

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

Affected person's Name

Affected persons Physical Address

Dear Sir/Madam

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

Property address	:	Knorhoek Wine Estate, Knorhoek Road
Property number	:	Farm 1362 Stellenbosch Division
Applicant	:	Emile van der Merwe Town Planning Consultants
Owner	:	Gaiduk Farming (Pty) Ltd
Application reference	:	LU/12200
Application type	:	Consent Use

Detailed description of land use or development proposal:

Application is made for a consent use (tourist facilities) in terms of Section 15 (2) (o) of the Stellenbosch Municipal Land Use Planning By-Law (2015) to:

- Relocate the existing Towerbosch restaurant to the ground floor ($\pm 365\text{m}^2$) and attic area ($\pm 308\text{m}^2$) of the existing manor house and to utilise a portion of the existing outbuilding ($\pm 35\text{m}^2$) for kitchen purposes and to utilise the existing Towerbosch restaurant and outside seating area as function venue ($\pm 600\text{m}^2$);
- To utilise the existing outbuilding and garages as Farm shop ($\pm 97\text{m}^2$) and deli ($\pm 152\text{m}^2$) with communal ablution facility and entrance foyer on Farm 1362 Stellenbosch

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: **(Emile van der Merwe Town Planning Consultants: emilevdm@adept.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 **24 May 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 (021-8865050/0845566461) during normal office hours.

Yours faithfully

EMILE VAN DER MERWE

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

Naam van geaffekteerde persoon

Fisiese adres van geaffekteerde persoon

Geagte Meneer/Mevrou

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

Adres van aansoek eiendom :	Knorhoek Wine Estate, Knorhoek Pad
Aansoek eiendom beskrywing:	Plaas 1362, Afdeling Stellenbosch
Aansoeker :	Emile van der Merwe Stadsbeplannings konsultante
Eienaar :	Gaiduk Farming (Edms) Bpk
Aansoek verwysing :	LU/12200
Tipe aansoek :	Vergunningsgebruik

Besonderhede van die grondgebruiksaansoek

Aansoek in vir Vergunningsgebruik (toeristefasiliteite) in terme van Artikel 15 (2) (o) van die Stellenbosch Munisipaliteit se Verordening of Grondgebruikbeplanning (2015) vir die volgende:

- Die verplasing van die bestaande Towerbosch restaurant na die grondvloer ($\pm 365\text{m}^2$) en solder area ($\pm 308\text{m}^2$) van die bestaande herehuis en om 'n gedeelte van die bestaande buitgebou ($\pm 35\text{m}^2$) vir kombuisdoeleindes aan te wend asook om die bestaande Towerbosch en buite sitplek area vir funksiefasiliteit aan te wend ($\pm 600\text{m}^2$);
- Om die bestaand buitegebou en garage as 'n plaaswinkel ($\pm 97\text{m}^2$) en deli ($\pm 152\text{m}^2$) met gemeenskaplike ablusiegeriewe en ingangsportaal op Plaas 1362 Stellenbosch aan wend.

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydsduur van die publieke deelname proses by die volgende adres: [\[https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements\]](https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements). Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

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

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;

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

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: (Emile van der Merwe Stadsbeplanning Konsultante/emilevdm@adept.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 **24 Mei 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 (021-8865050/0845566461) durende normale kantoor ure.

Die uwe

EMILE VAN DER MERWE



EMILE VAN DER MERWE
town planning consultants

2020-11-18

My ref: Farm 1362 Stellenbosch

Stellenbosch Municipality
Department Planning and Development
PO Box 17
STELLENBOSCH
7599

Dear Sir/Madam

**APPLICATION FOR CONSENT USE: KNORHOEK WINE ESTATE: FARM 1362 STELLENBOSCH:
PROPOSED TOURIST FACILITIES STELLENBOSCH.**

Included hereby please find the necessary application documentation in respect of the application for consent use on the above-mentioned property.

The application follows on the pre-scrutiny application feedback that was provided to your office as per Appendix 9 of the motivation report.

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

Your assistance is appreciated.

Yours faithfully

EMILE VAN DER MERWE
EMILE VAN DER MERWE TOWN PLANNING CONSULTANTS

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

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

**KNORHOEK WINE FARM: APPLICATION FOR CONSENT USE: FARM 1362
STELLENBOSCH**

PREPARED BY



EMILE VAN DER MERWE
town planning consultants

1. BRIEF

Emile van der Merwe Town Planning Consultants have been appointed by the registered owner of Farm 1362 Stellenbosch Division, to prepare and submit the required town planning application to the Stellenbosch Municipality for the following:

- Application for Consent Use (Tourist facility) in terms of 15 (2) (o) of the Stellenbosch Municipal Land Use Planning By-Law(2015) read with the Stellenbosch Zoning Scheme By-Law (2019) to relocate the existing Towerbosch restaurant to the ground floor (365m²) and attic area (308m²) of the existing manor house and to utilise a portion of the existing outbuilding (35m²) for kitchen purposes and to utilise the existing Towerbosch restaurant and outside seating area as a function venue (± 600 m²)
- Application for Consent Use (Tourist facility) in terms of 15 (2) (o) of the Stellenbosch Municipal Land Use Planning By-Law(2015) read with the Stellenbosch Zoning Scheme By-Law (2019) to utilise the existing outbuilding and garages as a farm shop (97m²) and deli (152m²) with communal ablution facility and entrance foyer.

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

2. LOCATION

The property is located approximately 10 km to the north east of Stellenbosch town and gains access from the Knorhoek Road .

The location plan is attached as Appendix 1.

3. OWNERSHIP AND SIZE

The property is owned by Gaiduk Farming (Pty) Ltd. A copy of the title deed is attached as **Appendix 2**. The Company Resolution and Power of Attorney in favour of the applicant is attached as **Appendix 3**. The property is 104.644 ha in extent and is registered as per the Surveyor General Diagram attached as **Appendix 4**.



The property is 104.6444 ha in extent and is planted with vineyards. The property is used for intensive agricultural purposes and the primary use will remain. The proposals are subservient to the primary use. The Stellenbosch Zoning Scheme By-Law that came into effect from 1 November 2019 permits certain additional and consent uses under the Agricultural/Rural Zone. The purpose of the said ancillary uses is to create variety and to provide diversified income to land owners without adversely impacting on the primary use of the property.

The above-mentioned objective is especially applicable in cases where there is existing approved buildings that can serve as tourism facilities to diversify the farm income.

The proposed new farm shop and deli will provide and complement the existing tourism facilities and will broaden the experience offered on the farm. In this regard is your attention drawn to the fact that 50% of the floor area of the farm shop will be used for the display and sale of goods on the farm (fresh produce, wine etc).

The proposals conform to comply with the definition and development parameters of the zoning scheme by-law and can be accommodated under the consent use category that is defined as follows:

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

As mentioned above the proposal entails the re-use of existing approved buildings. The proposals are considered desirable for the following reasons:

- The proposal is confined to existing approved buildings and no agricultural land will be taken out of production as a result of the approval
- The proposal will complement the existing tourism facilities that is located in close proximity on the property
- Sufficient parking is available and has been implemented on site
- The visual impact is minimal since the proposal applies to existing buildings
- The proposal can be accommodated and complies with the development parameters of the zoning scheme.
- The proposal will not have a detrimental impact on the scenic quality and rural character of the area;
- The proposal is compatible with the surrounding character and that also accommodates a number of tourism related facilities; and
- The primary use (vineyards) and agricultural production will not be affected in any way.



6. LEGISLATIVE AND POLICY CONTEXT

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

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

- Promote land development that is spatially compact, resource –frugal and within the fiscal, institutional and administrative means of the Stellenbosch Municipality.
- Protection of prime unique and high potential agricultural land
- Uphold consistency of land use measures in accordance with environmental management instruments
- Promote land development in locations that are sustainable and limit urban sprawl
- Protection of high biodiversity areas and heritage and tourism resources
- Optimise the use of resources, infrastructure, agriculture and land
- Integrate social, economic and institutional aspects of land development

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

Spatial Justice

The proposal relates to an approved agricultural building. The development principles of spatial justice therefore is not relevant in evaluating the application

Spatial sustainability

The use of internal building space will not require any new construction work to accommodate the proposal. The development is consistent and gives effect to the sustainable use of infrastructure and resources in a just and efficient manner.

Spatial efficiency

The proposal relates to the optimal use of the property without impacting on the service level capacities of the Municipality. Sufficient parking has been implemented on site.

Spatial resilience

The proposals are confined to existing approved buildings. The proposal is compatible with the rural character of the area and is in line with the municipal IDP and spatial development framework.



Good Administration

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

6.2 Western Cape Provincial Spatial Development Framework (WCPSDFP)

The WCPSDF serves as guideline and puts forward proposals and strategies aimed at achieving certain provincial wide goals. The policy document is informed by the National Development Plan and related spatial policies and takes its strategic direction from the Western Cape development strategy and related policy frameworks. It also serves to guide the location and form of public investment. An important factor in this regard relates to the role which the rural economy can play in the overall economy of the greater municipal are and is of particular relevance to the Stellenbosch area. The proposal presents an opportunity that is aligned with the policy to allow for compatible and sustainable rural activities to the benefit of the broader good of society with positive socio-economic returns.

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

- Ecological integrity
- Social Justice
- Economic efficiency

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

6.3 Western Cape Strategic Plan 2014-2019

Vision

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



Provincial Strategic Goals



Western Cape Economic Drivers

PSG 1: Create opportunities for growth and jobs

PROJECT KHULISA (“to grow”)

Productive Sectors:



Enablers:

Energy
Water
Broadband
Skills



Western Cape Industry: District Comparative Advantages

Table 3.5 Western Cape: Industry revealed comparative advantage by district

Cape Metro Textiles, clothing & leather Tourism Finance, BPO, ICT 'Knowledge sector' Timber & furniture	Cape Winelands Agriculture & processing Tourism Building & construction Communications & ICT	Eden Agriculture & processing Tourism Building & construction Timber & furniture
West Coast Agriculture & processing Tourism Building & construction	Overberg Agriculture & processing Tourism Building & construction Timber & furniture	Central Karoo Agriculture & processing Tourism Building & construction Electrical machinery Finance & insurance

Source: CER

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

6.4 Stellenbosch Spatial Development Framework

The Stellenbosch SDF has been approved by Council during November 2019 is founded on the principles of the Spatial Planning and Land Use Management Act, the Western Cape Land Use Planning Act, the National Development Plan, the National Heritage Resources Act, the Environmental Management Act, as well as the Stellenbosch Municipal Integrated Development Plan. The SDF places a renewed and key

focus on the protection of agricultural and farming land and the conservation of the natural and biodiversity areas. The property is located outside the urban to which the following principles apply:

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

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

7. MUNICIPAL SERVICE INFRASTRUCTURE

The proposal will not impact on the service level capacities of the Stellenbosch Municipality since the municipality does not provide any services to the property

Water – exiting borehole

Sewerage – Conservancy tanks

Electricity - Eskom

8. CONCLUSION

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

- The proposal is consistent with the Integrated Development plan and the Spatial Development Framework of the Stellenbosch Municipality;
- The application is confined to existing approved buildings and therefore will not impact negatively on the agricultural production capacity of the farm;
- The building is in close proximity of the existing associated tourism facilities and forms part of the main farm werf ;
- The utilisation of the existing building will complement and further enhance the tourism experience that is already provided on the farm
- The proposal is subservient to the main farming agricultural activities;
- The proposal conforms to the objectives of the National Development Plan and the Provincial Spatial Development Framework and Strategic Action Plan
- The proposal conforms to the matters referred to in Section 42 of the Spatial Planning and Land Use Management Act and the principles referred to in Chapter VI of the Land Use Management Act, and
- The proposal is in line with the provisions of the Stellenbosch Zoning Scheme By-Law and associated development parameters.

In light of the above report and supporting documentation it is trusted that the Stellenbosch Municipality favourably will consider the application on Farm 1362 Stellenbosch Division.

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4. ZONING AND LAND USE

The subject property is zoned Agricultural and Rural Zone in terms of the Stellenbosch Zoning Scheme By-Law (2019). The property comprise the following zonings (refer to Appendix 5).

- Residential Zone V (guest house) – 225m²
- Agricultural Zone II (winery)- 1500m²
- Wine tasting and sales -100m²
- Restaurant and function venue – 600m²
- Remainder Agriculture

The property is being utilised in accordance with the approved zonings. A substantial area of the farm (approximately 70 ha) is planted with vineyards.

4. APPLICATION AND PROPOSALS – SEE PLANS ATTACHED AS APPENDIX 6

The Stellenbosch Municipality on 4 September 2017 granted approval for a consent use and temporary departure in order to formalise the restaurant and function facility on the property. A zoning of agricultural zone II for the wine cellar (1500m²) and a consent use for the wine tasting and sales area was approved (100m²). The property during 2019 was sold to the Gaiduk family who also owns the abutting Quoin Rock Wine Estate as well as Portion 9 of Farm 1362. The said properties form a farming unit of approximately 365ha.

It is the intention of the new owner to revitalize and optimize the current use of the buildings that forms part of the Knorhoek Farm werf and has appointed HB Architects to prepare the required architectural drawings for the proposed improvements. In this regard application is made for the following:

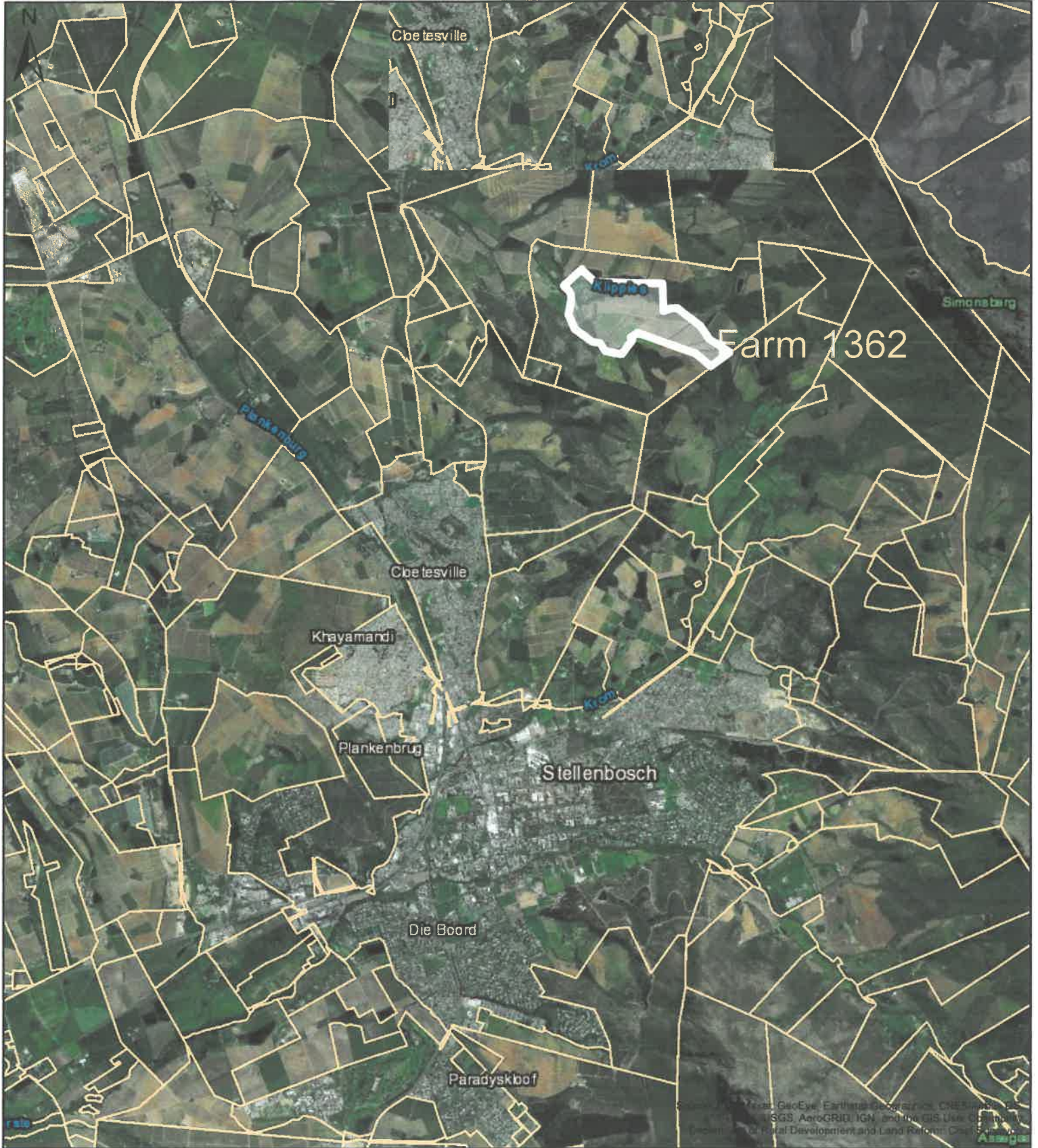
- The relocation of the existing restaurant to the existing manor house situated on the farm werf – tourist facility
- The permanent use of the existing restaurant and outside seating area as a function facility-tourist facility
- The use of the existing garage and storage area as farm shop and deli – tourist facility

The proposal entails the utilization of existing buildings and therefore will not impact on the farming activities and production capacity of the farm. The buildings forms part of the main farm werf and the re-use thereof will have no impact on the visual quality and rural character of the area. The proposals in fact form part of the renewal and upgrading envisaged by the owners to the benefit of the area and broader Stellenbosch region.



APPENDIX 1
LOCATION PLAN

Farm 1362: Location Map



Legend

 Parent Farms

0 0.75 1.5 3 km

Scale: 1:72 224

Date created: October 14, 2020

Compiled with CapeFarmMapper

APPENDIX 2
COPY OF TITLE DEED

12

Werksmans Attorneys Tyger Valley
142 Edward Street
Tyger Valley 7530

Prepared by me

CONVEYANCER
ROELOF JOHANNES FEENSTRA

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 94 000 000,00	R. 4890,00
Reason for exemption	Category Exemption	Exemption i t o. Sec/Reg..... Act/Proc.....

