STELLENBOSCH
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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/11484
Our File Reference Number: Farm No. 1505 Stellenbosch Division
Your Reference Number: None
Enquiries: Ulrich von Molendorff
Contact No: 021 – 808 8682
Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: [redacted]

Dear Sir / Madam

APPEAL LODGED IN TERMS OF SECTION 79(2) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW: APPLICATION FOR SUBDIVISION AND REZONING OF REMAINDER FARM NO. 1505, STELLENBOSCH DIVISION.

1. This Municipality's decision letter dated 22 April 2024, refers.

2. The Appeal Authority resolved on 28 November 2024 that the appeal submitted against the decision of the Authorised Decision Maker dated 27 March 2024, in respect of the subject application on Remainder Farm No. 1505, Stellenbosch Division **BE UPHELD**, and that the subject decision, **BE VARRIED** in terms of Section 81(7)(b) of the Stellenbosch Municipal Land Use Planning By-law, as follows:

3. That the following applications in terms of the Section 15(2) of the Stellenbosch Municipal Land Use Planning By-law on Remainder Farm No. 1505, Stellenbosch Division, namely:

   3.1 The application in terms of Section 15(2)(d) of the said By-law for the **subdivision** of Remainder Farm No. 1505, Stellenbosch Division into two (2) portions measuring ±56,1251ha in extent (Remainder) and ±2 965m² in extent (Portion A),

3.2 The application in terms of Section 15(2)(a) of the said By-law for the rezoning of Portion A of Remainder Farm No. 1505, Stellenbosch Division from Agriculture and Rural Zone to Education Zone (±2 965m² in extent) for education purposes (training centre),

BE APPROVED in terms of Section 60 of the said By-law and subject to conditions of approval.

4. The approval is subject to the following **conditions** imposed in terms of Section 66 of the said By-law:

General conditions of approval with no requirement for compliance prior to the registration of a subdivided portion, or before the sale, development or transfer of land as contemplated in terms of Section 66(11) of the subject By-Law:

4.1 The approval only applies to the rezoning and subdivision under consideration, as indicated on the revised referenced **Subdivision Plan, Plan No. Re 1505 Ondv. 2, dated 28 February 2020 and drawn by ahG Town Planners**, attached as **ANNEXURE A** and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or By-law s or Regulations that may be applicable.

4.2 The development must be undertaken in accordance with the revised referenced **Subdivision Plan, Plan No. Re 1505 Ondv. 2, dated 28 February 2020 and drawn by ahG Town Planners**, attached as **ANNEXURE A.**

4.3 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.

4.4 The Surveyor General approved diagrams of the newly created units must be submitted to the Municipality. The following information must be indicated:

a) Newly allocated Farm Numbers,

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Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599
www.stellenbosch.gov.za

b) Co-ordinates,

c) Survey Dimensions.

4.5 Should the existing training centre facility cease to operate at any time in the future, Portion A must revert in ownership at the same cost at which Portion A was acquired and be consolidated with and for the account of the owner of remainder of Remainer Farm No. 1505.

4.6 A restrictive condition must be included in the title deed of both the newly created Portion A as well as the remainder of Remainder Farm No. 1505, which restrictive condition must state that should the existing training centre facility cease to operate at any time in the future, Portion A must revert in ownership at the same cost at which Portion A was acquired and be consolidated with and for the account of the owner of the remainder of Remainer Farm No. 1505.

4.7 Copies of the title deeds for Portion A as well as the remainder of Remainder Farm No. 1505, which title deeds must reflect the required restrictive conditions of title as per Conditions 2.1.6 above, must be submitted for record purposes to the Municipality within one month following the successful registration of the newly created properties.

4.8 The existing or any future owner of the remainder of Remainder Farm No. 1505 will not be under any obligation to compensate any future owner of Portion A for any improvements made on Portion A, or any other loss as a result of the consolidation of Portion A with the remainder of Remainder Farm No. 1505.

4.9 The approval be limited to the existing training centre facility and a Site Development Plan and associated building plan application must be submitted and approval be obtained if any extension and / or additions to the existing buildings are pursued.

4.10 The approval for the rezoning of the property to Education Zone remains valid for as long as the existing training centre facility continues to operate and should the facility cease operations at any time in the future, the zoning of Portion A will automatically revert to Agricultural and Rural Zone.

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4.11 Building plans must be submitted for all changes of use in the existing buildings and which building plan(s) must be approved and related occupancy certificates be issued prior to the vesting of any of the related approvals.

4.12 The conditions of the **Manager: Health Department (Cape Winelands District)** as specified in their memo dated 08 April 2021, attached as **ANNEXURE B**, be complied with.

4.13 The conditions of the **Director: Infrastructure Services** as specified in their memo dated 18 May 2021, attached as **ANNEXURE C**, be complied with.

4.14 The conditions of the **Department of Transport and Public Works** as specified in their letter dated 20 January 2021, attached as **ANNEXURE D**, be complied with.

Conditions of approval which should be complied with as required in terms of Section 66(11) of the subject By-Law, before the registration of a subdivided portion, or before the sale, development or transfer of any land:

4.15 To submit for record purposes to the Municipality a signed sales agreement, or addendum to the existing agreement by the owner of the remainder of Remainder Farm No. 1505 and the prospective owner of Portion A which sales agreement / addendum must include an acknowledgement of the requirement and terms of Condition 2.1.6.

4.16 To submit for record purposes to the Municipality the draft copy of the title deeds of both Portion A and the remainder of Remainder Farm No. 1505 which draft title deeds must reflect the required restrictive conditions of title as per Conditions 2.1.6 above, including a written undertaking from the appointed Conveyancer that the subject draft title deeds / endorsements will be lodge with the Deeds Office for registration.

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

5.1 The proposed use will have no impact on the surrounding area visually, or in respect of land use the as no new buildings are proposed and any expansion to the training centre facility will be limited to the extent of Portion A.

5.2 The proposal will not affect the existing agricultural viability of any of the properties involved or any adjacent properties as Portion A is already used as a training centre facility.

5.3 The proposed development will not generate additional traffic to a degree that will place undue pressure on the local road network and the proposal was supported by the Provincial Roads Engineer.

5.4 The facility will make a valuable contribution to the community of Stellenbosch as it specialises in skills training to equip unemployed people with the necessary skills needed.

5.5 Mitigating conditions of approval are imposed to protect the agricultural integrity of the remainder of Remainder Farm No. 1505 and the surrounding properties, and also to guard against the future use of Portion A for non-agricultural purposes.

6. **Matters to be noted:**

6.1 All electrical requirements be directed to Eskom.

6.2 The applicant to apply, at own cost to the Registrar of Deeds to make the appropriate entries in, and endorsements on, any relevant register or title deed to reflect the required additional restrictive conditions.

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7. Accordingly, the decision detailed in this letter may be implemented, subject to compliance with the conditions of approval.

8. The appeal process has now been concluded.

Yours faithfully

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

10/2/2025

DATE

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ANNEXURE B

Manager: Health Department

(Cape Winelands District)

17

CAPE WINELANDS DISTRICT
MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

DEPARTEMENT/DEPARTMENT/ICANDELO:	MUNISIPALE GESONDHEIDSDIENSTE	
NAVRAE/ENQUIRIES/IMIBUZO:	Mnr. J Krüger	Alexanderstraat 46 Alexander Street
TELEFOON/TELEPHONE/UMNXEBA:	021-8885800	⊠100
FAKS/FAX/iFEKSI:	021-8879365	STELLENBOSCH
E-POS/E-MAIL/IE-MAIL:	julian@capewinelands.gov.za	7600
U VERW/YOUR REF/iREF YAKHO:	Farm 1505 + 60/4(P)	
ONS VERW/OUR REF/iREF YETHU:	Plaas 1505 + 60/4, Klapmuts	

Alle korrespondensie moet aan die Munisipale Bestuurder gerig word/
All correspondence to be addressed to the Municipal Manager/Yonke imbalelwano mayithunyelwe kuMlawuli kaMasipala

08-04-2021

FILE NR:
SCAN NR: F 1505 S
ATOR NR: 705223

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELPOMENT SERVICES
15 APR 2021
RECEIVED

Munisipale Bestuurder
Munisipaliteit Stellenbosch
Posbus 17
Stellenbosch
7599
Vir aandag: Beplanning en Ekonomiese ~~Ontwikkelingsdienste~~

Meneer

AANSOEK OM HERSONERING EN ONDERVERDELING: PLAAS, NO. 1505 EN 60/4, AFDELING STELLENBOSCH

Daar is geen beswaar vanuit 'n gesondheidsoogpunt ten opsigte van die aansoek nie, onderworpe aan die volgende voorwaardes :

1. Alle riool –en afloop/ waswater moet gekoppel word aan die bestaande stelsel en so beskik word dat dit nie 'n oorlas veroorsaak nie.
2. Alle waswater vanaf die kombuise moet deur 'n vetvanger gaan voordat dit in die rioolsisteem vloei.
3. In die geriewe vir dames moet voorsienning gemaak word vir die wegdoen van sanitêre doekies.
4. Die applikant moet aansluit by die Raad se vullisverwyderingsdiens.
5. Indien voedsel op die perseel voorberei word vir verkoop aan die publiek moet die applikant aansoek doen by Stellenbosch Munisipaliteit vir die nodige lisensie asook by die Kaapse Wynland Distriksmunisipaliteit vir'n geskiktheidsertifikaat ingevolge R638 van 22 Junie 2018.
6. Alle voedselvoorbereiding/hanteringspersele moet voldoen aan die vereistes van R638 wat betrekking het op voedselpersele.

7. 'n Voldoende voorraad veilige skoon gepypte drinkwater moet voorsien word.
8. Indien enige aktiwiteit op die perseel geraas genereer berus die onus by die eienaar om die nodige klanktoetse te laat neem en die uitslae aan hierdie Departement voor te lê. (Die SABS Gebruikskode 0103 van 1994 asook die Regulasies van die Wet op Omgewingsbewaring Nr.73 van 1989 moet as riglyn dien.)

Die uwe

nms. Munisipale Bestuurder

ANNEXURE C

Director: Infrastructure Services

(18)

STELLENBOSCH MUNICIPALITY
STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan:	**Director: Planning + Economic Development**
Att Aandag	**Nolusindiso Momoti**
From ▫ Van:	**Manager: Development (Infrastructure Services)**
Author ▫ Skrywer:	**Tyrone King**
Date ▫ Datum:	**18 May 2021**
Our Ref ▫ Ons Verw:	**Civil LU 2080**
Your Ref:	**LU/11484**
Re ▫ Insake:	**Farm 1505, Stellenbosch: Subdivision and rezoning to accommodate an existing school**

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES
20 MAY 2021
RECEIVED

Background:

As per 3.5.2 of the motivation report: This application is not for a new development and the building and facility already exist and is already connected to service infrastructure. Existing engineering services such as sewage, water, electricity and roads are not affected. There will be no additional service connections or capacity upgrades required which is triggered by this application.

FILE NR:
SCAN NR: F 1505 S
COLLABORATOR NR: 707195

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

1. Civil Engineering Services

1.1 The Municipality has no service networks in this area.

1.2 The Owner must make use of the existing service connections.

1.3 If, for whatever reason any additions or upgrades to the existing services and/or connections are required, it will be the Owner's responsibility and for their cost.

2. Roads

2.1 Stellenbosch Municipality is not the roads authority – please obtain approval and conditions from the Provincial Roads department.

3. Electrical Engineering

3.1 Refer to **Annexure: Electrical Engineering**.

Tyrone King Pr Tech Eng
MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)

W:\2.0 DEVELOPMENT\00 Developments\2080 (TK) Farm 1505 Stellenbosch (LU-11484)\2080 (TK) Farm 1505 Stellenbosch (LU-11484).doc

FARM 1505

GENERAL COMMENT:
1. Outside Stellenbosch area of supply.
2. All Electrical requirements should be directed to Eskom.
CONDITIONS
3. **. All electrical work to comply with SANS142 and Municipal electrical by-laws**

Bradley Williams Date.....19/04/2021.....

Signiture

ANNEXURE D

Department of Transport and Public Works

(15)

Western Cape Government
Transport and Public Works

ROADS
Email: Grace.Swanepoel@westerncape.gov.za
tel: +27 21 483 4669
Rm 335, 9 Dorp Street, Cape Town, 8001
PO Box 2603, Cape Town, 8000

REFERENCE: TPW/CFS/RP/LUD/REZ/SUB-25/375 (Job 27976)
ENQUIRIES: Ms GD Swanepoel
DATE: 20 January 2021

AHG Town Planning
PO Box 2992
SOMERSET WEST
7129

FILE NR: ~~CLOSING POST~~ 1505 S
SCAN NR:
ERF NR: 700748

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELPOMENT SERVICES
20 JAN 2020
RECEIVED

Attention: Mr Leon Jubilus

Dear Sir

DIVISIONAL ROAD 1084 KNORHOEK ROAD AND MINOR ROAD 5223: APPLICATION FOR SUBDIVISION AND REZONING: REMAINDER FARM 1505, STELLENBOSCH

1. Your letter dated 19 November 2020 and attached land use application, Stellenbosch Land Use application No. LU/11484 refers.

2. The application relates to a portion of Farm 1505, Stellenbosch, on the north-east corner of Divisional Road 1084 Knorhoek Road and Minor Road 5223, the Muratie-Delheim Road.

3. The application is for:

3.1 The subdivision of Farm 1505, Stellenbosch to create a portion ±2965m² in extent at the location described in paragraph 2 above, which will be subdivided from the rest of the farm and

3.2 Rezoning of the portion referenced above from "Agricultural and Rural Zone" to "Education Zone".

4. The buildings on this portion have since 2005 been operated as a skills training centre by Stellemploy and the approval of this application will enable the portion to be transferred to the ownership of Stellemploy.

5. The vehicular access gate to the subject portion of Farm 1505 is located ±25m from the stop line on Minor Road 5223 where it intersects with Divisional Road 1084 Knorhoek Road. While this is not ideal in terms of access management standards, it is not a change from the current operating conditions. Vehicle movements into the property are likely to be relatively few in number, all-round visibility is good and the access to these facilities has been in use to date. As this is a T-intersection, vehicles

approaching the intersection will have made or be about to make a 90° turn, so speeds will be low. However, should any expansion of the facilities be envisaged, or the use changed to the education of children, this Branch would want the access point relocated further from the intersection. It will also be important to ensure that the gate is kept open at the times when vehicle arrivals are expected.

6. This Branch offers no objection to the land use application in respect of Farm 1505 Stellenbosch, as described above and in the land use application, subject to the following conditions:

6.1 The use of the facility shall be for adult education only;

6.2 The gate to the property shall be kept open at times when the arrival of users is expected, allowing for unrestricted entry and

6.3 Any expansion of the facilities shall be subject to the approval of this Branch.

7. In terms of Act 21 of 1940, this Branch approves the subdivision of Farm 1505, Stellenbosch.

Yours faithfully

SW CARSTENS
For **DEPUTY DIRECTOR-GENERAL: ROADS**