO WHOM IT MAY CONCERN

We, John and Carmel Anne Wyse, owners of Erf 619, Franschhoek, hereby certify that authority has been granted to ARoux Town Planning (represented by André Roux) to submit a land use application to the Stellenbosch Municipality, including but not limited to subdivision, removal of restrictive title deed conditions, Council's consent and permanent departure, for Erf 619, Franschhoek.

The undersigned therefore, nominates, constitutes and appoints the applicant with the power of substitution to be the company's legal representative/agent and to act in the name, place and stead of the company in the above regard. Power of attorney is accordingly hereby granted to the applicant to sign all correspondence in respect of the matter referred to above.

Yours sincerely


John Wyse
Carmel Anne Wyse



ANNEXURE C

Copy of Title Deed

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

(a) Gelyktydigs met ander registrasiekantore/deelstels: Simult with other registries/sectional titles:

Kode	Firma/Firm	Eiensdom/Property	Kantoor/Office

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

Aard en nommer van akte Nature and number of deed	Cover No. Omring Nr.	Perseel van ondersoekers Initials of Examiners

(c) Notas/Notes:

B. VIR AKTEKANTOOR GEBRUIK/FOR DEEDS OFFICE USE:

Opmerkinge Remarks	Perseel Initials
(1) Dorp goedgekeur (geproklameer) Township approved (proclaimed)	
(2) Begravingsterre Endowment estate	
(3) Begraving Endowment	
(4) Voorwaardes Conditions	
(5) Mikro Micro	
(6) Algemene plan General Plan	
(7) Tietelake Title Deed	
(8) Verbode teen dorpsreël Bonds against township title	
(9) Datum nagegaan Date checked	

Kantoor instruksies/Office instructions:

Stelsel/Section:

**MELIZE VAN DER MERWE
& ASSOCIATES**
BOX 259
TEL 021 422 0840
FAX 021 422 0840
e-mail: melize@melize.co.za

ERF 619 FAANSCHTOOR

UITVOERING/EXECUTION

13 Jun 2016

2016-06-01

LODGED LODGED
INGEDIEN INGEDIEEN

A. VIR AKTEKANTOOR GEBRUIK/FOR DEEDS OFFICE USE:

Ondersoekers/Examiners	Kantoor/Room	Skakeling/Linking	Reisin/ Verwerp	Passen/Pass
B. QINISILE	1175	2	1	
	127			

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

Aard van Akte/Nature of Deed: **TAANSTAF**
H. J. NEUMANN
J. G. C. WYSE

N. SEOMANE
T000034281/2016

Skakeling/Linking: **21**

Tietelake, ens. binne/Title deed, etc. within: **See No 2 of DATHA 10 T49007/2012**

GELYKTYDIGES/SIMULT

Nr. in List/Serial	Kode Code	Naam van Partys/Names of Parties	Naam van Firma/Name of Firm	Firma/ Firm No.
1		T NEUMANN & WYSE	MARLENE HAN	259
2		BC NEUMANN / A H S	CEA FAICDIANDA	72
3				
4				
5				
6				
7				
8				
9				
10				

EXAMINER'S NOTICE
NOTICE INSIDE
HANDED IN FOR EXECUTION

REGISTRASIE VERSOEK DEUR:
REGISTRATION REQUESTED BY:
DATUM:
DATE:

080005311480

ⓑ

- ① Comply with Reg 18 I.R.O. trees See below
- ② T/ro. is duly assisted by who? withdrawn pages of deed and certiff on PA B. QINISILE
- ③ Comply with ~~Reg 18~~ I.R.O. trees
- ④ On TDR names of trees are omitted refer TDR to SAES B. QINISILE

I certify that ~~ALYN~~ par. 113
were not issued with JA 113
documents i. t. o. Act 72 of
1986

M. P. V. D. ...

259

Melize van der Merwe & Associates
31 Leeuwenhof Road
Gardens
Cape Town
8001

Prepared by me

Tax endorsement		City/town
	Amount	
Purchase price/Value	R. 3.350 000.00	R. 1650.00
Mortgage capital Amount	R.	R.
Reason for exemption	Exempt R.O.	
	Cat.	Section Act.

[Signature]
CONVEYANCER
MELIZE VAN DER MERWE
AND LAND OFFICIAL
REPUBLIC OF SOUTH AFRICA
PAID
16 JUN 2016
DATE:
RECEIPT No.
OFFICER:

T00034281 / 2016

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

MELIZE VAN DER MERWE

appeared before me, REGISTRAR OF DEEDS at Cape Town, the said appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at CAPE TOWN on 5 MAY 2016 granted to her by

HARALD JEROEN NEUMANN

Born on 23 February 1977

Married, which marriage is governed by the laws of THE NETHERLANDS and duly assisted by Johanna Kuipers Neumann as far as needs be

DATA / CAPTCL
20 JUN 2016
OLIVIER YOLANDI

DATA / VERIFY
20 JUN 2016
LARNY FATGEYAH

And the appearer declared that his said principal had, on 7 APRIL 2016, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

1. **JOHN WYSE**
Born on 29 AUGUST 1951
Married, which marriage is governed by the Laws of Ireland
2. **CARMEL ANNE WYSE**
Born on 12 JULY 1956
Married, which marriage is governed by the Laws of Ireland

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

ERF 619 FRANSCHHOEK,
Situate in the Municipality of Stellenbosch,
Division of Paarl,
Western Cape Province

IN EXTENT 1449 (One Thousand Four Hundred and Forty Nine)
square metres;

FIRST TRANSFERRED by Deed of Transfer Number T49422/1996 with
General Plan Number T P 7859/1968 relating thereto and held by Deed of
Transfer Number T49007/2012

- A. **SUBJECT** to the following conditions contained in Certificate of
Registered Title No. T37014/1970, namely:

- "1.
2. That all roads and thoroughfares over the land, whether or not described in the plan or diagram thereof, shall remain free and uninterrupted unless closed, diverted, or altered by competent authority.
3.
4. That the land hereby granted shall be subject to all rights and servitudes which now affect, or at any time hereafter may be found to affect, the title of the land hereby granted, or which may be binding on the Government in respect of the said land as at the date hereof.
6. That a general right of way from and to the adjoining Crown land over the whole of the land hereby granted is reserved in favour of the Government. "



- B. **NOT ENTITLED** on account of the situation of the property hereby transferred, to the following condition contained in the Deed of Grant dated 17 November 1927, namely:

- "5. That a right of way One Hundred and Eight (180) yards wide from the Western and of the Southern boundary of the adjoining Crown land, laying to the North of the land hereby granted, to the Northern point of the road South- West of MONT ROCHELLE, shown on the diagram annexed to the title-deed, is reserved in favour of the Government."
9. In the event of a Town Planning Scheme of any portion thereof applying or being made applicable to this erf, any provisions thereof which are more restrictive than any conditions of title applicable to this erf shall take precedence. Furthermore, nothing in the conditions shall be construed as overriding the provisions of Section 146 of Ordinance No. 15 of 1952, as amended.
10. The owner of this erf shall, without compensation, be obliged to allow electricity cables and/or wires and main and/or other waterpipes and the sewage and drainage, including stormwater of any other erf or erven inside or outside this township to be conveyed across this erf, if deemed necessary by the local authority and in such manner and position as may from time to time be reasonably required. This shall include the right of access to the erf at any reasonable time for the purpose of constructing, altering, removing or inspecting any works connected with the above.
11. The owner of this erf shall be obliged, without compensation, to receive such material or permit such excavation on the erf, as may be required to allow use of the full width of the street and provide a safe and proper slope to its bank owing to difference between the levels of the street as finally constructing and the erf, unless he elects to build retaining walls to the satisfaction of and within a period to be determined by the local authority.
12. No building on this erf shall be used or converted to use for any purpose other than that permitted in terms of these conditions.
13. Additional Conditions applying to Erven Nos. 584 to 623
- (a) This erf shall be used solely for the purpose of erecting thereon one dwelling or other buildings for such purposes as the Administrator may, from time to time after reference to the Townships Board and the local authority, approve, provided that if the erf is included within the area of a Town Planning Scheme, the local authority may permit such other

✓
B

buildings as are permitted by the scheme subject to the conditions and restrictions stipulated by the scheme.

- (b) No building or structure or any portion thereof except boundary walls and fences, shall **except** with the consent of the Administrator, be erected nearer than 4,72 metres to the street line which forms a boundary of this erf, nor within 3,15 metres to the rear of 1,57 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority-
 - (i) an outbuilding used solely for the housing of motor vehicles and not exceeding 3,15 metres in height, measured from the ground floor of the outbuilding to the wall-plate thereof, may be erected within such side and rear spaces, and any other outbuilding of same height may be erected within the rear space and side space for a distance of 11,02 metres measured from the rear boundary of the erf, provided that in the case of a corner erf the distance of 11,02 metres shall be measured from the point furthest from the street abutting the erf;
 - (ii) an outbuilding in terms of sub-paragraph (i) may only be erected nearer to a lateral or rear boundary of a site than the above prescribed spaces, if no windows or doors are inserted in any wall facing such boundary.
- (c) On consolidation of this erf or any portion thereof with any abutting erf which is subject to the same conditions as herein set forth these conditions shall apply to the consolidated holding as if it was one erf.
- (d) In the event of this erf being subdivided each subdivided portion, other than any portion deducted for road or similar purposes, shall be subject to the conditions herein set forth as if it were the original erf.

↑

[Handwritten signature]

BQ

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

TRANSFERORS

heretofore had to the premises, did in consequence also acknowledge the said

TRANSFERORS

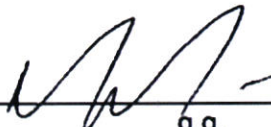
to be entirely dispossessed of, and disentitled to the same; and that by virtue of these presents, the

TRANSFeree

their Heirs, Executors, Administrators or Assigns, now are and henceforth shall be entitled thereto, conformably to local custom; the State, however reserving its rights;- and finally acknowledging the purchase price to be the sum of **R5 350 000,00 (FIVE MILLION THREE HUNDRED AND FIFTY THOUSAND RAND)**.

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

THUS SIGNED and EXECUTED at the Office of the Registrar of Deeds at Cape Town on 14 JUNE 2016



q.q.

In my presence



REGISTRAR OF DEEDS





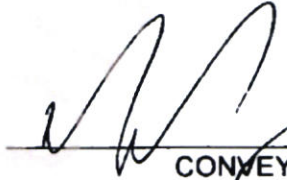
259

Melize Van Der Merwe & Associates
31 Leeuwenhof Road
Gardens
Cape Town
8001

1-6
OB

8

Prepared by me


CONVEYANCER
MELIZE VAN DER MERWE

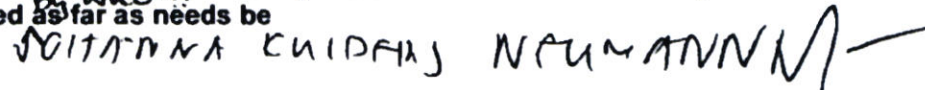
J-

POWER OF ATTORNEY TO PASS TRANSFER

I, the undersigned

HARALD JEROEN NEUMANN ✓
BORN ON 23 FEBRUARY 1977 ✓

Married, which marriage is governed by the Laws of the Netherlands,
and duly assisted as far as needs be

by  NEUMANN

do hereby nominate and appoint

MELIZE VAN DER MERWE

with power of substitution to be my true and lawful Attorney and Agent in my 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 my Attorney and Agent and to pass transfer to:


IC 6-7

1. JOHN WYSE
BORN ON 29 AUGUST 1951
2. CARMEL ANNE WYSE
BORN ON 12 JULY 1956

Married to each other, which marriage is governed by the Laws of Ireland

GOVERNED BY THE LAWS OF IRELAND

the property described as:

ERF 619 FRANSCHHOEK, IN THE STELLENBOSCH MUNICIPALITY,
DIVISION PAARL, WESTERN CAPE PROVINCE

IN EXTENT 1 449 (ONE THOUSAND FOUR HUNDRED AND FORTY
NINE) SQUARE METRES

HELD BY Deed of Transfer Number T49007/2012

the said property having been sold by me on 7 APRIL 2016, to the said transferee/s
for the sum of R5 350 000,00 (Five Million Three Hundred and Fifty 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 heretofore
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 Agent/s shall lawfully do or cause to be done in the premises by virtue of these
presents.

Signed at CAPE TOWN on

5 MAY 2016

in the presence of the undersigned witnesses.

AS WITNESSES:

1. 
2. K. Hendrickx

HJ NEUMANN

J KUIPERS NEUMANN

I certify that
the transfer is duly assisted
by his wife, Johanna Kuipers Neumann



**Transfer Duty
Declaration**

2B

TDREP

Reference Details

Transfer Duty Reference Number: TDE01C0274

Details

Details of Seller / Transferor / Time Share Company

Surname / Registered Name	NEUMANN	Full Name	HARALD JEROEN
ID Number		Date of Birth (CCYYMMDD)	1977-02-23
Passport Country	NETHERLANDS	Passport Number	NYJ118275
Company / CC / Trust Reg No.		Marital Status	M.O.C OF PROPERTY

Details of Purchaser / Transferee

Full Name	JOHN	Surname / Registered Name	WYSE
Date of Birth (CCYYMMDD)	1951-08-29	ID Number	
Passport Country	IRELAND	Passport Number	PT1268085
Company / CC / Trust Reg No.		Marital Notes if applicable	MARRIED WHICH MARRIAGE IS GOVERNE
Marital Status	M.O.C OF PROPERTY	Spouse Initials	

Details of Purchaser / Transferee

Full Name	CARMEL ANNE	Surname / Registered Name	WYSE
Date of Birth (CCYYMMDD)	1956-07-12	ID Number	
Passport Country	IRELAND	Passport Number	505826635
Marital Status	M.O.C OF PROPERTY	Spouse Initials	

Details of the Property

Date of Transaction/Acquisition (CCYYMMDD)	2016-04-07
Total Fair Value	R 5350000.00
Total Consideration	R 5350000.00

Calculation of Duty and Penalty / Interest

Transfer Duty Payable on Natural Person	R 5350000.00
---	--------------

Property Description

1 ERF 819 FRANSCHOEK IN THE STELLENBOSCH MUNICIPALITY DIVISION PAARL WESTERN CAPE PROVINCE 1449 SQ M IN EXT ENT

Receipt

Receipt Details

Transfer Duty Reference Number	TDE01C0274	Receipt No.	1200380504
Receipt Amount	R 426000.00		

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.

XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX

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

8fb6b5d1dd5782e8c0b27
d32cd191ba33a8e2730

Date
(CCYYMMDD)

20160531

For enquiries go to
www.sars.gov.za or call
0800 00 SARS (7277)



(3) B

D

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

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:

ERF 619 FRANSCHHOEK
IN THE STELLENBOSCH MUNICIPALITY
DIVISION PAARL
WESTERN CAPE PROVINCE

IN EXTENT 1 449 (ONE FOUR FOUR NINE) SQUARE METRES

HELD BY Deed of Transfer Number T49007/2012

Municipal Reference Number/ 21 Digit Code: C05500030000061900000

Registration division/Administrative District: STELLENBOSCH MUNICIPALITY

Registered Owner:

HARALD JEROEN NEUMANN ✓

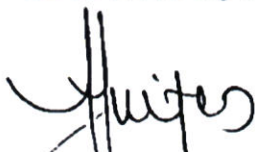
Name and Identity/ Registration number of all purchaser/s:

1. JOHN WYSE ✓
BORN 29 AUGUST 1951

2. CARMEL ANNE WYSE ✓
BORN 12 JULY 1956

This certificate is valid until: 05 July 2016.

Given under my hand at ...Stellenbosch..., on ...05 May 2016...


