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

Sir / Madam

The following land use application in terms of the Stellenbosch Municipal Land Use Planning By-Law 2023, refers:

Application Property Address: Polkadraai Road

Application Property Number: Unreg. Farm No. 1611and Farm No. 1572, Stellenbosch

Applicant: TV3 Projects (Pty) Ltd – C Heys (contact details: 021 861 3800)

Owner: Limberlost Property Holdings (Pty) Ltd – J Zetler (contact details: 021 881 3854)

Application Reference: LU/16157

Description of Proposed Development:

- Application is made in terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-Law 2023 for the subdivision of unregistered Farm 1611, Stellenbosch Division (consisting of the consolidation of Farm No. 1410 and unregistered Farm No. 405/7, Stellenbosch) into two portions namely; Remainder Portion of ±10ha in extent and Portion A of ±3.8ha in extent.

- Application is made in terms of Section 15(2)(e) of the Stellenbosch Municipal Land Use Planning By-Law 2023 for the consolidation of Farm No. 1572, Stellenbosch Division, and the Remainder Portion of subdivided unregistered Farm No. 1611, Stellenbosch Division to form a single land unit of ±33.2ha in extent.

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_portal/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.

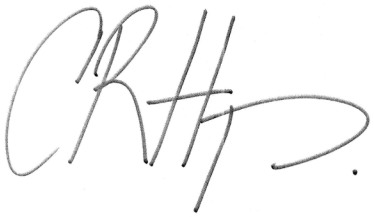
The comments must be addressed to the applicant by electronic mail as follows: TV3 Projects (Pty) Ltd – C. Heys clifford@tv3.co.za

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **22 January 2024**.

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 021 861 3800 during normal office hours.

Yours faithfully



CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

17 November 2023

KENNISGEWING VAN GROND ONTWIKKELINGSAANSOEK AAN GEINTERESSEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR

Meneer / Dame

Die volgende grondgebruiksaansoek in terme van Stellenbosch Munisipaliteit se Verordeninge op Grondgebruikbeplanning, 2023, verwys:

Adres van aansoek eiendom: Polkadraaiweg

Aansoek eiendom beskrywing: Ongereg. Plaas No. 1611 en Plaas No. 1572, Stellenbosch

Aansoeker: TV3 Projects (Pty) Ltd – C Heys (kontak besonderhede: 021 861 3800)

Eienaar: Limberlost Property Holdings (Pty) Ltd – J Zetler (kontak besonderhede: 021 881 3854)

Aansoek Verwysing: LU/16157

Tipe aansoek:

- Aansoek word gedoen ingevolge Artikel 15(2)(d) van die Stellenbosch Munisipaliteit se Verordeninge op Grondgebruikbeplanning, 2023 vir die onderverdeling van ongeregistreerde Plaas 1611, Afdeling Stellenbosch (bestaande uit die konsolidasie van Plaas No. 1410 en ongeregistreerde Plaas No. 405/7, Stellenbosch) in twee gedeeltes, naamlik; Restant Gedeelte van ±10ha groot en Gedeelte A van ±3.8ha groot.

- Aansoek word gedoen ingevolge Artikel 15(2)(e) van die Stellenbosch Munisipaliteit se Verordeninge op Grondgebruikbeplanning, 2023 vir die konsolidasie van Plaas No. 1572, Afdeling Stellenbosch, en die Restant Gedeelte van onderverdeelde ongeregistreerde Plaas No. Stellenbosch afdeling om 'n enkele grondeenheid van ±33.2ha groot te skep.

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_portal/planning-notices/land-use-applications-advertisements]. Indien die webtuiste of tersaaklike dokumente nie toeganglik 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 opsite van die volgende aspekte:
    - Die feite en omstandighede aantoon wat die die kommentaar toelig;

- Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;
- Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
- Dat die insette voldoende inlgting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

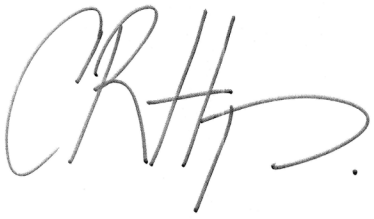
Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: TV3 Projects (Pty) Ltd – C. Heys clifford@tv3.co.za

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 sluitingsdatum van **22 Januarie 2024**.

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 voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 021 861 3800 gedurende normale kantoor ure.

Die uwe



CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

17 November 2023

since 1991 tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS

FIRST FLOOR
LA GRATITUDE
OFFICE BUILDING
97 DORP STREET
STELLENBOSCH 7600
TEL 021 861 3800

Our Reference: 3832-P

28 March 2023

Director: Planning and Development Services
Stellenbosch Municipality
Town House
7600 STELLENBOSCH

Attention: Mr. Gerrit Goosen

Sir

APPLICATION FOR THE SUBDIVISION OF THE UNREGISTERRED FARM NO. 1611 STELLENBOSCH AND THE CONSOLIDATION WITH FARM NO. 1572, STELLENBOSCH

1. LAND USE PLANNING APPLICATIONS

1.1 Application for subdivision and consolidation

We refer to our pre-submission consultations.

The following land use planning applications are hereby made:

- Application i.t.o. Section 15.2(d) of the Stellenbosch Municipal Planning By-Law, 2015 for the subdivision of the unregistered Farm 1611, Stellenbosch (consisting of the consolidation of Farm 1410, Stellenbosch with Farm 405/7, Stellenbosch) into a *Remainder* (±10ha) and a *Portion A* (±3.8ha).
- Application i.t.o. Section 15.2(e) of the Stellenbosch Municipal Planning By-Law, 2015 for the consolidation of *Portion A* with the abutting Farm 1572, Stellenbosch.
- Application i.t.o. the Advertising on Roads and Ribbon Development Act, 21 of 1940 for the the Department of Transport's approval of the subdivision and consolidation of Farms 1611 and 1572, Stellenbosch.

A subdivision and consolidation plan is included in this submission (for you're approval).

1.2 Purpose of the application

Acting on behalf of the owner of unregistered Farm 1611 (a pending consolidation of Farm 1410 with Farm 405/7) and Farm 1572 we propose to subdivide 3.8ha of Farm 1611 and consolidate the Remainder with the adjoining farm, Remainder Farm 1572 Stellenbosch.

2. PROPERTY DESCRIPTION

Farm 1572 is owned by the Limberlost Prop Holding Pty Ltd and Farm No. 1611 is in the process of being registered to the same company.

The title deed of Farm 1572 is included in this submission.

A power of attorney authorising the applicant and a resolution authorising the signatory of the power of attorney is included in this submission.

Unregistered Farm No. 1611 – measuring 13.8228ha. The approved SG Diagrams of Farm No. 1611 are included in this submission.

Remainder Farm No. 1572 – measuring 23.2393ha. The SG Diagram is included in this submission.

3. DESCRIPTION OF THE APPLICATION AREA

3.1 Locality

The application area is located on the Polkadraai Road, ±10km west of Stellenbosch. The locality of the application area is indicated on the attached locality maps and the aerial photograph below.

Locality of Farms 1572 and 1611, Stellenbosch

3.2 Surrounding land uses

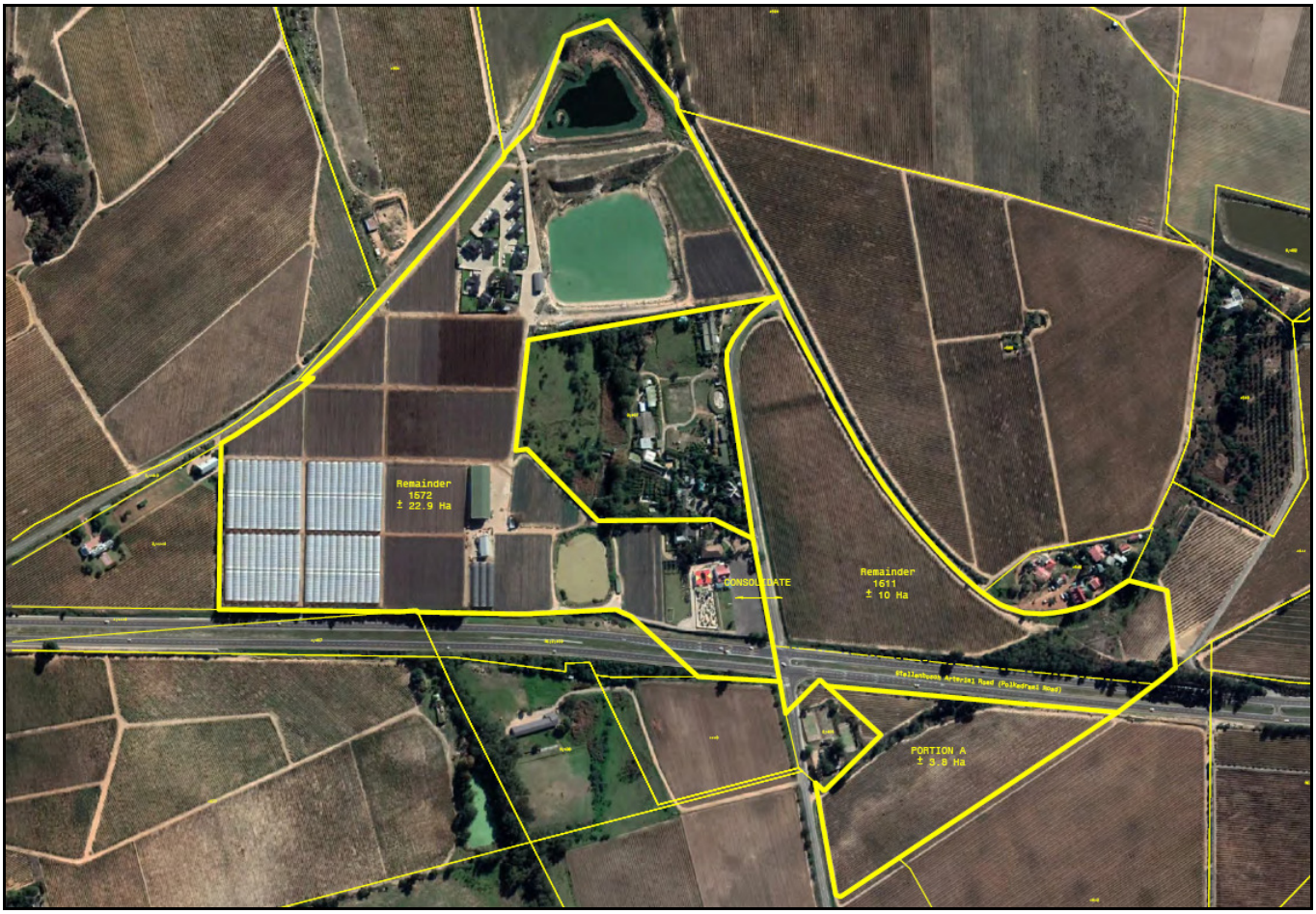
The application area is surrounded primarily by similar wine producing farms.

3.3 Present zonings and land uses

The application area is zoned Agricultural and Rural Zone with a consent land use for tourist facilities on Farm 1572 (i.e. the Polkadraai Farm Stall).

4. DEVELOPMENT PROPOSAL

The development proposal entails the subdivision of the unregistered Farm 1611, Stellenbosch (consisting of the consolidation of Farm 1410, Stellenbosch with Farm 405/7, Stellenbosch) into a *Remainder* (±10ha) and a *Portion A* (±3.8ha), and the consolidation of *Portion A* with the abutting Farm 1572, Stellenbosch – see image below.



Proposed subdivision and consolidation of Farms 1572 and 1611, Stellenbosch

5. MOTIVATION FOR THE PROPOSED SUBDIVISION AND CONSOLIDATION

Our motivation for the proposed subdivision and consolidation is based on the following reasons:

- **Reason for the proposal:**

  Portion A lies to the south of the Polkadraai Road and is effectively cut off from the rest of the farming activities by the busy road. The owners wish to consolidate all the farming activities to the north of the road as a single farming unit concentrating on farming with strawberries. Farm 1410, a portion of Farm 1611 was purchased in 2021 mainly to expand the strawberry farming north of the road (including the supporting tourist facilities). The old vineyard lying south of the road effectively are a separate old vineyard and not part of the core farming activities.

- **Motivation:**

  The Polkadraai Road is an extremely busy road. The existing crossing is very dangerous making it undesirable to try and incorporate any farming activities south of the road with the activities to the north of the road.

  There is an improvement to local agriculture as the consolidated properties can now be farmed as part of a unified property lying to the north of road. The consolidated property also meets the requirements of the owner for the expansion of the strawberry farming activities (including the supporting tourist facilities).

  There is no increase in the number of properties as the Farm 1611 will be consolidated with Farm 1572 and it is effectively an adjustment of boundaries between the two properties.

  It does not lead to the further fragmentation of agricultural land as no additional land unit is created.

  There is no negative impact on the natural environment, cultural heritage, or transport as a result of the application.

  There is no proposed change in land use and the consolidation will result in a larger land unit lying to the north of a busy road and in line with the economic unit land size required by the Department of Agriculture.

- **Access:**

  The existing assesses are off Polkadraai and Vlaeberg Road and no new access are required.

- **Engineering Services:**

  There are no municipal services connected to the property.

- **Water Rights:**

  The existing water rights of Farm 1611 will be transferred into the consolidated property that becomes the larger farming entity.

- **Act 70 of 1970 Approval:**

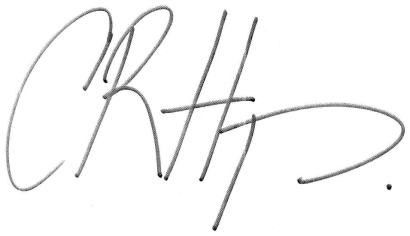
  The application was submitted to the Department of Agriculture, Land Reform and Rural Development (DALRRD) for their approval of the application i.t.o. the Subdivision of Agricultural Land Act, No. 70 of 1970. A copy of DALRRD's letter of approval (permit) is included in this subdivision.

6. CONCLUSION

This application for subdivision and consolidation is in essence only a boundary adjustment. It will improve the current situation by enlarging Farm 1572, Stellenbosch without undermining any agricultural resources. It is deemed to be desirable and for this reason, we respectfully request that the application be granted.

Please feel free to contact the undersigned at 021-861 3800 or clifford@tv3.co.za if you have any queries.

Yours faithfully



CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

LOCALITY MAP

Farms 1572 and 1611, Stellenbosch

agriculture, land reform
& rural development

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

Private Bag X120, Pretoria, 0001
Delpen Building, C/o Annie Botha & Union Street, Riviera, 0084

From: Directorate Land and Soil Management
Tel: 012-319-7451 **Fax:** 012-329-5938 Email: KhuthalaD@Dalrrd.gov.za/ MulaloMo@Dalrrd.gov.za;
Website: www.dalrrd.gov.za
Enquiries: Helpdesk **Ref:** 2022_05_0059

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

Email: info@fbvsurve.co.za

Attention: DP Burger

APPLICATION IN TERMS OF THE SUBDIVISION OF AGRICULTURAL LAND ACT, ACT 70 OF 1970: FARM NO. 1572, WESTERN CAPE PROVINCE

Your letter of reference SA1410 dated 02 March 2022 refers.

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

Consent No. 57109 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

MS T.S. CHIPETA
CHIEF DIRECTOR: NATURAL RESOURCES AND DISASTER MANAGEMENT
DELEGATE OF THE MINISTER
DATE: 23/11/2022

CC: The Surveyor-General, Private Bag X 9689, **POLOKWANE,** 0700

agriculture, land reform & rural development

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

VERW/REF.	**CONSENT**	57109
2022_05_0059	*IN TERMS OF THE SUBDIVISION OF*	
	AGRICULTURAL LAND ACT, 1970	

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

THE FARM NO. 1611, IN EXTENT 13,8288 HECTARES; WESTERN CAPE PROVINCE

PARAGRAPH 2: CONSENT GRANTED

The subdivision of the above-mentioned agricultural land into two portions measuring approximately 3,8 hectares and 10 hectares represented by the figures marked Ptn A and Remainder as shown on the sketch plan which is attached to this consent.

PARAGRAPH 3: CONDITIONS PERTAINING TO THIS CONSENT

3.1 Simultaneously with registration of transfer, a portion measuring approximately 10 hectares (Rem) must be consolidated with rem of farm No. 1572, in extent 23,2393 hectares.

3.2 This consent does not imply that the above-mentioned subdivisions are assured of a permanent water supply.

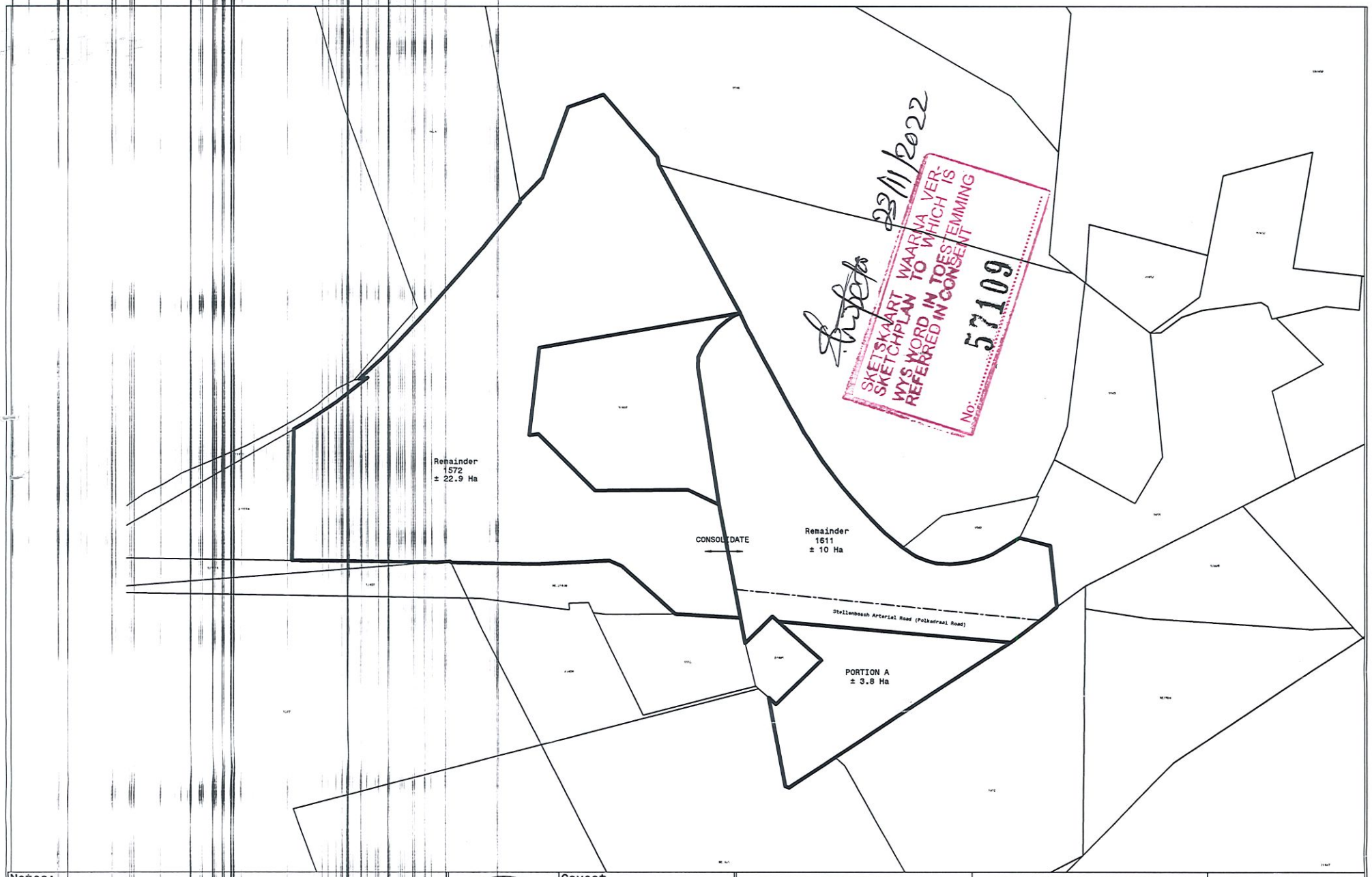
3.3 This consent does not exempt any person from any provision of any other law and does not purport to interfere with the rights of any person who may have an interest in the agricultural land.

3.4 This consent is valid for 5 years from date of this 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.

28/11/2022
DATE

MS T.S. CHIPETA
CHIEF DIRECTOR: NATURAL RESOURCES AND DISASTER MANAGEMENT
DELEGATE OF THE MINISTER

MM/2022



Notes:
1. Portion A to be subdivided off Farm No. 1611.
2. Remainder Farm No. 1611 to be consolidated with Remainder Farm No. 1572.

