STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15240
Our File Reference Number: Unregistered Farm 1623 & Farm 218/4, Stellenbosch
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 CONSOLIDATION AND SUBDIVISION: UNREGISTERED FARM NO. 1623 AND FARM 218/4, 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 application(s) in terms of Section 15(2)(d) & (e) of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015, namely:

   2.1.1 the **Consolidation** of Unregistered Farm No. 1623, Stellenbosch Division and Farm No. 218/4, Stellenbosch Division to form Unregistered Farm No. 1629, Stellenbosch Division); and

   2.1.2 **Subdivision** of the Unregistered Farm No. 1629, Stellenbosch Division (consolidated portion) into two portions namely Portion I (±8,1280ha) and the Remainder (±89ha 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 consolidation and subdivision under consideration, as indicated on **Plan No. 715/1R1 and Plan No. 715/2R1, dated February 2023**

and drawn by R A Pesch Professional Land Surveyor, 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 must be undertaken in accordance with the **Plan No. 715/1R1 and Plan No. 715/2R1, dated February 2023 and drawn by R A Pesch Professional Land Surveyor** and 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 consolidation of Unregistered Farm No. 1623 with Farm No. 218/4, Stellenbosch Division, must be simultaneously registered in the deed's office with the registration of the subdivision of Unregistered Farm No. 1629, Stellenbosch Division into two portions.

3.5 The Surveyor General approved diagrams of the newly created unit must be submitted to this Local Authority (Stellenbosch Municipality) for clearance and record purposes.

3.6 The conditions imposed by the **Department of Agriculture, Land Reform and Rural Development** in their letter dated 07 June 2019, attached as **ANNEXURE J**, be adhered to.

3.7 The portions created may only be used for agricultural purposes.

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

4.1 The proposed subdivision will result in the creation of land portions that are in line with the existing character of the surrounding area.

4.2 The proposed subdivision will not affect the agricultural viability of any of the properties involved or any adjacent properties.

4.3 No new land units will be created by the proposed subdivision and consolidation.

5. **Matters to be noted:**

5.1 All electrical requirements be directed to Eskom.

5.2 A servitude right of way over must be registered over the Remainder Portion in favour of Portion 1 in the event that one of the properties changes hands.

6. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw 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:

a) First names and surname
b) ID number
c) Company of Legal person's name (if applicable)
d) Physical Address
e) Contact details, including a Cell number and E-Mail address

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

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

a) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)
b) 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.

8.2 Whether the appeal is lodged against the whole decision or a part of the decision.
8.3 If the appeal is lodged against a part of the decision, a description of the part.
8.4 If the appeal is lodged against a condition of approval, a description of the condition.
8.5 The factual or legal findings that the appellant relies on.
8.6 The relief sought by the appellant.
8.7 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.
8.8 That the appeal includes the following declaration by the Appellant:

a) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
b) That the Appellant is aware that it is and 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.

9. 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

10. Any party (applicant or other) 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.

11. 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

12. 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.

13. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

14. 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

15/1/2024
DATE

ANNEXURE B

APPLICATION FOR CONSOLIDATION AND SUBDISION: UNREGISTERED FARM NO. 1623 AND FARM 218/4, STELLENBOSCH DIVISION

SUBDIVISION AND CONSOLIDATION PLAN

PROPOSED CONSOLIDATION PLAN

PLAN NO. **715/1R1**

SIDES	Metres	ANGLES OF DIRECTION		CO-ORDINATES Y System: WG 19	X
		Constant		0,00	3 700 000,00
AB	356,40	230,07,20	A	+21 540,16	+53 734,13
BC	800,33	268,17,10	B	+21 369,86	+53 505,82
CD	22,03	180,01,20	C	+20 960,68	+53 481,67
DE	20,61	268,41,40	D	+20 958,68	+53 459,35
EF	26,25	328,59,10	E	+20 549,03	+53 456,16
FG	278,15	350,51,10	F	+20 526,50	+53 480,92
GH	1 189,43	30,03,50	G	+20 486,22	+53 756,52
HJ	317,12	126,05,30	H	+21 079,90	+54 777,03
JK	244,09	133,02,50	J	+21 254,24	+54 648,98
KA	773,05	183,44,20	K	+21 426,68	+54 476,25
		5 BOTTELARY 60 SIMON	A	+20 550,91	+ 53 459,71
			A	+8 733,20	+ 50 785,48

