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Application Number: LU/17536 - TP855/2024
Our File Reference Number: Farm 1647/4, Paarl Farm
Your Reference Number: None
Enquiries: Ulrich von Molendorff
Contact No: 021 – 808 8682
Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL:

Sir / Madam

APPLICATION FOR THE REMOVAL OF THE RESTRICTIVE CONDITIONS OF TITLE IN RESPECT OF FARM 1674/4, PAARL,

1. The above application refers.

2. The duly authorised decision hereby decides on the above application as follows

3. Application for the Removal of Restrictive Conditions of Title in respect of Farm 1674/4, Paarl, in terms of Section 15(2)(f) of the Stellenbosch Municipality Land Use Planning By-law (2023)
   i. Condition 3(i)(C) of Title Deed T42792/2008 B (refer to Annexure D1: Title Deed and Appendix 3: Components Diagram)
   "That the Transferors (Divisional Council, Paarl) retain the right of way over the property hereby transferred in respect of any rood-way which is now or may in future be necessary to pass over the said land hereby transferred, and the widths of the said roadways shall be as follows: *NATIONAL ROAD 150 feet; MAIN ROAD 100 feet: DIVISIONAL COUNCIL ROAD 60 feet; and PUBLIC ROAD 40 feet*; and that all present roads which may be in existence over the said properly must remain open for the use of the public."
   ii. Condition 3.2. Paarl Quitrent Q2-20/1898 (Refer to Annexure D2: Paarl Quitrent and Appendix 3: Components Diagram)
   "That all Roads and Thoroughfares existing over the land hereby granted, whether they are described in the Diagram. or not, shall remain free and uninterrupted."

BE APPROVED in terms of Section 60 of the said Bylaw for the following reasons:

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

4.1 The servitudes proposed for removal relate to the public access road that previously traversed the subject property. This road has since been closed, and alternative servitudes have been approved to provide access to the R45 for the affected properties.

5. 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.

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 by completing the required form 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.

8. **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**

9. 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.

10. The appeal form and 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 or 021 – 808 8684.

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 Yours faithfully

MANAGER: LAND USE MANAGEMENT

26.11.2025

DATE: