



STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/13044

Our File Reference Number: Erf 221, Raithby

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: [REDACTED]

Sir / Madam

APPLICATION FOR SUBDIVISION AND CONSOLIDATION IN TERMS OF SECTION 15(2)(D) AND 15(2)(E) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW, 2015 : ERF 221, RAITHBY AND FARM NO. 1342 STELLENBOSCH DIVISION

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 Bylaw, promulgated by notice number 354/2015, dated 20 October 2015, namely:
 - 2.1.1 The **subdivision** of Erf 221, Raithby in terms of Section 15(2)(d) into two (2) portions namely Portion A (measuring $\pm 2,96$ ha in extent) and the Remainder (measuring $\pm 49,5483$ ha in extent),
 - 2.1.2 The **consolidation** in terms of Section 15(2)(e) of Portion A of subdivided Erf 221, Raithby with Farm No. 1342, Stellenbosch Division to form a land unit of $\pm 14,6086$ ha in extent,

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.

3. The approval is subject to the following **conditions** imposed in terms of Section 66 of the said Bylaw:

3.1 The approval only applies to the proposed subdivision and consolidation under consideration, as indicated on the referenced Proposed Subdivision of Erf 221 Raithby Plan with Ref No. Raith221, drawn by FBV and dated 11/08/2021 (attached as **Annexure B**), and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.

3.2 The development be undertaken generally in accordance with the referenced Proposed Subdivision of Erf 221 Raithby Plan with Ref No. Raith221, drawn by FBV and dated 11/08/2021 (attached as **Annexure B**).

3.3 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.

3.4 The subdivided Portion A of Erf 221, Raithby must be simultaneously consolidated with Farm No. 1342, Stellenbosch Division.

3.5 The Surveyor General approved diagrams of the newly created units must be submitted to Stellenbosch Municipality for clearance and record purposes.

3.6 The applicant/developer submits an electronic copy (shp,dwg,dxf) of the General Plan which was preliminary approved by the SG. The following information must be indicated:

- a) Newly allocated Erf Numbers;
- b) Co-ordinates;
- c) Survey Dimensions.

3.7 The conditions imposed by the Department of Agriculture, Land Reform and Rural Development as contained in their consent letter with Consent No. 55356, dated 13/10/2020, attached as **Annexure F**, be complied with.

3.8 The conditions imposed by the Department of Transport and Public Works as contained in their letter dated 14/09/2022, attached as **Annexure F**, be complied with.

4. The reasons for the above decision are as follows:

4.1 The proposal is considered a mere adjustment of boundaries between two farming units resulting in the more optimal use of agricultural land.

4.2 The proposal is not inconsistent with the Western Cape Land Use Planning: Rural Guidelines and Stellenbosch Municipality Spatial Development Framework as the agricultural potential of the subject properties are not reduced.

5. Matters to note:

5.1 The properties fall outside of the Stellenbosch Municipality electricity supply and all electrical requirements should be directed to Eskom.

6. 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.

7. 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:

7.1 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

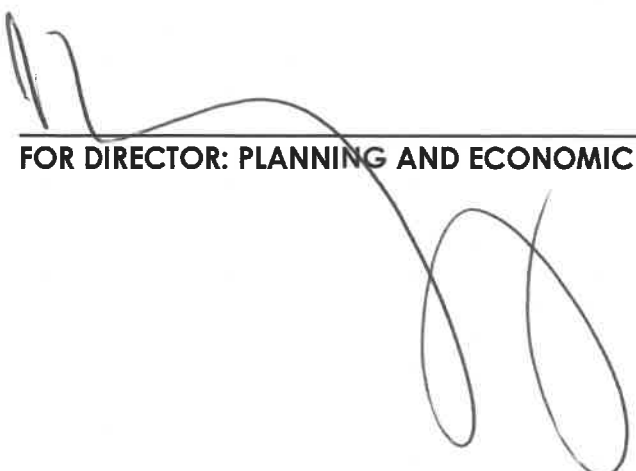
7.2 Reference to this correspondence and the relevant property details on which the appeal is submitted.