COMPONENTS:
1) The figure ABCDEFGHJ represents Farm No. 1623
Vide S.G. Dgm No.
2) The figure AJK represents portion 4 of Farm Welgevonden No.218
Vide S.G. Dgm No.A2577/1920 D/T 1835 -7729

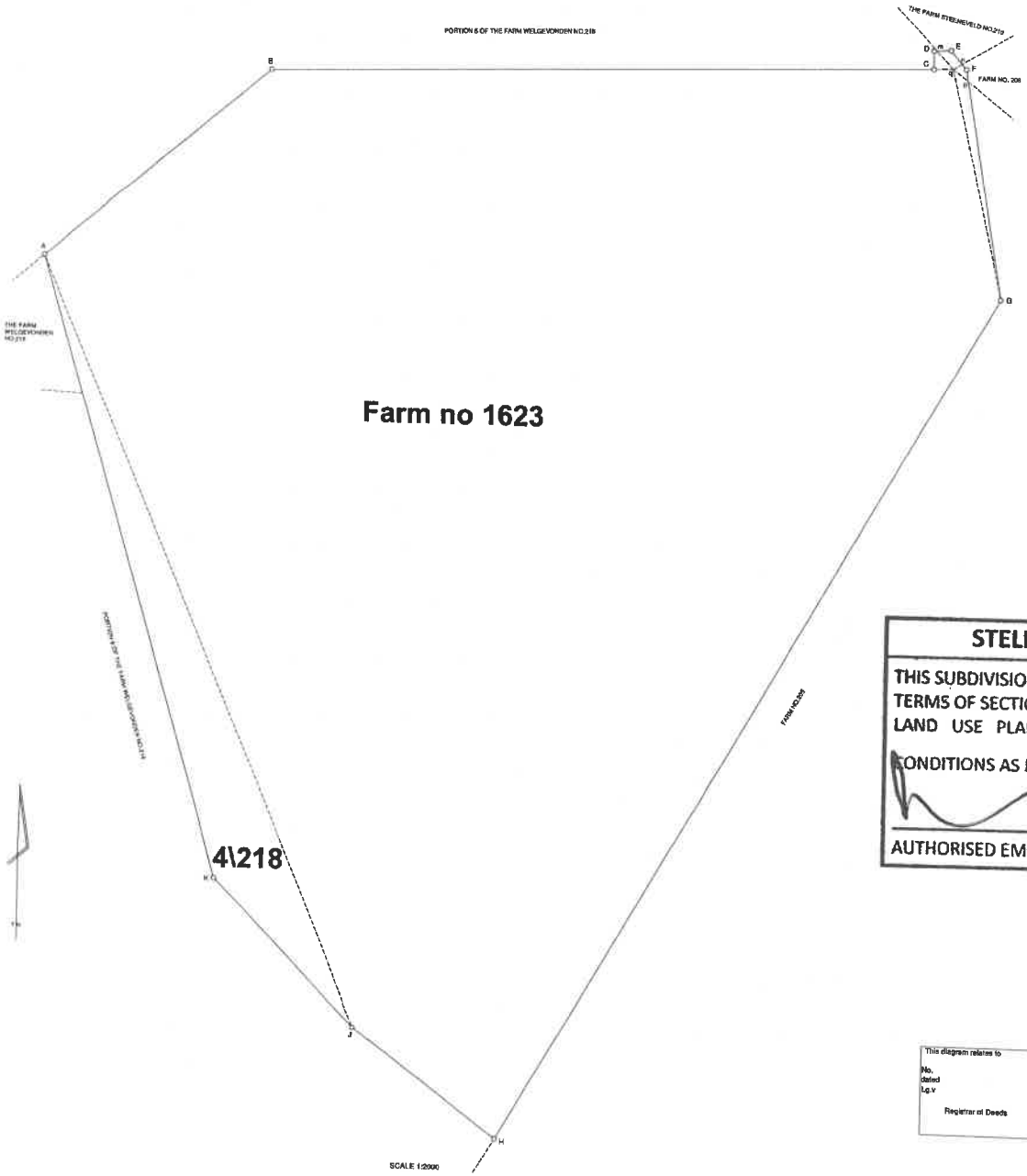
DESCRIPTION OF BEACONS:
A ..... Base of bent Rail Fence Post
B, K ..... Planted Stone
C, D ..... 20mm Iron Peg in cairn
E ..... Top of Rail Fence Post
F ..... Top of Angle Iron
G ..... Rail Fence Post
H ..... Iron Standard under stone cairn
J ..... 12mm Iron Peg

The figure A B C D E F G H J K
represents 84,9537 Hectare of land, being

FARM NO.1623 STELLENBOSCH and comprises (1) and (2) as quoted above

situate in The Stellenbosch Municipality
Administrative District Stellenbosch
Province of Western Cape
Surveyed by me in October 2021

R A PESCH Professionele Landmeter
(PLS 0859)



S.G. NO.

APPROVED

Date

for. Surveyor General

STELLENBOSCH MUNICIPALITY

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

15/11/2023

AUTHORISED EMPLOYEE/MPT

This diagram relates to No. dated Ld.v Registrar of Deeds	The original diagram are as stated above.	File No. S.R. No. Comp. BHSY-22(M3152)

LAYOUT PLAN

Plan nr 715/3R1

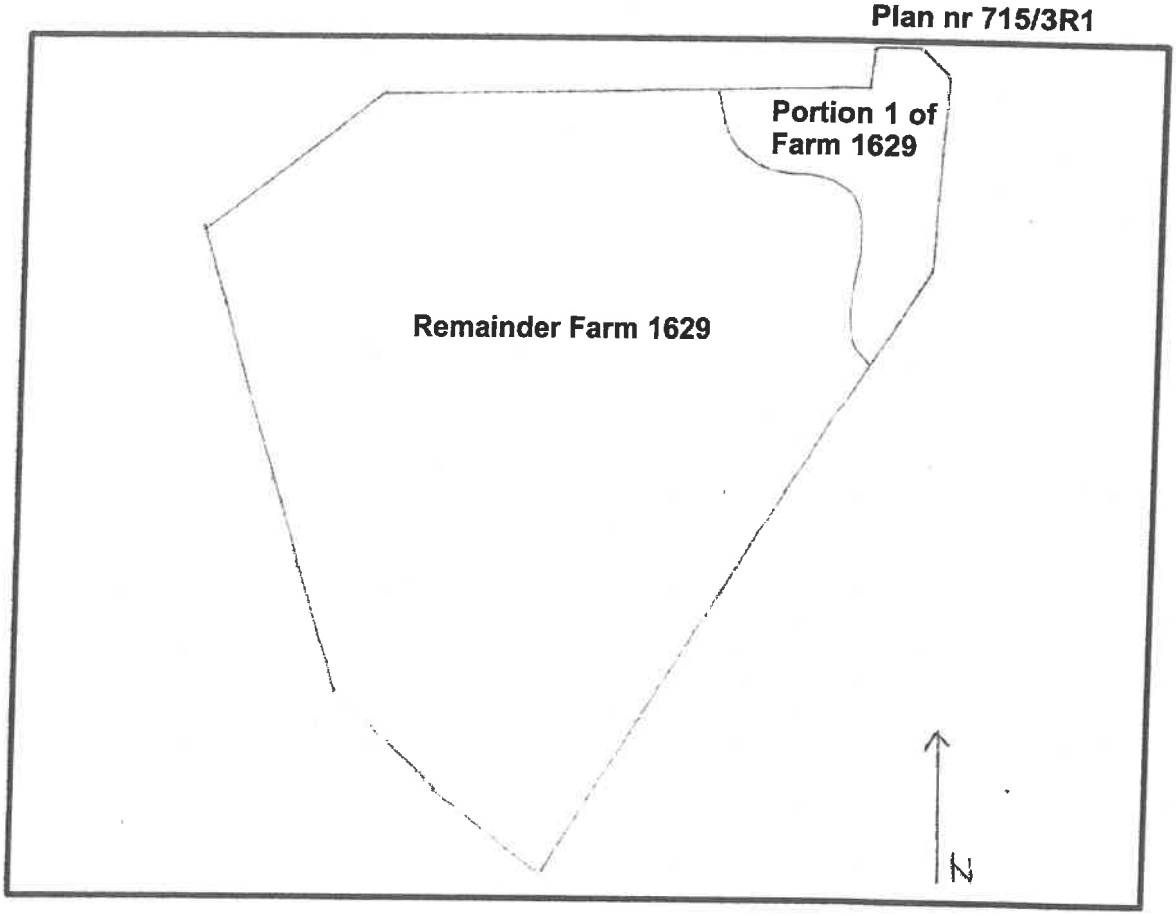


Illustration showing two subdivided portions

Date: February 2023

SIDES Metres		ANGLES OF DIRECTION	CO-ORDINATES Y System WG.19 X			S.G. No.
				0,00	+3 700 000,00	
AB	270,06	268 17 10	A	+20 839,63	+53 489,76	Approved
BC	22,32	180 01 20	B	+20 569,69	+53 481,67	
CD	20,69	266 41 40	C	+20 569,68	+53 459,35	
DE	29,28	320 59 10	D	+20 549,03	+53 458,16	
EF	279,15	350 51 10	E	+20 530,60	+53 480,92	
FG	229,44	30 08 50	F	+20 486,22	+53 756,52	for Surveyor-General
GH	45,15	143 17 50	G	+20 601,46	+53 954,91	
HJ	42,58	157 28 00	H	+20 628,45	+53 918,71	
JK	17,09	168 35 50	J	+20 644,76	+53 879,38	SHEET 1 OF 2 SHEETS
KL	24,26	180 00 40	K	+20 648,14	+53 862,63	
LM	49,39	184 59 40	L	+20 648,14	+53 838,37	
MN	45,00	205 11 20	M	+20 643,84	+53 789,16	
NP	21,37	179 28 00	N	+20 624,69	+53 748,44	
PQ	41,57	155 00 20	P	+20 624,89	+53 727,07	
QR	41,43	148 14 00	Q	+20 642,45	+53 689,39	
RS	43,50	126 37 00	R	+20 664,26	+53 654,17	
ST	25,75	106 51 50	S	+20 699,17	+53 628,23	
TU	57,82	92 46 40	T	+20 723,81	+53 620,76	
UV	21,35	102 46 00	U	+20 781,56	+53 617,96	
VW	24,86	151 56 20	V	+20 802,38	+53 613,24	
WX	43,24	160 32 40	W	+20 814,08	+53 591,30	
XY	29,38	166 58 10	X	+20 828,48	+53 550,53	
YA	32,47	171 59 30	Y	+20 835,10	+53 521,91	
		5 BOTTELARY	△	+20 550,91	+53 459,71	
		60 SIMON	△	+ 6 733,20	+50 785,48	

Beacon Descriptions:

B, C ..... 20mm Iron Peg in Cairn
D ..... Top of Rail Fence Post
