

NOTICE OF LAND DEVELOPMENT APPLICATION TO INTERESTED AND AFFECTED PARTIES FOR COMMENT

Affected person's Name

Affected persons Physical Address

Dear Sir/Madam

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2015, refers:

Application Property Address: Weltevreden Estate, Welgevonden Boulevard, Cloetesville

Application Property Number: Erf 13836 Stellenbosch

Applicant: Emile van der Merwe Town Planning Consultants

Owner: Weltevreden Retief Residence (Pty) Ltd

Application Reference: LU/14142

Application Type: Consent Use

Detailed description of land use or development proposal, including its intent and purpose:

- Application for Consent Use in terms of Section 15 (2) (o) of the Stellenbosch Municipality Land Use Planning By-Law (2015) for a tourist facility to accommodate a wine tasting and sales ($\pm 100\text{m}^2$) and function venue ($\pm 150\text{m}^2$) within the existing wine cellar building as well as for the existing restaurant ($\pm 340\text{m}^2$) and for an occasional use (more than one event per year) to utilise the carnival area for cultural events (arts, drama, i.e. speech, stage, music etc. events.).

Notice is hereby given in terms of the provisions of Section 46 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 can 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 with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address;
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
 - Indicate the facts and circumstances that explain the comments;
 - Where relevant demonstrate the undesirable effect that the application will have if approved;
 - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and

- o Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: (Emile van der Merwe Town Planning Consultants: emilevdm@adept.co.za). 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 31 October 2022.

It should be noted that 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 (0845566461/021-8865050) during normal office hours.

Yours faithfully

EMILE VAN DER MERWE
EMILE VAN DER MERWE TOWN PLANNING CONSULTANTS

KENNISGEWING VAN GROND ONTWIKKELINGS AANSOEK AAN GETRESEERDE EN GEAFFEKTERDE PARTYE VIR KOMMENTAAR.

Naam van geaffekteerde persoon

Fisiese adres van geaffekteerde persoon

Geagte Meneer/Mevrou

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning, 2015, verwys:

Adres van aansoek eiendom: Weltevreden Estate, Welgevonden Boulevard, Cloetesville

Aansoek eiendom beskrywing: Erf 13836 Stellenbosch

Aansoeker: Emile van der Merwe Stadsbeplanningskonsultante

Eienaar: Weltevreden Retief Residence (Pty) Ltd

Aansoek Verwysing: LU/14142

Tipe Aansoek: Vergunningsgebruik

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

- Aansoek vir Vergunningsgebruik in terme van Artikel 15 (2) (o) van die Stellenbosch Munisipaliteit se Verordening of Grondgebruikbeplanning (2015) vir toeristefasiliteite ten einde 'n wynproe en verkope fasiliteit ($\pm 100\text{m}^2$) en funksie area ($\pm 150\text{m}^2$) binne die bestaande wynkelder te akkommodeer sowel as vir die bestaande restaurant ($\pm 340\text{m}^2$) en vir 'n geleentheidsgebruik (meer as een geleentheid per jaar) ten einde die bestaande karnival area vir kulturele geleenthede (kunste, drama, spraak, verhoog, musiek ens.) aan te wend.

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydsduur van die publieke deelname proses by die volgende adres:

<https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening wat die volgende vereistes en besonderhede moet bevat:

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.

- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsigte van die volgende aspekte:
 - Die feite en omstandighede aantoon wat die die kommentaar toelig;
 - Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;
 - Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
 - Dat die insette voldoende inligting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: (Emile van der Merwe Stadsbeplanningskonsultante: emilevdm@adept.co.za. Deur 'n beswaar, kommentaar of versoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing ingedien word en moet ontvang word voor of op die sluitingsdatum van 31 Oktober 2022.

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by (0845566461 / 886 5050) gedurende normale kantoor ure/

Die uwe

EMILE VAN DER MERWE
EMILE VAN DER MERWE STADSBEPLANNINGSKONSULTANTE



EMILE VAN DER MERWE
town planning consultants

2022-05-18

My ref: Erf 13836 Stellenbosch

Stellenbosch Municipality
Department Planning and Development
PO Box 17
STELLENBOSCH
7599
Attention: Robert Fooy

Dear Sir

APPLICATION FOR CONSENT USE: ERF 13836 STELLENBOSCH

Included hereby please find the formal submission documentation that substitutes the Pre-Scrutiny application as submitted during November 2021

Your response is kindly awaited and this office awaits the formal invoice for payment in respect of the compulsory application fees.

Your assistance is appreciated.

Yours faithfully

EMILE VAN DER MERWE
EMILE VAN DER MERWE TOWN PLANNING CONSULTANTS

Doornbosch Centre | Strand Road | PO Box 204 | Stellenbosch 7599
Tel: 021 - 886 5050 | Fax: 021 - 883 8965 | Email: emilevdm@adept.co.za

EvdM Town Planning Services CC Reg. No. 2005/162249/23
Emile van der Merwe URP(SA) B. Hon. M(URP) MSAPI

1. BACKGROUND

The Stellenbosch Municipality in terms of the former Stellenbosch Zoning Scheme Regulations (1996) read with the Land Use Planning Ordinance, 1985 granted approval for the following land uses on the property:

- Special Development to utilise the existing manor house for guest house purposes
- Temporary departure to utilise the existing wine cellar as a function venue, and
- Temporary departure for the carnival area
- Temporary departure to utilise the existing dwelling and outside seating area for restaurant purposes

The corresponding zoning certificate is attached as **Appendix 5**. The above temporary departure land use rights however will lapse during February 2023 and therefore requires consent (permanent use) as provided for in terms of the newly adopted Zoning Scheme By-Law (2019).

2. APPLICATION

In light of the above application is made for the following:

- Application for Consent Use in terms of Section 15 (2) (o) of the Stellenbosch Land Use Planning By-Law (2015) for tourist facilities to accommodate a wine tasting and sales area ($\pm 100\text{m}^2$) and function venue ($\pm 150\text{m}^2$) within the existing wine cellar building and as well as for the existing restaurant ($\pm 340\text{m}^2$); and
- Application for Consent Use in terms of Section 15 (2) (o) of the Stellenbosch Land Use Planning By-Law (2015) to utilise the carnival area for occasional use purposes.

The following report will endeavour to show that the proposal is desirable from an integrated planning point of view and that it is line with the planning policies of National- and Provincial Government as well as the planning directives endorsed in terms of the Stellenbosch Municipal Integrated Development Plan and the Stellenbosch Spatial Development Framework.

3. LOCATION AND ACCESS

The property is situated to the north west of the Welgevonden Estate and obtains direct access from the Welgevonden Boulevard. A location plan is attached as **Appendix 1**.

4. OWNERSHIP AND SIZE

The property is owned by Weltevreden Relief Residence (Pty) Ltd as held by Deed of Transfer T21986/2012. A copy of the Title Deed is attached as **Appendix 2**. The Company Resolution and Power of Attorney in favour of the applicant is attached as **Appendix 3**. The Surveyor – General diagram is attached as **Appendix 4**. The property is 3.7433 ha in extent and falls with the jurisdiction area of the Stellenbosch Municipality.

5. ZONING SCHEME REGULATIONS

The Stellenbosch Municipality Zoning Scheme By-Law as adopted by Council on 29 May 2019 has come into effect from 1 November 2019.

The property in terms of Chapter 20 of the afore-mentioned By-Law is zoned "Agricultural Rural Zone". The said base zone makes provision for various land uses as per the table below:

Primary Uses	Additional Uses (not exceeding threshold in this chapter and subject to technical approval)	Consent Uses (Application required)
<ul style="list-style-type: none"> • Agricultural building (≤2000m²) • Agriculture • Dwelling house • Forestry • Natural environment • Occasional use (one event/year) • Private road • Polytunnel (≤2000m²) • Second dwelling • Employee housing (one unit) 	<ul style="list-style-type: none"> • Agricultural building (>2000m²) • Agricultural industry (<2000m²) • Bed and breakfast establishment • Employee housing (exceeding one unit) • Guest house • Home day care centre • Home occupation practice • Polytunnel (≥2001m² and ≤5000m²) • Rooftop base telecommunication station • Tourist dwelling units • Tourist facility (existing buildings) 	<ul style="list-style-type: none"> • Abattoir • Additional dwelling units (max 4) • Airfield • Airstrip • Agricultural industry (≥2000m²) • Camping site • Day care centre • Freestanding base telecommunication station • Helicopter landing pad • Intensive feed farming • Kennel • Market • Occasional use (> one event/year) • Plant nursery • Polytunnel (>5000m²) • Renewable energy structure • Service trade • Tourist accommodation establishment • Tourist facility (new buildings or exceeding threshold) • Any additional use exceeding the threshold set out in this chapter

The proposed land uses in terms of the zoning By-Law can be accommodated as Consent Use that is defined as follows:

“tourist facilities” (toerisme fasiliteite) describes land uses that provide facilities, amenities and activities, aimed at tourists and visitors, such as shops, markets, restaurants and places of entertainment (which may be licensed to sell alcohol), outdoor sport, conference facilities, place of assembly, wellness centres and/or open spaces, and may also include ancillary uses, limited industry only related to the manufacturing of clothing, food, beverages or making of craft items and/or art, a liquor store for the sale of alcoholic beverages for off-site consumption, provided that the alcoholic beverages are produced under license on the land unit, and examples include farm stalls, farm shops, farmer’s markets, farm deli’s, wine sales, wine tasting facilities, 4x4 or mountain bike trails, cycle and hiking trails, picnic facilities, function venues, brew-pubs, craft gin distilleries, coffee roasteries, bakeries, charcuterie but excludes tourist accommodation, guest houses, bed-and-breakfast establishments and hotels;

“occasional use” (geleentheidsgebruik) is the use of a property for an event on a temporary basis for a once off, or recurring activity which is ordinarily not permitted in the base zone such as a market, place of assembly, place of worship, sport facility, place of entertainment, business, conference, place of education, community, medical, restaurant, welfare, or an activity which involves the extraordinary gathering of people over and above the normal permitted or approved uses or capacity on the property², either as a once-off, or on an intermittent basis or at regular intervals;

The development parameters are provided in the table below.

214. Building development parameters in this zone

(1) The following building lines, height, and floor area or coverage thresholds shall apply to buildings and activities within this zone:

Building type	BUILDING LINES (m) Street & common boundaries (incl. ROW servitudes)	HEIGHT (Storeys)	PRIMARY USE Maximum Coverage Threshold	ADDITIONAL USE (SDP) Maximum Coverage Threshold	CONSENT USE Maximum Coverage
Tourist facilities					
Tourist facilities: overall max limit including outdoor areas used but excluding parking.	5m	1 storey		250m ²	As approved by Municipality
-Shop in tourist facility sub-limit				120m ²	
-Manufacture and craft workshop sub-limit				50m ²	
Other Agricultural buildings					
Employee housing unit (excluding outbuildings, carport or garage)	5m	1 storey	120m ²	As approved by Municipality	
Agricultural buildings	5m	3 storeys	No overall limit on land unit	Any one building > 2000m ²	
Agricultural industry, including outdoor parking and loading areas	5m	3 storeys	n/a	<2000m ²	≥2000m ²
Polytunnels; including shade netting	5m	1 storey	≤2000m ²	≤2001m ² to 5000m ²	>5000m ²

5. PROPOSAL – SEE PLANS ATTACHED AS APPENDIX 6

The proposal is confined to existing buildings and structures on the property that has been in successful operation for the last number of years. The proposed facilities are considered an value tourist attraction that stimulates the local and broaden economy of the town and region. The provision and establishment of tourist related development is generally accepted on national, provincial and local government level as an important catalyst for local economic development with downstream and multiplier positive benefits. The development proposal is attached as Appendix 6.

6. LEGISLATIVE AND POLICY CONTEXT

6.1 Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and Western Cape Land Use Management Act (2014)

The legislative framework provides the norms and standards and guiding principles to which development applications must comply and assessed. The application inter-alia is consistent with the following guiding principles.

- Promote land development that is spatially compact, resource –frugal and within the fiscal, institutional and administrative means of the Stellenbosch Municipality.
- Protection of prime unique and high potential agricultural land
- Uphold consistency of land use measures in accordance with environmental management instruments

- Promote land development in locations that are sustainable and limit urban sprawl
- Protection of high biodiversity areas and heritage and tourism resources
- Optimise the use of resources, infrastructure, agriculture and land
- Integrate social, economic and institutional aspects of land development

The Western Cape Land Use Management Act, 2014 and the Spatial Planning and Land Use Management Act, 2013 serves as platform to guide decision-making in relation to land use and development. In this regard are the following 5 principles applicable

Spatial Justice

The proposal will not have a negative impact on the agricultural potential and farming activities.

Spatial efficiency

The proposal will make use of resources in a just and efficient manner.

Spatial resilience

The proposal is in line with the municipal IDP and spatial development framework.

Good Administration

The proposal conforms to the requirements of the Stellenbosch Planning Zoning Scheme By-Law and Stellenbosch Land Use Planning By-Law. Desirability In terms of Section 49 (d) of the Western Cape Land Use Planning Act (2014) is defined as the degree of acceptability of a specific proposal on a property within and existing natural or built environment. An important factor when assessing such a proposal is the extent to which the proposal complies with the overarching national, provincial and local planning guidelines and spatial frameworks. With reference to the development proposal your attentions in this regard is drawn to the following

LUPA

Desirability In terms of Section 49 (d) of the Western Cape Land Use Planning Act (2014) is defined as the degree of acceptability of a specific proposal on a property within and existing natural or built environment. An important factor when assessing such a proposal is the extent to which the proposal complies with the applicable provincial and local planning guidelines and spatial frameworks. With reference to the development proposal your attentions in this regard is drawn to the following:

6.2 Western Cape Provincial Spatial Development Framework (WCPSDFP)

The WCPSDF serves as guideline and puts forward proposals and strategies aimed at achieving certain provincial wide goals. The policy document is informed by the National Development Plan and related spatial policies and takes its strategic direction from the Western Cape development strategy and related policy frameworks. It also serves to guide the location and form of public investment. An important factor in this regard relates to the role which the rural economy can play in the overall



economy of the greater municipal area and is of particular relevance to the Stellenbosch area. The proposed tourist facilities present an opportunity that is aligned with the policy to allow for compatible and sustainable rural activities to the benefit of the broader good of society with positive socio-economic returns.

As far as the application is concerned, the principles contained in the WCPSDF will have to be considered to ascertain whether sustainable development is promoted. Sustainable development encompasses the integration of social, economic and ecological factors into planning, decision-making and implementation so as to ensure that development serves present and future generations. The three pillars of sustainable development, also referred to as the triple bottom line are:

- Ecological integrity
- Social Justice
- Economic efficiency

These three pillars of sustainability can be viewed as providers of the capital necessary for each subsequent pillar to function. In order to determine the desirability of a proposed development one should thus consider whether or not it is socially, economically and ecologically sustainable. The application will not have a negative impact on the 3 pillars of sustainability

Western Cape Land Use Planning Guidelines (2019): Rural Areas

The Western Cape Land Use Planning Guidelines forms part of the approved Western Cape Government: Provincial Spatial Development Framework. The objectives of the Rural Areas Guideline are to:

- Promote sustainable development in appropriate rural locations throughout the Western Cape, and ensure the inclusive growth of the rural economy.
- Safeguard priority biodiversity areas and the functionality of the Province's life supporting ecological infrastructure and ecosystem services (i.e. environmental goods and services).
- Maintain the integrity, authenticity and accessibility of the Western Cape's significant farming, ecological, coastal, cultural and scenic rural landscapes, and natural resources.
- Assist Western Cape municipalities to plan and manage their rural areas more effectively, and to inform the principles of their zoning schemes and spatial development frameworks in a pro-active manner.
- Provide clarity to all role players and partners (public and private) on the type of development that is appropriate beyond the current built-up areas, suitable locations where it could take place, and the desirable form and scale of such development.

The Guidelines supports the following:

- Accommodating a greater diversity of compatible land use activities on farms and in the rural landscape in general. Compatible activities are those that do not compromise biodiversity, farming activities, cultural and scenic landscapes, and are of an appropriate scale and form to fit in with their context in the rural landscape.



- Activities or land uses of appropriate scale that do not detract from farming production, that diversify farm income, and add value to locally produced products, e.g.: farm tourism; Restaurant and function venue facility;

The proposal conforms to the following guidelines:

- The proposed facility is located in an area that does not impact on the agricultural activities as well as wetlands, floodplains and other important natural vegetation.
- The proposal is confined to existing buildings and structures on the property.
- The cumulative effect of all ancillary and non-agricultural land uses will not detract from the rural character of the landscape and the primary agricultural activities.
- The facility will not detract from the functionality and integrity of farming practices and landscapes and is considered to be of an appropriate scale and form.
- The facility is appropriate in a rural context and it will generate positive socio-economic returns, and do not compromise the environment or ability of the municipality to deliver on its mandate.
- The facility is of appropriate scale compatible with the farmstead precinct and the surrounding rural context

The development proposal put forward in the application is consistent, in line and will give practical effect to the Rural Land Use Guidelines that have been adopted by the Western Cape Government: Department of Environmental Affairs and Development Planning.

6.3 Western Cape Strategic Plan 2014-2019

Vision

"We need to transform the nature and performance of the economy to simultaneously achieve sustained GDP growth, greater environmental resilience, and much better inclusion reflected in radically lower unemployment, poverty and inequality. A Highly skilled Innovation-driven Resource-efficient Connected High Opportunity Society For All"

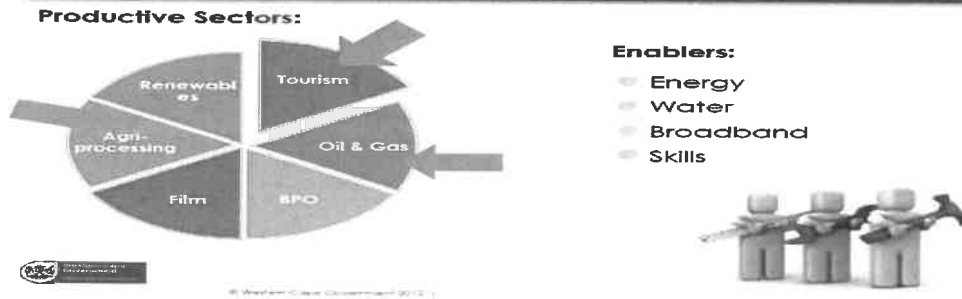
Provincial Strategic Goals



Western Cape Economic Drivers

PSG 1: Create opportunities for growth and jobs

PROJECT KHULISA ("to grow")



From the above information it is clear that the Provincial Government Western Cape in terms of their Provincial Spatial Development Framework and Strategic Plan has placed as specific emphasis on the importance of the tourism industry as key sector in growing and sustaining the economic base of the region.

6.4 Stellenbosch Spatial Development Framework

The Stellenbosch SDF has been approved by Council during November 2019 is founded on the principles of the Spatial Planning and Land Use Management Act, the Western Cape Land Use Planning Act, the National Development Plan, the National Heritage Resources Act, the Environmental Management Act, as well as the Stellenbosch Municipal Integrated Development Plan. The SDF places a renewed and key focus on the protection of agricultural and farming land and the conservation of the natural and biodiversity areas. The property is located outside the urban to which the following principles apply:

- Land outside the urban edge should be used for agricultural production, biodiversity, conservation, scenic quality and agri-tourism;
- Intensification of agriculture, biodiversity, conservation and agri-tourism should be promoted in farming areas outside of urban settlements
- Tourism facilities preferably should make use of existing buildings or new buildings on disturbed footprints and these should take the natural and heritage significance of the site into account.

The proposal is consistent with the above principles and objectives of the SDF. It in fact in is in support with the development principles of spatial justice, spatial sustainability, efficiency and spatial resilience.

7. TRAFFIC IMPACT

Access to the facility is obtained from the existing approved access off Welgevonden Boulevard. It is envisaged that that the additional land use rights (wine tasting and sale = $\pm 100\text{m}^2$) will not impact negatively on the traffic volumes and flow to the property and the surrounding road network.



8. SERVICES

The development will not require any additional services since the land uses have been in operation on the property for the last number of years.

9. CONCLUSION

The development proposal is consistent and complies with the criteria set out in Chapter V of the Stellenbosch Land Use Planning By-Law (2015) with reference to the following:

- The proposal is consistent with the Integrated Development plan and the Spatial Development Framework of the Stellenbosch Municipality;
- The activities are confined to the existing buildings and structures on the property.
- The new building will not impact on the production capacity of the farming unit.
- The proposal is subservient to the main farming agricultural activities;
- The proposal conforms to the objectives of the National Development Plan and the Provincial Spatial Development Framework and Strategic Action Plan with reference to growing the local economy by means of tourism related development
- The proposal conforms to the matters referred to in Section 42 of the Spatial Planning and Land Use Management Act and the principles referred to in Chapter VI of the Land Use Management Act, and
- The proposal is in line with the provisions of the Stellenbosch Zoning Scheme By-Law and associated development parameters.

The proposal is in line to the following parameters of the zoning scheme:

In light of the above report and supporting documentation it is trusted that the Stellenbosch Municipality favourably will consider the application on Erf 13836 Stellenbosch Division.

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APPENDIX 1
LOCATION PLAN

Erf 13836



Legend



Scale: 1:36 112

Date created: October 22, 2021

Compiled with CapeFarmMapper



Western Cape
Government

Agriculture

APPENDIX 2

TITLE DEED



This report is compiled exclusively from the very latest data directly supplied to WinDeed by the Deeds Office.

Any personal information obtained from this search will only be used as per the Terms and Conditions agreed to and in accordance with applicable data protection laws including the Protection of Personal Information Act, 2013 (POPI), and shall not be used for marketing purposes.

** ASTERISKS INDICATE THE INFORMATION IS ENRICHED FROM THE WINDEED DATABASE.

SEARCH CRITERIA

Search Date	2022/05/18 11:24	Erf Number	13836
Reference	-	Portion Number	-
Report Print Date	2022/05/18 11:24	Township Remaining Extent	NO
Township	STELLENBOSCH	Search Source	Deeds Office
Deeds Office	Cape Town		

PROPERTY INFORMATION

Property Type	ERF	Diagram Deed Number	T72948/2001
Township	STELLENBOSCH	Local Authority	STELLENBOSCH MUN
Erf Number	13836	Province	WESTERN CAPE
Portion Number	0	Remaining Extent	NO
Registration Division	NOT AVAILABLE	Extent	3.7433H
Previous Description	-	LPI Code	C06700220001383600000
Suburb / Town**	-	Co-ordinates (Lat/Long)**	-33.898258 / 18.851326

OWNER INFORMATION (1)

WELTEVREDEN RETIEF RESIDENCE PTY LTD			Owner 1 of 1
Company Type**	COMPANY	Document	T21986/2012
Registration Number	200000178807	Microfilm / Scanned Date	-
Name	WELTEVREDEN RETIEF RESIDENCE PTY LTD	Purchase Price (R)	9 500 000
Multiple Owners**	NO	Purchase Date	2012/01/27
Multiple Properties**	NO	Registration Date	2012/05/17
Share (%)	-		

ENDORSEMENTS (6)

#	Document	Institution	Amount (R)	Microfilm / Scanned Date
1	B12407/2012	INVESTEC BANK LTD	6 010 000	-
2	B9500/2021	INVESTEC BANK LTD	4 200 000	-
3	K51/2008S	-	-	-

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ENDORSEMENTS (6)				
#	Document	Institution	Amount (R)	Microfilm / Scanned Date
4	CONSOLIDATE FROM	TOWN STELLENBOSCH ,ERF 13835 ,PRTN 0	-	-
5	CONSOLIDATE FROM	TOWN STELLENBOSCH ,ERF 13033 ,PRTN 0	-	-
6	CONSOLIDATE FROM	TOWN STELLENBOSCH ,ERF 13034 ,PRTN 0	-	-

HISTORIC DOCUMENTS (2)				
#	Document	Institution	Amount (R)	Microfilm / Scanned Date
1	T72948/2001	CHRISTOPHER PEEL TRUST	CCT	-
2	T21986/2012	SEASCAPE GUESTHOUSES PTY LTD	9 500 000	-

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Chennells Albertyn Attorneys
18 Greenwich Grove, Station Road
RONDEBOSCH
7700

Prepared by me

[Signature]
CONVEYANCER
HORN UJP

Fee exemption		Office fee
	Amount	
Purchase price/Value	R. 9500 000,00	R. 1500,00
Mortgage capital Amount	R.	R.
Reason for exemption	Exempt i.t.o	
	Cat.	section. Art.

77 free

WELTEKREDEN REEF RESIDENCE

BC 000074840-7232

13 APR 2012

000021906/2012

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

JACOBUS JOHANNES PETRUS HORN

appeared before me, REGISTRAR OF DEEDS at Cape Town, the said appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at Stellenbosch on 8 March 2012 granted to him by

The Trustees for the time being of the CHRISTOPHER PEEL TRUST
Registration Number T541/84

DATA / CAPTURE
22 MAY 2012
BARLOW M

VIP REGISTRAR KVK BLADSY
FC

DATA / VER...
31 MAY 2012
VAN WYK J... Convey 13.8.0.3

[Handwritten mark]

And the appearer declared that his said principal had, on 27 January 2012, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

SEASCAPE GUESTHOUSES PROPRIETARY LIMITED
Registration Number 2000/001788/07

or its Successors in Title or assigns,

ERF 13836 STELLENBOSCH
IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH
WESTERN CAPE PROVINCE

IN EXTENT 3,7433 (THREE COMMA SEVEN FOUR THREE THREE)
HECTARES

FIRST registered and still held by Certificate of Consolidated Title Number
T72948/2001 with Diagram SG No. 4891/2000 relating thereto.

1. As regards the figure ABnimK on the said diagram:

A. **SUBJECT** to the conditions imposed on the land which are hereby transferred, as contained in Certificate of Consolidated Title Number T72948/2001, as follows:

(a) The benefits arising from the conditions contained in the Notarial Deed and Order of Court annexed to the said Deed of Transfer dated 6th February 1908 No 576 and referred to in the endorsement thereon dated 29th June 1920 which reads:

"By Notarial Deed dated 7th June 1920 and also by virtue of Order of Court dated 23rd April 1920 certain water rights and right of entry have been granted to and in favour of property thereby conveyed by the owner of the property dated 24th June 1920 subject to conditions."

(b) The benefits of the conditions referred to in the endorsement dated 5th November 1930 on the Deed of Transfer No 8881 dated the 8th September 1926, and contained in the Notarial Deed thereto annexed reading:

"By Notarial Deed dated 3rd and 04/10/1930 the owner of the land conveyed hereunder and of the land conveyed by Transfer 4192/1925 have agreed for themselves to define the word furrow as used in paragraph 6 of the Notarial Deed of Servitude dated 7th June 1920 annexed to Transfer 8863 dated 24/06/1920 so that it shall indicate the existing short furrow leading from the small stock dam to the adjacent watercourse as shown on the diagram annexed to the said Transfer 4192/1925 and marked K.I as will more fully appear on the reference to the copy annexed hereto."

B SUBJECT FURTHER:

To the condition contained in the Certificate of Uniform Title dated 30th May 1939 No.5474, namely:-

"The aforesaid land called Weltevrede No is subject to no other conditions of tenure or reservations in favour of the Government than the following:

- (a) **NOT SUBJECT** to condition B (a) on page 4 of Certificate of Consolidated Title Number T72948/2001, by virtue of Section 53 of the Mining Titles Registration Amendment Act 24 of 2003.
- (b) That the Government shall at all times have the right of resuming a portion or the whole of the said land if required for public purposes, on payment to the proprietor or such sum of money in compensation as may be mutually agreed upon by the parties concerned or failing such agreement, as may be determined by arbitration.

(C) SUBJECT FURTHER

To the servitude referred to in the endorsement dated 30th May 1939 on the said Certificate of Uniform Title No 5474 dated the 30th May 1939, reading as follows:

"By Transfer No 5475 dated 30th May 1939 the owner of the property thereby conveyed shall be entitled to the use of a road 20 feet wide over the remainder of the property held hereunder as will more fully appear on reference to the said Transfer."

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JA

II. As regards the figure KmnCDp on the said diagram:

A. SUBJECT to the conditions imposed on the land marked z x y G v B C D E x z H J and A B C D E F G H J K on diagram No 6098/1995, portion of which are hereby transferred, as contained in Certificate of Consolidated Title Number T72948/2001, as follows:

(a) The benefits arising from the conditions contained in the Notarial Deed and Order of Court annexed to the said Deed of Transfer dated 6th February 1908 No 576 and referred to in the endorsement thereon dated 29th June 1920 which reads:

"By Notarial Deed dated 7th June 1920 and also by virtue of Order of Court dated 23rd April 1920 certain water rights and right of entry have been granted to and in favour of property thereby conveyed by the owner of the property dated 24th June 1920 subject to conditions."

(b) The benefits of the conditions referred to in the endorsement dated 5th November 1930 on the Deed of Transfer No 8881 dated the 8th September 1926, and contained in the Notarial deed thereto annexed reading:

"By Notarial Deed dated 3rd and 04/10/1930 the owner of the land conveyed hereunder and of the land conveyed by Transfer 4192/1925 have agreed for themselves to define the word furrow as used in paragraph 6 of the Notarial Deed of Servitude dated 7th June 1920 annexed to Transfer 8863 dated 24/06/1920 so that it shall indicate the existing short furrow leading from the small stock dam to the adjacent watercourse as shown on the diagram annexed to the said Transfer 4192/1925 and marked K.I. as will more fully appear on the reference to the copy annexed hereto.

(B) SUBJECT FURTHER:

To the condition contained in the Certificate of Uniform Title dated 30th May 1939 No 5474, namely:-

"The aforesaid land called Weltevrede No is subject to no other conditions of tenure or reservation in favour of the Government than the following:

(a) **NOT SUBJECT** to condition B (a) on page 6 of Certificate of Consolidated Title Number T72948/2001, by virtue of Section 53 of the Mining Titles Registration Amendment Act 24 of 2003.

(b) That the Government shall as all times have the right of resuming a portion or the whole of the land if required for public purposes, on payment to the proprietor or such sum of money in compensation as may be mutually agreed upon by the parties concerned or failing such agreement, as may be determined by arbitration.

C. SUBJECT FURTHER:

To the conditions referred to in the endorsement on Deed of Transfer No T80053/1995, which endorsement reads as follows:

Endorsement in terms of Section 13(3) of Act 28/1969 (National Monuments Act). In terms of section 10(1) of Act 28/1969, the Property known as the Weltevreden farm, including all the historic buildings thereon has been proclaimed as a National Monument by Proclamation No 1429 dated 13 November 1998 as in Government Gazette No 19446/98. For further particulars refer to said proclamation from the Director N.M.C. filed with 118681/1998I.

III. As regards the figure HJpEFG on the said diagram:

A. **SUBJECT** to the conditions imposed on the land marked x B C D E and A B C D E F on diagram No 9356/1995, portion of which are hereby transferred, as contained in Certificate of Consolidated Title Number T72948/2001, as follows:

(a) The benefits arising from the conditions contained in the Notarial Deed and Order of Court annexed to the said Deed of Transfer dated 6th February 1908 No 576 and referred to in the endorsement thereon dated 29th June 1920 which reads:

"By Notarial Deed dated 7th June 1920 and also by virtue of Order of Court dated 23rd April 1920 certain water rights and right of entry have been granted to and in favour of property thereby conveyed by the owner of the property dated 24th June 1920 subject to conditions."

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- (b) The benefits of the conditions referred to in the endorsement dated 5th November 1930 on the Deed of Transfer No 8881 dated the 8th September 1926, and contained in the Notarial Deed thereto annexed reading:

"By Notarial Deed dated 3rd and 04/10/1930 the owner of the land conveyed hereunder and of the land conveyed by Transfer 4192/1925 have agreed for themselves to define the word furrow as used in paragraph 6 of the Notarial Deed of Servitude dated 7th June 1920 annexed to Transfer 8863 dated 24/06/1920 so that it shall indicate the existing short furrow leading from the small stock dam to the adjacent watercourse as shown on the diagram annexed to the said Transfer 4192/1925 and marked K.I. as will more fully appear on the reference to the copy annexed hereto."

B. SUBJECT FURTHER:

To the condition contained in the Certificate of Uniform Title dated 30th May 1939 No 5474, namely:-

"The aforesaid land called Weltevrede No is subject to no other conditions of tenure or reservation in favour of the Government than the following:

- (a) **NOT SUBJECT** to condition B (a) on page 8 of Certificate of Consolidated Title Number T72948/2001, by virtue of Section 53 of the Mining Titles Registration Amendment Act 24 of 2003.
- (b) That the Government shall at all times have the right to resuming a portion or the whole of the said land if required for public purposes, on payment to the proprietor or such sum of money in compensation as may be mutually agreed upon by the parties concerned or failing such agreement, as may be determined by arbitration.

As regards the whole property:

IV. SUBJECT FURTHER to an endorsement dated 18 January 2008:

By Notarial Deed No. K 51/2008:

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Suzi

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The withinmentioned property is entitled to:

- (a) a right of way over Erf 15686 Stellenbosch as indicated by the broken line j1k1 on Diagram S.G. No. 4551/2006 annexed to and held by Certificate of Registered Title No. T3283/2008; and
- (b) a right of way over the entire Erf 15687 Stellenbosch held by Certificate of Registered Title No. T3284/2008; and
- (c) a right of way over Erf 15688 Stellenbosch as indicated by the line ABC, which line represents the north western boundary of an access servitude, 10 metres wide on Diagram S.G. No. 4553/2006 annexed to and held by Certificate of Registered Title No. T3285/2008.

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WHEREFORE the said Appearer, renouncing all right and title which the said

**The Trustees for the time being of the CHRISTOPHER PEEL TRUST
Registration Number T541/84**

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

**SEASCAPE GUESTHOUSES PROPRIETARY LIMITED
Registration Number 2000/001788/07**

or its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R9 500 000,00 (NINE MILLION FIVE HUNDRED THOUSAND RAND).

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at Cape Town on 17 May 2012

In my presence

REGISTRAR OF DEEDS

APPENDIX 3
RESOLUTION AND POWER OF ATTORNEY

RESOLUTION HELD ON 2022-05-12

WELTEVREDEN RETIEF RESIDENCE (PTY) LTD : ERF 13836 STELLENBOSCH
REG NO 2000/001788/07

ANNARETTE BLOM in her capacity as Director is hereby authorized to sign on behalf of the Company pertaining to the land use application on Erf 13836, Stellenbosch



ANNARETTE BLOM
DIRECTOR

DIRECTOR

POWER OF ATTORNEY

I, the undersigned, **ANNARETTE BLOM** in my capacity as the lawful Agent of, **WELTEVREDEN RETIEF RESIDENCE (PTY) LTD**, the registered owner of **ERF 13836, STELLENBOSCH** do hereby nominate, constitute, and appoint:

EMILE VAN DER MERWE

of the firm Emile van der Merwe Town Planning Consultants, with the power of Substitution, to be my / our lawful Agent in my / our name, place, and stead, to make the necessary applications for the following:

CONSENT USE AND TECHNICAL APPROVAL IN TERMS OF THE STELLENBOSCH LAND USE PLANNING BY-LAW

on the above-mentioned property and to proceed with any required survey work to the final end and termination thereof and generally for effecting the purposes aforesaid, to do or cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes, as I / we might or could do if personally present and acting herein – hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever my / our said Agent shall lawfully do, or cause to be done.

DATED AT BLOUBERGSTRAND ON THIS THE 19TH DAY OF MAY 2021.



ANNARETTE BLOM

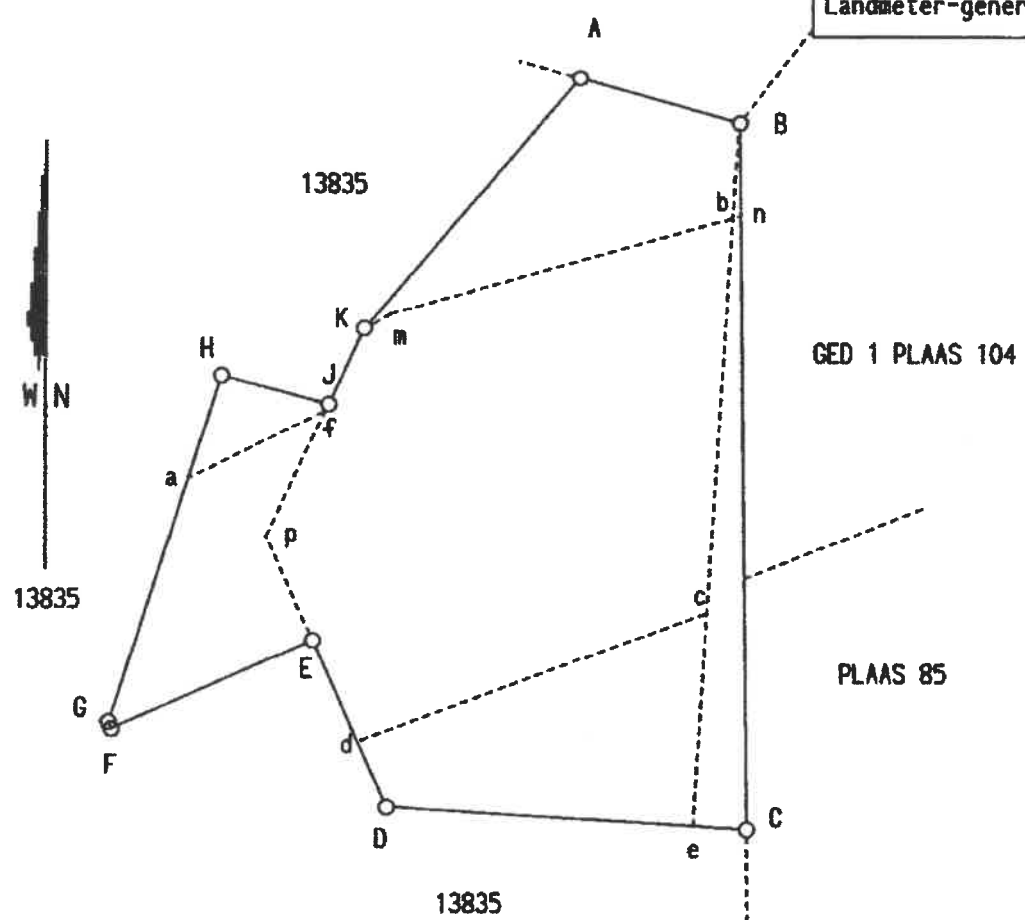
DIRECTOR

APPENDIX 4
SG DIAGRAM

Komponente

- 1. Die figuur ABnmK stel voor ERF13835 STELLENBOSCH
Sien Kaart Nr. 4890/2000 *Restant*
- 2. Die figuur KmCDp stel voor ERF ~~RESTANT~~ 13033 STELLENBOSCH
Sien Kaart Nr. 6098/1995 *DTA 1995- -80053*
- 3. Die figuur HJpEFG stel voor ERF ~~RESTANT~~ 13034 STELLENBOSCH
Sien Kaart Nr. 9356/1995 TA 1996- -14475

L.G. No.
4891/2000
Goedgekeur
[Signature]
n 2000.12.04
Landmeter-generaal



Nota

Nasionale Monument

Die figuur KmCDp onderhewig aan NASMON vide GN 1429 dd 13/11/1998 Gazette No. 19446

SKAAL 1 : 2500

Die figuur ABCDEFGHJK
stel voor 3.7433 hektaar

grond, synde

ERF13836 STELLENBOSCH en bevat 1.- 3. soos hierbo

gelee in die Stellenbosch Munisipaliteit
Administratiewe Distrik Stellenbosch
Saamgestel in Augustus 2000
deur my

Provinsie Wes Kaap

[Signature]
D P Burger Pr Landmeter PLS 0080

Hierdie kaart is geheg aan
No. cc1 72948 | 2001
Gedateer
t.g.v.

Die oorspronklike kaarte is
soos hierbo.

Leer No. *Stel 82 (Vol 2)*
M.S. No. *Saamgestel*
Komp. BH- 8DAB (3775)
BHSZ-1332(M3212)

Registrateur van Aktes

S

APPENDIX 5
ZONING CERTIFICATE



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Our Ref : 13836
Contact per : A Gwintsa
Contact no : (021) 808 8681
Date : 12 April 2021

ZONING CERTIFICATE –ERF 13836, STELLENBOSCH

It is hereby certified that the zoning of Erf 13836 Stellenbosch, in terms of the Stellenbosch Municipality Zoning Scheme By-Law 2019 is:

Agriculture and Rural Zone

- **Additional use; to use the Historical Homestead for a six bedroom guest house**
- **With a Temporary departure to use the Jonkershuis as a restaurant and an outside seating area of (±100m²) and the adjoining area as a (carnival) children's play area of (±100m²)**

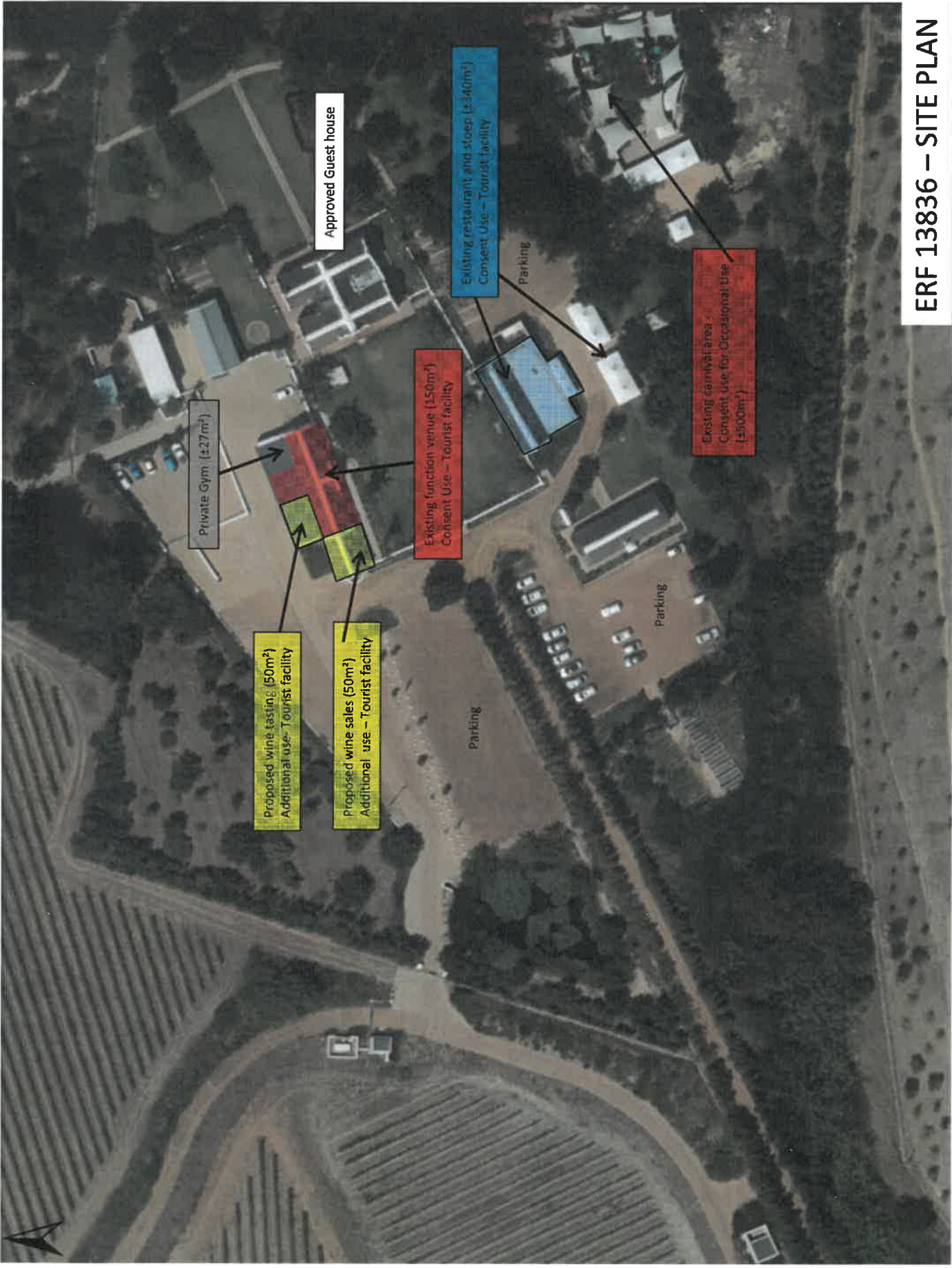
Primary Uses	Additional Uses (technical approval)	Consent Uses (application required)
Agricultural building (≤2000m ²) Agriculture Dwelling house Forestry Natural Environment Occasional use (one event/year) Private road Polytunnel (≤2000m ²) Second dwelling Employee housing (one unit)	Agricultural building (≥2000m ²) Agricultural Industry (≤2000m ²) Bed and Breakfast establishment Employee housing (exceeding one unit) Guest house Home day care center Home occupation practice Polytunnel (≥2001m ² and ≤5000m ²) Rooftop base telecommunication station Tourist dwelling units Tourists facility (existing buildings)	Abattoir Additional dwelling units (max 4) Airfield Airstrip Agricultural Industry (≥2000m ²) Camping Site Day care center Freestanding base telecommunication station Helicopter landing pad Intensive feed farming Kennel Market Occasional Use (≥ one event /year) Plant nursery Polytunnel (≥5000m ²) Renewable energy structure Service Trade Tourist accommodation establishment Tourist facility (new buildings or exceeding threshold) Any additional use exceeding the threshold set out in this chapter


pp **Director: Planning and Economic Development**

Please Note: Where discrepancies exist between the zoning information contained in this certificate and any Council decision, Council's decision override the contents of this zoning certificate.

Page 1 of 1

APPENDIX 6
PLANS



ERF 13836 – SITE PLAN

Farm 104

Erf 13835

Erf 13836
3.74 ha

Erf 13835

Portion 1 Farm 104

Erf 13835

Farm 85

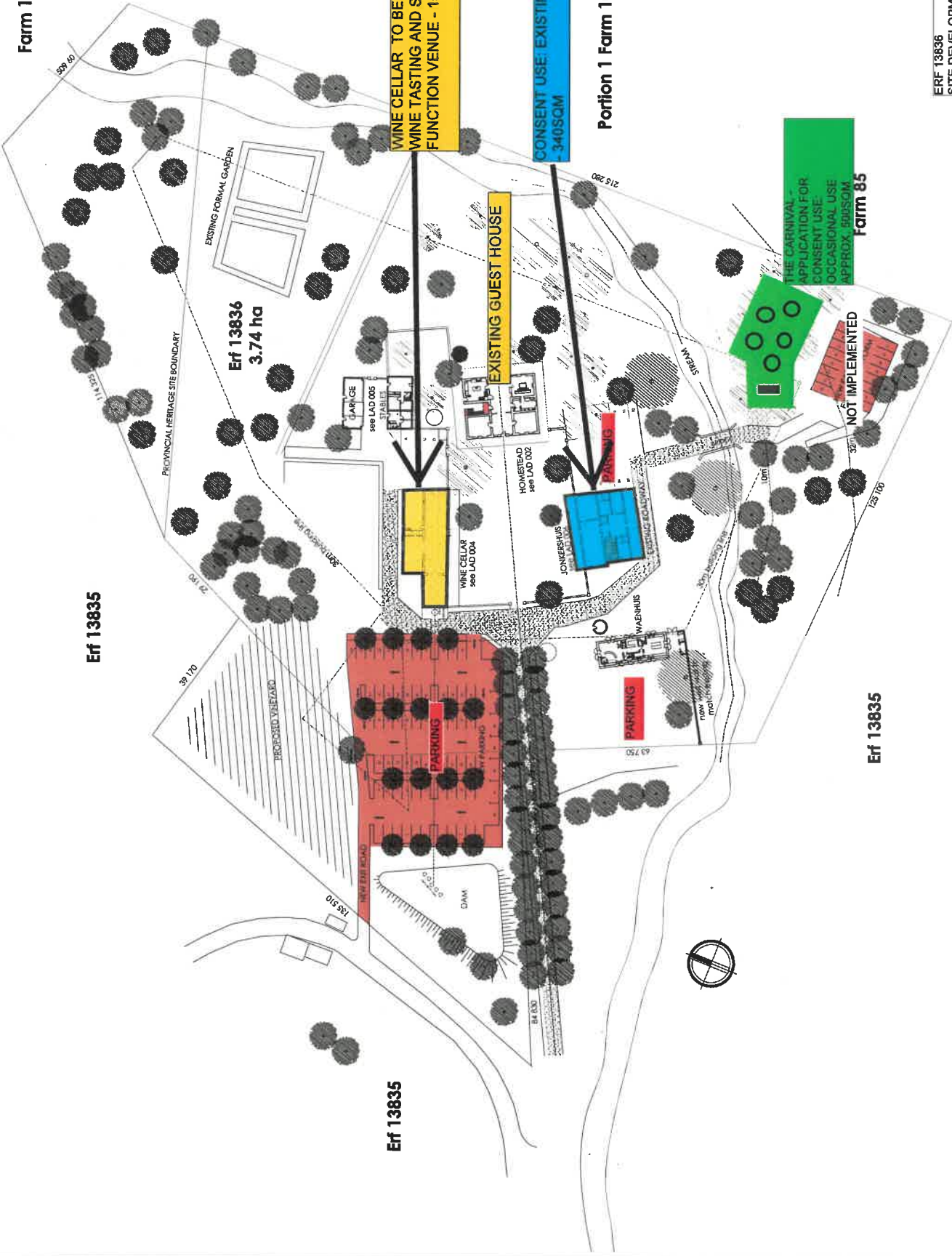
WINE CELLAR TO BE USED AS TOURIST FACILITY
WINE TASTING AND SALES - 100SQM
FUNCTION VENUE - 150SQM

CONSENT USE EXISTING RESTAURANT
- 340SQM

EXISTING GUEST HOUSE

THE CARNIVAL -
APPLICATION FOR
CONSENT USE
OCCASIONAL USE
APPROX. 500SQM

NOT IMPLEMENTED



MUNICIPAL DRAWINGS

hb architects
HEMANN ASSOCIATES CC
3 Herbyde street
Stellenbosch
7600
☎ +27 (0)21 887 9153
☎ +27 (0)21 887 9154
hemannassociates.co.za
info@hbarchitects.co.za

Welleveden Reef Residence

WELTVEEDEN
Erf 13836
Stellenbosch

SITE DEVELOPMENT PLAN

ERF 13836
SITE DEVELOPMENT PLAN
OCTOBER 2021

Scale	500	Scale	July '12	Scale	AC	Scale	SH
Scale	1:200	Scale	LAD 001	Scale		Scale	A

APPENDIX 7
COMPLETED APPLICATION FORM



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

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

SUBMIT COMPLETED FORM TO landuse.applications@stellenbosch.gov.za

LAND USE PLANNING APPLICATION FORM

(Section 15 of the Stellenbosch Municipal Land Use Planning By-Law (2015) and other relevant legislation)

KINDLY NOTE: Please complete this form using BLOCK letters and ticking the appropriate boxes.

PART A: APPLICANT DETAILS

First name(s)	Emile				
Surname	van der Merwe				
Company name (if applicable)	Emile van der Merwe Town Planning				
Postal Address	PO Box 204				
	Stellenbosch	Postal Code	7599		
Email	emilevdm@adept.co.za				
Tel	021 886 5050	Fax	021 8838965	Cell	0845566461

PART B: REGISTERED OWNER(S) DETAILS (if different from applicant)

Registered owner(s)	Weltevreden Retief Residence Pty Ltd				
Physical address	Welgevonden Boulevard				
	Stellenbosch	Postal code	7600		
E-mail	info@weltevredenestate.com				
Tel	0218896588	Fax		Cell	

PART C: PROPERTY DETAILS (in accordance with title deed)

Erf / Erven / Farm No.	Erf 13836	Portion(s) if Farm		Allotment area	Stellenbosch		
Physical Address	As above						
Current Zoning	Agricultura/Rural zone with consent use and departures	Extent	3.7433 ha	m ² / ha	Are there existing buildings?	Y	N
Applicable Zoning Scheme	Stellenbosch zoning scheme by-law						

Current Land Use	Agriculture, restaurant, guest house, functions and children play area										
Title Deed number and date	T	21986/2012									
Attached Conveyance's Certificate	Y	N	Any Restrictions into the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate								
Are the restrictive conditions in favour of a third party(ies)?	Y	N	If Yes, list the party(ies):								
Is the property encumbered by a bond?	Y	N	If Yes, list the bondholder(s):								
Is the property owned by Council?	Y	N	If Yes, kindly <u>attach a power of attorney</u> from the Manager Property Management								
Is the building located within the historical core?	Y	N	Is the building older than 60 years?	Y	N	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹	Y	N	If Yes, kindly indicate which section are triggered and attached the relevant permit if applicable.		
Any existing unauthorized buildings and/or land use on the subject property(ies)?	Y	N	If yes, is this application to legalize the building / land use ² ?				Y	N			
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	Y	N	Are there any land claim(s) registered on the subject property(ies)?				Y	N			
PART D: PRE-APPLICATION CONSULTATION											
Has there been any pre-application consultation?	Y	N	If Yes, please attach the minutes of the pre-application consultation.								
Has the pre-application scrutiny form been submitted?	Y	N	If yes, please attach the written feedback received.								
PART E: LAND USE PLANNING APPLICATIONS AND APPLICATION FEES PAYABLE											
APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)											
Tick	Type of application: Cost are obtainable from the Council Approved tariffs										
	15(2)(a) rezoning of Land										
	15(2)(b) a permanent departure from the development parameters of the zoning scheme										
	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 applicable to the land										
	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										
	15(2)(e) a consolidation of land that is not exempted in terms of section 24										
	15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit										
	15(2)(g) a permission required in terms of the zoning scheme										

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 (2015)

	15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval
	15(2)(i) an extension of the validity period of an approval
	15(2)(j) an approval of an overlay zone as contemplated in the zoning scheme
	15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram
	15(2)(l) a permission required in terms of a condition of approval
	15(2)(m) a determination of a zoning
	15(2)(n) a closure of a public place or part thereof
x	15(2)(o) a consent use contemplated in the zoning scheme
	15(2)(p) an occasional use of land
	15(2)(q) to disestablish a home owner's association
	15(2)(r) to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services
	15(2)(s) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building
	15(2)(6) when the Municipality on its own initiative intends to conduct land development or an activity
	15(2)(l) amendment of Site Development Plan
	15(2)(l) Compilation / Establishment of a Home Owners Association Constitution / Design Guidelines

OTHER APPLICATIONS

	Deviation from Council Policies/By-laws	R
	Consent / Permission required in terms of a title deed	R
X	Technical approval in terms of the Zoning Scheme Bylaw, 2019	R
	Other (specify): _____	R
TOTAL A:		R

PRESCRIBED NOTICE AND FEES (for completion and use by official)**

Tick	Notification of application in media	Type of application	Cost
	SERVING OF NOTICES	Delivering by hand; registered post; electronic communication methods	R
	PUBLICATION OF NOTICES	Local Newspaper(s); <i>Provincial Gazette</i> ; site notice; Municipality's website	R
	ADDITIONAL PUBLICATION OF NOTICES	Site notice, public meeting, local radio station, Municipality's website, letters of consent or objection	R
	NOTICE OF DECISION	<i>Provincial Gazette</i>	R
	INTEGRATED PROCEDURES	T.B.C	R
TOTAL B:			R
TOTAL APPLICATION FEES* (TOTAL A + B)			R2500

* The complete application should first be submitted without the payment of any applicable application fees. Only when satisfied that a complete and accurate application has been submitted, will a proforma invoice be submitted to the applicant with payment instructions. Application fees that are paid to the Municipality are non-refundable and once proof of payment is received, the application will be regarded as duly submitted.

**All indigent residents who are registered as such with the Municipality and with proof submitted together with application will be exempted from applicable fees for Permanent Departure applications including but not limited to building lines, coverage, height, bulk, parking. Contact: indigent.office@ Stellenbosch.gov.za or 021 808 8501 or 021 808 8579

*** 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.

BANKING DETAILS

Account Holder Name: Stellenbosch Municipality
 Bank: FIRST NATIONAL BANK (FNB)
 Branch no.: 210554
 Account no.: 62869253684
 Payment reference: LU/_____ and ERF/FARM _____
 Please use both the Land Use Application number and the Erf/Farm number indicated on the invoice as a reference when making EFT payment

DETAILS FOR INVOICE

Name & Surname/Company name (details of party responsible for payment)	EVDM Town Planning Services
Postal Address	PO Box 204, Stellenbosch, 7599
Vat Number (where applicable)	4740239944

PART F: DETAILS OF PROPOSAL

Building line encroachment	Street		From	m	To	m
	Street		From	m	To	m
	Side		From	m	To	m
	Side		From	m	To	m
	Aggregate side		From	m	To	m
	Rear		From	m	To	m
Exceeding permissible site coverage		From	%	To	%	
Exceeding maximum permitted bulk / floor factor / no of habitable rooms		From		To		
Exceeding height restriction		From	m	To	m	
Exceeding maximum storey height		From	m	To	m	
Consent/Conditional Use/Special Development						
To permit..... Refer to application document in terms of Section.....of the.....Zoning Scheme Regulations						
Other (please specify)	<hr/> <hr/> <hr/>					

Brief description of proposed development / intent of application:

See motivation attached

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

<input checked="" type="radio"/> Y	<input type="radio"/> N	Power of attorney / Owner's consent if applicant is not owner		<input type="radio"/> Y	<input type="radio"/> N	Bondholder's consent (if applicable)	
<input checked="" type="radio"/> Y	<input type="radio"/> N	Resolution or other proof that applicant is authorised to act on behalf of a juristic person		<input type="radio"/> Y	<input type="radio"/> N	Proof of any other relevant right held in the land concerned	
<input checked="" type="radio"/> Y	<input type="radio"/> N	Written motivation pertaining to the need and desirability of the proposal		<input checked="" type="radio"/> Y	<input type="radio"/> N	S.G. diagram / General plan extract (A4 or A3 only)	
<input checked="" type="radio"/> Y	<input type="radio"/> N	Locality plan (A4 or A3 only) to scale		<input checked="" type="radio"/> Y	<input type="radio"/> N	Site development plan or conceptual layout plan (A4 or A3 only) to scale	
<input type="radio"/> Y	<input type="radio"/> N	Proposed subdivision plan (A4 or A3 only) to scale		<input type="radio"/> Y	<input type="radio"/> N	Proof of agreement or permission for required servitude	
<input type="radio"/> Y	<input type="radio"/> N	Proof of payment of application fees		<input checked="" type="radio"/> Y	<input type="radio"/> N	Proof of registered ownership (Full copy of the title deed)	
<input type="radio"/> Y	<input type="radio"/> N	Conveyancer's certificate		<input type="radio"/> Y	<input checked="" type="radio"/> N	Written feedback of pre-application scrutiny and Minutes of pre-application consultation meeting (if applicable)	
<input type="radio"/> Y	<input type="radio"/> N	<input checked="" type="radio"/> N/A	Consolidation plan (A4 or A3 only) to scale	<input type="radio"/> Y	<input type="radio"/> N	<input type="radio"/> N/A	Land use plan / Zoning plan (A4 or A3 only) to scale
<input type="radio"/> Y	<input type="radio"/> N	<input checked="" type="radio"/> N/A	Street name and numbering plan (A4 or A3 only) to scale	<input checked="" type="radio"/> Y	<input type="radio"/> N	<input type="radio"/> N/A	1 : 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale
<input type="radio"/> Y	<input checked="" type="radio"/> N	<input type="radio"/> N/A	Landscaping / Tree plan (A4 or A3 only) to scale	<input type="radio"/> Y	<input type="radio"/> N	<input checked="" type="radio"/> N/A	Home Owners' Association consent
<input type="radio"/> Y	<input checked="" type="radio"/> N	<input type="radio"/> N/A	Abutting owner's consent	<input type="radio"/> Y	<input type="radio"/> N	<input type="radio"/> N/A	Services Report or indication of all municipal services / registered servitudes
<input type="radio"/> Y	<input type="radio"/> N	<input checked="" type="radio"/> 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)	<input type="radio"/> Y	<input checked="" type="radio"/> N	<input type="radio"/> N/A	Proof of failure of Home owner's association
<input checked="" type="radio"/> Y	<input type="radio"/> N	<input type="radio"/> N/A	Copy of original approval and conditions of approval	<input type="radio"/> Y	<input type="radio"/> N	<input checked="" type="radio"/> N/A	

Y	N	N/A	Proof of lawful use right	Y	N	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes
<input checked="" type="radio"/> Y	N	N/A	Required number of documentation copies	Y	N	N/A	Other (specify)

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

Y	N	<input checked="" type="radio"/>	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	<input checked="" type="radio"/>	N/A	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
Y	<input checked="" type="radio"/>	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)	Y	<input checked="" type="radio"/>	N/A	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
Y	<input checked="" type="radio"/>	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)	Y	<input checked="" type="radio"/>	N/A	National Water Act, 1998 (Act 36 of 1998)
Y	<input checked="" type="radio"/>	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations	Y	N/A		Other (specify)
Y	<input checked="" type="radio"/>	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)				
Y	<input checked="" type="radio"/>	N	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, please attach motivation.				

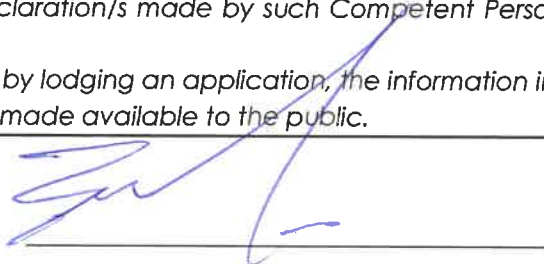
SECTION I: DECLARATION

I hereby wish to confirm the following :

- That the information contained in this application form and accompanying documentation is complete and correct.
- I'm aware that it is an offense in terms of section 86(1)(e) 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.
- 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.
- 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.
- 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.
- I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.
- It is the owner's responsibility to ensure that approval is not sought for a building or land use which will be in conflict with any applicable law.
- 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 in the event that 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: _____



Date: _____

2022-05-19

Full name: _____

Emile van der Merwe

Professional capacity: _____

PROFESSIONAL PLANNER (REG 1149/1996)

FOR OFFICE USE ONLY

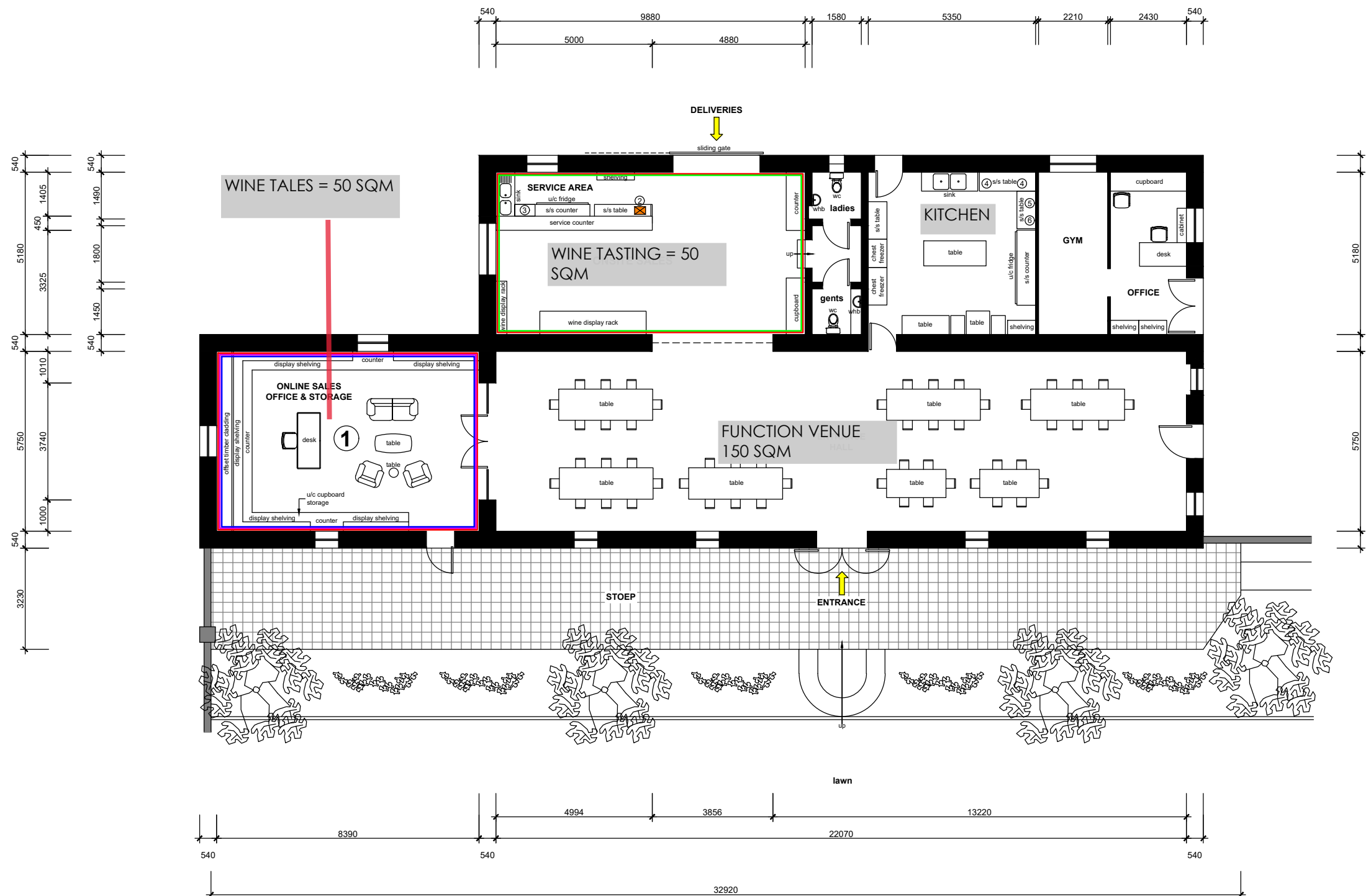
Date received: _____

Received By: _____



NOTES

This drawing is for Liquor license application.
It is, consequently not to be used for submission to municipality
as a working drawing or to be used for construction purposes.



FLOOR PLAN

WELTEVREDEN RETIEF RESIDENCE
ERF 13836
WELTEVREDEN ESTATE
WELGEVONDEN BOULEVARD
CLOETESVILLE
STELLENBOSCH
7600

Date: 09 March 2021
Scale: 1:150
Drawn: D. van Driel
Cell: 0724819745
15 Smallville on Burgundy, 2 Amber Rd.
Burgundy Estate
dr.vandriel@gmail.com

DWG. NO. WRR01-1/4