DATA CAPTURE
11 MAR 2019
WATERSLOOT & BARNES

T 000009184/2019
DATA VERIFY
11 MAR 2019
YOLANDI OLIVIER

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

JOHAN SALOMON LUBBE

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney granted to him/her by

**THE TRUSTEES FOR THE TIME BEING OF THE
HANNES VAN NIEKERK TRUST
Registration Number T610/1987**

which said Power of Attorney was signed at STELLENBOSCH on 12th February 2019.

And the appearer declared that his/her said principal had, on 17 January 2019, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

**GAIDUK FARMING PROPRIETARY LIMITED
REGISTRATION NUMBER 2018/581348/07**

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

1. REMAINDER OF THE FARM 1362
IN THE MUNICIPALITY AND DIVISION STELLENBOSCH
PROVINCE WESTERN CAPE

IN EXTENT 104,6444 (ONE HUNDRED AND FOUR COMMA SIX FOUR
FOUR FOUR) Hectares

FIRST REGISTERED AND STILL HELD BY CERTIFICATE OF
CONSOLIDATED TITLE T33662/96 WITH DIAGRAM SG 10845/1995
RELATING THERETO
- I. AS REGARDS THE FIGURE A B a d c h C D x G H J K L U M N R P p n m l k h
q f e p Q on DIAGRAM SG NUMBER 10845/95;
- A. SUBJECT to such conditions as referred to in Deed of Transfer Number 6407
dated 30 June 1902.
- B. SUBJECT FURTHER to the conditions contained in the Order of the Water
Court (Water Court District No.1) dated 4 April 1922 attached thereto, and
referred to in the endorsement thereon dated 2 May 1922, which reads as
follows:

"REGISTRATION OF SERVITUDE.

The properties conveyed hereby are subject to an Order of the Water Court,
District No 1 dated 4th April 1922 as will more fully appear on reference to the
copy annexed hereto."
- C. SUBJECT in terms of Deed of Transfer Number T57440/1995, to a perpetual
servitude right of way, 7 (SEVEN) meters wide, in favour of;

PORTION 1 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5.0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The line F H on Diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the southern boundary of the servitude road and the line HB represent the center of the said servitude road.

This servitude right of way will be subject to the following conditions:

- "1. The servitude road shall be constructed by the owner of this property and he and his successors in title shall be responsible for the maintenance of the road for a period of 5 (FIVE) years after date of registration of this transfer. Thereafter, the owner of this property or his successors in title, together with the other dominant owners of this servitude right shall jointly be responsible for the maintenance of the road.
2. If this property is further subdivided by the current owner of his successors in title, he shall be entitled to grant owners of such subdivided portions the same right of way over this servitude road. Such owners of subdivided portions would jointly, together with the other dominant owners, be responsible for the maintenance of the road.
3. The owner of this property, together with all the dominant owners of this servitude right of way shall be entitled to control the entrance and use of the road, provided that any decision with regard to the control shall be made unanimously."

D. SUBJECT in terms of Deed of Transfer Number T57440/1995 to a servitude of water rights, pumping station and pipeline from the bore hole on the property in favour of:

PORTION 1 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5.0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The point J on Diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the middle of the servitude borehole 2 (TWO) meters in diameter.

This servitude will be subject to the following conditions:

- "1. The owner of Portion 1 and its successors in title shall be entitled to draw any quantity of water they may wish, up to 2 500 litres per hour from the said borehole.
2. The owner of this property guarantees that at the date of registration of Portion 1 at least 500 litres per hour of such water will be potable and suitable for human consumption. He and his successors in title shall be responsible to ensure that at least 500 litres per hour of such water shall be reasonable available.
3. The owner of this property shall be responsible at their own cost to construct and maintain the said borehole, water pump and pipe line.

4. The owner of this property shall also be responsible to construct a water tank on

PORTION 2 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NOUGHT NOUGHT NOUGHT NOUGHT) HECTARES

HELD by Deed of Transfer Number T57441/95

(hereinafter referred to as Portion 2")

With a storage capacity of at least 10 000 litres. The owner Portion 1 and the owner of the said Portion 2 shall jointly be entitled to the use of the tank and shall jointly be responsible for the maintenance of this tank."

5. The owner of this property shall at his own cost install a water pump with a separate electricity meter and also flow-meters for each of the three co-users, being the owner of this property, the owner of Portion 1 and the owner of Portion 2. They shall each be responsible for a pro rata portion of the electricity account in relation to their usage.
6. Should additional water, in the sole discretion of the owner of this property, be available during the winter months on the hereinmentioned property, the owner of Portion 1 shall be entitled to utilise any such excess (overflow) water and to pump it at its own cost to the property.

- E. SUBJECT in terms of Deed of Transfer Number T57441/1995, to a perpetual servitude right of way, 7 (SEVEN) meters wide, in favour of:

PORTION 2 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NAUGH NAUGHT NAUGHT NAUGHT) HECTARES

HELD by Deed of Transfer Number T57441/1995

The line F H Diagram L. G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the southern boundary of the servitude road and the line HB represent the center of the said servitude road.

This servitude right of way will be subject to the following conditions:

- "1. The servitude road shall be constructed by the owner of this property and he and his successors in title shall be responsible for the maintenance of the road for a period of 5 (FIVE) years after date of registration of this transfer. Thereafter, the owner of this property or his successors in title, together with the other dominant owners of this

servitude right shall jointly be responsible for the maintenance of the road.

2. If this property is further subdivided by the current owner of his successors in title, he shall be entitled to grant owners of such subdivided portions the same right of way over this servitude road. Such owners of subdivided portions would jointly, together with the other dominant owners, be responsible for the maintenance of the road.
3. The owner of this property, together with all the dominant owners of this servitude right of way shall be entitled to control the entrance and use of the road, provided that any decision with regard to the control shall be made unanimously."

F. SUBJECT in terms of Deed of Transfer Number T57441/1995 to a servitude of water rights, pumping station and pipeline from the bore hole on the property in favour of:

PORTION 2 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NAUGHT NAUGHT NAUGHT NAUGHT) HECTARES

HELD by Deed of Transfer Number T57441/1995.

The point J on Diagram L.G. No 2354/95 attached to Deed of Transfer T57440/95 represent the middle of the servitude borehole 2 (TWO) meters in diameter.

This servitude will be subject to the following conditions:

- "1. The owner of Portion 2 and its successors in title shall be entitled to draw any quantity of water they may wish, up to 2 500 litres per hour from the said borehole.
2. The owner of this property guarantees that at the date of registration of Portion 2 at least 500 litres per hour of such water will be potable and suitable for human consumption. He and his successors in title shall be responsible to ensure that at least 500 litres per hour of such water shall be reasonably available in future.
3. The owner of this property, together with all the dominant owners of this servitude right of way shall be entitled to control the entrance and use of the road, provided that any decision with regard to the control shall be made unanimously."
4. The owner of this property shall also be responsible to construct a water tank on the said Portion 2 with a storage capacity of at least 10 000 litres. The owner of Portion 1 and the owner of the said Portion 2 shall jointly be responsible for the maintenance of this tank."
5. The owner of this property shall at his own cost install a water pump with a separate electricity meter and also flow-meters for each of the three

co-users, being the owner of this property, the owner of Portion 1 and the owner of Portion 2. They shall each be responsible for a pro rata portion of the electricity account in relation to their usage.

6. Should additional water, in the sole discretion of the owner of this property, be available during the winter months on the hereinmentioned property, the owner of Portion 2 shall be entitled to utilise any such excess (overflow) water and to pump it at its own cost to the property.

2. **AS REGARDS THE FIGURE a b c d on DIAGRAM S.G. NUMBER 10845/95:-**

- A. SUBJECT to such conditions as referred to in Deed of Transfer Number 6407 dated 30 June 1902.
- B. SUBJECT FURTHER to the conditions contained in the Order of the Water Court (Water Court District No. 1) dated 4 April 1922 attached hereto, and referred to in the endorsement thereon dated 2 May 1922, as more fully set out in 1.I.B. above.
- C. SUBJECT in terms of Deed of Transfer Number T57440/1995, to a perpetual servitude right of way, 7 (SEVEN) meters wide, in favour of

PORTION 1 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5,0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The line F H on Diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the southern boundary of the servitude road and the line HB represent the center of the said servitude road.

This servitude right of way will be subject to the conditions as more fully set out in 1.I.C. above.

- D. SUBJECT in terms of Deed of Transfer Number T57440/1995 to a servitude of water rights, pumping station and pipeline from the borehole on the property in favour of:

PORTION 1 of the farm No 1344
In Stellenbosch Division
Western Cape Province

MEASURING 5,0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The point J on Diagram L.G. No. attached to Deed of Transfer No. T57440/95 represent the middle of the servitude borehole 2 (TWO) meters in diameter.

This servitude will be subject to the following conditions as more fully set out in 1.D. above.

- E. SUBJECT in terms of Deed of Transfer Number T57441/1995, to a perpetual servitude right of way, 7 (SEVEN) meters wide, in favour of:

PORTION 2 of the farm No 1344
In Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NAUGHT NAUGHT NAUGHT NAUGHT) HECTARES

HELD by Deed of Transfer Number T57441/1995.

The line F H o n diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the southern boundary of the servitude road and the line HB represent the center of the said servitude road.

This servitude right of way will be subject to the conditions as more fully set out in 1.I.E. above.

- F. SUBJECT in terms of Deed of Transfer Number T57441/1995 to a servitude of water rights, pumping station and pipeline from the borehole on the property in favour of:

PORTION 2 of the farm No 1344
In Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NAUGHT NAUGHT NAUGHT NAUGHT) HECTARES

This servitude shall be subject to the conditions referred to in 1.I.F. above.

3 AS REGARDS THE FIGURE e f g h j k l m n p on DIAGRAM S.G. NUMBER 10845/95:-

- A. SUBJECT to such conditions as referred to in Deed of Transfer Number 6407 dated 30 June 1902.
- B. SUBJECT FURTHER to the conditions contained in the Order of the Water Court (Water Court District No.1) dated 4 April 1922 attached thereto, and referred to in the endorsement thereon dated 2 May 1922, as will more fully appear from in 1.B. above.
- C. SUBJECT in terms of Deed of Transfer Number T57440/1995, to a perpetual servitude right of way, 7 (SEVEN) meters wide, in favour of;

PORTION 1 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5.0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The line F H on Diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the southern boundary of the servitude road and the line HB represent the center of the said servitude road.

This servitude right of way will be subject to the conditions as will appear from 1.C. above.

- D. SUBJECT in terms of Deed of Transfer Number T57440/1995 to a servitude of water rights, pumping station and pipeline from the bore hole on the property in favour of:

PORTION 1 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5.0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The point J on Diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the middle of the servitude borehole 2 (TWO) meters in diameter.

This servitude will be subject to the conditions set out more fully in 1.D. above.

- E. SUBJECT in terms of Deed of Transfer Number T57441/1995, to a perpetual servitude right of way, 7 (SEVEN) meters wide, in favour of:

PORTION 2 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NAUGHT NAUGHT NAUGHT NAUGHT) HECTARES

HELD by Deed of Transfer Number T57441/1995

The line F H Diagram L. G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the southern boundary of the servitude road and the line HB represent the center of the said servitude road.

This servitude right of way will be subject to the conditions set out more fully in 1.E above.

- F. SUBJECT in terms of Deed of Transfer Number T57441/1995 to a servitude of water rights, pumping station and pipeline from the bore hole on the property in favour of:

PORTION 2 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NAUGHT NAUGHT NAUGHT NAUGHT)
HECTARES

HELD by Deed of Transfer Number T57441/1995.

The point J on Diagram L.G. No 2354/95 attached to Deed of Transfer No. T57440/95 represent the middle of the servitude borehole 2 (TWO) meters in diameter.

This servitude will be subject to the conditions set out more fully in 1.I.F. above.

4 AS REGARDS to the figure EFGxD on DIAGRAM LG No 10845/95

- A. SUBJECT to the conditions referred to in Certificate of Uniform Title No 17263 dated 4 October 1951.
- B. AS REGARDS a half (½) share in the above property subject to the condition contained in the Order of the Watercourt (Water District No 1) dated 4 April 1922 attached to Deed of Transfer No 6407 dated 30 June 1902, and which is referred to in the endorsement dated 2 May 1922, which endorsement reads as follows:

"REGISTRATION OF SERVITUDE"

The properties conveyed hereby are subject to Order of the Water Court, District No. 1 dated 4th April 1922, as will more fully appear on reference to the copy annexed hereto."

5 AS REGARDS the whole of the property

- A. SUBJECT to by Deed of Transfer T33663/96 and as mentioned in Certificate of Consolidated Title T33662/96 a perpetual servitude of right of way 7 (SEVEN) metres wide in favour of:

PORTION 1 of the farm Nr. 13362
In the Division of Stellenbosch
Province Western Cape

MEASURING 31,8293 (THIRTY ONE COMMA EIGHT TWO NINE THREE)
HECTARES

HELD by Deed of Transfer Number T33663/1996

the southern boundary of the servitude road indicated by the line F x on Diagram L.G. Nr. 10845/95 attached and the centre line represent indicated by the line S U on the diagram . Including the following conditions:

1. It is recorded that the servitude road aforesaid has already been constructed from the point R to the point U on Diagram S.G. No 10845/95. The owner of the hereinmentioned property shall within 90 (NINETY) days from 19 March 1996 construct the remainder of the

servitude road from point F to point c aforesaid, the said road to be compacted gravel road, 5 metres wide, with drainage.

2. The owner of the hereinmentioned property shall be obliged, at its own cost and expense, to maintain the servitude road up to and including 3 August 2000 and thereafter the portion of the road depicted by the line R S U on Diagram S.G. No 10845/95 shall be maintained in equal shares by all the dominant and servient tenement owners in relation to the servitude road and the portion F x on Diagram S.G. No. 10845/95 shall be maintained by the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title.
3. Prior to the construction of that portion of the servitude road referred to in 1 above, the owner of the hereinmentioned property shall consult with the owner of Portion 1 of the Farm No. 1362 Stellenbosch on a possible alteration to the route of that portion of the servitude road, to a route acceptable to both parties.
4. The owner of the hereinmentioned property together with the owners of the dominant tenements in relation to the servitude road shall be entitled to control the entrance and the use of the servitude road provided that the unanimous written consent of all of the foregoing parties shall be required for any decision to be binding upon them.
5. The owner of the hereinmentioned property and its successors in title and the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title shall not be entitled to drive heavy vehicles and/or farming implements along the servitude road and it shall be their respective duties to inform all their employees, contractors and invitees of these conditions so as to avoid any damage being caused to the road.
6. The owner of the hereinmentioned property and its successors in title undertakes to ensure that any subdivisions of the hereinmentioned property are made subject to the servitude road including the ancillary rights and obligations applicable thereto. The owner of the hereinmentioned property and its successors in title shall also be entitled to grant to any owner of a subdivided portion of the hereinmentioned property a servitude right of way over the servitude road as stated above, subject however to the applicable ancillary rights and obligations pertaining to said servitude road.
7. The owner of the hereinmentioned property shall provide the owner of Portion 1 of the Farm No 1362 Stellenbosch with an additional servitude right of way over the hereinmentioned property for use by heavy vehicles and/or farming implements. The route of this servitude right of way shall be practical and shall be maintained as a gravel road on this servitude right of way shall be borne by the owner of the hereinmentioned property.

As will more fully appear from said Deed of Transfer.

- B. SUBJECT by Deed of Transfer Nr, T45298/99 to a servitude of water rights, pumping station and pipeline in favour of

PORTION 1 of the Farm No. 1362
In the Division Stellenbosch
Province Western Cape

MEASURING 31,8293 (THIRTY ONE COMMA EIGHT TWO NINE THREE)
HECTARES

HELD by Deed of Transfer Number T45298/99

Including the following conditions

1. The owner of Portion 1 of the Farm 1362 Stellenbosch and its successors in title shall be entitled to draw water from the borehole on the hereinmentioned property. The point T on Diagram S.G. No. 10845/95 hereinmentioned property. The point T on Diagram S.G. No. 10845/95 represents the middle of such circular servitude borehole, 2 metres in diameter. The right of the owner of Portion 1 of the Farm No. 1362 Stellenbosch and its successors in title to water from the borehole shall rank equally with the rights of the owners of Portion 1 and 2 of the Farm No. 1344 and the owner of the hereinmentioned property shall not be entitled to grant any further water rights over the borehole or do anything which would prejudice the supply and flow of water from the borehole. In the event of the borehole drying up or failing to render sufficient water as described below for use by the owner of Portion 1 of the Farm No. 1362 Stellenbosch, the owner of the hereinmentioned property shall be liable at its cost to provide the owner of Portion 1 of the Farm No. 1362 Stellenbosch with an alternative borehole or water source producing the water as described in 2 and 3 below.
2. The owner of Portion 1 of the Farm No. 1362 Stellenbosch and its successors in title shall be entitled to draw any quantity of water he may wish, up to maximum of 2 000 litres per hour.
3. The owner of the hereinmentioned property guarantees that at least 500 litres per hour of such water will be portable and suitable for human consumption.
4. The owner of the hereinmentioned property and its successors in title shall be responsible at its own costs to construct and maintain the said borehole, water pump and pipe line, up to the boundary of Portion 1 of the Farm No. 1362 Stellenbosch represented by the line A B on Diagram S.G. No 10846/95.
5. The owner of the hereinmentioned property shall within 14 (FOURTEEN) days after request by the owner of Portion 1 of the Farm No. 1362 Stellenbosch at its own cost construct a fibre glass water tank with a cover, with a storage capacity of at least 5 000 litres on the property. After the construction of the aforementioned tank, the owner of the hereinmentioned property shall be responsible for the repair of any defects or leaks manifesting themselves within a period of 6 (SIX) months whereafter the owner of Portion 1 of the Farm No 1362 Stellenbosch shall be responsible for the maintenance of the water tank.
6. The owner of the hereinmentioned property has, as its own cost, installed a water pump and shall, at its own cost, provide an electricity

meter and separate flow-metres for each of the four co-users, being the owner of the hereinmentioned property, the owner of Portion 1 of the Farm No 1362 Stellenbosch and the owners of Portions 1 and 2 of the Farm No 1344. They shall each be responsible for a pro rata portion of the electricity account in relation to their usage."

As will more fully appear from the said Deed of Transfer.

- C. SUBJECT by Deed of Transfer Nr. T45298/99 to a further servitude of water rights, pumping station and pipeline in favour of

PORTION 1 of the Farm Nr. 1362
In the Division of Stellenbosch
Province Western Cape

MEASURING 31,8293 (THIRTY ONE COMMA EIGHT TWO NINE THREE) HECTARES

HELD by Deed of Transfer Number T45298/99

Including the following conditions:

- "1. The owner of the hereinmentioned property shall in addition make available to the owner of Portion 1 of the Farm No 1362 Stellenbosch 30 000 (THIRTY THOUSAND) cubic metres of water per calender year, unless specifically otherwise agreed between the parties, for the existing dam nearest to Portion 1 of the Farm 1362 Stellenbosch at time reasonably suitable to the owner of the hereinmentioned property, more particularly during the wet winter months.
2. The owner of Portion 1 of the Farm No 1362 Stellenbosch shall be responsible for the electricity costs incurred by its upon utilising the existing pump at the dam referred to in 1 above.
3. The owner of Portion 1 of the Farm No 1362 Stellenbosch shall at its own cost install and maintain a pipe line across the hereinmentioned property to Portion 1 of the Farm No 1362 Stellenbosch along a route as will be agreed upon between the owner of the hereinmentioned property and the owner of Portion 1 of the Farm No 1362 Stellenbosch."

As will more fully appear from the said Deed of Transfer

- E. ENTITLED in terms of Deed of Transfer Nr. T45298/99 to the following conditions

- "1. The parties hereby agree that the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title shall, apart from labourers houses, only be entitled to erect 3 (THREE) residential dwellings on Portion 1 of the Farm No 1362 Stellenbosch.
2. The parties hereby agree that the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title shall utilise the property for agricultural processes only unless specifically otherwise agreed upon in writing between the owner of the hereinmentioned property or its successors in title and the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title provided that in the event of the

hereinmentioned property being subdivided and used for residential purposes only, this restriction shall fall away.

3. The parties hereby agree that the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title shall not be entitled to subdivide Portion 1 of the Farm 1362 Stellenbosch; provided that in the event of the hereinmentioned property being subdivided and used for residential purposes only, this restriction shall fall away."

As will more fully appear from the said Deed of Transfer.

- F. SUBJECT in terms of Deed of Transfer No. T45298/99 to the following conditions newly imposed in favour of:

PORTION 2 of the Farm No 1362
In the Division of Stellenbosch
Province of the Western Cape

MEASURING 193,0129 (ONE HUNDRED AND NINETY THREE COMMA
NOUGHT ONE TWO NINE) HECTARES

namely

- "1. Should the registered owner of the property hereby transferred be unsuccessful in sourcing underground potable water thereon, the said owner shall be entitled to:
 - 1.1 sink a bore hole or bore holes on the said Remainder Farm No 1362 and to draw from such bore hole or bore holes a sufficient quantity of water for domestic use only;
 - 1.2 install at such bore hole or bore holes an electric pump or pumps to draw water from the bore hole or bore holes;
 - 1.3 construct a reservoir or reservoirs within which to store water drawn from the bore hole or bore holes from the said owner's domestic use;
 - 1.4 lead to and from the bore hole or bore holes such pipe lines and electrical cables as may be required for the effective operation of the aforementioned water works.
2. The registered owners, from time to time, of the property hereby transferred and of the said Remainder Farm No 1362 shall share equally the rights to the water from the Klippies River as allocated in terms of the order of the Water Court District No. 1, dated 4 April 1922, to the Remainder Farm No 1362, prior to the subdivision therefrom of the property hereby transferred. The said owners shall determine and agree a practical manner in which the said water rights shall be shared equally between them, which shall include the construction of such water works as may be required to ensure and equal division and utilisation of the water rights."

G. In terms of a Notarial Servitude No K552/1999 dated 9/6/1999 the within mentioned property is subject to a Powerline Servitude in favour of ESKOM with ancillary rights.
(The line b1c1d1e1 on Diagram SG No.1877/2013 represents the centre line of the Electric Power Line Servitude 18m wide).

2. PORTION 9 OF THE FARM 1362
IN THE MUNICIPALITY AND DIVISION STELLENBOSCH
PROVINCE WESTERN CAPE

IN EXTENT 68,8324 (SIXTY EIGHT COMMA EIGHT THREE TWO FOUR)
Hectares

FIRST REGISTERED AND STILL HELD BY CERTIFICATE OF REGISTERED
NUMBER T21083/2017 WITH DIAGRAM SG NUMBER 1877/2013 RELATING
THERETO

I. AS REGARDS THE FIGURE A x B C D t u v w H J K L M N P u Q on DIAGRAM
S.G NUMBER 1877/2013:-

A. SUBJECT to such conditions as referred to in Deed of Transfer Number 6407
dated 30 June 1902.

B. SUBJECT FURTHER to the conditions contained in the Order of the Water
Court (Water Court District No.1) dated 4 April 1922 attached thereto, and
referred to in the endorsement thereon dated 2 May 1922, which reads as
follows:

"REGISTRATION OF SERVITUDE.

The properties conveyed hereby are subject to an Order of the Water Court,
District No 1 dated 4th April 1922 as will more fully appear on reference to the
copy annexed hereto."

C. SUBJECT in terms of Deed of Transfer Number T57440/1995, to a perpetual
servitude right of way, 7 (SEVEN) meters wide, in favour of;

PORTION 1 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5.0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The line F H on Diagram L.G. No. 2354/95 attached to Deed of Transfer
No.T57440/95 represent the southern boundary of the servitude road and the
line HB represent the center of the said servitude road.

This servitude rights of way will be subject to the following conditions:

"1. The servitude road shall be constructed by the owner of this property
and he and his successors in title shall be responsible for the
maintenance of the road for a period of 5 (FIVE) years after date of
registration of this transfer. Thereafter, the owner of this property or his

B

d

successors in title, together with the other dominant owners of this servitude right shall jointly be responsible for the maintenance of the road.

2. If this property is further subdivided by the current owner of his successors in title, he shall be entitled to grant owners of such subdivided portions the same right of way over this servitude road. Such owners of subdivided portions would jointly, together with the other dominant owners, be responsible for the maintenance of the road.
3. The owner of this property, together with all the dominant owners of this servitude right of way shall be entitled to control the entrance and use of the road, provided that any decision with regard to the control shall be made unanimously."

D. SUBJECT in terms of Deed of Transfer Number T57440/1995 to a servitude of water rights, pumping station and pipeline from the bore hole on the property in favour of:

PORTION 1 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5.0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The point J on Diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the middle of the servitude borehole 2 (TWO) meters in diameter.

This servitude will be subject to the following conditions:

- "1. The owner of Portion 1 and its successors in title shall be entitled to draw any quantity of water they may wish, up to 2 500 litres per hour from the said borehole.
2. The owner of this property guarantees that at the date of registration of Portion 1 at least 500 litres per hour of such water will be potable and suitable for human consumption. He and his successors in title shall be reasonably available in future.
3. The owner of this property shall be responsible at their own cost to construct and maintain the said borehole, water pump and pipe line.
4. The owner of this property shall also be responsible to construct a water tank on

PORTION 2 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NOUGHT NOUGHT NOUGHT NOUGHT) HECTARES

HELD by Deed of Transfer Number T57441/95

(hereinafter referred to as Portion 2")

With a storage capacity of at least 10 000 litres. The owner Portion 1 and the owner of the said Portion 2 shall jointly be entitled to the use of the tank and shall jointly be responsible for the maintenance of this tank."

5. The owner of this property shall at his own cost install a water pump with a separate electricity meter and also flow-meters for each of the three co-users, being the owner of this property, the owner of Portion 1 and the owner of Portion 2. They shall each be responsible for a pro rata portion of the electricity account in relation to their usage.
6. Should additional water, in the sole discretion of the owner of this property, be available during the winter months on the hereinmentioned property, the owner of Portion 1 shall be entitled to utilise any such excess (overflow) water and to pump it at its own cost to the property.

E. SUBJECT in terms of Deed of Transfer Number T57441/1995, to a perpetual servitude right of way, 7 (SEVEN) meters wide, in favour of:

PORTION 2 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NAUGH NAUGHT NAUGHT NAUGHT)
HECTARES

HELD by Deed of Transfer Number T57441/1995

The line F H Diagram L. G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the southern boundary of the servitude road and the line HB represent the center of the said servitude road.

This servitude right of way will be subject to the following conditions:

1. The servitude road shall be constructed by the owner of this property and he and his successors in title shall be responsible for the maintenance of the road for a period of 5 (FIVE) years after date of registration of this transfer. Thereafter, the owner of this property or his successors in title, together with the other dominant owners of this servitude right shall jointly be responsible for the maintenance of the road.
2. If this property is further subdivided by the current owner of his successors in title, he shall be entitled to grant owners of such subdivided portions the same right of way over this servitude road. Such owners of subdivided portions would jointly, together with the other dominant owners, be responsible for the maintenance of the road.
3. The owner of this property, together with all the dominant owners of this servitude right of way shall be entitled to control the entrance and use of

the road, provided that any decision with regard to the control shall be made unanimously."

- F. SUBJECT in terms of Deed of Transfer Number T57441/1995 to a servitude of water rights, pumping station and pipeline from the bore hole on the property in favour of:

PORTION 2 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NAUGHT NAUGHT NAUGHT NAUGHT) HECTARES

HELD by Deed of Transfer Number T57441/1995.

The point J on Diagram L.G. No 2354/95 attached to Deed of Transfer No. T57440/95 represent the middle of the servitude borehole 2 (TWO) meters in diameter.

This servitude will be subject to the following conditions:

1. The owner of Portion 2 and its successors in title shall be entitled to draw any quantity of water they may wish, up to 2 500 litres per hour from the said borehole.
2. The owner of this property guarantees that at the date of registration of Portion 2 at least 500 litres per hour of such water will be potable and suitable for human consumption. He and his successors in title shall be responsible to ensure that at least 500 litres per hour of such water shall be reasonably available in future.
3. The owner of this property, together with all the dominant owners of this servitude right of way shall be entitled to control the entrance and use of the road, provided that any decision with regard to the control shall be made unanimously."
4. The owner of this property shall also be responsible to construct a water tank on the said Portion 2 with a storage capacity of at least 10 000 litres. The owner of Portion 1 and the owner of the said Portion 2 shall jointly be responsible for the maintenance of this tank."
5. The owner of this property shall at his own cost install a water pump with a separate electricity meter and also flow-meters for each of the three co-users, being the owner of this property, the owner of Portion 1 and the owner of Portion 2. They shall each be responsible for a pro rata portion of the electricity account in relation to their usage.
6. Should additional water, in the sole discretion of the owner of this property, be available during the winter months on the hereinmentioned property, the owner of Portion 2 shall be entitled to utilise any such excess (overflow) water and to pump it at its own cost to the property.

- II. AS REGARDS THE FIGURE F G w v u t E on DIAGRAM S.G. NUMBER 1877/2013:-

- A. SUBJECT to such conditions as referred to in Deed of Transfer Number 6407 dated 30 June 1902.
- B. SUBJECT FURTHER to the conditions contained in the Order of the Water Court (Water Court District No. 1) dated 4 April 1922 attached hereto, and referred to in the endorsement thereon dated 2 May 1922, as more fully set out in 2.I.B. above.
- C. SUBJECT in terms of Deed of Transfer Number T57440/1995, to a perpetual servitude right of way, 7 (SEVEN) meters wide, in favour of

PORTION 1 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5,0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The line F H on Diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the southern boundary of the servitude road and the line HB represent the center of the said servitude road.

This servitude right of way will be subject to the conditions as more fully set out in 2.I.C. above.

- D. SUBJECT in terms of Deed of Transfer Number T57440/1995 to a servitude of water rights, pumping station and pipeline from the borehole on the property in favour of:

PORTION 1 of the farm No 1344
In Stellenbosch Division
Western Cape Province

MEASURING 5,0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The point J on Diagram L.G. No. attached to Deed of Transfer No. T57440/95 represent the middle of the servitude borehole 2 (TWO) meters in diameter.

This servitude will be subject to the following conditions as more fully set out in 2.I.D. above.

- E. SUBJECT in terms of Deed of Transfer Number T57441/1995, to a perpetual servitude right of way, 7 (SEVEN) meters wide, in favour of:

PORTION 2 of the farm No 1344
In Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NAUGHT NAUGHT NAUGHT NAUGHT) HEACTARES

HELD by Deed of Transfer Number T57441/1995.

The line F H on diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the southern boundary of the servitude road and the line HB represent the center of the said servitude road.

This servitude right of way will be subject to the conditions as more fully set out in 2.I.E. above.

- F. SUBJECT in terms of Deed of Transfer Number T57441/1995 to a servitude of water rights, pumping station and pipeline from the borehole on the property in favour of:

PORTION 2 of the farm No 1344
In Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NAUGHT NAUGHT NAUGHT NAUGHT)
HECTARES

HELD by Deed of Transfer Number T57441/1995

The point J on Diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the middle of the middle of the servitude borehole 2 (TWO) meters in diameter.

This servitude will be subject to the conditions as more fully set out in 2.I.F. above.

III. AS REGARDS THE WHOLE OF THE PROPERTY

- A. SUBJECT to a servitude pipeline, 3 (THREE) metres wide in favour of Portion 2 of the farm No. 1362 in the Municipality and Division Stellenbosch, Province of the Western Cape; in Extent 193,0129 (ONE HUNDRED AND NINETY THREE COMMA NOUGHT ONE TWO NINE) hectares, Held by Deed of Transfer Number T64466/2012 the centre line of the said servitude is indicated by the line xyza1 on Diagram S.G. 1877/2013

- B. SUBJECT in terms of Deed of Transfer No T33663/96 to a perpetual servitude of right of way 7 (SEVEN) metres wide in favour of

PORTION 1 of the farm Nr 13362
In the Division of Stellenbosch
Province Western Cape

MEASURING 31,8293 (THIRTY ONE COMMA EIGHT TWO NINE THREE)
HECTARES

HELD by Deed of Transfer Number T33663/1996

the southern boundary of the servitude road indicated by the line F x on Diagram L.G. Nr. 10845/95 attached and the centre line represent indicated by the line S U on the diagram . Including the following conditions:

- ot"1. It is recorded that the servitude road aforesaid has already been constructed from the point R to the point U on Diagram S.G. No 10845/95. The owner of the hereinmentioned property shall within 90 (NINETY) days from 19 March 1996 construct the remainder of the servitude road from point F to point c aforesaid, the said road to be compacted gravel road, 5 metres wide, with drainage.
2. The owner of the hereinmentioned property shall be obliged, at its own cost and expense, to maintain the servitude road up to and including 3 August 2000 and thereafter the portion of the road depicted by the line R S U on Diagram S.G. No 10845/95 shall be maintained in equal shares by all the dominant and servient tenement owners in relation to the servitude road and the portion F x on Diagram S.G. No. 10845/95 shall be maintained by the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title.
3. Prior to the construction of that portion of the servitude road referred to in 1 above, the owner of the hereinmentioned property shall consult with the owner of Portion 1 of the Farm No. 1362 Stellenbosch on a possible alteration to the route of that portion of the servitude road, to a route acceptable to both parties.
4. The owner of the hereinmentioned property together with the owners of the dominant tenements in relation to the servitude road shall be entitled to control the entrance and the use of the servitude road provided that the unanimous written consent of all of the foregoing parties shall be required for any decision to be binding upon them.
5. The owner of the hereinmentioned property and its successors in title and the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title shall not be entitled to drive heavy vehicles and/or farming implements along the servitude road and it shall be their respective duties to inform all their employee, contractors and invitees of this conditions so as to avoid any damage being caused to the road.
6. The owner of the hereinmentioned property and its successors in title undertakes to ensure that any subdivisions of the hereinmentioned property are made subject to the servitude road including the ancillary rights and obligations applicable thereto. The owner of the hereinmentioned property and its successors in title shall also be entitled to grant to any owner of a subdivided portion of the hereinmentioned property a servitude right of way over the servitude road as stated above, subject however to the applicable ancillary rights and obligations pertaining to said servitude road.
7. The owner of the hereinmentioned property shall provide the owner of Portion 1 of the Farm No 1362 Stellenbosch with an additional servitude right of way over the hereinmentioned property for use by heavy vehicles and/or farming implements. The route of this servitude right of way shall be practical and shall maintenance of a gravel road on this servitude right of way shall be borne by the owner of the hereinmentioned property.

As will more fully appear from said Deed of Transfer.

C. SUBJECT in terms of Deed of Transfer No T45298/99 to a servitude of water rights, pumping station and pipeline in favour of

PORTION 1 of the Farm No. 1362
In the Division Stellenbosch
Province Western Cape

MEASURING 31,8293 (THIRTY ONE COMMA EIGHT TWO NINE THREE)
HECTARES

HELD by Deed of Transfer Number T45298/99

Including the following conditions

1. The owner of Portion 1 of the Farm 1362 Stellenbosch and its successors in title shall be entitled to draw water from the borehole on the hereinmentioned property. The point T on Diagram S.G. No. 10845/95 hereinmentioned property. The point T on Diagram S.G. No. 10845/95 represents the middle of such circular servitude borehole, 2 metres in diameter. The right of the owner of Portion 1 of the Farm No. 1362 Stellenbosch and its successors in title to water from the borehole shall rank equally with the rights of the owners of Portion 1 and 2 of the Farm No. 1362 Stellenbosch and the owner of the hereinmentioned property shall not be entitled to grant any further water rights over the borehole or do anything which would prejudice the supply and flow of water from the borehole. In the event of the borehole drying up or failing to render sufficient water as described below for use by the owner of Portion 1 of the Farm No. 1362 Stellenbosch, the owner of the hereinmentioned property shall be liable at its cost to provide the owner of Portion 1 of the Farm No. 1362 Stellenbosch with an alternative borehole or water source producing the water as described in 2 and 3 below.
2. The owner of Portion 1 of the Farm No. 1362 Stellenbosch and its successors in title shall be entitled to draw any quantity of water he may wish, up to maximum of 2 000 litres per hour.
3. The owner of the hereinmentioned property guarantees that at least 500 litres per hour of such water will be portable and suitable for human consumption.
4. The owner of the hereinmentioned property and its successors in title shall be responsible at its own costs to construct and maintain the said borehole, water pump and pipe line, up to the boundary of Portion 1 of the Farm No. 1362 Stellenbosch represented by the line A B on Diagram S.G. No 10846/95.
5. The owner of the hereinmentioned property shall within 14 (FOURTEENE) days after request by the owner of Portion 1 of the Farm No. 1362 Stellenbosch at its own cost construct a fibre glass water tank with a cover, with a storage capacity of at least 5 000 litres on the property. After the construction of the aforementioned tank, the owner of the hereinmentioned property shall be responsible for the repair of any defects or leaks manifesting themselves within a period of 6 (SIX)

months whereafter the owner of Portion 1 of the Farm No 1362 Stellenbosch shall be responsible for the maintenance of the water tank.

6. The owner of the hereinmentioned property has, as its own cost, installed a water pump and shall, at its own cost, provide an electricity meter and separate flow-metres for each of the four co-users, being the owner of the hereinmentioned property, the owner of Portion 1 of the Farm No 1362 Stellenbosch and the owners of Portions 1 and 2 of the Farm No 1344. They shall each be responsible for a pro rata portion of the electricity account in relation to their usage."

As will more fully appear from the said Deed of Transfer.

- D. SUBJECT in terms of Deed of Transfer Nr. T45298/99 to a further servitude of water rights, pumping station and pipeline in favour of

PORTION 1 of the Farm Nr. 1362
In the Division of Stellenbosch
Province Western Cape

MEASURING 31,8293 (THIRTY ONE COMMA EIGHT TWO NINE THREE) HECTARES;

HELD by Deed of Transfer Number T45298/99

Including the following conditions:

- "1. The owner of the hereinmentioned property shall in addition make available to the owner of Portion 1 of the Farm No 1362 Stellenbosch 30 000 (THIRTY THOUSAND) cubic metres of water per calendar year, unless specifically otherwise agreed between the parties, for the existing dam nearest to Portion 1 of the Farm 1362 Stellenbosch at time reasonably suitable to the owner of the hereinmentioned property, more particularly during the wet winter months.
2. The owner of Portion 1 of the Farm No 1362 Stellenbosch shall be responsible for the electricity costs incurred by its upon utilising the existing pump at the dam referred to in 1 above.
3. The owner of Portion 1 of the Farm No 1362 Stellenbosch shall at its own cost install and maintain a pipe line across the hereinmentioned property to Portion 1 of the Farm No 1362 Stellenbosch along a route as will be agreed upon between the owner of the hereinmentioned property and the owner of Portion 1 of the Farm No 1362 Stellenbosch."

As will more fully appear from the said Deed of Transfer

- E. ENTITLED in terms of Deed of Transfer Nr. T45298/99 to the following conditions

- "1. The parties hereby agree that the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title shall, apart from labourers houses, only be entitled to erect 3 (THREE) residential dwellings on Portion 1 of the Farm No 1362 Stellenbosch.

2. The parties hereby agree that the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title shall utilise the property for agricultural processes only unless specifically otherwise agreed upon in writing between the owner of the hereinmentioned property or its successors in title and the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title provided that in the event of the hereinmentioned property being subdivided and used for residential purposes only, this restriction shall fall away.

The parties hereby agree that the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title shall not be entitled to subdivide Portion 1 of the Farm 1362 Stellenbosch; provided that in the event of the hereinmentioned property being subdivided and used for residential purposes only, this restriction shall fall away."

As will more fully appear from the said Deed of Transfer.

- F. SUBJECT in terms of Deed of Transfer Nr. T45298/99 to the following conditions newly imposed in favour of:

PORTION 2 of the Farm No 1362
In the Division of Stellenbosch
Province of the Western Cape

MEASURING 193,0129 (ONE HUNDRED AND NINETY THREE COMMA
NOUGHT ONE TWO NINE) HECTARES

Namely;

- "1. Should the registered owner of the property hereby transferred be unsuccessful in sourcing underground potable water thereon, the said owner shall be entitled to:
 - 1.1 sink a bore hole or bore holes on the said Remainder Farm No 1362 and to draw from such bore hole or bore holes a sufficient quantity of water for domestic use only;
 - 1.2 install at such bore hole or bore holes an electric pump or pumps to draw water from the bore hole or bore holes;
 - 1.3 construct a reservoir or reservoirs within which to store water drawn from the bore hole or bore holes from the said owner's domestic use;
 - 1.4 lead to and from the bore hole or bore holes such pipe lines and electrical cables as may be required for the effective operation of the aforementioned water works.
2. The registered owners, from time to time, of the property hereby transferred and of the said Remainder Farm No 1362 shall share equally the rights to the water from the Klippies River as allocated in terms of the order of the Water Court District No. 1, dated 4 April 1922, to the Remainder Farm No 1362, prior to the subdivision therefrom of the property hereby transferred. The said owners shall determine and agree a practical manner in

which the said water rights shall be shared equally between them, which shall include the construction of such water works as may be required to ensure and equal division and utilisation of the water rights."

- G. As mentioned in Certificate of Consolidated Title T33662/96 and in terms of a Notarial Servitude No K552/199 dated 9/6/1999 the within mentioned property is subject to a Powerline Servitude in favour of ESKOM with ancillary rights.
(The line b1c1d1e1 on Diagram SG No. 1877/2013 represents the centre line of the Electric Power Line Servitude 18m wide).

b

[Handwritten mark]

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

**THE TRUSTEES FOR THE TIME BEING OF THE
HANNES VAN NIEKERK TRUST
Registration Number T610/1987**

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

**GAIIDUK FARMING PROPRIETARY LIMITED
REGISTRATION NUMBER 2018/581343/07**

or its Successors in Title or assigns, now is and henceforth shall be entitled thereto,
conformably to local custom, the State, however reserving its rights, and finally
acknowledging the purchase price to be the sum of R94 000 000,00 (NINETY FOUR
MILLION RAND) .

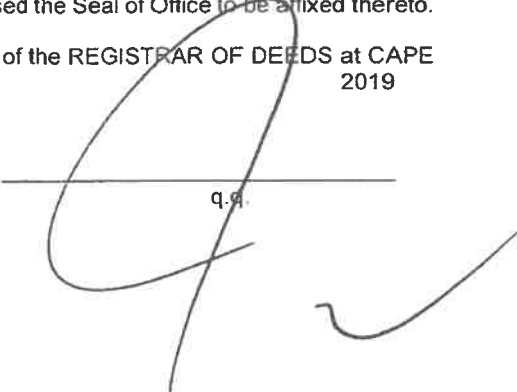
IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have
subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE
TOWN on 8 March 2019

In my presence



REGISTRAR OF DEEDS



q. q.

B



APPENDIX 3
SG DIAGRAM

SIDES Metres		ANGLES		CO-ORDINATES Y System Lo 19°			S.G. No
		Constant			± 0,00	+3 700 000,00	10845/1995
AB	226,88	A	112 07 30				Approved <i>D.S. Helig</i> for Surveyor-General 1996.01.04
BC	1429,77	B	193 41 10				
CD	638,49	C	178 08 00				
		D	252 18 30				
EF	264,8	E	117 24 40	E	+ 10 034,8	+ 49 571,8	
FG	791,8	F	94 32 10	F	+ 9 770,0	+ 49 568,8	
GH	1601,99			G	+ 9 698,6	+ 50 357,4	Sheet No 1 of 2 Sheets
				G	+ 9 698,43	+ 50 357,47	
HJ	540,29						
JK	426,78						
KL	250,00	K	90 00 00	K	+ 12 153,24	+ 51 070,01	
LM	405,38	L	270 00 00	L	+ 12 084,19	+ 50 829,73	
MN	490,86	M	92 09 00	M	+ 12 473,80	+ 50 717,77	
NP	557,00	N	205 22 10	N	+ 12 356,01	+ 50 241,25	
PQ	287,15			P	+ 12 466,91	+ 49 695,41	
QA	96,19						
Connections							
NR	490,40	NRP	180 00 00	R	+ 12 453,65	+ 49 760,67	
RP	66,60						
Servitude Data							
RS	5,81	NRS	72 47 10	S	+ 12 447,87	+ 49 761,25	
MU	205,38	MUL	180 00 00	T	+ 11 670,04	+ 49 932,61	
UL	200,00			U	+ 12 276,41	+ 50 774,49	
		49	Knorhoek	△	+ 12 562,13	+ 50 953,54	
		404	Paradys	△	+ 10 120,28	+ 59 264,21	
		46	Klapmuts	△	+ 13 140,4	+ 44 466,7	
		142	Kanonkop (Stel 9)	△	+ 8 553,7	+ 48 146,3	

Beacon Description

- E F 20 mm iron peg
- G masonry beacon
- K L M R S U 20 mm iron peg in stone cairn
- N iron rail fence post
- P stone beacon
- T centre of borehole pipe

The figure **ABCDEFGHIJKLMNPQ**

represents **366,4897 hectares**

of land being

The Farm No 1362 and comprising 1) - 2) as enumerated on Sheet 2

situate in the

Administrative District of **Stellenbosch**

Province of the Western Cape

Compiled in **November 1995**

by me,

D.S. Helig
D S HELIG
Land Surveyor
PLS 0256

This diagram is annexed to
No. **T 33662/96**
dated
i.f.o.

The original diagrams are as
enumerated on Sheet 2

File No. **Stel 1362**

S.R. No. Compiled
Comp.
BH-8BCD (3763)
BH-8BDC (3766)
BH-8DAB (3775)
BH-8DBA (3778)

Registrar of Deeds

FOR ENDORSEMENTS
SEE BACK OF DIAGRAM

The Farm No 1362, Administrative District of Stellenbosch

S.G. No

10845/1995

Approved

Ra. F.

for Surveyor-General

1996.01.04

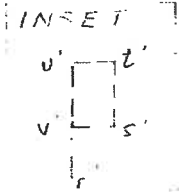
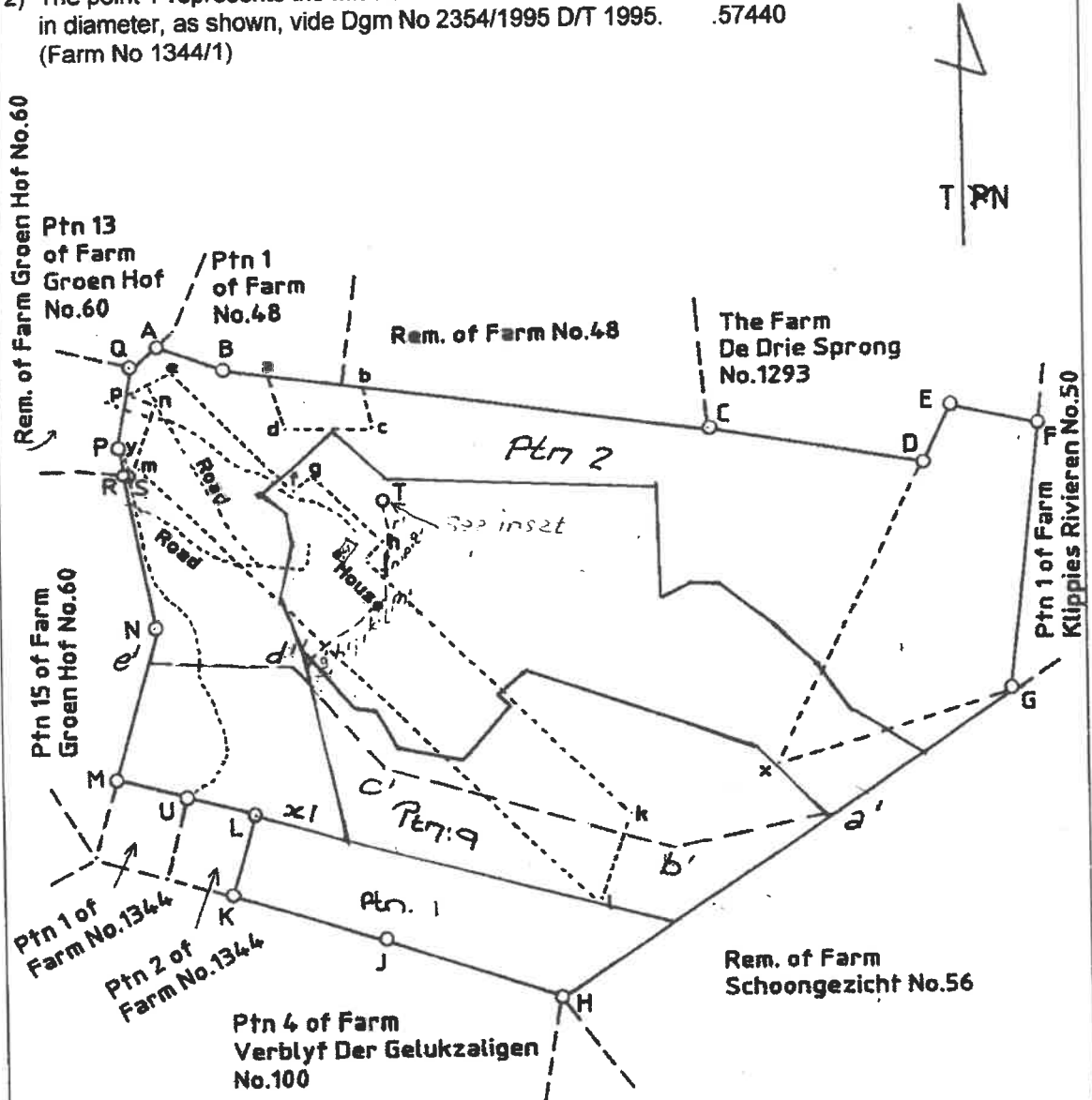
Components:

- 1) The figure A B C D x G H J K L M N P Q represents the Remainder of the Farm No 1344 vide Dgm No 1463/1995 D/T 1995. .57439
- 2) The figure E F G x represents the Remainder of the Farm Klippies Rivieren No 50 vide Dgm No 968/1948 D/T 1951.346.17263

Servitude Notes:

- 1) The line R S represents the Southern Boundary of a Servitude Road 7 m wide and the curvilinear line S U the Centre Line of a Servitude Road 7 metres wide, as shown, vide Dgm No 2354/1995 D/T 1995. .57440 (Farm No 1344/1)
- 2) The point T represents the Middle of a Circular Servitude Borehole 2 metres in diameter, as shown, vide Dgm No 2354/1995 D/T 1995. .57440 (Farm No 1344/1)

Sheet No 2 of 2 Sheets



Compiled in November 1995 by me,

D S Hellig
D S HELLIG
 Land Surveyor
 PLS 0256

Scale 1 : 20 000

10845/95

SERVITUDES/LEASEHOLD AREAS				
SURVEY RECORD	DIAGRAM NO.	DESCRIPTION	DEED	INITIALED
E 3454/95 (Farm 1362)	10846/95 1)	The line xy represents the southern bdy. of a Serv. Road 7m wide.	33663/96	MT
E 3271/97	844/97 2 414/98	LI represents lease area no 1. LI represents lease area no 1.	WITHDRAWN	
E 3215/98	7656/98	The line a'b'c'd'e' represents the centre line of an Electric Power Transmission Servitude extending 9.0 metres on each side of the line a'b'c'd'e'	K 552/99	Glc

THE FOLLOWING DEDUCTIONS HAVE BEEN MADE FROM THIS DIAGRAM						
SURVEY RECORD	DIAGRAM NO.	SUBDIVISION	AREA HA./SQ. M.	TRANSFER NO.	INITIALED	REMR.
E 3454/95	10846/95	Portion 1	31,8293 ha	33663/96	MT	
E 703/99	1614/99	Portion 2	193,0129 ha	45 298/99	Glc	
E 2071/01	5265/01	Portion 6		Withdrawn		
E 2269/99	6415/99	Portion 3		Withdrawn		
E 872/13	1877/13	Ptn. 9	68,8324 ha	121083/2013	DC	

SERVITUDES/LEASEHOLD AREAS				
SURVEY RECORD	DIAGRAM NO.	DESCRIPTION	DEED	INITIALED
E 703/99	1615/99	The figure s't'u'v' represents a Servitude Area 16m ² in extent. The line v'r'q'p'n'm'l'k' j'h'g'f' represents the centre line of a Servitude Pipeline 3m wide		

APPENDIX 4
RESOLUTION AND POWER OF ATTORNEY



KNORHOEK

STELLENBOSCH

RESOLUTION

**PASSED AT THE MEETING OF KNORHOEK FARMS (PTY) LTD
(REG NO 2018/581348/07)
HELD AT STELLENBOSCH ON 20 MARCH 2020**

DENYS GAIDUK is hereby authorized to sign on behalf of the Company
pertaining to the land use applications of Farm 1362 Stellenbosch.


DALE IRVINE



POWER OF ATTORNEY

KNORHOEK FARMS (PTY) LTD, the registered owner of Farm 1362 Stellenbosch held by Deed of Transfer T9184/2019

Do hereby nominate, constitute and appoint

Emile van der Merwe Town Planning Consultants

With the power of substitution, to be my/our lawful Agent in my/our name, place and stead and to make the necessary applications to the Stellenbosch Municipality for the following:

APPLICATION FOR CONSENT USE MADE IN TERMS OF SECTION 15(2)(0) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW(2015) READ WITH THE STELLENBOSCH ZONING SCHEME BY-LAW(2019) FOR TOURIST FACILITIES (RESTAURANT, FARM SHOP, DELI AND FUNCTION VENUE)

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

SIGNED AT BRACKENFELL ON THIS 12TH DAY OF NOVEMBER 2020.



DENIS GAIDUK

APPENDIX 5
ZONING APPROVALS



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

INNOVATION CAPITAL • ISIXEKO ESIZA NENGUQU • INNOVASIESTAD

Application Number: LU/5868
Our File Reference Number: Farm 1362, Stellenbosch
Your Reference Number:
Enquiries: C Charles / U von Molendorff
Contact No: 021 8088699 / 8682
Date: 04 September 2017

REGISTERED MAIL

Emile van der Merwe Town Planning Consultant
P O Box 204
Stellenbosch
7599

Sir / Madam

APPLICATION FOR CONSENT USE AND TEMPORARY DEPARTURE: FARM 1362, STELLENBOSCH DIVISION

1. This Municipality's letter, refers.
2. The Authorised Employee on 22 August 2017, **approved, in whole** in terms of section 60 of the Stellenbosch Municipal Land Use Planning By-law, promulgated by Notice no 354/2015 dated 20 October 2015, your application for :
 - (i) consent use for a tourist facility to formalise the existing restaurant on Farm 1362, Stellenbosch Division attached as **Appendix 3**
 - (ii) temporary departure to utilise the restaurant and outside seating as a function facility on Farm 1362, Stellenbosch Division, attached as **Appendix 3**.

That a zoning of Agricultural Zone II be deemed for the existing wine cellar ($\pm 1500\text{m}^2$) with consent use for a wine tasting and sales facility ($\pm 100\text{m}^2$) on Farm 1362, Stellenbosch Division attached as **Appendix 3**

subject to the following conditions:

- (a) That the approval applies only to the application in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
- (b) That the applicable approvals and certificates be obtained from the relevant authorities for the operation of the restaurant, function venue and wine tasting and sales facility;
- (c) That functions may only be held until 12am on any day of the week;
- (d) That council reserves the right to impose further conditions if deemed necessary.



Tel: +27 21 808 8025 | Fax: +27 21 886 6749

Physical Address: Plein Street, Stellenbosch, 7600 | Postal Address: PO Box 17, Stellenbosch, 7599 | Website: www.stellenbosch.gov.za

3. Reasons for the above decision are as follows:
 - (a) The land uses have been in operation for numerous years without any complaints from the surrounding property owners;
 - (b) No negative impact is foreseen on the surrounding natural or built environment;
 - (c) The land uses are subservient to the main agricultural activities on the farm and it will not impact negatively on the production capacity of the farming unit.
4. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.
5. If you intend to appeal, the appeal form, which can be obtained from our Advice Centre; Land Use Management, Ground floor, Plein Street, Stellenbosch or the municipal website at www.stellenbosch.gov.za/planning_portal, must be completed and should be directed to the Appeal Authority and received by the Municipal Manager at P O Box 17, Stellenbosch, 7599 or faxed to 021 886 6899, or hand delivered to the Office of the Municipal Manager, third floor, Plein Street, Stellenbosch within 21 days of notification of this decision together with proof of payment of the appeal fee. (See the approved tariff structure on the municipal website: <http://www.stellenbosch.gov.za/documents/idp-budget/2017-2/4873-appendix-3-tariff-book-2017-2018/file>)
6. You are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine (see attached list). Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.
7. The notice must be served in accordance with section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
8. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
9. Kindly note the above decision is suspended until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully


FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

APPENDIX 3



APPENDIX 6

PLANS

APPENDIX 7

CONFIRMATION OF HERITAGE APPOINTMENT

contract proposal

2020 11 17 Knorhoek Section 34 Appointments

17 November 2020

Attention: Emile van der Merwe

Emile van der Merwe Townplanning Consultants
PO Box 204
Stellenbosch
7599



50 bosmans crossing sq
stellenbosch 7600

p (021) 883 2506

stuart@hermansen.co.za

Dear Emile,

KNORHOEK FARM: CONFIRMATION OF APPOINTMENT FOR SECTION 34 APPLICATIONS

This letter serves to confirm that HB architects (Pty)Ltd has been appointed, by the owners of Knorhoek Wine Farm.

We will act as Heritage Consultants for Section 34 Heritage applications to the appropriate Heritage Authorities as well as Heritage Western cape.

This application is for the alterations to both the proposed Homestead restaurant and the Shop & Deli situated inside buildings older than 60years.

Please contact us if we can be of further assistance.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Stuart Hermansen', written in a cursive style.

Stuart Hermansen

FOR: HB ARCHITECTS

APPENDIX 8
APPLICATION FORM



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

LAND USE PLANNING APPLICATION FORM 2017

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

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

PART A: APPLICANT DETAILS

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

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

Registered owner(s)	Gaiduk Farming Pty Ltd				
Physical address	.Knorhoek Wine Farm			Postal code	7600
	Knorhoek Road, Stellenbosch				
E-mail	denis@quoinrock.co.za				
Tel	021-8884740	Fax		Cell	

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

Erf / Erven / Farm No.	Farm 1362	Portion(s) if Farm		Allotment area	Stellenbosch	
Physical Address	As above					
Current Zoning	Convential Residential Zone	Extent	104.6444ha	m ² / ha	Are there existing buildings?	y N

Applicable Zoning Scheme	Stellenbosch										
Current Land Use	Agriculture, wine cellar, restaurant, guest house, wine tasting and sales, function venue										
Title Deed number and date	T		9814/2019								
Attached Conveyance's Certificate	Y	N	Any Restrictions into the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate								
Are the restrictive conditions in favour of a third party(ies)?	Y	N	If Yes, list the party(ies):								
Is the property encumbered by a bond?	Y	N	If Yes, list the bondholder(s):								
Is the property owned by Council?	Y	N	If Yes, kindly <u>attach a power of attorney</u> from the Manager Property Management								
Is the building located within the historical core?	Y	N	Is the building older than 60 years?	Y	N	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹	Y	N	If Yes, kindly indicate which section are triggered and attached the relevant permit if applicable.		
Any existing unauthorized buildings and/or land use on the subject property(ies)?	Y	N	If yes, is this application to legalize the building / land use ² ?				Y	N			
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	Y	N	Are there any land claim(s) registered on the subject property(ies)?				Y	N			

PART D: PRE-APPLICATION CONSULTATION

Has there been any pre-application consultation?

Y

If Yes, please attach the minutes of the pre-application consultation.

PART E: LAND USE PLANNING APPLICATIONS AND APPLICATION FEES PAYABLE**APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)**

Tick Type of application: *Cost are obtainable from the Council Approved tariffs*³

	15(2)(a) Rezoning of Land
	15(2)(b) a permanent departure from the development parameters of the zoning scheme
	15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the <u>primary rights</u> of the zoning applicable to the land;
	15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;
	15(2)(e) a consolidation of land that is not exempted in terms of section 24;

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

² No application may be submitted to legalize unauthorised building work and or land use on the property if a notice have been served in terms of Section 87(2)(a), and until such time a Section 91 Compliance Certificate have been issued in terms of the Stellenbosch Land Use Planning By-law (2015)

³ <http://www.stellenbosch.gov.za/documents/idp-budget/2017-2/4873-appendix-3-tariff-book-2017-2018/file>

	15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit;	
	15(2)(g) a permission required in terms of the zoning scheme;	
	15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval;	R2500
	15(2)(i) an extension of the validity period of an approval	
	15(2)(j) an approval of an overlay zone as contemplated in the zoning scheme;	
	15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram ;	
	15(2)(l) a permission required in terms of a condition of approval;	R2500
	15(2)(m) a determination of a zoning;	
	15(2)(n) a closure of a public place or part thereof;	
x	15(2)(o) a consent use contemplated in the zoning scheme;	
	15(2)(p) an occasional use of land;	
	15(2)(q) to disestablish a home owner's association	
	15(2)(r) to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;	
	15(2)(s) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building.	
	15(2)(6) When the Municipality on its own initiative intends to conduct land development or an activity	
	15(2)(l) Amendment of Site Development Plan	
x	15(2)(l) Compilation / Establishment of a Home Owners Association Constitution / Design Guidelines	

OTHER APPLICATIONS

	Deviation from Council Policies/By-laws;	R
	Other (specify) : _____	R
TOTAL A:		R 2500

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); <i>Provincial Gazette</i> ; site notice; Municipality's website	R
	ADDITIONAL PUBLICATION OF NOTICES	Site notice, public meeting, local radio station, Municipality's website, letters of consent or objection	R
	NOTICE OF DECISION	<i>Provincial Gazette</i>	R
	INTEGRATED PROCEDURES	T.B.C	R
TOTAL B:			R
TOTAL APPLICATION FEES* (TOTAL A + B)			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: NEDBANK
 Branch no.: 198765
 Account no.: 1152271679
 SWIFT: NEDSZAJJ
Payment reference:
 (Erf/Farm number)

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

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

Information and documentation required

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 pertaining to the need and desirability of the proposal		Y	N	S.G. diagram / General plan extract (A4 or A3 only)	
Y	N	Locality plan (A4 or A3 only) to scale		Y	N	Site development plan or conceptual layout plan (A4 or A3 only) to scale	
Y	N	Proposed subdivision plan (A4 or A3 only) to scale		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 (A4 or A3 only) to scale	Y	N	N/A	Land use plan / Zoning plan (A4 or A3 only) to scale
Y	N	N/A	Street name and numbering plan (A4 or A3 only) to scale	Y	N	N/A	1 : 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale
Y	N	N/A	Landscaping / Tree plan (A4 or A3 only) to scale	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	Other (specify)
Y	N	N/A	Required number of documentation copies	Y	N	N/A	

PART H: AUTHORISATION(S) SUBJECT TO OR BEING CONSIDERED IN TERMS OF OTHER LEGISLATION					
Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.	Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989))		
			Y	N/A	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	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

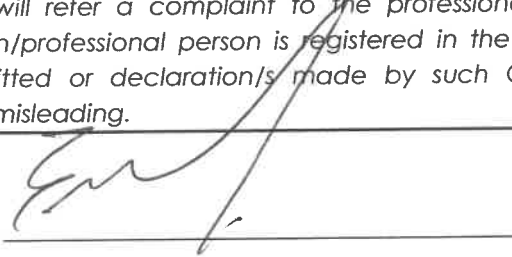
I hereby wish to confirm the following :

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.
7. It is the owner's responsibility to ensure that approval is not sought for a building or land use which will be in conflict with any applicable law.
8. The Municipality assesses an application on the information submitted and declarations made by the owner or on his behalf on the basis that it accepts the information so submitted and declarations so made to be correct, true and accurate.
9. Approval granted by the Municipality on information or declarations that are incorrect, false or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.
10. The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false or misleading information or declarations being set aside.
11. Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or

declarations made as to his or her qualification as a Competent person and/or registration as a professional.

- 12. A person who provides any information or certificate required in terms of Regulation A19 of the National Building Regulations and Building Standards Act No 103 of 1977 which he or she knows to be incomplete or false shall be guilty of an offence and shall be prosecuted accordingly.
- 13. A person who supplies particulars, information or answers in a land use application in terms of the Stellenbosch Municipality Land Use Planning By-law knowing it to be incorrect, false or misleading or not believing them to be correct shall be guilty of an offence and shall be prosecuted accordingly.
- 14. The Municipality will refer a complaint to the professional council or similar body with whom a Competent Person/professional person is registered in the event that it has reason to believe that information submitted or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.

Applicant's signature: _____



Date: _____

2020/11/17

Full name: _____

EMILE VAN DER MERWE

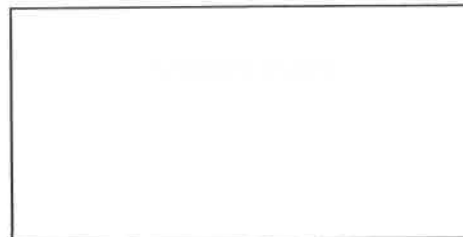
Professional capacity: _____

PROFESSIONAL PLANNER A1149/1996

FOR OFFICE USE ONLY

Date received: _____

Received By: _____



APPENDIX 9

PRE SCRUTINY APPLICATION FEEDBACK

Emile van der merwe

From: Pedro April <Pedro.April@stellenbosch.gov.za>
Sent: 10 November 2020 12:41 PM
To: emilevdm@adept.co.za
Cc: Chrizelle Kriel
Subject: Application for consent use for tourist facilities: Farm Knorhoek Wine Estate No. 1362, Stellenbosch.

Dear Mr van der Merwe

1. Your pre-application scrutiny submission on the above property, refers.
2. Your submission has been duly scrutinized for your intended land use and / or land development application.
3. Your intended land use and/ or land development application as depicted in the submission represents on face value an accurate approach to the prevailing provisions in the Stellenbosch Land Use Planning Bylaw (2015) [SLUPB] and Stellenbosch Zoning Scheme Bylaw (2019) [SZSB] and **you may proceed to submit for consideration a corresponding application, subject to the following considerations.**
 - a) **Application is made for a tourist facility for the use of existing buildings as a deli and a shop, the relocation of an existing restaurant and the use of an existing restaurant and outside area as a function facility, but the power of attorney only refers to a restaurant. No reference is made to any other application intended to apply for. Please ensure that a revised power of attorney is submitted with the final application.**
 - b) **Floor layout of existing building to be used as function venue must also be provided with application.**
 - c) **Your attention is drawn to Section 209 and specifically subsection (7) of the Stellenbosch Zoning Scheme By-law (2019) that shops as a tourist facility may sell goods which are produced or grown on the farm, or goods from elsewhere, provided that at least 50% of the floor space of the shop shall be dedicated to the display and sale of goods produced or grown on the farm. This must be clarified and confirmed in the application.**
 - d) **A complete site development plan indicating all the approved and proposed land uses must accompany the application.**
4. The intended land use and/ or 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/planning-portal>)
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 authorized 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.



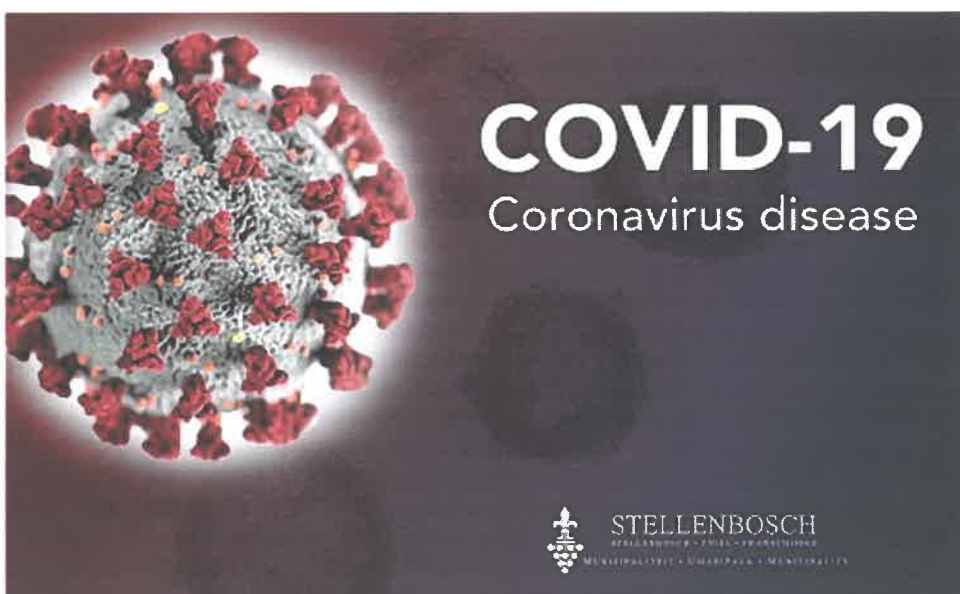
Yours faithfully

Pedro April
Senior Town Planner
Department:
Land Use Management
Directorate:
Planning & Economic Development
Stellenbosch Municipality

T: +27 21 808 8683 | Fax: +27 21 886 6899
43 Andringa Str, Eikestad Mall, 3rd Floor,
Stellenbosch, 7600
www.stellenbosch.gov.za



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http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm







Absa Aanlyn : Kennisgewing van betaling

23 Desember 2020

Geagte EVDM TOWN PLANNING SERVICES CC

Onderwerp: Kennisgewing van betaling: Stellenbosch Municip

Wees asseblief ingelig dat u 'n betaling aan Stellenbosch Municip soos hieronder aangedui gemaak het.

Transaksienommer :	8068758908-4
Betaaldatum :	2020-12-23
Betaling gemaak vanaf :	EVDM CHEQUE
Betaling gemaak aan :	Stellenbosch Municip
Begunstigde se banknaam :	FIRSTRAND
Begunstigde se rekeningnummer :	62869253684
Banktakkode :	210554
Vir die bedrag van :	2,500.00
Onmiddellike interbank betaling :	N
Verwysing op begunstigde se bankstaat :	LU/12200
Addisionele kommentaar deur die betaler :	-

Onthou asseblief dat die volgende geld vir Internetbankdiensbetalings na nie-ABSA-bankrekeninge.

- Betalings gemaak op weekdae voor 15:30 sal teen middernag dieselfde dag in die ontvangsbank se rekening gekrediteer word maar word dalk nie terselfdertyd teen die begunstigde se bankrekening gekrediteer nie.
- Betalings gemaak na 15:30 op weekdae sal teen middernag die volgende dag gekrediteer word.
- Betalings gemaak op 'n Saterdag, Sondag of openbare vakansiedag sal teen middernag die 1ste daaropvolgende weekdag gekrediteer word.

As jy meer inligting of hulp nodig het, bel ons by 08600 08600 of +27 11 501 5110 (Internasionale oproepe).

In die geval dat jy 'n verkeerde internet betaling gemaak het, stuur asseblief 'n e-pos aan digital@absa.co.za

Vriendelike die uwe

Hoof : Digitale bankdienste

Hierdie dokument is bedoel vir gebruik deur die geadresseerde en is privaat en vertroulik. Indien dit verkeerdelik aan jou gestuur is, kontak ons onmiddelik. Dankie.

Emile van der merwe

From: Pedro April <Pedro.April@stellenbosch.gov.za>
Sent: 10 November 2020 12:41 PM
To: emilevdm@adept.co.za
Cc: Chrizelle Kriel
Subject: Application for consent use for tourist facilities: Farm Knorhoek Wine Estate No. 1362, Stellenbosch.

Dear Mr van der Merwe

1. Your pre-application scrutiny submission on the above property, refers.
2. Your submission has been duly scrutinized for your intended land use and / or land development application.
3. Your intended land use and/ or land development application as depicted in the submission represents on face value an accurate approach to the prevailing provisions in the Stellenbosch Land Use Planning Bylaw (2015) [SLUPB] and Stellenbosch Zoning Scheme Bylaw (2019) [SZSB] and **you may proceed to submit for consideration a corresponding application, subject to the following considerations.**
 - a) **Application is made for a tourist facility for the use of existing buildings as a deli and a shop, the relocation of an existing restaurant and the use of an existing restaurant and outside area as a function facility, but the power of attorney only refers to a restaurant. No reference is made to any other application intended to apply for. Please ensure that a revised power of attorney is submitted with the final application.**
 - b) **Floor layout of existing building to be used as function venue must also be provided with application.**
 - c) **Your attention is drawn to Section 209 and specifically subsection (7) of the Stellenbosch Zoning Scheme By-law (2019) that shops as a tourist facility may sell goods which are produced or grown on the farm, or goods from elsewhere, provided that at least 50% of the floor space of the shop shall be dedicated to the display and sale of goods produced or grown on the farm. This must be clarified and confirmed in the application.**
 - d) **A complete site development plan indicating all the approved and proposed land uses must accompany the application.**
4. The intended land use and/ or 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/planning-portal>)
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

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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.



