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David Hellig and Abrahamse Professional Land Surveyors

Email: spencer@dhaa.co.za

27 September 2023

SUBJECT: PRE-APPLICATION SCRUTINY FEEDBACK

APPLICATION FOR SUBDIVISION, CONSENT USE & PERMISSION REQUIRED IN TERMS OF THE ZONING SCHEME – ERVEN 1466, 1467 & RE/23, FRANSCHHOEK

1. Your pre-application scrutiny submission on the above property dated **20 August 2023**, 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 Engelbrecht
Senior Town Planner
Louisa.Engelbrecht@ 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** is to be submitted prior to the submission of a Land Use and Land Development application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015 (SLUPB).
2. It is compulsory to submit a Pre-application Scrutiny Form for any zoning determination, rezoning, subdivision or consolidation of land, the amendment or cancellation of a subdivision plan, the removal of restrictive conditions or an amendment of conditions of approval.
3. It is not a requirement to submit a Pre-Application Scrutiny Form for the other types of applications, although you are advised to do so when any form of guidance is required.
4. Relevant documents can be accessed at the [Planning Portal – Stellenbosch Municipality](http://www.stellenbosch.gov.za/planning-portal/)
<https://stellenbosch.gov.za/planning-portal/>.
5. A signed copy of the form must be submitted by email to landuse.applications@stellenbosch.gov.za.
6. The applicant will receive feedback per e-mail following a weekly internal technical discussion on the pre-application scrutiny submission.
7. A pre-application consultation meeting may be required in terms of Section 37 of the said Bylaw on receipt and consideration of a **Pre-Application Consultation Form**.

PART A: APPLICANT, OWNERSHIP & PROPERTY PARTICULARS

Applicant Name	David Hellig and Abrahamse Professional Land Surveyors
E-Mail Address	spencer@dhaa.co.za
Tel/ Cell Number	021 872 4086
Registered Owner	Clos Cabriere Ltd, Mont Martre Chalets (Pty) Ltd & Stellenbosch Municipality

Property Description (Erf / Farm Number)	Erven 1466, 1467 & the Remainder of Erf 23 Franschoek
Physical / Street Address	Haute Cabriere, Franschoek Pass
Suburb & Town	N/A - Rural
Current Zoning	Agriculture and Rural / Natural Environment (as the case may be)
Current Land Use Activities / Buildings	Agricultural and Natural Environment

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?

s15 (2)(a)	Rezoning	s15 (2)(f)	Removal / Suspension Amendment of restrictive conditions	s15 (2)(l)	Permission in terms of condition of approval*	s15 (2)(q)	Disestablishment of HOA*
s15 (2)(b)	Permanent Departure*	s15 (2)(g)	X Permission in terms of zoning scheme*	s15 (2)(m)	Determination of a zoning	s15 (2)(r)	Rectify failure by HOA*
s15 (2)(c)	Temporary Departure*	s15 (2)(h)	Amendment of condition(s) of approval	s15 (2)(n)	Closure of a public place*	s15 (2)(s)	Permission required for the reconstruction of a building*
s15 (2)(d)	X Subdivision	s15 (2)(i)	Extension of validity period of approval*	s15 (2)(o)	X Consent use*		Other:
s15 (2)(e)	Consolidation	s15 (2)(k)	Amendment / cancellation of approved subdivision plan	s15 (2)(p)	Occasional use*		Other:
OTHER	s13 ZSBL Technical Approval*	24(2) SLUPB Exemption*	Title Deed	Title Deed consent / permissions*			

*The submission of a pre-application scrutiny is not compulsory for this land use application and a land use planning application form can be submitted, without completing the pre-application scrutiny form.

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.)

Refer to enclosed draft planning report

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
	X	
Details with reference to applicable plans/ policies/ guidelines: Application in terms of NEMA being attended to by Doug Jefferey Environmental Consultants		
(b) Does the proposal require the following additional infrastructure / services? e.g. electricity; water; sewerage; road network; other?	YES	NO
	X	
Detailed Engineering Services Reports and Traffic Impact Statements have been prepared and will be included in the land use planning application.		
(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
		X
Details on target market:		
(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: N/A		
(e) Does the subject property fall within the Adam Tas Corridor?	YES	NO
		X
Details on proposed densities:		

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. **Proposed subdivision or consolidation plan**
4. **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: 20-08-2023