E ..... Top of angle iron
F ..... Rail Fence Post
All other beacons are 15mm Iron Pegs

The figure A B C D E F G H J K L M N P Q R S T U V W X Y
represents 8,1280 Hectares of land, being

PORTION 1 OF FARM NO.1629 STELLENBOSCH

Situate in The Municipality of Stellenbosch

Administrative District of Stellenbosch
Surveyed in October 2021
by me

Province of the Western Cape

R.A. Pesch (PLS0859) Professional Land Surveyor

This diagram is annexed to No. dated i.f.o. Registrar of Deeds	The original diagram is SG. No. annexed to Transfer D/T	File No. S.R. No. Comp. BHSY-22(M3152)

FARM 1629/1

SUPPORTING DOCUMENT 4: AGRICULTURE CONSENT

agriculture, forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

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

From: Directorate Land Use and Soil Management
Tel: 012-319-7634 Fax: 012-329-5938
Enquiries: Helpdesk Ref: 2019_03_0015

Sterhuis Stellenbosch
P. Box 131
KOELENHOF
7605

Attention: Andre Kruger

APPLICATION IN TERMS OF THE SUBDIVISION OF AGRICULTURAL LAND ACT, 1970: APPLICATION FOR CONSOLIDATION AND SUBDIVISION OF PORTION 3; 4 & 10 OF THE FARM WELGEVONDEN NO. 218 AND PORTION 3 OF THE FARM STEENEVELD NO. 210; PORTION 3 OF FARM NO. 206 AND PORTION 1 OF FARM NO. 205, ALL DIVISION STELLENBOSCH, WESTERN CAPE PROVINCE

Your letter dated 27 February 2019 refers.

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

Consent No. 51644, 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 MANAGEMENT
DELEGATE OF THE MINISTER
DATE: 07/06/19

CC: The Surveyor-General Privale Bag X 9028 **CAPE TOWN** 8000
CC: Land Use 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

DAFF/MB/2019/ Welgevonden No. 218 Ptn 3, 4, 10

agriculture,
forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

VERW/REF.