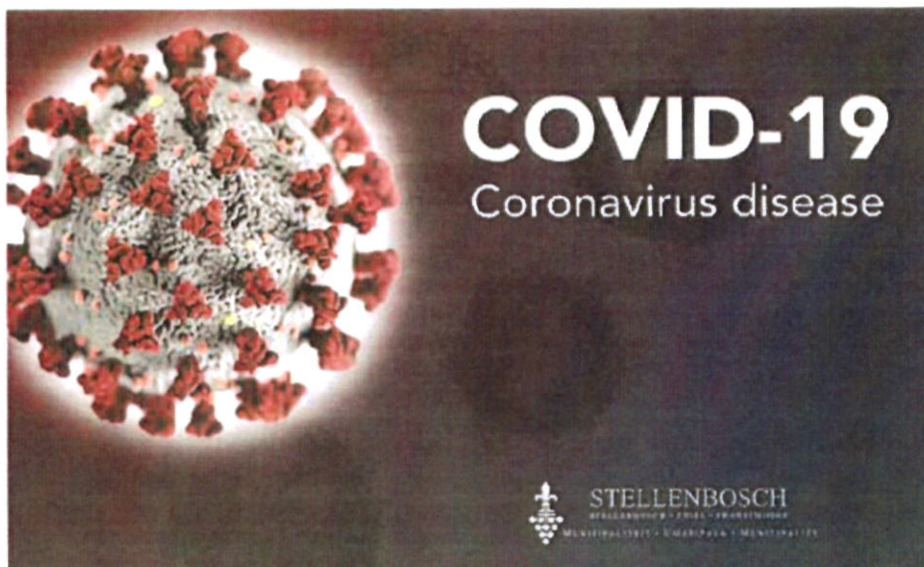
Yours faithfully

Pedro April
Senior Town Planner
Department:
Land Use Management
Directorate:
Planning & Economic Development
Stellenbosch Municipality

T: +27 21 808 8683 | Fax: +27 21 886 6899
43 Andringa Str, Eikestad Mall, 3rd Floor,
Stellenbosch, 7600
www.stellenbosch.gov.za



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http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm



Salome Newman

From: Salome Newman
Sent: 25 November 2020 09:25 AM
To: Emile van der merwe (emilevdm@adept.co.za)
Subject: Farm 1362 Stellenbosch
Attachments: SMFD-Eikest20112509290.pdf

Good day

Pre-scrutiny of your documentation as submitted on 24 November 2020 has been completed. The documentation is considered complete and you may now pay the following fees into Council's bank account within the next two (2) working days. Please provide this office with a copy of your proof of payment. Should the payment of fees not reflect in Council's bank account within three (3) working days from the date of this notification, all documentation will be discarded.

See attached invoice for payment.

FIRST NATIONAL BANK
Account Holder: Stellenbosch Municipality
Primary Bank Account – 62869253684
Branch code - 210554
REF: LU/12200



Regards / Groete,
Salome Newman
Admin Officer
Planning and Economic Development

T: +27 21 808 8659 | F: +27 21 886 6899
Plein Street, Stellenbosch, 7600
www.stellenbosch.gov.za/planning



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http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm



EMILE VAN DER MERWE
town planning consultants

2020-11-18

My ref: Farm 1362 Stellenbosch

Stellenbosch Municipality
Department Planning and Development
PO Box 17
STELLENBOSCH
7599

Dear Sir/Madam

**APPLICATION FOR CONSENT USE: KNORHOEK WINE ESTATE: FARM 1362 STELLENBOSCH:
PROPOSED TOURIST FACILITIES STELLENBOSCH.**

Included hereby please find the necessary application documentation in respect of the application for consent use on the above-mentioned property.

The application follows on the pre-scrutiny application feedback that was provided to your office as per Appendix 9 of the motivation report.

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

Your assistance is appreciated.

Yours faithfully

EMILE VAN DER MERWE
EMILE VAN DER MERWE TOWN PLANNING CONSULTANTS

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

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

**KNORHOEK WINE FARM: APPLICATION FOR CONSENT USE: FARM 1362
STELLENBOSCH**

PREPARED BY



EMILE VAN DER MERWE
town planning consultants

1. BRIEF

Emile van der Merwe Town Planning Consultants have been appointed by the registered owner of Farm 1362 Stellenbosch Division, to prepare and submit the required town planning application to the Stellenbosch Municipality for the following:

- Application for Consent Use (Tourist facility) in terms of 15 (2) (o) of the Stellenbosch Municipal Land Use Planning By-Law(2015) read with the Stellenbosch Zoning Scheme By-Law (2019) to relocate the existing Towerbosch restaurant to the ground floor (365m²) and attic area (308m²) of the existing manor house and to utilise a portion of the existing outbuilding (35m²) for kitchen purposes and to utilise the existing Towerbosch restaurant and outside seating area as a function venue (± 600 m²)
- Application for Consent Use (Tourist facility) in terms of 15 (2) (o) of the Stellenbosch Municipal Land Use Planning By-Law(2015) read with the Stellenbosch Zoning Scheme By-Law (2019) to utilise the existing outbuilding and garages as a farm shop (97m²) and deli (152m²) with communal ablution facility and entrance foyer.

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

2. LOCATION

The property is located approximately 10 km to the north east of Stellenbosch town and gains access from the Knorhoek Road .

The location plan is attached as Appendix 1.

3. OWNERSHIP AND SIZE

The property is owned by Gaiduk Farming (Pty) Ltd. A copy of the title deed is attached as **Appendix 2**. The Company Resolution and Power of Attorney in favour of the applicant is attached as **Appendix 3**. The property is 104.644 ha in extent and is registered as per the Surveyor General Diagram attached as **Appendix 4**.

The property is 104.6444 ha in extent and is planted with vineyards. The property is used for intensive agricultural purposes and the primary use will remain. The proposals are subservient to the primary use. The Stellenbosch Zoning Scheme By-Law that came into effect from 1 November 2019 permits certain additional and consent uses under the Agricultural/Rural Zone. The purpose of the said ancillary uses is to create variety and to provide diversified income to land owners without adversely impacting on the primary use of the property.

The above-mentioned objective is especially applicable in cases where there is existing approved buildings that can serve as tourism facilities to diversity the farm income.

The proposed new farm shop and deli will provide and complement the existing tourism facilities and will broaden the experience offered on the farm. In this regard is your attention drawn to the fact that 50% of the floor area of the farm shop will be used for the display and sale of goods on the farm (fresh produce, wine etc).

The proposals conform to comply with the definition and development parameters of the zoning scheme by-law and can be accommodated under the consent use category that is defined as follows:

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

As mentioned above the proposal entails the re-use of existing approved buildings. The proposals are considered desirable for the following reasons:

- The proposal is confined to existing approved buildings and no agricultural land will be taken out of production as a result of the approval
- The proposal will complement the existing tourism facilities that is located in close proximity on the property
- Sufficient parking is available and has been implemented on site
- The visual impact is minimal since the proposal applies to existing buildings
- The proposal can be accommodated and complies with the development parameters of the zoning scheme.
- The proposal will not have a detrimental impact on the scenic quality and rural character of the area;
- The proposal is compatible with the surrounding character and that also accommodates a number of tourism related facilities; and
- The primary use (vineyards) and agricultural production will not be affected in any way.

6. LEGISLATIVE AND POLICY CONTEXT

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

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

- Promote land development that is spatially compact, resource –frugal and within the fiscal, institutional and administrative means of the Stellenbosch Municipality.
- Protection of prime unique and high potential agricultural land
- Uphold consistency of land use measures in accordance with environmental management instruments
- Promote land development in locations that are sustainable and limit urban sprawl
- Protection of high biodiversity areas and heritage and tourism resources
- Optimise the use of resources, infrastructure, agriculture and land
- Integrate social, economic and institutional aspects of land development

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

Spatial Justice

The proposal relates to an approved agricultural building. The development principles of spatial justice therefore is not relevant in evaluating the application

Spatial sustainability

The use of internal building space will not require any new construction work to accommodate the proposal. The development is consistent and gives effect to the sustainable use of infrastructure and resources in a just and efficient manner.

Spatial efficiency

The proposal relates to the optimal use of the property without impacting on the service level capacities of the Municipality. Sufficient parking has been implemented on site.

Spatial resilience

The proposals are confined to existing approved buildings. The proposal is compatible with the rural character of the area and is in line with the municipal IDP and spatial development framework.

Good Administration

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

6.2 Western Cape Provincial Spatial Development Framework (WCPSDFP)

The WCPSDF serves as guideline and puts forward proposals and strategies aimed at achieving certain provincial wide goals. The policy document is informed by the National Development Plan and related spatial policies and takes its strategic direction from the Western Cape development strategy and related policy frameworks. It also serves to guide the location and form of public investment. An important factor in this regard relates to the role which the rural economy can play in the overall economy of the greater municipal are and is of particular relevance to the Stellenbosch area. The proposal presents an opportunity that is aligned with the policy to allow for compatible and sustainable rural activities to the benefit of the broader good of society with positive socio-economic returns.

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

- Ecological integrity
- Social Justice
- Economic efficiency

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

6.3 Western Cape Strategic Plan 2014-2019

Vision

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

Provincial Strategic Goals



Western Cape Economic Drivers

PSG 1: Create opportunities for growth and jobs

PROJECT KHULISA ("to grow")

Productive Sectors:



Enablers:

Energy
Water
Broadband
Skills



Western Cape Industry: District Comparative Advantages

Table 3.5 Western Cape: Industry revealed comparative advantage by district

Cape Metro Textiles, clothing & leather Tourism Finance, BPO, ICT 'Knowledge sector' Timber & furniture	Cape Winelands Agriculture & processing Tourism Building & construction Communications & ICT	Eden Agriculture & processing Tourism Building & construction Timber & furniture
West Coast Agriculture & processing Tourism Building & construction	Overberg Agriculture & processing Tourism Building & construction Timber & furniture	Central Karoo Agriculture & processing Tourism Building & construction Electrical machinery Finance & insurance

Source: CER

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

6.4 Stellenbosch Spatial Development Framework

The Stellenbosch SDF has been approved by Council during November 2019 is founded on the principles of the Spatial Planning and Land Use Management Act, the Western Cape Land Use Planning Act, the National Development Plan, the National Heritage Resources Act, the Environmental Management Act, as well as the Stellenbosch Municipal Integrated Development Plan. The SDF places a renewed and key

focus on the protection of agricultural and farming land and the conservation of the natural and biodiversity areas. The property is located outside the urban to which the following principles apply:

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

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

7. MUNICIPAL SERVICE INFRASTRUCTURE

The proposal will not impact on the service level capacities of the Stellenbosch Municipality since the municipality does not provide any services to the property

Water – exiting borehole

Sewerage – Conservancy tanks

Electricity - Eskom

8. CONCLUSION

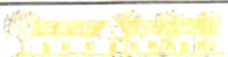
The development proposal is consistent and complies with the criteria set out in Chapter V of the Stellenbosch Land Use Planning By-Law (2015) with reference to the following:

- The proposal is consistent with the Integrated Development plan and the Spatial Development Framework of the Stellenbosch Municipality;
- The application is confined to existing approved buildings and therefore will not impact negatively on the agricultural production capacity of the farm;
- The building is in close proximity of the existing associated tourism facilities and forms part of the main farm werf ;
- The utilisation of the existing building will complement and further enhance the tourism experience that is already provided on the farm
- The proposal is subservient to the main farming agricultural activities;
- The proposal conforms to the objectives of the National Development Plan and the Provincial Spatial Development Framework and Strategic Action Plan
- The proposal conforms to the matters referred to in Section 42 of the Spatial Planning and Land Use Management Act and the principles referred to in Chapter VI of the Land Use Management Act, and
- The proposal is in line with the provisions of the Stellenbosch Zoning Scheme By-Law and associated development parameters.



In light of the above report and supporting documentation it is trusted that the Stellenbosch Municipality favourably will consider the application on Farm 1362 Stellenbosch Division.

.....



4. ZONING AND LAND USE

The subject property is zoned Agricultural and Rural Zone in terms of the Stellenbosch Zoning Scheme By-Law (2019). The property comprise the following zonings (refer to Appendix 5).

- Residential Zone V (guest house) – 225m²
- Agricultural Zone II (winery)- 1500m²
- Wine tasting and sales -100m²
- Restaurant and function venue – 600m²
- Remainder Agriculture

The property is being utilised in accordance with the approved zonings. A substantial area of the farm (approximately 70 ha) is planted with vineyards.

4. APPLICATION AND PROPOSALS – SEE PLANS ATTACHED AS APPENDIX 6

The Stellenbosch Municipality on 4 September 2017 granted approval for a consent use and temporary departure in order to formalise the restaurant and function facility on the property. A zoning of agricultural zone II for the wine cellar (1500m²) and a consent use for the wine tasting and sales area was approved (100m²). The property during 2019 was sold to the Gaiduk family who also owns the abutting Quoin Rock Wine Estate as well as Portion 9 of Farm 1362. The said properties form a farming unit of approximately 365ha.

It is the intention of the new owner to revitalize and optimize the current use of the buildings that forms part of the Knorhoek Farm werf and has appointed HB Architects to prepare the required architectural drawings for the proposed improvements. In this regard application is made for the following:

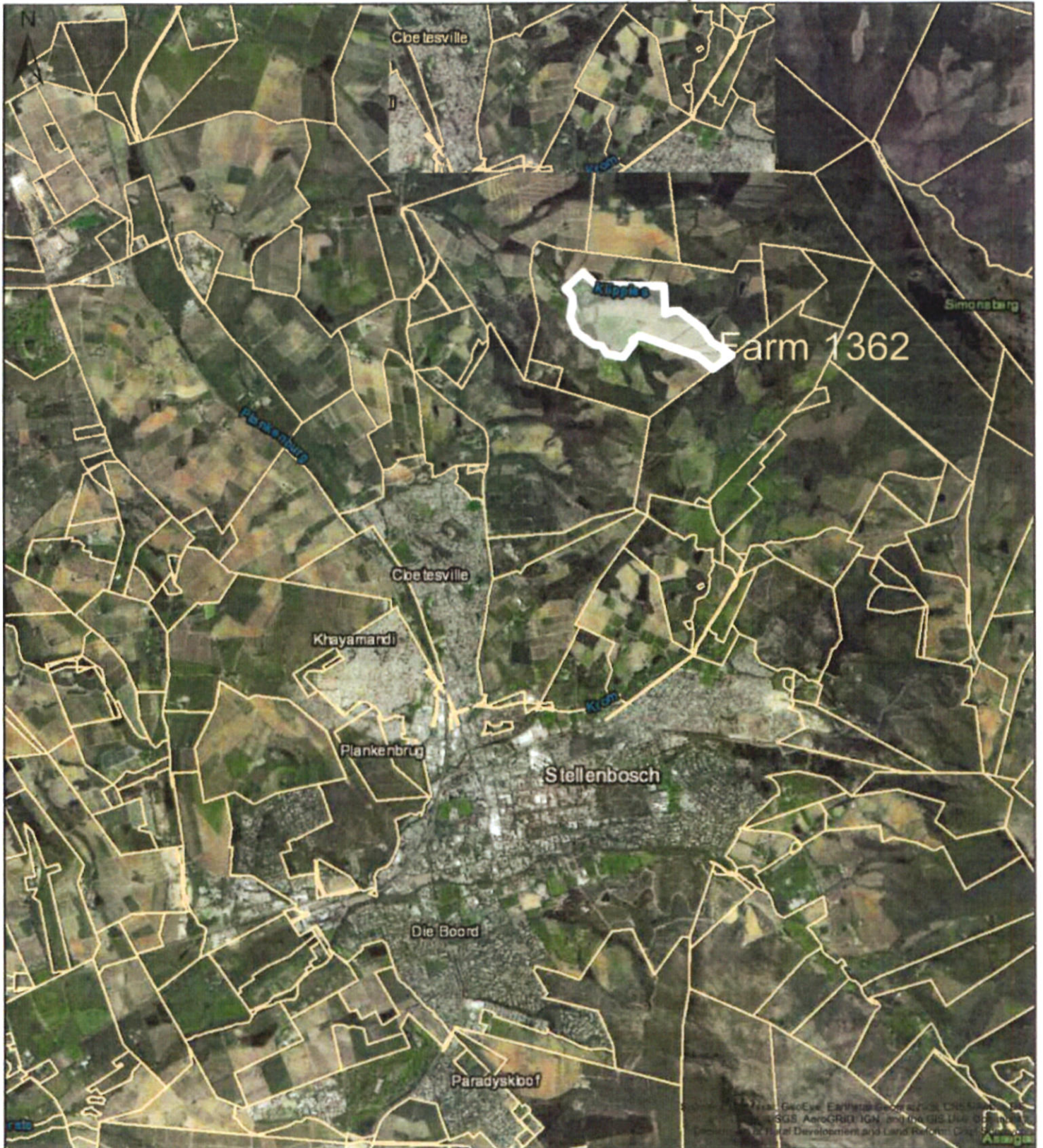
- The relocation of the existing restaurant to the existing manor house situated on the farm werf – tourist facility
- The permanent use of the existing restaurant and outside seating area as a function facility- tourist facility
- The use of the existing garage and storage area as farm shop and deli – tourist facility

The proposal entails the utilization of existing buildings and therefore will not impact on the farming activities and production capacity of the farm. The buildings forms part of the main farm werf and the re-use thereof will have no impact on the visual quality and rural character of the area. The proposals in fact form part of the renewal and upgrading envisaged by the owners to the benefit of the area and broader Stellenbosch region.



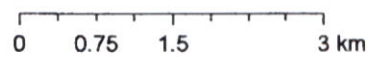
APPENDIX 1
LOCATION PLAN

Farm 1362: Location Map



Legend

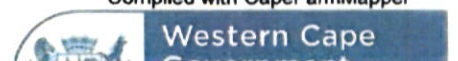
Parent Farms



Scale: 1:72 224

Date created: October 14, 2020

Compiled with CapeFarmMapper



APPENDIX 2
COPY OF TITLE DEED

12

Werksmans Attorneys Tyger Valley
142 Edward Street
Tyger Valley 7530

Prepared by me


CONVEYANCER
ROELOF JOHANNES FEENSTRA

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 9 000 000,00	R. 4890,00
Reason for exemption	Category Exemption	Exemption No. Sec/Reg. Act/Proc.

DATA / CAPTURE
11 MAR 2019
WATSON & BARNES

T 000009184/2019
DATA / CAPTURE
11 MAR 2019
YOLANDI OLIVIER

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

JOHAN SALOMON LUBBE

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney granted to him/her by

THE TRUSTEES FOR THE TIME BEING OF THE
HANNES VAN NIEKERK TRUST
Registration Number T610/1987

which said Power of Attorney was signed at STELLENBOSCH on 12th February 2019.

And the appearer declared that his/her said principal had, on 17 January 2019, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

**GAIDUK FARMING PROPRIETARY LIMITED
REGISTRATION NUMBER 2018/581348/07**

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

1. REMAINDER OF THE FARM 1362
IN THE MUNICIPALITY AND DIVISION STELLENBOSCH
PROVINCE WESTERN CAPE

IN EXTENT 104,6444 (ONE HUNDRED AND FOUR COMMA SIX FOUR FOUR FOUR) Hectares

FIRST REGISTERED AND STILL HELD BY CERTIFICATE OF CONSOLIDATED TITLE T33662/96 WITH DIAGRAM SG 10845/1995 RELATING THERETO

- I. AS REGARDS THE FIGURE A B a d c h C D x G H J K L U M N R P p n m l k h q f e p Q on DIAGRAM SG NUMBER 10845/95;

- A. SUBJECT to such conditions as referred to in Deed of Transfer Number 6407 dated 30 June 1902.

- B. SUBJECT FURTHER to the conditions contained in the Order of the Water Court (Water Court District No.1) dated 4 April 1922 attached thereto, and referred to in the endorsement thereon dated 2 May 1922, which reads as follows:

"REGISTRATION OF SERVITUDE.

The properties conveyed hereby are subject to an Order of the Water Court, District No 1 dated 4th April 1922 as will more fully appear on reference to the copy annexed hereto."

- C. SUBJECT in terms of Deed of Transfer Number T57440/1995, to a perpetual servitude right of way, 7 (SEVEN) meters wide, in favour of;

PORTION 1 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5.0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The line F H on Diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the southern boundary of the servitude road and the line HB represent the center of the said servitude road

This servitude right of way will be subject to the following conditions:

- "1. The servitude road shall be constructed by the owner of this property and he and his successors in title shall be responsible for the maintenance of the road for a period of 5 (FIVE) years after date of registration of this transfer. Thereafter, the owner of this property or his successors in title, together with the other dominant owners of this servitude right shall jointly be responsible for the maintenance of the road.
 2. If this property is further subdivided by the current owner of his successors in title, he shall be entitled to grant owners of such subdivided portions the same right of way over this servitude road. Such owners of subdivided portions would jointly, together with the other dominant owners, be responsible for the maintenance of the road.
 3. The owner of this property, together with all the dominant owners of this servitude right of way shall be entitled to control the entrance and use of the road, provided that any decision with regard to the control shall be made unanimously "
- D. SUBJECT in terms of Deed of Transfer Number T57440/1995 to a servitude of water rights, pumping station and pipeline from the bore hole on the property in favour of:

PORTION 1 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5.0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The point J on Diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the middle of the servitude borehole 2 (TWO) meters in diameter.

This servitude will be subject to the following conditions:

- "1. The owner of Portion 1 and its successors in title shall be entitled to draw any quantity of water they may wish, up to 2 500 litres per hour from the said borehole.
2. The owner of this property guarantees that at the date of registration of Portion 1 at least 500 litres per hour of such water will be potable and suitable for human consumption. He and his successors in title shall be responsible to ensure that at least 500 litres per hour of such water shall be reasonable available.
3. The owner of this property shall be responsible at their own cost to construct and maintain the said borehole, water pump and pipe line.

4. The owner of this property shall also be responsible to construct a water tank on

PORTION 2 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NOUGHT NOUGHT NOUGHT NOUGHT) HECTARES

HELD by Deed of Transfer Number T57441/95

(hereinafter referred to as Portion 2")

With a storage capacity of at least 10 000 litres. The owner Portion 1 and the owner of the said Portion 2 shall jointly be entitled to the use of the tank and shall jointly be responsible for the maintenance of this tank."

5. The owner of this property shall at his own cost install a water pump with a separate electricity meter and also flow-meters for each of the three co-users, being the owner of this property, the owner of Portion 1 and the owner of Portion 2. They shall each be responsible for a pro rata portion of the electricity account in relation to their usage.

6. Should additional water, in the sole discretion of the owner of this property, be available during the winter months on the hereinmentioned property, the owner of Portion 1 shall be entitled to utilise any such excess (overflow) water and to pump it at its own cost to the property.

- E. SUBJECT in terms of Deed of Transfer Number T57441/1995, to a perpetual servitude right of way, 7 (SEVEN) meters wide, in favour of:

PORTION 2 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NAUGH NAUGHT NAUGHT NAUGHT) HECTARES

HELD by Deed of Transfer Number T57441/1995

The line F H Diagram L. G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the southern boundary of the servitude road and the line HB represent the center of the said servitude road.

This servitude right of way will be subject to the following conditions:

- "1. The servitude road shall be constructed by the owner of this property and he and his successors in title shall be responsible for the maintenance of the road for a period of 5 (FIVE) years after date of registration of this transfer. Thereafter, the owner of this property or his successors in title, together with the other dominant owners of this

servitude right shall jointly be responsible for the maintenance of the road.

2. If this property is further subdivided by the current owner of his successors in title, he shall be entitled to grant owners of such subdivided portions the same right of way over this servitude road. Such owners of subdivided portions would jointly together with the other dominant owners, be responsible for the maintenance of the road.
3. The owner of this property, together with all the dominant owners of this servitude right of way shall be entitled to control the entrance and use of the road, provided that any decision with regard to the control shall be made unanimously."

F SUBJECT in terms of Deed of Transfer Number T57441/1995 to a servitude of water rights, pumping station and pipeline from the bore hole on the property in favour of:

PORTION 2 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NAUGHT NAUGHT NAUGHT NAUGHT) HECTARES

HELD by Deed of Transfer Number T57441/1995.

The point J on Diagram L.G. No 2354/95 attached to Deed of Transfer T57440/95 represent the middle of the servitude borehole 2 (TWO) meters in diameter.

This servitude will be subject to the following conditions:

- "1. The owner of Portion 2 and its successors in title shall be entitled to draw any quantity of water they may wish, up to 2 500 litres per hour from the said borehole.
2. The owner of this property guarantees that at the date of registration of Portion 2 at least 500 litres per hour of such water will be potable and suitable for human consumption. He and his successors in title shall be responsible to ensure that at least 500 litres per hour of such water shall be reasonably available in future.
3. The owner of this property, together with all the dominant owners of this servitude right of way shall be entitled to control the entrance and use of the road, provided that any decision with regard to the control shall be made unanimously."
4. The owner of this property shall also be responsible to construct a water tank on the said Portion 2 with a storage capacity of at least 10 000 litres. The owner of Portion 1 and the owner of the said Portion 2 shall jointly be responsible for the maintenance of this tank."
5. The owner of this property shall at his own cost install a water pump with a separate electricity meter and also flow-meters for each of the three

co-users, being the owner of this property, the owner of Portion 1 and the owner of Portion 2. They shall each be responsible for a pro rata portion of the electricity account in relation to their usage.

6. Should additional water, in the sole discretion of the owner of this property, be available during the winter months on the hereinmentioned property, the owner of Portion 2 shall be entitled to utilise any such excess (overflow) water and to pump it at its own cost to the property.

2. **AS REGARDS THE FIGURE a b c d on DIAGRAM S.G. NUMBER 10845/95:-**

- A. SUBJECT to such conditions as referred to in Deed of Transfer Number 6407 dated 30 June 1902.
- B. SUBJECT FURTHER to the conditions contained in the Order of the Water Court (Water Court District No. 1) dated 4 April 1922 attached hereto, and referred to in the endorsement thereon dated 2 May 1922, as more fully set out in 1.I.B. above.

- C. SUBJECT in terms of Deed of Transfer Number T57440/1995, to a perpetual servitude right of way, 7 (SEVEN) meters wide, in favour of

PORTION 1 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5,0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The line F H on Diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the southern boundary of the servitude road and the line HB represent the center of the said servitude road.

This servitude right of way will be subject to the conditions as more fully set out in 1.I.C. above.

- D. SUBJECT in terms of Deed of Transfer Number T57440/1995 to a servitude of water rights, pumping station and pipeline from the borehole on the property in favour of:

PORTION 1 of the farm No 1344
In Stellenbosch Division
Western Cape Province

MEASURING 5,0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The point J on Diagram L.G. No. attached to Deed of Transfer No. T57440/95 represent the middle of the servitude borehole 2 (TWO) meters in diameter.

This servitude will be subject to the following conditions as more fully set out in 1.D. above.

- E. SUBJECT in terms of Deed of Transfer Number T57441/1995, to a perpetual servitude right of way, 7 (SEVEN) meters wide, in favour of:

PORTION 2 of the farm No 1344
In Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NAUGHT NAUGHT NAUGHT NAUGHT) HECTARES

HELD by Deed of Transfer Number T57441/1995.

The line F H o n diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the southern boundary of the servitude road and the line HB represent the center of the said servitude road.

This servitude right of way will be subject to the conditions as more fully set out in 1.I.E. above.

- F. SUBJECT in terms of Deed of Transfer Number T57441/1995 to a servitude of water rights, pumping station and pipeline from the borehole on the property in favour of:

PORTION 2 of the farm No 1344
In Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NAUGHT NAUGHT NAUGHT NAUGHT) HECTARES

This servitude shall be subject to the conditions referred to in 1.I.F. above.

3 AS REGARDS THE FIGURE e f g h j k l m n p on DIAGRAM S.G. NUMBER 10845/95:-

- A. SUBJECT to such conditions as referred to in Deed of Transfer Number 6407 dated 30 June 1902.
- B. SUBJECT FURTHER to the conditions contained in the Order of the Water Court (Water Court District No.1) dated 4 April 1922 attached thereto, and referred to in the endorsement thereon dated 2 May 1922, as will more fully appear from in 1.B. above.
- C. SUBJECT in terms of Deed of Transfer Number T57440/1995, to a perpetual servitude right of way, 7 (SEVEN) meters wide, in favour of;

B

J

PORTION 1 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5.0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The line F H on Diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the southern boundary of the servitude road and the line HB represent the center of the said servitude road.

This servitude right of way will be subject to the conditions as will appear from 1.C. above.

- D. SUBJECT in terms of Deed of Transfer Number T57440/1995 to a servitude of water rights, pumping station and pipeline from the bore hole on the property in favour of:

PORTION 1 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5.0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The point J on Diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the middle of the servitude borehole 2 (TWO) meters in diameter.

This servitude will be subject to the conditions set out more fully in 1.D. above.

- E. SUBJECT in terms of Deed of Transfer Number T57441/1995, to a perpetual servitude right of way, 7 (SEVEN) meters wide, in favour of:

PORTION 2 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NAUGHT NAUGHT NAUGHT NAUGHT) HECTARES

HELD by Deed of Transfer Number T57441/1995

The line F H Diagram L. G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the southern boundary of the servitude road and the line HB represent the center of the said servitude road.

This servitude right of way will be subject to the conditions set out more fully in 1.E above.

- F. SUBJECT in terms of Deed of Transfer Number T57441/1995 to a servitude of water rights, pumping station and pipeline from the bore hole on the property in favour of:

PORTION 2 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NAUGHT NAUGHT NAUGHT NAUGHT)
HECTARES

HELD by Deed of Transfer Number T57441/1995.

The point J on Diagram L.G. No 2354/95 attached to Deed of Transfer No. T57440/95 represent the middle of the servitude borehole 2 (TWO) meters in diameter.

This servitude will be subject to the conditions set out more fully in 1.1.F. above.

4 AS REGARDS to the figure EFGxD on DIAGRAM LG No 10845/95

A. SUBJECT to the conditions referred to in Certificate of Uniform Title No 17263 dated 4 October 1951.

B. AS REGARDS a half (½) share in the above property subject to the condition contained in the Order of the Watercourt (Water District No 1) dated 4 April 1922 attached to Deed of Transfer No 6407 dated 30 June 1902, and which is referred to in the endorsement dated 2 May 1922, which endorsement reads as follows:

"REGISTRATION OF SERVITUDE"

The properties conveyed hereby are subject to Order of the Water Court, District No. 1 dated 4th April 1922, as will more fully appear on reference to the copy annexed hereto."

5 AS REGARDS the whole of the property

A. SUBJECT to by Deed of Transfer T33663/96 and as mentioned in Certificate of Consolidated Title T33662/96 a perpetual servitude of right of way 7(SEVEN) metres wide in favour of:

PORTION 1 of the farm Nr. 13362
In the Division of Stellenbosch
Province Western Cape

MEASURING 31,8293 (THIRTY ONE COMMA EIGHT TWO NINE THREE)
HECTARES

HELD by Deed of Transfer Number T33663/1996

the southern boundary of the servitude road indicated by the line F x on Diagram L.G. Nr. 10845/95 attached and the centre line represent indicated by the line S U on the diagram . Including the following conditions:

1. It is recorded that the servitude road aforesaid has already been constructed from the point R to the point U on Diagram S.G. No 10845/95. The owner of the hereinmentioned property shall within 90 (NINETY) days from 19 March 1996 construct the remainder of the

servitude road from point F to point c aforesaid, the said road to be compacted gravel road, 5 metres wide, with drainage.

2. The owner of the hereinmentioned property shall be obliged, at its own cost and expense, to maintain the servitude road up to and including 3 August 2000 and thereafter the portion of the road depicted by the line R S U on Diagram S.G. No 10845/95 shall be maintained in equal shares by all the dominant and servient tenement owners in relation to the servitude road and the portion F x on Diagram S.G. No. 10845/95 shall be maintained by the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title.
3. Prior to the construction of that portion of the servitude road referred to in 1 above, the owner of the hereinmentioned property shall consult with the owner of Portion 1 of the Farm No. 1362 Stellenbosch on a possible alteration to the route of that portion of the servitude road, to a route acceptable to both parties.
4. The owner of the hereinmentioned property together with the owners of the dominant tenements in relation to the servitude road shall be entitled to control the entrance and the use of the servitude road provided that the unanimous written consent of all of the foregoing parties shall be required for any decision to be binding upon them.
5. The owner of the hereinmentioned property and its successors in title and the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title shall not be entitled to drive heavy vehicles and/or farming implements along the servitude road and it shall be their respective duties to inform all their employees, contractors and invitees of these conditions so as to avoid any damage being caused to the road.
6. The owner of the hereinmentioned property and its successors in title undertakes to ensure that any subdivisions of the hereinmentioned property are made subject to the servitude road including the ancillary rights and obligations applicable thereto. The owner of the hereinmentioned property and its successors in title shall also be entitled to grant to any owner of a subdivided portion of the hereinmentioned property a servitude right of way over the servitude road as stated above, subject however to the applicable ancillary rights and obligations pertaining to said servitude road.
7. The owner of the hereinmentioned property shall provide the owner of Portion 1 of the Farm No 1362 Stellenbosch with an additional servitude right of way over the hereinmentioned property for use by heavy vehicles and/or farming implements. The route of this servitude right of way shall be practical and shall be borne by the owner of the hereinmentioned property.

As will more fully appear from said Deed of Transfer.

- B. SUBJECT by Deed of Transfer Nr, T45298/99 to a servitude of water rights, pumping station and pipeline in favour of

PORTION 1 of the Farm No. 1362
In the Division Stellenbosch
Province Western Cape

MEASURING 31,8293 (THIRTY ONE COMMA EIGHT TWO NINE THREE)
HECTARES

HELD by Deed of Transfer Number T45298/99

Including the following conditions

1. The owner of Portion 1 of the Farm 1362 Stellenbosch and its successors in title shall be entitled to draw water from the borehole on the hereinmentioned property. The point T on Diagram S.G. No. 10845/95 hereinmentioned property. The point T on Diagram S.G. No. 10845/95 represents the middle of such circular servitude borehole, 2 metres in diameter. The right of the owner of Portion 1 of the Farm No. 1362 Stellenbosch and its successors in title to water from the borehole shall rank equally with the rights of the owners of Portion 1 and 2 of the Farm No. 1344 and the owner of the hereinmentioned property shall not be entitled to grant any further water rights over the borehole or do anything which would prejudice the supply and flow of water from the borehole. In the event of the borehole drying up or failing to render sufficient water as described below for use by the owner of Portion 1 of the Farm No. 1362 Stellenbosch, the owner of the hereinmentioned property shall be liable at its cost to provide the owner of Portion 1 of the Farm No. 1362 Stellenbosch with an alternative borehole or water source producing the water as described in 2 and 3 below.
2. The owner of Portion 1 of the Farm No. 1362 Stellenbosch and its successors in title shall be entitled to draw any quantity of water he may wish, up to maximum of 2 000 litres per hour.
3. The owner of the hereinmentioned property guarantees that at least 500 litres per hour of such water will be portable and suitable for human consumption.
4. The owner of the hereinmentioned property and its successors in title shall be responsible at its own costs to construct and maintain the said borehole, water pump and pipe line, up to the boundary of Portion 1 of the Farm No. 1362 Stellenbosch represented by the line A B on Diagram S.G. No 10846/95.
5. The owner of the hereinmentioned property shall within 14 (FOURTEEN) days after request by the owner of Portion 1 of the Farm No. 1362 Stellenbosch at its own cost construct a fibre glass water tank with a cover, with a storage capacity of at least 5 000 litres on the property. After the construction of the aforementioned tank, the owner of the hereinmentioned property shall be responsible for the repair of any defects or leaks manifesting themselves within a period of 6 (SIX) months whereafter the owner of Portion 1 of the Farm No 1362 Stellenbosch shall be responsible for the maintenance of the water tank.
6. The owner of the hereinmentioned property has, as its own cost, installed a water pump and shall, at its own cost, provide an electricity

meter and separate flow-metres for each of the four co-users, being the owner of the hereinmentioned property, the owner of Portion 1 of the Farm No 1362 Stellenbosch and the owners of Portions 1 and 2 of the Farm No 1344. They shall each be responsible for a pro rata portion of the electricity account in relation to their usage."