.....
For: Municipal Manager
Stellenbosch Municipality



Date Issued:

Authorised Official: A. Luiters

g (Pm)

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
PREPARED BY : DRS08011 - MURIE LORRAINE

DATE : 20160601 TIME : 11:58:27.1 PAGE : 1

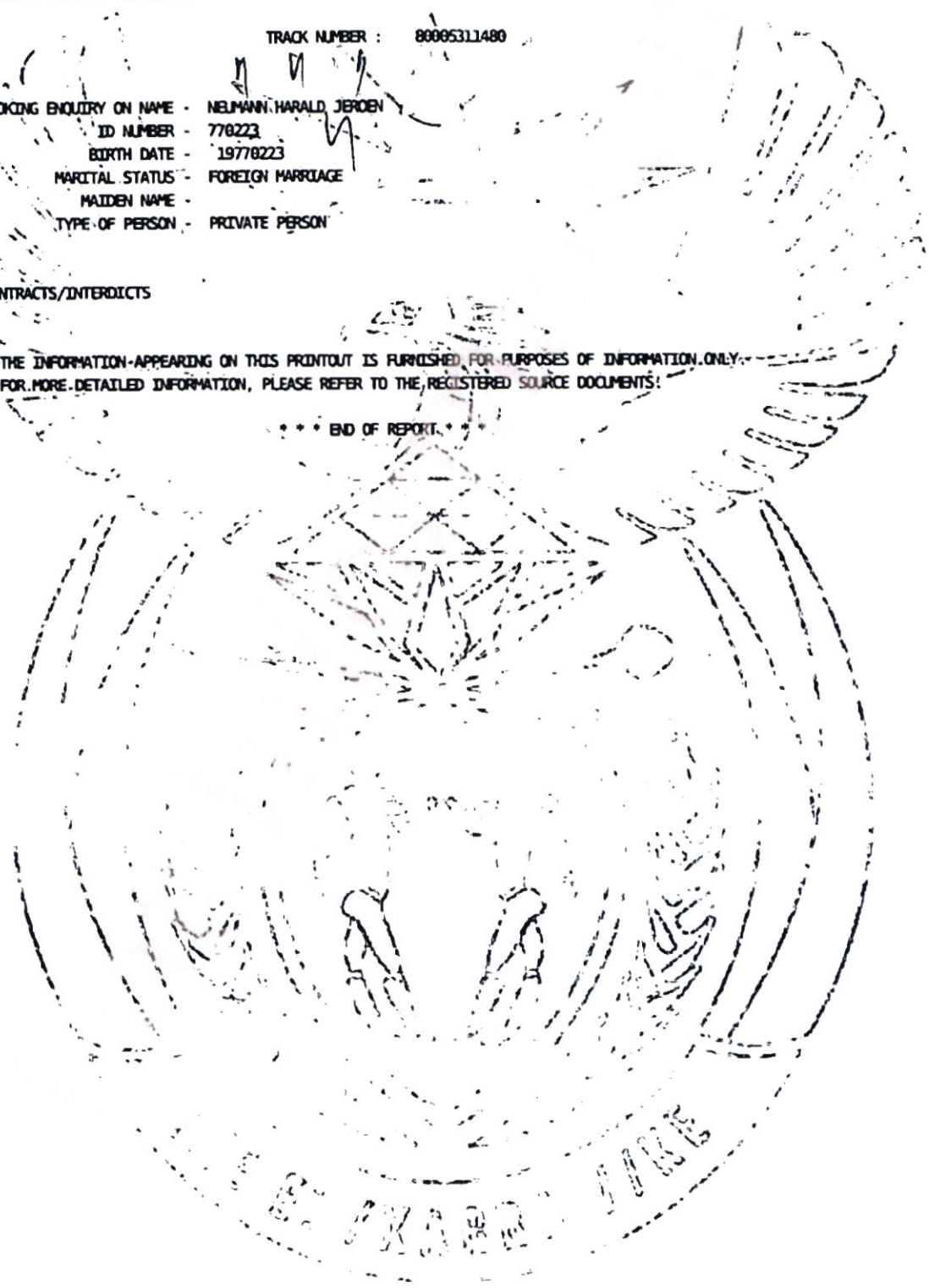
TRACK NUMBER : 80005311480

BLACK-BOOKING ENQUIRY ON NAME - NEUMANN, HARALD, JEROEN
ID NUMBER - 770223
BIRTH DATE - 19770223
MARITAL STATUS - FOREIGN MARRIAGE
MAIDEN NAME -
TYPE OF PERSON - PRIVATE PERSON

PERSON HAS NO CONTRACTS/INTERDICTS

⇐ 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 ***



S3

PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
PREPARED BY : DRS08011 - MURIE LORRAINE

DATE : 20160601 TIME : 11:58:42.3 PAGE : 1

TRACK NUMBER : 80005311480

BLACK-BOOKING ENQUIRY ON NAME - NEUMANN JOHANNA KUIPERS
ID NUMBER - 8/8/8
BIRTH DATE - 8
MARITAL STATUS -
MAIDEN NAME -
TYPE OF PERSON -

PERSON DOES NOT EXIST

** 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 ***



PROD DEEDS REGISTRATION SYSTEM - CAPE TOWN
PREPARED BY : DRS08011 - MURIE LORRAINE

DATE : 20160601 TIME : 11:58:49.8 PAGE : 1

TRACK NUMBER : 80065311480

PROPERTY DETAILS PRINT FOR PORTION 0
ERF NO 619
TOWNSHIP FRANSCHHOEK
REG DIV PAARL RD

PROVINCE WESTERN CAPE
PREV DESCRIPTION PTN OF 628-TP7859/68
DIAGRAM DEED NO T49422/1996
EXTENT 1449 SQM
CLEARANCE FRANSCHHOEK MUN

NO INTERDICTS

DOCUMENTS
B21143/2012

HOLDER & SHARE
FIRSTRAND BANK LTD

AMOUNT
R2000000.00

O/P/A

SCAN/MICRO REF
20120903085857

MMD
0806

OWNER DETAILS

FULL NAME & SHARE
NEUMANN HARALD JERDIEN

PURCH DATE AMOUNT/REASON O/P/A IDENTITY
20120303 R3180000.00 770223

TITLE DEED
T49087/2012

MMD
0806

MICROFILM REF
20120903085739

* O/P/A - 0 - MULTIPLE OWNER P - MULTIPLE PROPERTY A - MULTIPLE OWNER AND PROPERTY

** 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 ***



ANNEXURE D

SG Diagram



VAN DER MERWE GEIGER INCORPORATED
Professional Land Surveyors F32/3

GENERAL PLAN TP 7859

SIDES	Metres	ANGLES OF DIRECTION
AB	44,18	324.21.00
BC	34,66	70.45.00
CD	7,56	107.33.00
DE	28,34	144.21.00
EA	37,78	234.21.00

S.G. No.

1443/1998

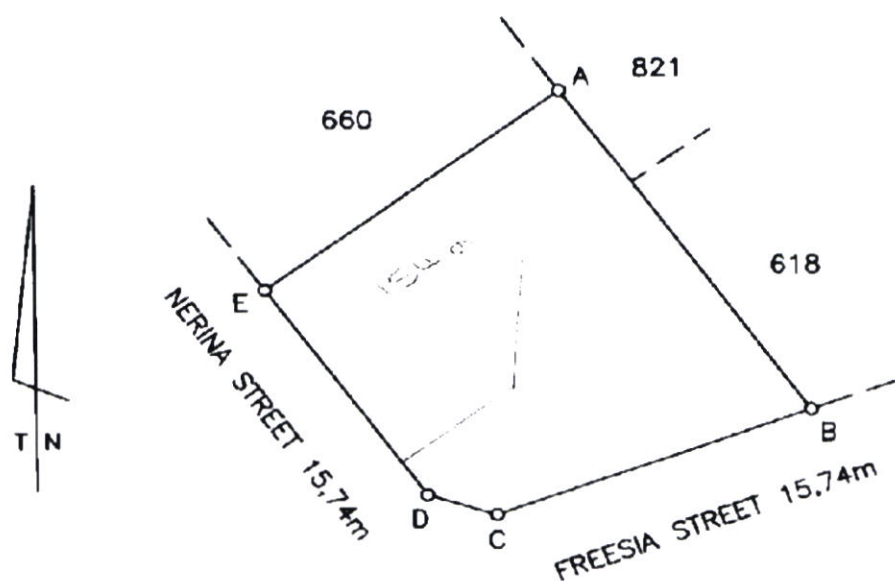
Approved

for Surveyor-General

1998-04-03

BEACON DESCRIPTIONS :

A, B, C, D, E 12mm iron peg



SCALE 1/750

The figure A B C D E

represents 1449 square metres

of land, being

ERF 619 FRANSCHHOEK

situate in Franschhoek Extension No 3 in the
Municipality for the Area of Franschhoek

Administrative District Paarl

Province Western Cape

Framed in terms of Section 16 of Act 8 of 1997
in November 1997 by me,

A. Geiger

A GEIGER

Professional Land Surveyor No 0945

This diagram is annexed to

No.
dated
i.f.o

File No. S.7042/39

Framed

Comp. BI-7CB/X13 (1605)

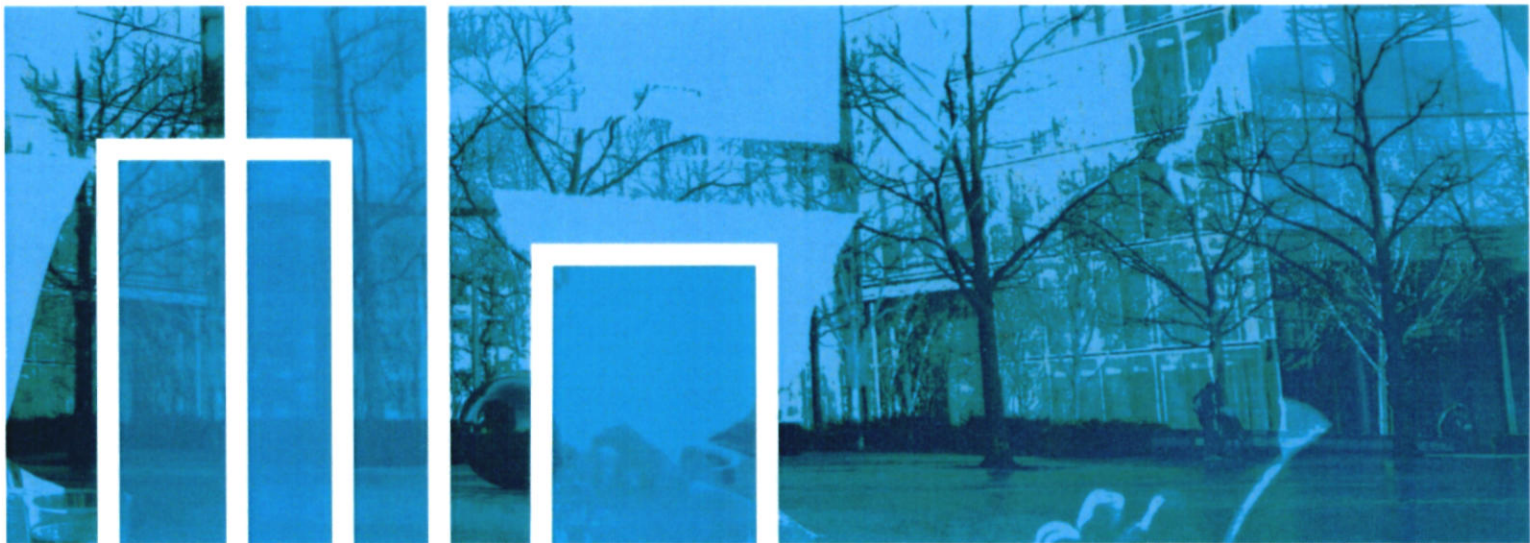
Gen. Plan : TP No 7859

FOR ENDORSEMENTS
SEE BACK OF DIAGRAM

619

100120

THE FOLLOWING DEDUCTIONS HAVE BEEN MADE FROM THIS DIAGRAM						
SURVEY REPORT	DIAGRAM NO.	SUBDIVISION	AREA HA./SQ. M.	TRANSFER NO.	INITIALED	REMARKS
E 599/1998	1444/1998	Eg 1542				

