

STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14289

Our File Reference Number: Farm 1206, Farm 1218, Farm 1219 & Farm 1217/2, Paarl Division

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 IN TERMS OF SECTION 15(2) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW, 2015 FOR THE SUBDIVISION AND CONSOLIDATION: FARM NO. 1206, FARM NO. 1218, FARM NO. 1219 AND FARM NO. 1217/2, PAARL DIVISION

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning By-law, promulgated by notice number 354/2015, dated 20 October 2015 for:
 - 2.1.1 **Subdivision** in terms of section 15(2)(d) of Farm No. 1218, Johannesburg into four (4) portions namely Portion A ($\pm 7290\text{m}^2$ in extent); Portion B ($\pm 500\text{m}^2$ in extent); Portion C ($\pm 537\text{m}^2$ in extent) and the Remainder.
 - 2.1.2 **Subdivision** in terms of section 15(2)(d) of Farm No. 1217/2, Johannesburg into two (2) portions namely Portion D ($\pm 40\text{m}^2$ in extent) and the Remainder.
 - 2.1.3 **Consolidation** in terms of section 15(2)(e) of Portions B & D with Remainder Farm No. 1206, Johannesburg.
 - 2.1.4 **Consolidation** in terms of section 15(2)(e) of Portion C with Remainder Farm No. 1217/2, Johannesburg.

2.1.5 **Consolidation** in terms of section 15(2)(e) of Farm No. 1218 Johannesburg with Farm No. 1219, Johannesburg.

2.2 **Registration of a 6,0m access servitude** over Farm No. 1218, Johannesburg in favour of Farm No. 1206, Johannesburg.

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:

- a. The approval only applies to the proposed subdivision and consolidation under consideration, as indicated on **Drawing No. PROP_REV3**, dated **04 August 2020**, **Drawing No. PROP_REV4_SHT1(INSERT 1 & 2)**, dated **08 July 2022** & and drawn by Friedlaender, Burger & Volkman, 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.
- b. The development must be undertaken in accordance with **Drawing No. PROP_REV3**, dated **04 August 2020**, **Drawing No. PROP_REV4_SHT1(INSERT 1 & 2)**, dated **08 July 2022** & and drawn by Friedlaender, Burger & Volkman, attached as **ANNEXURE B**.
- c. 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.
- d. The consolidation of Portion B & D with Farm No. 1206, PD; and the consolidation of Portion C with Remainder Farm No. 1217/2, PD; and the consolidation of Farm No. 1218 with Farm No. 1219, must be simultaneously registered in the deed's office with the registration of the subdivision of Farms No. 1218, and Farm No. 1217/2 into two portions.
- e. The Surveyor General approved diagrams of the newly created units must be submitted to this Local Authority (Stellenbosch Municipality) for clearance and record purposes.
- f. All servitudes must reflect on the title deeds of the affected properties.
- g. Access to be taken from the existing access points.

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

- a. The subdivided portions are consolidated and no additional entities are created.
- b. No change in land use are proposed.

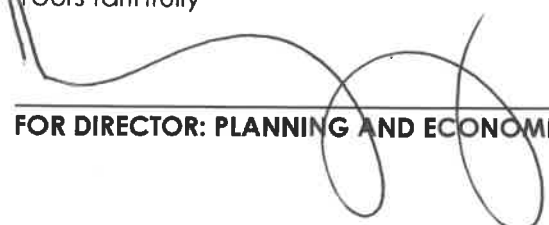
- c. The proposed subdivision will not negatively affect the character of the surrounding area as the proposal involves only the re-alignment of the boundaries of properties involved.

5. **Matters to be noted:**

- a. All electrical requirements be directed to Eskom.
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:
- a. 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 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.
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