TN

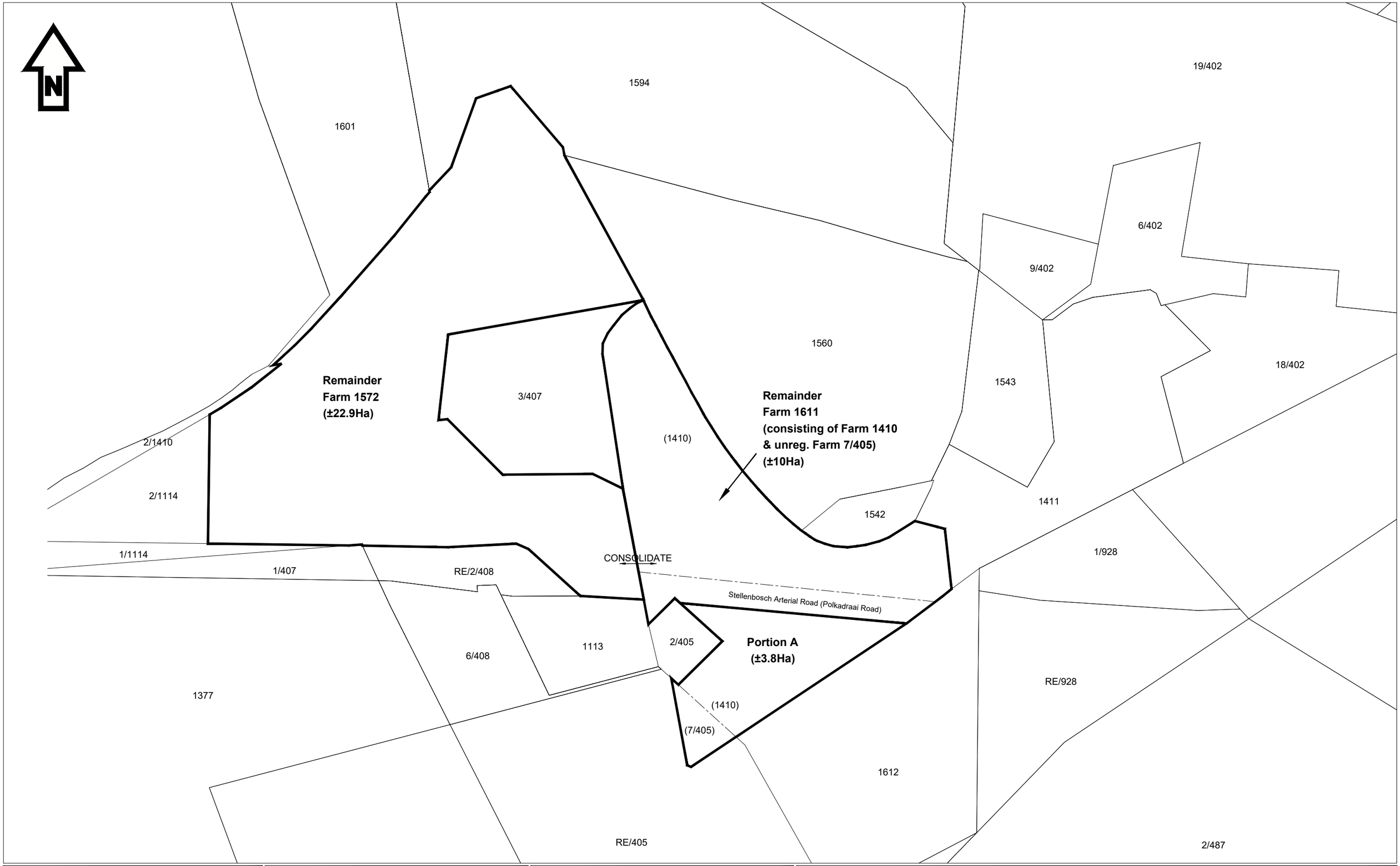
Caveat
1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey.
2. All levels are to be confirmed prior to construction.

Scale 1:5000 @ A3	Date: 3 February 2022	System: WG 19

PROPOSED SUBDIVISION
FARM No. 1611 AND CONSOLIDATION OF
REMAINDER WITH FARM No. 1572
STELLENBOSCH

Ref:SA1410	Dwg:PROP_SUB_MONO

fbv
friedlaender, burger & volkmann



tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS

FIRST FLOOR LA GRATITUDE OFFICE BUILDING | 97 DORP STREET
STELLENBOSCH 7600 | TEL +27 (21) 861 3800 | www.tv3.co.za

Proposed Subdivision Farm 1611 Consolidation of Farm 1572, Stellenbosch

Drawing:		Plan no.:
Consolidation & Subdivision Plan		1
Date:	Scale:	
25/04/2023	1:5000 (A3)	
Project no.:	Drawn:	Checked:
3832-P	WH	CH

Notes:

Application is made i.t.o. the Stellenbosch Municipal Planning By-Law, 2015 for the subdivision of the unregistered Farm 1611, Stellenbosch (consisting of the consolidation of Farm 1410, Stellenbosch with Farm 405/7, Stellenbosch) into a *Remainder* (±10ha) and a *Portion A* (±3.8ha); and for the consolidation of *Portion A* with the abutting Farm 1572, Stellenbosch.

* All areas and dimensions are approximate and should be verified by a professional land surveyor.

* This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved