

NOTICE OF LAND DEVELOPMENT APPLICATION

[REDACTED]

[REDACTED]

APPLICATION TYPE: SUBDIVISION OF LAND (Erf 39) FRANSCHHOEK

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw refers:

Application Property Address	: 39 UITKYK STREET, FRANSCHHOEK
Application Property Number	: Erf 39
Applicant: ELTON SWARTZ, TEL	: 0618827284, elton.swartz39@gmail.com
Owner:	: DANIEL McCluskey
Application Reference	: LP/ 1255/2025

Description of land development proposal:

Application is made in terms of Section 15(2)(d) and Section 15(2)(e) of the Stellenbosch Municipal Land Use Planning By-Law, 2015 for the subdivision of land. The proposal entails:

1. The subdivision of land 2.3439 Hectares into 2 Portions: Portion 1 (18270.73sqmeters) and Portion 2 (5168.27sqmeters)

Notice is hereby given in terms of the provisions of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: <https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application must be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw. Written comment, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person who submits the comment in the application, may be submitted to the Applicant by electronic mail as follows: ELTON SWARTZ, TEL: 0618827284, elton.swartz39@gmail.com .By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of 15 MAY 2026

The Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/ objection received after the closing date.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at 0618827284 during normal office hours. 09:00 – 16:00

Yours faithfully

ELTON SWARTZ

**TAX INVOICE****STELLENBOSCH**
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

PO BOX 17, STELLENBOSCH, 7599**PLANNING & ECONOMIC DEVELOPMENT: PLANNING**

DATE:	2025-07-07	DOCUMENT NO:	789712
ERF / FARM NO:	39	CREATED BY:	Nicole Katts
LOCALITY:	Uitkyk Street , FRANSCHHOEK	APPLICATION NO:	LU/19340
OWNER'S NAME:	Daniel McCluskey	APPLICATION VAT NO:	0
ADDRESS:	2 Protea Street Pniel	VAT NO:	4700102181
		APPLICANT:	Elton Swartz
		TEL NO:	0618827284

FEE DESCRIPTION	AMOUNT PER UNIT (R)	NUMBER OF UNITS	VOTE NUMBER	AMOUNT (R)
SUBDIVISION AND CONSOLIDATION - Subdivision, Consolidation, and Amendment or Cancellation of an approved subdivision plan (or part thereof), including a general plan or diagram, Per Application	5450.00	1	20220630081406	5450.00

TOTAL AMOUNT PAYABLE 5450.00**VAT INCLUDED @ 15% 710.87****NEW TARIFFS IMPLEMENTED ON 1 JULY ANUALLY****CALCULATED BY****NAME:** Nicole Katts**SIGNATURE****VERIFIED BY****NAME:****SIGNATURE****DATE:** 01. 07- 2025.**DATE:**PAYMENTS MUST BE MADE AT THE APPLICABLE DISTRICT OFFICE
CHEQUES TO BE MADE PAYABLE TO STELLENBOSCH
MUNICIPALITYAPPLICANT TO RETURN THIS FORM TO THE ADVICE CENTRE FOR
DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT**BANKING DETAILS FOR EFT PAYMENT:****ACCOUNT HOLDER:** Stellenbosch Municipality
BANK: First National Bank (FNB)
ACCOUNT NUMBER: 62869253684
BRANCH CODE: 210554
REFERENCE: LU/_____ and ERF/FARM _____Please use both the Land Use Application number and the Erf/Farm
number indicated on this invoice as a reference when making EFT
payment.

0.00

0



Enquiries

Nicole Katts

Phone Number

0218088318

E-mail

nicole.katts@stellenbosch.gov.za

BTW/VAT Invoice No: 17774

Invoice VAT Reference: 4700102181

Name: ELTON SWARTZ

Invoice Date: 2025/7/7

Reference No: TP1255/2025

Payment Due Date: 2025/7/21

Client Street address: 2 protea street, pniel PNIEL
STELLENBOSCH Western Cape South Africa 7690

Municipality street address: PLEIN STREET
STELLENBOSCH STELLENBOSCH Western Cape 7600

Client Postal address: 2 protea street, pniel PNIEL
STELLENBOSCH Western Cape South Africa 7690

Municipality postal address: PLEIN STREET
STELLENBOSCH STELLENBOSCH Western Cape 7600

Client VAT No: 0

Town Planning Application Fees

Vote No	Description	Qty	Rate	UoM	Amount (Incl VAT)
20220630081406	Subdivision and Consolidation /amendment /cancellation of an approved subdivision plan (or part), including a general plan or diagram	1	5 450.00	Per application	5 450.00
Total Excl VAT					4 739.13
VAT					710.87
Invoice Total					5 450.00

*VAT Exempt

Created By: Petersen, Nicole

Signature: *NKatts*

Verified By: Petersen, Nicole

Signature: *NKatts*

Please note that application fees that are paid to the municipality are non-refundable and proof of payment must accompany the application. It is the responsibility of the applicant to ensure that the payment is made into the correct account.

Bank Details: Standard Bank South Africa Acc# 242637280 Branch Code 051001

Please use the following as reference number: TP1255/2025

To expedite the application, please send proof of payment by e-mail or fax as per the detail above.



(No subject)

From Sharise De Klerk <Sharise.Deklerk@stellenbosch.gov.za>
Date Mon 6/30/2025 1:23 PM
To Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>; Nicole Katts <Nicole.Katts@stellenbosch.gov.za>

Good day

Invoice please

27/06/2025	127	2700.00 DIR1	1000291467 05236	ABSA BANK	erf 104
kylemore	ABSA BANK erf 104 kylemore				
27/06/2025	140	5450.00 DIR1	1000291480 05236	ABSA BANK	erf 39
franschhoek	ABSA BANK erf 39 franschhoek				



Kind regards,
Sharise De Klerk
Electronic Payments
Income/Finance Department

T: +27 21 808 8547 | F: +27 8867318
Plein Street, Stellenbosch, 7600
www.stellenbosch.gov.za



Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions published at the following link:
http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm



Notice of Payment

27 June 2025

Dear MR EJ SWARTZ

Subject: Notice Of Payment: Stmun. LU

Please be advised that you made a payment to Stmun. LU as indicated below.

Transaction number:	80A76BD415-4
Payment date:	2025-06-27
Payment made from:	Current account
Payment made to:	Stmun. LU
Beneficiary bank name:	FIRSTRAND
Beneficiary account number:	62869253684
Bank branch code:	250655
For the amount of:	5 450.00
Immediate interbank payment:	N
Reference on beneficiary statement:	erf 39 franschhoek

Please remember that the following applies to online banking payments to non-ABSA and Absa Vehicle and Asset Finance bank accounts.

- Payments made on weekdays before 15:30 will be credited to the receiving bank account by midnight of the same day.
- Payments made on weekdays after 15:30 will be credited by midnight of the following day.
- Payments made on a Saturday, Sunday or Public holiday will be credited to the account by midnight of the 1st following weekday.
- Payments may take up to 30 minutes to reflect in the beneficiary's Vehicle Finance Account.

If you need more information or assistance, please call us on 0860 008 600 or +2711 501 5110 (International calls).

If you have made an incorrect internet banking payment, please send an email to digital@absa.co.za

Yours sincerely

General Manager: Digital Channels

This document is intended for use by the addressee and is privileged and confidential. If the transmission has been misdirected to you, please contact us immediately. Thank you.



DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

LAND USE APPLICATION COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW					
Date of submission of application		03-07-2025			
TP Number		1255/2025			
Erf No	39	Town		Suburb	Franschhoek
Farm No	n/a	Farm Portion	n/a	Area / Division	n/a
Owner/Applicant		Elton Swartz		Contact Number	061 8827 284
Email address	Elton.swartz@gmail.com				
INFORMATION AND DOCUMENTATION CHECK			ADMIN TO VERIFY¹		
			YES	NO	NOTES
1. Correct application form completed in full and duly signed			✓		
2. Power of Attorney / Owners' Consent if the applicant is an agent and Company Resolution			✓		
3. Copy of the correct Title Deed			✓		
4. Motivation report			✓		
5. Locality plan			✓		
6. Site layout plan / Subdivision plan			✓		
7. Proof of payment			✓		
8. Other documents indicated by Applicant					
VERIFIED & SIGNED BY ADMIN		Nicole Katts		<i>NKatts</i>	03-07-2025
NOTES:					
1. Should it be found that the application is not complete, the Applicant will be notified within 14 days of receipt of the application of outstanding information [s41(1)(c)(ii)].					
2. Should the application be complete, Admin will issue an invoice to the Applicant and submit same with proof of payment to Finance and to Registry for filing. The Applicant will be notified within 14 days of receipt of the application that the application is complete [s41(1)(c)(i)] [s41(2)].					
3. Should the outstanding information and/or proof of payment not be received, the Applicant will be notified that the application will not proceed due to failure to submit required information [s41(4)].					

¹ Verification by Admin of the documentation attached and completeness of application



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DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

www.stellenbosch.gov.za/planning-portal/

FOR ENQUIRIES CONTACT landuse.enquiries@stellenbosch.gov.za or 021- 808 8606

SUBMIT APPLICATION BY UPLOADING COMPLETED FORM AND RELEVANT INFO TO THE

Town Planning Application Management System (TPAMS)

[AFLA Portal \(stellenbosch.gov.za\) /](http://AFLA Portal (stellenbosch.gov.za) /)

<https://citymaps.stellenbosch.gov.za/aflaportal/home>

NOTE: *Land Use Application Form A* is the main application form for all types of land use activities. *Land Use Application Form B* can be used if the application comprises ONLY an application for a departure or for permission either in terms of the zoning scheme or in terms of a condition of approval or in terms of the title deed. If any other type of application is also required, *Land Use Application Form A* must be completed.

LAND USE APPLICATION FORM A

Section 15 of the Land Use Planning Bylaw (LUPB) and other relevant legislation

Complete form using BLOCK letters and ticking the appropriate boxes

PART A: APPLICANT DETAILS

First name(s)	ELTON
Surname	SWARTZ
Company name (if applicable)	N/A
Street or Postal Address	2 PROTEA STREET, PNIEL
Email Address	elton.swartz@gmail.com
Contact Number(s)	0618827284

PART B: REGISTERED LANDOWNER(S) DETAILS (If different from applicant)

Registered owner(s) Name	DANIEL McCLUSKEY
Street or Postal Address	39 UITKYK STREET, FRANSCHHOEK
E-mail Address	N/A
Contact Number	0618827284

PART C: PROPERTY DETAILS (in accordance with title deed)									
Erf No	39	Suburb	FRANSCHHOEK	Town	STELLENBOSCH				
Farm no		Farm Portion		Nearest Town	FRANSCHHOEK				
Physical or Street Address	UITKYK STREET		Property / Business / Farm known as						
Current Zoning	AGRICULTURAL								
Additional or Consent Uses	N/A								
Current activities	NONE								
Property Size / Extent	2.3439		m ² / ha		Are there existing buildings?		X	N	
Title Deed number	T								
Any restrictions ito Conveyance's Certificate?	Y	X	If yes, list condition(s) in motivation report.						
Are the restrictive conditions in favour of a third party?	Y	X	If yes, list the party(ies) in motivation report.						
Is the property owned by Council?	Y	X	If yes, <u>attach a power of attorney</u> signed by the Municipal Manager or delegated authority.						
Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹	Y	X	If yes, indicate which section are triggered in motivation report and attach relevant permit.						
Is the property or building located within the historical core or contains any heritage significant features?	Y	X	Is the building older than 60 years?				Y	X	
Does the property fall inside the urban edge?	Y	X	Does the property fall within a Local Overlay Zone, i.e. Technopark or ATC?				Y	X	
Does the property fall within the Urban or Rural Conservation Overlay Zone?	X	N	Does the property fall within the Scenic Route Overlay Zone?				Y	X	
Any existing unauthorized buildings and/or land use on the subject property(ies)?	Y	X	If yes, is this application to legalise the building / land use??				Y	X	
<i>Note: A contravention penalty is payable as condition of approval as per the approved Council Tariffs.</i>									
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	Y	X	Are there any land claim(s) registered on the subject property(ies)?				Y	X	

PART D: PRE-APPLICATION CONSULTATION			
Has there been any pre-application consultation ito Section 37 of the Land Use Planning Bylaw (LUPB)?	Y	X	If yes, attach the minutes / written feedback received.
Has there been any pre-application consultation ito Section 53 of the Land Use Planning Act (LUPA)?	Y	X	If yes, attach the minutes / written feedback received.
<p><i>A pre-application consultation with the Municipality is <u>compulsory</u> for a rezoning to subdivisinal area and any proposal that triggers the Inclusionary Zoning Policy. It is <u>advised</u> for any other land use application that involves enhanced land use rights in the Multi-Unit Residential, Mixed-Use and Agricultural & Rural zones. A pre-application consultation <u>may</u> be requested for any type of application by either the applicant or by the Municipality as deemed necessary.</i></p>			

¹ All applications triggered by section 38(1)(a) - (e) in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999) may not be processed without a permit issued by the relevant department

² No application may be submitted to legalize unauthorised building work and or land use on the property if a notice has been served in terms of Section 87(2)(a), and until such time a Section 91 Compliance Certificate have been issued in terms of the Stellenbosch Land Use Planning By-law

PART E: LAND USE APPLICATIONS AND PAYMENT OF FEES			
APPLICATIONS IN TERMS OF SECTION 15 OF THE LAND USE PLANNING BYLAW		Number	Fee
15(2)(a)	rezoning of land		R10 800.00
15(2)(b)	a permanent departure from the development parameters of the zoning scheme		R2 700.00
15(2)(c)	a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning		R2 700.00
15(2)(d)	a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement	1	R5 450.00
15(2)(e)	a consolidation of land that is not exempted in terms of section 24		R5 450.00
15(2)(f)	a removal, suspension or amendment of restrictive conditions in respect of a land unit		R2 700.00
15(2)(g)	a permission required in terms of the zoning scheme		R2 700.00
15(2)(h)	an amendment, deletion or imposition of conditions in respect of an existing approval		R5 450.00
15(2)(i)	an extension of the validity period of an approval (50% of current application fee)		R.....
15(2)(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram		R5 450.00
15(2)(l)	a permission required in terms of a condition of approval		R2 700.00
15(2)(m)	a determination of a zoning		R10 800.00
15(2)(n)	a closure of a public place or part thereof		R5 450.00
15(2)(o)	a consent use contemplated in the zoning scheme		R2 700.00
15(2)(o)	a consent use for a house shop, home day care centre, day care centre		R 220.00
15(2)(p)	to disestablish a homeowners' association		R2 700.00
15(2)(q)	to rectify a failure by a homeowners' association to meet its obligations in respect of the control over or maintenance of services		R2 700.00
15(2)(r)	a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged		R5 450.00
OTHER APPLICATIONS		Number	Fee
Approval required in terms of the bylaw for street naming and numbering			R2 700.00
Consent / Permission required in terms of a title deed (includes planning permission in terms of the Advertising on Roads and Ribbon Development Act, Act 21 of 1940)			R2 700.00
Complexity fee – Per study / assessment			R4 520.00
TOTAL APPLICATION FEE PAYABLE		R	
DETAILS FOR INVOICE			
Name & Surname (party responsible for payment)		ELTON SWARTZ	
Street or Postal Address		2 PROTEA STREET, PNIEL	
Vat Number (where applicable)			
<p>1. Application fees are per the approved Council Tariffs. Application fees that are paid to the Municipality are non-refundable as per the Tariff Rules. Once an invoice is issued, the application is regarded as duly submitted.</p> <p>2. All indigent residents who are registered as such with the Municipality and <u>with proof submitted together with application will be exempted from applicable as per the Tariff Rules.</u> Contact: Indigent.office@stellenbosch.gov.za or 021 808 8501 or 021 808 8579.</p> <p>3. The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable, and the applicant will be informed accordingly.</p>			
BANKING DETAILS			
Account Holder Name:		Stellenbosch Municipality	
Bank:		FIRST NATIONAL BANK (FNB)	
Branch no.:		210554	
Account no.:		62869253684	
Payment reference:		TP_____ and ERF/FARM 39_____	
<p style="text-align: right;">Please use both the TP reference number and the Erf/Farm number indicated in Section C as a reference when making EFT payment</p>			

PART F: DETAILS OF PROPOSAL (Brief description of intent of development listing proposed land use activities. Full motivation report must be attached, addressing the desirability of the proposal, the criteria listed in Section 65 of the LUPB and, if applicable, motivation for site specific justification.)

SUBDIVISION OF LAND

Is the proposal consistent / compliant with municipal plans, policies and guidelines , or any national or provincial policies (e.g., Western Cape Land Use Planning Guidelines: Rural Areas), restrictive title conditions, other legislation / authorisations?				X	N
Is the proposal consistent with the Municipal Spatial Development Framework (MSDF)?				X	N
Does the proposal require additional infrastructure / civil engineering services e.g., electricity; water; sewerage; road network etc.?				Y	X
Does the development proposal include the provision of residential units ? The target market re: range in income bracket/ selling price or rental must be addressed in the motivation report.				Y	X
Does the proposal fall within a priority development area as defined in the MSDF where the provision of inclusionary housing is mandatory in terms of the Inclusionary Zoning Policy ?				Y	X
HOA Constitution – Name & Date of approval				X A	
Design Guidelines – Name & Date of approval				X A	
Departure / Relaxation / Suspension	Zoning Scheme Development Parameter	Design Guideline Development Parameter	Restrictive Title Condition		
Building line encroachment		Adjoining erf number		ZS / DG / RTC	Proposal
	Street		From	m	To m
	Street		From	m	To m
	Side / Common		From	m	To m
	Side / Common		From	m	To m
	Aggregate side		From	m	To m
	Rear		From	m	To m
Exceeding permissible coverage / footprint			From	%	To %
Exceeding maximum permitted bulk / floor factor / habitable rooms			From		To
Exceeding height restriction			From	m	To m
Exceeding maximum storey height			From	m	To m
Exceeding maximum boundary wall height	Street		From	m	To m
	Side / Rear		From	m	To m
Relaxation of on-site parking / loading requirements			From	bays	To bays

PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE APPLICATION

Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete.

Information and documentation required in terms of Section 38 of the LUPB

✗	N	Power of attorney / Owner's consent if applicant is not owner		Y	✗	Proof of any other relevant right held in the land concerned	
Y	✗	Resolution or other proof that applicant is authorised to act on behalf of a juristic person		Y	✗	S.G. diagram / General plan extract (A4 or A3 only)	
✗	N	Written motivation pertaining to the desirability and impact of the proposal		✗	N	Site plan or conceptual layout plan (A4 or A3 only) to scale	
✗	N	Locality plan (A4 or A3 only) to scale		Y	✗	Proof of agreement or permission for required servitude	
✗	N	Proposed subdivision plan (A4 or A3 only) to scale		✗	N	Proof of registered ownership (Full copy of the title deed)	
Y	✗	Conveyancer's certificate		Y	✗	Minutes or Written feedback of pre-application consultation (if applicable)	
Y	✗	N/A	Consolidation plan (A4 or A3 only) to scale	Y	✗	N/A	Land use plan / Zoning plan (A4 or A3 only) to scale
✗	N	N/A	Street name and numbering plan (A4 or A3 only) to scale				
Y	✗	N/A	Landscaping / Tree plan (A4 or A3 only) to scale				
Y	✗	N/A	Abutting owner's consent				
Y	✗	N/A	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD)	Y	✗	N/A	Civil Services Report or indication of all municipal services / registered servitudes
Y	✗	N/A	Copy of original approval and conditions of approval	Y	✗	N/A	Proof of failure of owner's association
Y	✗	N/A	Proof of lawful use right	Y	N	N/A	Other (specify):

PART H: AUTHORISATION(S) SUBJECT TO OR BEING CONSIDERED IN TERMS OF OTHER LEGISLATION

Y	X	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.	Specific Environmental Management Act(s) (SEMA) (e.g., Environmental Conservation Act, 1989 (Act 73 of 1989):		
Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)	Y	X	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)	Y	X	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations	Y	N/A	National Water Act, 1998 (Act 36 of 1998)
Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)	Y	N/A	Other (specify)
Y	X	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, attach motivation.			

SECTION I: DECLARATION

I hereby wish to confirm the following:

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. I'm aware that it is an offense in terms of section 86(1)(e) of said bylaw to supply particulars, information or answers knowing the particulars, information, or answers to be false, incorrect, or misleading or not believing them to be correct.
3. I am properly authorized to make this application on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto.
4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
5. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
6. I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.
7. It is the owner's responsibility to ensure that approval is not sought for a building or land use which will conflict with any applicable law.
8. The Municipality assesses an application on the information submitted and declarations made by the owner or on his behalf on the basis that it accepts the information so submitted and declarations so made to be correct, true, and accurate.
9. Approval granted by the Municipality on information or declarations that are incorrect, false, or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.
10. The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false, or misleading information or declarations being set aside.
11. Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or declarations made as to his or her qualification as a Competent person and/or registration as a professional.
12. A person who provides any information or certificate required in terms of Regulation A19 of the National Building Regulations and Building Standards Act No 103 of 1977 which he or she knows to be incomplete or false shall be guilty of an offence and shall be prosecuted accordingly.
13. A person who supplies particulars, information, or answers in a land use application in terms of the Stellenbosch Municipality Land Use Planning By-law knowing it to be incorrect, false, or misleading or not believing them to be correct shall be guilty of an offence and shall be prosecuted accordingly.
14. The Municipality will refer a complaint to the professional council or similar body with whom a Competent Person/professional person is registered if it has reason to believe that information submitted, or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.
15. I am aware that by lodging an application, the information in the application and obtained during the process may be made available to the public.

Applicant's signature: _____

ELTON SWARTZ

Date: 16 JUNE 2025

Full name: ELTON SWARTZ

Professional capacity: AGENT

39 UITKYK STREET

FRANSCHHOEK

22 APRIL 2025

TO: STELLENBOSCH MUNICIPALITY

SUBDIVISION OF LAND:

1. I, Daniel McCLUSKEY, The owner of Erf 39, 2.3439 Hectares, hereby apply for the Subdivision a part of the property as depicted on the proposed subdivision plan.
2. I do know the property is outside the urban edge, but this property is unsustainable in its present form for agricultural use.
3. Currently on the land is orchard trees, one cottage, one main house, one hay Barn and a paddock.
4. Therefor to subdivide into two portions would create hopefully a more sensible land use for me.
5. It can became two parcels of land that can each have a main dwelling.
6. The subdivision would include a caveat that the top piece of land would only sustain one Dwelling, and include a paddock for my donkeys, and could not be build further as proposed on the subdivision plan.
7. The bottom piece of land will only allow one 2 bedroom cottage and one 2 bedroom Dwelling and one hay Barn.
8. Therefor there would be limited building erection on each subdivided land but would allow beautification of each piece of land.
9. The subdivision will have no negative impact to the surrounding properties.
10. The proposal will have no negative impact on external engineer services, heritage, health or wellbeing of the surrounding community and traffic, parking, access and other transport related considerations.

Thank you for your attention and consideration in this matter, I remain committed to working with the municipality to ensure that my efforts align with Local Laws and contribute positively to the Stellenbosch and Franschhoek community.

I hope you find this in order.

KIND REGARDS.

Daniel McCluskey and Anne Stone

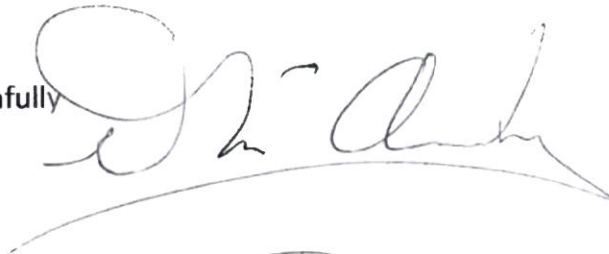
POWER OF ATTORNEY

09 APRIL 2025

TO WHOM IT MAY CONCERN

DANIEL MCCLUSKEY - 551669787
Hereby I, ANNE & STONE, ID: 5503260287188 owner of,
39 WITKYS, FRANSKHOEK, ERF 39, hereby
irrevocably authorise and appoint MR. E.J SWARTZ, ID:7305285196081 as my
lawful presentative and agent to submit my building plans to the
STELLENBOSCH Municipality Building Department & Landuse Department
and to complete and sign all the necessary documents on my behalf.

Yours faithfully






Notice of Payment

27 June 2025

Dear MR EJ SWARTZ

Subject: Notice Of Payment: Stmun. LU

Please be advised that you made a payment to Stmun. LU as indicated below.

Transaction number:	80A76BD415-4
Payment date:	2025-06-27
Payment made from:	Current account
Payment made to:	Stmun. LU
Beneficiary bank name:	FIRSTRAND
Beneficiary account number:	62869253684
Bank branch code:	250655
For the amount of:	5 450.00
Immediate interbank payment:	N
Reference on beneficiary statement:	erf 39 franschhoek

Please remember that the following applies to online banking payments to non-ABSA and Absa Vehicle and Asset Finance bank accounts.

- Payments made on weekdays before 15:30 will be credited to the receiving bank account by midnight of the same day.
- Payments made on weekdays after 15:30 will be credited by midnight of the following day.
- Payments made on a Saturday, Sunday or Public holiday will be credited to the account by midnight of the 1st following weekday.
- Payments may take up to 30 minutes to reflect in the beneficiary's Vehicle Finance Account.

If you need more information or assistance, please call us on 0860 008 600 or +2711 501 5110 (International calls).

If you have made an incorrect internet banking payment, please send an email to digital@absa.co.za

Yours sincerely

General Manager: Digital Channels

This document is intended for use by the addressee and is privileged and confidential. If the transmission has been misdirected to you, please contact us immediately. Thank you.

LYNNE BOTHA ATTORNEYS
BOX 307
TEL: (021) 469-9710

Fee endorsement		Office fee
Amount		
Purchase Price	R. 18000 000,00	R. 5169,00
Mortgage Capital Amount	R.	R.
Reason for exemption	Cat. section Art.	Exempt i.t.o. PREPARED BY ME

CONVEYANCER
BOTHA LYNNE
LPCM 82076



DEED OF TRANSFER

T8000079498 / 2024

BE IT HEREBY MADE KNOWN:

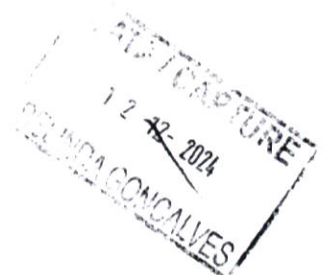
THAT LYNNE BOTHA LPCM 82076

appeared before me, Registrar of Deeds: Western Cape at Cape Town, she, the said
Apparar being duly authorised thereto by a Power of Attorney granted to her by

The Executor in the

ESTATE LATE HENRICUS FELIX CRABBE
ESTATE NUMBER 13009/2024

SIGNED AT CAPE TOWN ON THE 1ST OF OCTOBER 2024



LYNNE BOTHA ATTORNEYS
ATTORNEY NOTARY CONVEYANCER

P.O BOX 15209 VLAEBERG 8018

TEL: (021) 469-9710 ~ CELL: 083-261-8995

DEEDS OFFICE BOX 307 ~ e-mail: lynnebatt@gem.co.za

DEED OF TRANSFER NO T79498/2024

AND the said Appearer declared that on the 27TH OF AUGUST 2024 her Principal aforesaid sold the following property to the undermentioned Transferee

And that she in her capacity aforesaid did, by these presents, cede and transfer to and on behalf of

1. DANIEL MCCLUSKEY
BORN ON 22 DECEMBER 1947
UNMARRIED
2. ANNE GILLIAN STONE
IDENTITY NUMBER 550326 0287 188
UNMARRIED

Their heirs, executors, administrators or assigns, in full and free property;

REMAINDER ERF 39 FRANSCHHOEK
IN THE STELLENBOSCH MUNICIPALITY, DIVISION PAARL,
WESTERN CAPE PROVINCE

EXTENT: 2,3439 (TWO COMMA THREE FOUR THREE NINE) HECTARES

FIRST TRANSFERRED BY DEED OF TRANSFER NO 7671 DATED 17 SEPTEMBER 1914 WITH DIAGRAM ANNEXED AND HELD BY DEED OF TRANSFER NO T18519/1962

SUBJECT to the conditions referred to in Deed of Transfer No 7671 dated 17 September 1914.

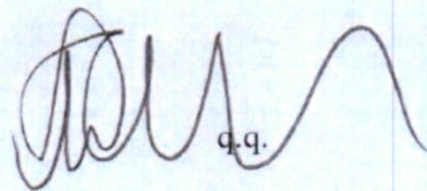
heretofore had to the premises, did, in consequence also acknowledge it to be entirely dispossessed of, and disentitled to the same; and that by virtue of these presents, the said

1. DANIEL MCCLUSKEY UNMARRIED
2. ANNE GILLIAN STONE UNMARRIED

their heirs, executors, administrators or assigns, now and henceforth shall be conformably to local custom; the State, however, reserving its rights; and finally acknowledging the whole of the purchase price amounting to R18 000 000,00 (EIGHTEEN MILLION RAND) to have been paid or secured.

In witness whereof, I, the said Registrar, together with the Appearer, q.q. have subscribed to these presents and have caused the Seal of the Office to be affixed thereto.

THUS DONE AND EXECUTED, AT THE OFFICE OF THE REGISTRAR OF DEEDS: WESTERN CAPE AT CAPE TOWN
ON THE 10th DAY OF DECEMBER 2024.

 q.q.

In my presence



Transfer Duty Declaration

TDREP

Reference Details

Transfer Duty Reference Number: TDE05EC5AE

Details

Details of Seller / Transferor / Time Share Company

Surname / Registered Name CRABBE ESTATE LATE 13009 2024
 ID Number 2506255020186
 Company / CC / Trust Reg No.

Full Name HENRICUS FELIX
 Date of Birth (CCYYMMDD) 1925-06-25
 Marital Status NOT MARRIED

Details of Purchaser / Transferee

Full Name DANIEL
 Date of Birth (CCYYMMDD) 1947-12-22
 Passport Country GB
 Marital Status NOT MARRIED

Surname / Registered Name MCCLUSKEY
 ID Number
 Passport Number 551669787
 Spouse Initials

Details of Purchaser / Transferee

Full Name ANNE GILLIAN
 Date of Birth (CCYYMMDD) 1955-03-26
 Marital Status NOT MARRIED

Surname / Registered Name STONE
 ID Number 5503260287168
 Spouse Initials

Details of the Property

Date of Transaction/Acquisition (CCYYMMDD)

2024-08-27

Total Fair Value

R

18000000.00

Total Consideration

R

18000000.00

Calculation of Duty and Penalty / Interest

Transfer Duty Payable on Natural Person R 18000000.00

Property Description

1 REMAINDER ERF 39 FRANSCHHOEK IN THE STELLENBOSCH MUNICIPALITY DIVISION PAARL WESTERN CAPE PROVINCE.
 EXTENT: 2.3435 (TWO COMMA THREE FOUR THREE NINE) HECTARES

Receipt

Receipt Details

Transfer Duty Reference Number TDE05EC5AE
 Receipt Amount R 1805600.00

Receipt No. 1201186285

Declaration by Conveyancer / Attorney

I certify that this is a true copy of the transfer duty declaration / receipt / exemption certificate drawn from the SARS eFiling site, which will be retained by me for 5 years from the date of registration of transfer.


 Please ensure you sign over the 2 lines of 'X's above

Date (CCYYMMDD)

20241203

For enquires go to
 www.sars.gov.za or call
 0800 00 SARS (7277)

BOX 307

LYNNE BOTHA ATTORNEYS
TEL (021) 469-9710 / 083-261-8995



STELLENBOSCH
STELLENBOSCH • FRIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

CERTIFICATE IN TERMS OF SECTION 118 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT No. 32 OF 2000)
(AS PRESCRIBED IN TERMS OF SECTION 120 OF ACT No. 32 OF 2000)

ISSUED BY STELLENBOSCH LOCAL MUNICIPALITY

In terms of section 118 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), it is hereby certified that all amounts that became due to Stellenbosch Local Municipality in connection with the undermentioned property situated within that municipality for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties during the two years preceding the date of application for this certificate, have been fully paid.

DESCRIPTION OF PROPERTY (see definition of property in section 1 of Act 32 of 2000)

21 Digit Code (or Municipal Reference Number): C05500030000003900000
Erven: 39
Portion: Remainder of
Extension: FRANSCHHOEK
Zoning:
Registration division / Administrative District: IN THE STELLENBOSCH MUNICIPALITY DIVISION PAARL WESTERN CAPE PROVINCE
Suburb:
Town:
Sectional Title unit number:
Exclusive use area and number as referred to on the registered plan:
Real right:
Scheme registration number:
Sectional Title Scheme Name:
Registered owner: HENRICUS FELIX CRABBE (2506255020186)
Name and Identity/ Registration Number of all purchaser/s: ANNE GILLIAN STONE (5503260287188)
DANIEL MCCLUSKEY (19471222)

This Certificate is valid until: 06/01/2025
Given under my hand at STELLENBOSCH on 07/11/2024

Digitally signed by Stellenbosch Municipality
Signee: Lazerick John Alfarian Anthony
Sign date: 11/11/2024 12:06:59.675 PM
Expiration date: 21/10/2026 01:13:53 PM



MUNICIPAL MANAGER
Stellenbosch Local Municipality

Date issued: 07/11/2024

Authorized Officer: Lazerick Anthony

Certificate By Conveyancer: LYNNE BOTHA (full name and surname) hereby certify that this is a print-out of a data message in respect of the original clearance certificate electronically issued by the Stellenbosch Local Municipality.

Conveyancer

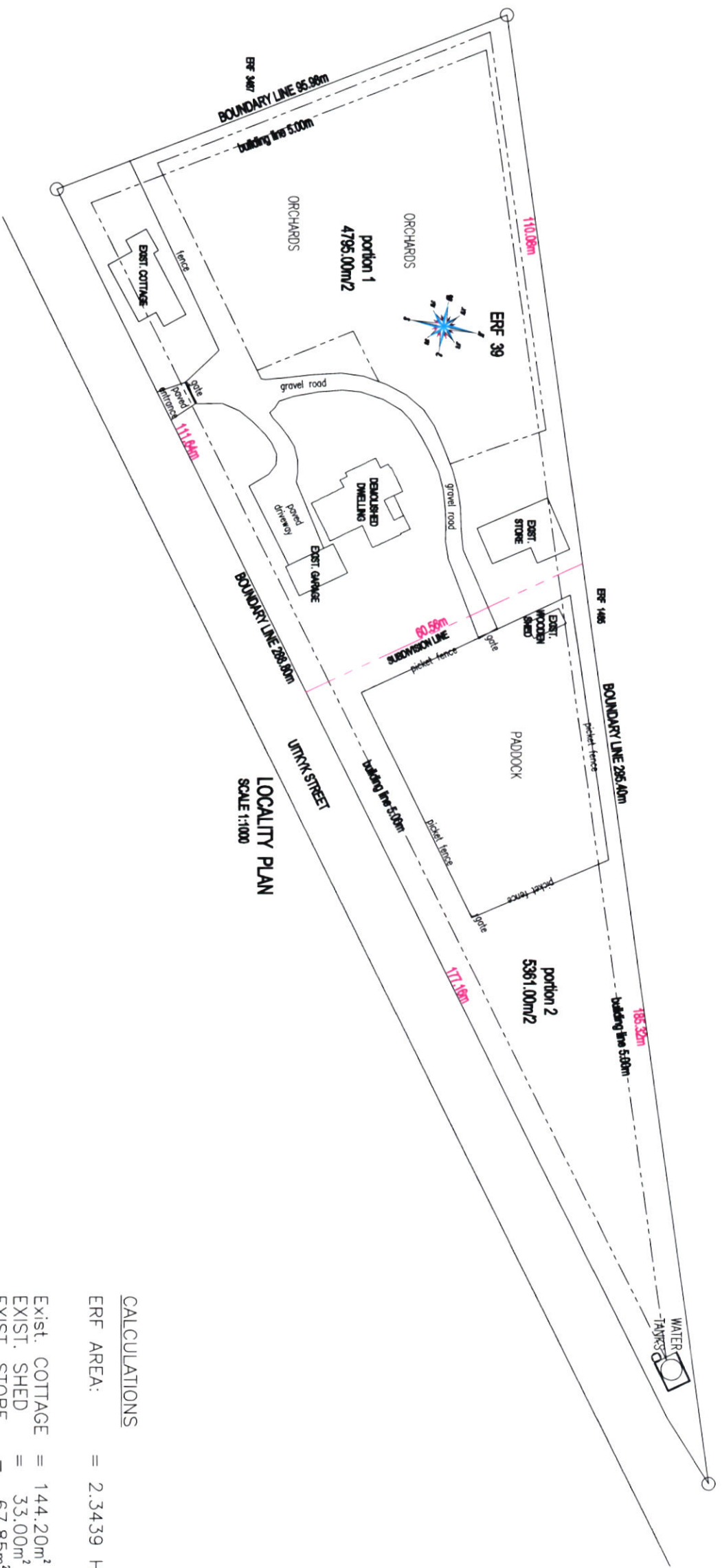
Date

11.11.2024

21 Digit Code (or Municipal Reference Number): C05500030000003900000
Certificate number: 12960058

Page 1 of 1

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CALCULATIONS

ERF AREA: = 2.3439 HECTARES

Exist. COTTAGE = 144.20m²
EXIST. SHED = 33.00m²
EXIST. STORE = 67.85m²
Building Area: = 245.05m²
COVERAGE: = 1%

Revision notes:

All work must comply with National Building Regulations and Local Authorities By-laws. Builder to work according plan and use own discretion where necessary. All levels and dimensions to be checked before any work commences. Preference to be given to written dimensions above scaling from plan.

Drawn by:

ELTON SWARTZ

Project:

PROPOSED SUBDIVISION AT
ERF 39, UITKYP STREET,
FRANSCHHOEK

Drawing

LOCALITY PLAN

Date:

2025-06-13

Scale @ A3:

1:1000

SACAP Reg. Nr.

39/2025



[EJS DRAUGHTING]

[Protea Street 02, Pretia, Stellenbosch, 7608]
[eltonswartz39@gmail.com]
[CELL: 061 8827 284]