



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/10689

Our File Reference Number: Farm 387, Stellenbosch

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: [Ulrich.Vonmolendorff@stellenbosch.gov.za](mailto:Ulrich.Vonmolendorff@stellenbosch.gov.za)

**PER E-MAIL:** [charlesw@zenithpc.co.za](mailto:charlesw@zenithpc.co.za) / [wilnaw@zenithpc.co.za](mailto:wilnaw@zenithpc.co.za)

Sir / Madam

## APPLICATION FOR SUBDIVISION ON FARM 387 STELLENBOSCH

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 made in terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-law on Farm No. 387, Stellenbosch Division;
    - 2.1.1 The subdivision of Farm No. 387, Stellenbosch Division (77,6355ha) in terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning By-law (2015) into 3 portions of;
    - 2.1.2 Unregistered Farm No. 387/40, Stellenbosch ( $\pm 1,5057$ ha – School Site – Education Zone),
    - 2.1.3 Unregistered Farm No. 387/41, Stellenbosch ( $\pm 2,9599$ ha – Agriculture and Rural Zone) and
    - 2.1.4 a Remainder ( $\pm 73,1699$ ha - Agriculture and Rural Zone);

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

- a) All existing onsite buildings, services and access roads will be sufficient for the existing school activities on the subdivided unit, although a servitude road needs to be formally registered.
- b) The proposal is in compliance with the zoning scheme regulations for the proposed uses and do not compromise the principles of the IDP and the Municipal SDF if approved.
- c) The approval of the proposal will formalize ownership to the state for the school site and would provide land for future residential expansion within the Vlothenburg Urban Edge for the local authority.
- d) It is not envisage that the approval of the proposal will impact negatively on any surrounding properties owner's property rights.

**2.2 That such approval BE SUBJECT to the following conditions in terms of Section 66 of the said Bylaw:**

- (a) The approval applies only to the subdivision in question and shall not be construed depart from any other legal prescriptions or requirements from Council and external departments;
- (b) All electrical requirements should be directed to Eskom, considering that the property falls outside the Stellenbosch area of supply.
- (c) That Servitude Diagram No. 2218/2012 is registered at the deeds office in favour of Unregistered Farm No 387/40, Stellenbosch ( $\pm 1,5057$ ha – School Site) as well, over the Unregistered Farm No 387/41, Stellenbosch Division ( $\pm 2,9599$ ha – agricultural zone property) and all required services servitudes for the existing services to the school be registered in favour of the owner of the school premises before clearance certificates are requested.
- (d) That all new erf diagrams be submitted to this municipality for record and clearances purpose.
- (e) The approval will lapse if not implemented within the time period as prescribed by the Stellenbosch Municipal Land Use Planning By-law.

3. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, 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.

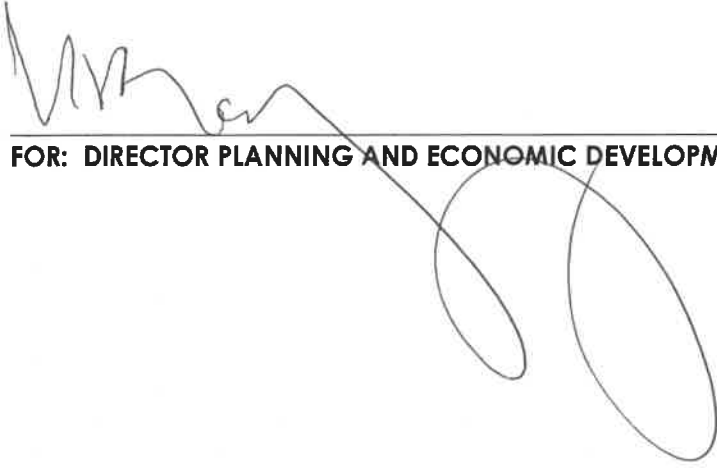
4. Appeals must be submitted with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law. The following prescribed information is accordingly required:
  - (a) The personal particulars of the Appellant, including:
    - (I) First names and surname;
    - (II) ID number;
    - (III) Company of Legal person's name (if applicable)
    - (IV) Physical Address;
    - (V) Contact details, including a Cell number and E-Mail address;
  - (b) Reference to this correspondence and the relevant property details on which the appeal is submitted.
  - (c) The grounds of the appeal which may include the following grounds:
    - (i) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000);
    - (ii) grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.
  - (d) whether the appeal is lodged against the whole decision or a part of the decision;
  - (e) if the appeal is lodged against a part of the decision, a description of the part;
  - (f) if the appeal is lodged against a condition of approval, a description of the condition;
  - (g) the factual or legal findings that the appellant relies on;
  - (h) the relief sought by the appellant; and
  - (i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;
  - (j) That the appeal includes the following declaration by the Appellant:
    - (i) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
    - (ii) That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an

application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.

5. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: Lenacia.Kamineth@stellenbosch.gov.za.
6. An applicant 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.
7. The approved tariff structure may be accessed and viewed on the municipal website (<https://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs>) and the banking details for the General Account can also be accessed on the municipal website (<https://www.stellenbosch.gov.za/documents/general/8314-stellenbosch-municipality-banking-details-1/file>).
8. An applicant who lodge 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.
9. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

10. Kindly note the above decision is suspended, and in the case of any approval, 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



A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a horizontal line.

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**FOR: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT**

18/6/20

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**DATE:**

**CC:**



[sglodgementwc@dtdl.gov.za](mailto:sglodgementwc@dtdl.gov.za)

# **ANNEXURE 2**

**Proposed Subdivisional diagrams**

*Annexure A*

STEPHEN OLD - Land Surveyors

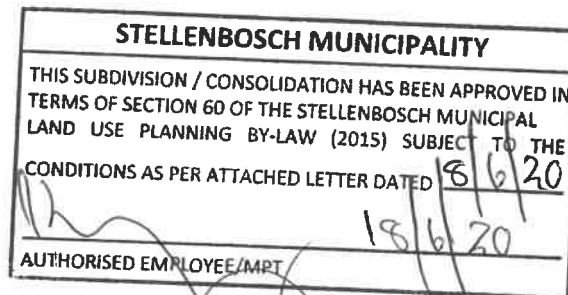
SIDES Metres		ANGLES OF DIRECTION		CO-ORDINATES Y System WG 19 <sup>0</sup> X		S.G. No.
		Constants		+ 0,00	+ 0,00	
AB	96,00	242 54 30	A	+18 834,59	+3 758 692,54	APPROVED  for Surveyor-General Date
BC	175,33	339 34 30	B	+18 749,12	+3 758 648,82	
CD	98,58	83 43 40	C	+18 687,93	+3 758 813,13	
DA	140,09	159 40 10	D	+18 785,92	+3 758 823,90	
	(148)	HELDW		+12 058,73	+3 767 943,05	SHEET 1 OF 2 SHEETS
	(334)	STEL 11		+ 6 520,29	+3 763 434,19	

Beacon Descriptions

A, B, C, D      16mm Round iron peg

Servitude Note

The figure A B C D represents a Lease Area, vide S.G. Dgrm. No. 14/1981 ; D/S No.



The figure A B C D represents 1,5057 hectares of land, being  
**PORTION 40 OF THE FARM VLOTTENBURG NO. 387**  
 Situate in the Stellenbosch Municipality  
 Administrative District of Stellenbosch  
 Province of Western Cape

Surveyed in November 2018  
 by me

*S.R. Old*

S.R. OLD (PLS 0984)  
 Professional Land Surveyor

This diagram is annexed to Deed of Number dated i.f.o.  Registrar of Deeds	The original diagram is S.G. No. 279 / 1814 annexed to Deed of Grant No. Stel. Q. 4-3	S.G. File : Stel. 387 (Vol. ) S.R. No. Comp: BHSY-42 (M3188)  LPI C0670000
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STELLENBOSCH MUNICIPALITY	
THIS SUBDIVISION / CONSOLIDATION HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015) SUBJECT TO THE CONDITIONS AS PER ATTACHED LETTER DATED 15/6/20	
	
AUTHORISED EMPLOYEE/MPT	

S.G. No.

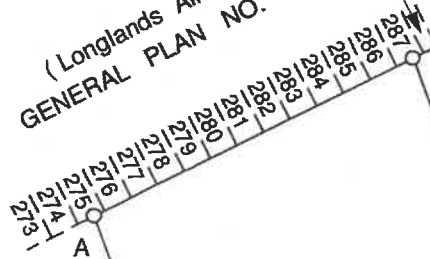
APPROVED

for  
Surveyor-General  
Date

SHEET 2 OF 2 SHEETS



( Longlands Allotment Area )  
GENERAL PLAN NO. 781 / 2015



Portion 41  
of the farm  
VLOTTENBURG  
No. 387

Portion 2  
of the farm  
No. 1307



Portion 41  
of the farm  
VLOTTENBURG  
No. 387

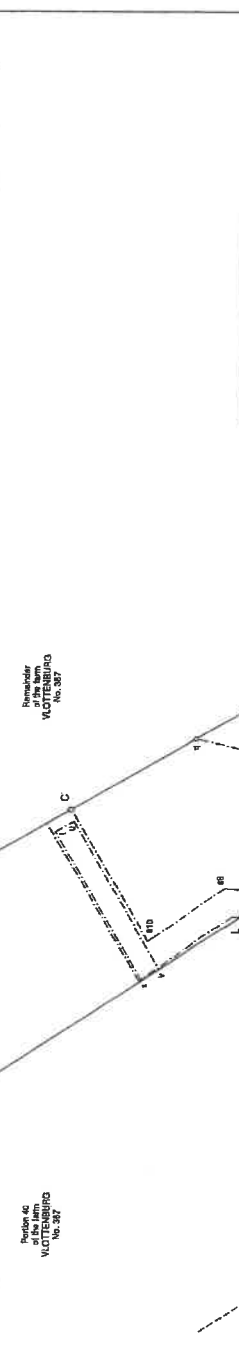
SCALE 1:2000

STEPHEN OLD - Land Surveyors

SIDES (M/MS)	ANGLES OF DIRECTION	CO-ORDINATES	
		X	Y
AB	62,97	242 58,00	A
BC	158,50	+18 749,12	B
CD	177,97	+3 738 846,82	C
DE	342 55,00	+3 738 820,20	D
EF	75,95	+18 864,51	E
FG	75,95	+3 738 841,18	F
GH	64,70	+18 864,41	G
HI	27,37	+3 738 820,20	H
IJ	80,15	+18 864,51	I
JK	131 17,30	+3 738 800,30	J
KL	150 18 10	+18 766,78	K
LA	93,93	+3 738 820,20	L
LB	175,93	+18 864,46	
<b>Servitude Data:</b>			
mm	17,28	295 41,30	m
np	122,84	+18 774,93	n
oq	253 01 10	+3 738 854,84	o
pr	122,84	+18 758,31	p
qs	38,42	+18 864,39	q
rt	342 57,00	+3 738 877,00	r
su	16,86	+18 864,39	s
tv	117 19 10	+18 858,72	t
uw	133,78	+3 738 845,14	u
vx	73 62 40	+18 858,80	v
yz	160 21 50	+18 766,78	y
za	23,96	+3 738 877,41	z
<b>Servitude Data:</b>			
(148) HELDW		+12 056,73	A
(354) STEL 11		+6 500,28	A

THE FOLLOWING DEDUCTIONS HAVE BEEN MADE FROM THIS PLAN

SURVEY RECORD	DIGRAM NUMBER	SUBDIVISION	EXTENT	DEED	INTD.



SERVITUDES / LEASES

SURVEY RECORD	DIGRAM NUMBER	DESCRIPTION	DEED	INTD.

**STELLENBOSCH MUNICIPALITY**  
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 AUTHORIZED EMPLOYEE/MPT

18/6/20  
18/6/20  
18/6/20

GENERAL PLAN NO. AP08/2010

PLAN NO. / 2018

The figure ABCDEFGHIJKL represents 2,9983 hectares of land, being **PORTION 41 OF THE FARM VLOTTERBURG NO. 387** Situated in the Stellenbosch Municipality Administrative District of Stellenbosch Province of Western Cape

SCALE 1:750

**SERVITUDE NOTES**

- The figure mnpqrs represents a Servitude Right of Way as shown.
- The figure stuvwx represents an access servitude area 85 square metres as shown.
- The figure yzabcd represents an access servitude area 85 square metres as shown.
- The figure efghijkl represents the east-western boundary of the farm as shown.
- The figure klmnop represents the Eastern boundary of a 8,00m wide access servitude as shown.
- The figure qrstuvw represents the North-western boundary of a 8,00m wide access servitude as shown.
- The figure xyzabcd represents the South-western boundary of a 8,00m wide access servitude as shown.
- The figure efghijkl represents a Lease Area.

**BEACON DESCRIPTIONS**  
 All beacons form Road 354

Surveyed in November 2018  
 by me  
*Stephen Old*  
 S.O. No. 278/1914  
 Professional Land Surveyor

This diagram is annexed to Deed of Number 278/1914 of the Land Use Planning By-Law No. 85/11, C. 4-3	The original diagram is annexed to Deed of Grant No. 85/11, C. 4-3	S.O. File: SIM 387 (Vol.)
		S.O. No. 278/1914
		Comp: BHSY-42 (M/188)
	Registrar of Deeds	LPI 0687000