

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

2 September 2021

Name and Surname

POSBUS 241

FRANSCHHOEK

7690

To Whom It May Concern

Being an abutting land owner in the vicinity of Portion 2 of Farm 1078, Paarl Division, you are hereby informed that the following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2015 was submitted:

Application Property Address: Dirkie Uys Street in Franschhoek

Application Property Number: Portion 2 of the Farm 1078, Paarl Division

Applicant: P-J le Roux Town Planners Pty Ltd (cell: 0760317607)

Owner: Proud Heritage Properties 60 (Pty) Ltd

Application Reference: LU/12812

Application Type: Following applications:

- a) *Application is made In terms of **Section 15(2)(o)** of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for Consent Use for a tourist facility in the form of wine tasting and sales with light meals (for a maximum of 60 patrons), within the existing barn and grassed area on Portion 2 of Farm 1078, Paarl Division.*

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

- Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: P-J le Roux Town Planners Pty Ltd / pj@pjleroux.co.za.

The comments must be submitted within **30 days** from the date of this notice to be received on or before the closing date of **4 October 2021**.

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 0760317607 during normal office hours.

Yours faithfully

P-J LE ROUX TOWN PLANNERS PTY LTD



**KENNISGEWING VAN GROND ONTWIKKELING AANSOEK AAN GEÏNTERESSEERDE EN
GEAFFEKTEERDE PARTYE VIR KOMMENTAAR.**

2 September 2021

Name and Surname

POSBUS 241

FRANSCHHOEK

7690

Heil Die Leser

Aangesien u 'n aangrensende grondeienaar is in die omgewing van Gedeelte 2 van die Plaas 1078, Paarl Afdeling word u hiermee in kennis gestel dat die volgende grondgebruik aansoek kragtens die Stellenbosch Munisipaliteit Grondgebruik Beplanning Verordening, 2015 by Stellenbosch Munisipaliteit ingedien is vir goedkeuring.

Adres van aansoek eiendom: Dirkie Uys Straat in Franschhoek

Aansoek eiendom beskrywing: Gedeelte 2 van Plaas 1078, Paarl Afdeling

Aansoeker: P-J le Roux Stadsbeplanners Pty Ltd (cell: 0760317607)

Eienaar: Proud Heritage Properties 60 (Pty) Ltd

Aansoek Verwysing: LU/12812

Tipe Aansoek: Aansoek word gedoen vir die volgende:

- a. Kragtens Artikel **15(2)(o)** van die Stellenbosch Munisipaliteit Grondgebruik Beplanning Verordening, 2015 vir die Vergunningsgebruik vir 'n **toeriste-fasiliteit** in die vorm van wynproe en verkope met ligte etes (vir 'n maksimum van 60 gaste), binne die bestaande skuur en gras area op Gedeelte 2 van Plaas 1078, Afdeling Paarl.

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 Beplanning Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydspan van die publieke deelname proses by die volgende adres: [\[https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements\]](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 terme 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 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: P-J le Roux Stadsbeplanners Pty Ltd / pj@pjleroux.co.za.

Die kommentaar moet binne **30 dae** vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **4 Oktober 2021**.

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 0760317607 gedurende normale kantoor ure.

Die uwe

P-J LE ROUX STADSBEPLANNERS PTY LTD



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

2 September 2021

DEPARTMENT NAME

Private Bag X

ELSENBURG

7607

To Whom It May Concern

As interested and affected parties, in the vicinity of Portion 2 of Farm 1078, Paarl Division, you are hereby informed that the following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2015 was submitted:

Application Property Address: Dirkie Uys Street in Franschhoek

Application Property Number: Portion 2 of the Farm 1078, Paarl Division

Applicant: P-J le Roux Town Planners Pty Ltd (cell: 0760317607)

Owner: Proud Heritage Properties 60 (Pty) Ltd

Application Reference: LU/12812

Application Type: Following applications:

- a) *Application is made In terms of **Section 15(2)(o)** of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for Consent Use of Portion 2 of Farm 1078, Paarl Division for a tourist facility in the form of wine tasting and sales with light meals (for a maximum of 60 patrons), within the existing barn on Portion 2 of Farm 1078, Paarl Division.*

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
- Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: P-J le Roux Town Planners Pty Ltd / pj@pjleroux.co.za.

The comments must be submitted within **60 days** from the date of this notice to be received on or before the closing date of **1 November 2021**.

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 0760317607 during normal office hours.

Yours faithfully

P-J LE ROUX TOWN PLANNERS PTY LTD



**KENNISGEWING VAN GROND ONTWIKKELINGS AANSOEK AAN GEITRESEERDE EN
GEAFFEKTEERDE PARTYE VIR KOMMENTAAR.**

2 September 2021

DEPARTMENT NAME

Private Bag X

ELSENBURG

7607

Heil Die Leser

As belangstellende en geaffekteerde partye, geleë in die omgewing van Gedeelte 2 van die Plaas 1078, Afdeling Paarl word u hiermee in kennis gestel dat die volgende grondgebruik aansoek kragtens die Stellenbosch Munisipaliteit Grondgebruik Beplanning Verordening, 2015 by Stellenbosch Munisipaliteit ingedien is vir goedkeuring.

Adres van aansoek eiendom: Dirkie Uys Straat in Franschhoek

Aansoek eiendom beskrywing: Gedeelte 2 van Plaas 1078, Afdeling Paarl

Aansoeker: P-J le Roux Stadsbeplanners Pty Ltd (cell: 0760317607)

Eienaar: Proud Heritage Properties 60 (Pty) Ltd

Aansoek Verwysing: LU/12812

Tipe Aansoek: Aansoek word gedoen vir die volgende:

- a. Kragtens Artikel **15(2)(o)** van die Stellenbosch Munisipaliteit Grondgebruik Beplanning Verordening, 2015 vir die **Vergunningsgebruik** van Gedeelte 2 van Plaas 1078, Afdeling Paarl vir n toeriste-fasiliteit in die vorm van wynproe en verkoop ment ligte etes (vir n maksimum van 60 gaste), binne die bestaande skuur op Gedeelte 2 van Plaas 1078, Afdeling Paarl.

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: [\[https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements\]](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.

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- 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;
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Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: P-J le Roux Stadsbeplanners Pty Ltd / pj@pjleroux.co.za.

Die kommentaar moet binne **60 dae** vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **1 November 2021**.

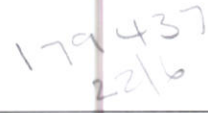
Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

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 0760317607 gedurende normale kantoor ure.

Die uwe

P-J LE ROUX STADSBEPLANNERS PTY LTD





MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

PLANNING & ECONOMIC DEVELOPMENT: PLANNING

DATE:	2021-06-18	DOCUMENT NO.:	708637
ERF/FARM NO:	1078/2	CREATED BY:	Bulelwa Mdoda
LOCALITY:	Dirkie Uys Street, PAARL FARMS	APPLICATION NO.:	LU/12812
OWNER'S NAME:	Proud Heritage Properties 60 (Pty) Ltd	APPLICANT VAT NO.:	0
ADDRESS:	PO Box 3457 Paarl 7620	VAT NO.:	4700102181
		APPLICANT:	PJ LE Roux Town and Regional Planner
		TEL NO.:	0218722499

[illegible]

All Tariffs include 15% VAT
FROM 1 JULY 2020 TO 30 JUNE 2021

CALCULATED BY:

NAME:

SIGNATURE:

DATE: 2021/06/18

PAYMENT MUST BE MADE AT THE APPLICABLE DISTRICT OFFICE
CHEQUES TO BE MADE PAYABLE TO STELLENBOSCH MUNICIPALITY

Applicant to return this form to the Advice Centre for

DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT

VERIFIED BY:

NAME:

SIGNATURE:

DATE:

BANKING DETAILS FOR EFT PAYMENT:

ACCOUNT HOLDER: Stellenbosch Municipality

BANK: First National Bank (FNB)

BANK: First National Bank (FNB)
ACCOUNT NUMBER: 62869253684

BRANCH CODE: 210554

REF: 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.



PLANNING & ECONOMIC DEVELOPMENT

LAND USE APPLICATION COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW, 2015				Date of Submission of Application	01/06/2021
Erf / Erven/ Farm no	1078	Portion(s) if farm	2	Allotment Area	Paarl
Owner / Applicant	PJ Le Roux – Town and Regional Planner		Contact number	076 031 7607	
Email address	pj@pjlroux.co.za				
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION			ADMIN TO VERIFY ¹		PLANNER TO EVALUATE ²
			YES	NO	
1. Completed application form that is signed			✓		✓
2. Power of Attorney / Owners' Consent if the applicant is an agent					
3. Bondholders' consent					
4. Proof that applicant is authorized to act on behalf of an entity					
5. Proof of ownership or rights held in land					
6. Motivation based on criteria in s65			✓		✓
7. SG diagram or General Plan					
8. Locality plan			✓		✓
9. Site development plan or plan showing the land development					
10. Subdivision plan					
11. Permission for required servitude					
12. Title Deed			✓		✓
13. Conveyancer's certificate					
14. Feedback on Pre-application scrutiny			✓		✓
15. Minutes of Pre-consultation Meeting					
16. Consolidation plan					
17. Street name and numbering plan					

3

¹ Verification by Admin only of the documentation attached and completeness of application and not the correctness thereof.

² Technical evaluation by Planner of the documentation attached for completeness and correctness thereof.



P-J le Roux

STADS- EN STREEKBEPLANNERS /TOWN AND REGIONAL PLANNERS

The Municipal Manager
Stellenbosch Municipality
P O Box 17
STELLENBOSCH
7599

10 May 2021

V 30-89

Attention: Mrs. N Dafeti

Dear Nopinki

APPLICATION IN TERMS OF STELLENBOSCH MUNICIPALITY LAND USE PLANNING BY-LAW, 2015

APPLICATION FOR CONSENT USE: PORTION 2 OF FARM NO. 1078 PAARL

Hereby formal application is made in the revised report for the following:

- (i) In terms of **Section 15(2)(o)** of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for **CONSENT USE** to permit an **Tourist facility** for wine tasting and sales with light meals (>250m²) inside an existing building and on the grassed area on the Remainder of Portion 2 of the Farm No. 1078 Paarl.

Please find herewith a motivation report with supporting documents. Please do not hesitate to contact this office should you require any more information. We trust that this application conforms to your requirements and that it will be dealt with timely.

Kind regards

PIERRE-JEAN LE ROUX
Pr. Pln. A./803/1995

P-J le Roux Stadsbeplanners Edms. Bpk. (Reg nr: 2015/058583/07)
BTW No. 4860288747

Hoofstraat 262 Main Road, Paarl, 7646 Posbus / P O Box 3457, Paarl, 7620
Mobile: 0760317607 Tel: + 27 21 8722499 Faks: + 27 86 605 8431 Epos: pj@pjleroux.co.za
Direkteur P.J le Roux Pr. Pln A/803/1995 Ba Hons.M(S&S) MSAPI



*Application for Consent Use:
Remainder of Portion 2 of Farm No. 1078
Paarl*

May 2021

V 30-89

 **P-J Le Roux**
STADS-EN STREEKBEPLANNER/
TOWN AND REGIONAL PLANNER
Hoofstraat 262 Main Road, Paarl
(t) 021-8722499 (f) 086 605 8431
(email) pj@pjleroux.co.za

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*P-J le Roux*

STADS- EN STREEKBEPLANNERS /TOWN AND REGIONAL PLANNERS

*Remainder of Portion 2 of Farm No. 1078 Paarl**May 2021*

Plans

1. Locality Plan
2. Aerial Photo
3. SG diagram
4. Site Development Plan
5. Approved building plan
6. Floor Plan

Tables

1. Property information

Annexure

1. Power of Attorney & Company Resolution
2. Copy of Title Deed
3. Pre-consultation
4. Municipal account
5. Proof of service provider
6. Application form



P-J le Roux

STADS- EN STREEKBEPLANNERS /TOWN AND REGIONAL PLANNERS

Remainder of Portion 2 of Farm No. 1078 Paarl

May 2021

1. INTRODUCTION

1.1 Application

Hereby formal application is made for the following:

- (i) In terms of **Section 15(2)(o)** of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for **CONSENT USE** to permit an **Tourist facility** for wine tasting and sales with light meals (>250m²) inside an existing building and on the grassed area on the Remainder of Portion 2 of the Farm No. 1078 Paarl.

1.2 Applicant

DENISE WASCHNIG, as Office Manager and duly authorized by **PROUD HERITAGE PROPERTIES 60 (PROPRIETARY) LIMITED** as registered owners of the **Remainder of Portion 2 of the Farm No. 1078 Paarl** appointed this firm *P-J Le Roux Town Planners* to prepare a formal application for consent use in order to permit an existing building on Portion 2 of Farm No. 1078 Paarl to be used as a tourist facility and to submit it to the relevant authorities for formal approval (*Power of Attorney and Company Resolution attached*).



P-J le Roux

STADS- EN STREEKBEPLANNERS /TOWN AND REGIONAL PLANNERS

Remainder of Portion 2 of Farm No. 1078 Paarl

May 2021

2. PROPERTY INFORMATION

Description	Remainder of Portion 2 of the Farm No. 1078 Paarl
Location	Dirkie Uys Street in Franschhoek
Extent	3,4905ha
Registered owner	PROUD HERITAGE PROPERTIES 60 (PTY) LTD
Title Deed	T9854/2015 (Copy of Title Deed attached)
Existing zoning	Agriculture & Rural Zone
Restrictive Conditions	None
Planning Legislation	Stellenbosch Municipality: Zoning Scheme By-Law (2019) Stellenbosch Municipality: Drakenstein Municipality Land Use Planning By-Law(2018)

Table 1: property description

The subject property is located along Dirkie Uys Street north of the central business district (CBD) of Franschhoek and falls in the area of jurisdiction of the Stellenbosch Municipality, Western Cape Province. The subject property is also the home of the world renowned "**Pigcasso the Painting Pig**".



P-J le Roux

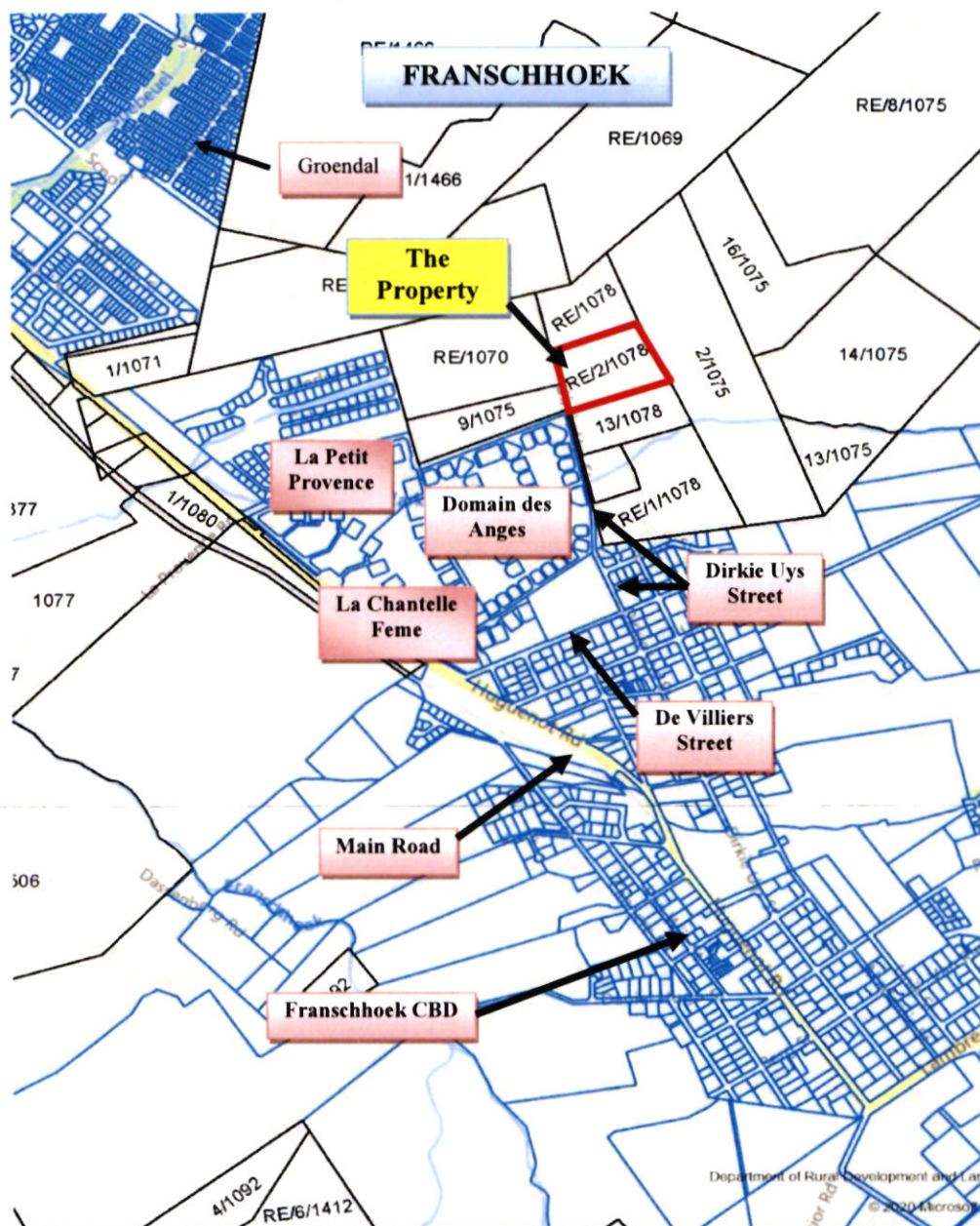
STADS- EN STREEKBEPLANNERS /TOWN AND REGIONAL PLANNERS

Remainder of Portion 2 of Farm No. 1078 Paarl

May 2021

3. LOCATION

The locality of the subject property has a specific local significance since it is an existing agricultural land unit located inside Franschhoek north of the CBD and east of Dirkie Uys Street.



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

Remainder of Portion 2 of Farm No. 1078 Paarl

May 2021

The subject property is situated in the area between Franschhoek central business district (CBD) to the south and Groendal Township to the north and is bounded to the west by Dirkie Uys Street and a recently approved residential development, and other agricultural land units to the north, east and south. Although this area has been identified as a priority development area in order to link Franschhoek with Groendal the subject property is one of the remaining agricultural land units in this area. The existing agricultural activities comprise vineyards and grazing and no changes thereto are proposed; in fact the proposed tourist facility will serve as agri-tourism facilities and will remain subservient to the primary agricultural activities thereon.

Access to the subject property is taken directly from a servitude road 10m wide which runs over the southern portion of the subject property and intersects with Dirkie Uys Street approximately 100m to the west of the entrance to the subject property. This 10m wide servitude road also provides access to the other agricultural land units located to the south and east of the subject property. Due to the size and scale of the proposed tourist facility both these roads have more than sufficient carrying capacity to easily accommodate the proposed land use. The existing erf entrance is also more than sufficient to accommodate the expected low frequency of traffic and no changes thereto are proposed.

The subject property is one of many agricultural small holdings situated inside Franschhoek and which are renowned for their high quality of grapes and wine produced from those grapes and since the proposed tourist facility will provide an unique opportunity for visitors to sample and buy the quality of wines produced from the vineyards on the subject property, no changes to the primary land use are proposed.



P-J le Roux

STADS- EN STREEKBEPLANNERS /TOWN AND REGIONAL PLANNERS

Remainder of Portion 2 of Farm No. 1078 Paarl

May 2021



The intention with this application is to utilize a portion of the existing centrally located barn on the subject property for the purposes of tourist facility where wines are tasted and sold and light meals are served. Although the wines are not made on the subject property, it derives from the grapes harvested from the subject property. This intended uses will enable the applicant to present the produce from the subject property to guests and visitors in a manner which will be subservient to the primary agricultural activities on the subject property.



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

Remainder of Portion 2 of Farm No. 1078 Paarl

May 2021

4. LEGAL LAND USE RIGHTS

4.1 Existing zoning

In terms of the newly promulgated Stellenbosch Municipality Zoning Scheme By-Law (2019) the subject property is zoned as **Agriculture and Rural Zone**.

Primary Uses	Additional Uses (not exceeding the threshold in this chapter and subject to 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 centre Home occupation practice Polytunnel >2001m ² -<5000m ² Rooftop base telecommunication station Tourist dwelling units Tourist facilities (existing buildings)	Abattoir Additional dwelling units (max 4) Airfield Airstrip Agricultural industry >2000m ² 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 >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

Table 2: Extract from Stellenbosch Municipality Zoning Scheme By-Law (2019)



P-J le Roux

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6.2 Existing land uses

The subject property is an active and working farm with the following improvements present on the property.

- Centrally located barn
- Structure
- Agriculture

The existing barn which shelter livestock comprises an A-framed structure with lean-to additions on the sides, which are divided into approximately **6 separate stalls** of which three are large stalls and three smaller stalls in which animals are kept. These stalls of which one is used as store area are separated by a central area or aisle which is primarily used by people especially since each of the stalls has a door opening to the outside grazing area and no animals use the aisle. It is in one of these stalls in which the world renowned **Pigcasso the Painting Pig** is accommodated. The existing barn building also has existing ablution facilities and a farm office.



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Inside existing barn

The existing structure is located also near the centre of the subject property and is a bona fide agricultural building.



Existing structure



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Paddocks used for grazing

The agricultural improvement comprises:

- The property is planted to **±1ha** of vines comprising a specific cultivar which is located along the western boundary of the subject property. The grapes harvested from these vineyards are taken to a wine cellar where the wines are made.
- The remainder of the property excluding the buildings and road measures **±2,2ha** in extent is divided into paddocks and used primarily for grazing.
- Water for domestic purposes and irrigation is obtained from existing borehole

The average yield for the vineyards is **±10 tonnes/ha** which is more than sufficient to warrant a wine tasting and sales facility on the subject property.



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5. DEVELOPMENT CONCEPT

It is the intention of this application and the purpose of this report is to optimize the existing natural and man-made resources by introducing a tourist facility to facilitate wine tasting and sales served with light meals on the subject property.

It is the objective of the applicant to establish the opportunity to present the produce (wine) which originates from the subject property to visitors to taste and buy. Currently the grapes harvested from the subject property are taken to a different winery (Haute Espoir) where the wine is made.

This proposed facility, which will be classified as a **tourist facility** will comprise **wine tasting and sales and serve of light meals** and will accommodate a **maximum of 60 guests** at one time **inside and on the front patio of the existing barn building and an outside grassed area**. Normal operating hours for the intended tourist facility will be from **10:00 until 17:30**.

This intended use will have no impact on the primary use of the building as an animal barn, especially since all the intended activities will be concentrated outside the existing stalls. In fact it is the experience inside the barn with the animals that creates this unique character which the applicant wants to explore and optimise. The total area which will be used for the intended tourist facility will measure **>250m²** in extent and will include a portion of the **central aisle area** as well as the **front and back patio areas** of the building. The intention is to also make provision for an **outside grassed area** behind the building where tables and chairs under umbrellas can be placed during the warm summer months. The total



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outside area for this will be $\pm 49\text{m}^2$. The total area for the tourist facility will be $>250\text{m}^2$ and will result in consent use as prescribed by the Zoning Scheme By-Law and depicted on the attached Floor Plan.



Central aisle area with table with stalls for animals to the sides



Patio area in front of the barn



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Outside grassed area behind the barn

Due to the size and scale of the proposed land use the traffic generated by this activity is expected to be minimal, especially since the the number of visits to the subject property will be limited. The proposed land uses and scale thereof is directly in line with what is normally expected and found on wine farms throughout the Boland area. The fact that the proposed land uses will remain **subservient to the primary agricultural farming activities** and the subject property will continue to operate as an agricultural land unit, confirms the compliance with the agri-tourism and wine farming industry.

Provision will be made in one of the paddocks near the existing farm entrance for sufficient **informal parking**. The intention is not to create a hard surface for the parking but to keep it grassed to continue using it for grazing purposes before and after operating hours.



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Existing paddock near entrance to be used for informal parking and grazing

The proposed tourist facility (wine tasting and sales) are not only beneficial to the applicant but are also a great **source of employment** to the locals in the area. The proposed activities will provide a **different level of employment** which will be exposed to the invited guests (local and international) and which will have a direct and indirect multiplier effect on the welfare of the local communities in the immediate area. The contribution to the growing agri-tourism industry and the local economy of the region is well documented.

The proposed activity is comparable to what is currently found on farms throughout the Boland area and will provide an opportunity to the applicant to introduce tourist facilities associated with the wine making operation to guests and visitors as a secondary use to the agriculture.



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This new tourist facility will expose the produce which derives from the subject property to the local and international guests. It is evident that in terms of the size and scale of the proposed land uses that it will not impact negatively on the primary agricultural activities on the subject property or on the surrounding area. The tourist facilities (tasting and sales) are especially common to wine farms throughout the Boland area and have been an important component to the wine making industry in terms of tourism and marketing. It is important that the size and scale of such activities also compliment the agricultural practices; hence the limited areas proposed by this application.

It is worth noting that this application will be followed by an application for an on and off consumption liquor license which are normally associated with wine farms.



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6. APPLICATION

The intention with this application is to obtain permission for the applicant to utilize an existing building and outside garden area on the subject property for the purposes of a wine tasting and sales facility with light meals. The total area for the proposed tourist facility including the outside grassed area measures **>250m²** in extent.

In order to permit these intended activities on the subject property, approval for a **tourist facility** is required.

Tourist facilities are defined in the Stellenbosch Municipality Zoning Scheme By-Law (2019) as follows:

***“Tourist facilities.** 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”*

In terms of the new Stellenbosch Municipality Zoning Scheme By-Law (2019) **tourist facility inside an existing building exceeding the**



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maximum extent of 250m² requires a **Consent Use approval** which is secondary to the primary land use rights under Agriculture and Rural Zone and therefore requires technical approval from the Stellenbosch Municipality.

In order to permit the proposed tourist facility on the subject property, formal **Consent Use** is therefore required from Stellenbosch Municipality in terms of the Stellenbosch Municipality Land Use Planning By-Law, 2015..



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7. SPATIAL PLANNING PRINCIPLES

In terms of National, Provincial and Local spatial planning legislation certain development principles were adopted to apply to spatial planning, land development and land use management. The development principles on National level is in terms of Section 7 of the **Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)**, while the land use planning principles on Provincial level is in terms of Section 59 of the **Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)**.

These development principles were all adopted and included into the subsequent **Land Use Planning By-Laws** promulgated for each Local Municipality. The proposed tourist facility will be evaluated as follows against the five development principles:

(a) Principle of spatial justice

- Since the majority of the existing building will continue to be used as a barn for animals and no changes to the primary land use of the property is proposed or expected, this principle is **not applicable** to this application

(b) Principle of spatial sustainability

- The proposed land use will not result in the loss of any cultivated agricultural land but will be limited to a portion of an existing building on the subject property.
- This proposed tourist facility is directly in line with what is already present in the area and what is spatially acceptable for the subject property.
- The proposed land use will extend the existing agricultural activities by providing the applicant the opportunity to optimize his viticulture



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practices by enabling him to share the produce of the vineyards with visitors and guests.

- Wine tasting and sales facilities are a common phenomenon on wine farms and will have no negative impact on the primary agricultural activities on the subject property
- No safety hazards are anticipated through this development.

(c) Principle of efficiency

- The intended activities comply with the additional use rights and requirements of the Zoning Scheme By-Law.
- The proposed tourist facility will add to the local economy of the area while exposing the produce of the property to both local and international guests.
- The proposed activities will extend the existing agricultural activities on the subject property and create new employment and economic opportunities

(d) Principle of spatial resilience

- This principle is not applicable since the activities will all be confined inside existing buildings on an agricultural land unit.

(e) Principle of good administration

- Formal pre-scrutiny process was conducted with the officials from Stellenbosch Municipality.
- The formal application will be submitted to the local authority for approval and will be administered in accordance with the procedures contemplated in the relevant Municipality's Land Use Planning By-Law.



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8. DESIRABILITY OF THE APPLICATION

In terms of Section 65(c) of the Stellenbosch Municipality Land Use Planning By-Law, August 2015, the proposed utilization of the land must be desirable.

The concept of "desirability" in a land use planning context and as contemplated in Section 65(c) of the Stellenbosch Municipality Land Use Planning By-Laws can be described as the "degree of acceptability" of the specific land use(s) on a said property within an existing natural or manmade environment and the guideline proposals included in the relevant spatial development framework plans and policies, and municipal engineering services in so far as it relates to desirability, or on the basis of its effect on existing rights and the biophysical environment concerned.

The desirability of this application for Consent Use on Portion 2 of Farm No. 1078 Paarl will be discussed with regard to the following aspects.

- Physical characteristics
- Character of the area
- Location and Accessibility
- Spatial Planning Policies
- Provision of services

8.1 Physical characteristics

8.1.1 Topography

The subject property is an existing agricultural small holding located inside the old municipal area of Franschhoek. Since the proposed activities will all



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be confined to the inside of an existing building on the property, there is no reason to believe that the existing topography will be negatively affected. There is also no conservation worthy vegetation which will be affected by the proposed land uses, since the existing building is located almost in the centre of the land unit.

8.1.2 Climate

The subject property is located in the Franschhoek Valley immediately south of Franschhoek and forms part of the Mediterranean climate system of the Western Cape. The area is known for its cold and wet winters and dry warm summers. The average annual rainfall is 912mm and occurs during the months of May to August. The wind is predominantly north westerly during the winter months and strong south easterly in the summer time. February is the warmest month of the year with an average temperature of 21,7°C, while July is the coldest month with temperatures averaging 11°C.

There is no reason to believe that the use of the existing building for the intended purposes will have any impact on the micro climate of the area.

8.2 Character of the area

Although the subject property falls inside the urban edge of Franschhoek, it is a bona fide agricultural land unit with existing vineyards thereon. As indicated the grapes harvested from the subject property is current taken to a different cellar where the wine is made. The objective of this application is to optimise and expand the agricultural activities on the subject property by introducing a facility where the produce from the property can be presented to visitors and guests for tasting and sales. The intention is also to serve light meals with the tasting to present a combined experience. We



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are of the opinion that the land uses will fit in with what is currently present in the area and the overall rural character of the area. The combination of agriculture and tourism is a predominant to this area of Franschhoek and the proposed land uses will not have any negative impact on the existing character of the area. In fact we are confident that the proposed land uses are directly in line with the existing character of the area and represents a combination of agriculture and tourism, which has been the catalyst for local economic development for this Valley. The opportunity for a farm owner to expand his agricultural activities by sharing the wines made from the grapes harvested from his farm, is noteworthy and true to the wine region of South Africa and the Western Cape. It suffices to say that the proposed activities will have no negative impact on the character of the area. In fact these activities will strengthen the rural character of this area of Franschhoek despite the ever expanding urban developments in this area.

8.3 Location and Accessibility

The subject property is located in the north eastern portion of Franschhoek along Dirkie Uys Street between Franschhoek town to the south and Groendal to the north. The area in which the subject property is located is east of the R45 and along the lower foothills of the Wemmershoek Mountains.

The subject property has one access from the existing servitude road which traverses the subject property along the southern boundary. This servitude road also provides access to the other agricultural land units located to the east of the subject property. The farm entrance leads directly to the existing building located in the centre of the property as well as to the paddocks of



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which one will serve as informal parking area but will continue to be used for grazing as well.

Due to the size and scale of the proposed activities the increase in traffic to the subject property will be insignificant and no changes to the existing access are proposed.

8.4 Spatial Planning Policies

The subject property is located in a predominantly agricultural area within the approved urban edge of Franschhoek and in the area of jurisdiction of the Stellenbosch Municipality. The existing spatial planning policy which is applicable to this area, the Stellenbosch Municipal Spatial Development Framework (SMSDF), was adopted by Council in 2013 and provides guidelines for spatial developments within the municipal area. The subject property originally formed part of the Franschhoek municipal area and is located inside the approved urban edge for Franschhoek. Since no changes to the agricultural land use or zoning other than agriculture is proposed, no change to the urban edge is required.

Although the subject property is not specifically mentioned in the existing spatial documentation, the principle of tourist related facilities subservient to the primary land use within the agricultural areas widely accepted and encouraged on all spheres of government for various reasons (tourism, local economic development, employment, etc.). Since the subject property is an agricultural land unit with existing vineyards thereon, the extension of the agricultural activities by introducing wine tasting and sales onto the property, is directly in line with the rural land use policies of Stellenbosch Municipality. It suffices to say that this application for the tourist facility



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(>250m²) for the wine tasting and sales with light meals are not in conflict with the spatial planning policies of the Stellenbosch Municipality and can therefore be regarded as desirable.

In addition and to strengthen the spatial context of this application, the following is noteworthy:

- The subject property is an existing **functional wine producing farm** with vines that currently **produces collectively more than 10 tons of wine** grapes on average annually. The grapes produced on the property are processed off the site where the wine is made. The intention is to provide an opportunity to visitors and guests to taste the produce from the subject property in a formal manner with wine tasting and sales. Light meals will also be served with the wine (food and wine pairing). This is a common phenomenon throughout the Western Cape and especially the Boland Wine Region.
- The **agricultural activities** will remain the **primary land uses** while the **tourist facility is an additional use** in support of the agriculture.
- The subject property is ideally located within Franschhoek town and is easily accessible.
- The proposed wine tasting and sales will be accommodated inside the existing building and outside grassed area and will supplement the existing wine farming operations and that no



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impact on the primary agricultural land use on the property is expected.

- The **primary use** of the property will therefore **remain agriculture**.

8.5 Provision of services

Since the existing building is already fully serviced with the necessary municipal services, no additional services will be required. Water is obtained from an existing borehole, while metered electricity is obtained from the Stellenbosch Municipality. Sewerage is collected on a regular basis by the Stellenbosch Municipality. Since the new tourist facility will be located inside existing building on the subject property, these services are already available.

Provision is made for informal onsite parking inside an existing paddock near the entrance to the property. This paddock will remain to be used for grazing; hence the reason why the grassed surface is retained. More than sufficient onsite parking is available with no impact on any of the existing municipal of servitude roads in the area.

Since the size and scale of the intended land uses are almost insignificant, all services related to this facility will be incorporated into the existing infrastructure.



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9. SUMMARY AND CONCLUSION

From the aforementioned it is clear that the proposed Consent Use on Portion 2 of Farm No. 1078 Paarl in order to permit the use of the existing building as a tourist facility for wine tasting and sales with light meals, is in line with Section 65 of the Stellenbosch Municipality Land Use Planning By-Law and in particular Section 65(1)(c) thereof. The motivation for the proposed land uses can be summarized as follows:

Economic impact

- From a business point of view the proposed land use will optimise the existing primary agricultural land uses on the subject property and at the same time provide an opportunity for agri-tourism opportunities as secondary land uses.
- The proposed activities will remain subservient to the primary agricultural land use.
- With the proposed application, more employment opportunities will be created and a better service will be delivered to their customers and the wider community.
- The new facilities will create an opportunity for the agricultural property to be more sustainable which will ultimately support the local economy.
- The proposed development will optimize existing primary agricultural products produced on the subject property as well as existing spaces.
- The utilization of a portion of the existing building for the intended purposes is directly in line with the provisions of the Zoning Scheme By-Law on agricultural land.

Social impact

- The proposed development will have a positive social impact since the new activities will ultimately create more employment opportunities.



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- The wine tasting and sales will be accommodated inside a portion of the existing building as tourist facility and will create new employment.
- The principle of agri-tourism is well supported by all spheres of government and is a significant contributor to the local economy of the area.

Compatibility with surrounding land uses

- The proposed land use is directly in line with what is already present in the area to the south, and east. No direct or indirect conflict is expected.
- The proposed tourist facility is a common phenomenon in the Boland area and is included as additional use rights.
- The primary land use (agriculture: wine farming/grazing) will continue uninterrupted.

Impact on external engineering services

- The necessary engineering services exist in the existing building
- Demand on bulk infrastructure and services are considered insignificantly small in comparison to the greater Franschhoek area.

Impact on safety, health and wellbeing of the surrounding community

- There is no reason to believe that the proposed development will result in any changes to the safety and security in the area
- The proposed development will have no impact (visual, health and safety) on any of the surrounding properties since an existing building will be utilized.

Impact on heritage

- No impact on the heritage character is expected since no new structures are proposed and all activities are primarily confined to the inside of the existing building.



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Impact on the biophysical environment

- No impact is expected on the biophysical environment since an existing building will be used and no conservation worthy vegetation, cultivated lands or ecological habitats will be affected.
- There are no physical features or topographical constraints present on the subject property which will prevent the proposed land use.

Traffic impacts, parking, access and other transport related considerations

- We are of the considered opinion that the scale and size of the proposed activity is so minute and will not have any significant impact on the existing traffic flow in the area.
- Sufficient onsite parking will be provided inside a paddock which will continue to be used for grazing purposes when not in use.

Whether the imposition of conditions can mitigate and adverse impact of the proposed land use

- The proposed development will not have any adverse impact on the surrounding area and no mitigating factors are required.
- In order to ensure that the land use is conducted in accordance with the necessary standards and guidelines of the departments conditions of approval are a common phenomenon.
- The proposed activities in its current scale and form will be financially viable and are in line with the spatial policies relating to agri-tourism.
- The proposed development will provide permanent employment (security and staff).
- It is our view that the proposed uses will have an enhancing impact on the surrounding area and **no mitigation is foreseen for the development project.**



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I trust therefore that the application for **Consent Use on Portion 2 of Farm No. 1078 Paarl** in order to permit the utilization of portions of the existing bona fide agricultural building for tourist facility (wine tasting and sales with light meals) as depicted on the attached Floor Plan will be approved.

PIERRE-JEAN LE ROUX

Pr. Pln. A./803/1995



P-J le Roux

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Portion 2 of Farm No. 1078 Paarl

Legend



Scale: 1:2 257

Date created: April 7, 2021

Compiled with CapetarmMapper



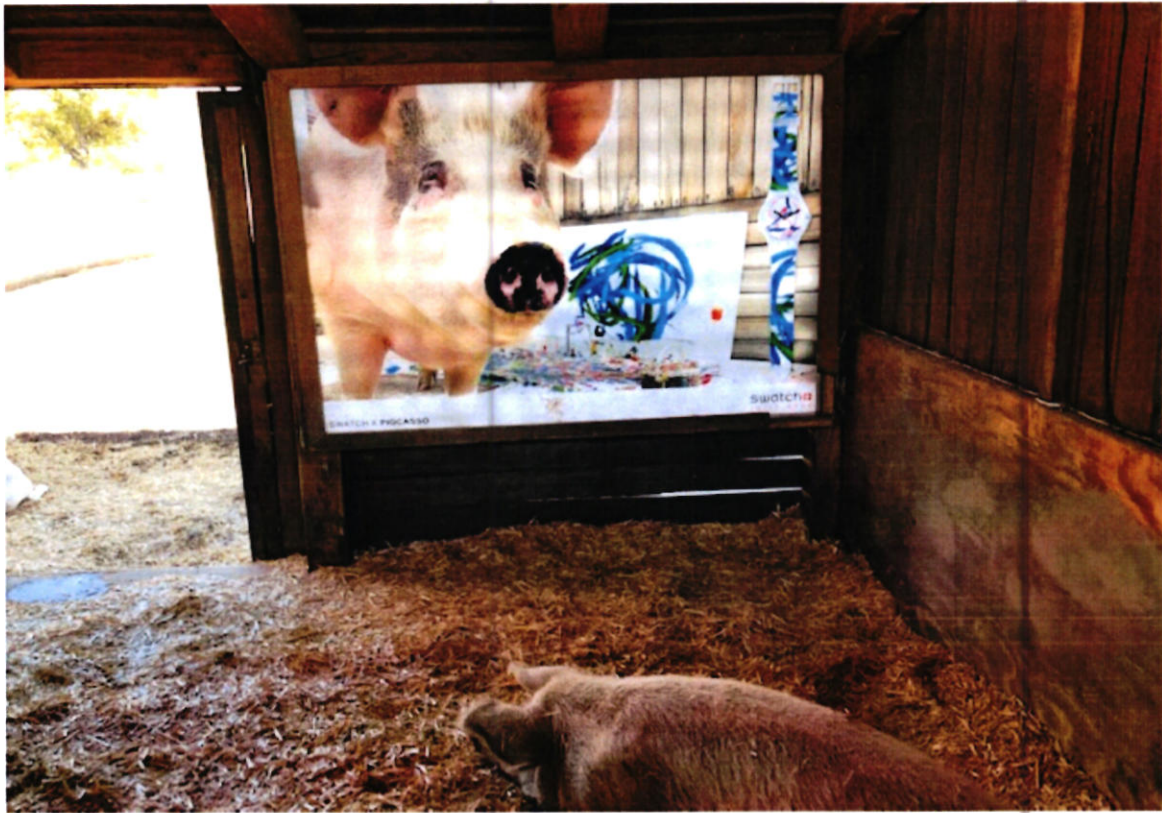
PORTION 2 OF FARM NO. 1078 PAARL



View of existing barn in which wine tasting and sales are proposed (steep area)



Inside area in barn in which wine tasting and sales are proposed



Existing barn which house the renowned Piggasso the Painting Pig

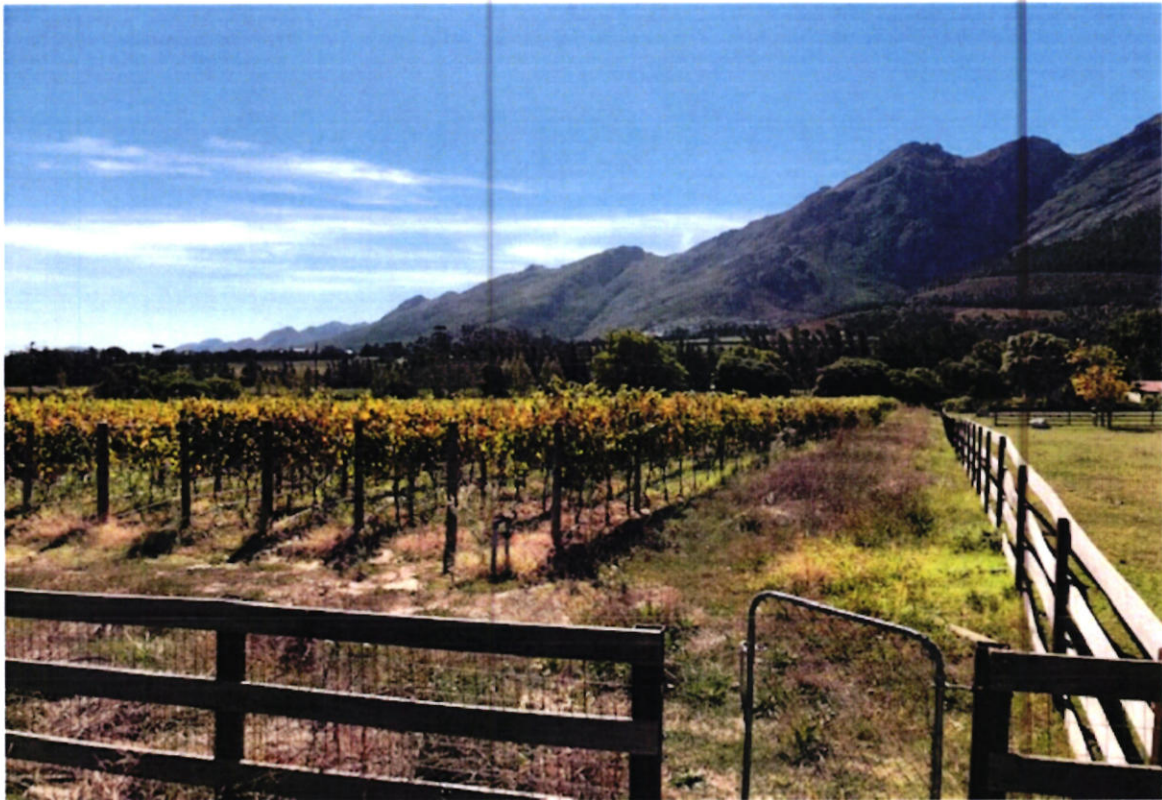




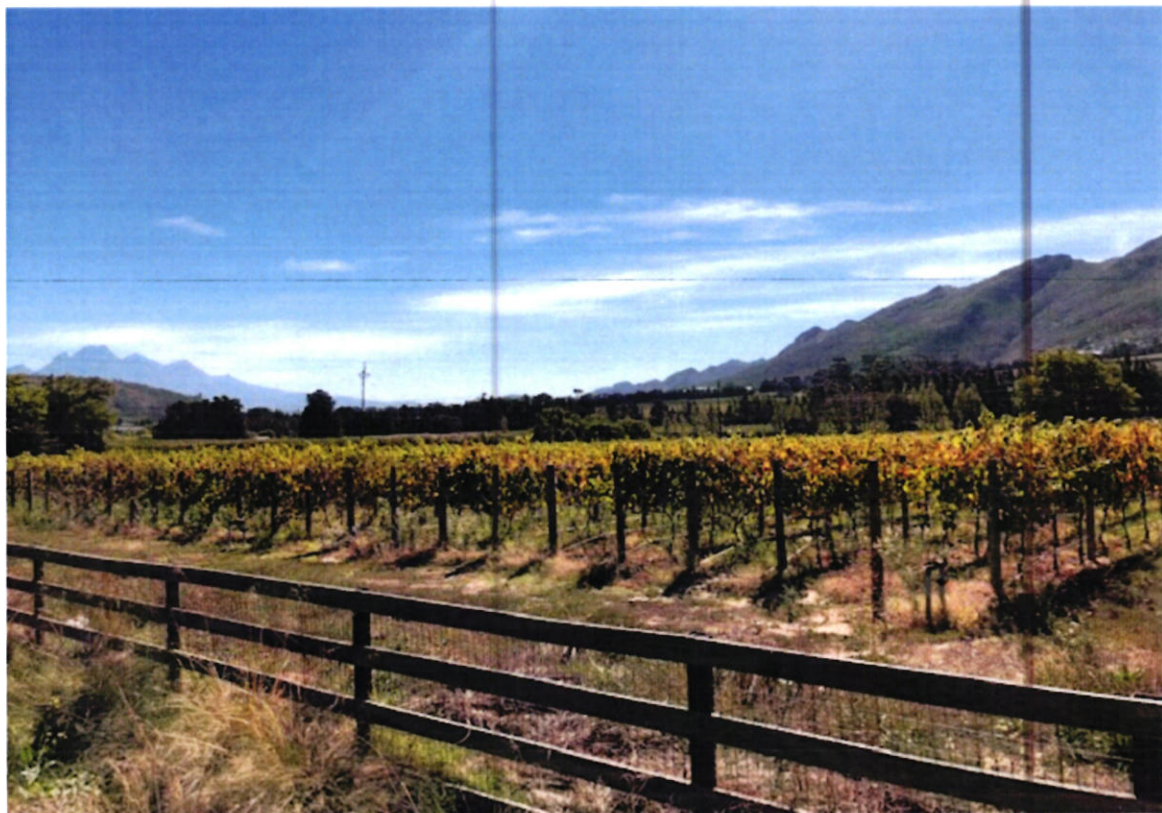
Proposed outside seating area



Informal parking area also used for grazing



Existing vineyards on Portion 2 of Farm No. 1078 Paarl





LAND USE PRE-APPLICATION SCRUTINY FORM

KINDLY NOTE:

1. This Pre-Application Scrutiny form must be submitted prior to the submission of any Land Use and Land Development application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015. (SLUPB)
2. Relevant documents can be accessed at:
<https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal/legislation/3116-stellenbosch-municipality-land-use-planning-by-law-2015/file>
3. The applicant will receive feedback per e-mail following a weekly internal technical discussion on the pre-application scrutiny submission.
4. A pre-application consultation meeting may be required in terms of Section 37 of the said Bylaw on receipt and consideration of this Pre-Application Scrutiny.

PART A: APPLICANT, OWNERSHIP & PROPERTY PARTICULARS

Applicant Name	PIERRE-JEAN LE ROUX
E-Mail	pj@pjleroux.co.za
Tel/ Cell	0760317607
Registered Owner:	PROUD HERITAGE PROPERTIES 60 PTY LTD
Property Description	PORTION 2 OF FARM NUMBER 1078 PAARL
Physical Address:	DIRKIE UYS STREET
Suburb & Town	FRANSCHHOEK
Current Zoning	AGRICULTURE & RURAL ZONE
Current land use	AGRICULTURE (VINEYARDS)

Are there existing buildings on the subject property(ies)?	Yes	No
Are there any existing unauthorized buildings and/or land use on the subject property(ies)?	Yes	No
If yes, is this application to legalize the building/ land use?	Yes	No
Are there any pending court case(s)/ order(s) relating to the subject property(ies)?	Yes	No
Is the property located in a heritage area or contains any heritage significant buildings?	Yes	No
Does the property fall inside the urban edge ?	Yes	No

PART B: APPLICATION

1. WHAT LAND USE PLANNING APPLICATIONS ARE REQUIRED IN TERMS OF SECTION 15(2) OF THE SLUPB?

<input type="checkbox"/>	Rezoning	<input type="checkbox"/>	Subdivision	<input type="checkbox"/>	Removal/Suspension Amendment of restrictive conditions	<input type="checkbox"/>	Consent use
<input type="checkbox"/>	Permanent Departure	<input type="checkbox"/>	Consolidation	<input type="checkbox"/>	Closure of public place	<input type="checkbox"/>	Rectification/ disestablishment of HOA
<input type="checkbox"/>	Temporary Departure	<input type="checkbox"/>	Amendment of condition(s) of approval	<input type="checkbox"/>	Extension of validity period of approval	<input type="checkbox"/>	Amendment/cancel ation of approved subdivision plan
<input type="checkbox"/>	Determination of a zoning	<input type="checkbox"/>	Occasional use	<input type="checkbox"/>	Permission in terms of zoning scheme	<input type="checkbox"/>	Permission in terms of condition of approval
<input type="checkbox"/> OTHER		<input checked="" type="checkbox"/> Technical Approval	<input type="checkbox"/> Exemption		<input type="checkbox"/>		

Details of the Proposal: (Brief description of proposal (not a full motivation))

THE INTENTION IS TO APPLY FOR A TECHNICAL APPROVAL FOR TOURIST FACILITIES TO FACILITATE WINE TASTING AND SALES FROM THE EXISTING AGRICULTURAL BUILDING ON THE SUBJECT PROPERTY. THE WINES WHICH WILL BE TASTED AND SOLD WILL DERIVE FROM THE VINEYARDS ON THE SUBJECT PROPERTY AND WHICH ARE CURRENTLY MADE IN A DIFFERENT WINE CELLAR. THE TASTING AND SALES AREA WILL BE LOCATED INSIDE AND ON THE STOEP OF THE EXISTING BARN BUILDING AS WELL AS OUTSIDE GARDEN AREA. MORE THAN SUFFICIENT ONSITE PARKING WILL BE PROVIDED INFORMALLY ON A PORTION ALSO USED FOR GRAZING.

THE ATTACHED PICTURE COLLAGE DEPICTS THE EXISTING BARN WHICH COMPRISES MANY COMPARTMENTS IN WHICH THE WELL KNOWN "PIGCASSO THE PAINTING PIG" IS ALSO ACCOMMODATED.

2. RELEVANCE OF ANY PLANNING LEGISLATION/ POLICIES AND PLANS

RELEVANT PLANNING CONSIDERATIONS		
(a) Are any Municipal plans/policies/guidelines, or any restrictive title conditions, or other legislation / authorizations applicable to the application, and if yes, is the proposal consistent/ compliant with such?	Yes	No
(b) Does the proposal require the following additional infrastructure / services? e.g. electricity; water; sewerage; road network; other?	YES	NO
(c) Does the development proposal include the provision of residential units, and if so, what is the target market re: range in income bracket/ selling price or rental for the units ?	YES	NO
(d) In addressing the SPLUMA principle of Spatial Justice and as it relates to prescripts on the provision of inclusionary housing, how will this development proposal target affordable market segments?	YES	NO

PART C: COPIES OF PLANS / DOCUMENTS TO BE SUBMITTED AS PART OF PRE-APPLICATION SCRUTINY

The following minimum documentation **must** be attached to this pre-application scrutiny form:

1. **Locality plan**
2. **Layout Plan of proposal** (e.g. copy of existing building plan, indicating proposal on site plan, etc.)
3. **Full copy of the title deed or Conveyance Certificate**

Please Note:

- The Municipality may request any other information deemed necessary for the purpose of this pre-application scrutiny.
- If an incomplete pre-application scrutiny form or the required minimum supporting documents are not submitted the pre-application scrutiny form will not be accepted by the Municipality.

DECLARATION: I hereby confirm that the information contained in this pre-application scrutiny form and accompanying documentation is complete and accurate.

Applicant's signature: _____

Date: **APRIL 2021**

FOR OFFICE USE:

Municipal Stamp

Received by: _____

Date: _____

DETERMINATION BY AUTHORISED OFFICIAL

Additional Information		Pre-Application Consultation		Application Ready	
Sign:		Date:			

APPLICANT INFORMED BY RESPONSIBLE OFFICIAL

Sign:	Date:
-------	-------

321

Norton Rose Fulbright South Africa
3 Pencarrow Crescent
La Lucia Ridge
4051

Fee endorsement		
	Amount	Other fee
Purchase price/Value	R. 17 000 000,00	R. 3 000,00
Mortgage capital Amount	R.	R.
Reason for exemption	Exempt 12.0	
Act	section	Act

Prepared by me

Nal

CONVEYANCER
DOUGLAS SPENCE TATHAM

VIG VERDERE ENDOSSEMENTE SIEM BLADST
FOR FURTHER ENDORSEMENT SEE PAGE 4

DATA / CAPTURE
2015-03-10
PUMELELA MNAMATA

DEED OF TRANSFER

T 000009854 / 2015

BE IT HEREBY MADE KNOWN THAT

ANTON LUTHER POSTHUMUS

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 MOUNT EDGECOMBE on 17 OCTOBER 2014 granted to him by

TRADEQUICK 109 PROPRIETARY LIMITED
Registration Number 1998/014412/07

[Handwritten signature]

DATA / VERIFY
11 MAR 2015
NGONGWANA PENELOPE

And the appearer declared that his said principal had, on 2 July 2014, 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:

PROUD HERITAGE PROPERTIES 60 PROPRIETARY LIMITED
Registration Number 2004/011248/07

its Successors in Title or assigns, in full and free property

**PORTION 2 OF THE FARM NUMBER 1078
IN THE STELLENBOSCH MUNICIPALITY
DIVISION PAARL
PROVINCE OF THE WESTERN CAPE**

IN EXTENT 6,0799 (SIX COMMA ZERO SEVEN NINE NINE) Hectares

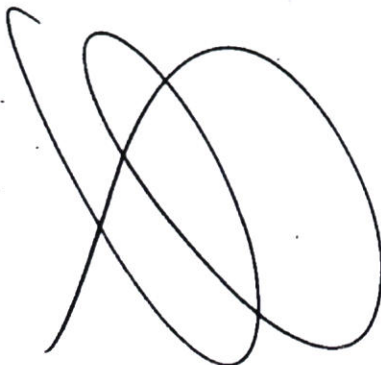
FIRST transferred by Deed of Transfer Number T10 dated 1 July 1875 with diagram relating thereto and held by Deed of Transfer Number T14073/2010

- A. SUBJECT to the conditions referred to in Deeds of Transfer Number T97 dated 11 October 1887 and Number T6910 dated 25 November 1895.
- B. By Deed of Transfer Number T8897/2005 subject to the following right, reserved by the Marvinic Trust in favour of the registered owner of Portion 8 of the Farm La Terra de Lucque Number 1075, situate in the Stellenbosch Municipality, Division of Paarl, Western Cape Province, in extent 32,5896 (Thirty Two Comma Five Eight Nine Six) hectares (hereafter referred to as "the dominant tenement") and his successors-in-title namely:

"A servitude right of way six metres wide and the route of which shall be determined by the respective registered owners of the property hereby being transferred and the dominant tenement at a future date."

- C. SUBJECT to a sewer pipeline servitude three metres wide, the centre line of which is depicted by the line ABCDEF on diagram SG Number 1497/2012 in favour of the Remainder of Erf 27 Franschhoek, Erf 1531 Franschhoek and Portion 14 (of Portion 12) of the Farm La Terra De Lucque Number 1075, as created in Notarial Deed of Pipeline Servitude Number ~~9854/2015~~

K 182/2015



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

TRADEQUICK 109 PROPRIETARY LIMITED
Registration Number 1998/014412/07

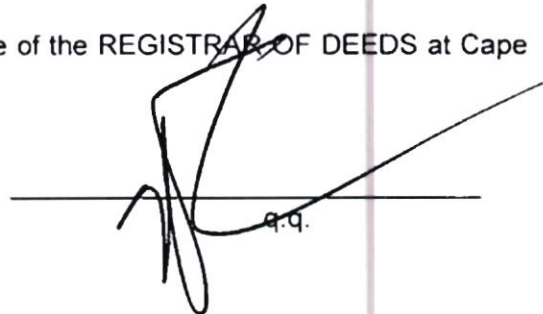
heretofore had to the premises, did in consequence also acknowledge it to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

PROUD HERITAGE PROPERTIES 60 PROPRIETARY LIMITED
Registration Number 2004/011248/07

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 R17 000 000,00 (SEVENTEEN MILLION 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 03 MAR 2015

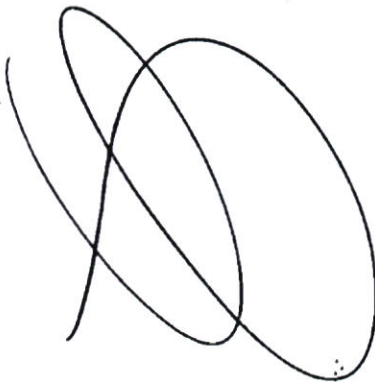


q.q.

In my presence




REGISTRAR OF DEEDS



ANNEXED TO T9854/2015

PAGE 4

CERTIFICATE OF REGISTERED TITLE ISSUED	
TEN OPSIGTE VAN IN RESPECT OF PTN 13 (a PTN of PTN 2) of the Farm No 1078	
RESTANTREMAINDER=3,4905 HA	
T 000071753 / 2017	 REGISTRATEUR/REGISTRAR
30 NOV 2017	



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY



LAND USE PLANNING APPLICATION FORM

(Section 15 of the Stellenbosch Municipal Land Use Planning By-Law 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)	PIERRE-JEAN				
Surname	LE ROUX				
Company name (if applicable)	P-J Le Roux TOWN PLANNERS PTY LTD				
Postal Address	P O BOX 3457				
	PAARL			Postal Code	7620
Email	pj@pjleroux.co.za				
Tel	021-872 2499	Fax	086 605 8431	Cell	076 031 7607

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

Registered owner(s)	PROUD HERITAGE PROPERTIES 60 (PROPRIETARY) LIMITED				
Physical address	DIRKIE UYS STREET				
	FRANSCHHOEK			Postal code	
E-mail	c/o pj@pjleroux.co.za				
Tel		Fax		Cell	0760317607

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

Erf / Erven / Farm No.	1078	Portion(s) if Farm	2	Allotment area	PAARL
Physical Address	DIRKIE UYS STREET FRANSCHHOEK				
Current Zoning	AGRICULTURE & RURAL ZONE	Extent	3,4905ha	Are there existing buildings?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
Applicable Zoning Scheme	STELLENBOSCH ZONING SCHEME BY-LAW				
Current Land Use					

		AGRICULTURE	
Title Deed number and date	T	T9854/2019	
Any restrictive conditions?	Y N	If Yes, list condition(s)	
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 bondholder(s)	
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?	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	If Yes, complete the information below and attach the minutes of the pre-application consultation.
Official's name	Nopinki Dafeti	Reference Number
Date of consultation	April 2021	

PART E: LAND USE PLANNING APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW AND APPLICATION FEES PAYABLE

Tick	Section	Type of application	Cost
	2(a)	a rezoning of land;	
	2(b)	a permanent departure from the development parameters of the zoning scheme;	R
	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;	R
	2(d)	a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;	R
	2(d)	certificate of exemption, in terms of section 24(2), from applying for subdivision in terms of section 15;	R
	2(e)	a consolidation of land that is not exempted in terms of section 24;	R
	2(e)	certificate of exemption, in terms of section 24(2), from applying for consolidation in terms of section 15;	R
	2(f)	a removal, suspension or amendment of restrictive conditions in respect of a land unit;	R
	2(g)	a permission required in terms of the zoning scheme;	R
	2(h)	an amendment, deletion or imposition of conditions in respect of an existing approval;	R
	2(i)	an extension of the validity period of an approval;	R
	2(j)	an approval of an overlay zone as contemplated in the zoning scheme;	R
	2(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram;	R
	2(l)	a permission required in terms of a condition of approval;	R
	2(m)	a determination of a zoning;	R

	2(n)	a closure of a public place or part thereof;	R
	2(o)	a consent use contemplated in the zoning scheme (Special Developments & Special Consent);	R
	2(p)	an occasional use of land;	R
	2(q)	to disestablish a home owner's association;	R
	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;	R
	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.	R

OTHER APPLICATIONS

	Deviation from Council Policies/By-laws;	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; data messages	R
	PUBLICATION OF NOTICES	Local Newspaper(s); Provincial Gazette; 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	Provincial Gazette	R
	INTEGRATED PROCEDURES	T.B.C	R
TOTAL B:			R
TOTAL APPLICATION FEES* (TOTAL A + B)			R

* Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany an application.

** 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

Name: Stellenbosch Municipality

Bank: ABSA BANK

Branch no.: 334410

Account no.: 410 188 031

Payment reference:
(Erf/Farm number)

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.....						
in terms of Section.....of the.....Zoning Scheme Regulations						
Other (please specify)	<hr/> <hr/> <hr/>					

Brief description of proposed development / intent of application:

APPLICATION TO UTILIZE PORTIONS OF AN EXISTING BUILDING ON PORTION 2 OF FARM NO. 1078 PAARL AS A TOURIST FACILITY (WINE TASTING AND SALES WITH LIGHT MEALS)

PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION [section 15(2)(a) to (s) of the Stellenbosch Municipal Land Use Planning By-Law]

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									
Y	N		Power of attorney / Owner's consent if applicant is not owner		Y	N		Bondholder's consent (if applicable)	
Y	N		Resolution or other proof that applicant is authorised to act on behalf of a juristic person		Y	N		Proof of any other relevant right held in the land concerned	
Y	N		Written motivation		Y	N		S.G. diagram / General plan extract	
Y	N		Locality plan		Y	N		Site development plan or conceptual layout plan	
Y	N		Proposed subdivision plan		Y	N		Proof of agreement or permission for required servitude	
Y	N		Proof of payment of application fees		Y	N		Proof of registered ownership (Full copy of the title deed)	
Y	N		Conveyancer's certificate		Y	N		Minutes of pre-application consultation meeting (if applicable)	
Y	N	N/A	Consolidation plan		Y	N	N/A	Land use plan / Zoning plan	
Y	N	N/A	Street name and numbering plan		Y	N	N/A	1 : 50 / 1:100 Flood line determination (plan / report)	
Y	N	N/A	Landscaping / Tree plan		Y	N	N/A	Home Owners' Association consent	
Y	N	N/A	Abutting owner's consent		Y	N	N/A	Services Report or indication of all municipal services / registered servitudes	
Y	N	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	N/A	Proof of failure of Home owner's association	
Y	N	N/A	Copy of original approval and conditions of approval		Y	N	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes	
Y	N	N/A	Proof of lawful use right		Y	N	N/A		
Y	N	N/A	Required number of documentation copies		Y	N	N/A		

PART H: AUTHORISATION(S) IN TERMS OF OTHER LEGISLATION


Y	N/A	National Heritage Resources Act, 1999 (Act 25 of 1999)			Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989))	
Y	N/A	National Environmental Management Act, 1998 (Act 107 of 1998)		Y	N/A	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)		Y	N/A	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)		Y	N/A	National Water Act, 1998 (Act 36 of 1998)
Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations		Y	N/A	Other (specify)
Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)				
Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.				
Y	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 :

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) 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.

Applicant's signature:



Date:

MAY 2021

Full name:

PIERRE-JEAN LE ROUX

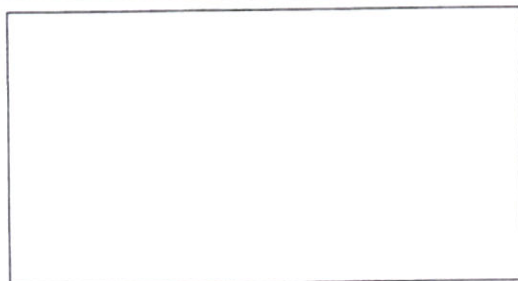
Professional capacity:

**DIRECTOR:
P-J LE ROUX TOWN PLANNERS (PTY) LTD
Pr. Pln. A/803/1995**

FOR OFFICE USE ONLY

Date received:

Received by:



Nicole Katts

From: Landuse Applications
Sent: Friday, 18 June 2021 08:43
To: Pierre-Jean le Roux (pj@pjleroux.co.za)
Cc: Nicole Katts; Nopinki Dafeti; Landuse Applications
Subject: RE: OUTSTANDING INFORMATION: FARM 1078/2 PAARL
Attachments: SMFD-Eikest21061809020.pdf

Monday PM

Please find attached invoice for payment of application fees

Please note that the Power of attorney is outstanding



Ward 15 ward
Buleiwa Mdoda
Land Use Management
Planning & Economic Development

TEL: 021 808 8150, 021 808 8151
e: landuse@ Stellenbosch.gov.za
f: www.stellenbosch.gov.za



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From: Nopinki Dafeti
Sent: 01 June 2021 09:46 AM
To: Landuse Applications
Subject: FW: [EX] FW: OUTSTANDING INFORMATION: FARM 1078/2 PAARL
Importance: High

From: Pierre Jean Le Roux <pj@pjleroux.co.za>
Sent: Tuesday, 01 June 2021 09:33
To: Nopinki Dafeti <Nopinki.Dafeti@stellenbosch.gov.za>
Subject: RE: [EX] FW: OUTSTANDING INFORMATION: FARM 1078/2 PAARL
Importance: High

Nopinki,

I have no problem submitting a consent fee application if that is what is requested

Please find herewith the revised report and application form

Please acknowledge receipt hereof and let me know if you have any queries or if you want to go to the site

Kind Regard

Pierre Jean Le Roux

Director

Business Development

P-J Le Roux

082 400 1111

021 512 1111

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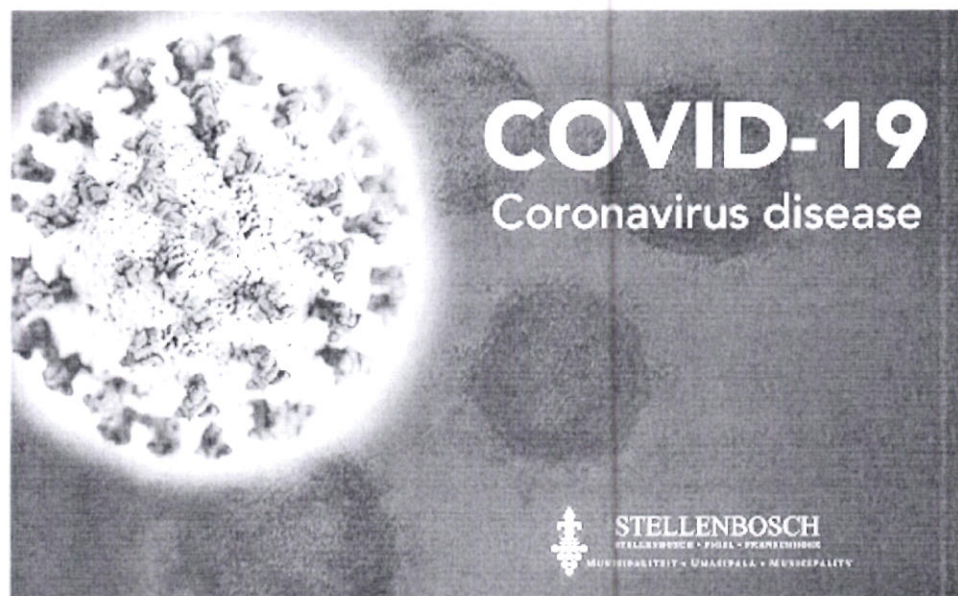
From: Nopinki Dafeti [mailto:nopinki.dafeti@paarl.gov.za]

Sent: 01/06/2021 09:14

To: Pierre Jean Le Roux

Subject: RE: [EX] FW: OUTSTANDING INFORMATION: FARM 1078/2 PAARL

Otherwise the members asked for a Consent Use application to be submitted as the layout of the building suggest that the entire building can be utilised for the proposed land use.



•
•
•



From: Pierre Jean Le Roux <[redacted]>
Sent: Monday, 31 May 2021 11:30
To: Nopinki Dafeti <[redacted]>
Subject: RE: [EX] FW: OUTSTANDING INFORMATION: FARM 1078/2 PAARL

Nopinki,

Do you have any further feedback on your last discussions on the application for Portion 2 of Farm No. 1078 Paarl?

Kind regards,
P.J. le Roux

P.J. le Roux

P.J. le Roux Town Planners

[redacted]
[redacted]
[redacted]



2021/05/31 11:30:00 (UTC+2)
[redacted]

[redacted]
[redacted]

Sincerely,
P.J. le Roux

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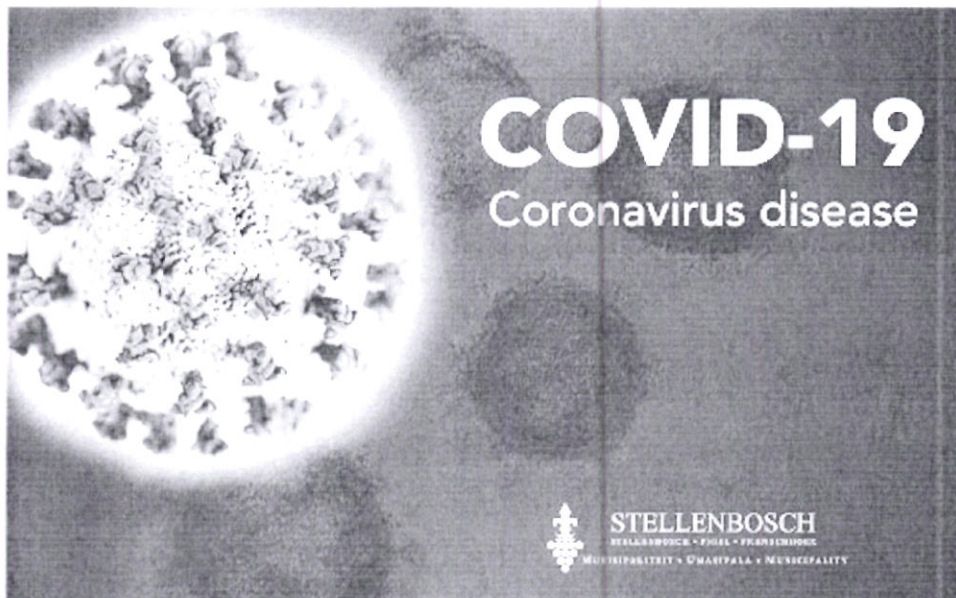
From: Nopinki Dafeti []
Sent: 27/05/2021 10:16
To: Pierre Jean Le Roux
Cc: Landuse Applications
Subject: RE: [EX] FW: OUTSTANDING INFORMATION: FARM 1078/2 PAARL

Dear PJ,

Thank you for this information. I will present this application again in our technical meeting today.



Eng M. van
Nopinki Dafeti
District Manager
Planning & Economic Development
Stellenbosch Municipality
Private Bag 10179, Stellenbosch 7601
021 881 1000 ext. 2111
www.stellenbosch.gov.za
<https://www.stellenbosch.gov.za/planning>



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•
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From: Pierre Jean Le Roux <[redacted]>
Sent: Monday, 24 May 2021 09:01
To: Nopinki Dafeti <[redacted]>
Subject: [EX] FW: OUTSTANDING INFORMATION: FARM 1078/2 PAARL
Importance: High

Dear Nopinki

I hope you are well and happy to be back at work.

Please read the 2nd comment on the submitted application for the Consent Use of Farm No. 1078 Paarl. I take note of the contents thereof.

If I may, could I request a response to the following comments?

- The proposed layout of the proposed restaurant facility is not in line with the requirements for other proposed facilities in the area.
- The proposed patio area is not in line with the requirements for other proposed facilities in the area.
- The area adjacent to the patio is for normal pedestrian circulation for both farm workers as well as guests. No seating will be allowed in the walkway.
- It is important to note that the existing building is a multi-use agricultural building with animal stalls which were used as such. The proposed restaurant facility will now be a part of the building and will remain a multi-use building.
- The intention of the applicant is not to convert the existing building into a restaurant facility and that the kitchen area will be included into the proposed restaurant facility. See the final floor plan attached.

Should you have any questions or comments regarding the application, please let me know. I will be happy to assist you.

I look forward to hearing from you.

Yours faithfully,

[redacted]

[redacted]



Stellenbosch Municipality
Stadsregering Stellenbosch

Page 1 of 1

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From: Nicole Katts [mailto:nkatts@ Stellenbosch.gov.za]
Sent: 17/05/2021 09:46
To:
Cc: Nopinki Dafeti
Subject: OUTSTANDING INFORMATION: FARM 1078/2 PAARL

Good day PJ

I trust that you are well.

Please find attached requirements needed from the Planner.

As soon as the attached is addressed you will be provided with an invoice.



Kind regards / Vriendelike Groete

Nicole Katts

Agri-Initiative Officer

Land Use Management

Planning & Economic Development

Stellenbosch Municipality

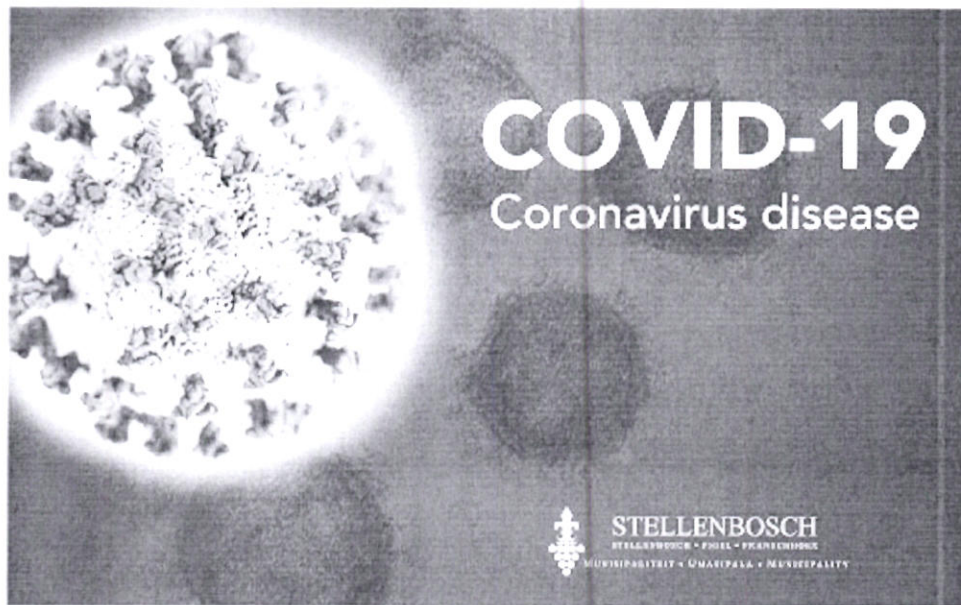
Stellenbosch, Western Cape

021 891 2000

www.stellenbosch.gov.za



Stellenbosch Municipality is a member of the Council of the City of Cape Town.



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•
•



Nicole Katts

From: pj@pjleroux.co.za
Sent: Monday, 17 May 2021 09:46
To: Nicole Katts
Subject: [EX] Out of the office

Hi,

Sorry I am not available at present. I am out of the office and will be back on Monday 24 May 2021 and will gladly attend to your mail and message as soon as I am available.

Kind regards

P-J le Roux

Nicole Katts

From: Nicole Katts
Sent: Monday, 17 May 2021 09:46
To: pj@pjleroux.co.za
Cc: Nopinki Dafeti
Subject: OUTSTANDING INFORMATION: FARM 1078/2 PAARL
Attachments: OUTSTANDING INFORMATION.pdf

Good day PJ

I trust that you are well.

Please find attached requirements needed from the Planner.

As soon as the attached is addressed you will be provided with an invoice.



Kind regards / Vriendelike Groete

Nicole Katts

Administrative Officer

Land Use Management

Planning & Economic Development

T: +27 21 808 8318

43 Andringa Str, Eikestad Mall, 3rd

Floor

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/eng/for-visitor/privacy-policy-page-10/>

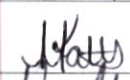



PLANNING & ECONOMIC DEVELOPMENT

LAND USE APPLICATION COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW, 2015				Date of Submission of Application	10/05/2021	
Erf / Erven/ Farm no	1078/2	Portion(s) if farm		Allotment Area	Paarl	
Owner / Applicant	PJ Le Roux Town Planners		Contact number	076 031 7607		
Email address	pj@pjlroux.co.za					
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION				ADMIN TO VERIFY¹		PLANNER TO EVALUATE²
1. Completed application form that is signed				✓		
2. Power of Attorney / Owners' Consent if the applicant is an agent				✓		
3. Bondholders' consent						
4. Proof that applicant is authorized to act on behalf of an entity						
5. Proof of ownership or rights held in land						
6. Motivation based on criteria in s65						
7. SG diagram or General Plan				✓		
8. Locality plan				✓		
9. Site development plan or plan showing the land development				✓		
10. Subdivision plan						
11. Permission for required servitude						
12. Title Deed				✓		
13. Conveyancer's certificate						
14. Feedback on Pre-application scrutiny				✓		
15. Minutes of Pre-consultation Meeting						
16. Consolidation plan						
17. Street name and numbering plan						

¹ Verification by Admin only of the documentation attached and completeness of application and not the correctness thereof.

² Technical evaluation by Planner of the documentation attached for completeness and correctness thereof.

INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION	ADMIN TO VERIFY	PLANNER TO VERIFY
18. Land use plan / zoning plan		
19. Landscaping / tree plan		
20. Flood line plan		
21. Neighbours' consent		
22. HOA consent		
23. Assessments: EIA, HIA, TIA, TIS, MHIA, EA/ROD		
24. Services report		
25. Previous approvals		
26. Proof of failure of HOA		
27. Proof of lawful use right / zoning certificate		
28. Other documents Specify:.....		
VERIFIED & SIGNED BY ADMIN	NAME: Nicole Katts	
VERIFIED & SIGNED BY PLANNER	NAME: Nopinki Dafeti	


Outstanding information (to be completed by Planner):

- The size of the building where the tourist facility is proposed, exceeds 250m² that is prescribed by the Zoning Scheme By-Law of 2019.
- The nature of the application compared to the Site plan submitted, contradict each other as the application includes preparation of light meals but the kitchen on the site plan is not included as the area of application.
- The front and back patios (m²) must also be included in the calculation of the floor area to be used for the proposed development.

NOTES:

1. The documentation is not considered as a registered application until such time as it has been scrutinized, all outstanding information (if any) has been submitted and payment is reflected in Council's bank account, after Applicant has been requested by Admin to make payment.
2. Should it be found that the application is not complete, the Applicant will be notified of outstanding information [s41(1)(c)(ii)].
3. Once payment has been confirmed and the application has been registered, the Applicant will be notified of the complete application [s41(1)(c)(i)] and will receive instructions to advertise [s48(4)].
4. Should the outstanding information and/or payment of fees not be received, the applicant will be notified that the application will not proceed due to failure to submit required information [s41(4)].

→ It is advisable that the applicant should apply for Consent Use for the above reasons.

 14/5/2021



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

The Municipal Manager
Stellenbosch Municipality
P O Box 17
STELLENBOSCH
7599

10 May 2021
TA 60-12

Attention: Mrs. N Dafeti

Dear Nopinki

**APPLICATION IN TERMS OF STELLENBOSCH MUNICIPALITY LAND USE PLANNING
BY-LAW, 2015**

APPLICATION FOR TECHNICAL APPROVAL: PORTION 2 OF FARM NO. 1078 PAARL

Hereby formal application is made in the revised report for the following:

- (i) In terms of **Section 13** of the Stellenbosch Municipality Zoning Scheme By-Law (May 2019) for **Technical Approval** to permit an **Tourist facility** for wine tasting and sales with light meals (**±250m²**) inside an existing building and on the grassed area on the Remainder of Portion 2 of the Farm No. 1078 Paarl.

Please find herewith a motivation report with supporting documents. Please do not hesitate to contact this office should you require any more information. We trust that this application conforms to your requirements and that it will be dealt with timely.

Kind regards

PIERRE-JEAN LE ROUX
Pr. Pln. A./803/1995

P-J le Roux Stadsbeplanners Edms. Bpk. (Reg nr: 2015/058583/07)
BTW No. 4860288747

Hoofstraat 262 Main Road, Paarl, 7646 Posbus / P O Box 3457, Paarl, 7620
Mobile: 0760317607 Tel: + 27 21 8722499 Faks: + 27 86 605 8431 Epos: pj@pjleroux.co.za
Direkteur P.J le Roux Pr. Pln A/803/1995 Ba Hons.M(S&S) MSAPI



*Application for Technical Approval:
Remainder of Portion 2 of Farm No. 1078
Paarl*

May 2021

TA 60-12

 **P-J Le Roux**
STADS-EN STREEKBEPLANNER
TOWN AND REGIONAL PLANNER
Hoofstraat 262 Main Road, Paarl
(t) 021-8722499 (f) 086 605 8431
(email) pj@pjleroux.co.za

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**P-J le Roux**

STADS- EN STREEKBEPLANNERS /TOWN AND REGIONAL PLANNERS

*Remainder of Portion 2 of Farm No. 1078 Paarl**May 2021*



Plans

1. Locality Plan
2. Aerial Photo
3. SG diagram
4. Site Development Plan
5. Approved building plan
6. Floor Plan

Tables

1. Property information

Annexure

1. Power of Attorney & Company Resolution
2. Copy of Title Deed
3. Pre-consultation
4. Municipal account
5. Proof of service provider
6. Application form

***P-J le Roux***

STADS- EN STREEKBEPLANNERS /TOWN AND REGIONAL PLANNERS

*Remainder of Portion 2 of Farm No. 1078 Paarl**May 2021*



1. INTRODUCTION

1.1 Application

Hereby formal application is made for the following:

- (i) In terms of **Section 13** of the Stellenbosch Municipality Zoning Scheme By-Law (May 2019) for **Technical Approval** to permit an **Tourist facility** for wine tasting and sales with light meals (**±250m²**) inside an existing building and on the grassed area on the Remainder of Portion 2 of the Farm No. 1078 Paarl.

1.2 Applicant

DENISE WASCHNIG, as Office Manager and duly authorized by **PROUD HERITAGE PROPERTIES 60 (PROPRIETARY) LIMITED** as registered owners of the **Remainder of Portion 2 of the Farm No. 1078 Paarl** appointed this firm *P-J Le Roux Town Planners* to prepare a formal application for technical approval in order to permit an existing building on Portion 2 of Farm No. 1078 Paarl to be used as a tourist facility and to submit it to the relevant authorities for formal approval (***Power of Attorney and Company Resolution attached***).

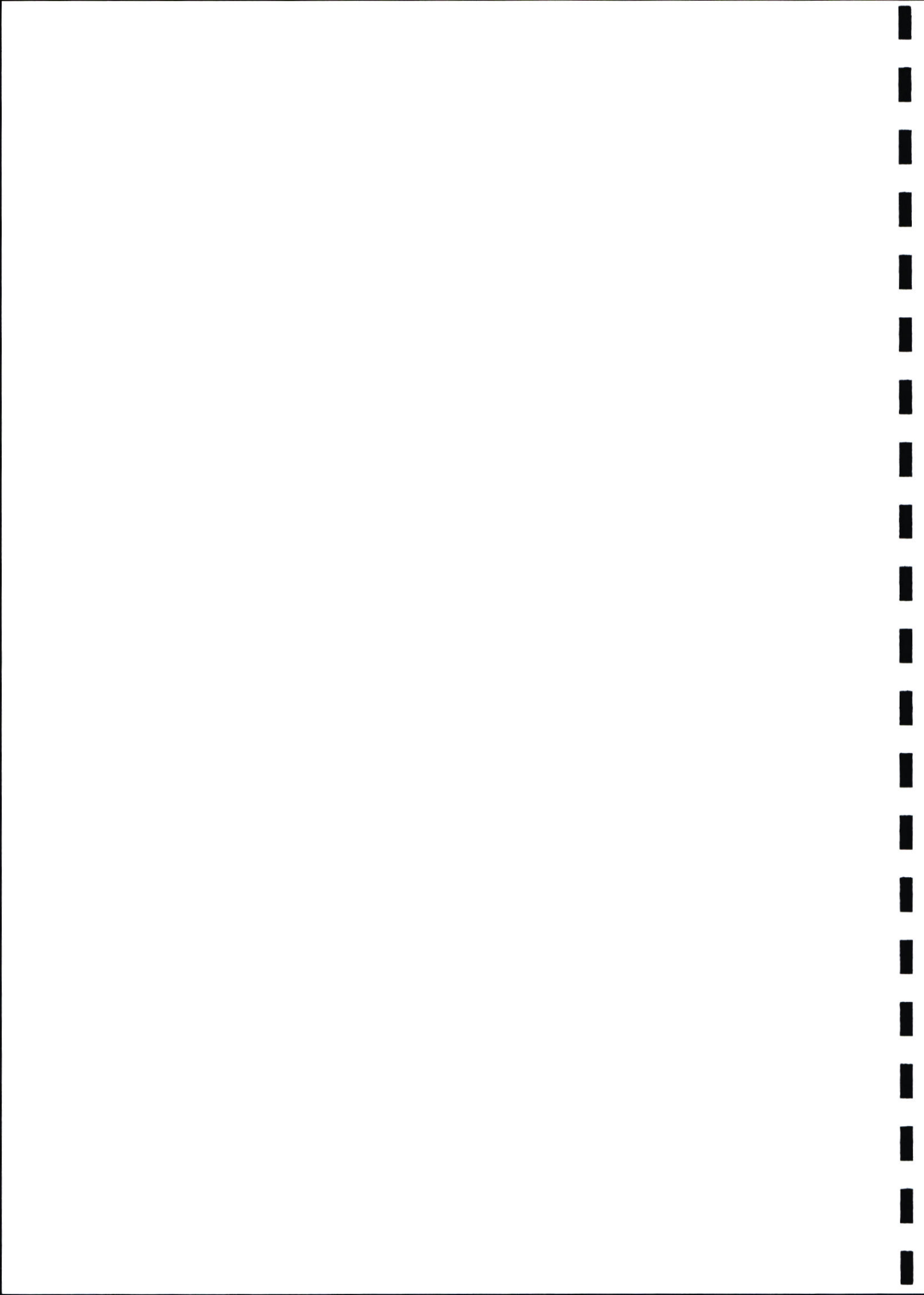


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Remainder of Portion 2 of Farm No. 1078 Paarl

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2. PROPERTY INFORMATION

Description	Remainder of Portion 2 of the Farm No. 1078 Paarl
Location	Dirkie Uys Street in Franschhoek
Extent	3,4905ha
Registered owner	PROUD HERITAGE PROPERTIES 60 (PTY) LTD
Title Deed	T9854/2015 (Copy of Title Deed attached)
Existing zoning	Agriculture & Rural Zone
Restrictive Conditions	None
Planning Legislation	Stellenbosch Municipality: Zoning Scheme By-Law (2019) Stellenbosch Municipality: Drakenstein Municipality Land Use Planning By-Law(2018)

Table 1: property description

The subject property is located along Dirkie Uys Street north of the central business district (CBD) of Franschhoek and falls in the area of jurisdiction of the Stellenbosch Municipality, Western Cape Province. The subject property is also the home of the world renowned "**Pigcasso the Painting Pig**".

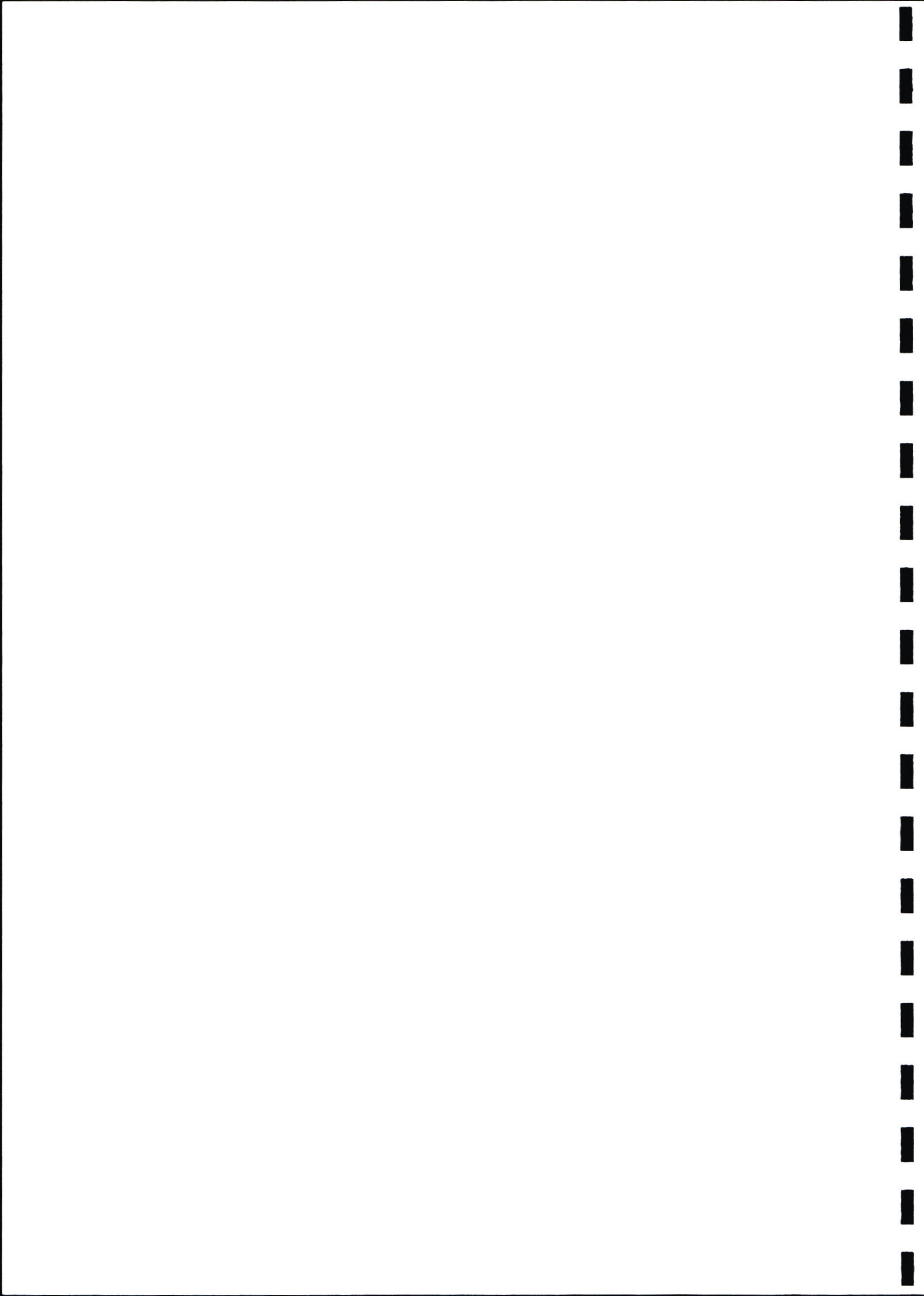


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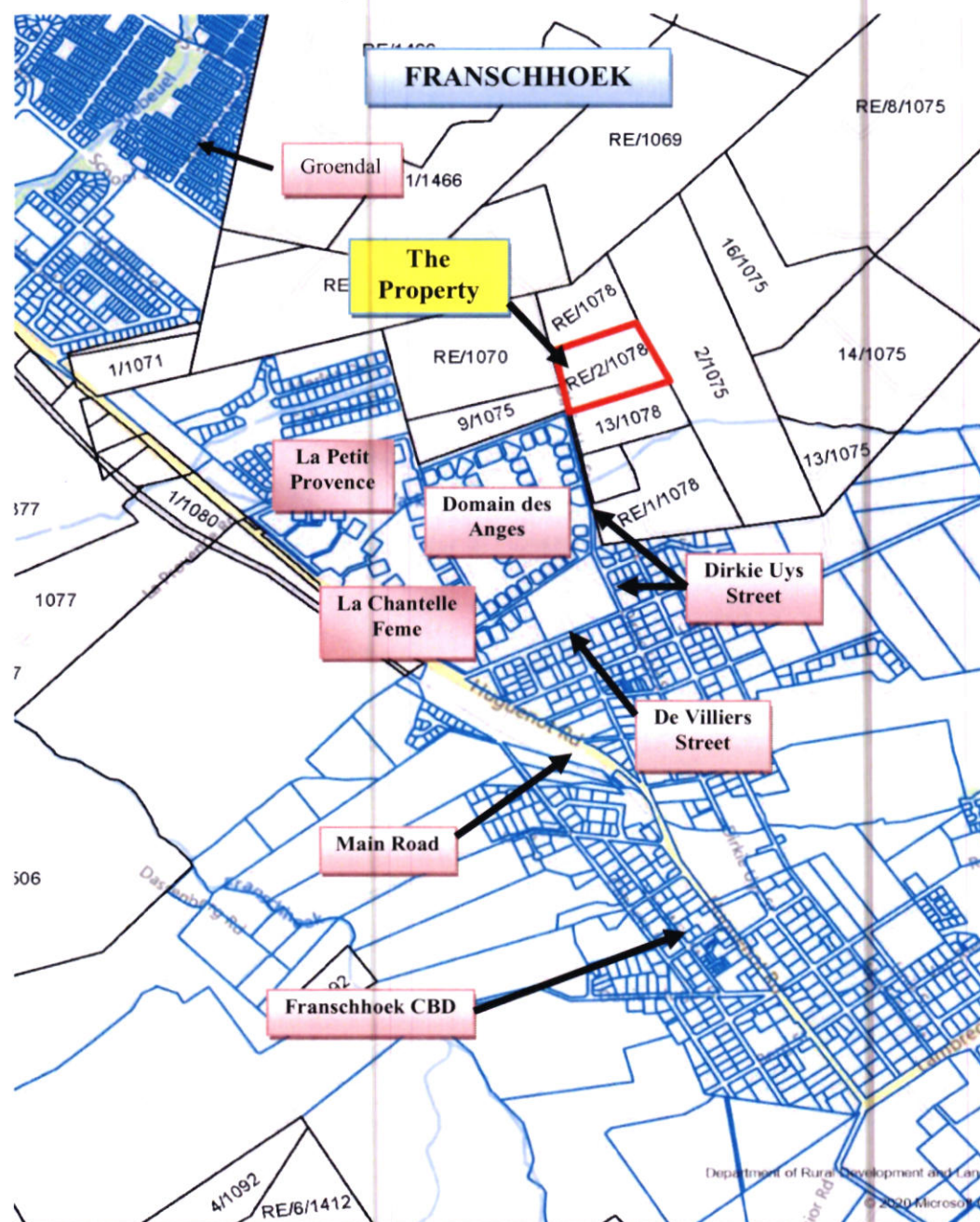
Remainder of Portion 2 of Farm No. 1078 Paarl

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3. LOCATION

The locality of the subject property has a specific local significance since it is an existing agricultural land unit located inside Franschhoek north of the CBD and east of Dirkie Uys Street.



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The subject property is situated in the area between Franschhoek central business district (CBD) to the south and Groendal Township to the north and is bounded to the west by Dirkie Uys Street and a recently approved residential development, and other agricultural land units to the north, east and south. Although this area has been identified as a priority development area in order to link Franschhoek with Groendal the subject property is one of the remaining agricultural land units in this area. The existing agricultural activities comprise vineyards and grazing and no changes thereto are proposed; in fact the proposed tourist facility will serve as agri-tourism facilities and will remain subservient to the primary agricultural activities thereon.

Access to the subject property is taken directly from a servitude road 10m wide which runs over the southern portion of the subject property and intersects with Dirkie Uys Street approximately 100m to the west of the entrance to the subject property. This 10m wide servitude road also provides access to the other agricultural land units located to the south and east of the subject property. Due to the size and scale of the proposed tourist facility both these roads have more than sufficient carrying capacity to easily accommodate the proposed land use. The existing erf entrance is also more than sufficient to accommodate the expected low frequency of traffic and no changes thereto are proposed.

The subject property is one of many agricultural small holdings situated inside Franschhoek and which are renowned for their high quality of grapes and wine produced from those grapes and since the proposed tourist facility will provide an unique opportunity for visitors to sample and buy the quality of wines produced from the vineyards on the subject property, no changes to the primary land use are proposed.

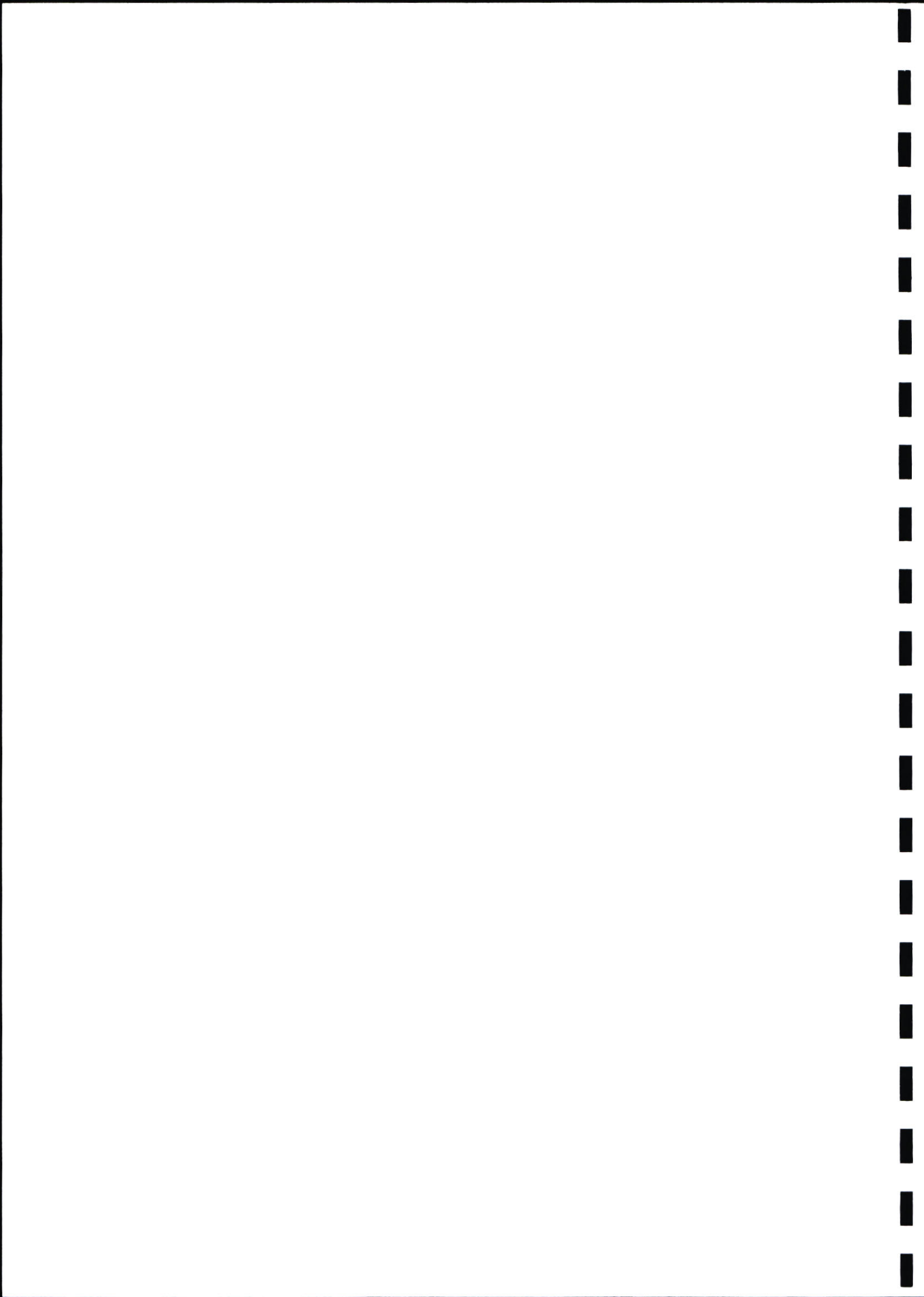


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The intention with this application is to utilize a portion of the existing centrally located barn on the subject property for the purposes of tourist facility where wines are tasted and sold and light meals are served. Although the wines are not made on the subject property, it derives from the grapes harvested from the subject property. This intended uses will enable the applicant to present the produce from the subject property to guests and visitors in a manner which will be subservient to the primary agricultural activities on the subject property.

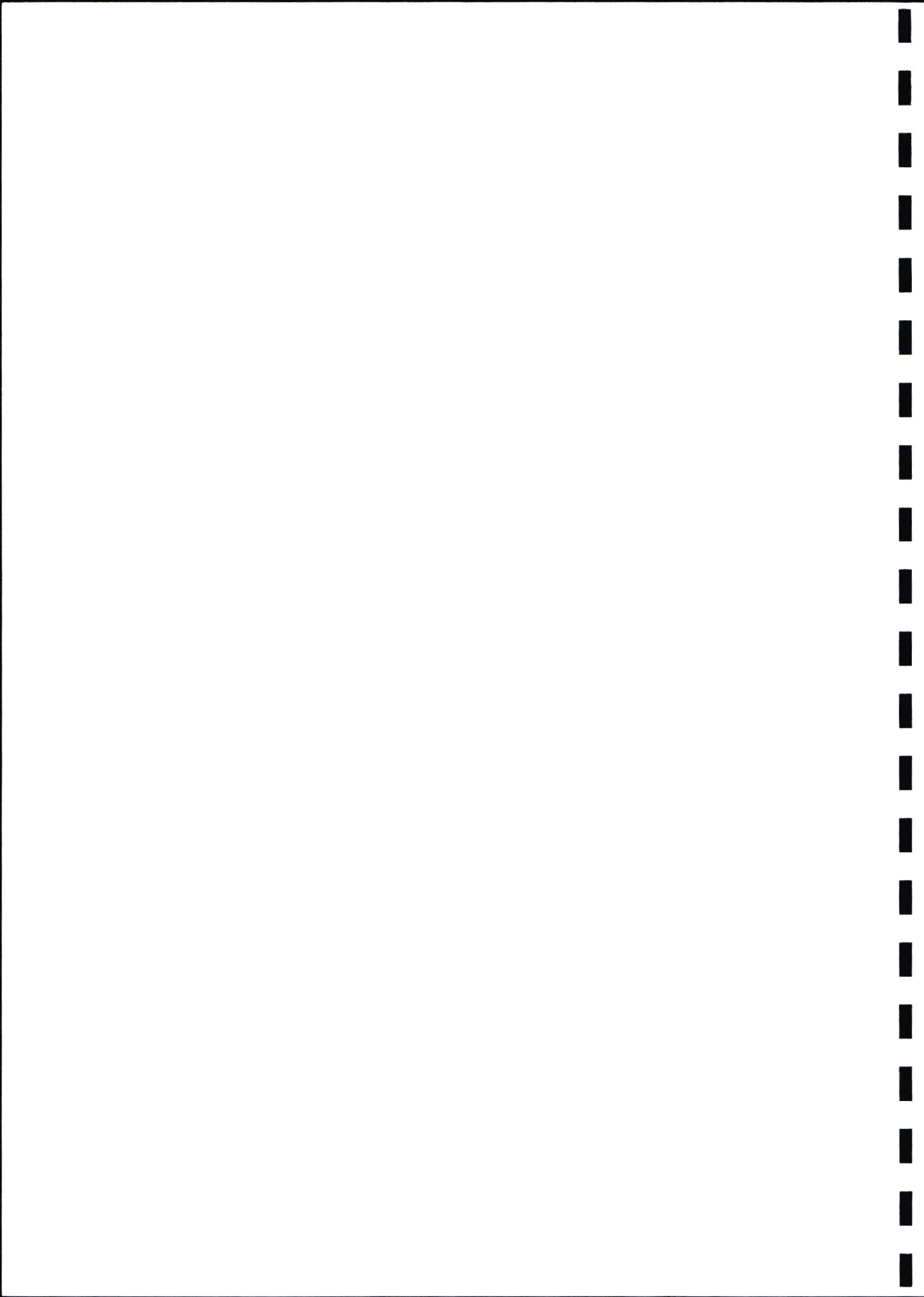


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4. LEGAL LAND USE RIGHTS

4.1 Existing zoning

In terms of the newly promulgated Stellenbosch Municipality Zoning Scheme By-Law (2019) the subject property is zoned as **Agriculture and Rural Zone**.

Primary Uses	Additional Uses (not exceeding the threshold in this chapter and subject to 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 centre Home occupation practice Polytunnel >2001m ² -<5000m ² Rooftop base telecommunication station Tourist dwelling units Tourist facilities (existing buildings)	Abattoir Additional dwelling units (max 4) Airfield Airstrip Agricultural industry >2000m ² 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 >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

Table 2: Extract from Stellenbosch Municipality Zoning Scheme By-Law (2019)

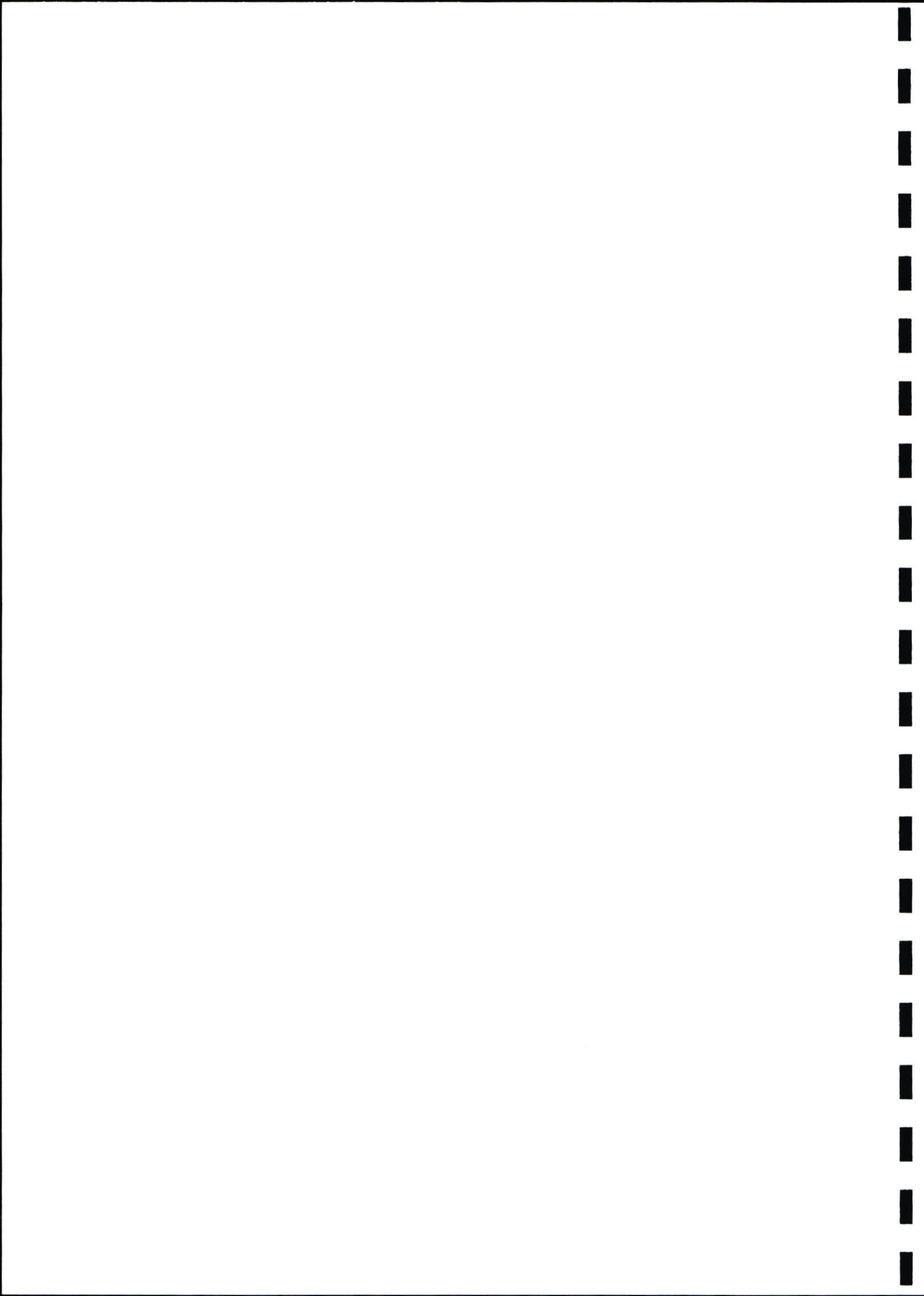


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6.2 Existing land uses

The subject property is an active and working farm with the following improvements present on the property.

- Centrally located barn
- Structure
- Agriculture

The existing barn which shelter livestock comprises an A-framed structure with lean-to additions on the sides, which are divided into approximately **6 separate stalls** of which three are large stalls and three smaller stalls in which animals are kept. These stalls of which one is used as store area are separated by a central area or aisle which is primarily used by people especially since each of the stalls has a door opening to the outside grazing area and no animals use the aisle. It is in one of these stalls in which the world renowned ***Pigcasso the Painting Pig*** is accommodated. The existing barn building also has existing ablution facilities and a farm office.

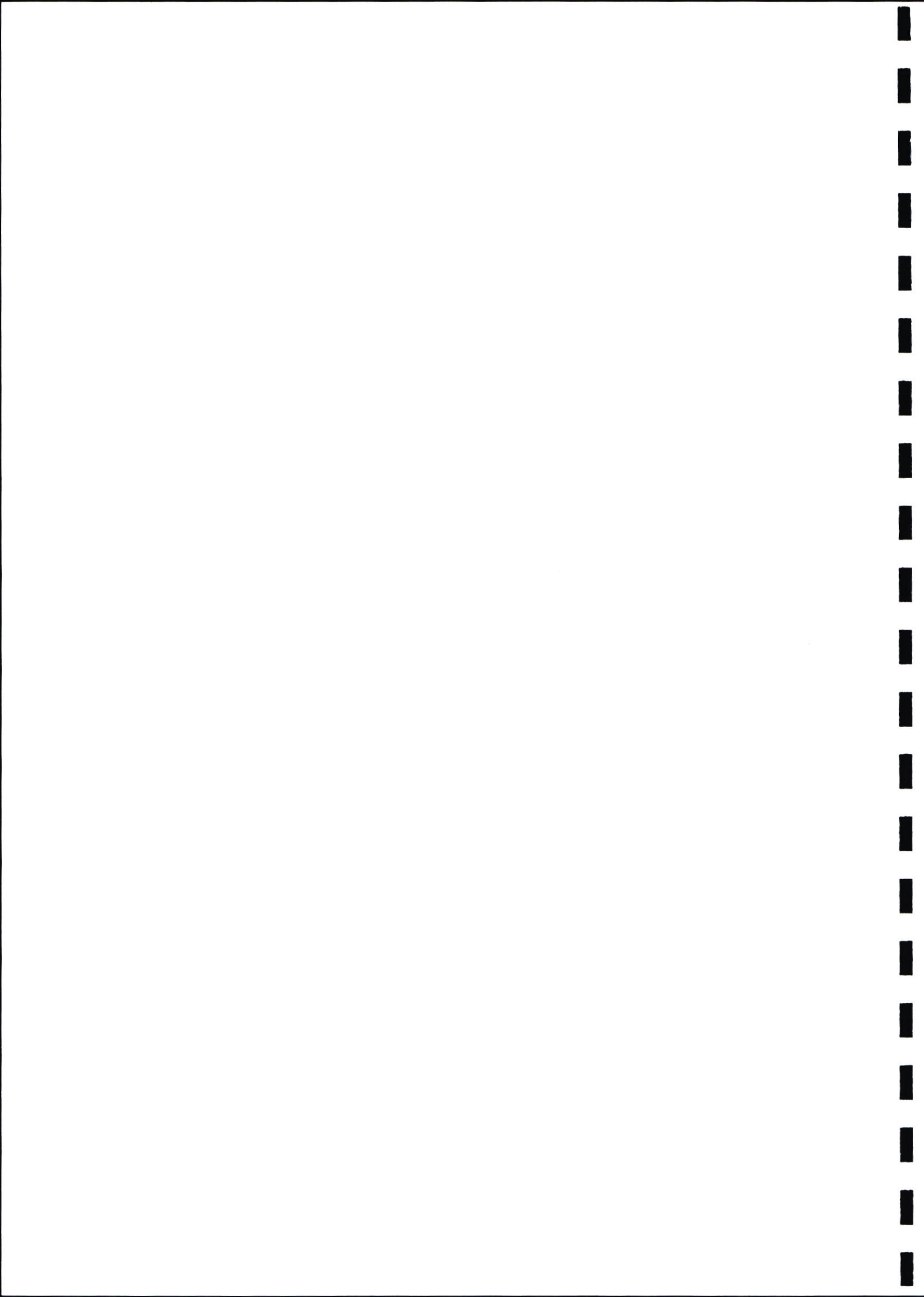


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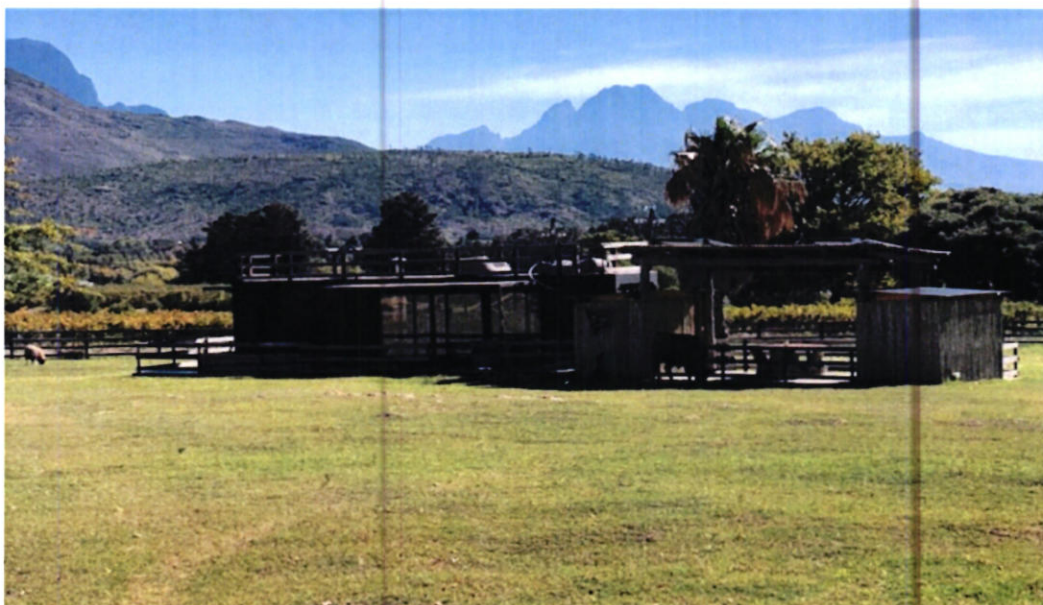
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Inside existing barn

The existing structure is located also near the centre of the subject property and is a bona fide agricultural building.



Existing structure

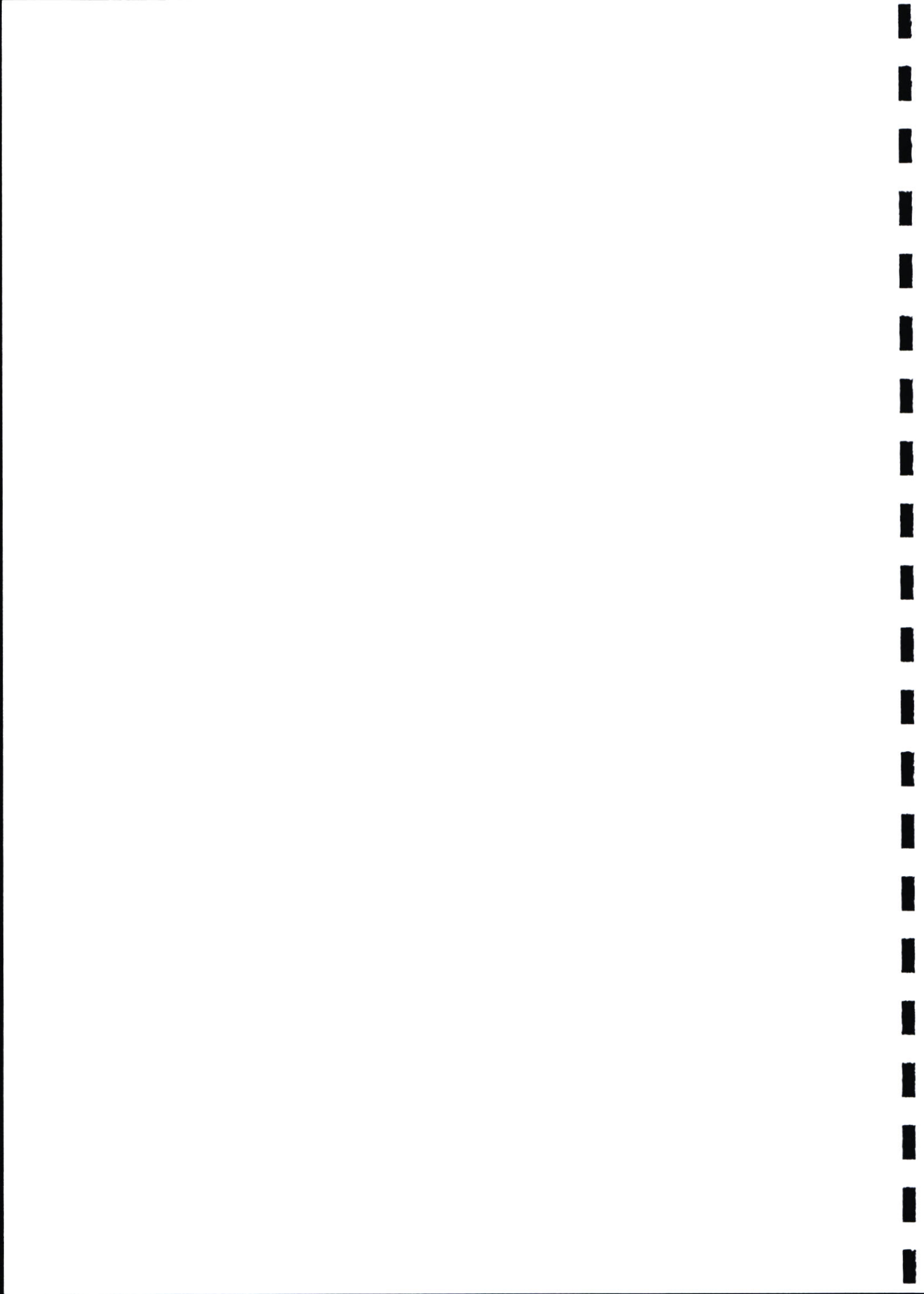


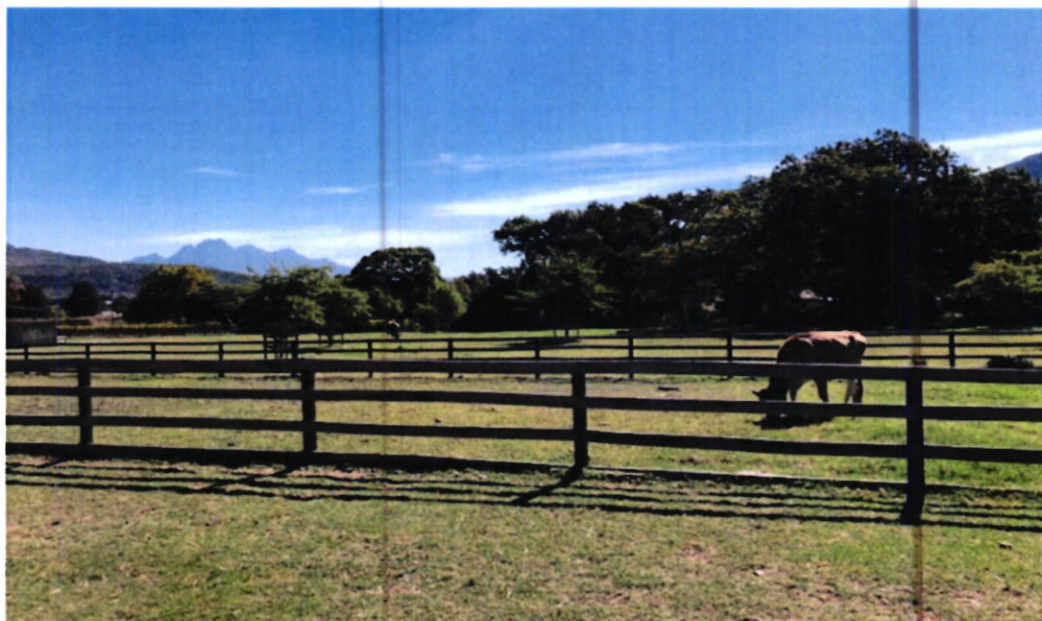
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Paddocks used for grazing

The agricultural improvement comprises:

- The property is planted to **±1ha** of vines comprising a specific cultivar which is located along the western boundary of the subject property. The grapes harvested from these vineyards are taken to a wine cellar where the wines are made.
- The remainder of the property excluding the buildings and road measures **±2,2ha** in extent is divided into paddocks and used primarily for grazing.
- Water for domestic purposes and irrigation is obtained from existing borehole

The average yield for the vineyards is **±10 tonnes/ha** which is more than sufficient to warrant a wine tasting and sales facility on the subject property.



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5. DEVELOPMENT CONCEPT

It is the intention of this application and the purpose of this report is to optimize the existing natural and man-made resources by introducing a tourist facility to facilitate wine tasting and sales served with light meals on the subject property.

It is the objective of the applicant to establish the opportunity to present the produce (wine) which originates from the subject property to visitors to taste and buy. Currently the grapes harvested from the subject property are taken to a different winery (Haute Espoir) where the wine is made.

This proposed facility, which will be classified as a **tourist facility** will comprise **wine tasting and sales and serve of light meals** and will accommodate a **maximum of 60 guests** at one time **inside and on the front patio of the existing barn building and an outside grassed area**. Normal operating hours for the intended tourist facility will be from **10:00 until 17:30**.

This intended use will have no impact on the primary use of the building as an animal barn, especially since all the intended activities will be concentrated outside the existing stalls. In fact it is the experience inside the barn with the animals that creates this unique character which the applicant wants to explore and optimise. The total area which will be used for the intended tourist facility will measure **±250m²** in extent and will include a portion of the **central aisle area** as well as the **front and back patio areas** of the building. The intention is to also make provision for an **outside grassed area** behind the building where tables and chairs under umbrellas can be placed during the warm summer months. The total



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outside area for this will be $\pm 49\text{m}^2$. The total area for the tourist facility will be $\pm 250\text{m}^2$ as prescribed by the Zoning Scheme By-Law and depicted on the attached Floor Plan.



Central aisle area with table with stalls for animals to the sides



Patio area in front of the barn



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Outside grassed area behind the barn

Due to the size and scale of the proposed land use the traffic generated by this activity is expected to be minimal, especially since the the number of visits to the subject property will be limited. The proposed land uses and scale thereof is directly in line with what is normally expected and found on wine farms throughout the Boland area. The fact that the proposed land uses will remain **subservient to the primary agricultural farming activities** and the subject property will continue to operate as an agricultural land unit, confirms the compliance with the agri-tourism and wine farming industry.

Provision will be made in one of the paddocks near the existing farm entrance for sufficient **informal parking**. The intention is not to create a hard surface for the parking but to keep it grassed to continue using it for grazing purposes before and after operating hours.



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Existing paddock near entrance to be used for informal parking and grazing

The proposed tourist facility (wine tasting and sales) are not only beneficial to the applicant but are also a great **source of employment** to the locals in the area. The proposed activities will provide a **different level of employment** which will be exposed to the invited guests (local and international) and which will have a direct and indirect multiplier effect on the welfare of the local communities in the immediate area. The contribution to the growing agri-tourism industry and the local economy of the region is well documented.

The proposed activity is comparable to what is currently found on farms throughout the Boland area and will provide an opportunity to the applicant to introduce tourist facilities associated with the wine making operation to guests and visitors as a secondary use to the agriculture.

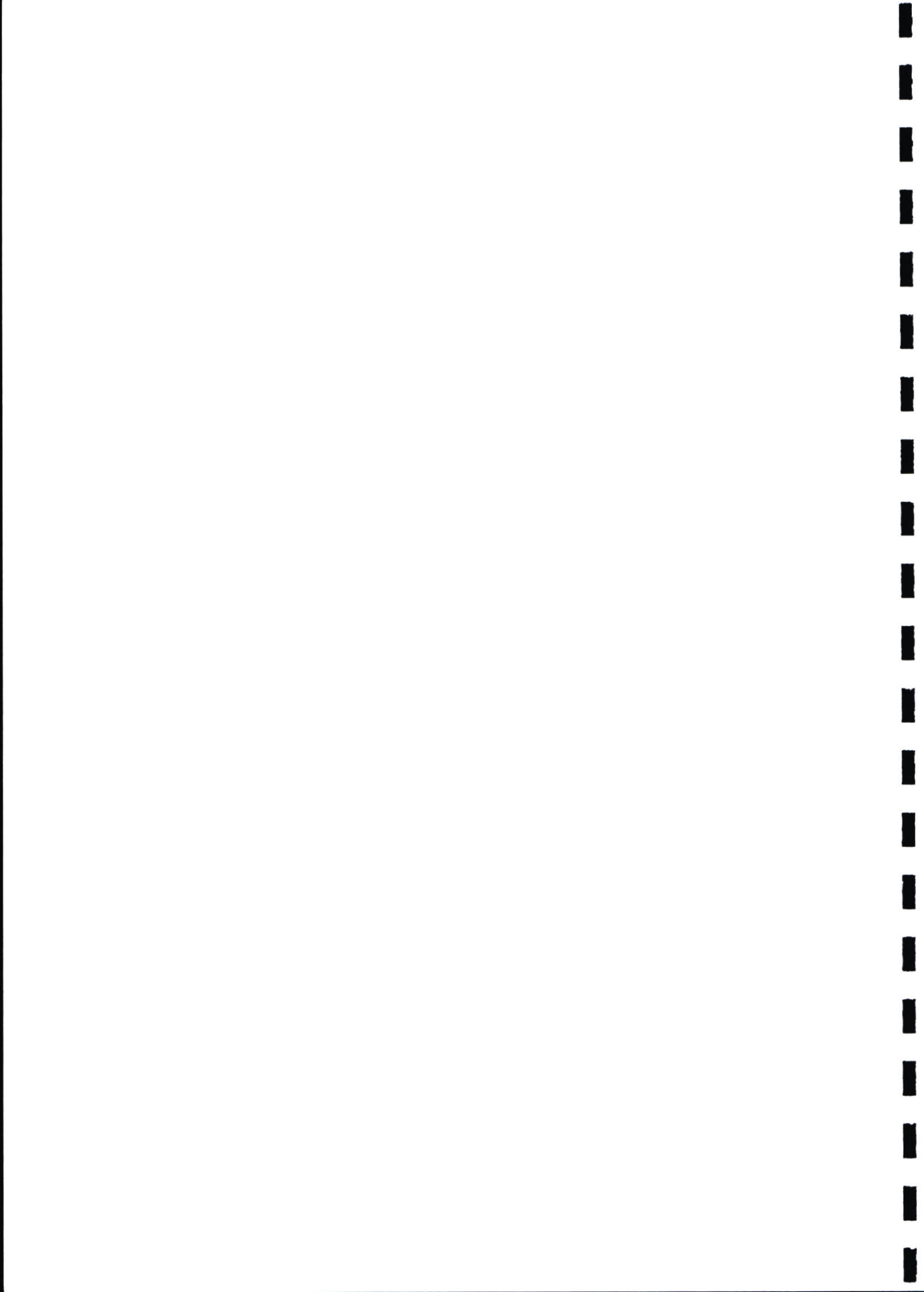


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This new tourist facility will expose the produce which derives from the subject property to the local and international guests. It is evident that in terms of the size and scale of the proposed land uses that it will not impact negatively on the primary agricultural activities on the subject property or on the surrounding area. The tourist facilities (tasting and sales) are especially common to wine farms throughout the Boland area and have been an important component to the wine making industry in terms of tourism and marketing. It is important that the size and scale of such activities also compliment the agricultural practices; hence the limited areas proposed by this application.

It is worth noting that this application will be followed by an application for an on and off consumption liquor license which are normally associated with wine farms.

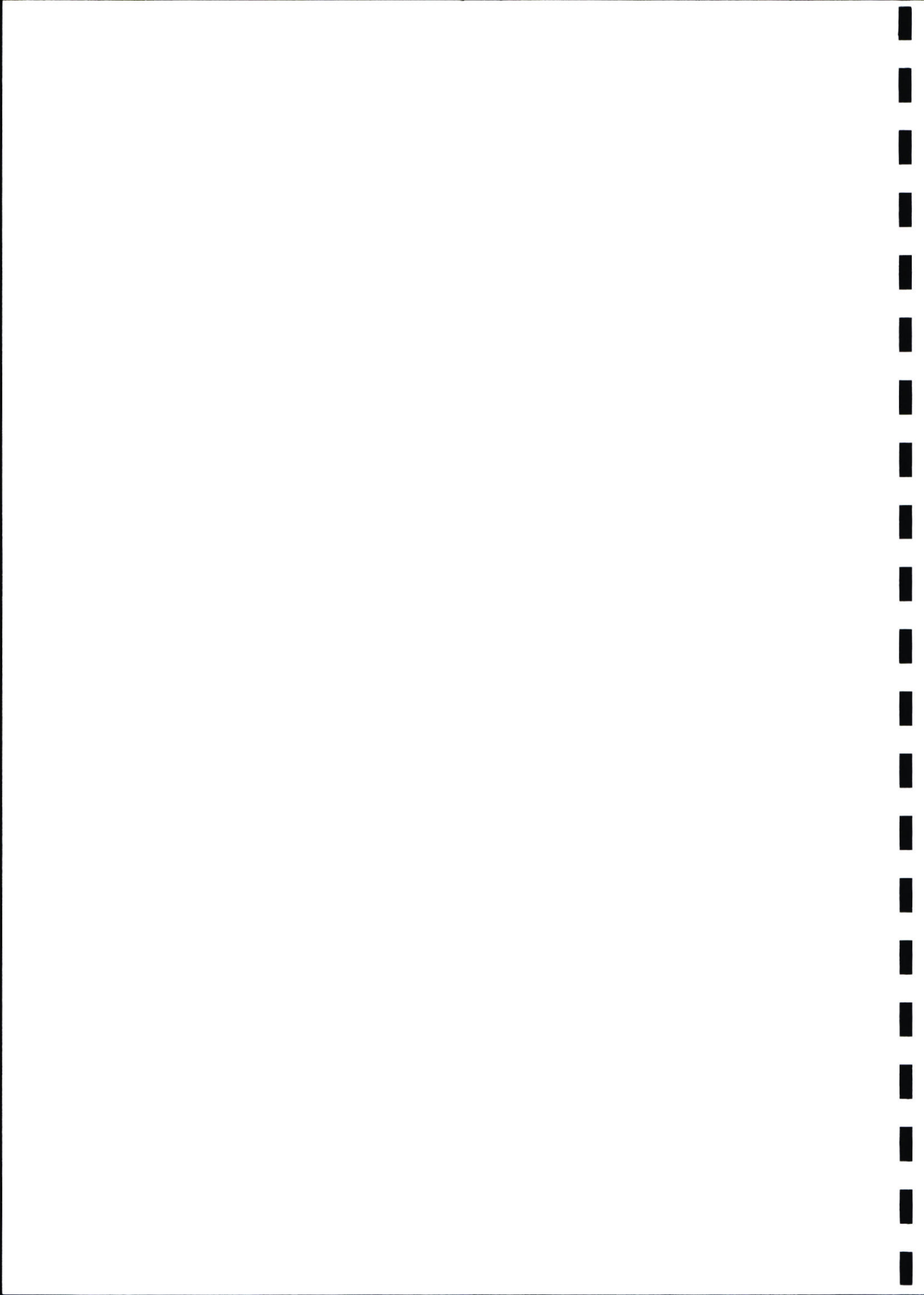


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May 2021



6. APPLICATION

The intention with this application is to obtain permission for the applicant to utilize an existing building and outside garden area on the subject property for the purposes of a wine tasting and sales facility with light meals. The total area for the proposed tourist facility including the outside grassed area measures **±250m²** in extent.

In order to permit these intended activities on the subject property, approval for a **tourist facility** is required.

Tourist facilities are defined in the Stellenbosch Municipality Zoning Scheme By-Law (2019) as follows:

***“Tourist facilities.** 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”*

In terms of the new Stellenbosch Municipality Zoning Scheme By-Law (2019) **tourist facility inside an existing building with a maximum**

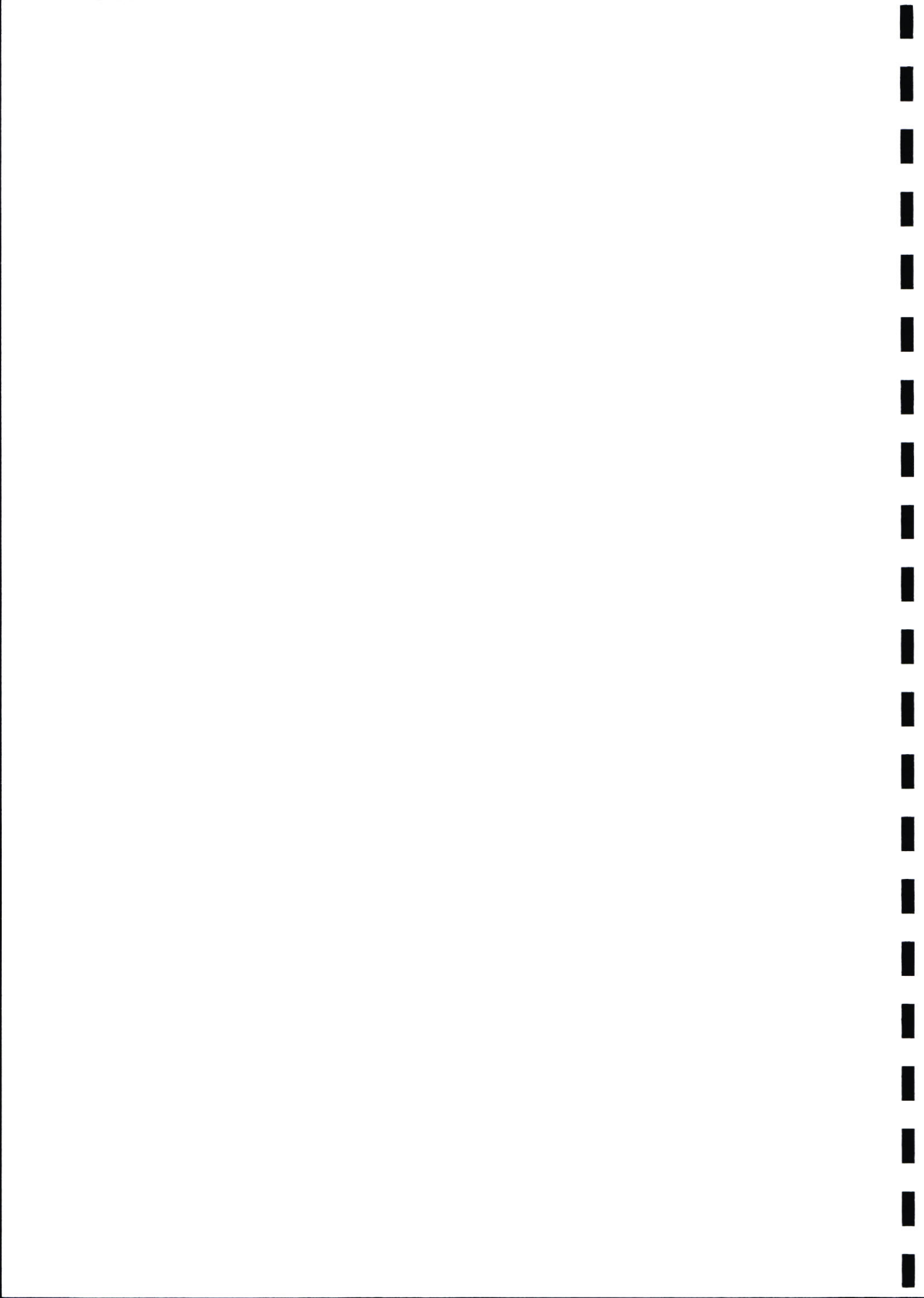


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extent of 250m² is classified as an **Additional Use Right** which is secondary to the primary land use rights under Agriculture and Rural Zone and therefore requires technical approval from the Stellenbosch Municipality.

In order to permit the proposed tourist facility on the subject property, formal **Technical Approval** is required from Stellenbosch Municipality in terms of **Section 13** of the Stellenbosch Municipality Zoning Scheme By-Law (2019). The **purpose** of a technical approval is to afford the municipality an opportunity to assess the application against all parameters of the Scheme as well as technical requirements and spatial configuration to ensure a minimum impact on external parties. We are of the considered opinion that since this application is merely for tasting and sale of the produce originally derive from the subject property, it will have **no impact** on any external parties.

In terms of **Section 13(2)** an application for technical approval is exempt from public notification but may be circulated to internal and external departments for comment. **It is our considered view that the proposed tourist facility does not require any comments from any internal or external departments, since all infrastructure and services are already present and sufficient to facilitate the intended activities.**

According to **Section 13(7)(c)** the Stellenbosch Municipality must make a decision on the technical application within 60 days of submission of the application or when the last information is submitted.



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Remainder of Portion 2 of Farm No. 1078 Paarl

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7. SPATIAL PLANNING PRINCIPLES

In terms of National, Provincial and Local spatial planning legislation certain development principles were adopted to apply to spatial planning, land development and land use management. The development principles on National level is in terms of Section 7 of the **Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)**, while the land use planning principles on Provincial level is in terms of Section 59 of the **Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)**.

These development principles were all adopted and included into the subsequent **Land Use Planning By-Laws** promulgated for each Local Municipality. The proposed tourist facility will be evaluated as follows against the five development principles:

(a) Principle of spatial justice

- Since the majority of the existing building will continue to be used as a barn for animals and no changes to the primary land use of the property is proposed or expected, this principle is **not applicable** to this application

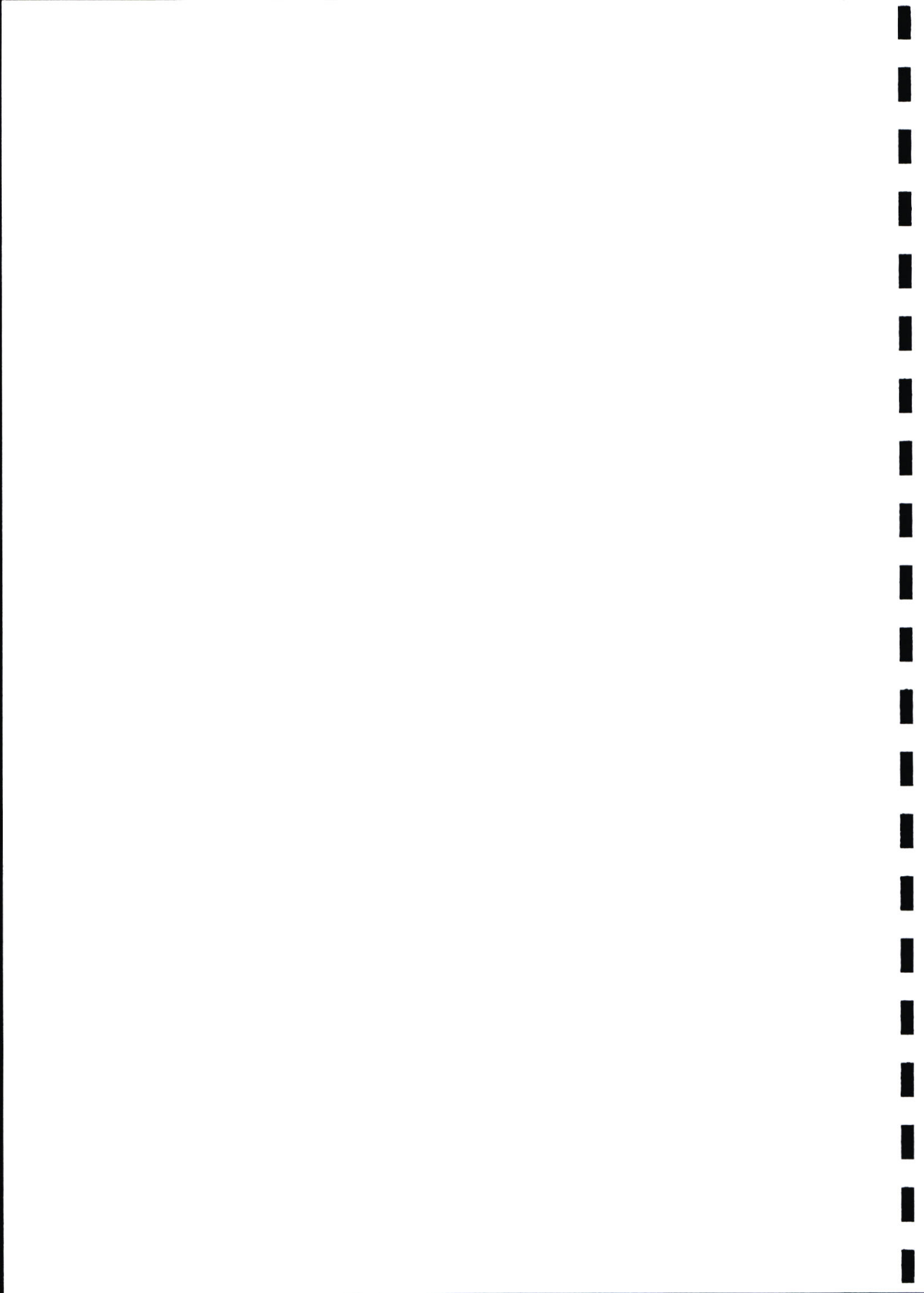
(b) Principle of spatial sustainability

- The proposed land use will not result in the loss of any cultivated agricultural land but will be limited to a portion of an existing building on the subject property.
- This proposed tourist facility is directly in line with what is already present in the area and what is spatially acceptable for the subject property.
- The proposed land use will extend the existing agricultural activities by providing the applicant the opportunity to optimize his viticulture



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practices by enabling him to share the produce of the vineyards with visitors and guests.

- Wine tasting and sales facilities are a common phenomenon on wine farms and will have no negative impact on the primary agricultural activities on the subject property
- No safety hazards are anticipated through this development.

(c) Principle of efficiency

- The intended activities comply with the additional use rights and requirements of the Zoning Scheme By-Law.
- The proposed tourist facility will add to the local economy of the area while exposing the produce of the property to both local and international guests.
- The proposed activities will extend the existing agricultural activities on the subject property and create new employment and economic opportunities

(d) Principle of spatial resilience

- This principle is not applicable since the activities will all be confined inside existing buildings on an agricultural land unit.

(e) Principle of good administration

- Formal pre-scrutiny process was conducted with the officials from Stellenbosch Municipality.
- The formal application will be submitted to the local authority for approval and will be administered in accordance with the procedures contemplated in the relevant Municipality's Land Use Planning By-Law.

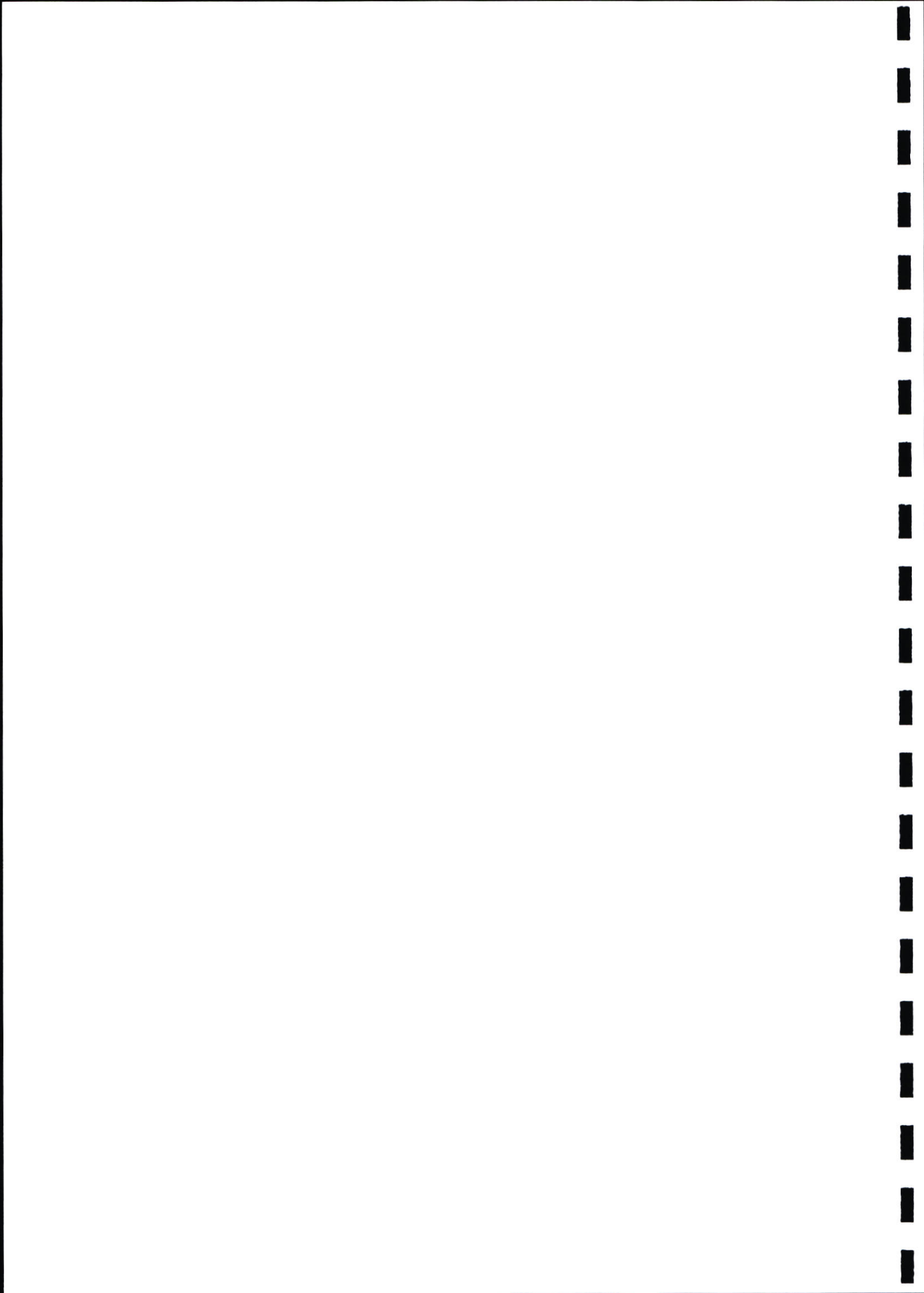


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Remainder of Portion 2 of Farm No. 1078 Paarl

May 2021



8. DESIRABILITY OF THE APPLICATION

In terms of Section 65(c) of the Stellenbosch Municipality Land Use Planning By-Law, August 2015, the proposed utilization of the land must be desirable.

The concept of "desirability" in a land use planning context and as contemplated in Section 65(c) of the Stellenbosch Municipality Land Use Planning By-Laws can be described as the "degree of acceptability" of the specific land use(s) on a said property within an existing natural or manmade environment and the guideline proposals included in the relevant spatial development framework plans and policies, and municipal engineering services in so far as it relates to desirability, or on the basis of its effect on existing rights and the biophysical environment concerned.

The desirability of this application for Technical Approval on Portion 2 of Farm No. 1078 Paarl will be discussed with regard to the following aspects.

- Physical characteristics
- Character of the area
- Location and Accessibility
- Spatial Planning Policies
- Provision of services

8.1 Physical characteristics

8.1.1 Topography

The subject property is an existing agricultural small holding located inside the old municipal area of Franschhoek. Since the proposed activities will all



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be confined to the inside of an existing building on the property, there is no reason to believe that the existing topography will be negatively affected. There is also no conservation worthy vegetation which will be affected by the proposed land uses, since the existing building is located almost in the centre of the land unit.

8.1.2 Climate

The subject property is located in the Franschhoek Valley immediately south of Franschhoek and forms part of the Mediterranean climate system of the Western Cape. The area is known for its cold and wet winters and dry warm summers. The average annual rainfall is 912mm and occurs during the months of May to August. The wind is predominantly north westerly during the winter months and strong south easterly in the summer time. February is the warmest month of the year with an average temperature of 21,7°C, while July is the coldest month with temperatures averaging 11°C.

There is no reason to believe that the use of the existing building for the intended purposes will have any impact on the micro climate of the area.

8.2 Character of the area

Although the subject property falls inside the urban edge of Franschhoek, it is a bona fide agricultural land unit with existing vineyards thereon. As indicated the grapes harvested from the subject property is current taken to a different cellar where the wine is made. The objective of this application is to optimise and expand the agricultural activities on the subject property by introducing a facility where the produce from the property can be presented to visitors and guests for tasting and sales. The intention is also to serve light meals with the tasting to present a combined experience. We



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are of the opinion that the land uses will fit in with what is currently present in the area and the overall rural character of the area. The combination of agriculture and tourism is a predominant to this area of Franschhoek and the proposed land uses will not have any negative impact on the existing character of the area. In fact we are confident that the proposed land uses are directly in line with the existing character of the area and represents a combination of agriculture and tourism, which has been the catalyst for local economic development for this Valley. The opportunity for a farm owner to expand his agricultural activities by sharing the wines made from the grapes harvested from his farm, is noteworthy and true to the wine region of South Africa and the Western Cape. It suffices to say that the proposed activities will have no negative impact on the character of the area. In fact these activities will strengthen the rural character of this area of Franschhoek despite the ever expanding urban developments in this area.

8.3 Location and Accessibility

The subject property is located in the north eastern portion of Franschhoek along Dirkie Uys Street between Franschhoek town to the south and Groendal to the north. The area in which the subject property is located is east of the R45 and along the lower foothills of the Wemmershoek Mountains.

The subject property has one access from the existing servitude road which traverses the subject property along the southern boundary. This servitude road also provides access to the other agricultural land units located to the east of the subject property. The farm entrance leads directly to the existing building located in the centre of the property as well as to the paddocks of



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which one will serve as informal parking area but will continue to be used for grazing as well.

Due to the size and scale of the proposed activities the increase in traffic to the subject property will be insignificant and no changes to the existing access are proposed.

8.4 Spatial Planning Policies

The subject property is located in a predominantly agricultural area within the approved urban edge of Franschhoek and in the area of jurisdiction of the Stellenbosch Municipality. The existing spatial planning policy which is applicable to this area, the Stellenbosch Municipal Spatial Development Framework (SMSDF), was adopted by Council in 2013 and provides guidelines for spatial developments within the municipal area. The subject property originally formed part of the Franschhoek municipal area and is located inside the approved urban edge for Franschhoek. Since no changes to the agricultural land use or zoning other than agriculture is proposed, no change to the urban edge is required.

Although the subject property is not specifically mentioned in the existing spatial documentation, the principle of tourist related facilities subservient to the primary land use within the agricultural areas widely accepted and encouraged on all spheres of government for various reasons (tourism, local economic development, employment, etc.). Since the subject property is an agricultural land unit with existing vineyards thereon, the extension of the agricultural activities by introducing wine tasting and sales onto the property, is directly in line with the rural land use policies of Stellenbosch Municipality. It suffices to say that this application for the tourist facility

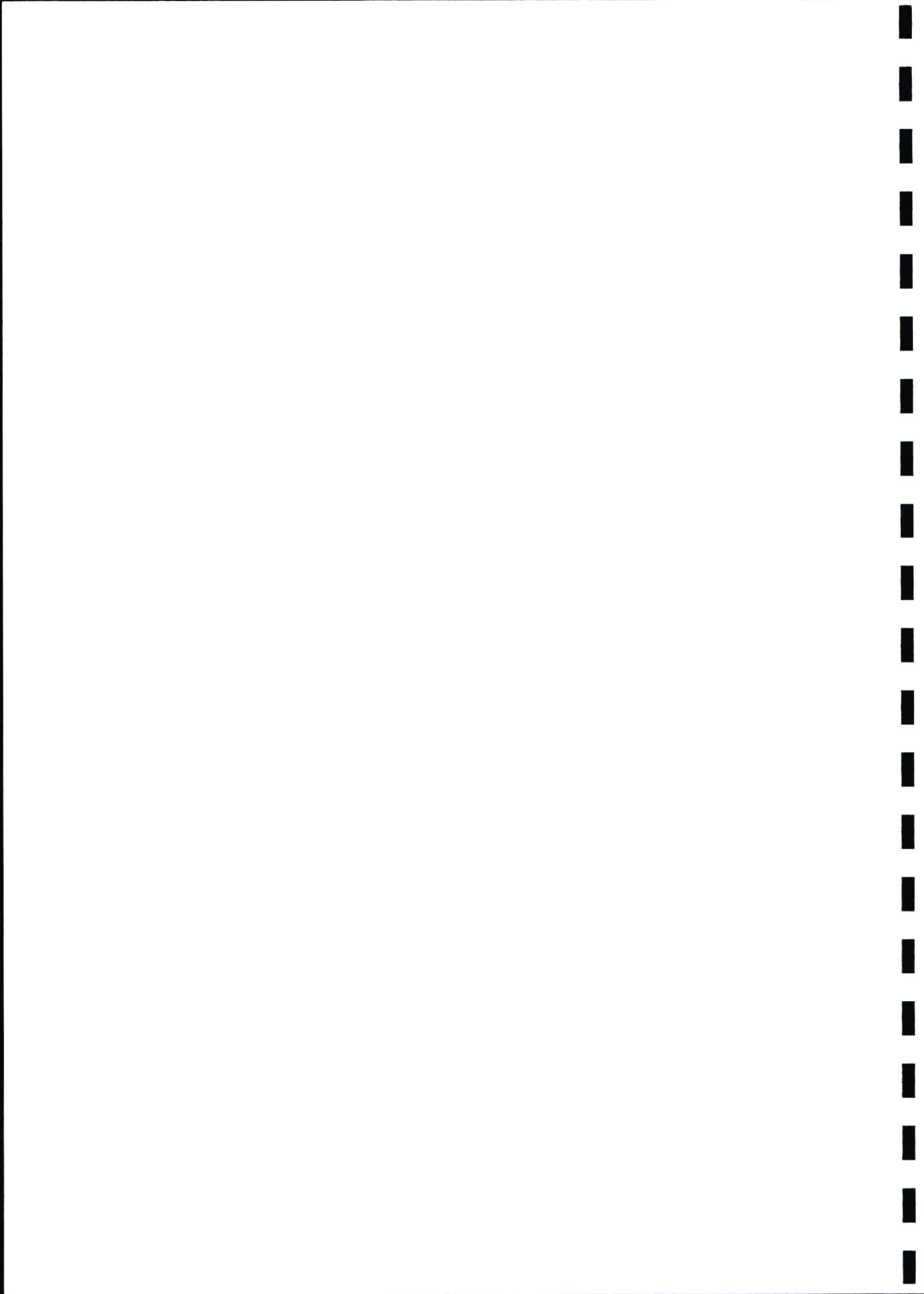


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Remainder of Portion 2 of Farm No. 1078 Paarl

May 2021



($\pm 250\text{m}^2$) for the wine tasting and sales with light meals are not in conflict with the spatial planning policies of the Stellenbosch Municipality and can therefore be regarded as desirable.

In addition and to strengthen the spatial context of this application, the following is noteworthy:

- The subject property is an existing **functional wine producing farm** with vines that currently **produces collectively more than 10 tons of wine** grapes on average annually. The grapes produced on the property are processed off the site where the wine is made. The intention is to provide an opportunity to visitors and guests to taste the produce from the subject property in a formal manner with wine tasting and sales. Light meals will also be served with the wine (food and wine pairing). This is a common phenomenon throughout the Western Cape and especially the Boland Wine Region.
- The **agricultural activities** will remain the **primary land uses** while the **tourist facility is an additional use** in support of the agriculture.
- The subject property is ideally located within Franschhoek town and is easily accessible.
- The proposed wine tasting and sales will be accommodated inside the existing building and outside grassed area and will supplement the existing wine farming operations and that **no**

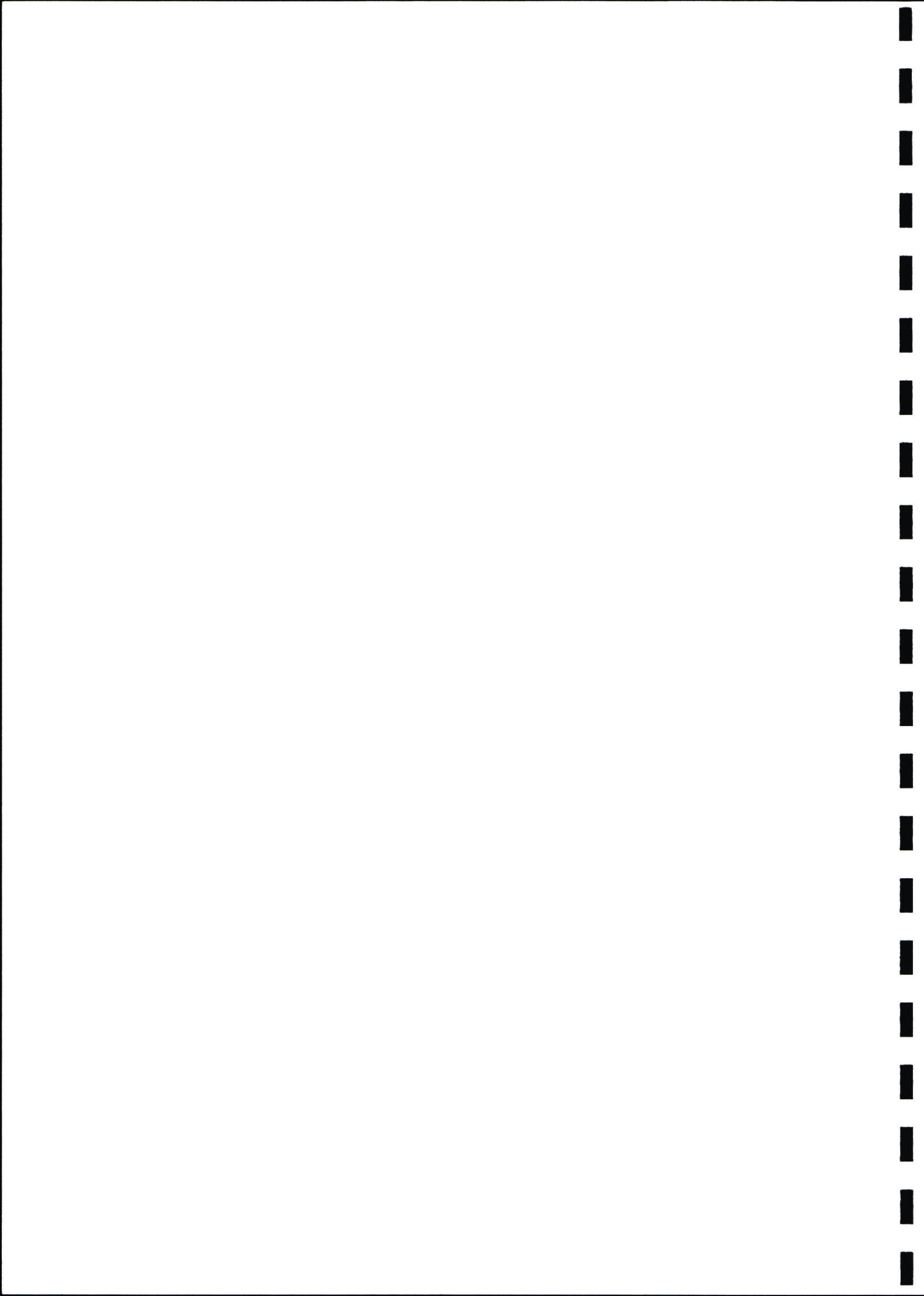


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Remainder of Portion 2 of Farm No. 1078 Paarl

May 2021



impact on the primary agricultural land use on the property is expected.

- The **primary use** of the property will therefore **remain agriculture**.

8.5 Provision of services

Since the existing building is already fully serviced with the necessary municipal services, no additional services will be required. Water is obtained from an existing borehole, while metered electricity is obtained from the Stellenbosch Municipality. Sewerage is collected on a regular basis by the Stellenbosch Municipality. Since the new tourist facility will be located inside existing building on the subject property, these services are already available.

Provision is made for informal onsite parking inside an existing paddock near the entrance to the property. This paddock will remain to be used for grazing; hence the reason why the grassed surface is retained. More than sufficient onsite parking is available with no impact on any of the existing municipal or servitude roads in the area.

Since the size and scale of the intended land uses are almost insignificant, all services related to this facility will be incorporated into the existing infrastructure.

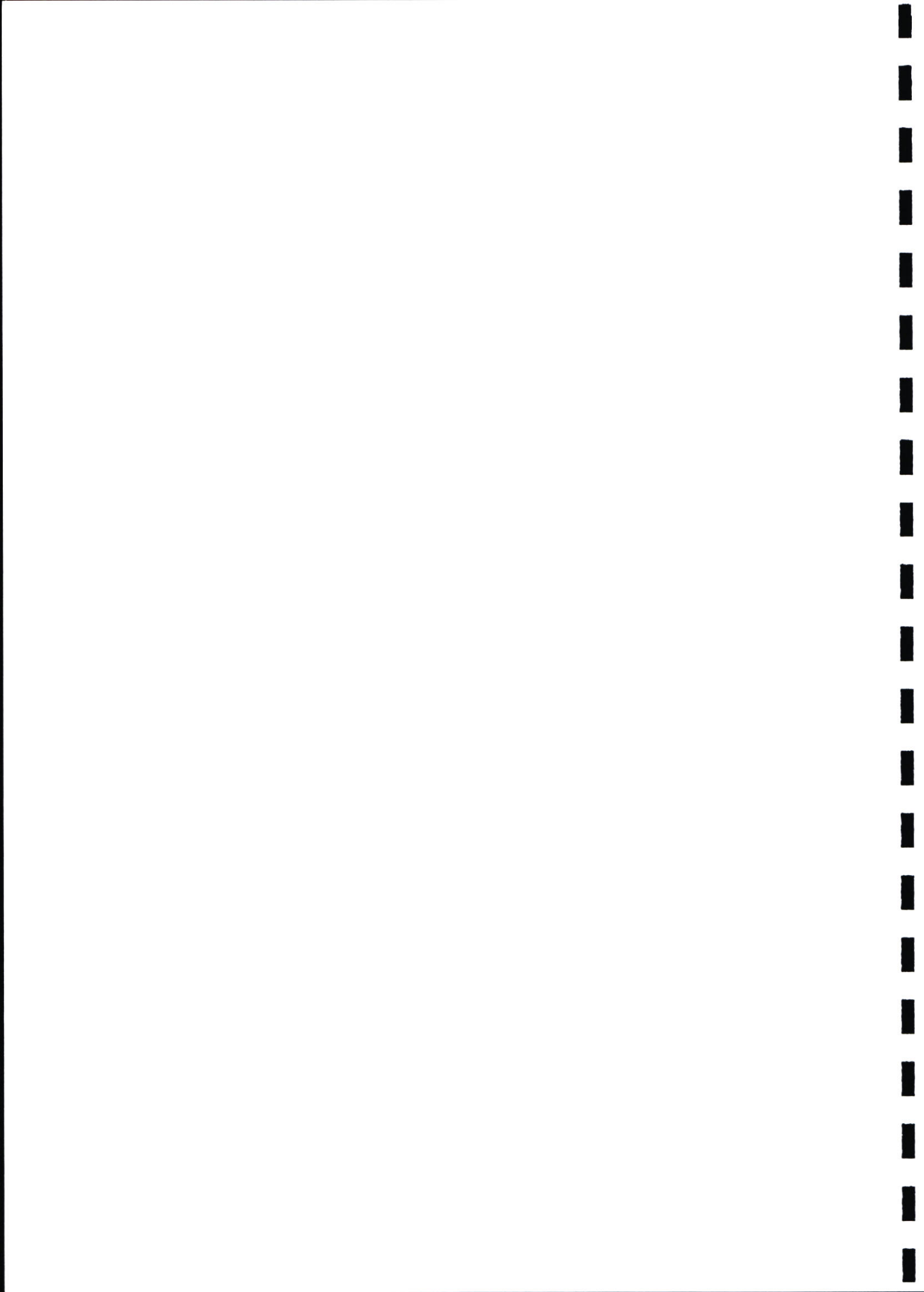


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Remainder of Portion 2 of Farm No. 1078 Paarl

May 2021



9. SUMMARY AND CONCLUSION

From the aforementioned it is clear that the proposed Technical Approval on Portion 2 of Farm No. 1078 Paarl in order to permit the use of the existing building as a tourist facility for wine tasting and sales with light meals, is in line with Section 65 of the Stellenbosch Municipality Land Use Planning By-Law and in particular Section 65(1)(c) thereof. The motivation for the proposed land uses can be summarized as follows:

Economic impact

- From a business point of view the proposed land use will optimise the existing primary agricultural land uses on the subject property and at the same time provide an opportunity for agri-tourism opportunities as secondary land uses.
- The proposed activities will remain subservient to the primary agricultural land use.
- With the proposed application, more employment opportunities will be created and a better service will be delivered to their customers and the wider community.
- The new facilities will create an opportunity for the agricultural property to be more sustainable which will ultimately support the local economy.
- The proposed development will optimize existing primary agricultural products produced on the subject property as well as existing spaces.
- The utilization of a portion of the existing building for the intended purposes is directly in line with the provisions of the Zoning Scheme By-Law on agricultural land.

Social impact

- The proposed development will have a positive social impact since the new activities will ultimately create more employment opportunities.



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- The wine tasting and sales will be accommodated inside a portion of the existing building as tourist facility and will create new employment.
- The principle of agri-tourism is well supported by all spheres of government and is a significant contributor to the local economy of the area.

Compatibility with surrounding land uses

- The proposed land use is directly in line with what is already present in the area to the south, and east. No direct or indirect conflict is expected.
- The proposed tourist facility is a common phenomenon in the Boland area and is included as additional use rights.
- The primary land use (agriculture: wine farming/grazing) will continue uninterrupted.

Impact on external engineering services

- The necessary engineering services exist in the existing building
- Demand on bulk infrastructure and services are considered insignificantly small in comparison to the greater Franschhoek area.

Impact on safety, health and wellbeing of the surrounding community

- There is no reason to believe that the proposed development will result in any changes to the safety and security in the area
- The proposed development will have no impact (visual, health and safety) on any of the surrounding properties since an existing building will be utilized.

Impact on heritage

- No impact on the heritage character is expected since no new structures are proposed and all activities are primarily confined to the inside of the existing building.



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Impact on the biophysical environment

- No impact is expected on the biophysical environment since an existing building will be used and no conservation worthy vegetation, cultivated lands or ecological habitats will be affected.
- There are no physical features or topographical constraints present on the subject property which will prevent the proposed land use.

Traffic impacts, parking, access and other transport related considerations

- We are of the considered opinion that the scale and size of the proposed activity is so minute and will not have any significant impact on the existing traffic flow in the area.
- Sufficient onsite parking will be provided inside a paddock which will continue to be used for grazing purposes when not in use.

Whether the imposition of conditions can mitigate and adverse impact of the proposed land use

- The proposed development will not have any adverse impact on the surrounding area and no mitigating factors are required.
- In order to ensure that the land use is conducted in accordance with the necessary standards and guidelines of the departments conditions of approval are a common phenomenon.
- The proposed activities in its current scale and form will be financially viable and are in line with the spatial policies relating to agri-tourism.
- The proposed development will provide permanent employment (security and staff).
- It is our view that the proposed uses will have an enhancing impact on the surrounding area and **no mitigation is foreseen for the development project.**

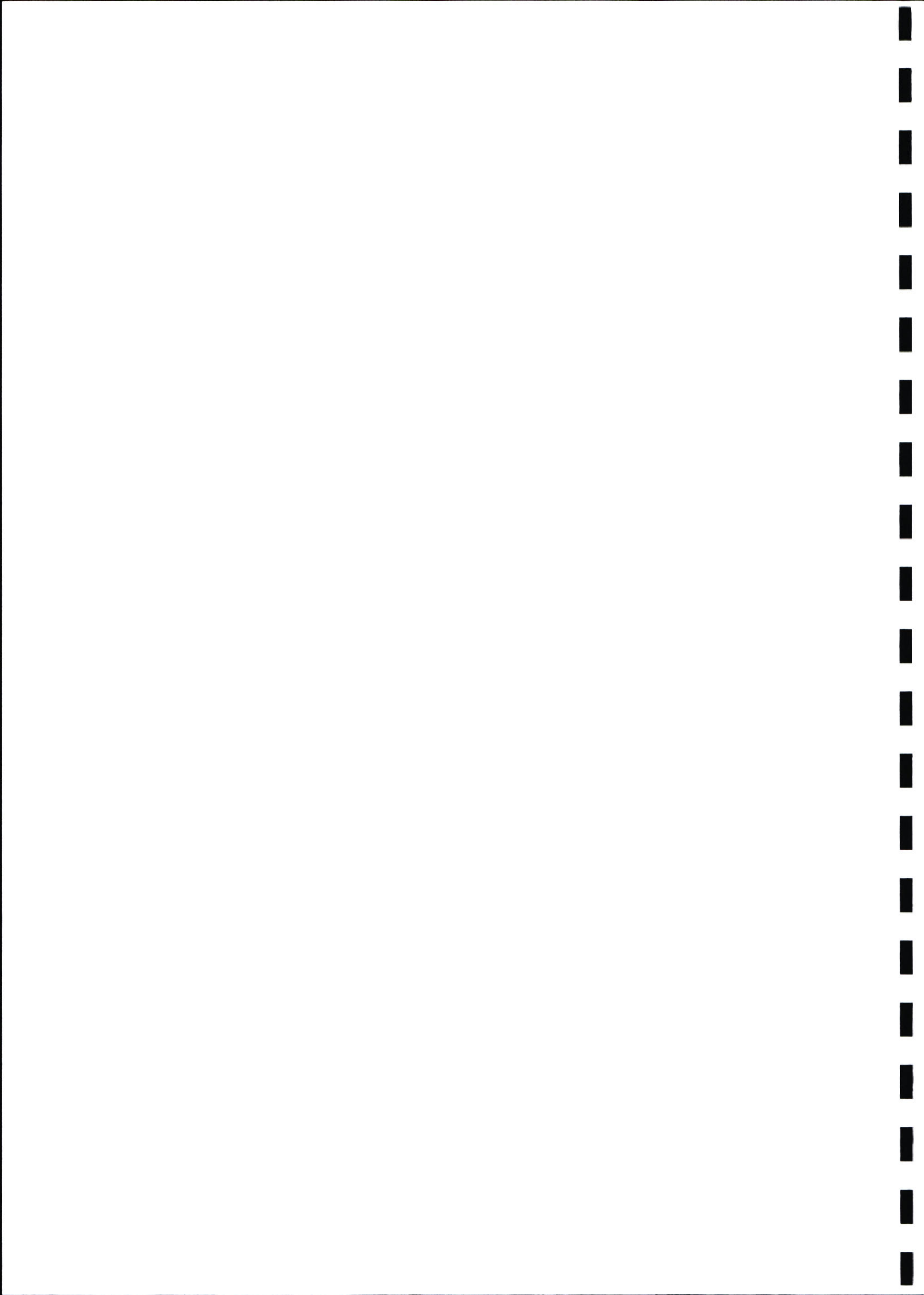


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Remainder of Portion 2 of Farm No. 1078 Paarl

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I trust therefore that the application for **Technical Approval on Portion 2 of Farm No. 1078 Paarl** in order to permit the utilization of portions of the existing bona fide agricultural building for tourist facility (wine tasting and sales with light meals) as depicted on the attached Floor Plan will be approved.

PIERRE-JEAN LE ROUX

Pr. Pln. A./803/1995

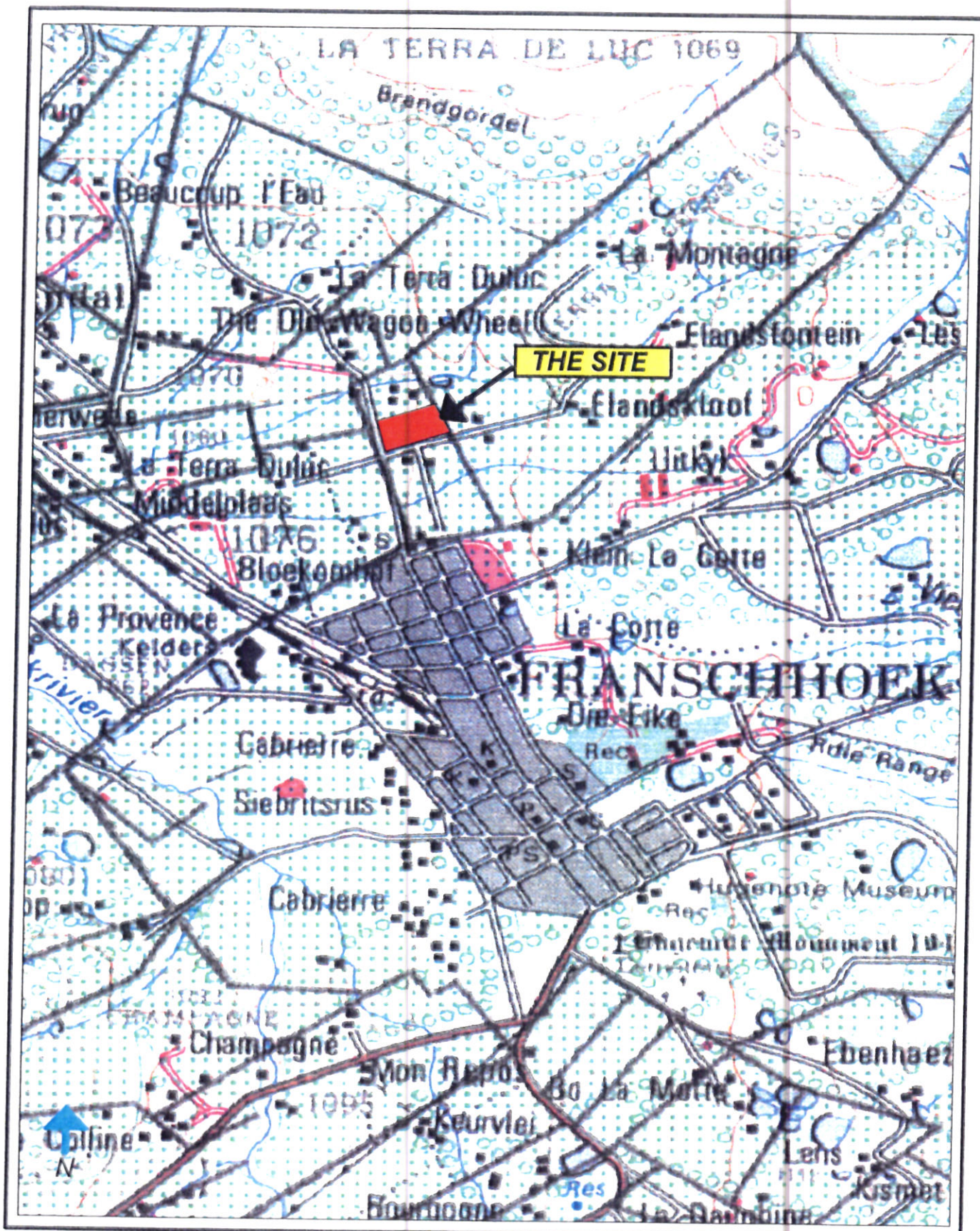


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Remainder of Portion 2 of Farm No. 1078 Paarl

May 2021



P-J Le Roux
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Hoofstraat 262 Main Road, Paarl
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(email) pj@pjleroux.co.za

Project:

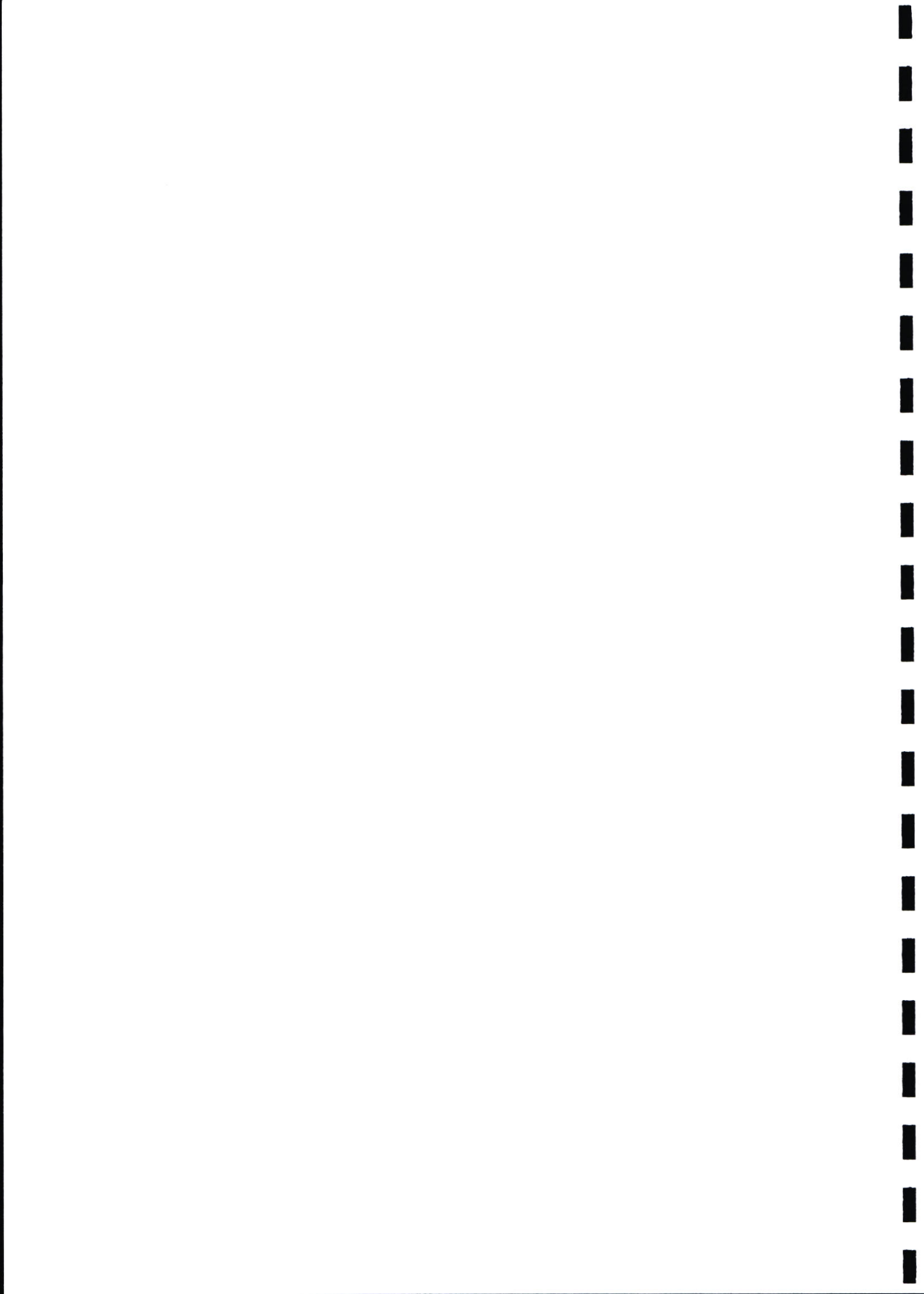
Application for
Technical Approval:
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2 of Farm No. 1078
Paarl

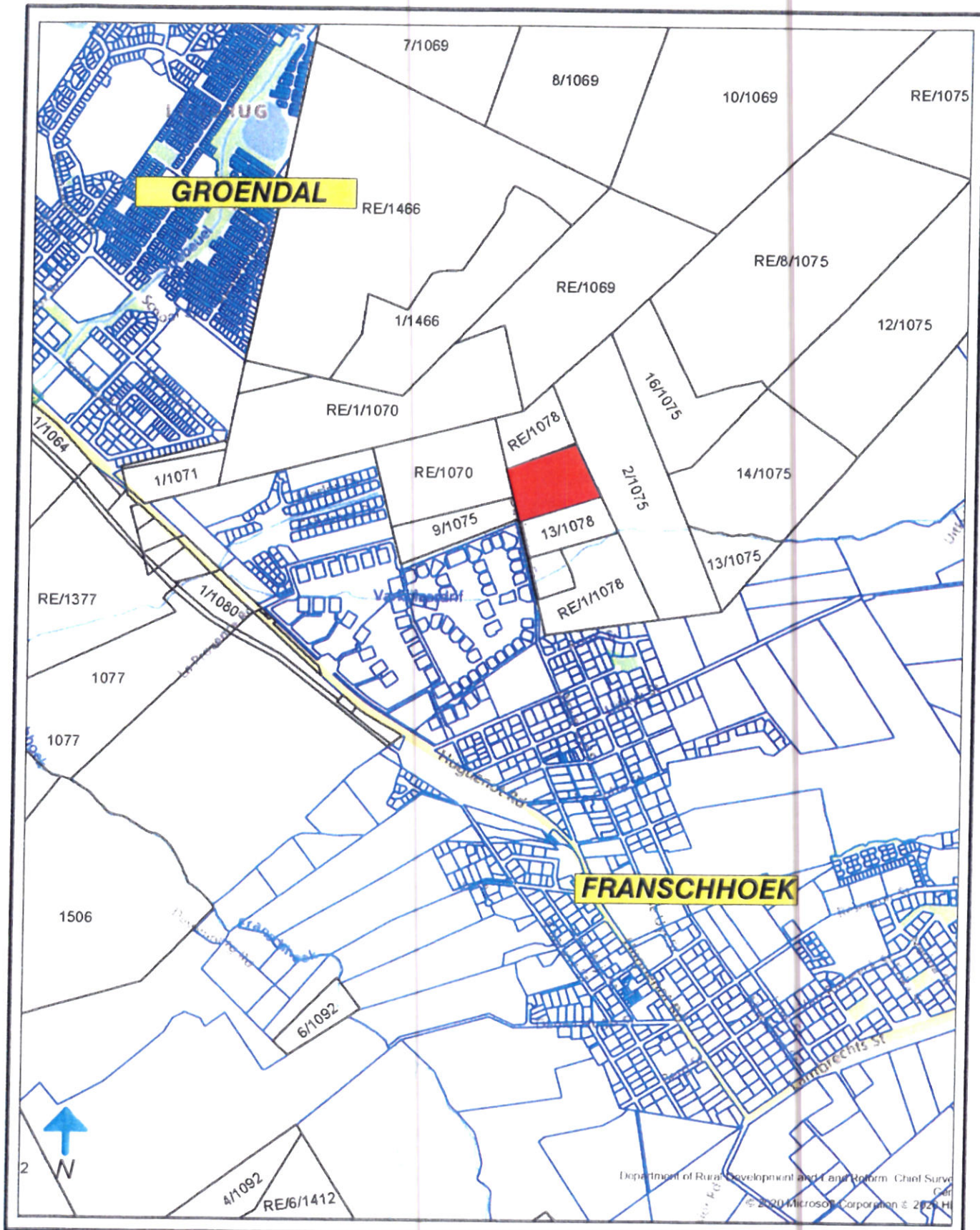
Description:

Regional Plan

PIGCASSO

Scale	1:50 000	Law nr.	TA 60-12
Teken	PJLR	Datum	MAY 2021
Kont	PJLR	Tekening nr.	1





P.J. Le Roux
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Project:

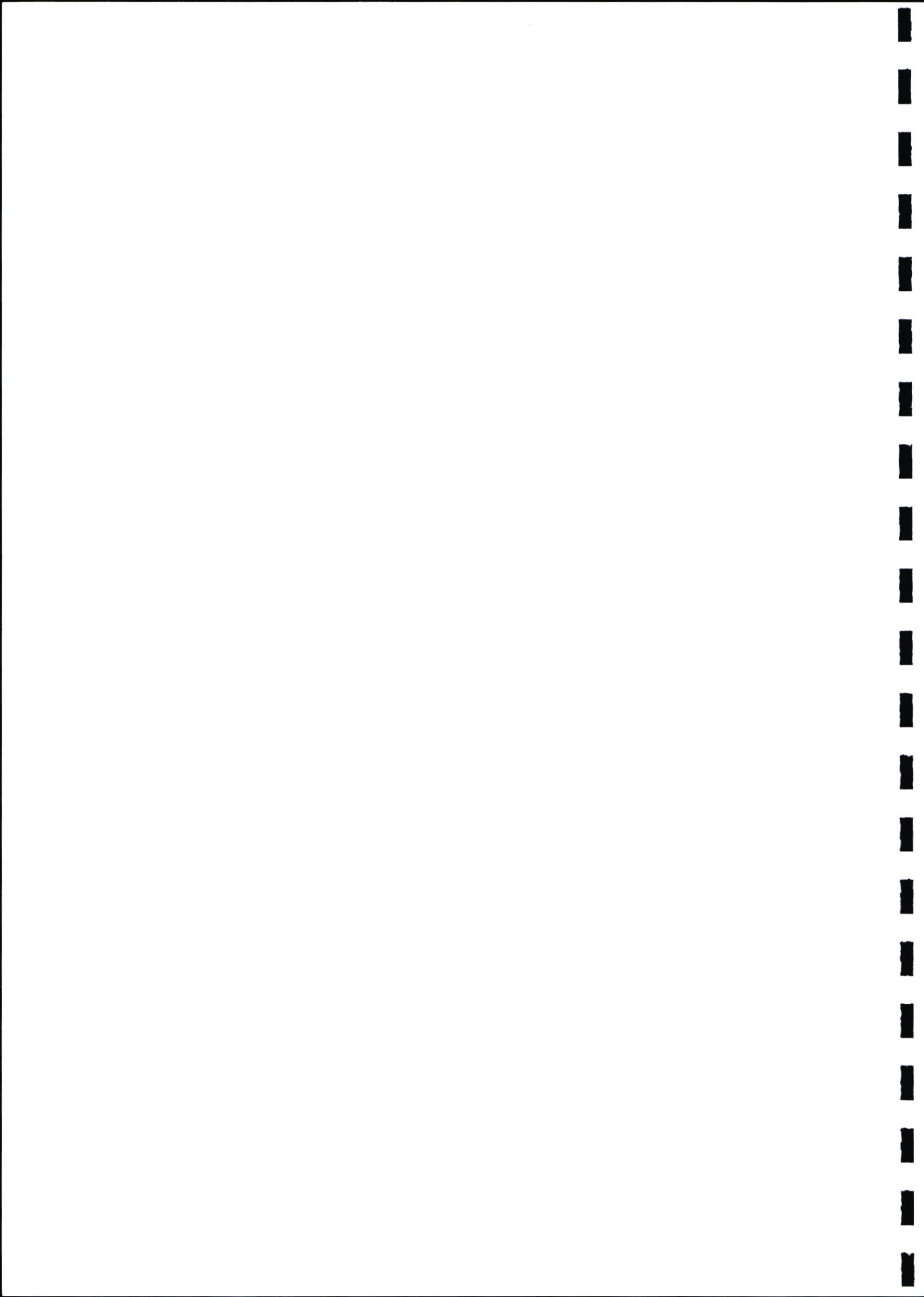
**Application for
Technical Approval:
Remainder Portion
2 of Farm No. 1078
Paarl**

Description:

Locality Plan

PIGCASSO

Scale: 1:50 000	Lot no: TA 60-12
Taken: PJLR	Datum: MAY 2021
Exam: PJLR	Tekening nr: 2





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(email) pj@pjleroux.co.za

Project:

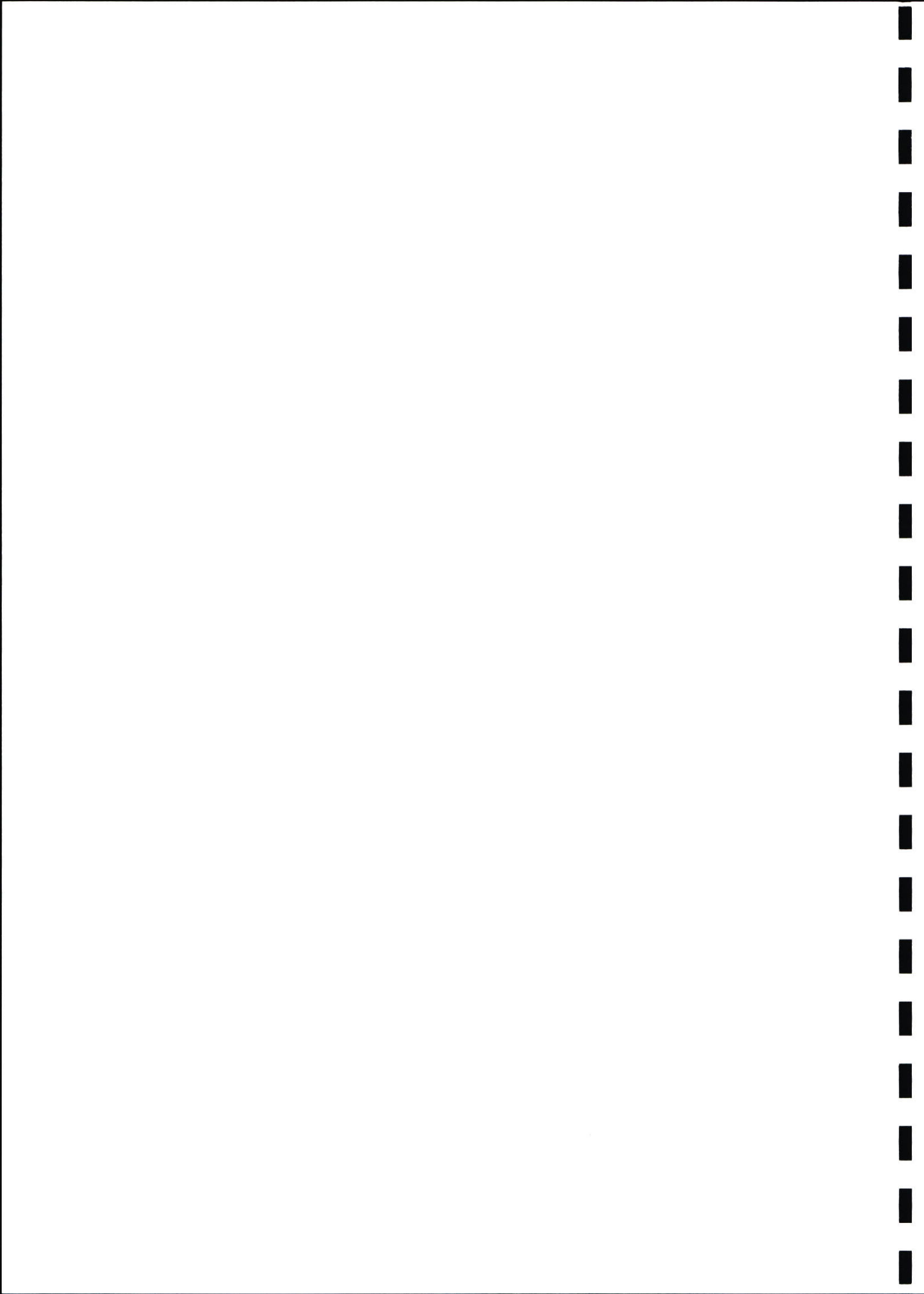
**Application for
Technical Approval:
Remainder Portion
2 of Farm No. 1078
Paarl**

Description:

Aerial Photo

PIGCASSO

Scale	1:50 000	Leaf nr.	TA 60-12
Teken	PJLR	Datum	MAY 2021
Kleur	PJLR	Tekening nr.	3



DAVID HELLIG & ABRAHAMSE, LAND SURVEYORS

SIDES Metres		ANGLES OF DIRECTION	CO-ORDINATES Y System WG 19° X			S.G. No. 1497/2012
		Constant		±	0,00	+3 700 000,00
AB	7,94	247 03 30	A	-10 679,95	+	52 508,97
BC	30,50	250 24 10	B	-10 687,26	+	52 505,87
CD	96,68	252 42 40	C	-10 715,99	+	52 495,64
DE	99,62	252 33 10	D	-10 808,30	+	52 466,91
EF	1,91	252 10 50	E	-10 903,34	+	52 437,04
			F	-10 905,16	+	52 436,46
Connections						
AG	147,78	166 12 30	G	-10 644,72	+	52 365,45
AH	105,68	346 12 30	H	-10 705,14	+	52 611,60
FJ	161,39	154 23 10	J	-10 835,39	+	52 290,93
FK	112,43	334 23 10	K	-10 953,76	+	52 537,84
	272	Du Toitskop	Δ	-13 868,02	+	50 664,68
	274	Robert	Δ	- 9 159,39	+	54 252,31

Approved

for Surveyor-General

2012. 07. 06

Sheet No 1 of
2 Sheets**Beacon Description:**

A F 12 mm iron peg
 B C D E centre of square drain cover
 G H J K 16 mm iron peg

The line **A B C D E F**
 represents **the Centre Line of a Servitude Sewer Pipeline 3m wide**
 over **Portion 2 of the Farm No 1078**
 Situate in **the Stellenbosch Municipality**
 Administrative District of **Paarl**

Province of the Western Cape

Surveyed in **November, December 2004 and June 2012**
 by us

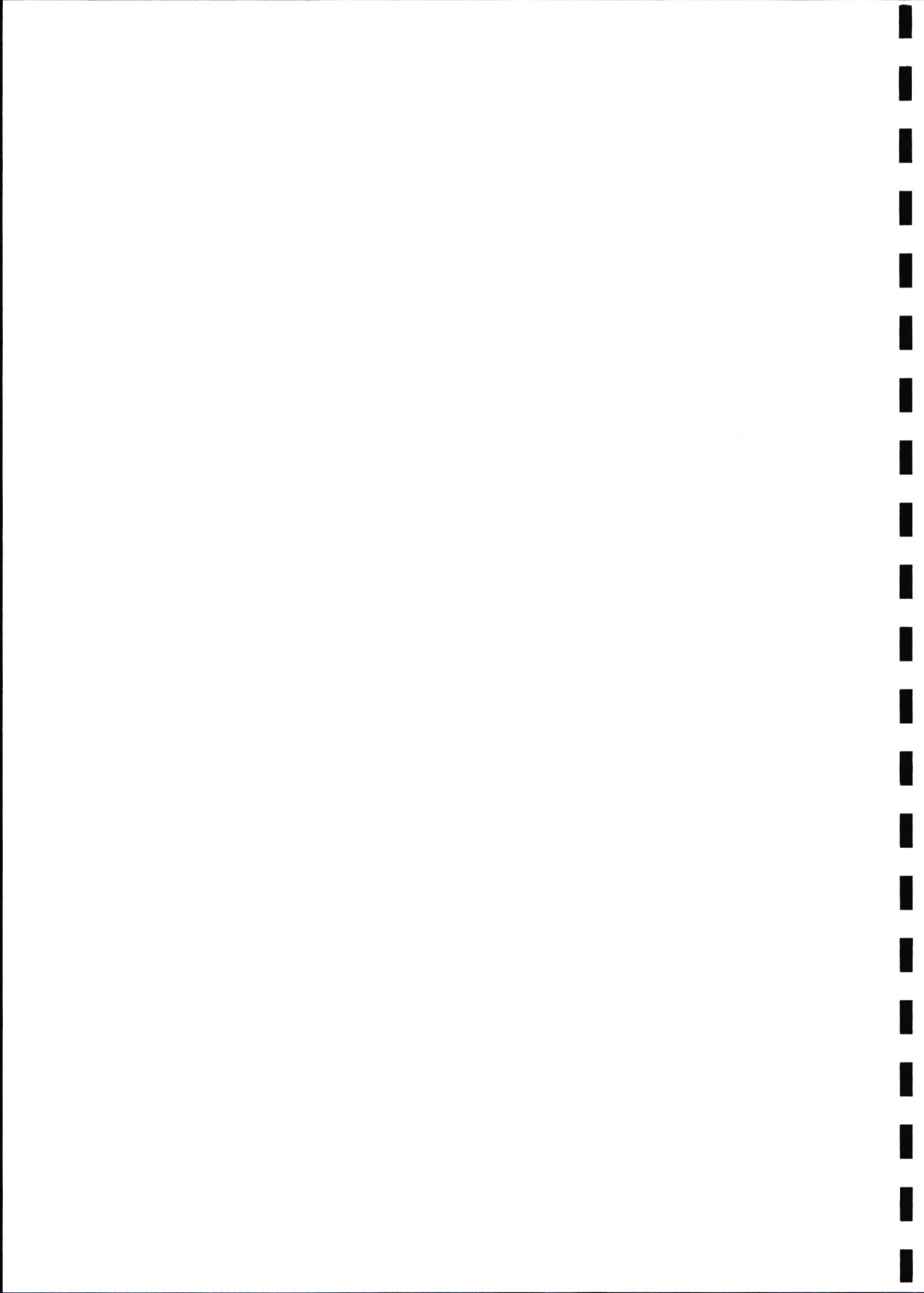
D S HELLIG **S G DREYER**
 (PLS0256) (PLS1028)
 Professional Land Surveyors

This diagram is annexed to
 No: **K182/2015**
 dated
 i.f.o.

Registrar of Deeds

The original diagram is
 No. 817/1875 annexed to
 Transfer No. 1875.41.10

File No. Parl.1078
 S.R. No. 665/2012
 Comp. **BI-7CA/X52 (1600)**
BI-7CAB (3894)
 LPI CO 550000



DAVID HELLIG & ABRAHAMSE, LAND SURVEYORS

Servitude Sewer Pipeline 3m wide over Portion 2 of the Farm No 1078, Administrative District of Pearl

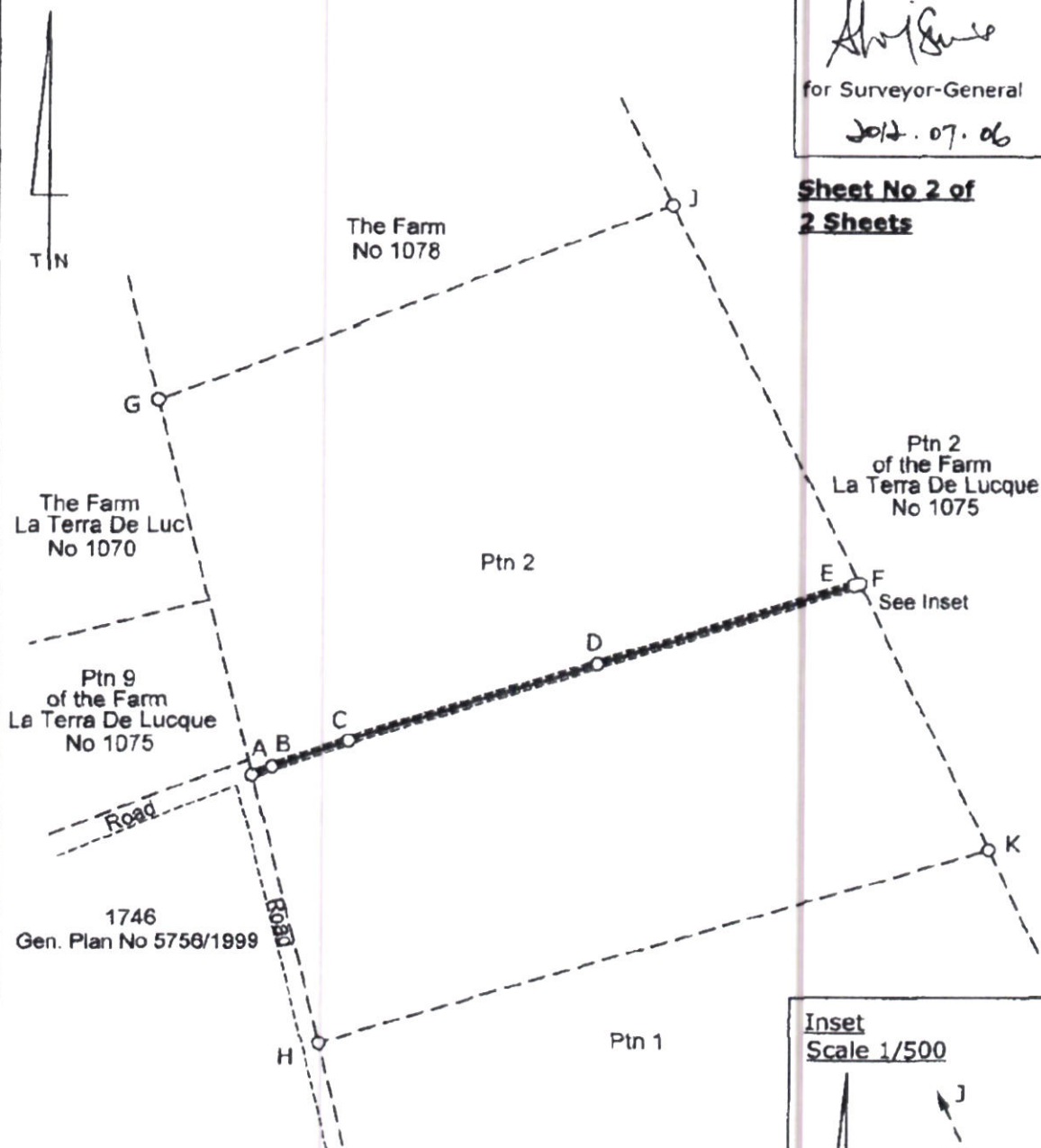
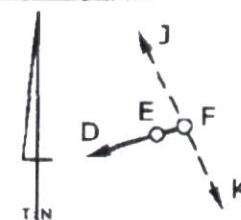
S.G. No.

1497/2012

Approved

for Surveyor-General

2012.07.06

Sheet No 2 of 2 Sheets**Inset****Scale 1/500**Surveyed in **November, December 2004 and June 2012** by us
D.S. HELLIG

(PLS0256)

S.G. DREYER

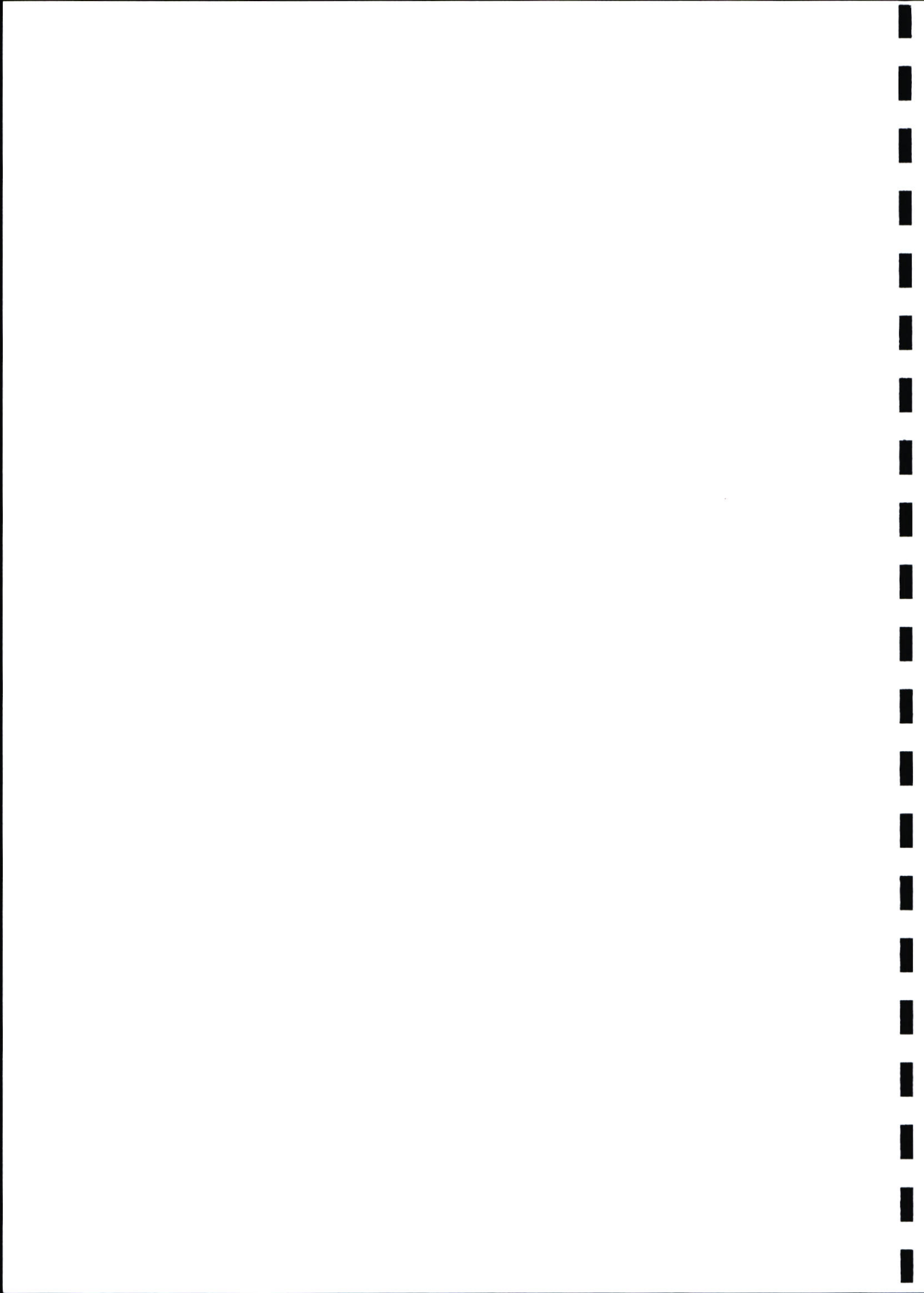
(PLS1028)

Professional Land Surveyors

Scale 1: 2500

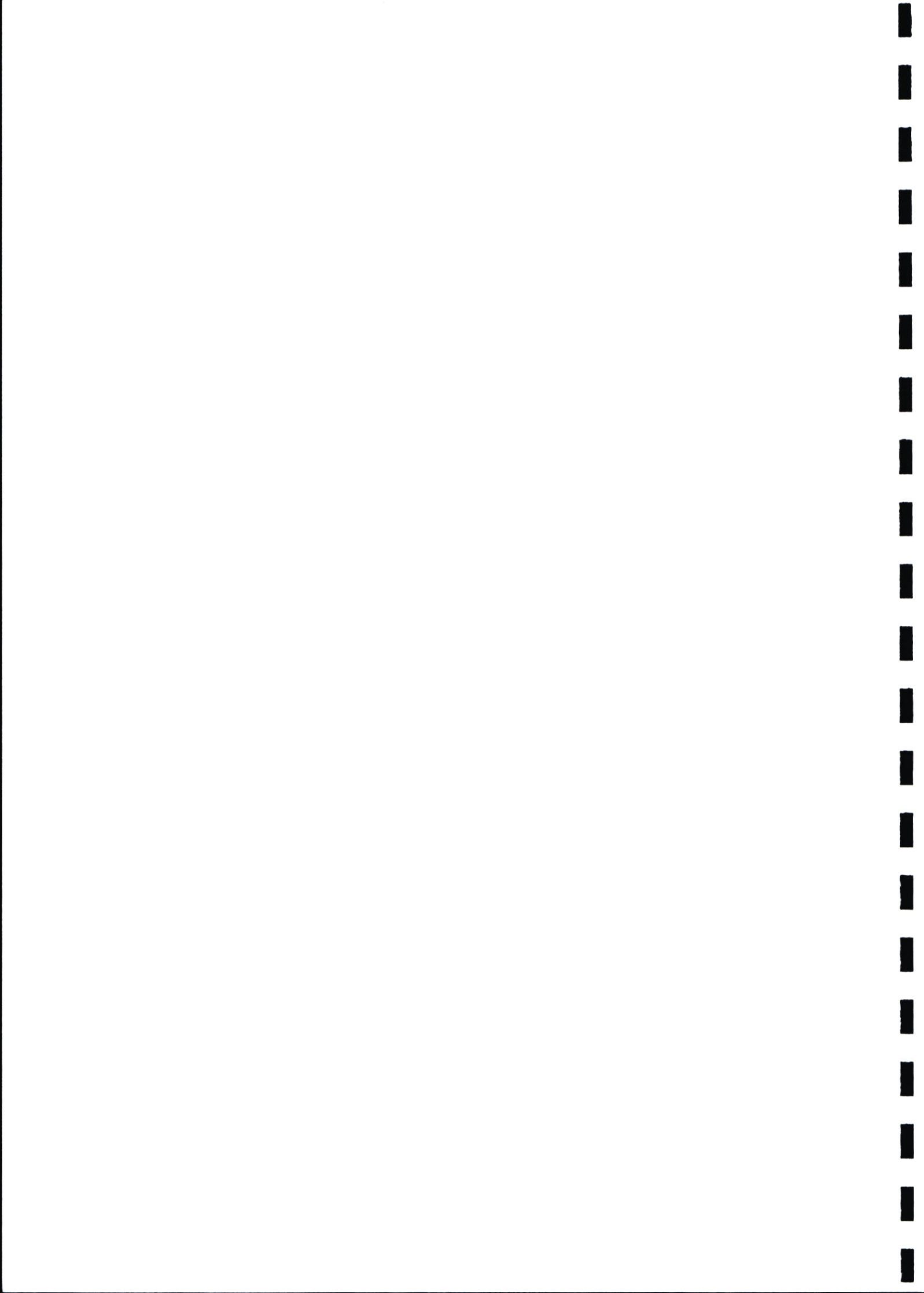
Servitude Diagram 1497/2012

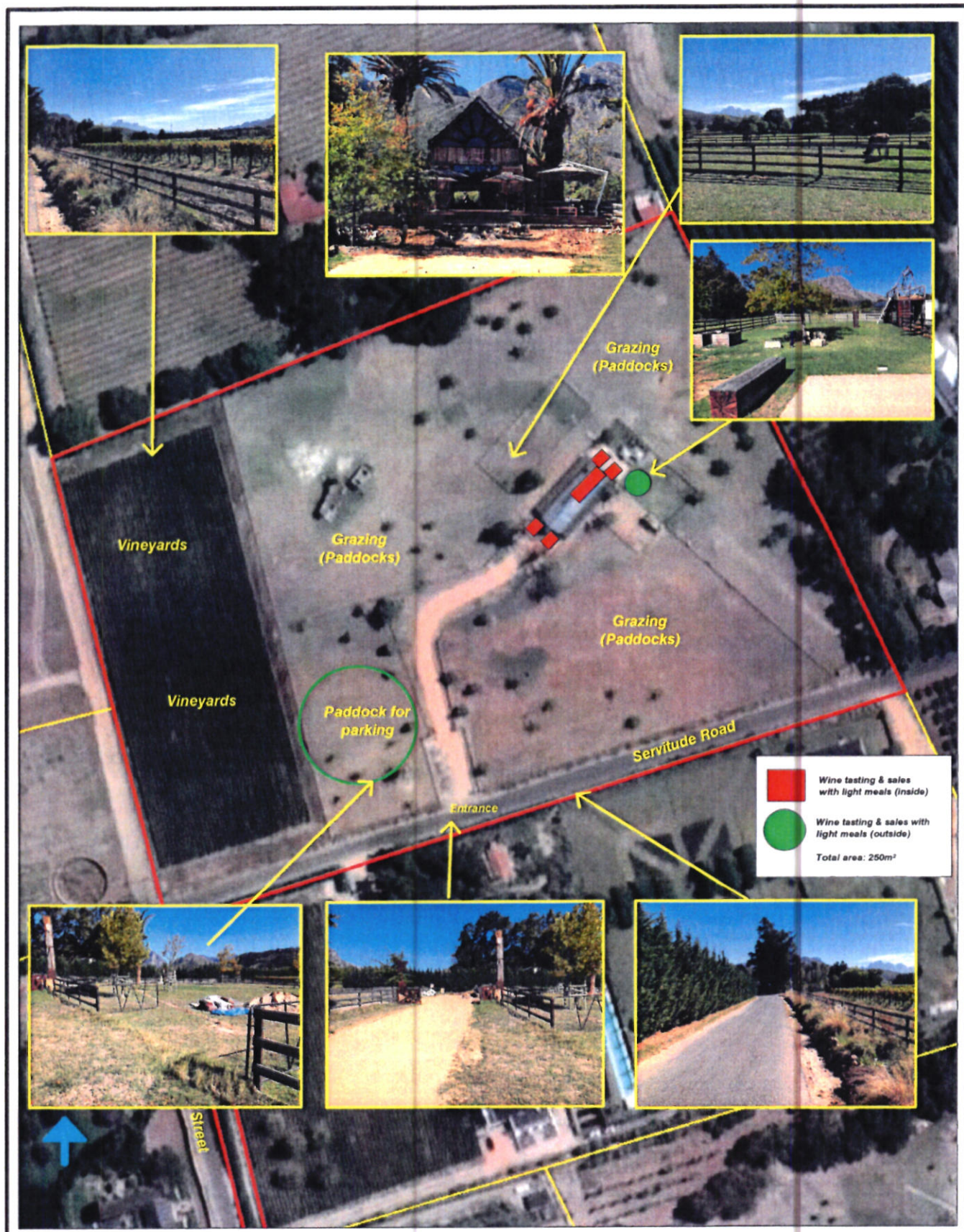
S



THE FOLLOWING DEDUCTIONS HAVE BEEN MADE FROM THIS DIAGRAM						
SURVEY RECORD	DIAGRAM NO.	SUBDIVISION	AREA HA./SQ. M.	TRANSFER NO.	INITIALED	REMDR.
SR 1394/2015	2799/2015	Ptn 13	2.5894 ha	T11753/2015	D.C	3,4905 ha

SERVITUDES/LEASEHOLD AREAS				
SURVEY RECORD	DIAGRAM NO.	DESCRIPTION	DEED	INITIALED
SR 665/2012	1497/2012	The line r s t u v w represents a 3m wide pipeline servitude	K182/2015	DA
1394/2015	2799/2015	The line x y represents the South Eastern boundary of a servitude right of way 10m wide.	T11753/2015	





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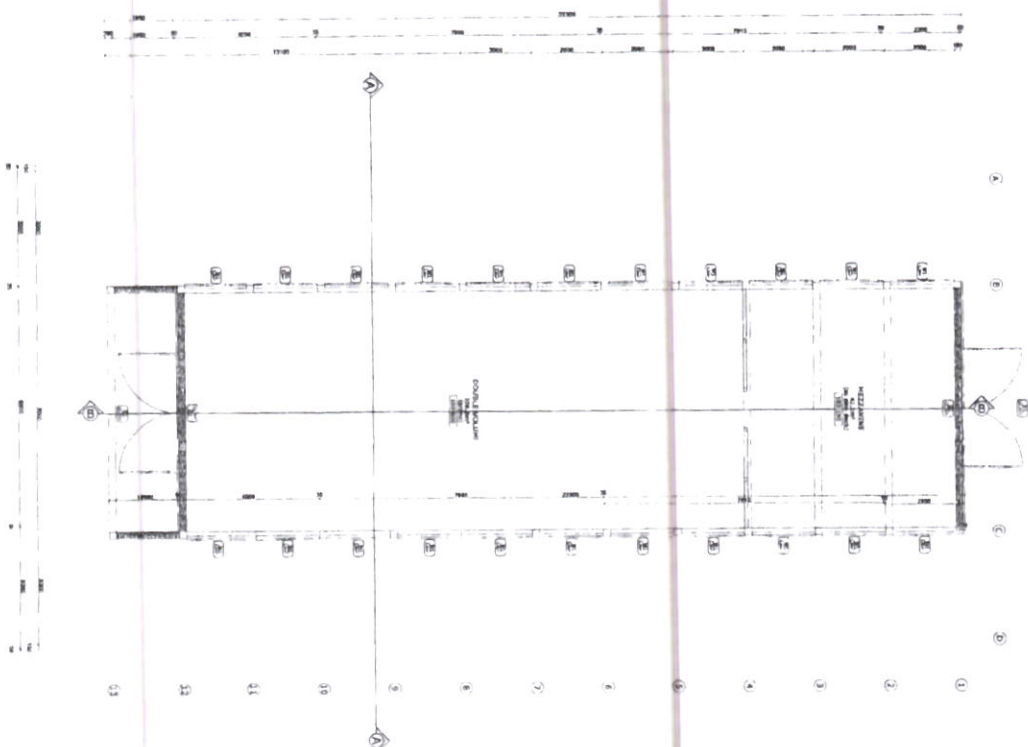
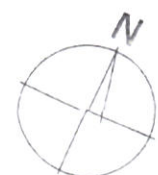
Application for
Technical Approval:
Remainder Portion
2 of Farm No. 1078
Paarl

Description:

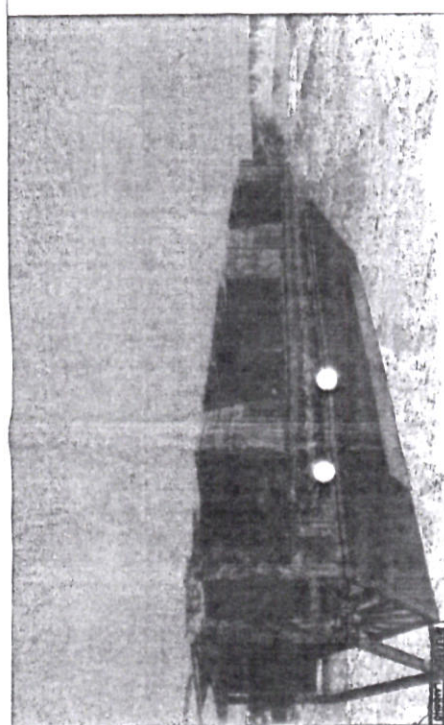
**Site
Development
Plan**

PIGCASSO

Scale: 1:50 000	Law nr: TA 60-12
Teken: PJLR	Datum: MAY 2021
Kleur: PJLR	Tekening nr: 4





FLOOR LAYOUT : MEZZANINE : BARN 1
SCALE 1:100



STRENGTHENING AND
PLAN NUMBER
B11S1630
no 15

A&S NOTES	
FAAR 1078 PORTION 2:	60 776.6m²
EXISTING:	
SHED 1:	96.6m²
SHED 2:	232.7m²
SHED 3:	21.7m²
HOUSE:	386.6m²
TOTAL EXISTING:	739.6m²
NEW:	
BARN 1:	305.5m²
MEZZANINE:	42.2m²
ENTRANCE:	14.0m²
BARN 2:	129.1m²
TOTAL ADDITIONS:	490.8m²
TOTAL COVERAGE:	1174.2m²
% COVERAGE:	1.932%
ZONING:	AGRICULTURAL ZONE 1
/ * LINDING CLASSIFICATION:	
K1.2 GENERAL LIVESTOCK HOUSING / STABLES	

[illegible]

PROJECT NO. H2981-01 FP		APPROVED BY DIV. 		PROJECT NAME NEW BLAINS FOR PROUD HERITAGE RV (LTD)	
DRAWING NO. 200570029		DATE 03/01/05		PROJECT LOCATION 1600 W. 10TH AVE.	
REVISION NO. 1		DATE SAVED 2015/03/16		PROJECT DESCRIPTION 1600 W. 10TH AVE.	
CLIENT PROUD HERITAGE RV (LTD)		PROJECT LOCATION 1600 W. 10TH AVE.		PROJECT DESCRIPTION 1600 W. 10TH AVE.	
PROJECT NO. H2981-01 FP		APPROVED BY DIV. 		PROJECT NAME NEW BLAINS FOR PROUD HERITAGE RV (LTD)	
DRAWING NO. 200570029		DATE 03/01/05		PROJECT LOCATION 1600 W. 10TH AVE.	
REVISION NO. 1		DATE SAVED 2015/03/16		PROJECT DESCRIPTION 1600 W. 10TH AVE.	
CLIENT PROUD HERITAGE RV (LTD)		PROJECT LOCATION 1600 W. 10TH AVE.		PROJECT DESCRIPTION 1600 W. 10TH AVE.	

APPLICATION FOR
TECHNICAL APPROVAL:
PORTION 2 OF FARM NO.
1078 PAARL

APPLICANT : OINK WINES (PTY) LTD
TRADING NAME : PIGCASSO

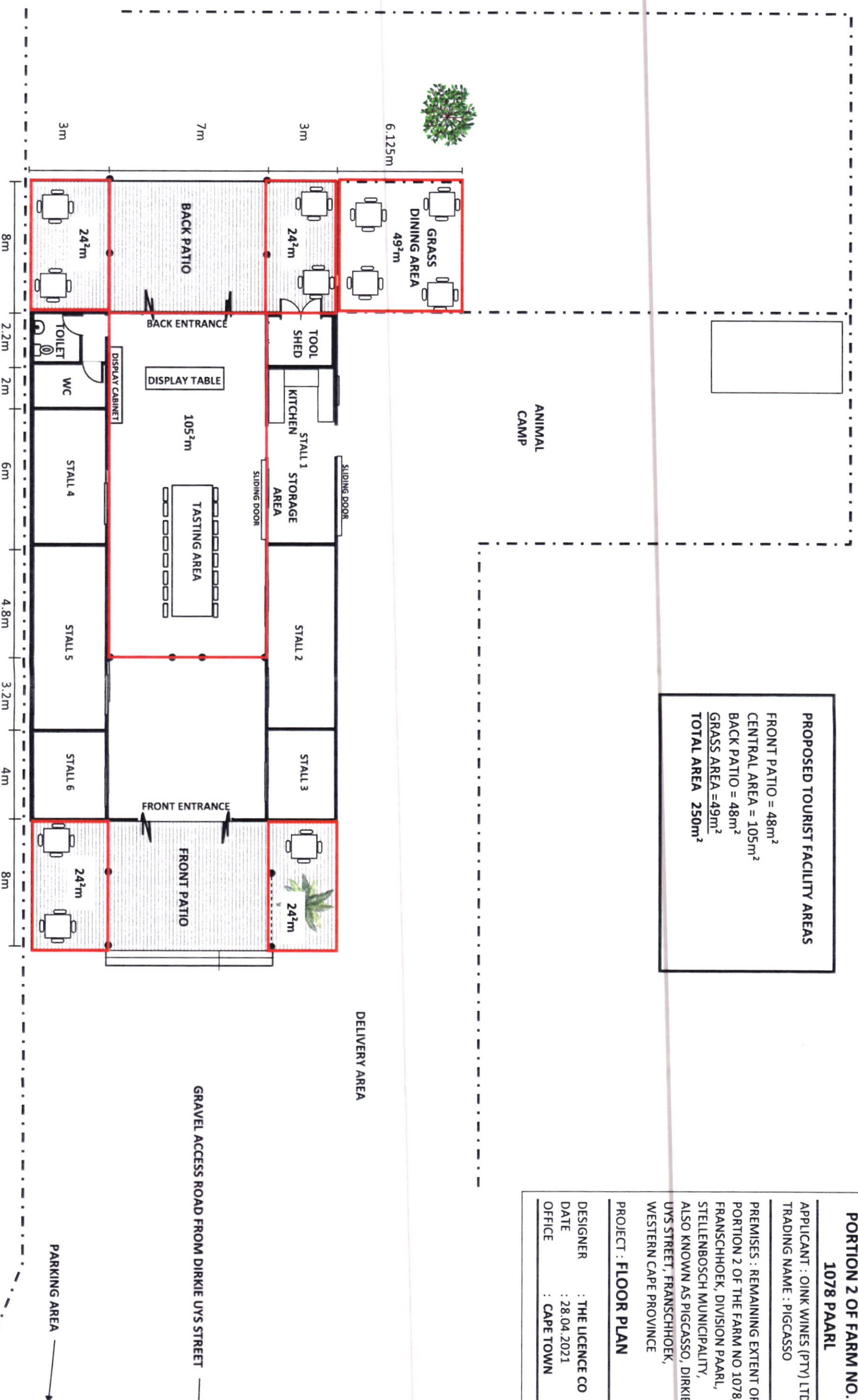
PREMISES : REMAINING EXTENT OF
PORTION 2 OF THE FARM NO 1078,
FRANSCHHOEK, DIVISION PAARL,
STELLENBOSCH MUNICIPALITY,
ALSO KNOWN AS PIGCASSO, DIRKIE
UYS STREET, FRANSCHHOEK,
WESTERN CAPE PROVINCE

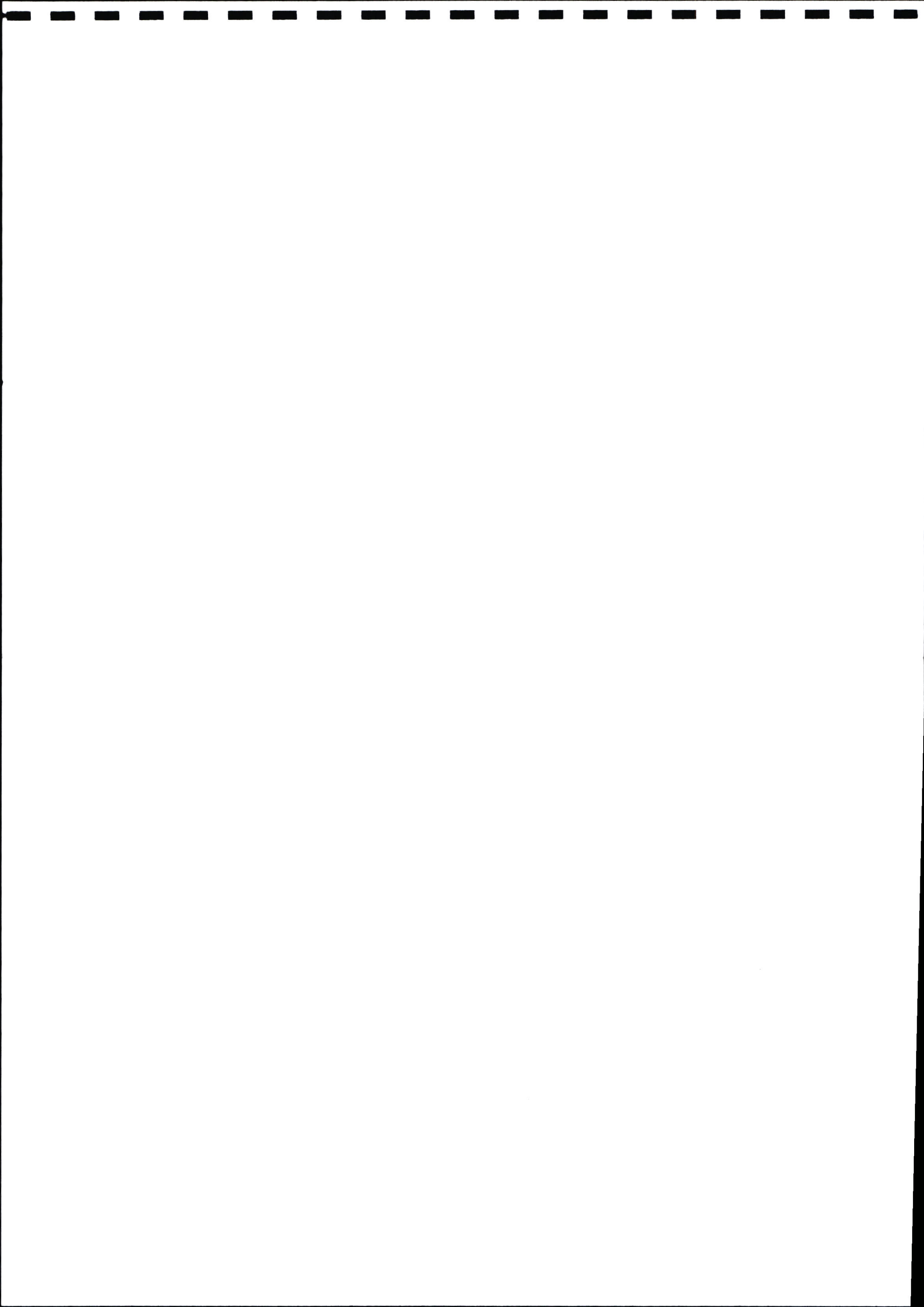
PROJECT : FLOOR PLAN

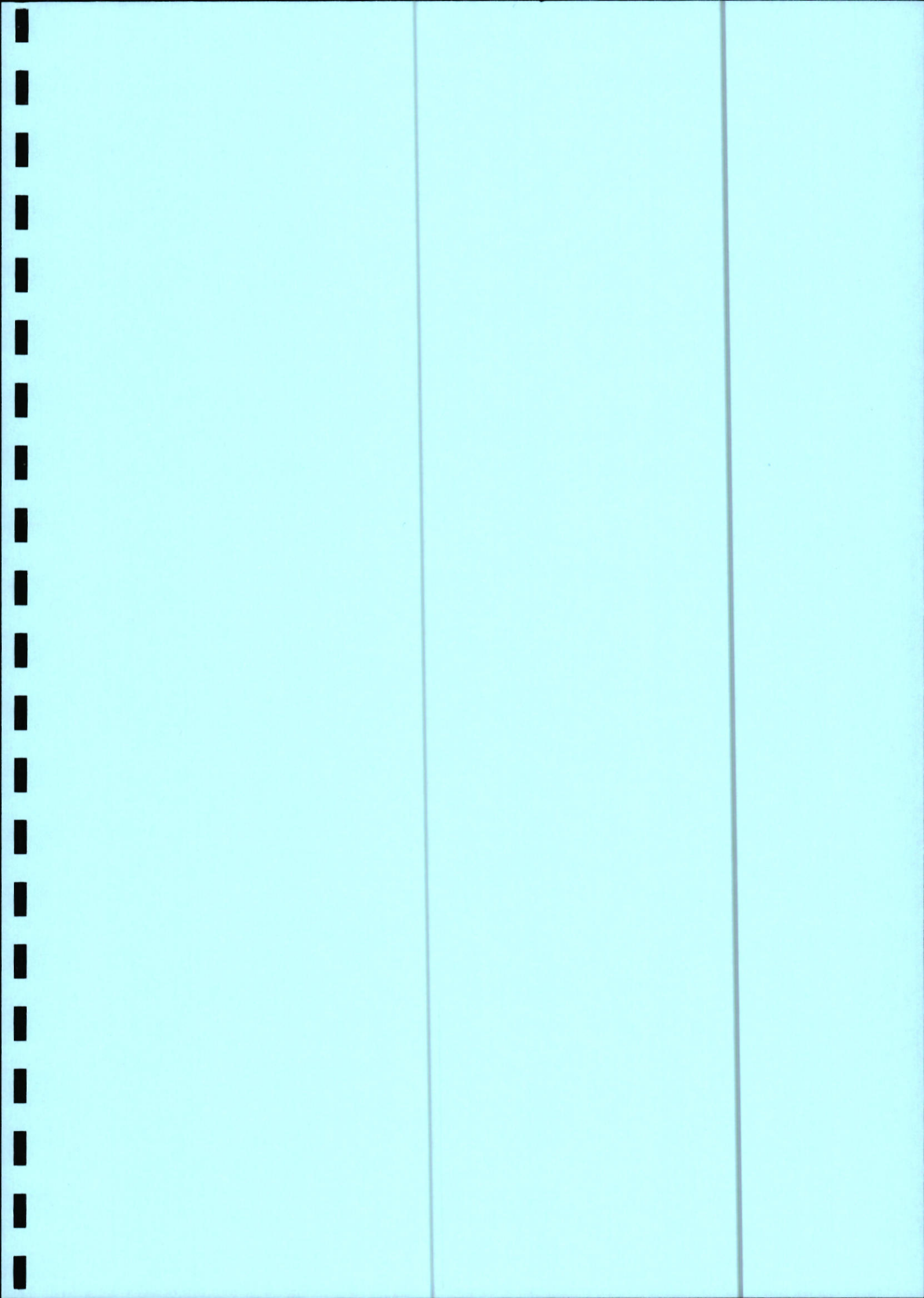
DESIGNER : THE LICENCE CO
DATE : 28.04.2021
OFFICE : CAPE TOWN

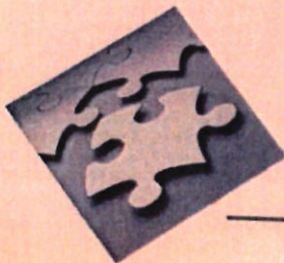
PROPOSED TOURIST FACILITY AREAS

FRONT PATIO = 48m²
CENTRAL AREA = 105m²
BACK PATIO = 48m²
GRASS AREA = 49m²
TOTAL AREA 250m²









P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

POWER OF ATTORNEY

I. Denise Waschnig

in my capacity as Office Manager

of (property description) Proud Heritage

Address 59 Dirkie Uys Str.
Franschhoek

Hereby formally appoints

PJ le Roux Town and Regional Planners (Pty) Ltd
Main Road 262
Paarl
7646

to represent me at all times and in all instances at any authority or institution in the execution of the following application on the said property:

Application for Technical approval

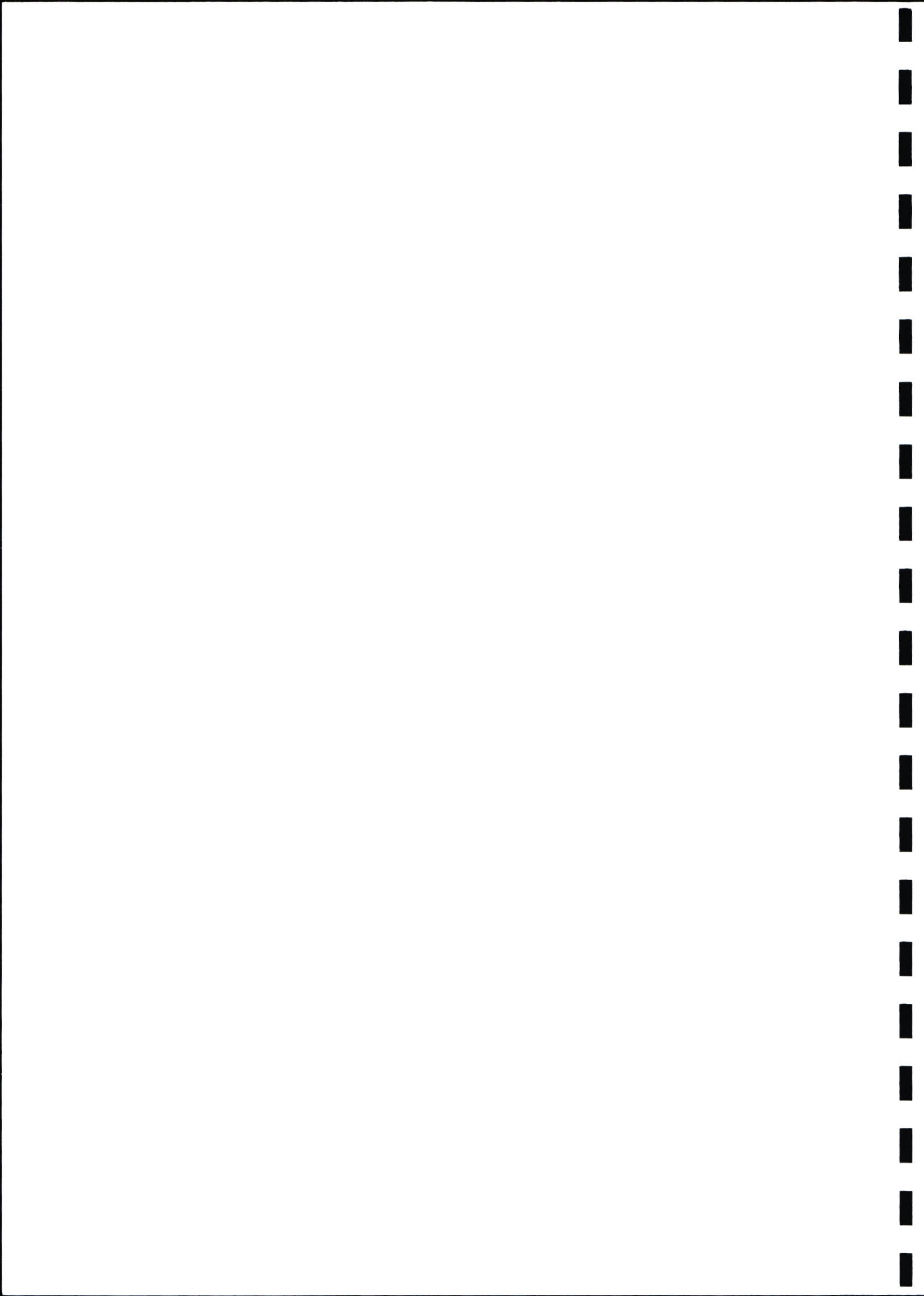
Signed at Cape Town on this 08

day of April 2021

D. Waschnig
Signature

shdk
Witness

P-J le Roux Stadsbeplanners Edms. Bpk. (Reg nr: 2015/058583/07)
Hoofstraat 262 Main Road, Paarl, 7646 Posbus / P O Box 3457, Paarl, 7620
Mobile: 0760317607 Tel: + 27 21 8722499 Faks: + 27 86 605 8431 Epos: pj@pjleroux.co.za
Direkteur P.J le Roux Pr. Pln A/803/1995 SS (SA) LSAISS/MSAITRP, Ba Hons.M(S&S)



COMPANY RESOLUTION

At a recent meeting of **PROUD HERITAGE PROPERTIES 60 PTY LTD** held on

09.04.2021 at **59 Dirkie Uys street** it was resolved as follows:

1) To submit a formal application in terms of the following:

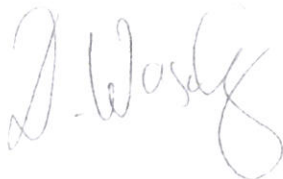
- a. Stellenbosch Municipality: Municipal Land Use Planning By-Law, 2015
- b. Stellenbosch Municipality Zoning Scheme By-Law (May 2019)
- c. Any other relevant legislation

With respect to the proposed **TECHNICAL APPROVAL**

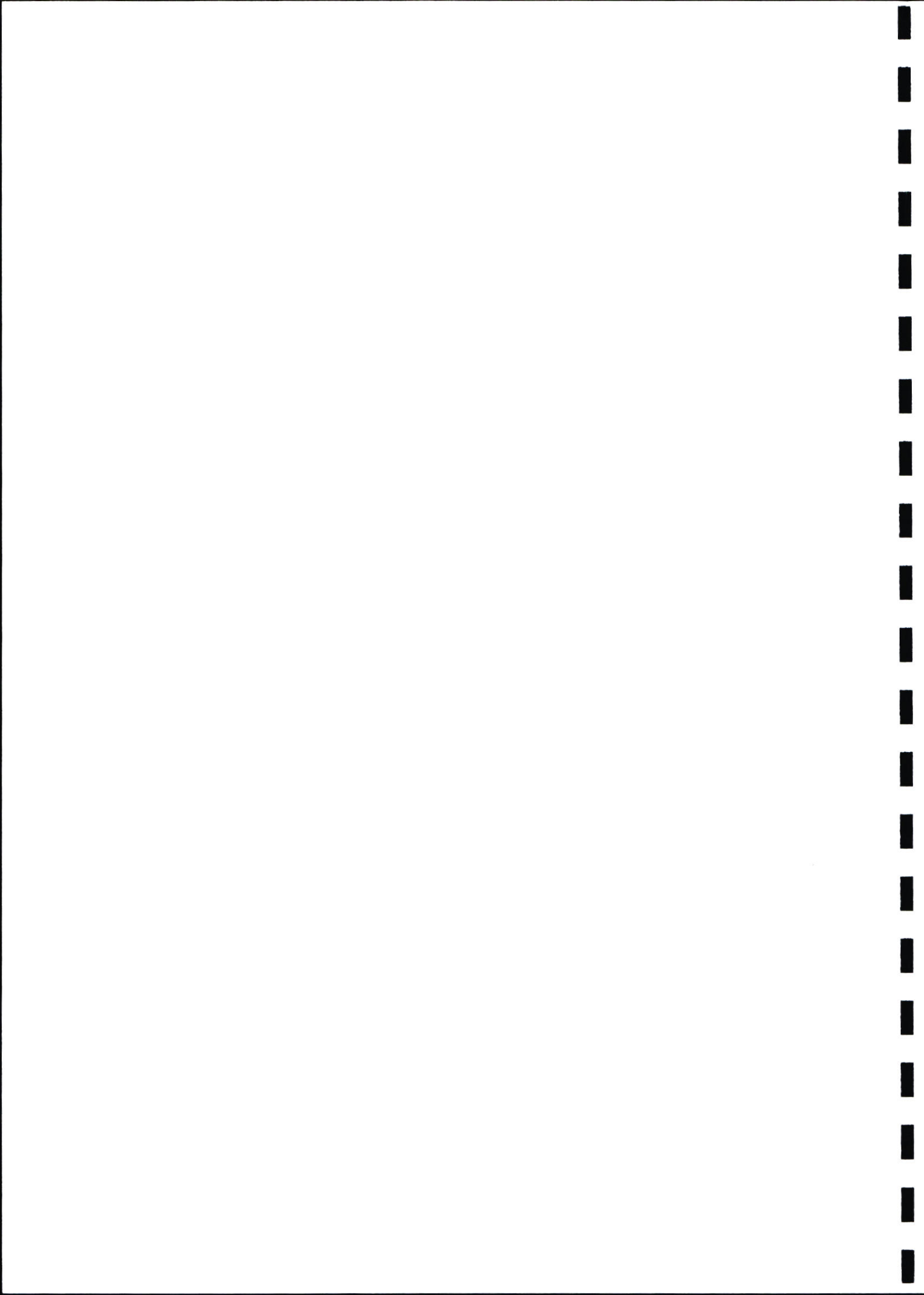
PORTION 2 OF THE FARM NO. 1078 PAARL

Situated within the area of jurisdiction of the Stellenbosch Municipality, Division, Paarl, Province of the Western Cape

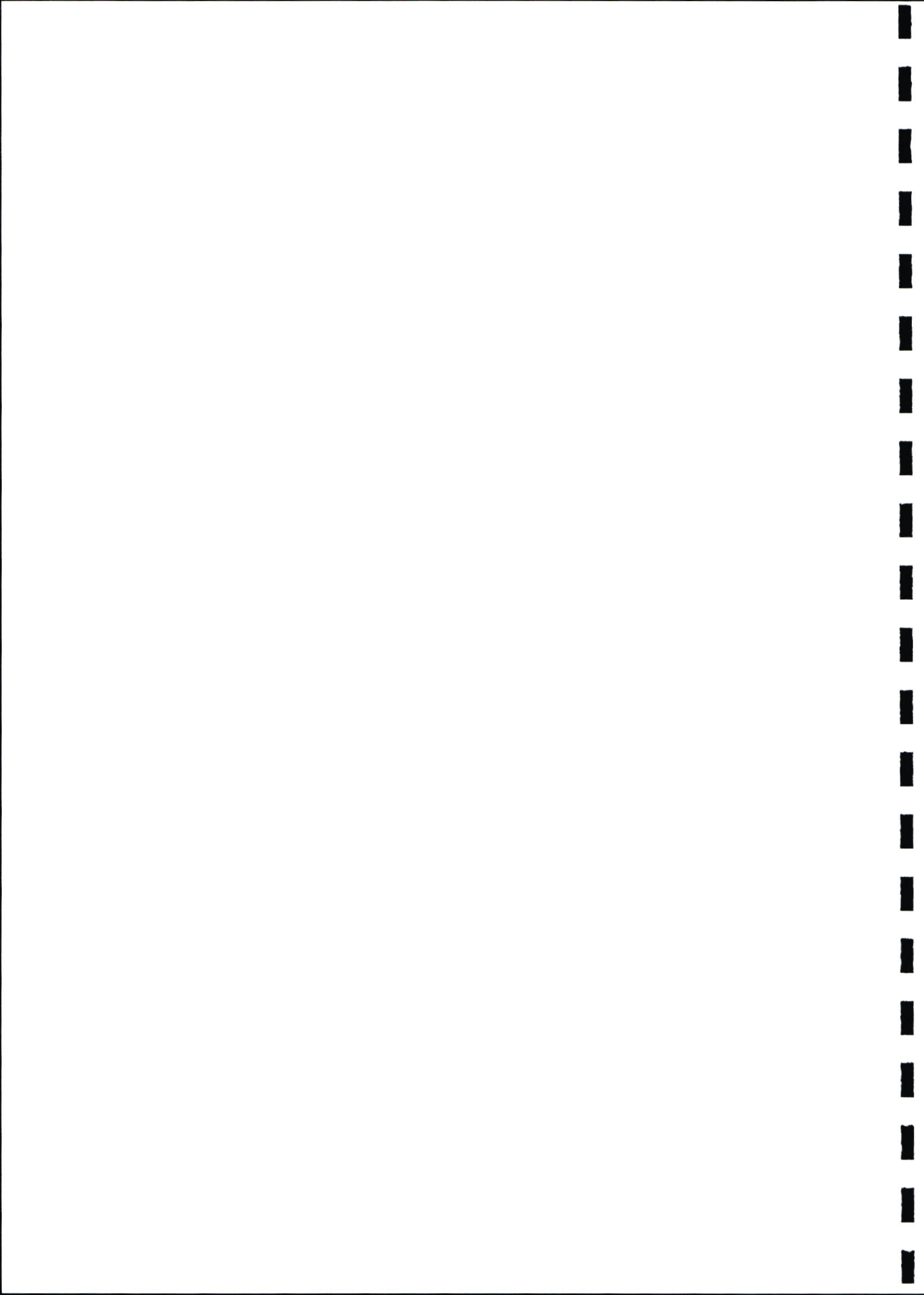
2) To authorise **Denise Waschnig** to sign the necessary Letter of Appointment in favour of *Messrs PJ le Roux Town Planners Pty Ltd*

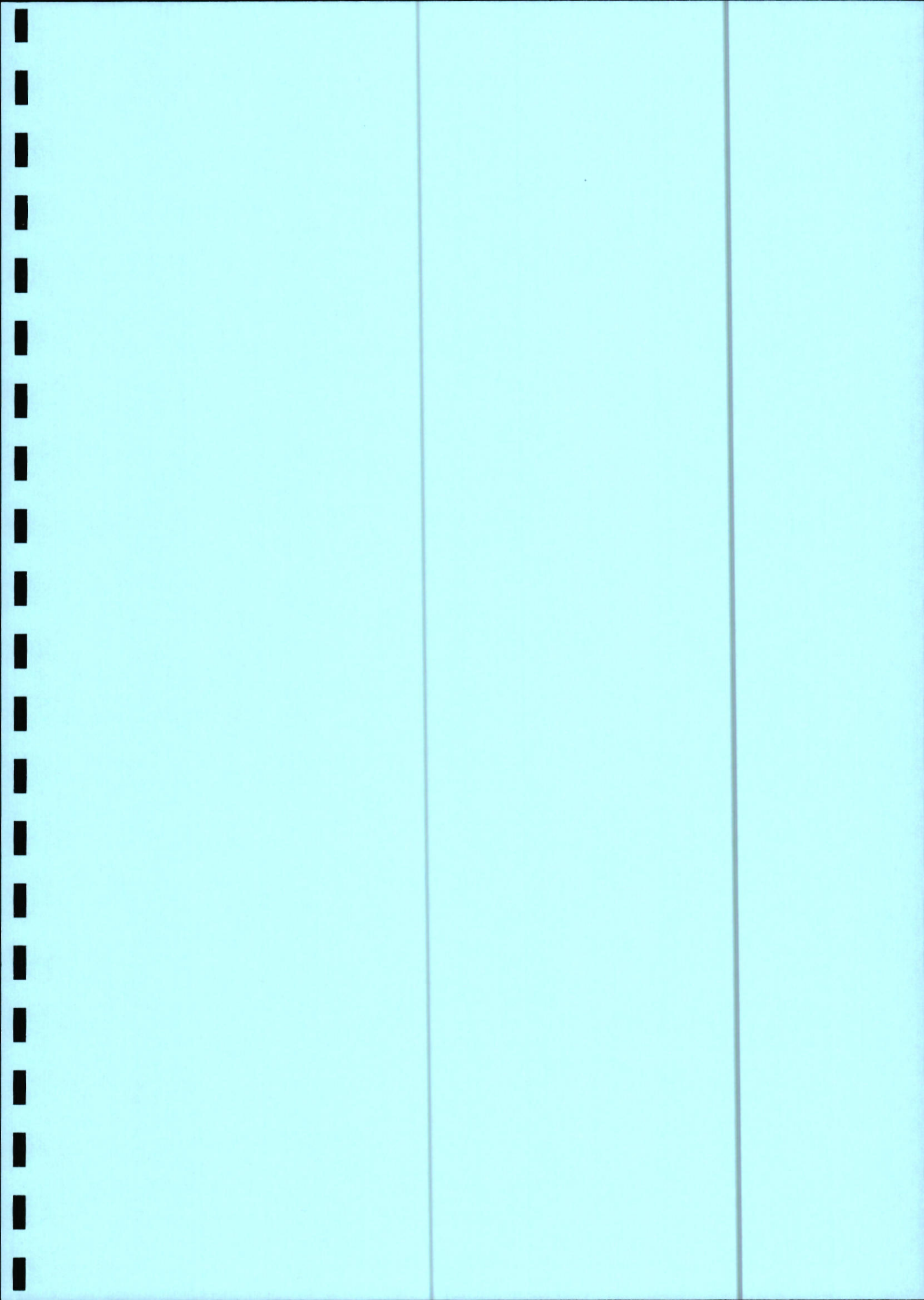


Manager



Signed on this 08 day of April 2021





321

Norton Rose Fulbright South Africa
3 Pencarrow Crescent
La Lucia Ridge
4051

Free endorsement	
Purchase price/Value	Amount R. 17 000 000,00
Mortgage capital Amount	R. 3 000 000,00
Reason for exemption	Exempt 12.0
Est. section Act	

Prepared by me

Nail

CONVEYANCER
DOUGLAS SPENCE TATHAM

VIR VERDERE ENDOSSEMENTE SIEM BLAD
FOR FURTHER ENDORSEMENT SEE PAGE 4

DATA / CAPTURE
2015-03-10
PUMELELA MNAMATA

DEED OF TRANSFER

T 000009854 / 2015

BE IT HEREBY MADE KNOWN THAT

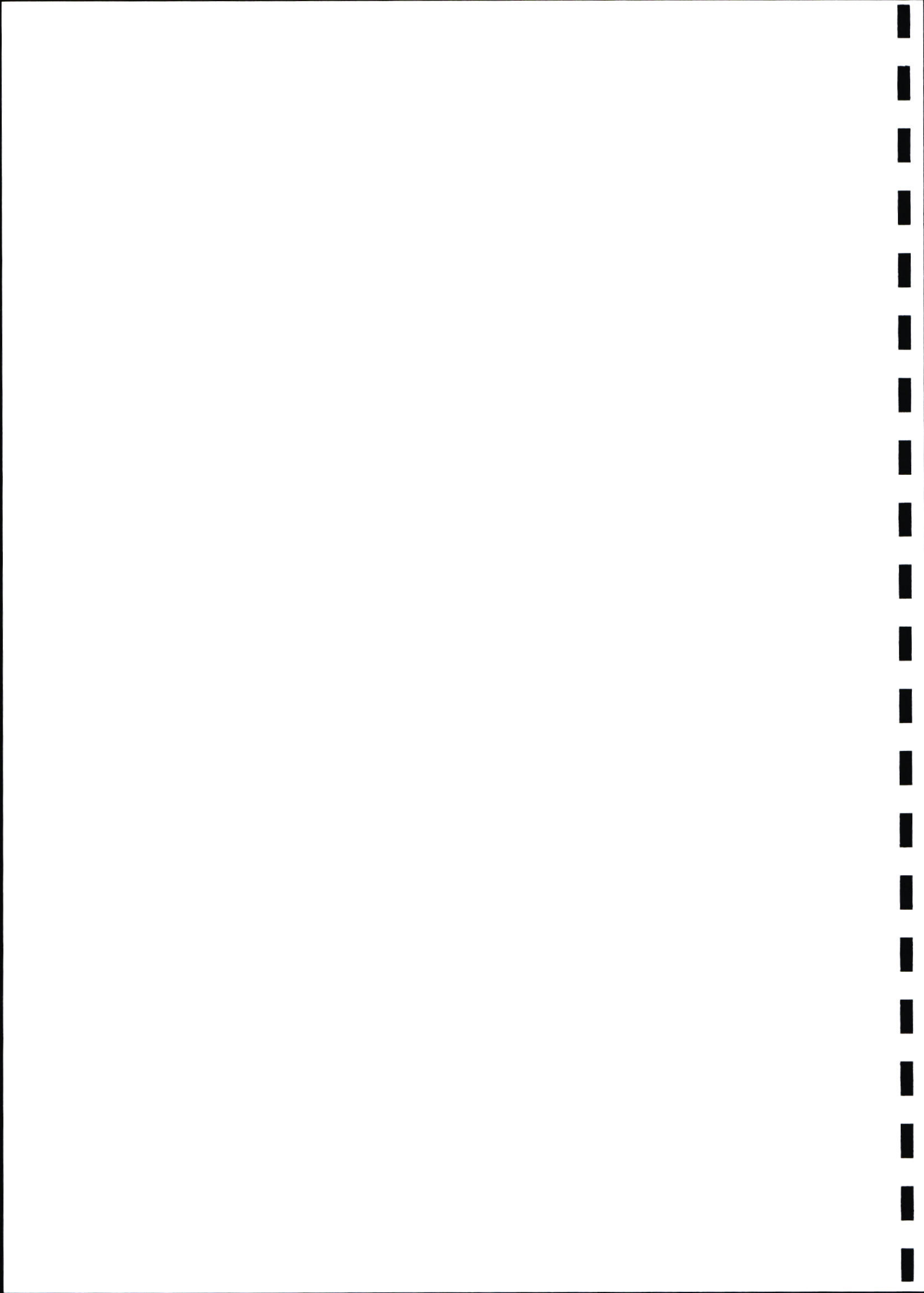
ANTON LUTHER POSTHUMUS

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 MOUNT EDGECOMBE on 17 OCTOBER 2014 granted to him by

TRADEQUICK 109 PROPRIETARY LIMITED
Registration Number 1998/014412/07

[Handwritten signature]

DATA / VERIFY
11 MAR 2015
NGONGWANA PENELOPE



And the appearer declared that his said principal had, on 2 July 2014, 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:

PROUD HERITAGE PROPERTIES 60 PROPRIETARY LIMITED
Registration Number 2004/011248/07

its Successors in Title or assigns, in full and free property

PORTION 2 OF THE FARM NUMBER 1078
IN THE STELLENBOSCH MUNICIPALITY
DIVISION PAARL
PROVINCE OF THE WESTERN CAPE

IN EXTENT 6,0799 (SIX COMMA ZERO SEVEN NINE NINE) Hectares


FIRST transferred by Deed of Transfer Number T10 dated 1 July 1875 with diagram relating thereto and held by Deed of Transfer Number T14073/2010

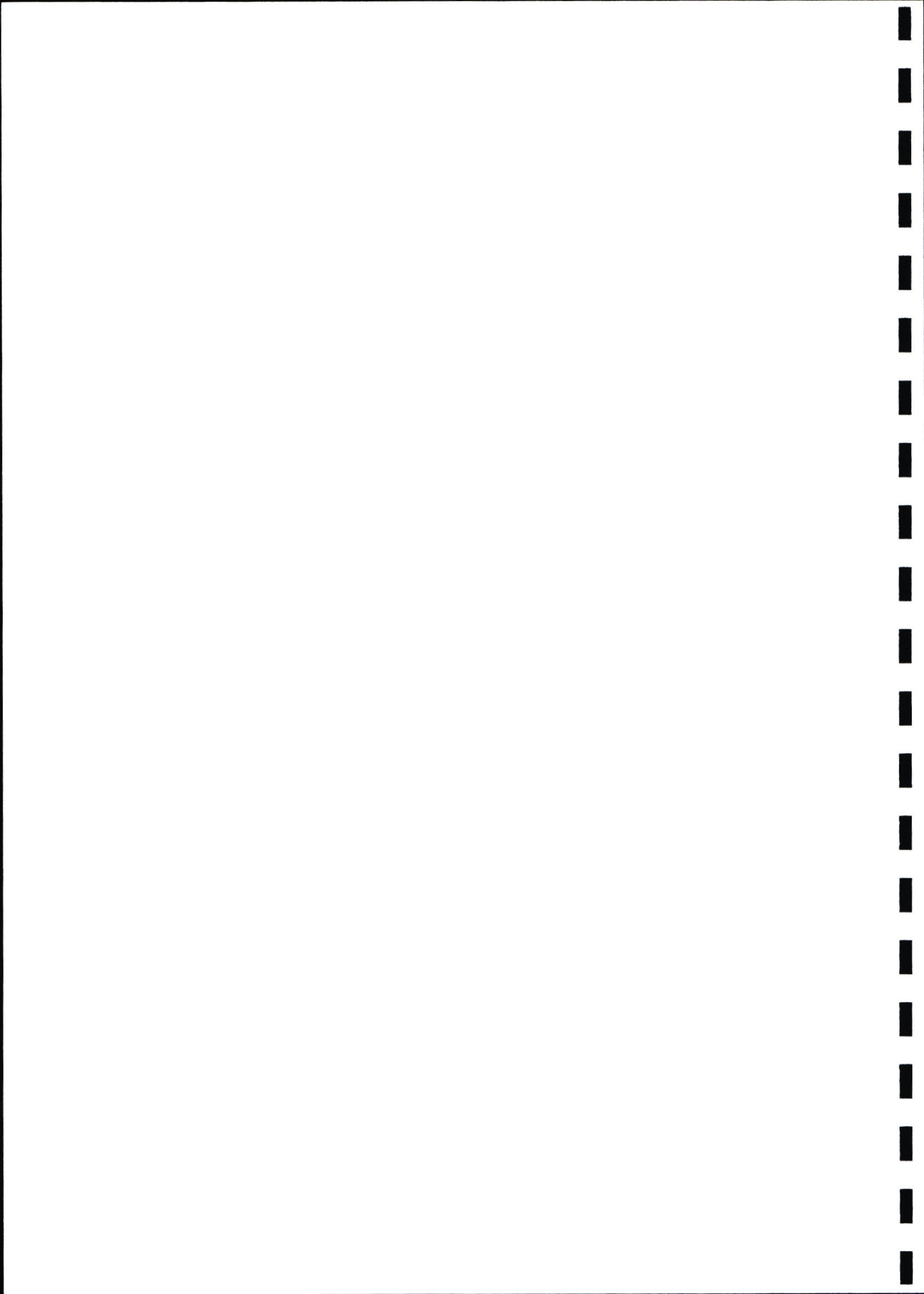
- A. SUBJECT to the conditions referred to in Deeds of Transfer Number T97 dated 11 October 1887 and Number T6910 dated 25 November 1895.
- B. By Deed of Transfer Number T8897/2005 subject to the following right, reserved by the Marvinic Trust in favour of the registered owner of Portion 8 of the Farm La Terra de Lucque Number 1075, situate in the Stellenbosch Municipality, Division of Paarl, Western Cape Province, in extent 32,5896 (Thirty Two Comma Five Eight Nine Six) hectares (hereafter referred to as "the dominant tenement") and his successors-in-title namely:

"A servitude right of way six metres wide and the route of which shall be determined by the respective registered owners of the property hereby being transferred and the dominant tenement at a future date."

- C. SUBJECT to a sewer pipeline servitude three metres wide, the centre line of which is depicted by the line ABCDEF on diagram SG Number 1497/2012 in favour of the Remainder of Erf 27 Franschhoek, Erf 1531 Franschhoek and Portion 14 (of Portion 12) of the Farm La Terra De Lucque Number 1075, as created in Notarial Deed of Pipeline Servitude Number ~~9854/2015~~

K 182/2015





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

TRADEQUICK 109 PROPRIETARY LIMITED
Registration Number 1998/014412/07

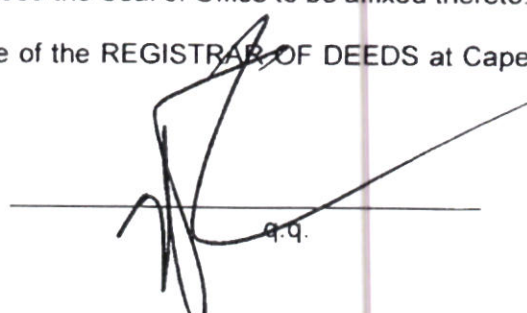
heretofore had to the premises, did in consequence also acknowledge it to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

PROUD HERITAGE PROPERTIES 60 PROPRIETARY LIMITED
Registration Number 2004/011248/07

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 R17 000 000,00 (SEVENTEEN MILLION 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 03 MAR 2015



Handwritten signature of the Registrar of Deeds, appearing as a stylized 'R' with a horizontal line extending to the right.

In my presence



Handwritten signature of the Appearer, appearing as a stylized 'C' with a horizontal line extending to the right.

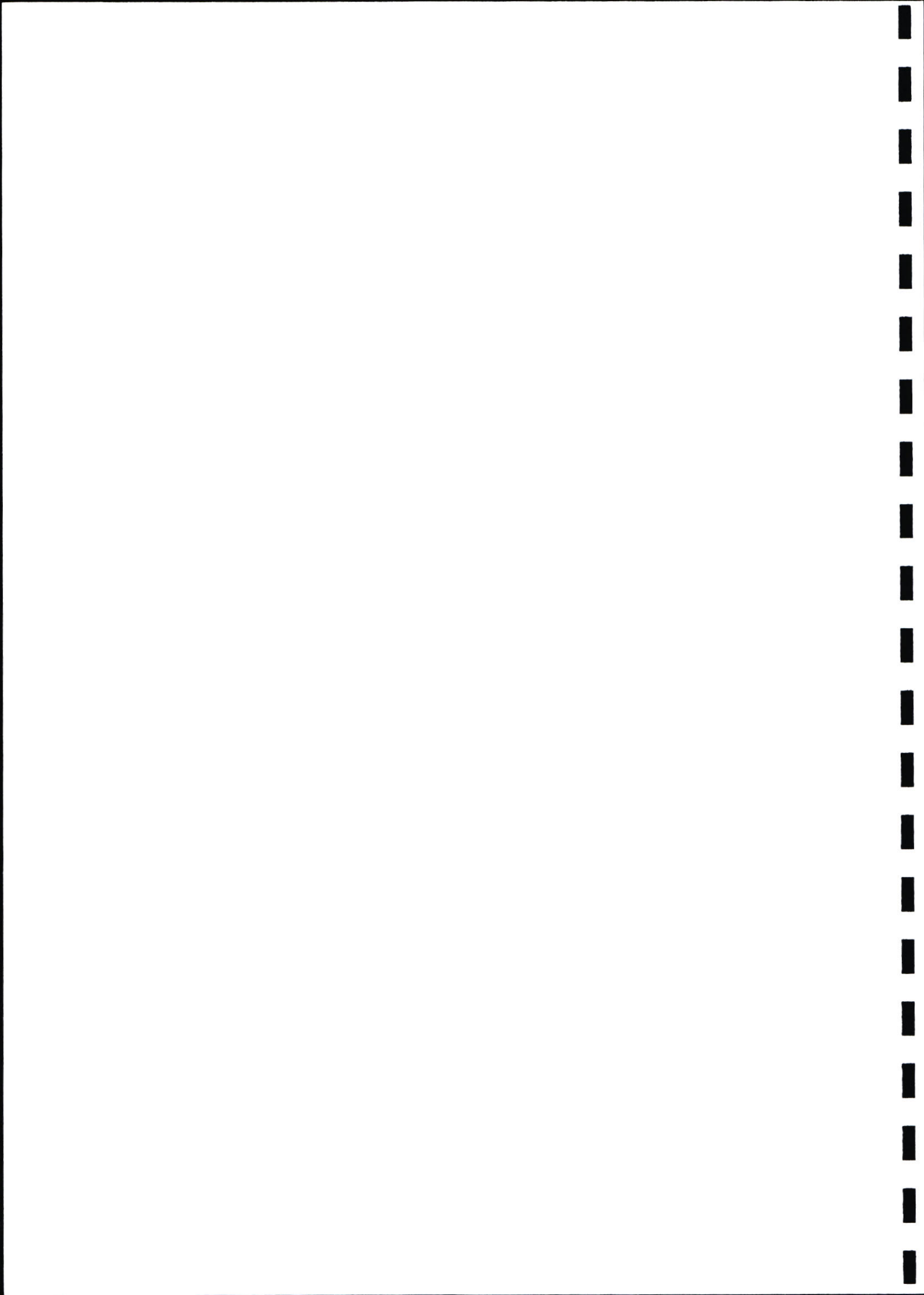
REGISTRAR OF DEEDS



A large, stylized handwritten signature, possibly of the Appearer, consisting of several overlapping loops.



A small, handwritten mark, possibly a signature or initials, consisting of a single vertical stroke with a small hook at the bottom.



ANNEXED TO T9854/2015

PAGE 4

SERTIFIKAAT VAN GEREISTREERDE TITEL UITGEREIK
CERTIFICATE OF REGISTERED TITLE ISSUED

TEN OPSIGTE VAN
IN RESPECT OF PTN 13 (a PTN of PTN 2) of the Farm No 1078

RENTANT

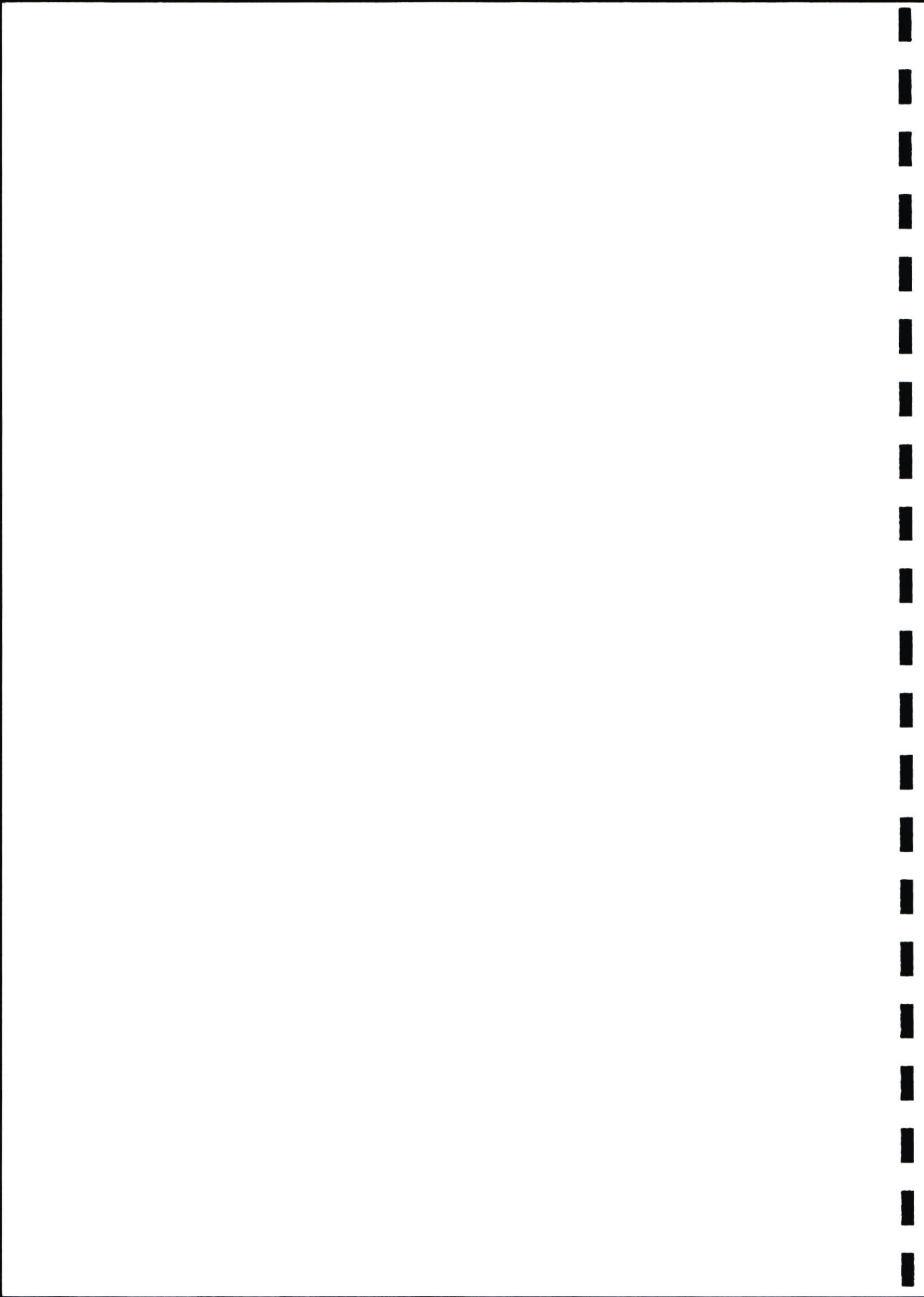
.....REMAINDER=3,4905 HA

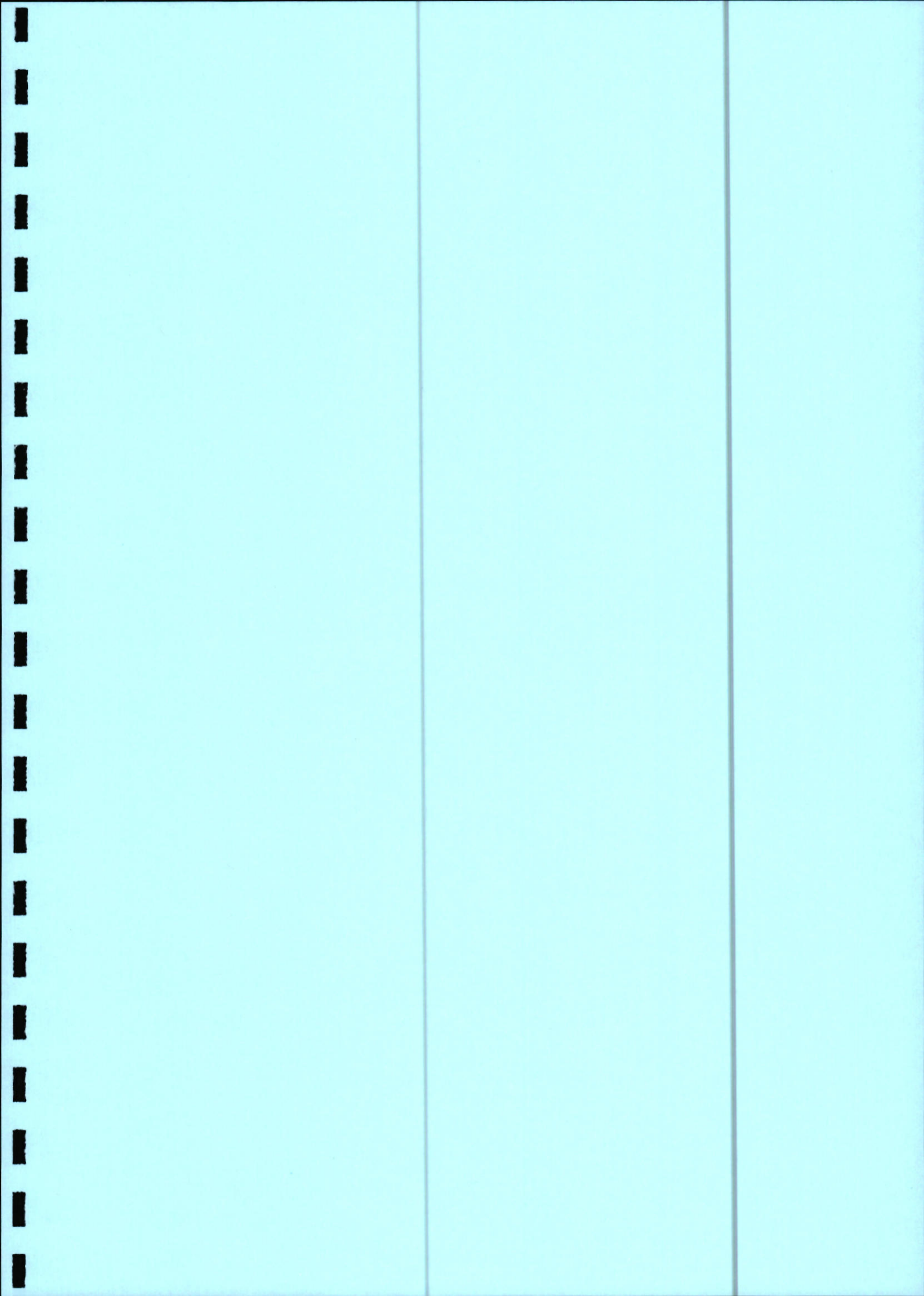
T 000071753 / 2017

30 NOV 2017



.....
REGISTRATEUR/REGISTRAR







PJ Le Roux
By email: Pj@pjleroux.co.za

29 April 2021

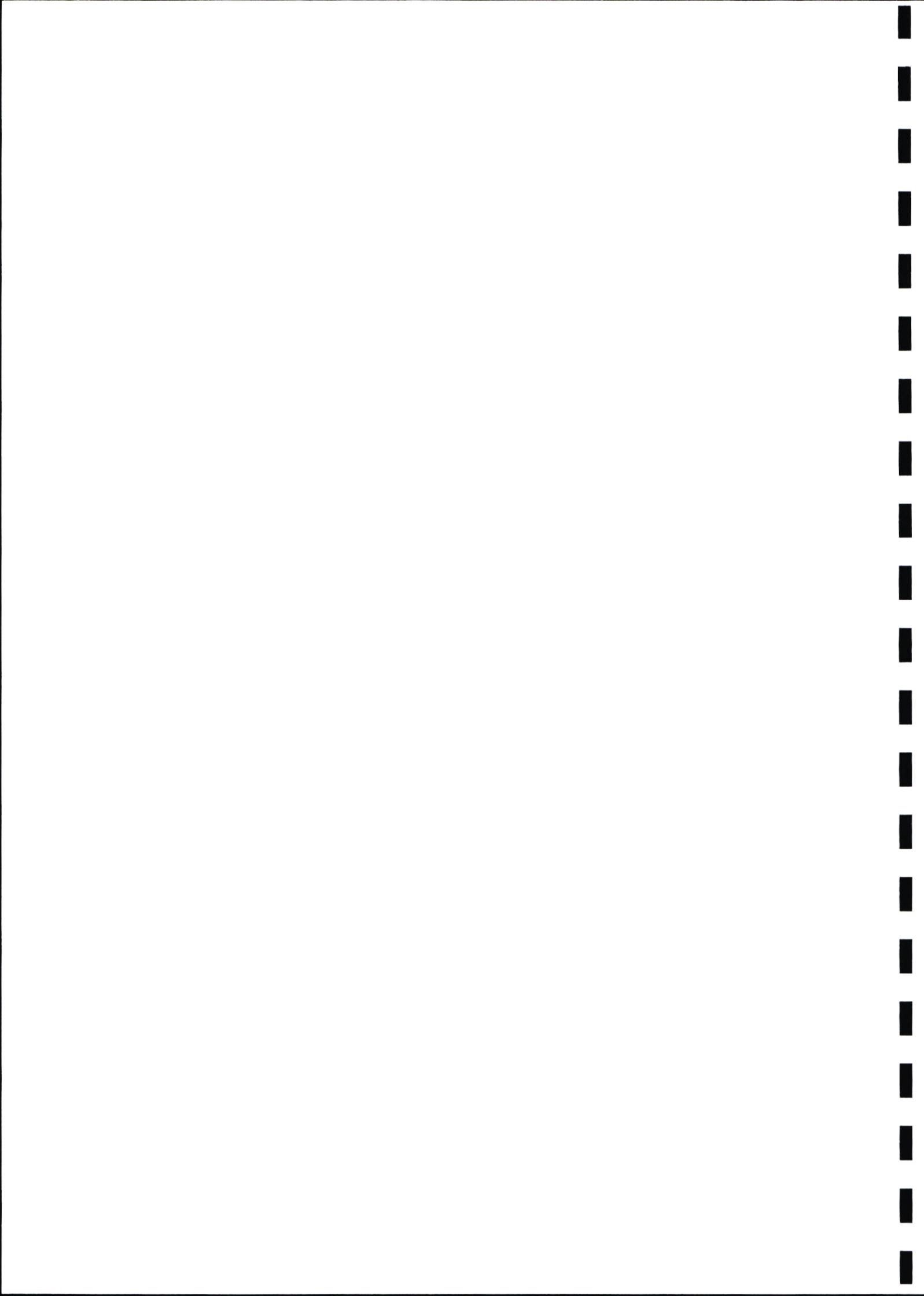
SUBJECT: PRE-APPLICATION SCRUTINY FEEDBACK

APPLICATION FOR TECHNICAL APPROVAL – FARM No. 1078/2, DIRKIE UYS STREET, PAARL DIVISION

1. Your pre-application scrutiny submission on the above property dated **April 2021**, refers.
2. Your submission has been duly scrutinized for your intended land use application.
3. Your intended land use application needs to address the following requirements to satisfy the prevailing provisions in the Stellenbosch Land Use Planning Bylaw (2015) [SLUPB] and Stellenbosch Zoning Scheme Bylaw (2019) [SZSB]:
 - 3.1 **Applicant to submit a site plan indicating the proposed technical approval with the proposed areas (in m²).**
4. The intended land development application needs to fulfil the requirements as stipulated in Section 38 of the SLUPB. The required application documents and related information on any applicable Bylaws, Policies and Spatial Plans are available on the Planning Portal of the Municipal Website. (<https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planningportal>)
5. Please note that the sole purpose of this pre-application scrutiny feedback is to facilitate an accurate approach for the intended land use and/ or land development application. The feedback should consequently not be interpreted to represent any position on the merit nor desirability of such intended land use and/ or land development application, which can only be determined once a complete application has been received and duly processed and decided on by the authorised decision maker.
6. It should also be noted that 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. Once proof of payment is received, the application will be regarded as duly submitted in accordance with a notice as contemplated in terms of Section 41(1)(c)(i) of the SLUPB.
7. For any enquiries on this correspondence please respond by e-mail to the writer hereof.

Kind regards

Nopinki Dafeti
Town Planner
Nopinki.Dafeti@stellenbosch.gov.za





LAND USE PRE-APPLICATION SCRUTINY FORM

KINDLY NOTE:

1. This Pre-Application Scrutiny form must be submitted prior to the submission of any Land Use and Land Development application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015. (SLUPB)
2. Relevant documents can be accessed at:
<https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal/legislation/3116-stellenbosch-municipality-land-use-planning-by-law-2015/file>
3. The applicant will receive feedback per e-mail following a weekly internal technical discussion on the pre-application scrutiny submission.
4. A pre-application consultation meeting may be required in terms of Section 37 of the said Bylaw on receipt and consideration of this Pre-Application Scrutiny.

PART A: APPLICANT, OWNERSHIP & PROPERTY PARTICULARS

Applicant Name	PIERRE-JEAN LE ROUX
E-Mail	pj@pjleroux.co.za
Tel/ Cell	0760317607
Registered Owner:	PROUD HERITAGE PROPERTIES 60 PTY LTD
Property Description	PORTION 2 OF FARM NUMBER 1078 PAARL
Physical Address:	DIRKIE UYS STREET
Suburb & Town	FRANSCHHOEK
Current Zoning	AGRICULTURE & RURAL ZONE
Current land use	AGRICULTURE (VINEYARDS)



Are there existing buildings on the subject property(ies)?	Yes	No
Are there any existing unauthorized buildings and/or land use on the subject property(ies)?	Yes	No
If yes, is this application to legalize the building/ land use?	Yes	No
Are there any pending court case(s)/ order(s) relating to the subject property(ies)?	Yes	No
Is the property located in a heritage area or contains any heritage significant buildings?	Yes	No
Does the property fall inside the urban edge ?	Yes	No

PART B: APPLICATION

1. WHAT LAND USE PLANNING APPLICATIONS ARE REQUIRED IN TERMS OF SECTION 15(2) OF THE SLUPB?

Rezoning	Subdivision	Removal/Suspension Amendment of restrictive conditions	Consent use
Permanent Departure	Consolidation	Closure of public place	Rectification/ disestablishment of HOA
Temporary Departure	Amendment of condition(s) of approval	Extension of validity period of approval	Amendment/cancel ation of approved subdivision plan
Determination of a zoning	Occasional use	Permission in terms of zoning scheme	Permission in terms of condition of approval

OTHER	Technical Approval	Exemption	
-------	-----------------------	-----------	--

Details of the Proposal: (Brief description of proposal (not a full motivation))

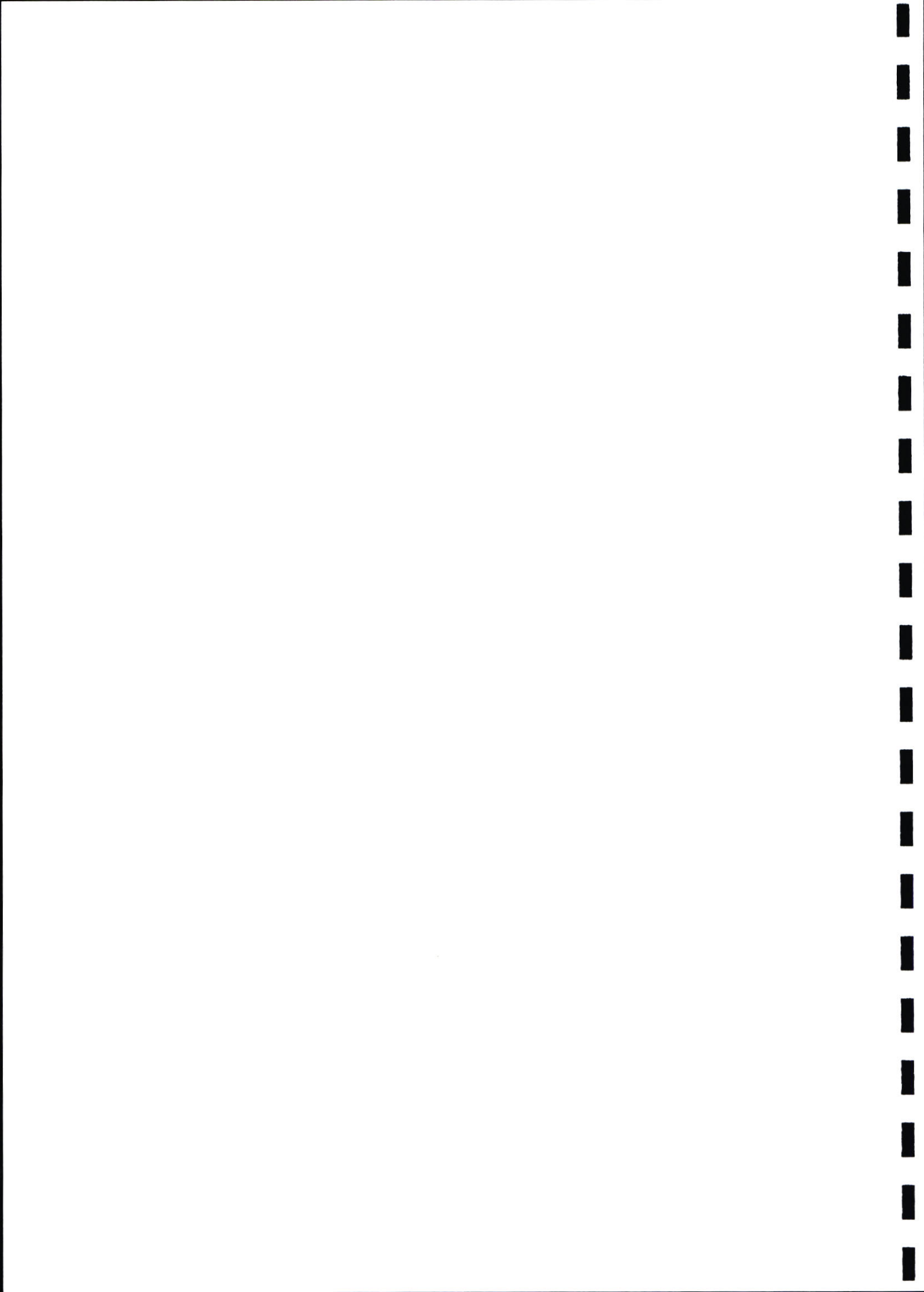
THE INTENTION IS TO APPLY FOR A TECHNICAL APPROVAL FOR TOURIST FACILITIES TO FACILITATE WINE TASTING AND SALES FROM THE EXISTING AGRICULTURAL BUILDING ON THE SUBJECT PROPERTY. THE WINES WHICH WILL BE TASTED AND SOLD WILL DERIVE FROM THE VINEYARDS ON THE SUBJECT PROPERTY AND WHICH ARE CURRENTLY MADE IN A DIFFERENT WINE CELLAR. THE TASTING AND SALES AREA WILL BE LOCATED INSIDE AND ON THE STOEP OF THE EXISTING BARN BUILDING AS WELL AS OUTSIDE GARDEN AREA. MORE THAN SUFFICIENT ONSITE PARKING WILL BE PROVIDED INFORMALLY ON A PORTION ALSO USED FOR GRAZING.

THE ATTACHED PICTURE COLLAGE DEPICTS THE EXISTING BARN WHICH COMPRISES MANY COMPARTMENTS IN WHICH THE WELL KNOWN "PIGCASSO THE PAINTING PIG" IS ALSO ACCOMMODATED.



2. RELEVANCE OF ANY PLANNING LEGISLATION/ POLICIES AND PLANS

RELEVANT PLANNING CONSIDERATIONS		
(a) Are any Municipal plans/policies/guidelines, or any restrictive title conditions, or other legislation / authorizations applicable to the application, and if yes, is the proposal consistent/ compliant with such?	Yes	No
(b) Does the proposal require the following additional infrastructure / services? e.g. electricity; water; sewerage; road network; other?	YES	NO
(c) Does the development proposal include the provision of residential units, and if so, what is the target market re: range in income bracket/ selling price or rental for the units ?	YES	NO
(d) In addressing the SPLUMA principle of Spatial Justice and as it relates to prescripts on the provision of inclusionary housing, how will this development proposal target affordable market segments?	YES	NO



PART C: COPIES OF PLANS / DOCUMENTS TO BE SUBMITTED AS PART OF PRE-APPLICATION SCRUTINY

The following minimum documentation **must** be attached to this pre-application scrutiny form:

1. **Locality plan**
2. **Layout Plan of proposal** (e.g. copy of existing building plan, indicating proposal on site plan, etc.)
3. **Full copy of the title deed or Conveyance Certificate**

Please Note:

- The Municipality may request any other information deemed necessary for the purpose of this pre-application scrutiny.
- If an incomplete pre-application scrutiny form or the required minimum supporting documents are not submitted the pre-application scrutiny form will not be accepted by the Municipality.

DECLARATION: I hereby confirm that the information contained in this pre-application scrutiny form and accompanying documentation is complete and accurate.

Applicant's signature: _____

Date: **APRIL 2021**

FOR OFFICE USE:

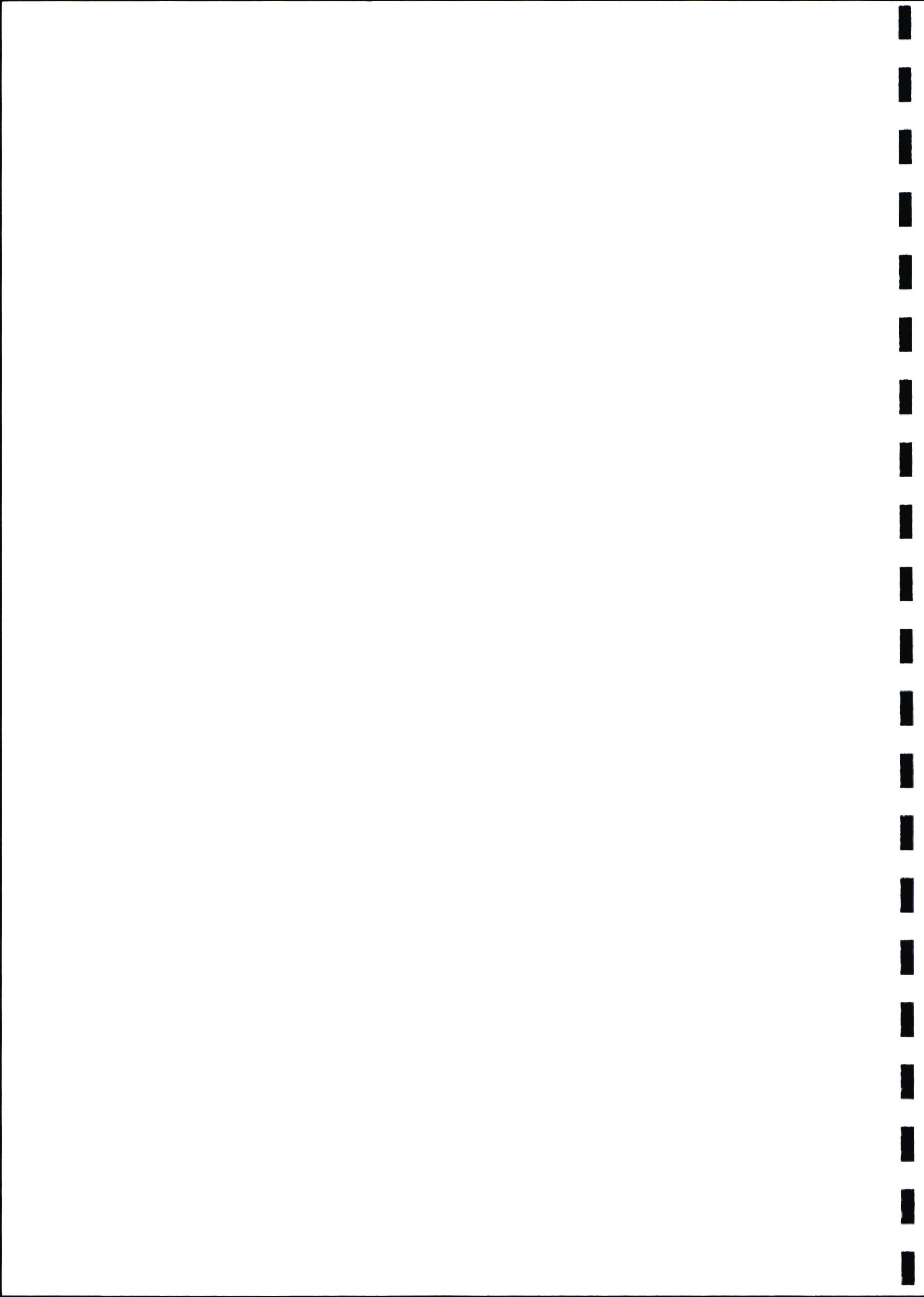
Municipal Stamp	
Received by: _____	
Date: _____	

DETERMINATION BY AUTHORISED OFFICIAL

Additional Information		Pre-Application Consultation		Application Ready	
Sign: _____			Date: _____		

APPLICANT INFORMED BY RESPONSIBLE OFFICIAL

Sign: _____	Date: _____
-------------	-------------



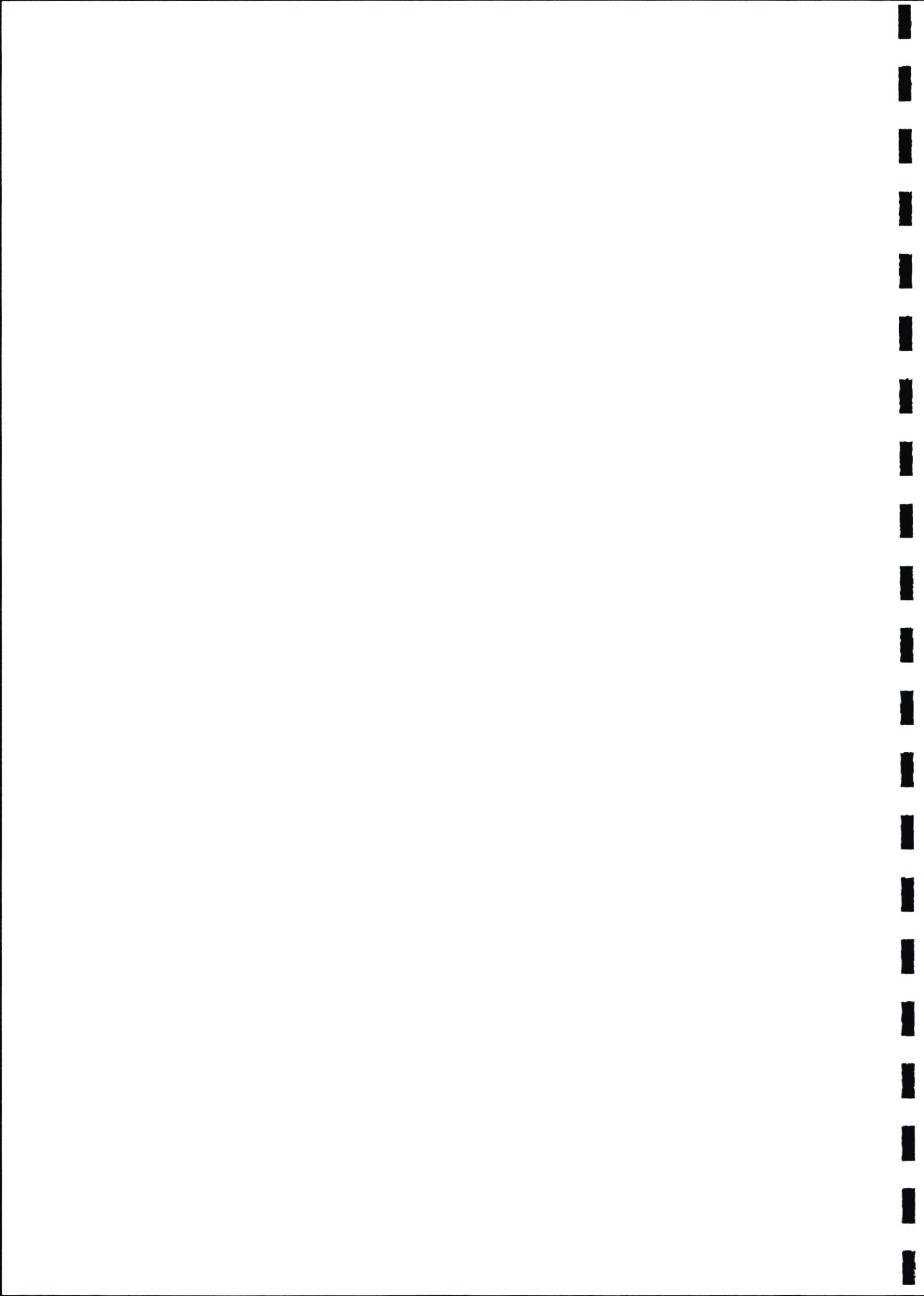
PORTION 2 OF FARM NO. 1078 PAARL

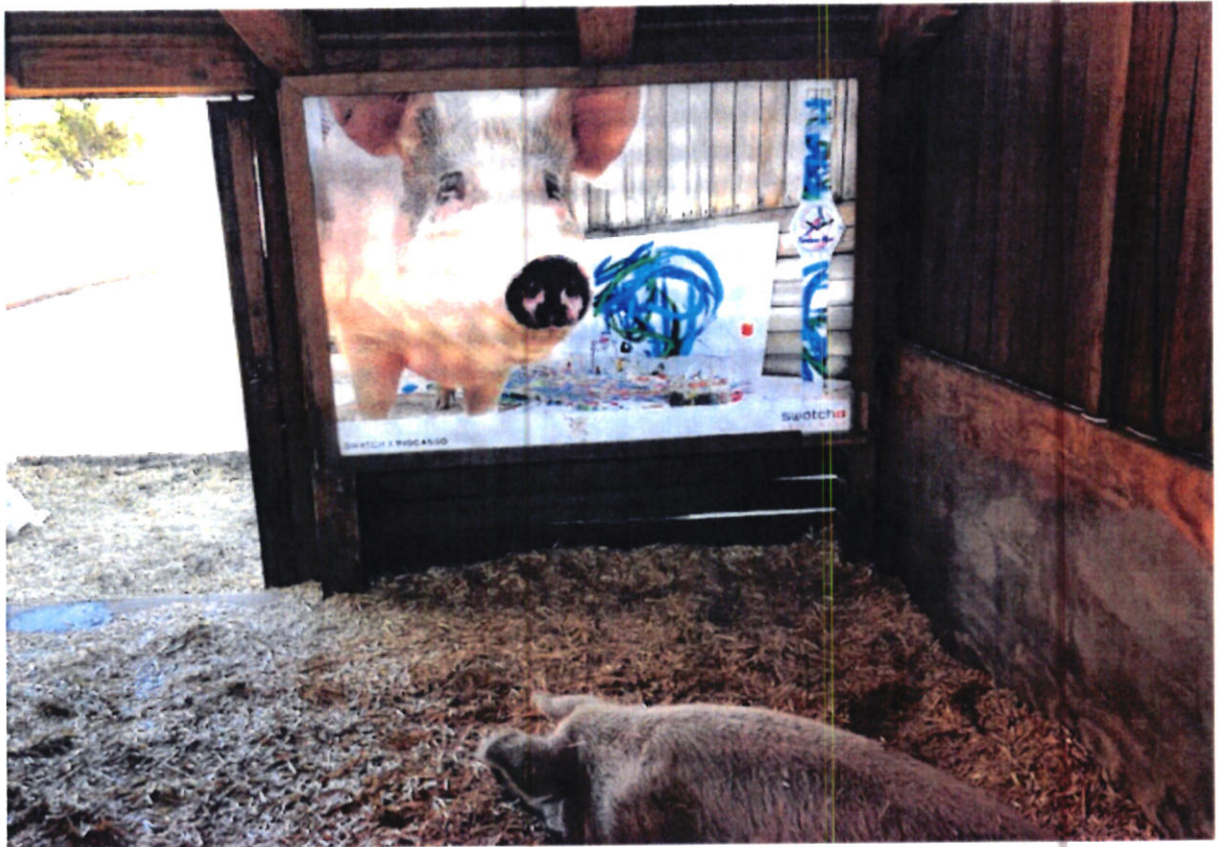


View of existing barn in which wine tasting and sales are proposed (steep area)



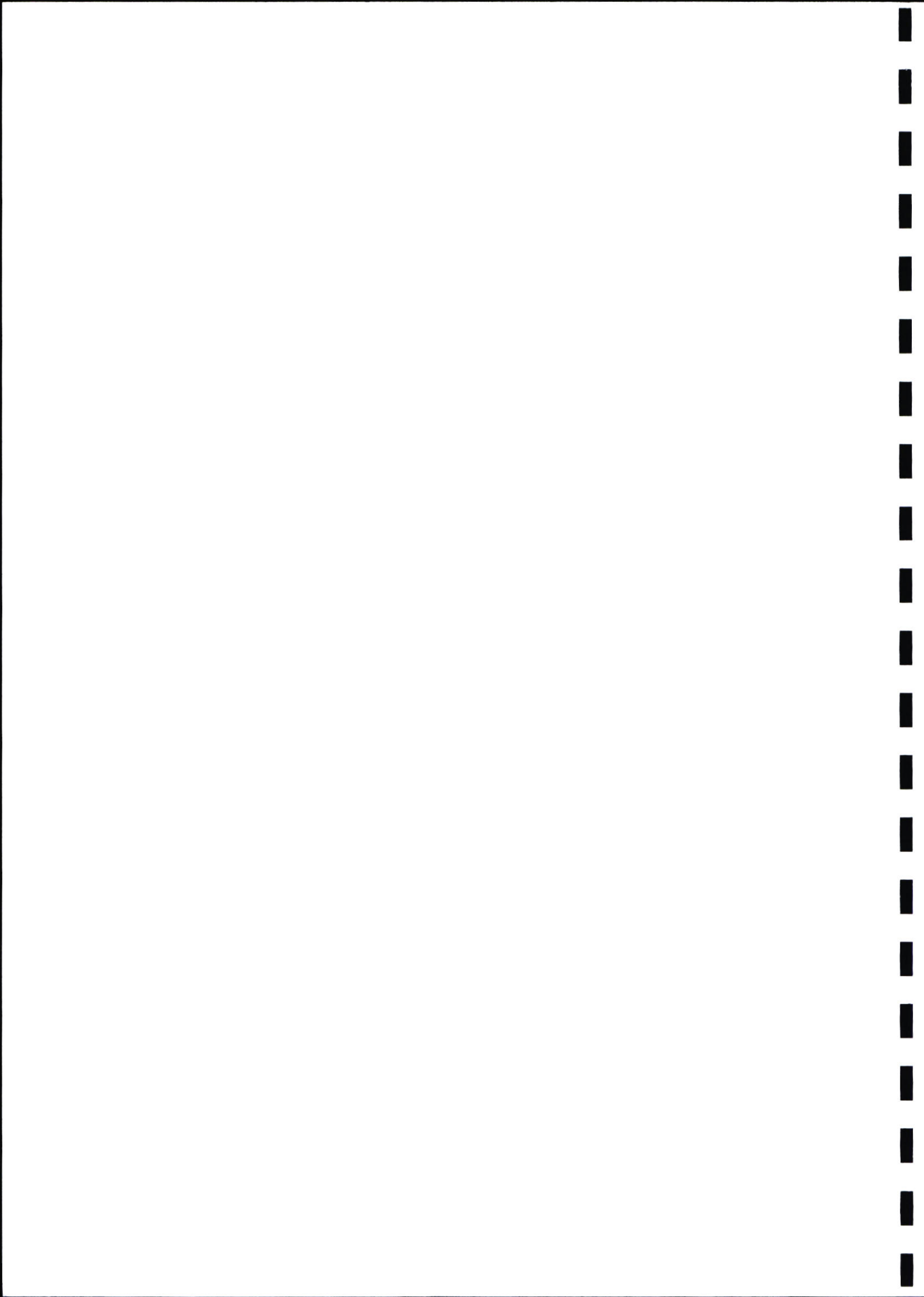
Inside area in barn in which wine tasting and sales are proposed





Existing barn which house the renowned Pigcasso the Painting Pig







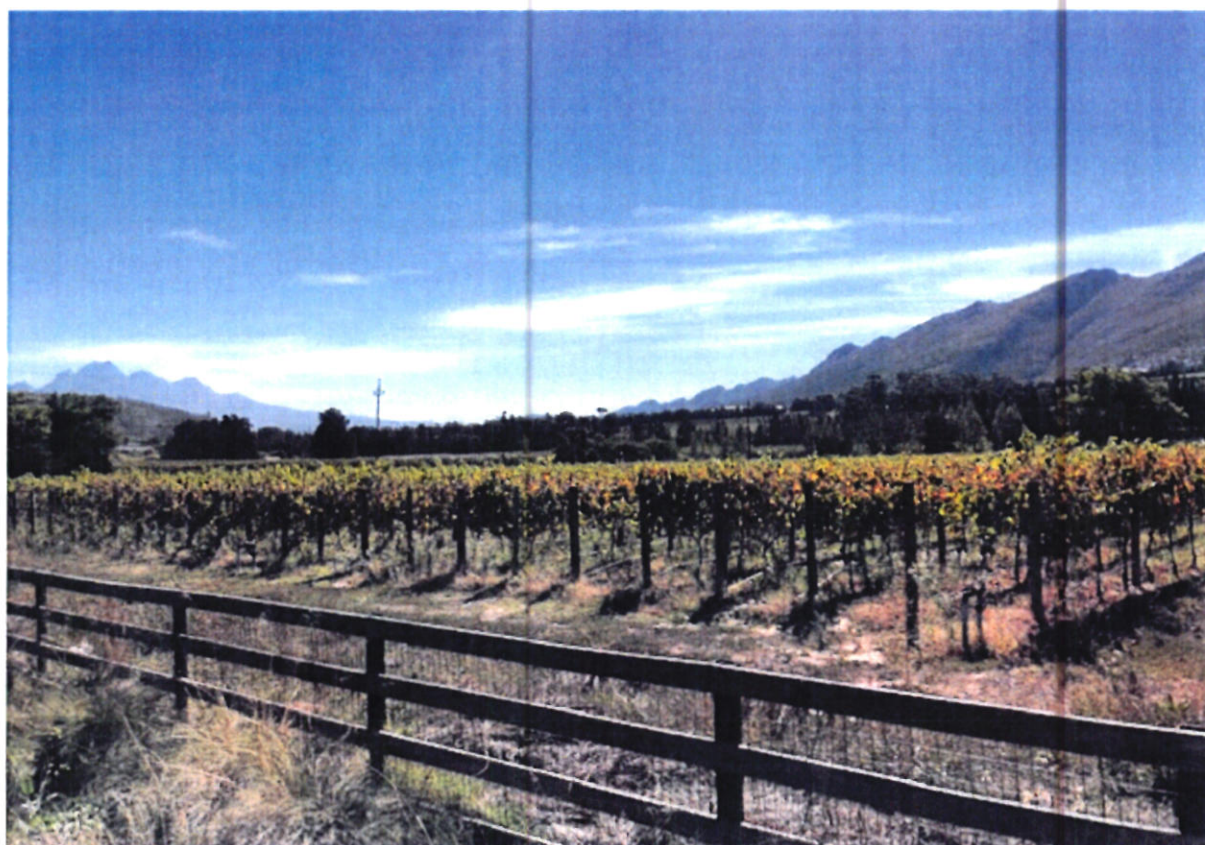
Proposed outside seating area

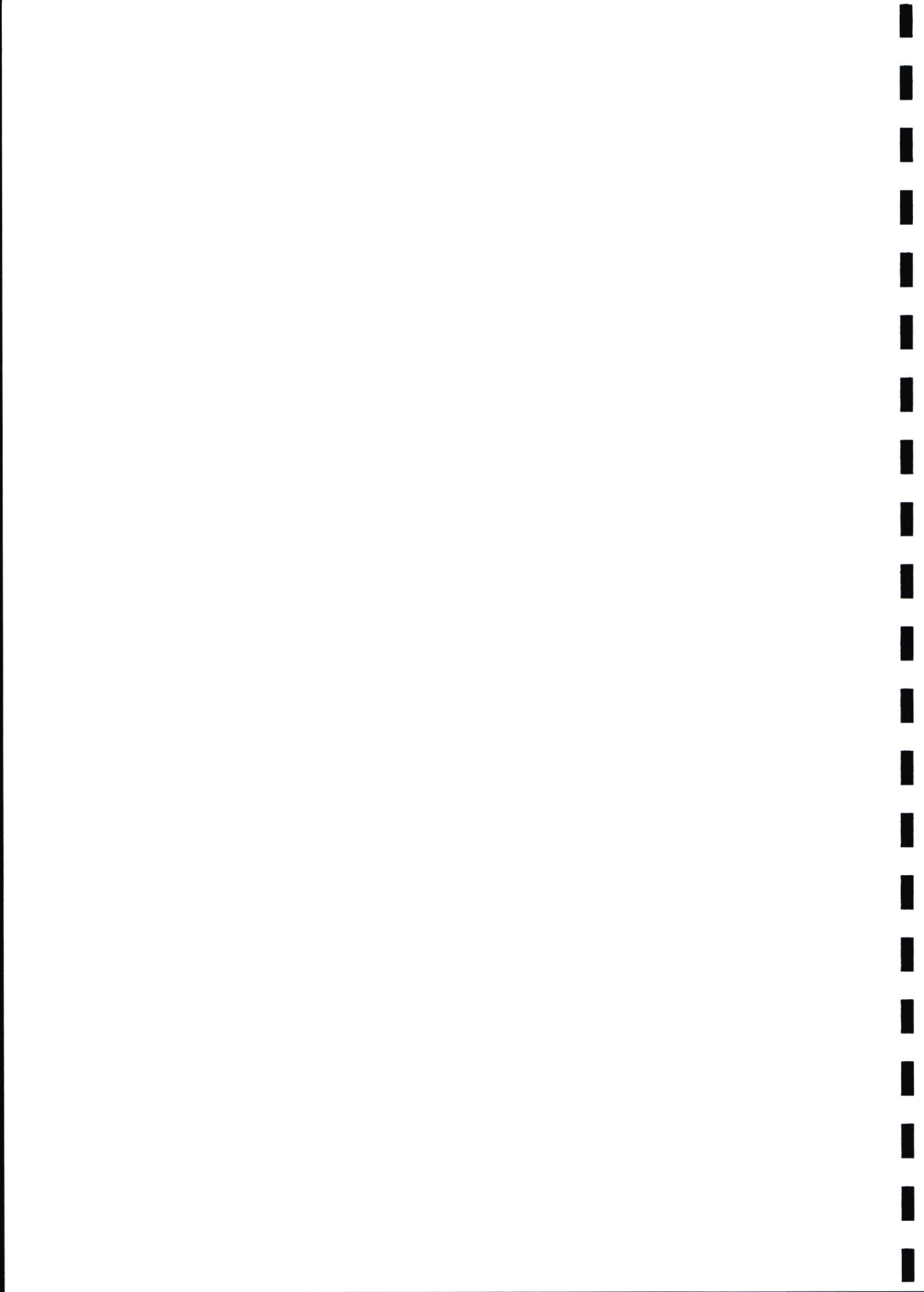


Informal parking area also used for grazing



Existing vineyards on Portion 2 of Farm No. 1078 Paarl







STELLENBOSCH

STELLENBOSCH • ENEL • FRANSCHHOEK

MUNICIPALITEIT • UMAMPAKA • MUNISIPALITEIT

BTW Reg Nr / VAT Reg No. 4700102181

PROUD HERITAGE PROPERTIES 60 (PTY) LTD
P O BOX 31280
TOKAI
CAPE TOWN
7966

ACCOUNT NUMBER	10726482
TAX INVOICE	6381656
ACCOUNT DATE	18/02/2021
RECEIPTS POSTED TO	17/02/2021
VAT	109.17
VALUATION	2705000
PLOT	FHPLA 1078 00002
BUILDING	DIRKIE UYS STREET
LOCATION	PAARL
DEPOSIT / GUARANTEE	50000.00
DEBT VAT REG No.	4820220772

BELASTINGFAKTUUR MAANDELIKSE REKENING

TAX INVOICE MONTHLY ACCOUNT

ACCOUNT DETAILS
 Receipts: 0000787354
 Transfers:

1224.25-
 1142.16

CURRENT ACCOUNT

** Total unallocated balances:

82.09-

Balance brought forward:

1142.16

Receipts: 0000787349

1142.16-

Transfers:

1142.16-

Service type

Consumption Tariff/Cost

Amount

VAT

Rates Monthly AGR

305.21

Refuse Refuse removal NRES

1

727.78000

836.95

109.17

** Total monthly:

.00

VALUATION
 2705000

USAGE
 AGRIC

AREA
 3.4905

MESSAGE

Stellenbosch Municipality drinking water quality compliance 97.2%
 Please take note of our new FNB banking details.

Sien agterkant vir belangrike inligting / See reverse side for important information



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MUNICIPALITEIT • UMAMPAKA • MUNISIPALITEIT



masterpass
by mastercard



SnapScan

zapper

Send this portion back with your payment please. Stuur asseblief hierdie gedeelte saam met u betaling.
 RECEIPT VALID ONLY IF PRINTED BY OFFICIAL CASH RECEIPTING FIGURES.
 KWITANSIE GELDIG ALLEENLIK INDIEN DEUR AMPTELIKE KASREGISTERSYFERS GEDRUK.

P.O.Box / Posbus 17, Stellenbosch, 7599.
 021 808 8111 021 886 7318

Name / Naam	Account No. / Rekeningnr.	Period / Tydperk	Date / Datum
PROUD HERITAGE PROPERTIES 60 (PTY) LTD	10726482	2021/02	18/02/2021

Due Date Datum Verskuldig	Monthly / Maandeliks		Annual / Jaarliks		TOTAL NOW DUE TOTAAL NOU VERSKULDIG
	Arrears / Credits Agterstalig / Krediete	08/03/2021	Arrears / Credits Agterstalig / Krediete		
Now Due / Future: Nou Verskuldig / Toekomstig:	82.09-				.00



>>>>>> 9151 6000 0001 0726 4826



11450 0000 1072 6482



FNB

Bank Name :

FNB

Cheque Account Number : 628 692 537 09

Bank Naam

Branch Code :

250 655

Tjek rekeningnommer

Swift Code :

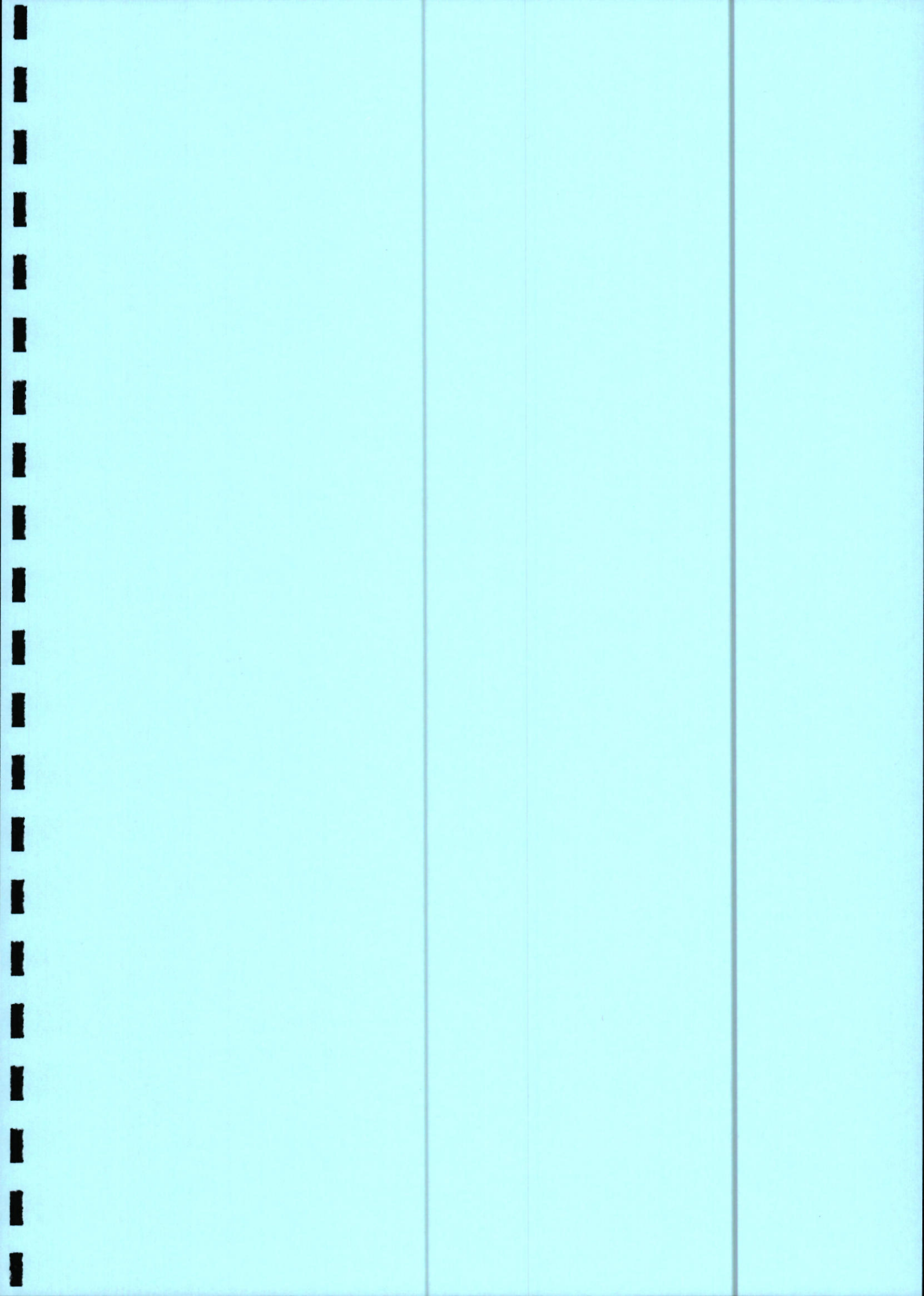
FIRNZAJJ

Tak Kode

Swift Kode

Reference Number **Compulsory** Please use your Municipal Account Number **only**
 Verwysing Nommer **Verpligtend** Gebruik **slegs** u Munisipale rekening nommer

Please do not use this bank account number for any other municipal payments. - Geen ander munisipale betalings mag in hierdie bankrekening gemaak word nie



TAX INVOICE / BELASTINGFAKTUUR

62

SEPPIE'S TRANSPORT
WASTE WATER
 Cell: 073 260 8178 / 078 125 6456
 Email: seppie266@gmail.com
 Kyalmore

Date
 2/3/19
 VAT Reg No./B.T.W. Gereg. Nr.

To
 Ash
 Fams Luthary
 Transolux

VAT Reg No.
 B.T.W. Gereg. Nr.

Quantity Hoeveel.	Description Beskrywing	Unit Price Eenheidsprys	Amount Bedrag
2	w/water Seppie		2800-

Sub Total
 Subtotaal

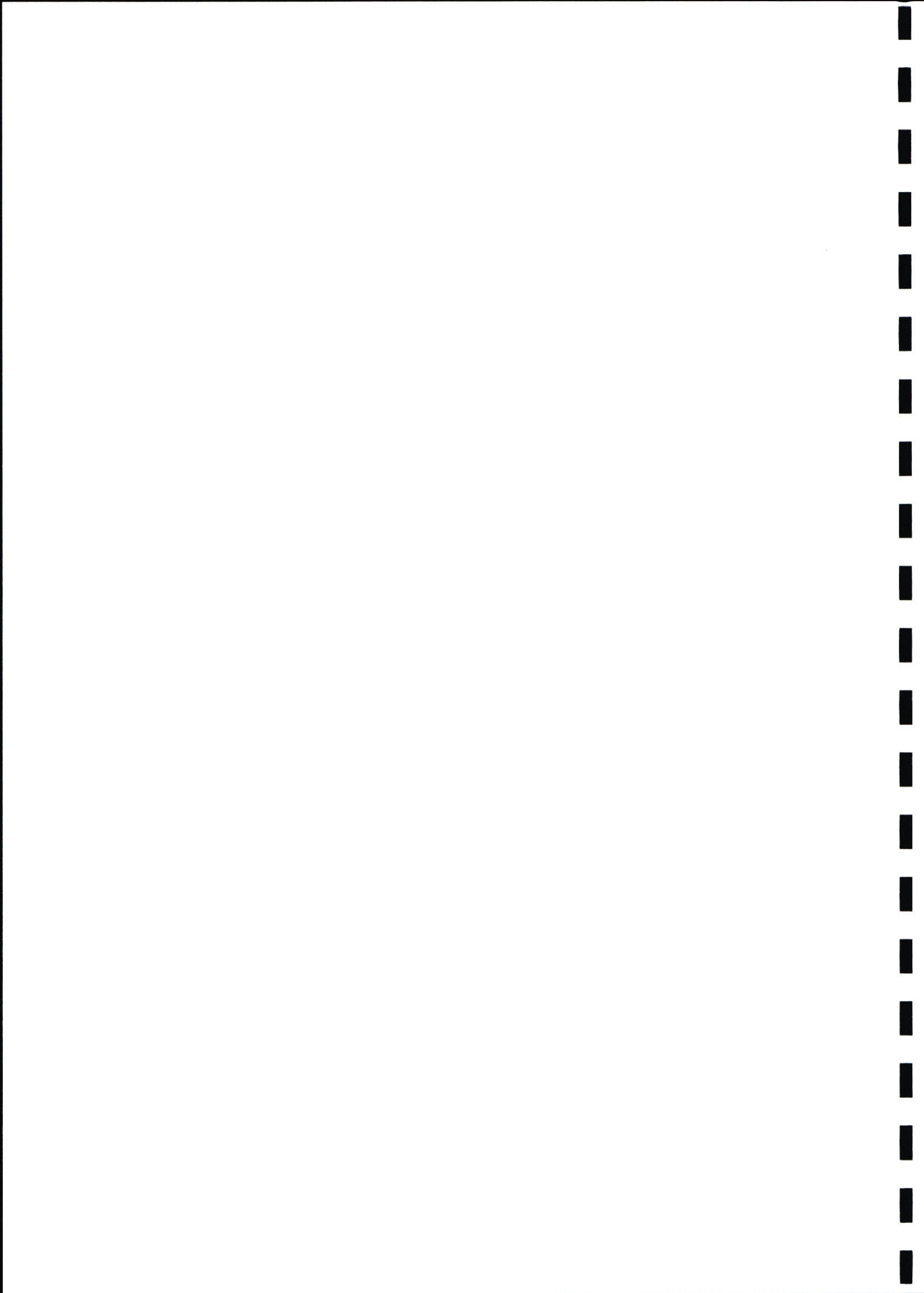
VAT inclusive
 % B.T.W. ingesluit

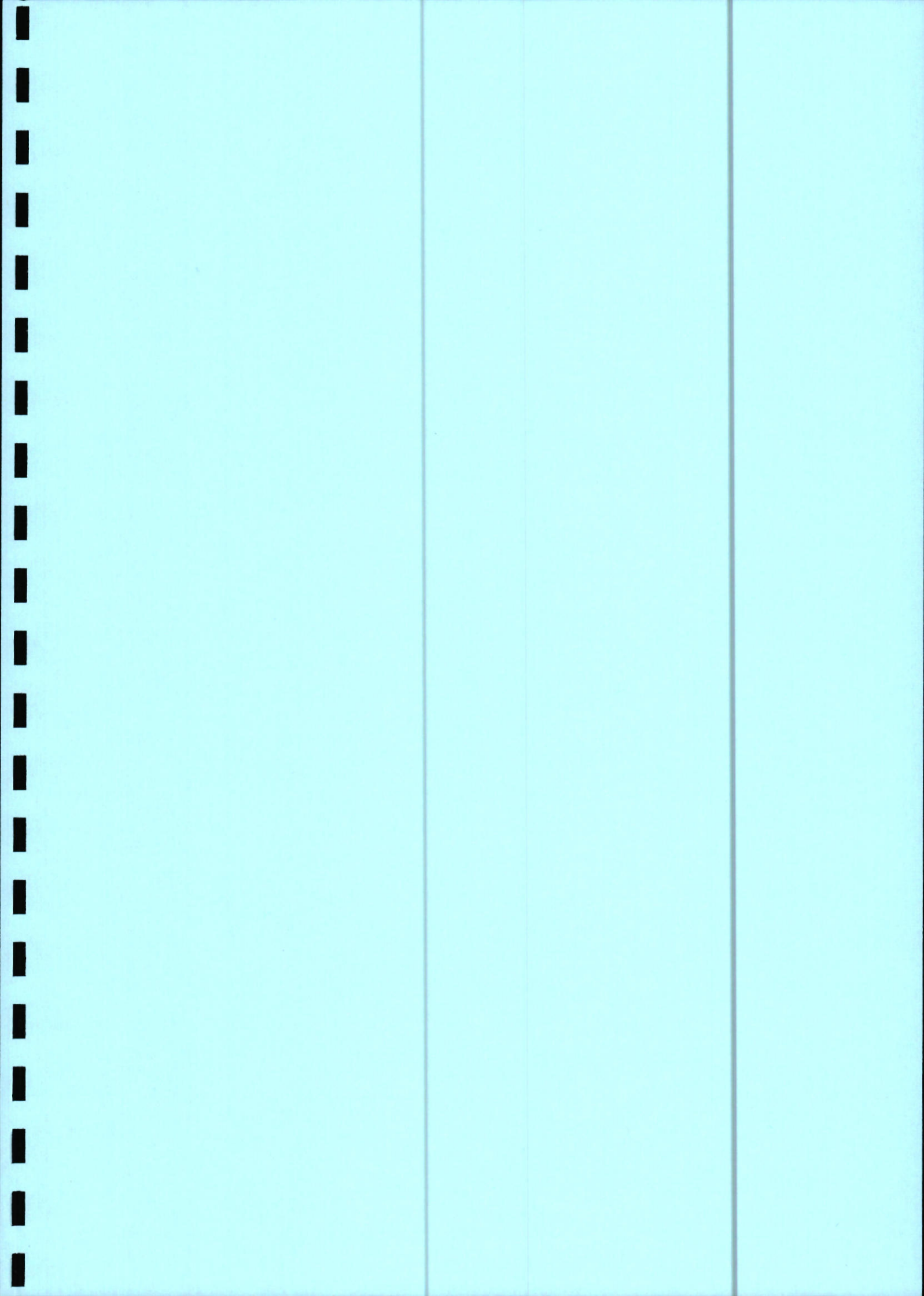
TOTAL
 TOTAAL

2800-

TERMS
 TERME

Delete as applicable
 Skrap waar nie van toepassing nie







STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY



LAND USE PLANNING APPLICATION FORM

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

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

PART A: APPLICANT DETAILS

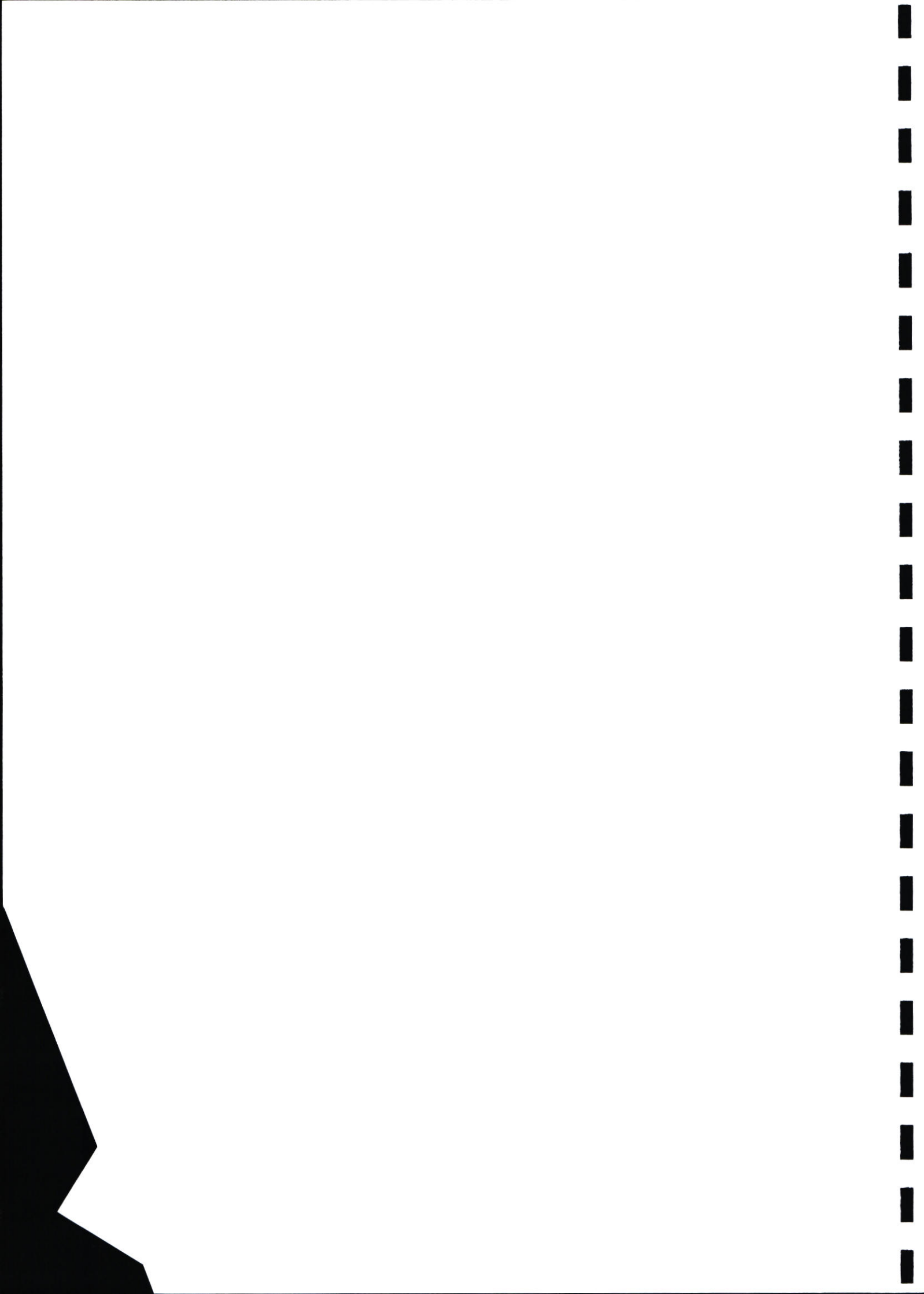
First name(s)	PIERRE-JEAN				
Surname	LE ROUX				
Company name (if applicable)	P-J Le Roux TOWN PLANNERS PTY LTD				
Postal Address	P O BOX 3457				
	PAARL	Postal Code	7620		
Email	pj@pjleroux.co.za				
Tel	021-872 2499	Fax	086 605 8431	Cell	076 031 7607

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

Registered owner(s)	PROUD HERITAGE PROPERTIES 60 (PROPRIETARY) LIMITED				
Physical address	DIRKIE UYS STREET				
	FRANSCHHOEK	Postal code			
E-mail	c/o pj@pjleroux.co.za				
Tel		Fax		Cell	0760317607

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

Erf / Erven / Farm No.	1078	Portion(s) if Farm	2	Allotment area	PAARL
Physical Address	DIRKIE UYS STREET FRANSCHHOEK				
Current Zoning	AGRICULTURE & RURAL ZONE	Extent	3,4905ha	Are there buildings?	exir
Applicable Zoning Scheme	STELLENBOSCH ZONING SCHEME BY-LAW				
Current Land Use					



AGRICULTURE									
Title number and date	Deed and	T	T9854/2019						
Any restrictive conditions?	Y	N	If Yes, list condition(s)						
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 bondholder(s)						
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?			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

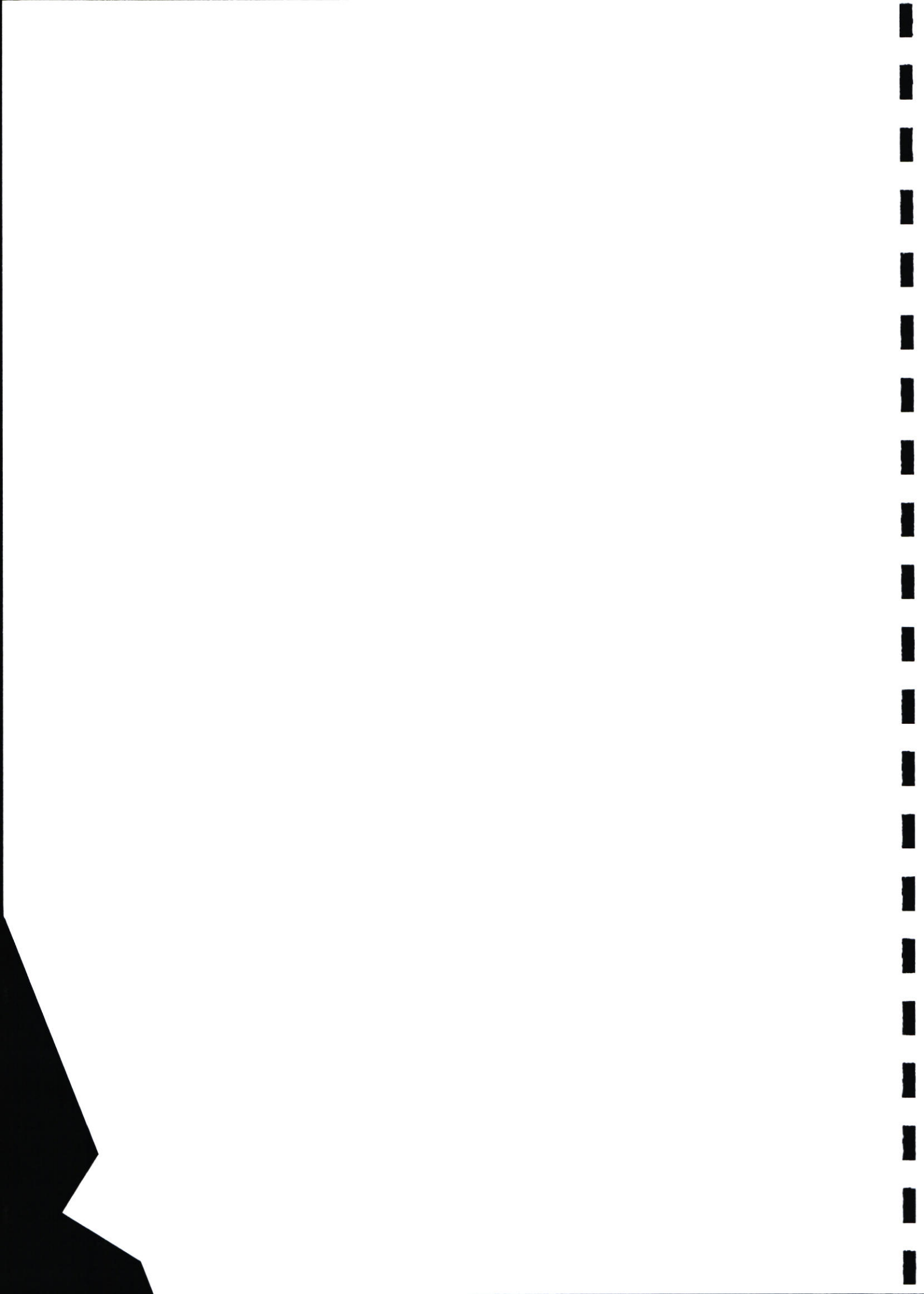
PART D: PRE-APPLICATION CONSULTATION

Has there been any pre-application consultation? ☒ Y ☐ N If Yes, complete the information below and attach the minutes of the pre-application consultation.

Official's name	Nopinki Dafeti	Reference Number		Date of consultation	April 2021
-----------------	----------------	------------------	--	----------------------	------------

PART E: LAND USE PLANNING APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW AND APPLICATION FEES PAYABLE

Tick	Section	Type of application	Cost
	2(a)	a rezoning of land;	
	2(b)	a permanent departure from the development parameters of the zoning scheme;	R
	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;	R
	2(d)	a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;	R
	2(d)	certificate of exemption, in terms of section 24(2), from applying for subdivision in terms of section 15;	R
	2(e)	a consolidation of land that is not exempted in terms of section 24;	R
	2(e)	certificate of exemption, in terms of section 24(2), from applying for consolidation in terms of section 15;	R
	2(f)	a removal, suspension or amendment of restrictive conditions in respect of a land unit;	R
	2(g)	a permission required in terms of the zoning scheme; TECHNICAL APPROVAL	R
	2(h)	an amendment, deletion or imposition of conditions in respect of an existing approval;	R
	2(i)	an extension of the validity period of an approval;	R
	2(j)	an approval of an overlay zone as contemplated in the zoning scheme;	R
	2(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram;	R
	2(l)	a permission required in terms of a condition of approval;	R



	2(m)	a determination of a zoning;	R
	2(n)	a closure of a public place or part thereof;	R
	2(o)	a consent use contemplated in the zoning scheme (Special Developments & Special Consent);	R
	2(p)	an occasional use of land;	R
	2(q)	to disestablish a home owner's association;	R
	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;	R
	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.	R

OTHER APPLICATIONS

		Deviation from Council Policies/By-laws;	R
		Other (specify) : _____	R
TOTAL A:			R

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

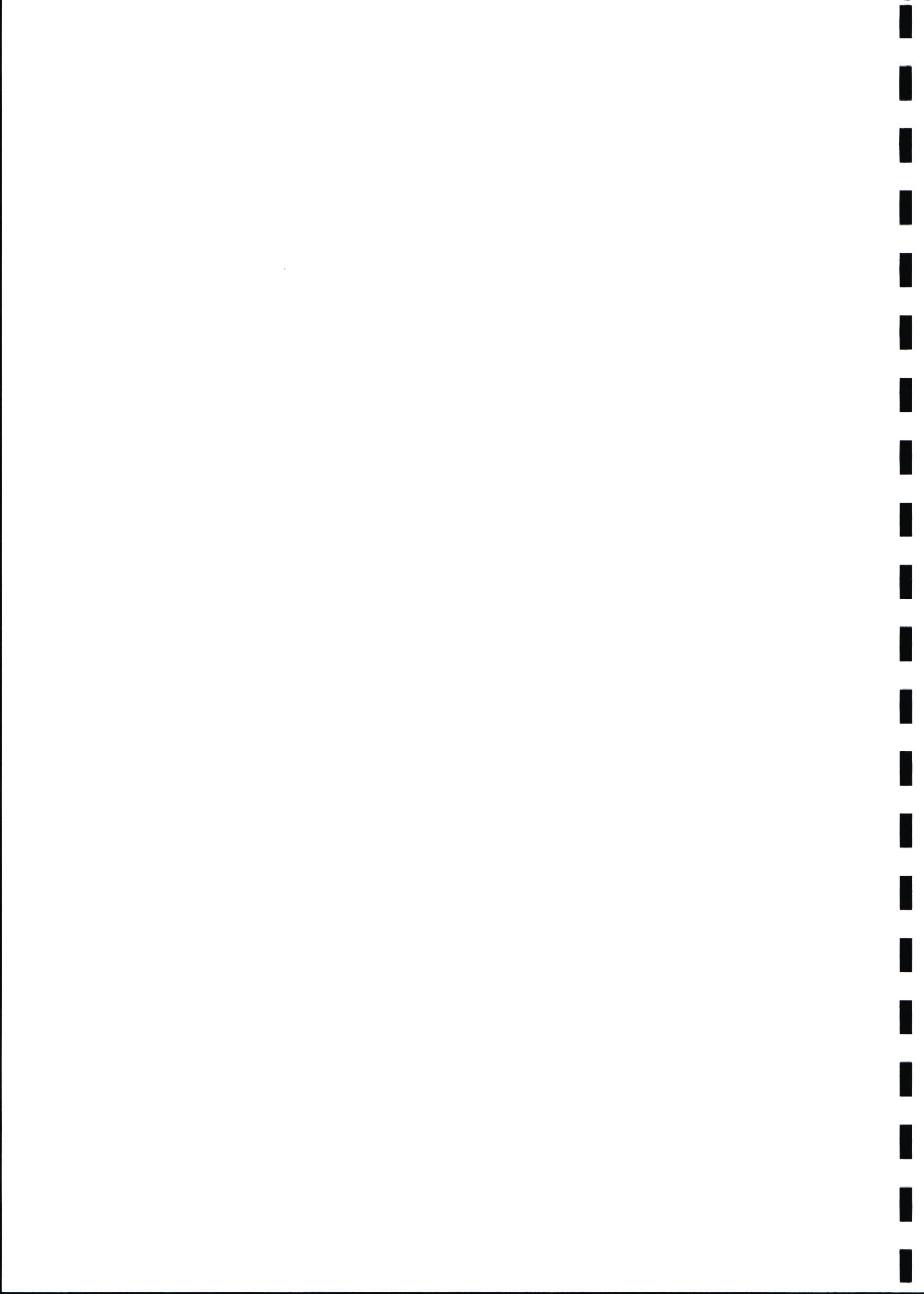
Tick	Notification of application in media	Type of application	Cost
	SERVING OF NOTICES	Delivering by hand; registered post; data messages	R
	PUBLICATION OF NOTICES	Local Newspaper(s); Provincial Gazette; site notice; Municipality's website	R
	ADDITIONAL PUBLICATION OF NOTICES	Site notice, public meeting,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

* Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany an application.

** 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

Name:	Stellenbosch Municipality
Bank:	ABSA BANK
Branch no.:	334410
Account no.:	410 188 031
Payment reference: (Erf/Farm number)



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.....						
in terms of Section.....of the.....Zoning Scheme Regulations						
Other (please specify)	<hr/> <hr/> <hr/>					

Brief description of proposed development / intent of application:

APPLICATION TO UTILIZE PORTIONS OF AN EXISTING BUILDING ON PORTION 2 OF FARM NO. 1078 PAARL AS A TOURIST FACILITY (WINE TASTING AND SALES WITH LIGHT MEALS)



PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION [section 15(2)(a) to (s) of the Stellenbosch Municipal Land Use Planning By-Law]

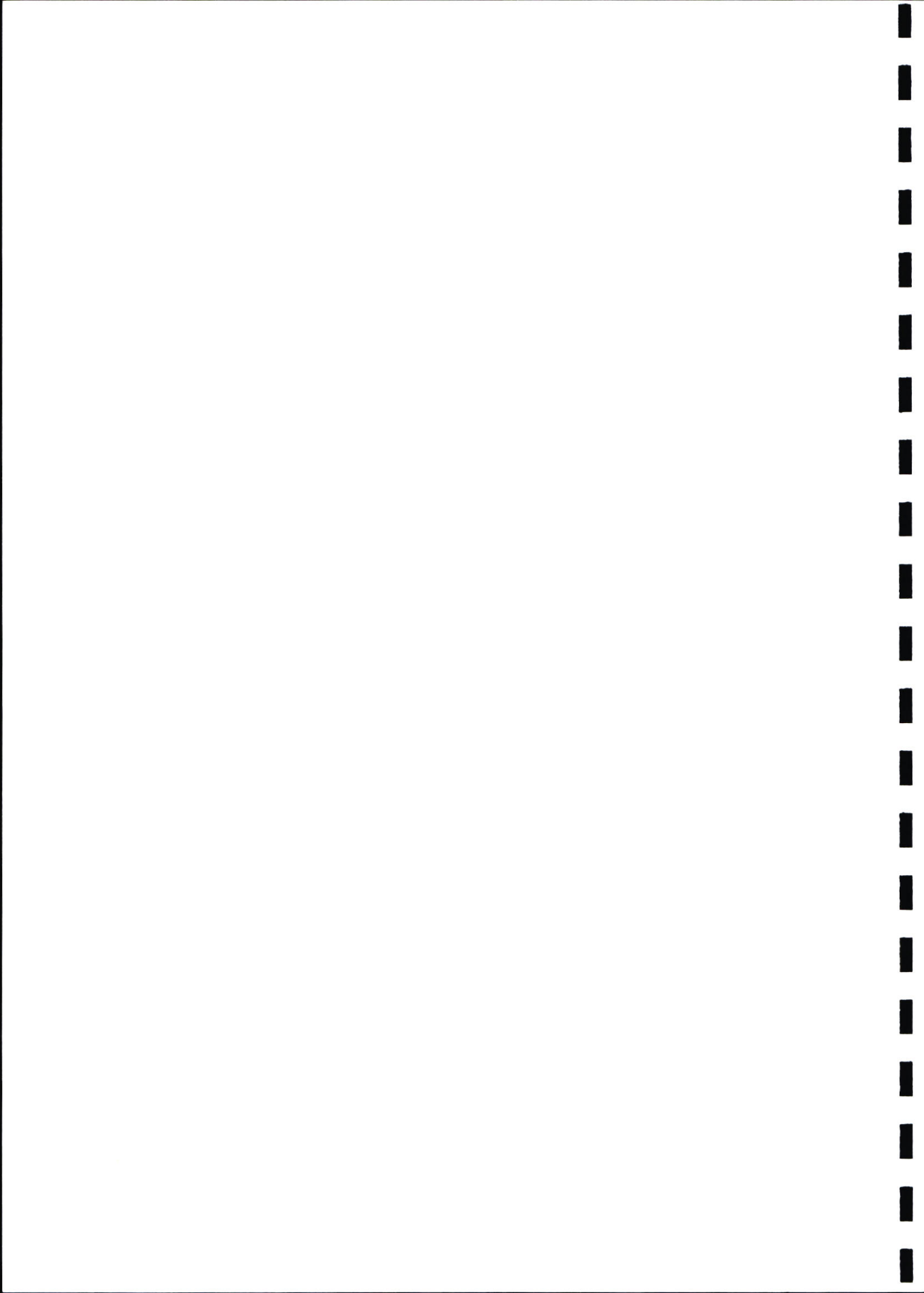
Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete.

Information and documentation required

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

PART H: AUTHORISATION(S) IN TERMS OF OTHER LEGISLATION

Y	N/A	National Heritage Resources Act, 1999 (Act 25 of 1999)		Specific Environmental Management Act(s) (SEMA (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989)		
Y	N/A	National Environmental Management Act, 1998 (Act 107 of 1998)		Y	N/A	National Environmental Management Air Quality Act, 2004 (Act 39 of 2004)
Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)		Y	N/A	National Environmental Management Waste Act, 2008 (Act 59 of 2008)
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)		Y	N/A	National Water Act, 1998 (Act 36 of 1998)
Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations		Y	N/A	Other (specify)
Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)				
Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.				
Y	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 :

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) 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 the 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 of 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.

Applicant's signature:



Date:

MAY 2021

Full name:

PIERRE-JEAN LE ROUX

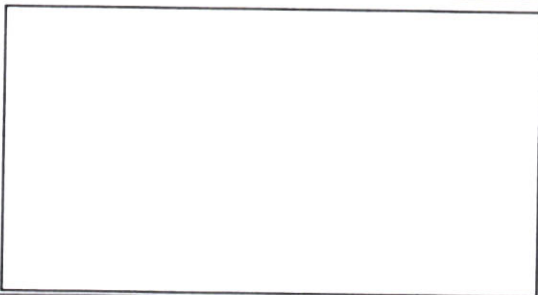
Professional capacity:

**DIRECTOR:
P-J LE ROUX TOWN PLANNERS (PTY) LTD
Pr. Pln. A/803/1995**

FOR OFFICE USE ONLY

Date received:

Received by:





STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DUPLICATE RECEIPT

Receipt M/c: DIR1 Duplicate Rec.No: 179437 Date: 22/06/2021

Local Authority: Stellenbosch Municipality

1 STB

N

2500.00

30111060201

05236

LU/12812

DIRECT 030111060201 LU/12812

X100 Key: STB -009-20210622-000000041

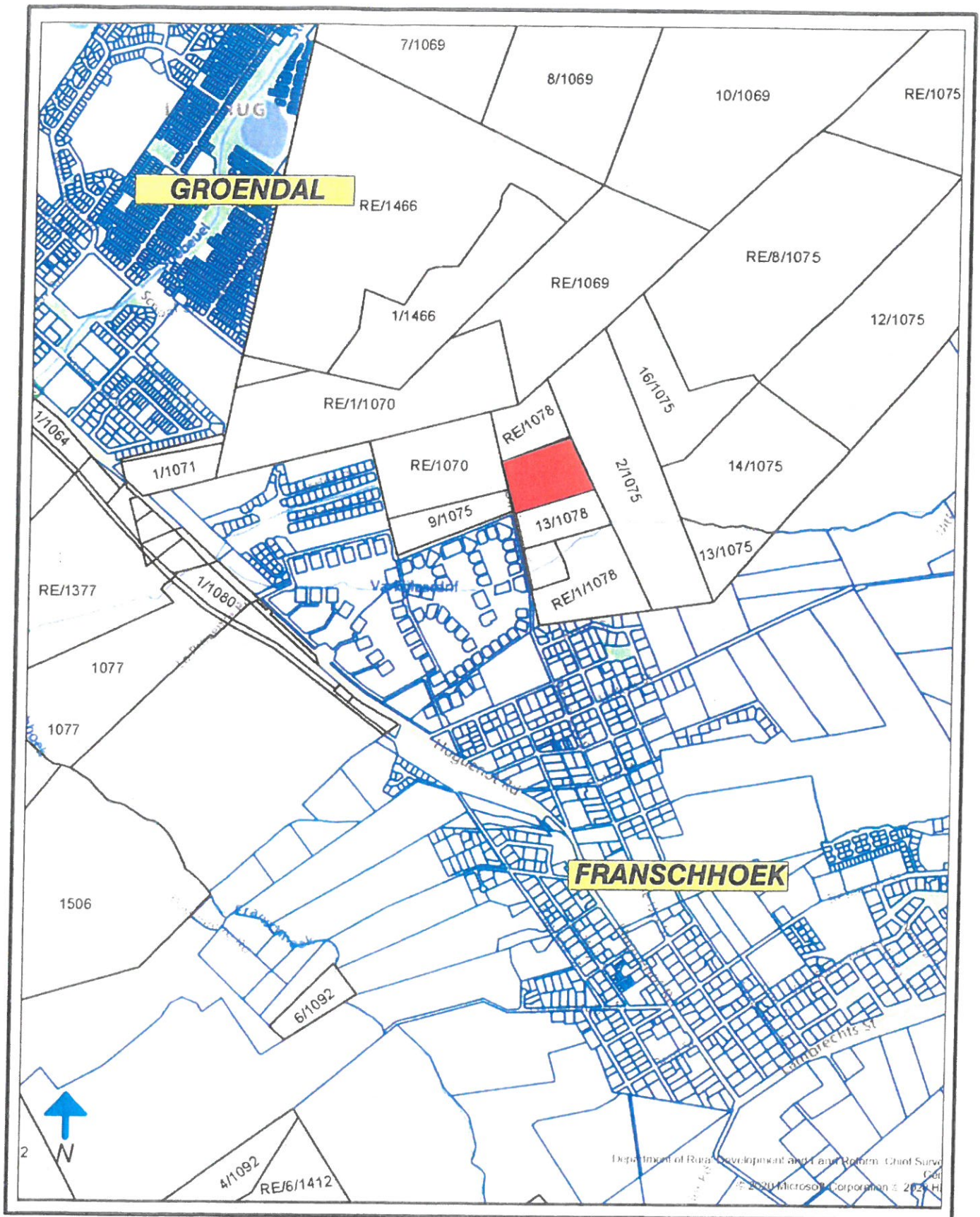
X10 Key : STB D000017943700001

AMPTELIKE KWITANSIE / OFFICIAL RECEIPT

✉ 17, STELLENBOSCH 7599

☎ 021 808-8578 / 8547 / 8546

📠 021 886 7318



P-J Le Roux
STADS-EN STREEKPLANNERS
TOWN AND REGIONAL PLANNERS

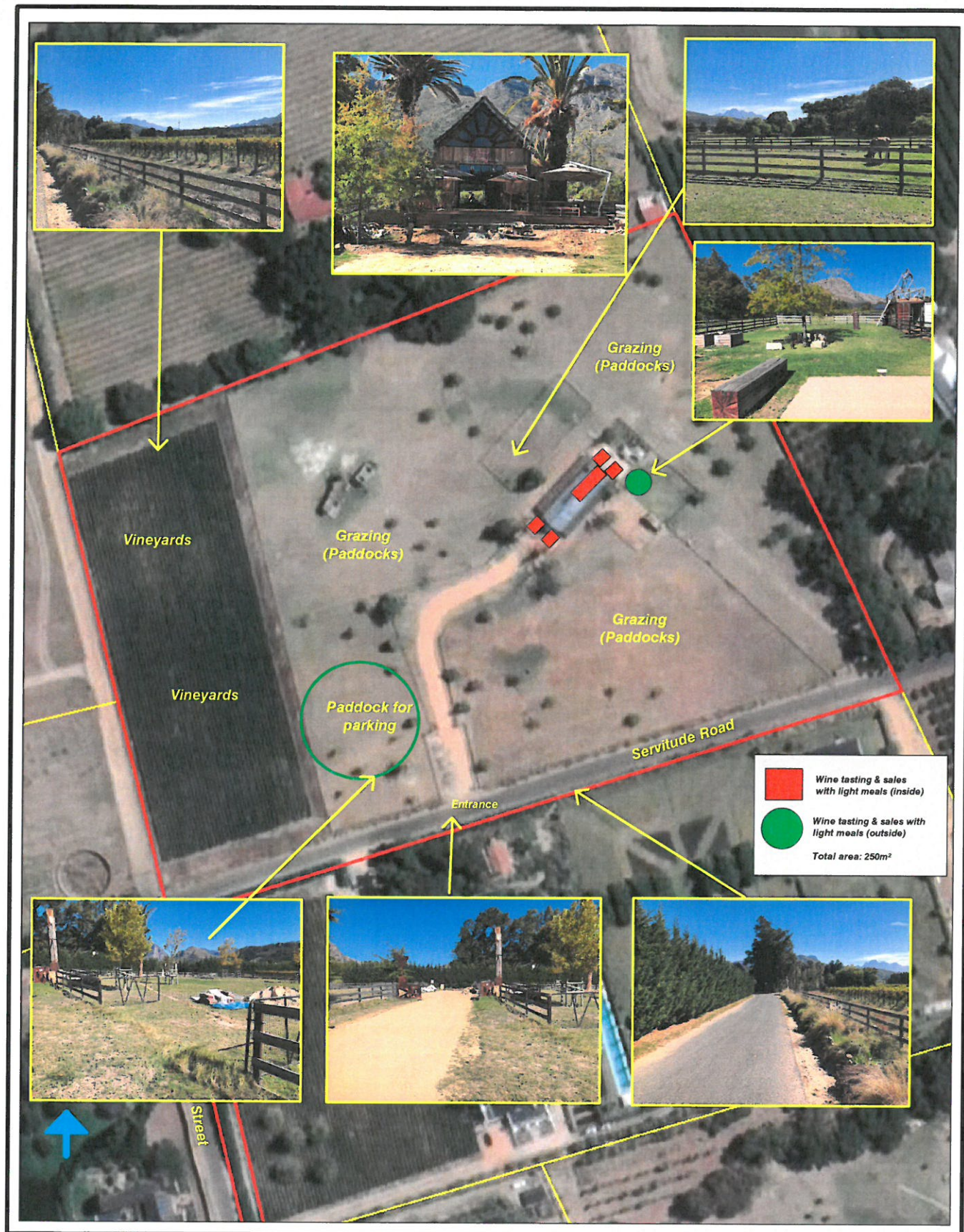
Hooftstraat 262 Main Road, Paarl
(t) 021-8722499 (f) 086 605 8431
(email) pj@pjlroux.co.za

Project:
Application for
Technical Approval:
Remainder Portion
2 of Farm No. 1078
Paarl

Description:
Locality Plan

PIGCASSO

Scale: 1:50 000	Law nr. TA 60-12
Tekn: PJLR	Datum: MAY 2021
Law: PJLR	Tekening nr. 2




PJ Le Roux
 STADS-EN-STREEKBEPLANNER/
 TOWN AND REGIONAL PLANNER
 Hoofstraat 262 Main Road, Paarl
 (t) 021-8722499 (f) 086 605 8431
 (email) pj@pjlroux.co.za

Project:
 Application for
 Technical Approval:
 Remainder Portion
 2 of Farm No. 1078
 Paarl

Description:
**Site
 Development
 Plan**

PIGCASSO

Scale: 1:50 000	Law nr. TA 60-12
Teken: PJLR	Datum: MAY 2021
Kleur: PJLR	Tekening nr. 4