2019_03_0015

TOESTEMMING
KRAGTENS DIE WET OP DIE ONDERVERDELING VAN LANDBOUGROND, 1970

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

54644

By virtue of the powers delegated to me by the Minister of Agriculture, Forestry and Fisheries, 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

1.1 PORTION 3, IN EXTENT 92,5826 HECTARES;
1.2 PORTION 4 (STERHUIS ANNEXE), IN EXTENT 4,5372 HECTARES;
1.3 PORTION 10 (PORTION OF PORTION 5), IN EXTENT 0,0291 HECTARES; ALL OF THE FARM WELGEVONDEN NO. 218;
1.4 PORTION 3 OF THE FARM STEENEVELD NO. 210, IN EXTENT 0,0335 HECTARES;
1.5 PORTION 3 OF FARM NO. 206, ON EXTENT 0,0170 HECTARES; AND
1.6 PORTION 1 OF FARM NO. 205, IN EXTENT 0,2097 HECTARES, ALL DIVISION STELLENBOSCH, WESTERN CAPE PROVINCE

PARAGRAPH 2: CONSENT GRANTED

After consolidation the subdivision of the above mentioned agricultural land into two portions measuring approximately 8 hectares and 89 hectares respectively, represented by the figures marked Ptn A and Rem as shown on the sketch plan attached.

PARAGRAPH 3: CONDITIONS PERTAINING TO THIS CONSENT

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

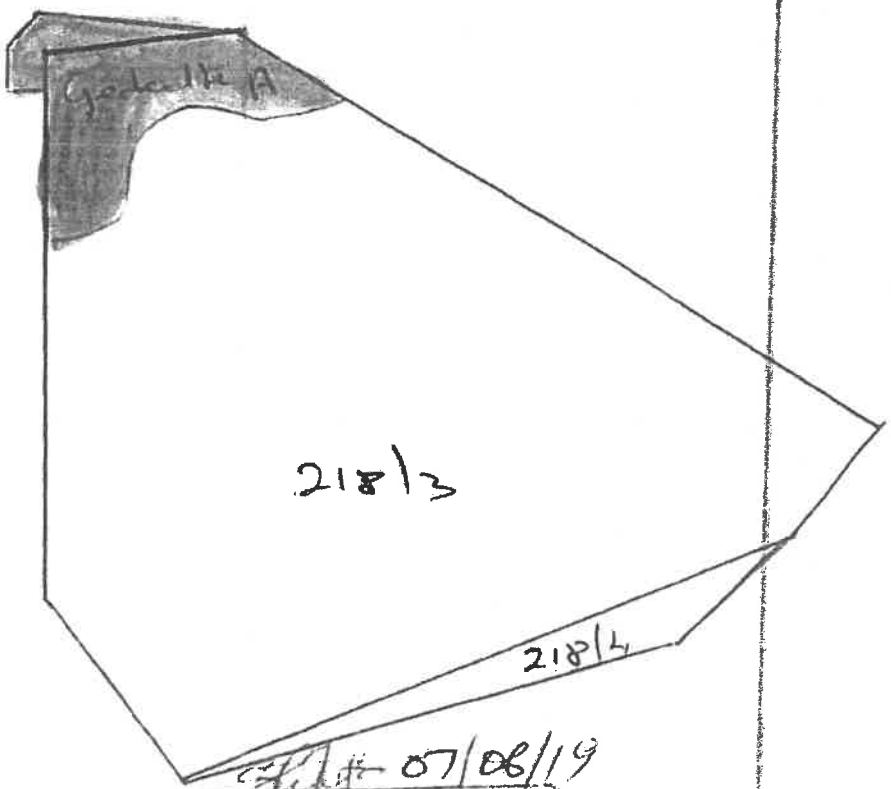
3.2 This consent does not exempt any person from any provision of any other law and does not purport to interfere with the rights of any person who may have an interest in the agricultural land.

3.3 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.

07/06/19
DATE

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

DAFF/MB/2019/Welgevonden No. 218 Ptn 3, 4, 10



07/06/19

SKETSKAART WAARNA VER
EKETCHPLAN TO WHICH IS
WYS WORD IN TOESTEMMING
REFERRED IN CONSENT

- 54644

No: