STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15855 (TP410/2023)
Our File Reference Number: Erf 406 and 398, Raithby
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 SUBDIVISION : ERF 406 AND 398, RAITHBY

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) of the Stellenbosch Municipal Land Use Planning Bylaw on Erf 406 and 398, Raithby for the:

2.1.1 Subdivision of Erf 406, Raithby into Portion 1 (±404.53m²), Portion 2 (±428.98m²), Portion 3 (±405.73m²) and Portion 4 (±401.28m²).

2.1.2 Registration of a 6m right of way servitude over Portions 1 and 2 and a 6m and 8m right of way servitude over Portion 3 in favour of all subdivided portions of Erf 406, Raithby.

2.1.3 Registration of a 6.5m right of way servitude over Erf 398, Raithby in favour of Portions 1, 2, 3 and 4 of Erf 406, Raithby.

2.1.4 Registration of a 6.5m right of way servitude over Erf 398, Raithby in favour of Erf 167, Raithby.

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 **condition**s imposed in terms of Section 66 of the said Bylaw:

3.1. The approval only applies to the proposed applications under consideration 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 approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed application.

3.3. The subdivision must be undertaken generally in accordance with the subdivision plan, as indicated on the referenced, proposed subdivision plan; Project No. RTH-E-406, Drawn by BBS, dated 17-02-205 Revision 4 attached as **ANNEXURE B.**

3.4. Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the approval of any building plans or as may be agreed on in writing with the Director Infrastructure Services.

3.5. Conditions imposed by the Municipal Infrastructure Services Department as contained in the memorandums dated 23 December 2024 attached as **ANNEXURE C**, be complied with.

3.6. Conditions imposed by the Western Cape Government: Department of Infrastructure as contained in their letter dated 02 February 2024 (Ref: DOI/CFC/RP/LUD/REZ/SUB-25/476 Job 30605 attached as **ANNEXURE D**, be complied with.

3.7. An electronic copy (shp, dwg, dxf) of the approved erf diagrams be submitted to the Directorate Planning and Economic Development for record purposes, which plan must indicate the following information:

3.7.1 Newly allocated erf/farm numbers
3.7.2 Co-ordinates
3.7.3 Survey dimensions

3.8. The building height on the subdivided portions for both single and double storey structures be restricted to 6.5m from the natural ground level to the top of the roof, provided that chimneys, flues, masts and antennae shall not be included for the purpose of measuring a building height in meters.

3.9. The right of way servitudes over Portion 1to 3 in favour of all subdivided portions of Erf 406, Raithby; over Erf 398, Raithby in favour of Portions 1 to 4 of erf 406, Raithby and Erf 167 Raithby, simultaneous registration with the subdivision in the deed's office, in all the title deeds of the applicable property/ies and transfer to new title deeds, will be the responsibility and for the cost of the owners.

3.10. An owner's association for the subject development be established in terms of section 29(1) of the subject Bylaw.

3.11. A constitution for the owner's association be submitted and approved by the Municipality in terms of Section 29(3) of the subject Bylaw prior to the transfer of the first land unit, which constitution makes provision for the relevant matters in Section 29 of the subject Bylaw and specifically the arrangements for the registration and maintenance of the private right of way servitudes to be registered.

3.12. Architectural / Aesthetic Guidelines be submitted and approved by the Municipality prior to the registration of the first property or the submission of any building plan application and specifically compliance with the height restriction for both single and double storey structures, restricted to 6.5m from the natural ground level to the top of the roof, provided that chimneys, flues, masts and antennae shall not be included for the purpose of measuring a building height in meters.

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

4.1. The proposed subdivision is a moderate form of densification inside an urban edge, which is promoted by the principals of the Stellenbosch Municipal Spatial Development Framework.

4.2. Safe accesses off a public road are created and municipal service could be provided to the satisfaction of the Municipal Director: Infrastructure Services.

4.3. All zoning scheme bylaw parameters for all portions will still be able to be complied with, for any new construction, with minimum effect on surrounding neighbouring properties.

4.4. The proposals would not have a significant impact on traffic generation, which would be detrimental to the area.

5. Matters **to be noted**:

5.1. The subdivision and registration of servitudes only comes into effect once all conditions or relevant legislative provisions have been complied with.

5.2. The parameters in the Architectural / Aesthetic Guidelines must conform to the Stellenbosch Municipal Zoning Scheme Bylaw as no departures was submitted, considered and approved, except the more restrictive condition of approval which has been imposed for the height restrictions of the buildings.

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 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

11/3/2025
DATE

[redacted]
Email: [redacted]

ANNEXURE B

STELLENBOSCH MUNICIPALITY

THIS SUBDIVISION 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 APPENDIX.

MUNICIPAL MANAGER — DATE 11/3/2025

398

407

400

399

Minor Road No.4234

6.5m WIDE SHARED ENTRANCE OFF MR4234

1 (404.53 m²)

2 (428.98 m²)

3 (405.73 m²)

4 (401.28 m²)

SUBDIVISION OF ERF 406 RAITHBY			
PORTION	AREA (m²)	PROPOSED ZONING	du/ha
1	404.53	Conventional Residential Zone	
2	428.98		
3	405.73		
4	401.28		
TOTAL	1640		24

Figure a,b,c,d,e,f,g,h and i represents a 6.0m wide ROW servitude registered over portions 1-3 in favour of all subdivided portions of Erf 406.

Figure d,e,k,j represents a 6.5m wide ROW servitude registered over erf 398 in favour of all subdivided portions of Erf 406.

0 2 4 6 10m

CLIENT NAME: [redacted]

PROJECT NAME: PROPOSED REZONING AND SUBDIVISION OF ERF 406 RAITHBY, STELLENBOSCH

DRAWING TITLE / NUMBER: SUBDIVISION PLAN

PROJECT NO.:	DRAWN BY:	SCALE:
RTH-E-406	BBS	1: 250
REVISION NO.: 4	DATE: 17-02-2025	

DRAFT FOR DISCUSSION

This drawing and all the information contained thereon is property of Dirk Hattingh and may not be copied or disclosed to a third party without his written consent.

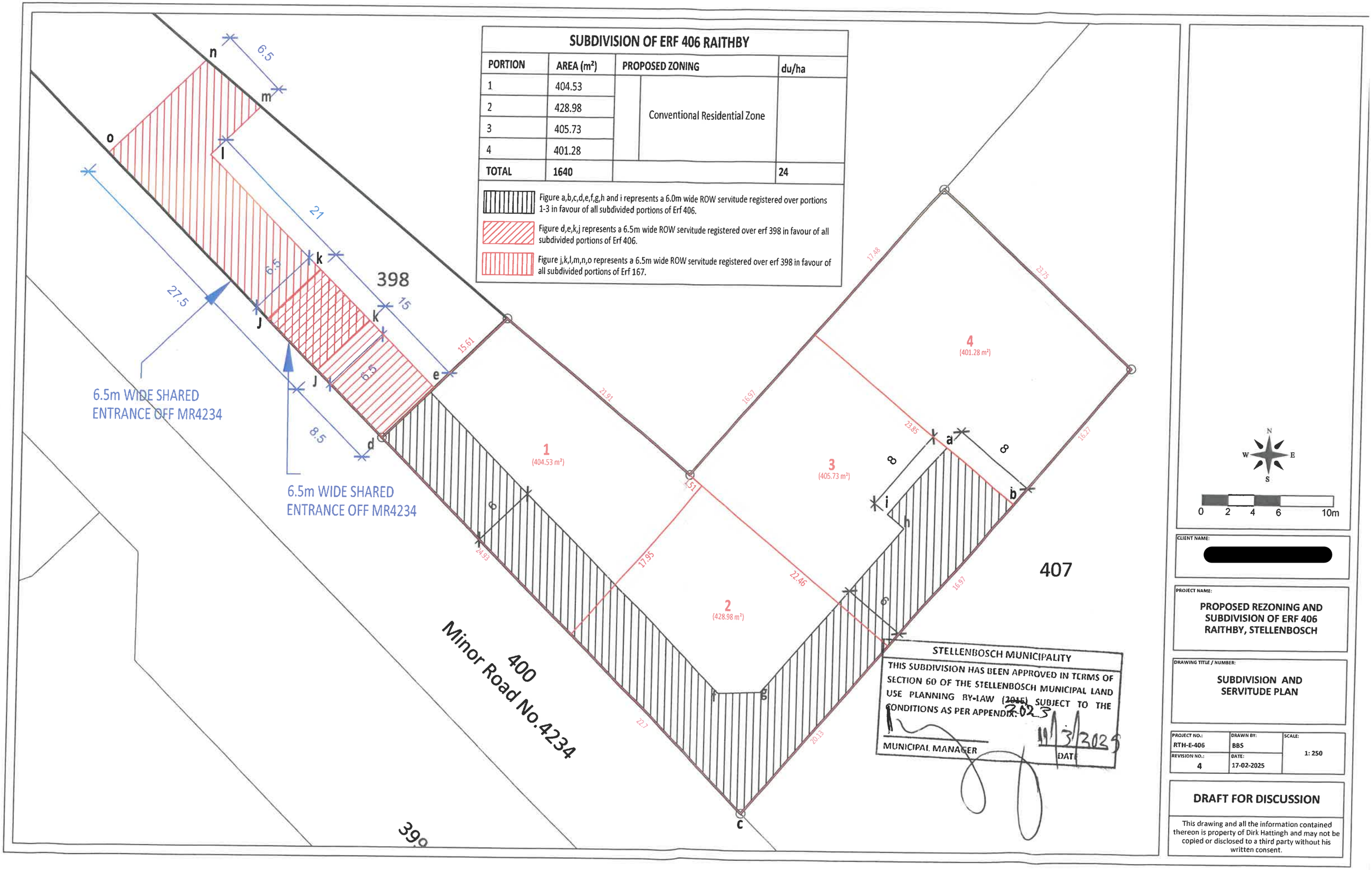
SUBDIVISION OF ERF 406 RAITHBY

PORTION	AREA (m²)	PROPOSED ZONING	du/ha
1	404.53	Conventional Residential Zone	
2	428.98		
3	405.73		
4	401.28		
TOTAL	1640		24

Figure a,b,c,d,e,f,g,h and i represents a 6.0m wide ROW servitude registered over portions 1-3 in favour of all subdivided portions of Erf 406.

Figure d,e,k,j represents a 6.5m wide ROW servitude registered over erf 398 in favour of all subdivided portions of Erf 406.

Figure j,k,l,m,n,o represents a 6.5m wide ROW servitude registered over erf 398 in favour of all subdivided portions of Erf 167.



STELLENBOSCH MUNICIPALITY

THIS SUBDIVISION 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 APPENDIX:

MUNICIPAL MANAGER

DATE 11/3/2025

N
W E
S

0 2 4 6 10m

CLIENT NAME: [redacted]

PROJECT NAME:

PROPOSED REZONING AND SUBDIVISION OF ERF 406 RAITHBY, STELLENBOSCH

DRAWING TITLE / NUMBER:

SUBDIVISION AND SERVITUDE PLAN

PROJECT NO.:	DRAWN BY:	SCALE:
RTH-E-406	BBS	1: 250
REVISION NO.: 4	DATE: 17-02-2025	

DRAFT FOR DISCUSSION

This drawing and all the information contained thereon is property of Dirk Hattingh and may not be copied or disclosed to a third party without his written consent.

ANNEXURE C

STELLENBOSCH MUNICIPALITY
STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	**Director: Planning + Economic Development**
Att Aandag:	**Bulelwa Mdoda**
From ▫ Van:	**Principal Technician: Development (Infrastructure Services)**
Author ▫ Skrywer:	**Ilze Fillies**
Date ▫ Datum:	**23 December 2024**
Our Ref ▫ Ons Verw:	**Civil LU 2572**
Town Planning Ref:	**LU/15855 – TP410/2023**
Re ▫ Insake:	**Erf 406 &398, Raithby: Application for subdivision in terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning Bylaw (2023) for the subdivision of Erf 406, Raithby into 4 portions, namely Portion 1 (±404m²), Portion 2 (±428m²), Portion 3 (±405m²), Portion 4 (±401m²), and the registration of a 6m right of way servitude over Portions 1 to 4 and Erf 398, Raithby and a 8m right of way servitude over Portion .**

The application is recommended for approval subject to the following conditions:

1. Sewer

1.1 Each erf must have its own sewer connection.

1.2 There is currently no sewer capacity in Raithby for the proposed development. The municipality is currently in the process of upgrading the WWTW in Raithby. If the upgrade is not completed before the clearance certificate is submitted, the developer must install conservancy tanks for each erf as an interim solution.

1.3 The sewer layout and position of the conservancy tank for each erf must be designed so that in future the conservancy tank can be replaced with the municipal sewer connection point connecting to the municipal sewer line.

1.4 No private sewer pipes may cross an internal erf boundary.

FILE NR: ERF 406 RB
SCAN NR:
COLLABORATOR NR: 778883

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELPOMENT SERVICES
09 JAN 2025
RECEIVED

1.5 Please submit an engineering drawing by an ECSA professionally registered Engineer for approval prior to construction of the sewer connection.

1.6 All servitudes must be clearly indicated on the engineering services drawing.

1.7 Installation must be done by a suitable Contractor appointed by the Owner. The cost of the installation of the sewer connection is for the accounts of the applicant.

1.8 No Clearance will be issued unless the Water Services Department has confirmed in writing that the sewer connections have been installed to their satisfaction.

2. Water

2.1 Each erf must have its own water connection.

2.2 No private water pipes may cross an internal boundary.

2.3 Please submit an engineering drawing by an ECSA professionally registered Engineer for approval prior to construction of the water connection.

2.4 No Clearance will be issued unless the Water Services Department has confirmed in writing that the water connection has been installed, or proof of installation such as water meter registration (account) is provided.

3. Roads

3.1 Each erf must have its own access to a public/private street.

3.2 The cost of the installation of the access is for the account of the applicant.

3.3 All conditions set by the Western Cape Government approval letter Ref DOI/CFS/RP/LUD/REZ/SUB-25/476(Job 30605) dated 2 February 2024 must be complied with prior to clearance.

3.4 All servitudes must be registered before clearance is issued.

4. General

4.1 Any changes to any existing civil engineering services of Stellenbosch Municipality are for the account of the owner.

1. Development Charges (DCs)

1.1 The following DC's are payable: See **Development Charge Calculation** attached. Please note that this calculation is indicative at this stage. A final calculation will be provided prior to payment.

1.2 The DC's were calculated by using the 2024/2025 tariff structure. If DC's are paid after 30 June 2025 it will have to be recalculated by using the tariff structure and DC Policy principles applicable at date of payment.

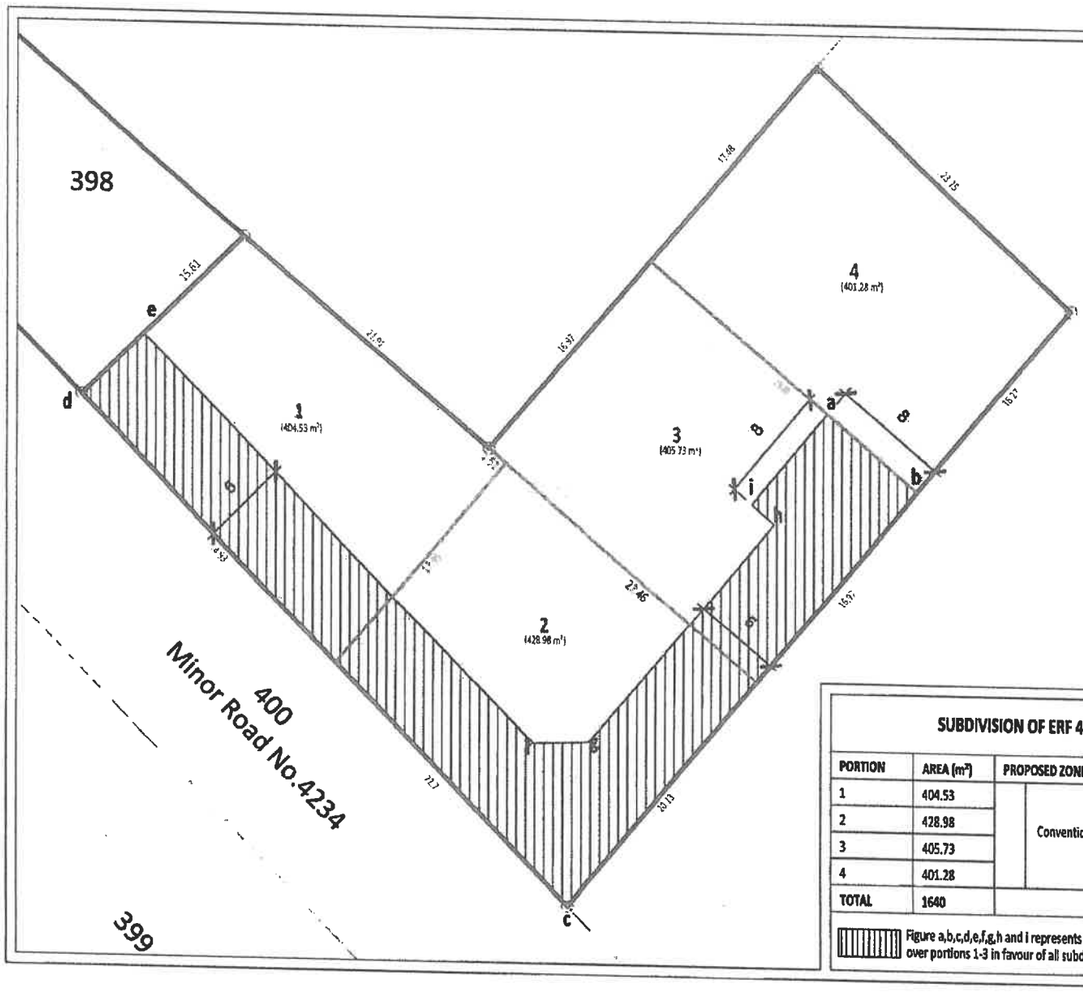
1.3 The appropriate DC's are payable before subdivision clearance.

5. Clearance Certificates

5.1 The Municipality reserves the right to withhold any clearance certificates until such time as the applicant has complied with the above-mentioned conditions.

Ilze Fillies
Principal Technician: Development (Infrastructure Services)

N:\2.0 DEVELOPMENT\01 Land Use applications\2572 (IF) Erf 406& 398 Raithby (LU-15855 TP410-2023)\2572 Erf 406& 398 Raithby (LU-15855 TP410-2023) - APP.doc



SUBDIVISION OF ERF 406 RAITHBY

PORTION	AREA (m²)	PROPOSED ZONING	du/ha
1	404.53	Conventional Residential Zone	
2	428.98		
3	405.73		
4	401.28		
TOTAL	1640		24

Figure a,b,c,d,e,f,g,h and i represents a 6.0m wide ROW servitude registered over portions 1-3 in favour of all subdivided portions of Erf 406.

MR. DIRK HATTINGH

PROPOSED REZONING AND SUBDIVISION OF ERF 406 RAITHBY, STELLENBOSCH

SUBDIVISION PLAN

PROJECT NO.	DRAWN BY:	SCALE:
RTH-E-406	BB S	1:250
DRAWING NO.:	DATE:	
dl	17-10-2024	

DRAFT FOR DISCUSSION

This drawing and all the information contained thereon is property of Dirk Hattingh and may not be copied or disclosed to a third party without his written consent.

Stellenbosch Municipality

Development Charge Calculation

APPLICATION INFORMATION	
Application Number:	2572 (IF) Erf 406& 398 Raithby (LU-15855 TP410-2023)
Development Name:	
Date:	23 December 2024
Financial Year:	2024/2025
Erf Location (Select from 7 Locations):	Raithby
Erf Region (Select Urban or Rural):	Urban
Erf No. / Farm No.:	Erf 406 & 398
DC Parameters Reference:	Proposed rezoning and subdivision of erf 406 Raithby Stellenbosch Proj No RTH-E-406 Rev No 4 dated 17 October 2024 Dirk Hattingh

SUMMARY OF DC CALCULATION																
Service:	Water		Sewer		Stormwater		Solid Waste		Roads & Transport		Sub Total (Civil Eng Services)		Community		Totals	
Unit(s):	kl/day		kl/day		ha*C		t/week		trips/day				persons			
Total Increased Services Usage:	1,8		1,7		0,044		0,12		12				12			
Total Service Usage Reduction:	0		0		0		0		0,0				0			
Total Service Usage after Reduction:	1,80		1,70		0,04400		0,120		12,0				12			
Charges before adjusting for positive only, before Deductions	R	17 577,48	R	24 307,22	R	7 051,85	R	12 336,00	R	149 381,31	R	210 653,85	R	48 851,76	R	259 305,61
Charges adjusted for positive only, before Deductions	R	17 577,48	R	24 307,22	R	7 051,85	R	12 336,00	R	149 381,31	R	210 653,85	R	48 851,76	R	259 305,61
Total Deductions:	R	-	R	-	R	-	R	-	R	-	R	-	R	-	R	-
Total Development Charges Payable (excluding VAT):	R	17 577,48	R	24 307,22	R	7 051,85	R	12 336,00	R	149 381,31	R	210 653,85	R	48 851,76	R	259 305,61
VAT:	R	2 636,62	R	3 646,08	R	1 057,78	R	1 850,40	R	22 407,20	R	31 598,08	R	7 297,76	R	38 895,84
Total Development Charges Payable (including VAT):	R	20 214,10	R	27 953,30	R	8 109,62	R	14 186,40	R	171 788,51	R	242 251,93	R	55 949,52	R	298 201,45

APPLICANT INFORMATION	
Application Processed by:	Ilze Filies
Signature:	AFILLIES
Notes:	

Raithby

	Land Use Category	Unit Type	Existing Usage			Proposed New Usage			Increased Usage	Development Charge Levied (excl VAT)								
	Description	Unit	Unit Type	Unit Amount	Result	Unit Type	Unit Amount	Result	Increase	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Total	
										Yes	Yes	Yes	Yes	Yes		Yes		
Residential	Single Residential >1000m2	du		1					-1	-R 13 183,11	-R 10 006,66	-R 7 692,92	-R 4 112,00	-R 49 793,77	-R 84 790,66	-R 16 217,25	-R	101 007,91
	Single Residential >500m2	du							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Single Residential >250m2	du					4		4	R 30 780,58	R 34 316,07	R 14 744,77	R 16 448,00	R 199 175,08	R 295 444,51	R 64 869,01	R	360 313,52
	Single Residential <250m2	du							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Second Dwelling	du							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Lose Formal Residential	du							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Group Residential	du							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Apartments	du							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Retirement Village	du							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Old age home	du							0	R -	R -	R -	R -	R -	R -	R -	R	-
Accommodation	Student Accommodation/Commune/Hostels	rooms							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Guest House	rooms							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Converted Guest House	rooms							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Hotel, Residential	rooms							0	R -	R -	R -	R -	R -	R -	R -	R	-
Commercial	General Business	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Office	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Retail/Shop	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Restaurant	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Outdoor Function / Picnic Area	persons							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Conference Facility/Place of assembly	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Hospital/Clinic/Medical Rooms	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R	-
	University/College	student							0	R -	R -	R -	R -	R -	R -	R -	R	-
	School/Day Care	student							0	R -	R -	R -	R -	R -	R -	R -	R	-
Industrial	Industrial - light	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Industrial - heavy	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Warehousing/Light Manufacturing	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Storage Facilities	unit							0	R -	R -	R -	R -	R -	R -	R -	R	-
Non demand	Open Space/Natural Environment/Utility Site	ha							0	R -	R -	R -	R -	R -	R -	R -	R	-
	Roads and Parking	ha							0	R -	R -	R -	R -	R -	R -	R -	R	-
Other	To be calculated	n/a							0,0000	R -	R -	R -	R -	R -	R -	R -	R	-
	(Based on equivalent demands)	n/a							0,0000	R -	R -	R -	R -	R -	R -	R -	R	-
		Total Area:	0		Total Area:	0			0	R -	R -	R -	R -	R -	R -	R -	R	-

	Charges before adjusting for positive only, before Deductions	R 17 577,48	R 24 307,22	R 7 051,85	R 12 336,00	R 149 381,31	R 210 653,85	R 48 651,76	R	259 305,61
Deduct	Charges adjusted for positive only, before Deductions	R 17 577,48	R 24 307,22	R 7 051,85	R 12 336,00	R 149 381,31	R 210 653,85	R 48 651,76	R	259 305,61
	Deductions per service (from usage reductions)	R -	R -	R -	R -	R -	R -	R -	R	-
	Discount Deduction (%) Percentage: 0,00%	R -	R -	R -	R -	R -	R -	R -	R	-
	Additional Deduction per service - from Service Agreement (sum)	R		R	R -	R	R -	R -	R	-
Totals	Sub Total after Adjustments and Deductions (excluding VAT)	R 17 577,48	R 24 307,22	R 7 051,85	R 12 336,00	R 149 381,31	R 210 653,85	R 48 651,76	R	259 305,61
	VAT	R 2 636,62	R 3 646,08	R 1 057,78	R 1 850,40	R 22 407,20	R 31 598,08	R 7 297,76	R	38 895,84
	Total Development Charges	R 20 214,10	R 27 953,30	R 8 109,62	R 14 186,40	R 171 788,51	R 242 251,93	R 55 949,52	R	298 201,45

ANNEXURE D

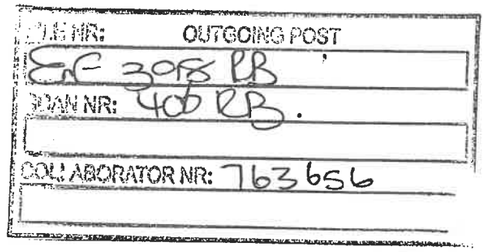
(15)

Western Cape Government

Department of Infrastructure
Vanessa Stoffels
Chief Directorate: Road Planning
Vanessa.Stoffels@westerncape.gov.za | Tel: 021 483 4669

Ref: DOI/CFS/RP/LUD/REZ/SUB-25/476 (Job 30605)

The Municipal Manager
Municipality
PO Box 17
STELLENBOSCH
7599



Attention: Mr Ulrich von Molendorff

Dear Sir

ERF 406 AND ERF 398 RAITHBY: MINOR ROAD 4234: APPLICATION FOR REZONING, SUBDIVISION AND REGISTRATION OF RIGHT OF WAY SERVITUDES

1. The following refer:

1.1. The letter 15/2/6/2 & 16/1/1/9/04234 from the Cape Winelands District Municipality to you dated 7 December 2012.

1.2. The Notice of Land Development Application LU15855 (TP410/3023) received via email from Nautecon Trading and Investments dated 8 September 2023 containing.

1.3. The undated Motivation report prepared by Nautecon Trading and Investments containing the following plans:

- The Subdivision Plan No C5128D/Sub Plan 1 prepared by Diesel & Munns dated May 2023; and
- Right of way Servitude Plan No. C5128/Ser Plan 2 prepared by Diesel & Munns dated May 2023.

1.4. A site visit conducted on 17 September 2023.

1.5. The updated Rezoning and Subdivision Plan RTH-E-406 prepared by BBS Town and Regional Planning Consultants dated 8 December 2023.

1.6. The following updated plans prepared by BBS Town and Regional Planning Consultants dated 18 January 2024:

- Combined right of way Servitude Plan;
- Right of way Servitude Plan over Erf 398 in favour of Erf 167 (Cemetery);
- Right of way Servitude Plan over Erf 398 in favour of all subdivided portions of Erf 406; and

- Right of Way Servitude Plan registered over Erf 406 in favour of all subdivided portions of Erf 406.

2. Minor Road 4234 (OP4234) is directly affected by this application for a proposed access at ±km 0.11 right hand side (RHS).

3. The application entails following:

3.1. The subdivision of Erf 406, Raithby into 7 portions, namely Portion 1 (±244m²), Portion 2 (±232m²), Portion 3 (±358m²), Portion 4 (±197m²), Portion 5 (±196m²). Portion 6 (±217m²) and Portion 7 (±196m²);

3.2. The phasing of the development on a per erf basis;

3.3. The registration of a 6m right of way servitude over Portions 1 to 5 of Erf 406 and Erf 398 Raithby as well as an 8m right of way servitude over Portion 6.;

3.4. The registration of a 6.5m wide right of way servitude over Erf 398 in favour of all subdivided portions of Erf 406; and

3.5. The registration of a 6.5m wide right of way servitude over Erf 398 in favour of Erf 167 (Cemetery);

4. This Branch offers no objection to the above application for subdivision and registration of right of way servitudes subject to the following conditions:

4.1. The new access off OP4243 to Erf 167, 398 and 406 must be at ±km 0.11RHS;

4.2. The existing access at ±km 0.13RHS must be closed permanently and the road reserve, boundary fence and drainage reinstated;

4.3. Stellenbosch municipality must ensure that all the right of way servitudes are registered to ensure legal and unfettered access to all affected properties;

4.4. The new access must be 6.8m wide, have an edge-beam and the bell-mouth must have a radii of 6m;

4.5. The surface of the access must be hardened to prevent gravel from being transported onto OP4243;

4.6. The design and construction of the access must be approved and supervised by the District Engineer in Paarl;

5. This Branch, in terms of Act 21 of 1940, approves the subdivision of Erf 406 Raithby as presented in the Rezoning and Subdivision Plan No. RTH-E-406 prepared by BBS Town and Regional Planning Consultants dated 8 December 2023.

Yours Sincerely

SW CARSTENS
***For* DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE**
DATE: 2 FEBRUARY 2024

ENDORSEMENTS

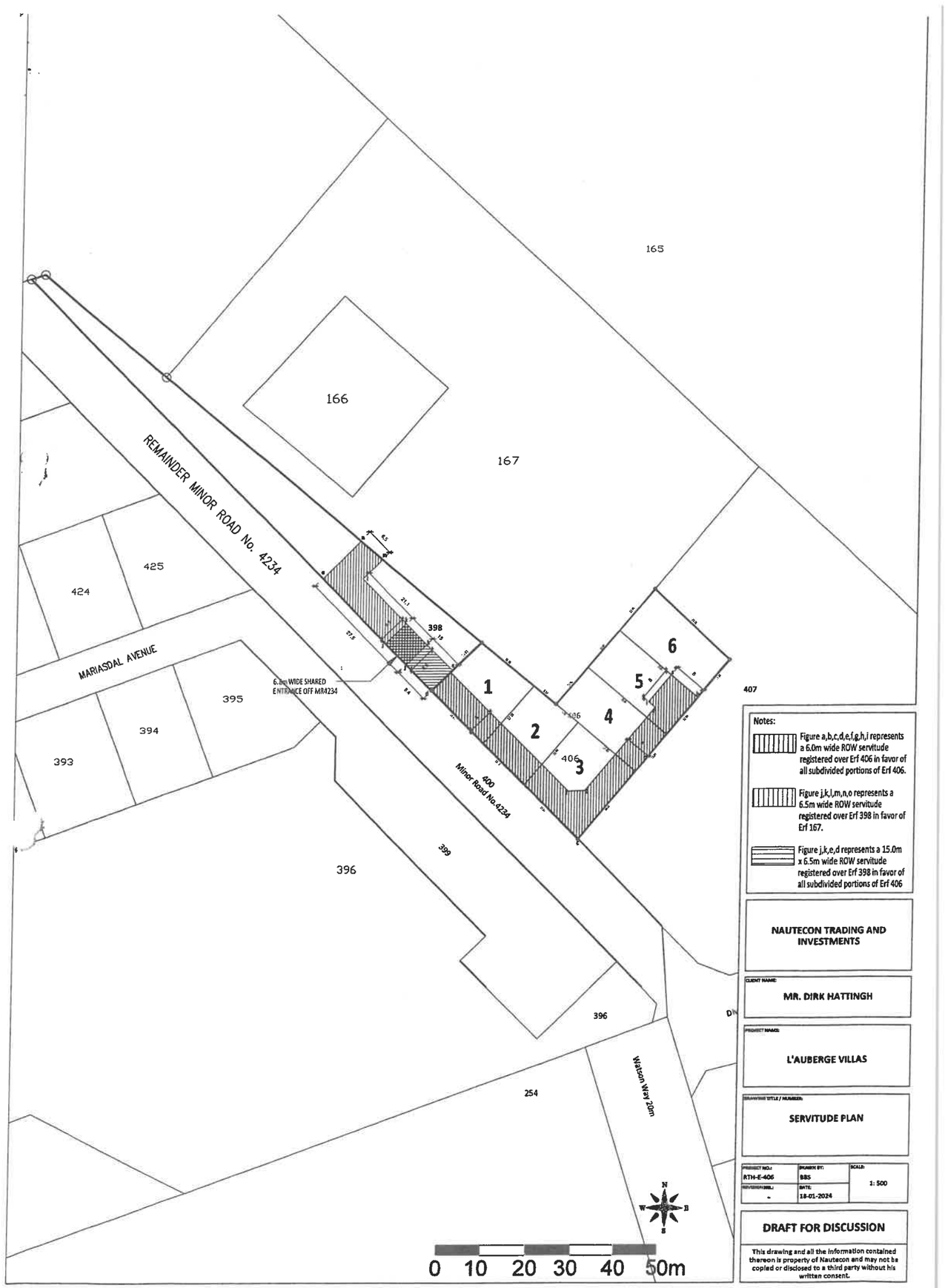
1. Stellenbosch Municipality

   Attention: Mr U von Molendorff (e-mail: ulrich.vonmolendorff@stellenbosch.gov.za)

2. Nautecon Trading and Investments

   Attention: Mr D Hattingh (e-mail: dirk@dirkhattingh.com)

3. District Roads Engineer: Paarl
4. Mr E Smith (e-mail)
5. Mr SW Carstens (e-mail)
6. Me S du Preez (email)
7. Mr B du Preez (e-mail)



Notes:

Figure a,b,c,d,e,f,g,h,i represents a 6.0m wide ROW servitude registered over Erf 406 in favor of all subdivided portions of Erf 406.

Figure j,k,l,m,n,o represents a 6.5m wide ROW servitude registered over Erf 398 in favor of Erf 167.

Figure j,k,e,d represents a 15.0m x 6.5m wide ROW servitude registered over Erf 398 in favor of all subdivided portions of Erf 406

NAUTECON TRADING AND INVESTMENTS

CLIENT NAME:
MR. DIRK HATTINGH

PROJECT NAME:
L'AUBERGE VILLAS

DRAWING TITLE / NUMBER:
SERVITUDE PLAN

PROJECT NO.:	DRAWN BY:	SCALE:
RTH-E-406	BBS	1: 500
REVISION NO.:	DATE:	
-	18-01-2024	

DRAFT FOR DISCUSSION

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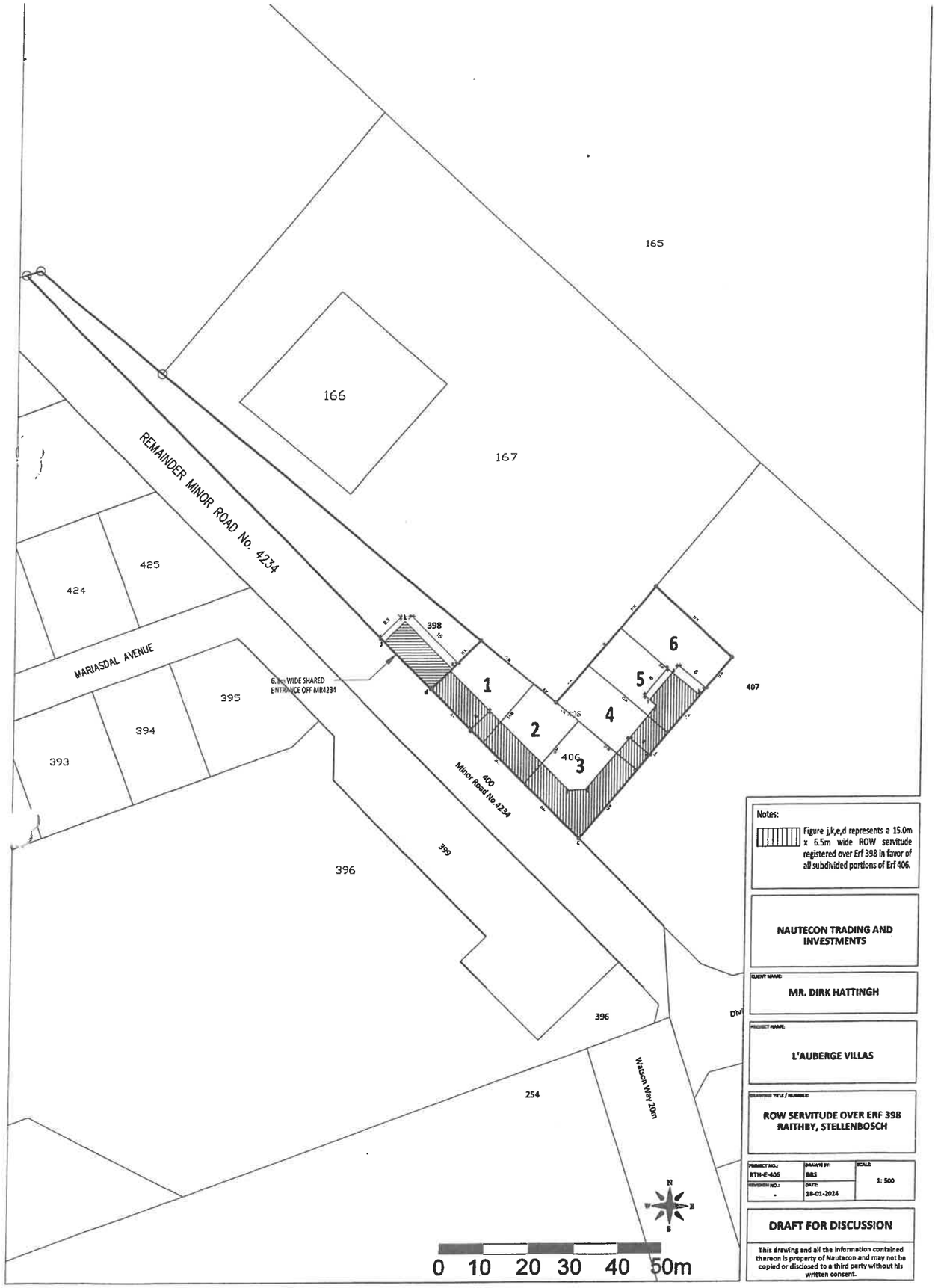

Notes:

Figure j,k,e,d represents a 15.0m x 6.5m wide ROW servitude registered over Erf 398 in favor of all subdivided portions of Erf 406.

NAUTECON TRADING AND INVESTMENTS

CLIENT NAME:
MR. DIRK HATTINGH

PROJECT NAME:
L'AUBERGE VILLAS

REGISTERED TITLE / NUMBER:
ROW SERVITUDE OVER ERF 398 RAITHBY, STELLENBOSCH

PROJECT NO.:	DRAWN BY:	SCALE:
RTH-E-406	BBS	1: 500
REVISION NO.:	DATE:	
-	18-01-2024	

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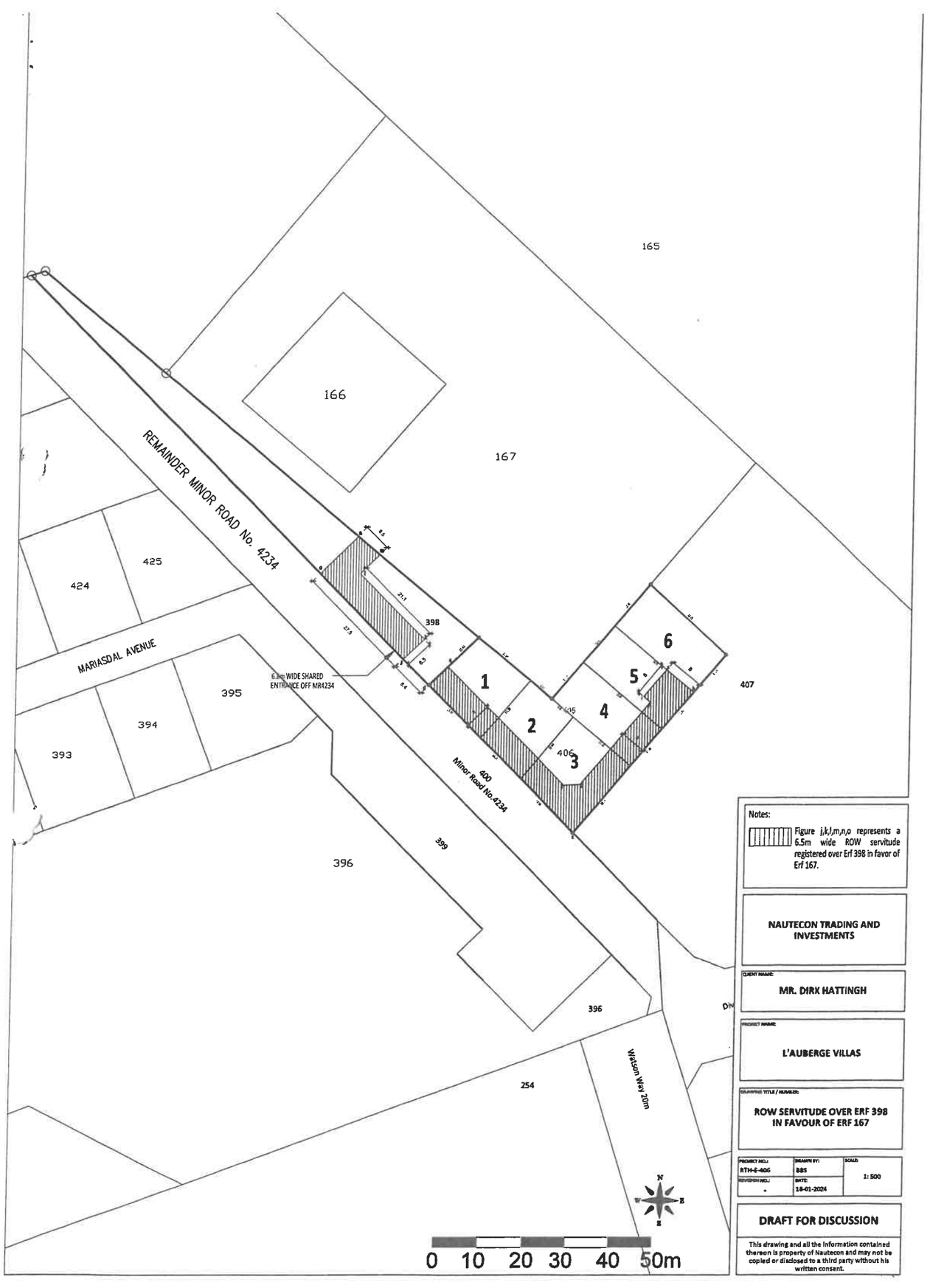

Notes:

Figure j,k,l,m,n,o represents a 6.5m wide ROW servitude registered over Erf 398 in favor of Erf 167.

NAUTECON TRADING AND INVESTMENTS

CLIENT NAME:
MR. DIRK HATTINGH

PROJECT NAME:
L'AUBERGE VILLAS

DRAWING TITLE / NUMBER:
ROW SERVITUDE OVER ERF 398 IN FAVOUR OF ERF 167

PROJECT NO.:	DRAWN BY:	SCALE:
RTH-E-406	BBS	1: 500
REVISION NO.:	DATE:	
-	16-01-2024	

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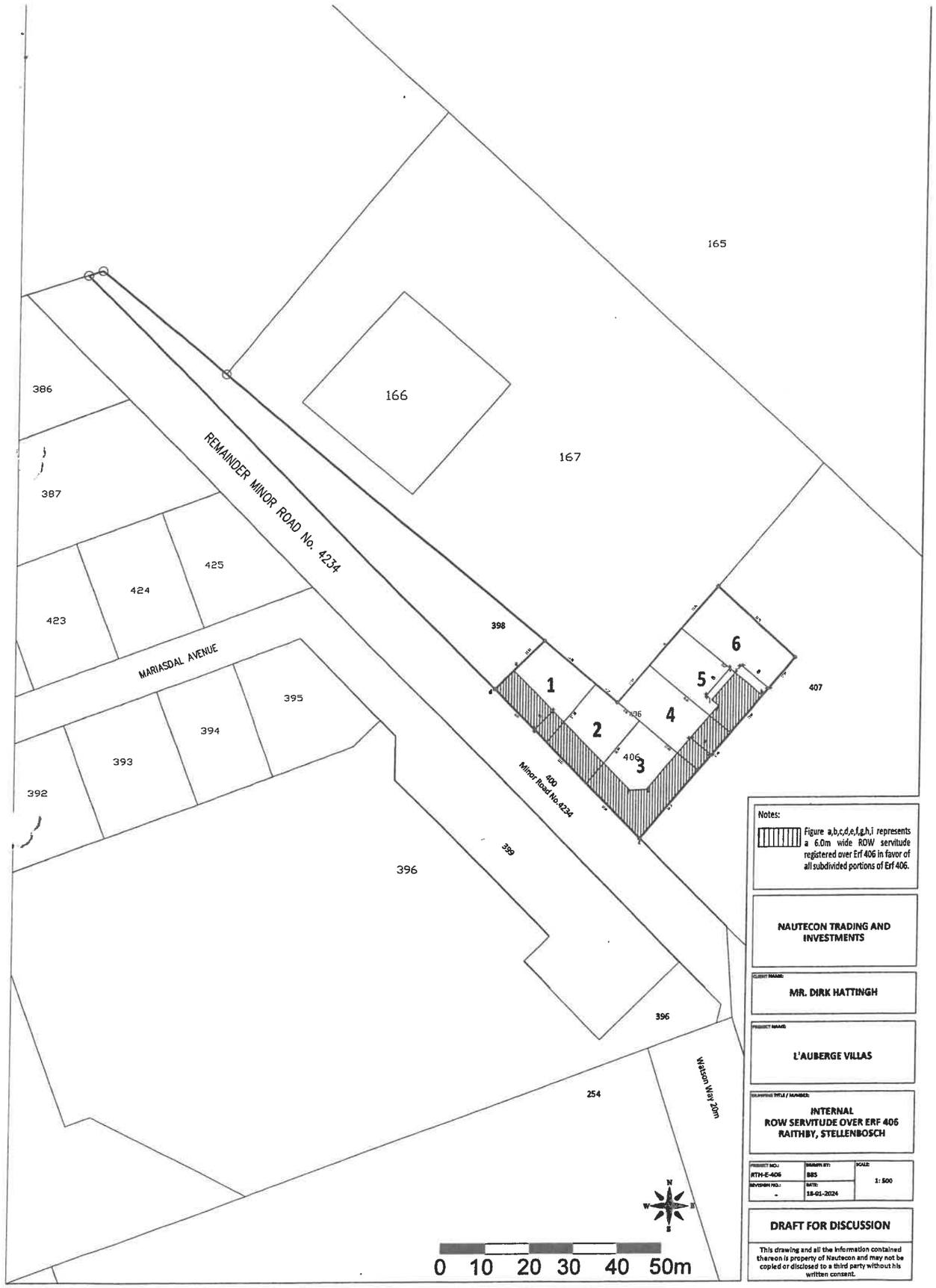

Notes:

Figure a,b,c,d,e,f,g,h,i represents a 6.0m wide ROW servitude registered over Erf 406 in favor of all subdivided portions of Erf 406.

NAUTECON TRADING AND INVESTMENTS

CLIENT NAME:
MR. DIRK HATTINGH

PROJECT NAME:
L'AUBERGE VILLAS

DRAWING TITLE / NUMBER:
INTERNAL ROW SERVITUDE OVER ERF 406 RAITHBY, STELLENBOSCH

PROJECT NO.:	DRAWN BY:	SCALE:
RTH-E-406	BBS	1: 500
REVISION NO.:	DATE:	
-	18-01-2024	

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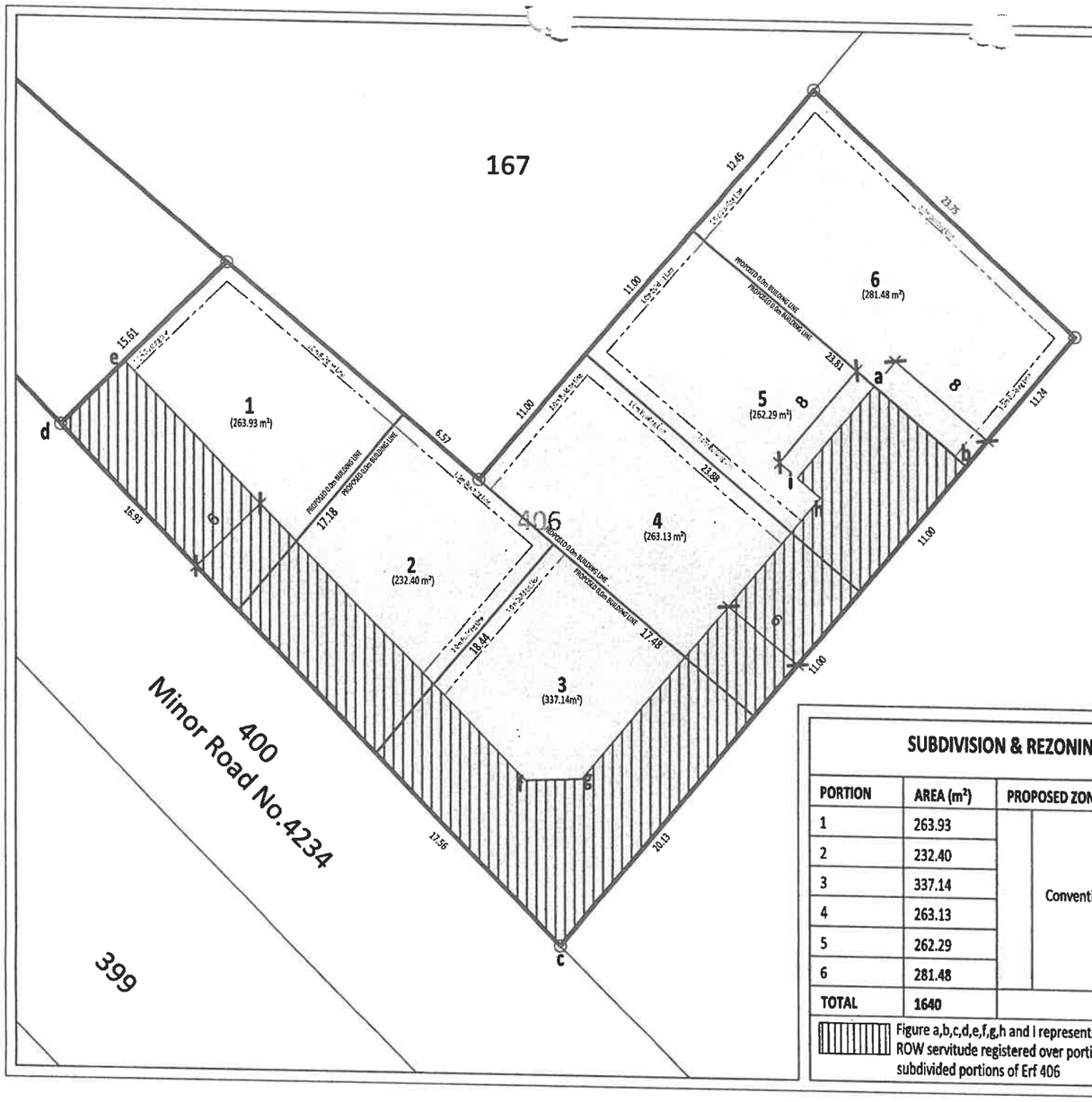

SUBDIVISION & REZONING OF ERF 406 RAITHBY			
PORTION	AREA (m²)	PROPOSED ZONING	du/ha
1	263.93	Conventional Residential Zone	
2	232.40		
3	337.14		
4	263.13		
5	262.29		
6	281.48		
TOTAL	1640		37

Figure a,b,c,d,e,f,g,h and I represents a 5.0m and 8.0m wide ROW servitude registered over portions 1-4 in favour of all subdivided portions of Erf 406

0 2 4 6 10m

BBS
TOWN AND REGIONAL PLANNING CONSULTING
SACPLAN REG: C/2216/2020
EMAIL: bradley.simpson@gmail.com
CELL: 081 309 2726
TELL: 021 885 1524

CLIENT NAME:
MR. DIRK HATTINGH

PROJECT NAME:
PROPOSED REZONING AND SUBDIVISION OF ERF 406 RAITHBY, STELLENBOSCH

DRAWING TITLE / NUMBER:
REZONING AND SUBDIVISION PLAN

PROJECT NO.:	DRAWN BY:	SCALE:
RTH-E-406	BBS	1: 250
REVISION NO.:	DATE:	
-	08-12-2023	

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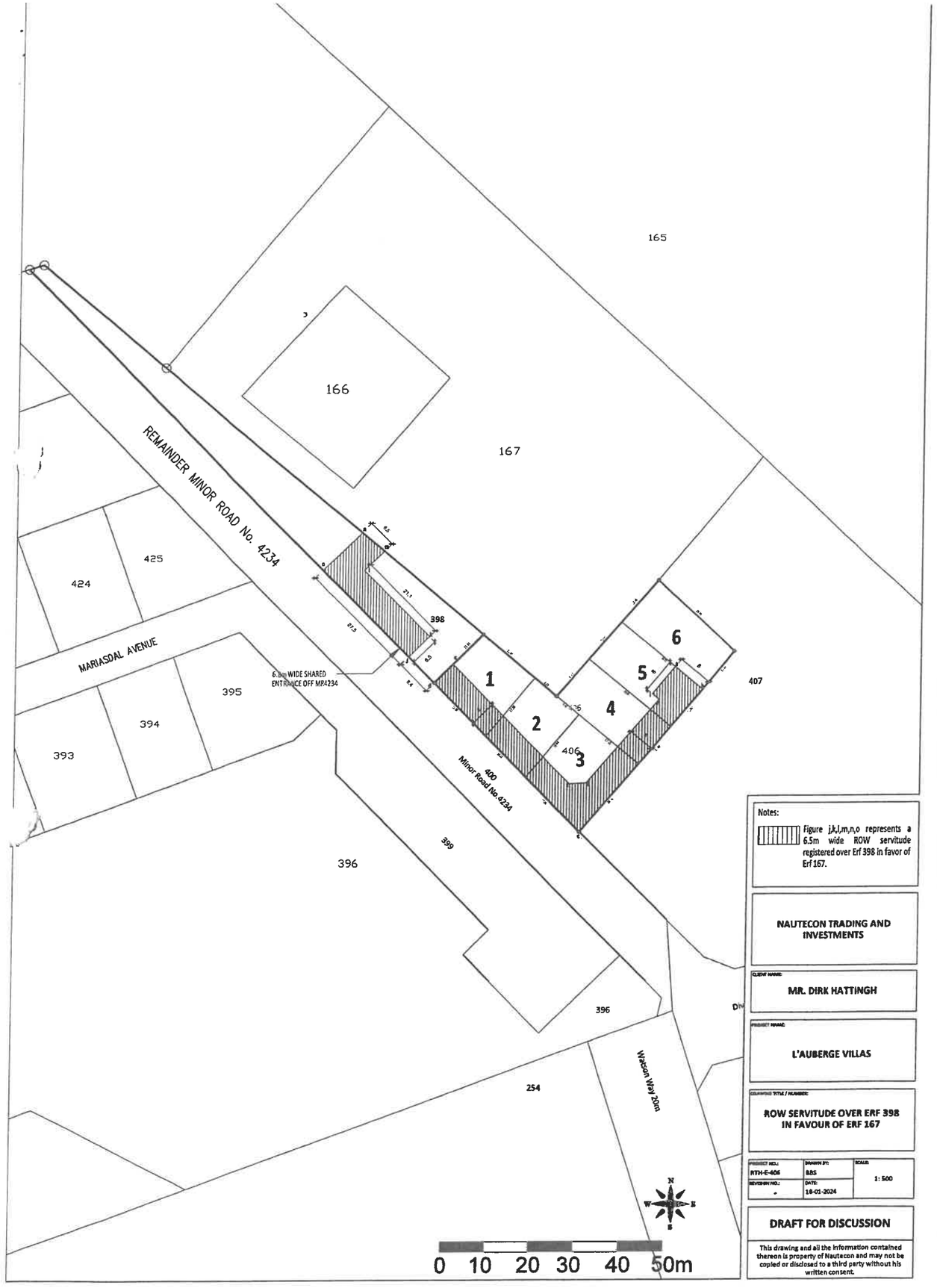

Notes:

Figure j,k,l,m,n,o represents a 6.5m wide ROW servitude registered over Erf 398 in favor of Erf 167.

NAUTECON TRADING AND INVESTMENTS

CLIENT NAME:
MR. DIRK HATTINGH

PROJECT NAME:
L'AUBERGE VILLAS

DRAWING TITLE / NUMBER:
ROW SERVITUDE OVER ERF 398 IN FAVOUR OF ERF 167

PROJECT NO.:	DRAWN BY:	SCALE:
NTH-E-406	BBS	1: 500
REVISION NO.:	DATE:	
-	18-01-2024	

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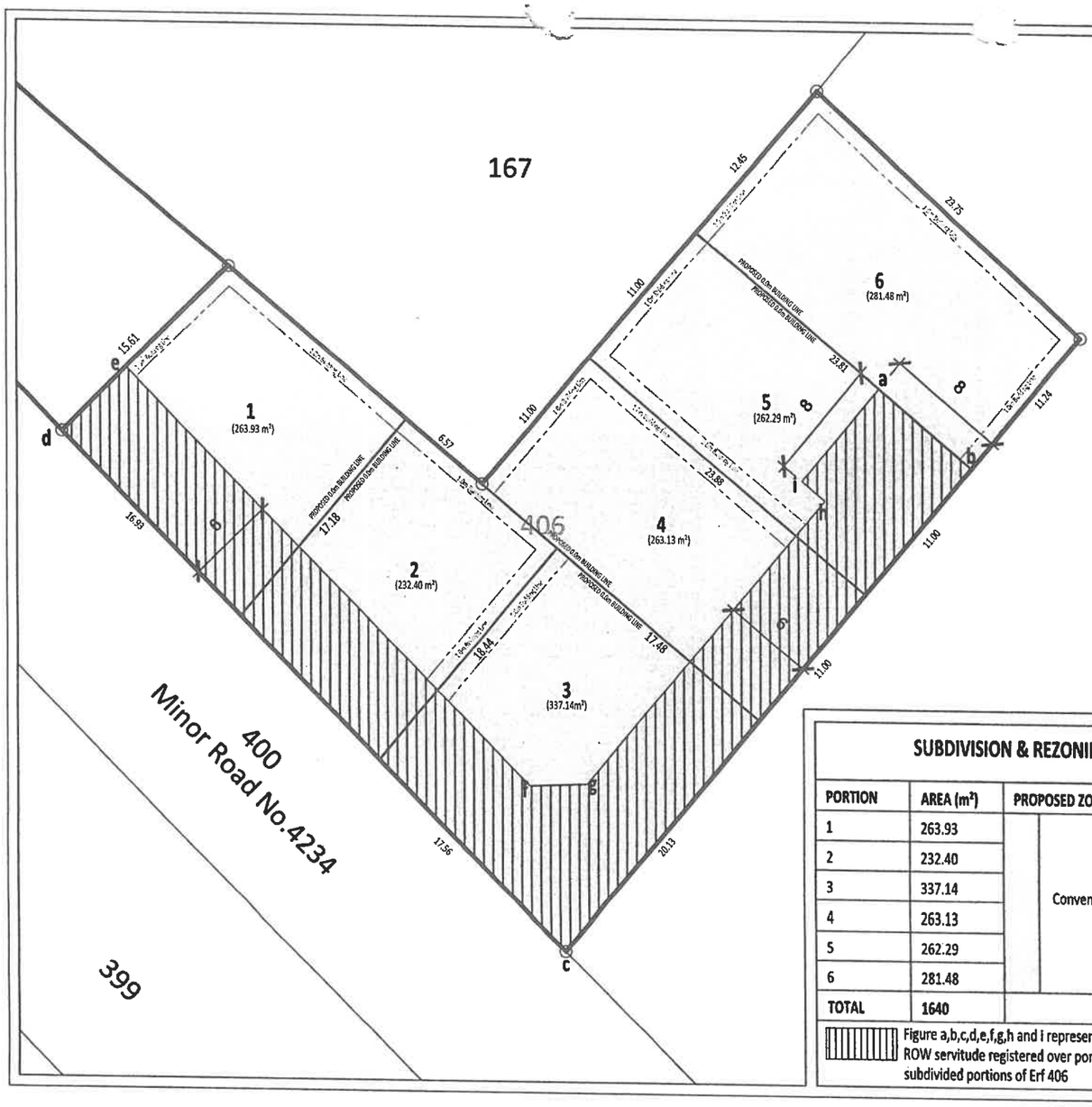

SUBDIVISION & REZONING OF ERF 406 RAITHBY

PORTION	AREA (m²)	PROPOSED ZONING	du/ha
1	263.93	Conventional Residential Zone	
2	232.40		
3	337.14		
4	263.13		
5	262.29		
6	281.48		
TOTAL	1640		37

Figure a,b,c,d,e,f,g,h and i represents a 5.0m and 8.0m wide ROW servitude registered over portions 1-4 in favour of all subdivided portions of Erf 406

0 2 4 6 10m

BBS
TOWN AND REGIONAL PLANNING CONSULTING
SACPLAN MEM: G21/07/2010
EMAIL: bradley.simpsonbbs@gmail.com
CELL: 084 399 3706
TEL: 021 885 1834

CLIENT NAME:
MR. DIRK HATTINGH

PROJECT NAME:
PROPOSED REZONING AND SUBDIVISION OF ERF 406 RAITHBY, STELLENBOSCH

DRAWING TITLE / PURPOSE:
REZONING AND SUBDIVISION PLAN

PROJECT NO.:	DRAWN BY:	SCALE:
RTH-E-406	BBS	1: 250
REVISION NO.:	DATE:	
-	08-12-2023	

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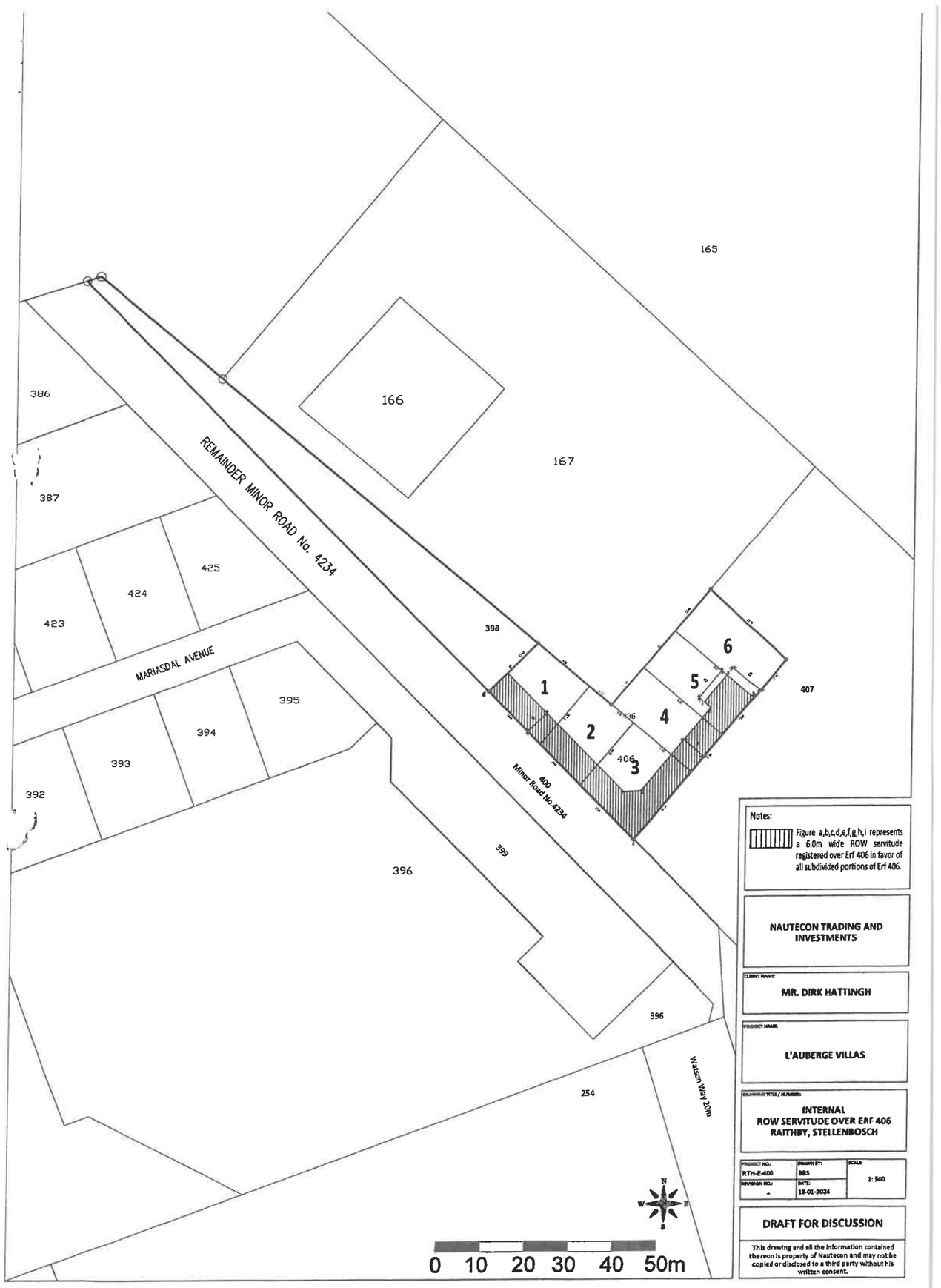

Notes:

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NAUTECON TRADING AND INVESTMENTS

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MR. DIRK HATTINGH

PROJECT NAME:
L'AUBERGE VILLAS

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INTERNAL ROW SERVITUDE OVER ERF 406 RAITHBY, STELLENBOSCH

PROJECT NO.:	DRAWN BY:	SCALE:
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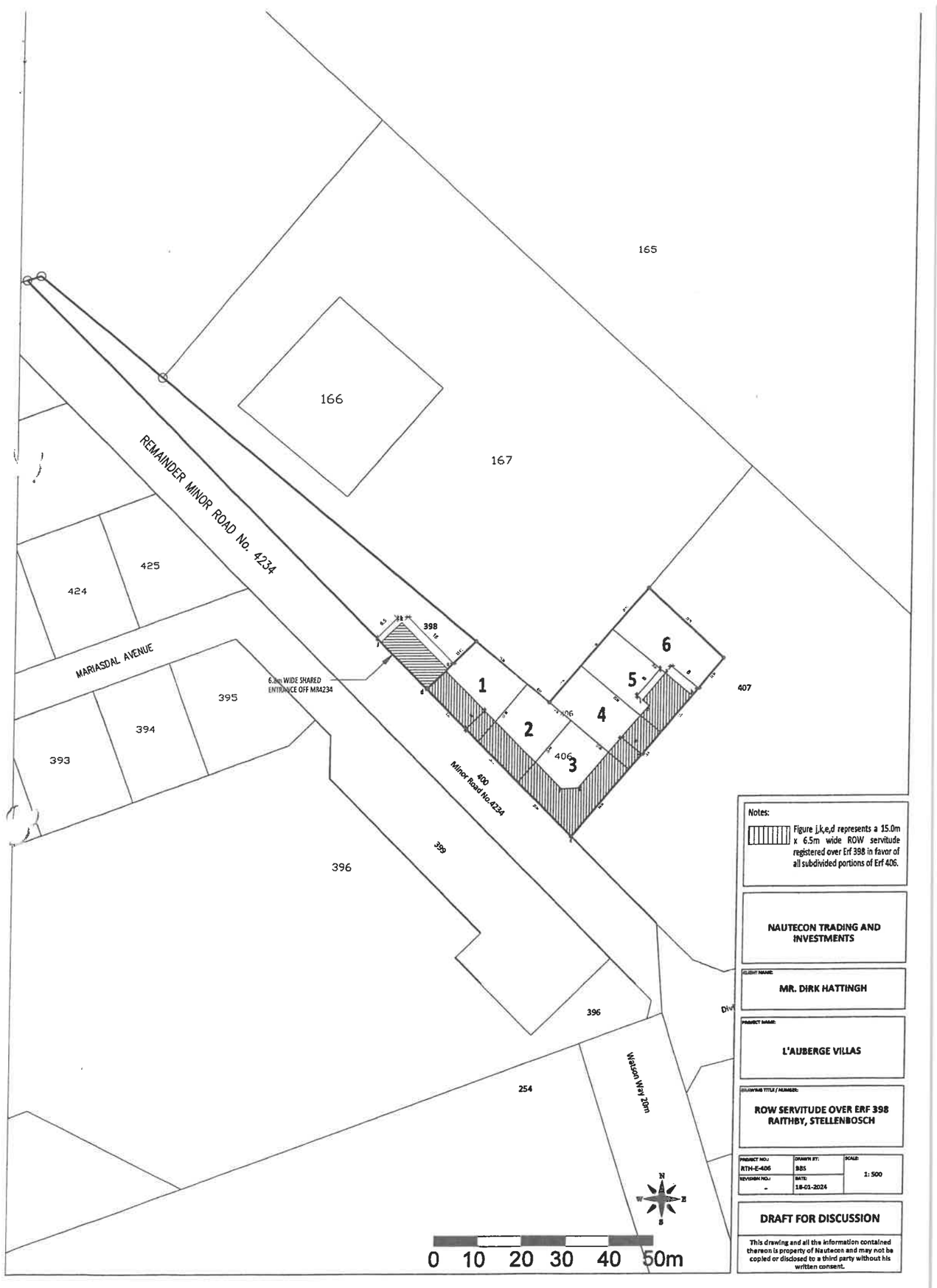

Notes:

Figure j,k,e,d represents a 15.0m x 6.5m wide ROW servitude registered over Erf 398 in favor of all subdivided portions of Erf 406.

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PROJECT NAME:
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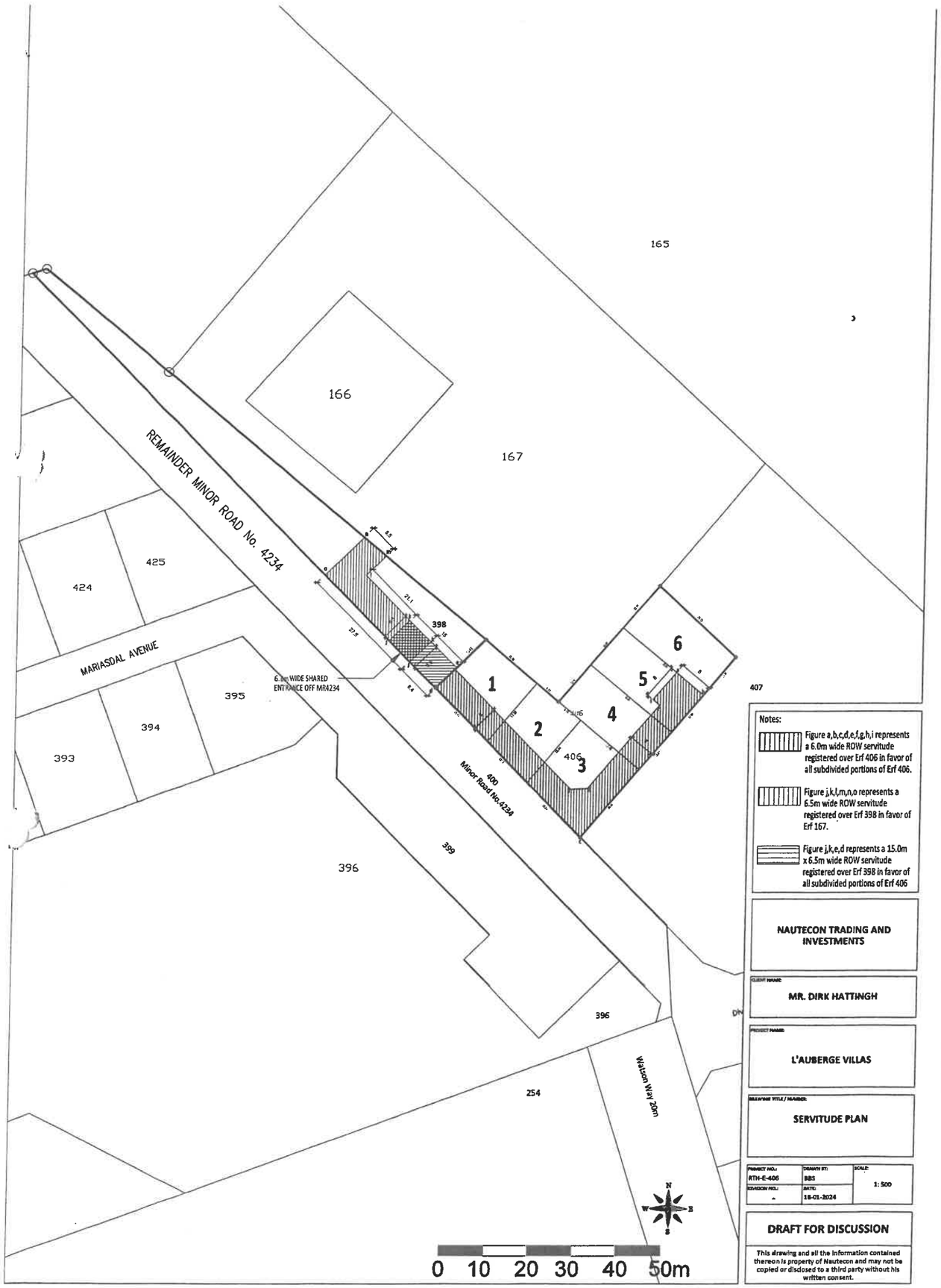

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ANNEXURE E

Access to cemetery and Erf 406RB over Erf 389RB

Property adjacent to Erf 406RB

View of Erf 406RB from Minor Road

View from Minor Road access and proposed access onto Erf 406RB

Raithby Minor Road intersecting with Watson Way in Raithby

Access to Winelands Village. The estate Erf 406RB was part off.

Winelands Village Estate viewed from Erf 406RB and Raithby Minor Road

View of Raithby Vines Estate.