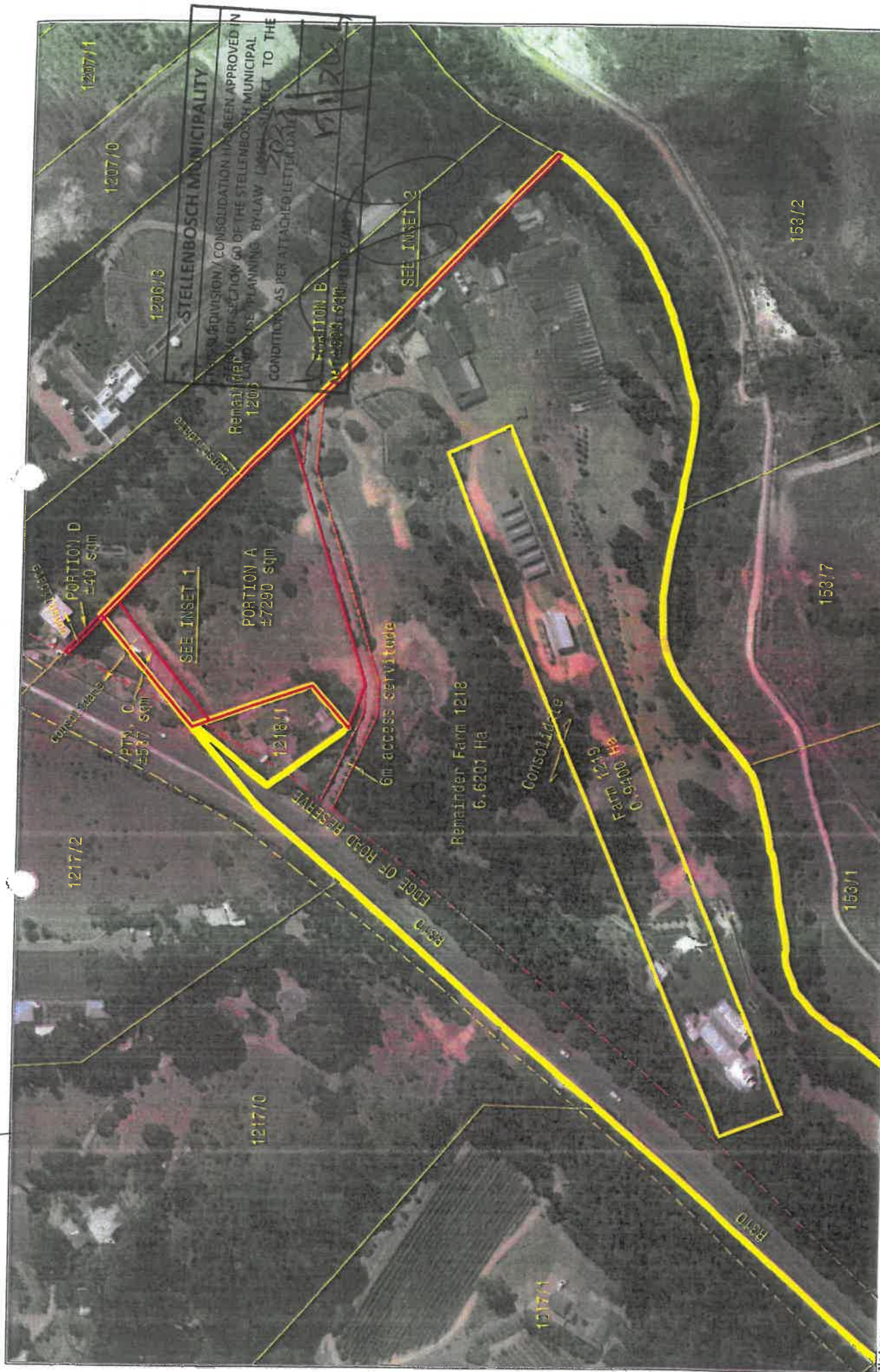

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

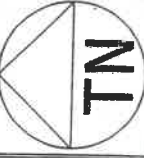
15/1/2024
DATE

ANNEXURE B

**APPLICATION IN TERMS OF SECTION 15(2) OF THE
STELLENBOSCH MUNICIPAL LAND USE PLANNING
BYLAW, 2015 FOR THE SUBDIVISION AND
CONSOLIDATION: FARM NO. 1206, FARM NO. 1218,
FARM NO. 1219 AND FARM NO. 1217/2, PAARL
DIVISION**

**SUBDIVISION AND CONSOLIDATION
PLAN**



Notes: 1. Portion B and D to be consolidated with Remainder Farm No. 1206. 2. Portion C to be consolidated with Portion 2 of Farm No. 1217 3. Remainder Farm No. 1218 to be consolidated with Farm No. 1219.		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 1:1500	Date: 04/08/2020	Contours: N/A	System: WG 19
			PROPOSED SUBDIVISION REMAINDER FARM NO. 1218 AND PORTION 2 FARM NO. 1217 PAARL			
			Ref: PA1218			

Dwg: PROP_REV3

STELLENBOSCH MUNICIPALITY

THIS SUBDIVISION / CONSOLIDATION HAS BEEN APPROVED IN
TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL
LAND USE PLANNING BY-LAW 2021, SUBJECT TO THE
CONDITIONS AS PER ATTACHED LETTER DATED 15/11/2021

AUTHORISED EMPLOYER/MPT

15/11/2021

Remains of 1250

consolidate

Boundary with Helderberg 4.5km

1250 Boundary

PORTION 10

11

9

8

7

10

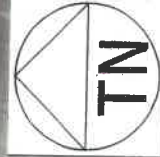
12

13

14

Stellenbosch Town 1250
6/12/2011

Notes:



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 1:400

Date: 8 July 2022

Contours: N/A

System: WG 19

INSET 2

Ref: PA1218

Dwg: PROP_REV4_SHT1