7.3 The grounds of the appeal which may include the following grounds:

applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.

10. The approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@ Stellenbosch.gov.za
11. An applicant who lodges 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.
12. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
13. Kindly note the above decision in the case of any approval, is suspended, and 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

DATE:

15/9/2022

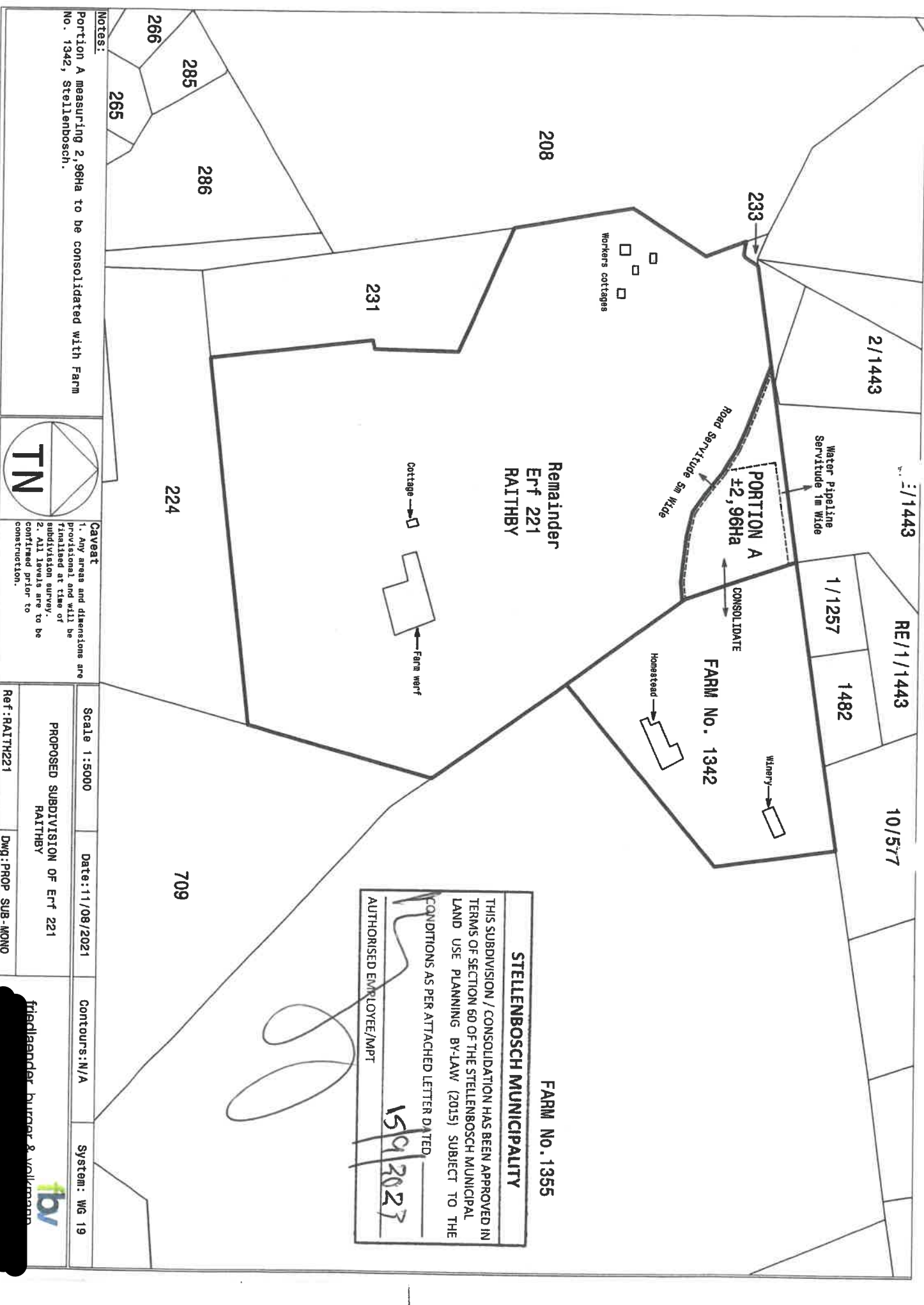


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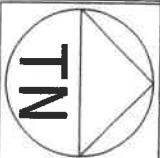
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ANNEXURE B

SUBDIVISION AND CONSOLIDATION PLANS



Notes:
Portion A measuring 2,96ha to be consolidated with Farm No. 1342, Stellenbosch.



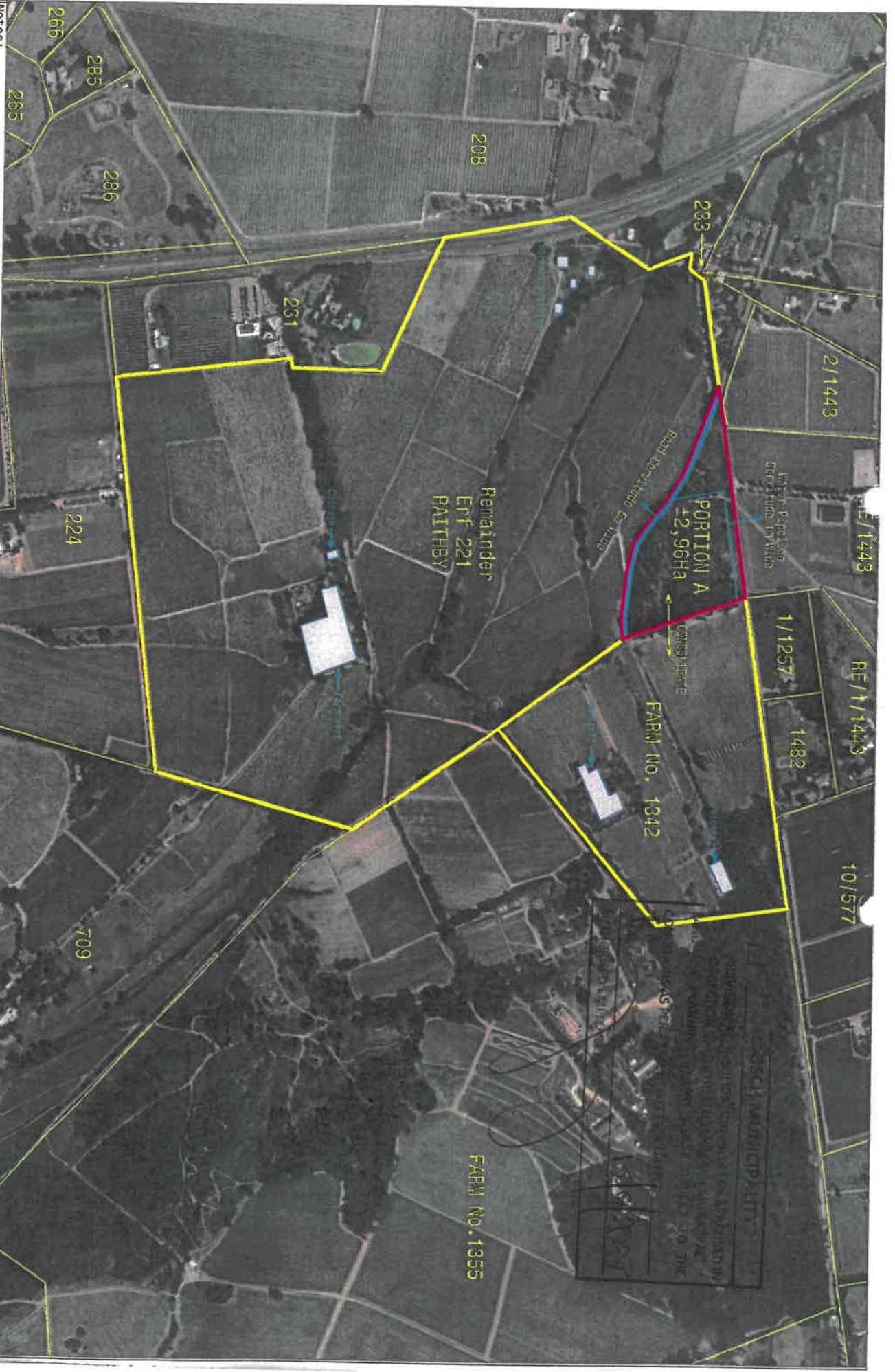
Caveat
1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey.
2. All levels are to be confirmed prior to construction.

Scale 1:5000
Date: 11/08/2021
Contours: N/A
System: WG 19
PROPOSED SUBDIVISION OF Erf 221
RAITHBY
Ref: RAITH221
Dwg: PROP SUB-MONO

Friedlaender Burger & Volkmann
ibv

STELLENBOSCH MUNICIPALITY
THIS SUBDIVISION / CONSOLIDATION HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015) SUBJECT TO THE CONDITIONS AS PER ATTACHED LETTER DATED
15/9/2023
AUTHORISED EMPLOYEE/MP

FARM No. 1355



Notes:
Portion A measuring 2,96ha to be consolidated with Farm No. 1342, Stellenbosch.



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

Scale 1:5000	Date: 11/08/2021	Contours: N/A	System: WG 19
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PROPOSED SUBDIVISION OF Erf 221
RAITHEY

Ref: RAITH221 Dwg: PROPOSED SUB-REV1

friedlaender, burger & volkmann
[Redacted]
[Redacted]



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ANNEXURE F

COMMENTS FROM EXTERNAL DEPARTMENTS



**agriculture, land reform
& rural development**

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

Private Bag X 120, Pretoria (Tshwane), 0001
Delpen Building, C/o Annie Botha & Union Street, Riviera, 0084

From: Directorate: Land and Soil Management
Tel: 012-319-7634/7571/7580 Fax: 012-329-5938 LUAHel@deskrdaalrdd.gov.za
Enquiries: Helpdesk Ref: 2020_06_0060

Friedlaender, Burger & Volkmann
P.O. Box 154
STELLENBOSCH
7599

Attention: D P Burger

**APPLICATION IN TERMS OF THE SUBDIVISION OF AGRICULTURAL LAND ACT, 1970:
APPLICATION FOR SUBDIVISION OF THE REMAINDER OF ERF 221 RAITHBY, DIVISION
STELLENBOSCH, WESTERN CAPE PROVINCE**

Your letter bearing reference RAITH221 dated 24 March 2020 refers.

With reference to the above-mentioned subject, the Department wishes to inform you that the application has been granted.

Consent No. **55356**, issued in terms of section 4 of the Act, is enclosed.

To facilitate registration the conveyancer must lodge the signed copy of the consent with the Registrar of Deeds together with the documents for registration.

Yours faithfully


DR I. B. KGAKATSI
**ACTING CHIEF DIRECTOR: NATURAL RESOURCES
AND DISASTER MANAGEMENT**
DELEGATE OF THE MINISTER
DATE:

13/10/2020

CC: The Surveyor-General Private Bag X 9028 CAPE TOWN 8000
CC: Land and Soil Management Private Bag X 2 SANLAMHOF 7532
CC: Mr Brandon Layman Landuse Management Department of Agriculture: Western Cape Private Bag x 1 ELSENBURG 7607



**agriculture, land reform
& rural development**

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

VERW/REF.

2020_06_0060

TOESTEMMING
*KRAGTENS DIE WET OP DIE ONDERVERDELING
VAN LANDBOUGROND, 1970*

CONSENT
*IN TERMS OF THE SUBDIVISION OF
AGRICULTURAL LAND ACT, 1970*

55356

By virtue of the powers delegated to me by the Minister of Agriculture, Land Reform & Rural Development consent is hereby granted in terms of section 4(2) of the Subdivision of Agricultural Land Act, 1970, for the subdivision of the agricultural land described in paragraph 1, into units indicated in paragraph 2, subject to the conditions set out in paragraph 3.

PARAGRAPH 1: THE AGRICULTURAL LAND TO WHICH THIS CONSENT APPLIES

REMAINDER OF ERF 221 RAITHBY, IN EXTENT 52,50837 HECTARES, DIVISION
STELLENBOSCH, WESTERN CAPE PROVINCE

PARAGRAPH 2: CONSENT GRANTED

The subdivision of the agricultural land mentioned in paragraph 1 above into two portions measuring approximately 2,9 hectares and 49,62 hectares respectively represented by the figures marked Portion A and Remainder as shown on sketch plan attached.

PARAGRAPH 3: CONDITIONS PERTAINING TO THIS CONSENT

- 3.1 Simultaneously with registration of transfer the portion measuring approximately 2,9 hectares (Portion A) must be consolidated with Farm No 1342, in extent 11,6486 hectares, Division Stellenbosch, Western Cape Province.
- 3.2 The portions created in paragraphs 2 and 3.1 above, may only be used for agricultural purposes.
- 3.3 This consent does not imply that the above-mentioned subdivisions are assured of a permanent water supply.
- 3.4 This consent does not exempt the property from the provision of any other law and does not purport to interfere with the rights of any person who may have an interest in the agricultural land.

- 3.5 This consent is valid for 5 years from date of grant. Should it not be registered within the time frame, a new complete application must be lodged which will be considered on its own merits.

13/10/2020
DATE


DR I. B. KGAKATSI
ACTING CHIEF DIRECTOR: NATURAL
RESOURCES AND DISASTER MANAGEMENT
DELEGATE OF THE MINISTER

ANNEXURE B

Notes: 1. All measurements and dimensions are provided and will be provided at time of subdivision survey. All levels are to be certified prior to construction.		Scale 1:5000		Date: 29/03/2020		Contours: N/A		System: WGS 1984	
Proposed subdivision of Erf 221 RAITHBY		DWG: PROPOSED SUB		friedlander, burger & volkmann 26 Joubert Street, Johannesburg, 2001 Tel: 011 462 1111 Fax: 011 462 1112 Email: info@fvl.co.za					

REFERRED IN CONSULTATION

دعوت

No:

13/10/2020

13



**Western Cape
Government**

Transport and Public Works

Vanessa Stoffels

Chief Directorate: Road Planning

Vanessa.Stoffels@westerncape.gov.za | Tel: 021 483 4669

Ref: 16/9/6/1-25/258 (Job 26097)

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599



Attention: Mr U von Molendorff

Dear Sir

FARM 1342 AND ERF 221, STELLENBOSCH: APPLICATION FOR APPROVAL IN TERMS OF ACT 21/1940 FOR SUBDIVISION OF ERF 221 RAITHBY AND THE CONSOLIDATION WITH FARM 1342, STELLENBOSCH

1. The application as received by email from Friedlaender, Burger & Volkmann dated 15 March 2022, reference RAITH 221 refers.
2. Access is currently from the servitude road (Cordoba Road) onto Main Road 27 at $\pm$ km22,78 RHS and adheres to the minimum standards of this Branch.
3. This Branch offers no objection to the application for the subdivision of Erf 221 Raithby and the consolidation with Farm No. 1342 Stellenbosch on condition that access be taken from the servitude road (Cordoba Road) onto Main Road 27 at $\pm$ km22,78 RHS.

FILE NR:	
SCAN NR:	E 221 RB
COLLABORATOR NR:	736807

Yours Sincerely

SW CARSTENS

For DEPUTY DIRECTOR-GENERAL: ROADS

DATE: 14 SEPTEMBER 2022