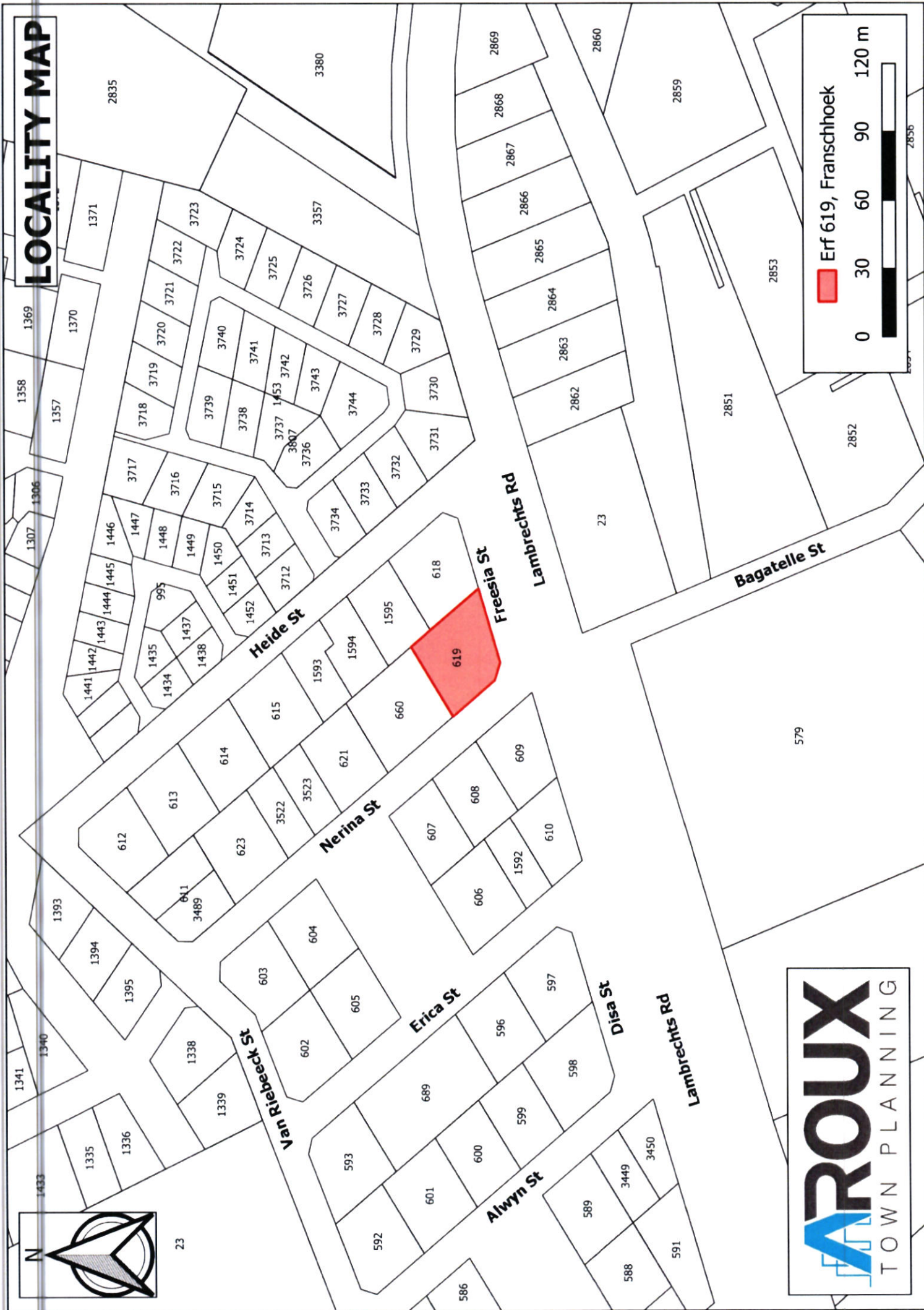


ANNEXURE E

Locality Map

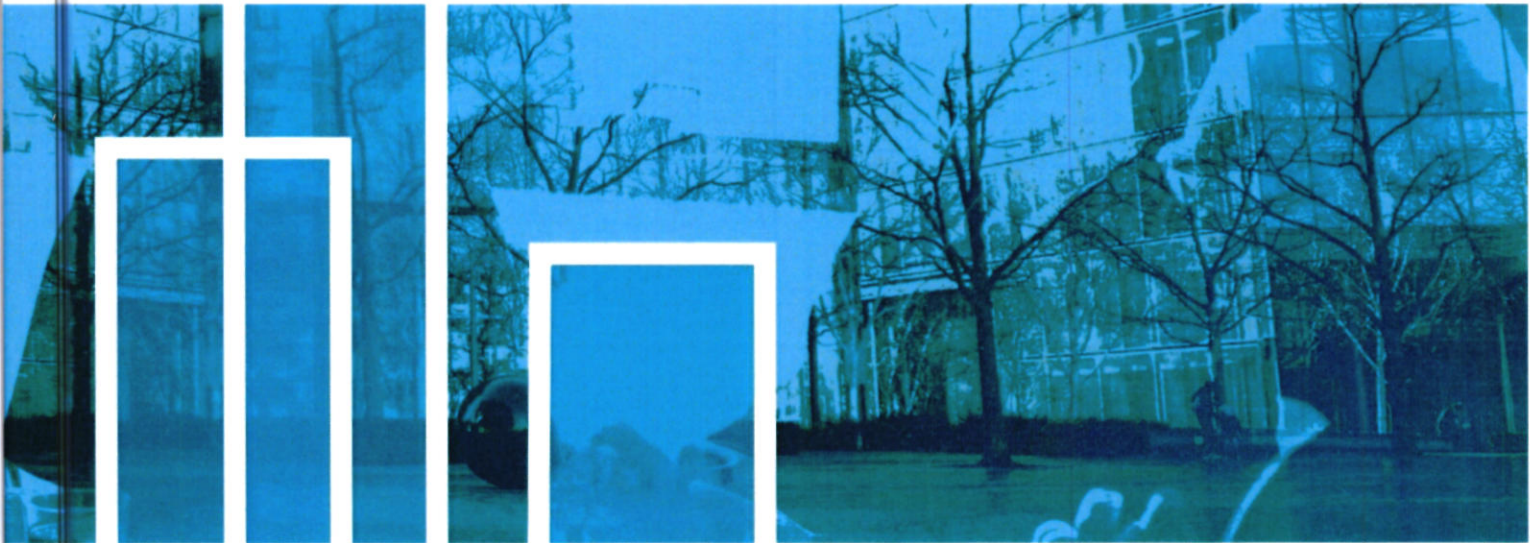


LOCALITY MAP



 Erf 619, Franschoek

0 30 60 90 120 m



ANNEXURE F

Approved Subdivision Plan





ANNEXURE G

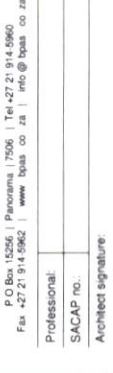
Site Development Plan

DIMENSION SPECIFICATIONS TO QUANTITIES. THESE DRAWINGS
TO BE DESCRIBED ON SITE BEFORE ORDERING MATERIAL OR
COMMENCING WORK
NATIONAL BUILDING REGULATIONS & STANDARDS ACT (ACT 103 OF
1977 & SANS 10400)
ALL TRUSSES TO BE IN ACCORDANCE WITH SUPPLIERS'
ENGINEERS DESIGN APPROVAL BY CLIENT
WITH MANUFACTURERS SPECIFICATIONS AND INSTRUCTIONS
ALL LOCAL AUTHORITY UTILITY SERVICE PROVIDER REQUIREMENTS
ALL BOUNDARY PEGS TO BE LOCATED AND MARKED BEFORE
WORK IS TAKEN IN HAND
LOCAL AUTHORITY UTILITY SERVICE PROVIDERS RECORD
CONSTRUCTION PRACTICE TO BE REFERRED TO THE ARCHITECT
BEFORE COMMENCES
THIS IS CONSIDERED TO BE UNLAWFUL TO BE REFERRED TO THE
ARCHITECT FOR CLARITY
NO DIMENSIONS TO BE SCALED FROM THESE DRAWINGS

No.	Description	Date	By	To
A	Subdivision Layout	2020/11/03	PB	AR

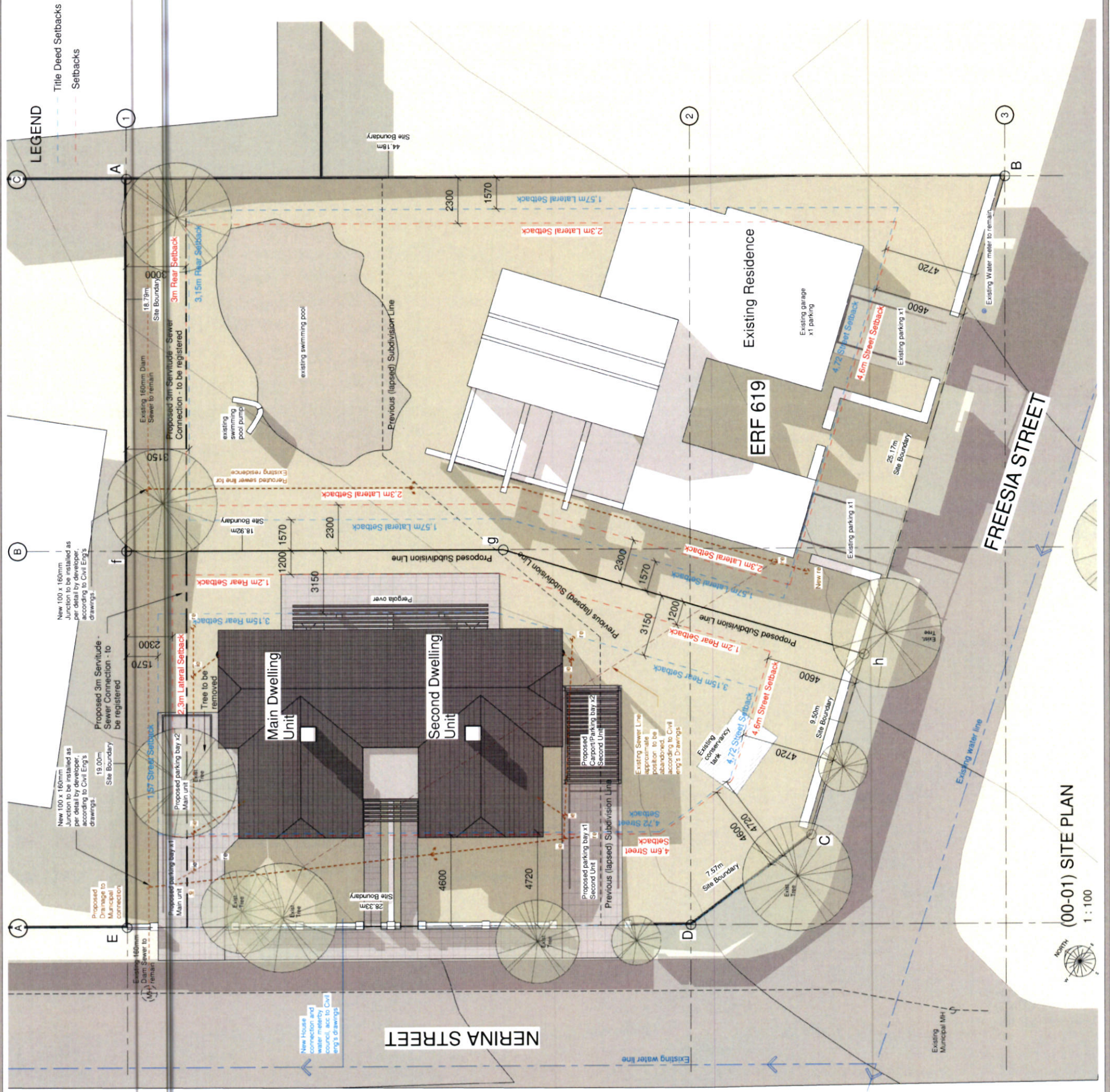
THIS DRAWING TO BE STAMPED BY SPAS FOR PENDING APPROVAL. IF CONSTRUCTION SPAS CAN NOT BE HELD LIABLE, RESPONSIBLE OR ACCOUNTABLE FOR ANY UNAUTHORIZED DRAWINGS USED FOR CONSTRUCTION, THE CONTRACTOR AND/OR EMPLOYER TO ENSURE THAT ALL DRAWINGS ARE STAMPED.

Design Architecture:



Drawing:

DATE	2020/11/03	DRAWING	P8	PAPER SIZE	A1
SCALE	1 : 100	CHECKED	IC		
PROJECT	405	DRAWING NO.	01-00-001	REVISION	A



LEGAL REQUIREMENTS

DIMENSIONS, DESCRIPTIONS & QUANTITIES ON THESE DRAWINGS TO BE USED FOR THE PURPOSE OF ORDERING MATERIAL OR COMMENCING WITH WORK. ALL WORK TO BE CARRIED OUT IN STRICT ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS & STANDARDS ACT (ACT 103 OF 1977) & SANS 10400. ALL DIMENSIONS TO BE VERIFIED & APPROVED BY ALL APPLICABLE AUTHORITIES. ALL DIMENSIONS TO BE IN ACCORDANCE WITH SUPPLIERS' SPECIFICATIONS. ALL MATERIALS TO BE BUILT IN / APPLIED STRICTLY IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS & STANDARDS ACT (ACT 103 OF 1977) & SANS 10400. ALL LOCAL AUTHORITY, UTILITY SERVICE PROVIDER REQUIREMENTS TO BE ESTABLISHED IN ADVANCE AND ADHERED TO. ALL WORK IS TO BE TAKEN IN HAND AND MARKED BEFORE ANY DISCREPANCIES BETWEEN THESE DRAWINGS & LEGISLATION LOCAL AUTHORITY, UTILITY SERVICE PROVIDER & GOOD BEFORE CONSTRUCTION COMMENCES. ANY ASPECT OF THESE DRAWINGS TO BE REFERRED TO THE LOCAL AUTHORITY, UTILITY SERVICE PROVIDER & GOOD BEFORE CONSTRUCTION COMMENCES. THESE DRAWINGS DO NOT CONSTITUTE A COMPREHENSIVE SPECIFICATION FOR THE WORK.

NO DIMENSIONS TO BE SCALED FROM THESE DRAWINGS

REVISIONS

No.	Description	Date	By	To
A	Subdivision Layout	2020/11/03	PB	AR

Zoning classification: Project Stage
Occupation classification:
Developer/Developer:

THIS DRAWING TO BE SIGNED BY BPAS FOR PERIODIC APPROVAL & CONSTRUCTION UNAUTHORIZED DRAWINGS USED FOR CONSTRUCTION. THE CONTRACTOR AND/OR EMPLOYER TO ENSURE THAT ALL DRAWINGS ARE SIGNED.

Client:

Client Represent: Client Name
Date: Issue Date
Client signature

Design Architecture



P.O. Box 12556 | Pretoria | 0001 | Tel: +27 21 914 5960
Fax: +27 21 914 5962 | www.bpas.co.za | info@bpas.co.za

Professional:

SACAP no.:

Architect signature

Project:

Proposed New building on Erf 619,
Franschhoek

Drawing:

PLAN AND SITE PHOTOS

DATE	2020/11/03	DRAWN	PB	PAPER SIZE	A1
SCALE	1:100	CHECKED	IC		
PROJECT	405	DRAWING NO.	01-00-002	REVISION	A



Existing main residence



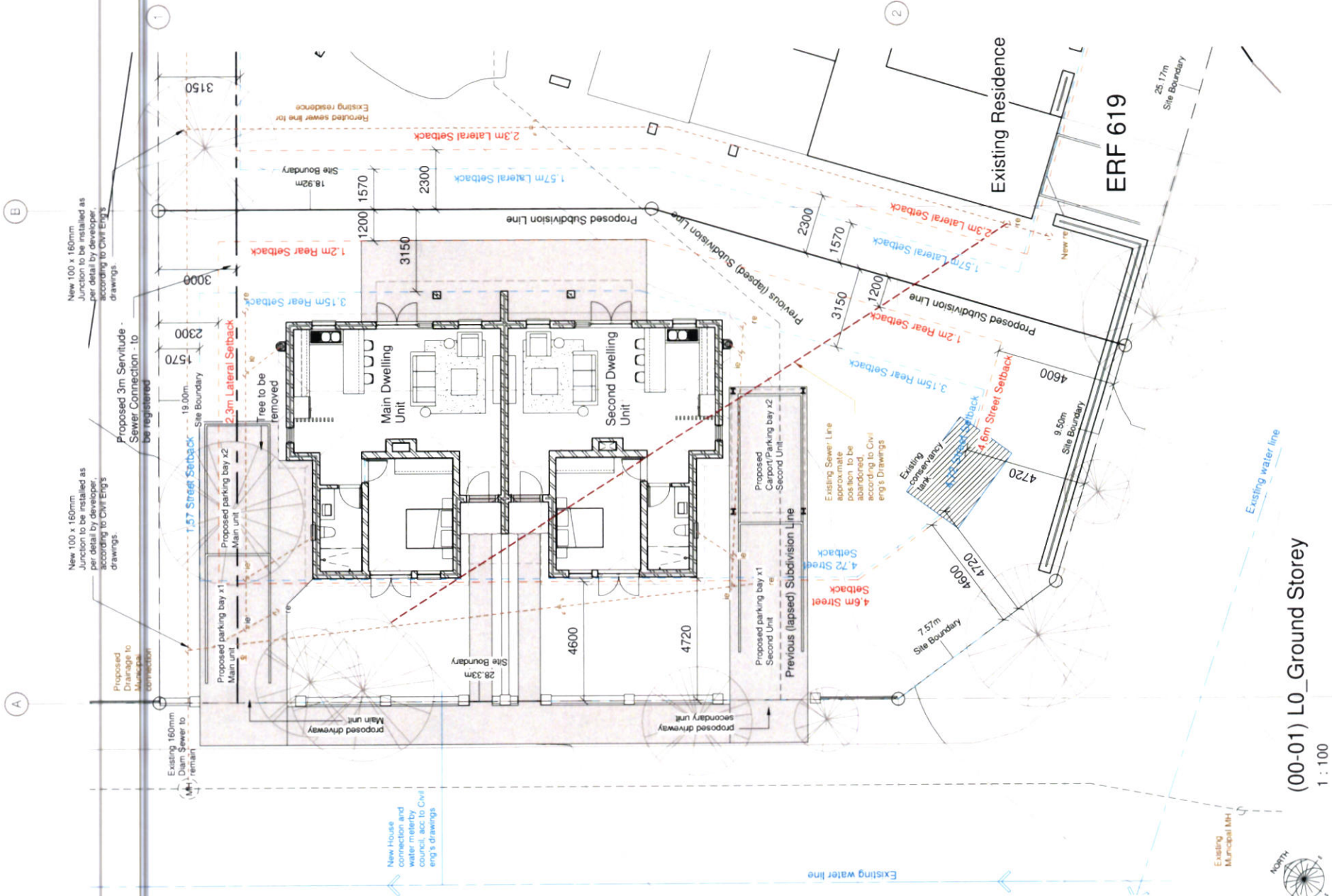
Existing swimming pool

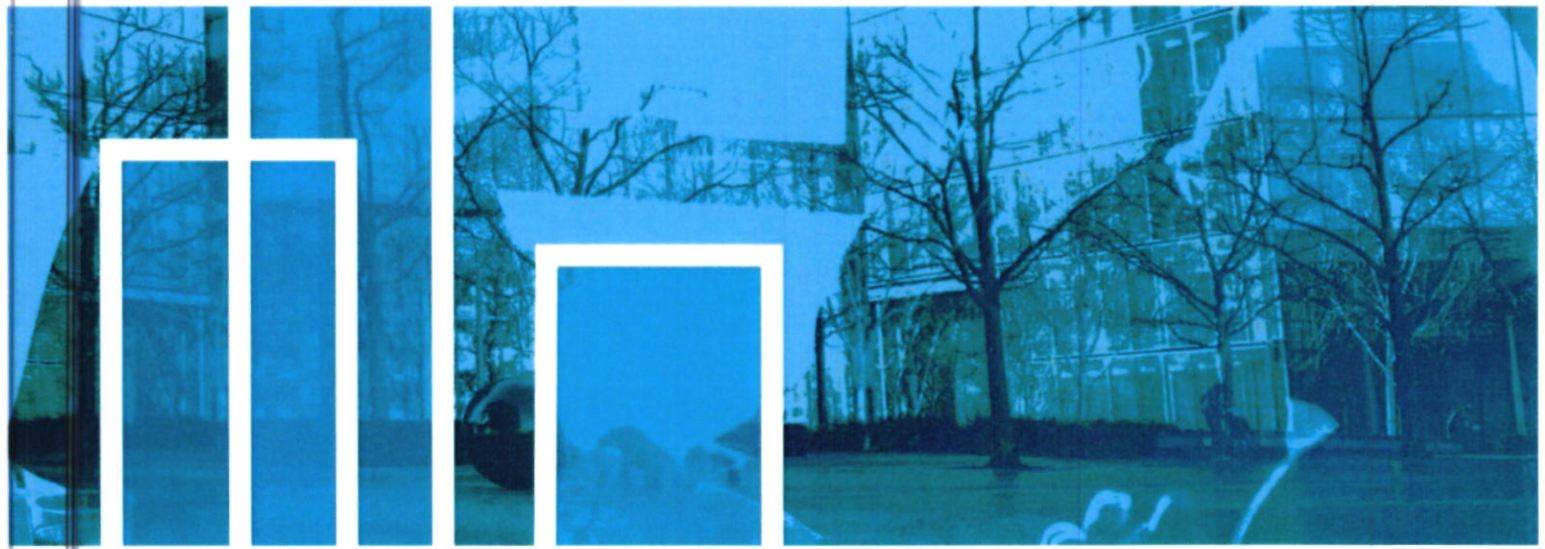


View of the garden



View of the mountain





ANNEXURE H

Previous Land Use Approval



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/9325

Our File Reference Number: Erf 619, Franschhoek

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: andre@arouxplanning.co.za

Sir

**APPLICATION FOR REMOVAL OF RESTRICTIONS, SUBDIVISION AND PERMANENT DEPARTURE ON
ERF 619, FRANSCHHOEK**

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the following applications in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, on Erf 619, cnr of Nerina Street and Freesia Street, namely:
 - 2.1.1 The **Removal of the restrictive title deed conditions**, Clause B13(a) as contained in Deed of Transfer No. T34281/2016 in terms of Section 15(2)(f) of the said Bylaw. The condition reads as follows:

"...this erf shall be used solely for the purpose of erecting thereon one dwelling or other buildings for such purposes as the Administrator may, from time to time after reference to the Townships Board and the local authority, approve provided that if the erf is included within the area of a Town Planning Scheme, the local authority may permit such other buildings as are permitted by the scheme subject to the conditions and restrictions stipulated by the scheme".

2.1.2 The **Subdivision** of the subject property into two portions namely Portion 1 ($\pm 833\text{m}^2$) and Portion 2 ($\pm 616\text{m}^2$) as indicated on subdivisional plan 18091-001C, dated 28 October 2020 and drawn by ARoux Town Planning in terms of Section 15(2)(d) of the said Bylaw;

2.1.3 **Permanent Departure** in terms of the Section 15(2)(b) of the said Bylaw to permit the construction of an **additional dwelling unit** of $\pm 80\text{m}^2$ on proposed Portion 2;

BE APPROVED in terms of Section 60 of the said Bylaw and subject to the following conditions of approval in terms of Section 66 of the said Bylaw:

- (a) The approval applies only to the application in question, as indicated on **ANNEXURE C**, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
- (b) The approval granted does not exempt the applicant/operator from complying with any other legal prescriptions or requirements that might have a bearing on the activity;
- (c) The approval shall lapse if not exercised within **5 years** from date of final notification;
- (d) The Surveyor General approved diagrams of the newly created units must be submitted to this Local Authority (Stellenbosch Municipality) for clearance and record purposes;
- (e) The second dwelling unit must not exceed the total floor area of $\pm 80\text{m}^2$;
- (f) All servitudes must reflect on the title deeds of the affected properties;
- (g) The conditions imposed by the **Manager: Electrical Services** as contained in their memo dated 13 August 2019 be complied with (see **ANNEXURE L**).
- (h) The conditions imposed by the **Director: Engineering Services** as contained in their memo dated 26 November 2020 be complied with (see **ANNEXURE M**);
- (i) Building plans must be submitted to this municipality for approval.

3. **The reasons for the above decision are as follows:**

- (a) The zoning and land use will remain the same.
- (b) The proposed subdivision will result in the creation of land portions that are in line with the existing character of the surrounding area.
- (c) The proposal will result in a sensible increase in density and will not alter the character of the area.
- (d) The proposal is not in conflict with the principles of the Stellenbosch Municipal Spatial Development Framework.
- (e) The removal of the restrictive title deed conditions as applied for will allow the owner to maximise the use of the property and facilitate the redevelopment.

4. **Matters to be noted:**

- 4.1 The applicant must after the publication of a notice in the Provincial gazette apply to the Registrar of Deeds to make the appropriate entries in, and endorsements on, any relevant register or title deed to reflect the removal, suspension or amendment of the restrictive conditions.

5. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

6. Appeals must be submitted with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law. The following prescribed information is accordingly required:

- (a) The personal particulars of the Appellant, including:
 - (I) First names and surname;
 - (II) ID number;
 - (III) Company of Legal person's name (if applicable)
 - (IV) Physical Address;
 - (V) Contact details, including a Cell number and E-Mail address;

- (b) Reference to this correspondence and the relevant property details on which the appeal is submitted.
- (c) The grounds of the appeal which may include the following grounds:
 - (i) That the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000);
 - (ii) grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.
- (d) whether the appeal is lodged against the whole decision or a part of the decision;
- (e) if the appeal is lodged against a part of the decision, a description of the part;
- (f) if the appeal is lodged against a condition of approval, a description of the condition;
- (g) the factual or legal findings that the appellant relies on;
- (h) the relief sought by the appellant; and
- (i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;
- (j) That the appeal includes the following declaration by the Appellant:
 - (i) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
 - (ii) That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.

7. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address:
landuse.appeals@stellenbosch.gov.za

8. An applicant who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The LU Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
9. The approved tariff structure may be accessed and viewed on the municipal website (<https://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs>) and the banking details for the General Account can also be accessed on the municipal website (<https://www.stellenbosch.gov.za/documents/general/8314-stellenbosch-municipality-banking-details-1/file>).
10. An applicant who lodge an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
 - (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
 - (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
 - (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
 - (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.
11. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
12. Kindly note the above decision is suspended, and in the case of any approval, may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully



FOR: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

18/5/2021
DATE:

COPIES TO:

Tom and Heidi Clode

22 Nerina Street

FRANSCHHOEK

7690

Email: tomc@fineandcountry.com

ANNEXURE C

**REMOVAL OF RESTRICTIONS, SUBDIVISION
AND PERMANENT DEPARTURE:**

ERF 619, NERINA STREET, FRANSCHHOEK

**SUBDIVISIONAL PLAN & SITE DEVELOPMENT
PLAN**



1594

1595

660

NERINA STREET

608

618

PORTION 1
(±833m²)

PORTION 2
(±616m²)

FREESIA STREET

609

LAMBRECHTS ROAD

STELLENBOSCH MUNICIPALITY	
THIS SUBDIVISION HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015) SUBJECT TO THE CONDITIONS AS PER APPENDIX.	
MUNICIPAL MANAGER	DATE
	18/5/202

REVISION HISTORY:

- Rev A: Proposed Subdivision Plan of Erf 619, Franschoek Municipality
- Rev B: Add 3m Sewer Servitude in favor of Stellenbosch Municipality
- Rev C: Extend 3m Sewer Servitude in favor of Stellenbosch Municipality

NOTES:

- Figure ABCDE represents Erf 619, Franschoek.
- Line FGH represents proposed subdivision line.
- All distances and areas are provisional and will be verified on survey by the appointed land surveyor.
- Figure A'F'ab represents a 3m Sewer Servitude in favor of Stellenbosch Municipality
- Figure A'F'ab - 3m Sewer Servitude in favor of Stellenbosch Municipality

TITLE:

PROPOSED
SUBDIVISION PLAN

SCALE:

1:500 (A4)

PROPERTY DESCRIPTION:

ERF 619, FRANSCHOEK

PROJECT DETAILS:

Project Name: Harepot, Franschoek
Project No: 18091
Client: Barry Wyse
Municipality: Stellenbosch Municipality
Administration: Franschoek

PLAN DETAILS:

Plan No: 18091-001
Revision: C
Date: 2020-10-28
Drawn by: AR
Checked by: BW

AROUX
TOWN PLANNING

www.arouxplanning.co.za

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ANNEXURE L

**REMOVAL OF RESTRICTIONS, SUBDIVISION
AND PERMANENT DEPARTURE:**

ERF 619, NERINA STREET, FRANSCHHOEK

COMMENT FROM THE MANAGER:
ELECTRICAL SERVICES

INTERDEPARTMENTAL CIRCULATION FORM

(27)

LêER VERW/ FILE REF	Erf 619, Franschhoek	DATUM DATE	2019-07-10
---------------------	----------------------	---------------	------------

AANSOEKNOMMER / APPLICATION NUMBER	LU/9325
------------------------------------	---------

MEMO AAN/ TO :

Manager : Engineering Services
> Manager : Electrical Department
Manager : Property Management (P Smit)
Manager : Fire Services
Manager : Chief Financial Officer
Manager: Spatial Planning / Heritage / Environment / Signage
Manager: Health Department (Winelands Health)
Manager: Building Development
Manager : Parks

12/07/2019

Elect 1866

Aansoek Application	Removal of Restriction, Consent Use, Subdivision and Departure
Adres Address	17 Nerina Street, Franschhoek
Aansoek Datum Application Date	02 April 2019
Aansoeker Applicant	Aroux Town Planning



Aangeheg vind u tersaaklike dokumentasie in verband met bogenoemde aansoek. Ten einde my in staat te stel om die aansoek aan die besluitnemingsowerheid vir oorweging voor te lê, word u versoek om my skriftelik van u kommentaar, indien enige, te voorsien. Onderskei asseblief tussen algemene kommentaar op die meriete van die aansoek en enige voorwaardes wat u departement wil opleë indien die aansoek goedgekeur word.

Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish me with your written comment, if any, in order to enable me to submit the application to the decision making authority for consideration. Please differentiate between general comment on the merits of the application and any conditions that your department wishes to impose should the application be approved.

Geliewe die memorandum per hand aan my terug te besorg voor of op: **2019-08-09**
 Please hand deliver the memorandum to me on or before : **2019-08-09**

S Newman

For DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

ALGEMENE KOMMENTAAR / GENERAL COMMENT:

None.

FILE NR:
SCAN NR:
COLLABORATOR NR:

VOORWAARDES/CONDITIONS :

If elect. services have to move it will be for applicant self. If additional elect supply is needed; apply via recoverable cost-opt.

HANDTEKENING / SIGNATURE

[Signature]

DATUM / DATE

13/08/2019

ANNEXURE M

**REMOVAL OF RESTRICTIONS, SUBDIVISION
AND PERMANENT DEPARTURE:**

ERF 619, NERINA STREET, FRANSCHHOEK

COMMENT FROM THE DIRECTOR:
ENGINEERING SERVICES



MEMO

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

03 DEC 2020

DIRECTORATE: ENGINEERING SERVICES
DIREKTORAAT: INGENIEURSDIENSTE

RECEIVED

To - Aan: **Director: Planning + Economic Development**
Att Aandag **B Mdoda**
From - Van: **Colin Taylor (Development)**
Date - Datum: **26/11/2020**
Our Ref - Ons Verw: **Civil Lu 1866**
Re - Insake: **Erf 619, Franschhoek: Application for Removal of Restriction, Consent Use, Subdivision and Departure**

FILE NR:	
SCAN NR:	E 619 FH
COLLABORATOR NR:	699244

This memo supersedes the one dated 28/08/2019

The application is for the following item:

- i. The subdivision of Erf 619, Franschhoek into two portions;
- ii. Removal of restrictive title deed conditions (for proposed Portion 1 and 2);
- iii. Consent to permit guest accommodation (for Portion 1 and 2);
- iv. Permanent departure to permit a second dwelling unit on proposed Portion 2; and
- v. Permanent departure to permit an encroachment on the northern lateral building line.

The above application is **recommended for approval**, subject to the following conditions:

1. Water Connections

- 1.1 Each erf must have its own water connection and water meter installed.
- 1.2 Once the subdivision is formally approved, the Municipality can be contacted to install the water connections.
- 1.3 The cost of the installation is for the account of the owner.

2. Sewer Connections

- 2.1 A 3m wide servitude must be registered over Portion 1 and 2 as indicated on proposed subdivision plan in favor of Stellenbosch Municipality.
- 2.2 Each erf must have its own sewer connection.
- 2.3 The cost of the installation of the sewer connection is for the account of the owner.
- 2.4 Once the subdivision is formally approved. The engineers drawing indicating the new sewer layout and connection point must be submitted for approval.
- 2.5 A quotation for the sewer connection inspection can be provided by the Water Services Department.
- 2.6 Installation must be done by a suitable Contractor appointed by the Owner. The cost of the installation of the sewer connection is for the account of the owner.

- 2.7 No Clearance certificate will be issued unless the Water Services Department has confirmed in writing that the sewer connection has been installed to their satisfaction.
- 3. Development Charges (DCs)**
- 3.1 Based on the information provided, the Development Charges payable by the developer is R 70 658.55 (Vat incl.) as per attached Development Charges calculation.
- 3.2 The DC's were calculated for the 2020/2021 financial year. If the account is paid after 30 June 2021 it has to be recalculated using the then applicable tariffs.
- 3.3 The appropriate DC's are payable before a Clearance certificate can be issued.
- 4. General**
- 4.1 Any changes to any existing civil engineering services of Stellenbosch Municipality is for the account of the owner.
- 5. Clearance Certificates**
- 5.1 The Municipality reserves the right to withhold any clearance certificates until such time as the applicant has complied with the above mentioned conditions.



COLIN TAYLOR Pr Technl Eng

PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)

V:\2.0 DEVELOPMENT\00 Developments\1866 (CT) Erf 619 Franschhoek (Nerina Street)\Memo Erf 619 Franschhoek_1.doc

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number	
Date	Wednesday, 25-Nov-2020
Financial Year	2020/21
Erf Location	Prinsloohoek
Erf No	619
Erf Size (m ²)	1 449
Suburb	
Applicant	André Roux
Approved Building Plan No.	

SUMMARY OF DC CALCULATION

Unit(s)	Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Totals
Total Increased Services Usage	kl/day 0,400	kl/day 0,600	ha°C 0,008	U/week 0,040	trips/day 4,00	person 4,0	
Total Development Charges before Deductions	R 9 829,80	R 9 759,70	R 559,66	R 2 236,16	R 26 018,23	R 13 038,67	R 61 442,21
Total Deductions							
Total Payable (excluding VAT)	R 9 829,80	R 9 759,70	R 559,66	R 2 236,16	R 26 018,23	R 13 038,67	R 61 442,21
VAT	R 1 474,47	R 1 463,95	R 83,95	R 335,42	R 3 902,73	R 1 955,80	R 9 216,33
Total Payable (including VAT)	R 11 304,27	R 11 223,65	R 643,61	R 2 571,58	R 29 920,96	R 14 994,47	R 70 658,55

APPLICANT INFORMATION

Application Processed by:	Colin Taylor
Signature	
Date	As above
Amount Paid:	
Date Payment Received	
Receipt Number	

Land Use Category	Unit Type	Existing Usage	Proposed New Usage	Increased Usage	Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Total
Infrastructure Type applicable? (yes/no)											
	da	m ² GLA	area (m ²)	da/ha	% GLA	da	m ² GLA	da/ha	% GLA	da	m ² GLA
Residential	da	m ² GLA	area (m ²)	da/ha	% GLA	da	m ² GLA	da/ha	% GLA	da	m ² GLA
Single Residential >100m ²	da	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Single Residential >600m ²	da	m ² GLA	1 449	7	0	0	0	0	0	R -29 489,40	R -26 018,23
Single Residential >260m ²	da	m ² GLA	1 449	7	0	0	0	0	0	R 39 319,20	R 52 036,45
Single Residential <250m ²	da	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Less Formal Residential >250m ²	da	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Less Formal Residential <250m ²	da	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Group Residential >250m ²	da	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Group Residential <250m ²	da	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Medium Density Residential >250m ²	da	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Medium Density Residential <250m ²	da	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
High Density Residential - flats	da	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
High Density Residential - student rooms	da	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Local Business - office	m ² GLA	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Local Business - retail	m ² GLA	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
General Business - office	m ² GLA	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
General Business - retail	m ² GLA	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Community	m ² GLA	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Education	m ² GLA	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Light Industrial	m ² GLA	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
General Industries - light	m ² GLA	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
General Industries - heavy	m ² GLA	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Medium Industries - heavy	m ² GLA	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Motor	m ² GLA	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Public Open Space	m ² GLA	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Private Open Space	m ² GLA	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Natural Environment	m ² GLA	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Utility Services	m ² GLA	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Public Roads and Parking	m ² GLA	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Transport Facility	m ² GLA	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Unland Use	m ² GLA	m ² GLA	1 449	7	0	0	0	0	0	R -11 386,31	R -13 038,67
Special	To be calculated based on equivalent demands										

* Complete yellow/green cells.

-- da = dwelling unit, GLA = Gross lettable area.

Total Development Charges before Deductions

% Deductions per service (%)

% Deductions per service (amount)

Additional Deduction per service - from Service Agreement (sum)

Sub Total after Deductions (excluding VAT)

VAT

Total

*** displays red if not equal to existing area

R9 829,80	R9 759,70	R559,66	R2 236,16	R26 018,23	R13 038,67	R61 442,21
0,00%	0,00%	0,00%	0,00%	0,00%	0,00%	R 0,00
R 0,00	R 0,00	R 0,00	R 0,00	R 0,00	R 0,00	R 0,00
R9 829,80	R9 759,70	R559,66	R2 236,16	R26 018,23	R13 038,67	R61 442,21
R1 474,47	R1 463,95	R83,95	R355,42	R3 902,73	1 955,80	R9 216,33
R11 304,27	R11 273,65	R643,61	R2 571,58	R29 920,96	14 994,47	R70 658,55