As will more fully appear from the said Deed of Transfer.

- C. SUBJECT by Deed of Transfer Nr. T45298/99 to a further servitude of water rights, pumping station and pipeline in favour of

PORTION 1 of the Farm Nr. 1362
In the Division of Stellenbosch
Province Western Cape

MEASURING 31,8293 (THIRTY ONE COMMA EIGHT TWO NINE THREE)
HECTARES

HELD by Deed of Transfer Number T45298/99

Including the following conditions:

- "1. The owner of the hereinmentioned property shall in addition make available to the owner of Portion 1 of the Farm No 1362 Stellenbosch 30 000 (THIRTY THOUSAND) cubic metres of water per calendar year, unless specifically otherwise agreed between the parties, for the existing dam nearest to Portion 1 of the Farm 1362 Stellenbosch at time reasonably suitable to the owner of the hereinmentioned property, more particularly during the wet winter months.
2. The owner of Portion 1 of the Farm No 1362 Stellenbosch shall be responsible for the electricity costs incurred by its upon utilising the existing pump at the dam referred to in 1 above.
3. The owner of Portion 1 of the Farm No 1362 Stellenbosch shall at its own cost install and maintain a pipe line across the hereinmentioned property to Portion 1 of the Farm No 1362 Stellenbosch along a route as will be agreed upon between the owner of the hereinmentioned property and the owner of Portion 1 of the Farm No 1362 Stellenbosch."

As will more fully appear from the said Deed of Transfer

- E. ENTITLED in terms of Deed of Transfer Nr. T45298/99 to the following conditions

- "1. The parties hereby agree that the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title shall, apart from labourers houses, only be entitled to erect 3 (THREE) residential dwellings on Portion 1 of the Farm No 1362 Stellenbosch.
2. The parties hereby agree that the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title shall utilise the property for agricultural processes only unless specifically otherwise agreed upon in writing between the owner of the hereinmentioned property or its successors in title and the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title provided that in the event of the

hereinmentioned property being subdivided and used for residential purposes only, this restriction shall fall away

3. The parties hereby agree that the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title shall not be entitled to subdivide Portion 1 of the Farm 1362 Stellenbosch; provided that in the event of the hereinmentioned property being subdivided and used for residential purposes only, this restriction shall fall away."

As will more fully appear from the said Deed of Transfer.

- F. SUBJECT in terms of Deed of Transfer No. T45298/99 to the following conditions newly imposed in favour of

PORTION 2 of the Farm No 1362
In the Division of Stellenbosch
Province of the Western Cape

MEASURING 193,0129 (ONE HUNDRED AND NINETY THREE COMMA
NOUGHT ONE TWO NINE) HECTARES

namely

- "1. Should the registered owner of the property hereby transferred be unsuccessful in sourcing underground potable water thereon, the said owner shall be entitled to:
 - 1.1 sink a bore hole or bore holes on the said Remainder Farm No 1362 and to draw from such bore hole or bore holes a sufficient quantity of water for domestic use only;
 - 1.2 install at such bore hole or bore holes an electric pump or pumps to draw water from the bore hole or bore holes;
 - 1.3 construct a reservoir or reservoirs within which to store water drawn from the bore hole or bore holes from the said owner's domestic use;
 - 1.4 lead to and from the bore hole or bore holes such pipe lines and electrical cables as may be required for the effective operation of the aforementioned water works.
2. The registered owners, from time to time, of the property hereby transferred and of the said Remainder Farm No 1362 shall share equally the rights to the water from the Klippies River as allocated in terms of the order of the Water Court District No. 1, dated 4 April 1922, to the Remainder Farm No 1362, prior to the subdivision therefrom of the property hereby transferred. The said owners shall determine and agree a practical manner in which the said water rights shall be shared equally between them, which shall include the construction of such water works as may be required to ensure and equal division and utilisation of the water rights."

G. In terms of a Notarial Servitude No K552/1999 dated 9/6/1999 the within mentioned property is subject to a Powerline Servitude in favour of ESKOM with ancillary rights.
(The line b1c1d1e1 on Diagram SG No.1877/2013 represents the centre line of the Electric Power Line Servitude 18m wide)

2. PORTION 9 OF THE FARM 1362
IN THE MUNICIPALITY AND DIVISION STELLENBOSCH
PROVINCE WESTERN CAPE

IN EXTENT 68,8324 (SIXTY EIGHT COMMA EIGHT THREE TWO FOUR)
Hectares

FIRST REGISTERED AND STILL HELD BY CERTIFICATE OF REGISTERED
NUMBER T21083/2017 WITH DIAGRAM SG NUMBER 1877/2013 RELATING
THERETO

I. AS REGARDS THE FIGURE A x B C D t u v w H J K L M N P u Q on DIAGRAM
S.G NUMBER 1877/2013:-

A. SUBJECT to such conditions as referred to in Deed of Transfer Number 6407
dated 30 June 1902.

B. SUBJECT FURTHER to the conditions contained in the Order of the Water
Court (Water Court District No.1) dated 4 April 1922 attached thereto, and
referred to in the endorsement thereon dated 2 May 1922, which reads as
follows:

"REGISTRATION OF SERVITUDE.

The properties conveyed hereby are subject to an Order of the Water Court,
District No 1 dated 4th April 1922 as will more fully appear on reference to the
copy annexed hereto."

C. SUBJECT in terms of Deed of Transfer Number T57440/1995, to a perpetual
servitude right of way, 7 (SEVEN) meters wide, in favour of;

PORTION 1 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5.0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The line F H on Diagram L.G. No. 2354/95 attached to Deed of Transfer
No.T57440/95 represent the southern boundary of the servitude road and the
line HB represent the center of the said servitude road.

This servitude rights of way will be subject to the following conditions:

"1. The servitude road shall be constructed by the owner of this property
and he and his successors in title shall be responsible for the
maintenance of the road for a period of 5 (FIVE) years after date of
registration of this transfer. Thereafter, the owner of this property or his

fb

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successors in title, together with the other dominant owners of this servitude right shall jointly be responsible for the maintenance of the road.

2. If this property is further subdivided by the current owner of his successors in title, he shall be entitled to grant owners of such subdivided portions the same right of way over this servitude road. Such owners of subdivided portions would jointly, together with the other dominant owners, be responsible for the maintenance of the road.
3. The owner of this property, together with all the dominant owners of this servitude right of way shall be entitled to control the entrance and use of the road, provided that any decision with regard to the control shall be made unanimously."

- D. SUBJECT in terms of Deed of Transfer Number T57440/1995 to a servitude of water rights, pumping station and pipeline from the bore hole on the property in favour of:

PORTION 1 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5.0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The point J on Diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the middle of the servitude borehole 2 (TWO) meters in diameter.

This servitude will be subject to the following conditions:

- "1. The owner of Portion 1 and its successors in title shall be entitled to draw any quantity of water they may wish, up to 2 500 litres per hour from the said borehole.
2. The owner of this property guarantees that at the date of registration of Portion 1 at least 500 litres per hour of such water will be potable and suitable for human consumption. He and his successors in title shall be reasonably available in future.
3. The owner of this property shall be responsible at their own cost to construct and maintain the said borehole, water pump and pipe line.
4. The owner of this property shall also be responsible to construct a water tank on

PORTION 2 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NOUGHT NOUGHT NOUGHT NOUGHT) HECTARES

HELD by Deed of Transfer Number T57441/95

(hereinafter referred to as Portion 2")

With a storage capacity of at least 10 000 litres. The owner Portion 1 and the owner of the said Portion 2 shall jointly be entitled to the use of the tank and shall jointly be responsible for the maintenance of this tank."

5. The owner of this property shall at his own cost install a water pump with a separate electricity meter and also flow-meters for each of the three co-users, being the owner of this property, the owner of Portion 1 and the owner of Portion 2. They shall each be responsible for a pro rata portion of the electricity account in relation to their usage.
 6. Should additional water, in the sole discretion of the owner of this property, be available during the winter months on the hereinmentioned property, the owner of Portion 1 shall be entitled to utilise any such excess (overflow) water and to pump it at its own cost to the property.
- E. SUBJECT in terms of Deed of Transfer Number T57441/1995, to a perpetual servitude right of way, 7 (SEVEN) meters wide, in favour of:

PORTION 2 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5 0000 (FIVE COMMA NAUGH NAUGHT NAUGHT NAUGHT) HECTARES

HELD by Deed of Transfer Number T57441/1995

The line F H Diagram L. G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the southern boundary of the servitude road and the line HB represent the center of the said servitude road.

This servitude right of way will be subject to the following conditions:

1. The servitude road shall be constructed by the owner of this property and he and his successors in title shall be responsible for the maintenance of the road for a period of 5 (FIVE) years after date of registration of this transfer. Thereafter, the owner of this property or his successors in title, together with the other dominant owners of this servitude right shall jointly be responsible for the maintenance of the road.
2. If this property is further subdivided by the current owner or his successors in title, he shall be entitled to grant owners of such subdivided portions the same right of way over this servitude road. Such owners of subdivided portions would jointly, together with the other dominant owners, be responsible for the maintenance of the road.
3. The owner of this property, together with all the dominant owners of this servitude right of way shall be entitled to control the entrance and use of

the road, provided that any decision with regard to the control shall be made unanimously."

- F. SUBJECT in terms of Deed of Transfer Number T57441/1995 to a servitude of water rights, pumping station and pipeline from the bore hole on the property in favour of:

PORTION 2 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NAUGHT NAUGHT NAUGHT NAUGHT) HECTARES

HELD by Deed of Transfer Number T57441/1995.

The point J on Diagram L.G. No 2354/95 attached to Deed of Transfer No. T57440/95 represent the middle of the servitude borehole 2 (TWO) meters in diameter.

This servitude will be subject to the following conditions:

1. The owner of Portion 2 and its successors in title shall be entitled to draw any quantity of water they may wish, up to 2 500 litres per hour from the said borehole.
 2. The owner of this property guarantees that at the date of registration of Portion 2 at least 500 litres per hour of such water will be potable and suitable for human consumption. He and his successors in title shall be responsible to ensure that at least 500 litres per hour of such water shall be reasonably available in future.
 3. The owner of this property, together with all the dominant owners of this servitude right of way shall be entitled to control the entrance and use of the road, provided that any decision with regard to the control shall be made unanimously."
 4. The owner of this property shall also be responsible to construct a water tank on the said Portion 2 with a storage capacity of at least 10 000 litres. The owner of Portion 1 and the owner of the said Portion 2 shall jointly be responsible for the maintenance of this tank."
 5. The owner of this property shall at his own cost install a water pump with a separate electricity meter and also flow-meters for each of the three co-users, being the owner of this property, the owner of Portion 1 and the owner of Portion 2. They shall each be responsible for a pro rata portion of the electricity account in relation to their usage.
 6. Should additional water, in the sole discretion of the owner of this property, be available during the winter months on the hereinmentioned property, the owner of Portion 2 shall be entitled to utilise any such excess (overflow) water and to pump it at its own cost to the property.
- II. AS REGARDS THE FIGURE F G w v u t E on DIAGRAM S.G. NUMBER 1877/2013:-

- A. SUBJECT to such conditions as referred to in Deed of Transfer Number 6407 dated 30 June 1902.
- B. SUBJECT FURTHER to the conditions contained in the Order of the Water Court (Water Court District No. 1) dated 4 April 1922 attached hereto, and referred to in the endorsement thereon dated 2 May 1922, as more fully set out in 2.I.B. above.

- C. SUBJECT in terms of Deed of Transfer Number T57440/1995, to a perpetual servitude right of way, 7 (SEVEN) meters wide in favour of

PORTION 1 of the farm No 1344
In the Stellenbosch Division
Western Cape Province

MEASURING 5,0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The line F H on Diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the southern boundary of the servitude road and the line HB represent the center of the said servitude road.

This servitude right of way will be subject to the conditions as more fully set out in 2.I.C. above.

- D. SUBJECT in terms of Deed of Transfer Number T57440/1995 to a servitude of water rights pumping station and pipeline from the borehole on the property in favour of:

PORTION 1 of the farm No 1344
In Stellenbosch Division
Western Cape Province

MEASURING 5,0171 (FIVE COMMA ZERO ONE SEVEN ONE) HECTARES

HELD by Deed of Transfer Number T57440/1995

The point J on Diagram L.G. No. attached to Deed of Transfer No. T57440/95 represent the middle of the servitude borehole 2 (TWO) meters in diameter.

This servitude will be subject to the following conditions as more fully set out in 2.I.D. above.

- E. SUBJECT in terms of Deed of Transfer Number T57441/1995, to a perpetual servitude right of way, 7 (SEVEN) meters wide, in favour of:

PORTION 2 of the farm No 1344
In Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NAUGHT NAUGHT NAUGHT NAUGHT) HEACTARES

HELD by Deed of Transfer Number T57441/1995.

The line F H on diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the southern boundary of the servitude road and the line HB represent the center of the said servitude road.

This servitude right of way will be subject to the conditions as more fully set out in 2.I.E. above.

- F. SUBJECT in terms of Deed of Transfer Number T57441/1995 to a servitude of water rights, pumping station and pipeline from the borehole on the property in favour of:

PORTION 2 of the farm No 1344
In Stellenbosch Division
Western Cape Province

MEASURING 5,0000 (FIVE COMMA NAUGHT NAUGHT NAUGHT NAUGHT) HECTARES

HELD by Deed of Transfer Number T57441/1995

The point J on Diagram L.G. No. 2354/95 attached to Deed of Transfer No. T57440/95 represent the middle of the middle of the servitude borehole 2 (TWO) meters in diameter.

This servitude will be subject to the conditions as more fully set out in 2I.F. above.

III. AS REGARDS THE WHOLE OF THE PROPERTY

- A. SUBJECT to a servitude pipeline, 3 (THREE) metres wide in favour of Portion 2 of the farm No. 1362 in the Municipality and Division Stellenbosch, Province of the Western Cape; in Extent 193,0129 (ONE HUNDRED AND NINETY THREE COMMA NOUGHT ONE TWO NINE) hectares, Held by Deed of Transfer Number T64466/2012 the centre line of the said servitude is indicated by the line xyza1 on Diagram S.G. 1877/2013
- B. SUBJECT in terms of Deed of Transfer No T33663/96 to a perpetual servitude of right of way 7 (SEVEN) metres wide in favour of

PORTION 1 of the farm Nr 13362
In the Division of Stellenbosch
Province Western Cape

MEASURING 31,8293 (THIRTY ONE COMMA EIGHT TWO NINE THREE) HECTARES

HELD by Deed of Transfer Number T33663/1996

the southern boundary of the servitude road indicated by the line F x on Diagram L.G. Nr. 10845/95 attached and the centre line represent indicated by the line S U on the diagram . Including the following conditions:

- ot"1. It is recorded that the servitude road aforesaid has already been constructed from the point R to the point U on Diagram S.G. No 10845/95. The owner of the hereinmentioned property shall within 90 (NINETY) days from 19 March 1996 construct the remainder of the servitude road from point F to point c aforesaid, the said road to be compacted gravel road, 5 metres wide with drainage.
2. The owner of the hereinmentioned property shall be obliged, at its own cost and expense, to maintain the servitude road up to and including 3 August 2000 and thereafter the portion of the road depicted by the line R S U on Diagram S.G. No 10845/95 shall be maintained in equal shares by all the dominant and servient tenement owners in relation to the servitude road and the portion F x on Diagram S.G. No. 10845/95 shall be maintained by the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title
 3. Prior to the construction of that portion of the servitude road referred to in 1 above, the owner of the hereinmentioned property shall consult with the owner of Portion 1 of the Farm No. 1362 Stellenbosch on a possible alteration to the route of that portion of the servitude road, to a route acceptable to both parties.
 4. The owner of the hereinmentioned property together with the owners of the dominant tenements in relation to the servitude road shall be entitled to control the entrance and the use of the servitude road provided that the unanimous written consent of all of the foregoing parties shall be required for any decision to be binding upon them.
 5. The owner of the hereinmentioned property and its successors in title and the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title shall not be entitled to drive heavy vehicles and/or farming implements along the servitude road and it shall be their respective duties to inform all their employee, contractors and invitees of this conditions so as to avoid any damage being caused to the road.
 6. The owner of the hereinmentioned property and its successors in title undertakes to ensure that any subdivisions of the hereinmentioned property are made subject to the servitude road including the ancillary rights and obligations applicable thereto. The owner of the hereinmentioned property and its successors in title shall also be entitled to grant to any owner of a subdivided portion of the hereinmentioned property a servitude right of way over the servitude road as stated above, subject however to the applicable ancillary rights and obligations pertaining to said servitude road.
 7. The owner of the hereinmentioned property shall provide the owner of Portion 1 of the Farm No 1362 Stellenbosch with an additional servitude right of way over the hereinmentioned property for use by heavy vehicles and/or farming implements. The route of this servitude right of way shall be practical and shall maintenance of a gravel road on this servitude right of way shall be borne by the owner of the hereinmentioned property.

As will more fully appear from said Deed of Transfer.

C. SUBJECT in terms of Deed of Transfer No T45298/99 to a servitude of water rights, pumping station and pipeline in favour of

PORTION 1 of the Farm No. 1362
In the Division Stellenbosch
Province Western Cape

MEASURING 31,8293 (THIRTY ONE COMMA EIGHT TWO NINE THREE)
HECTARES

HELD by Deed of Transfer Number T45298/99

Including the following conditions

1. The owner of Portion 1 of the Farm 1362 Stellenbosch and its successors in title shall be entitled to draw water from the borehole on the hereinmentioned property. The point T on Diagram S.G. No. 10845/95 hereinmentioned property. The point T on Diagram S.G. No. 10845/95 represents the middle of such circular servitude borehole, 2 metres in diameter. The right of the owner of Portion 1 of the Farm No. 1362 Stellenbosch and its successors in title to water from the borehole shall rank equally with the rights of the owners of Portion 1 and 2 of the Farm No. 1364 and the owner of the hereinmentioned property shall not be entitled to grant any further water rights over the borehole or do anything which would prejudice the supply and flow of water from the borehole. In the event of the borehole drying up or failing to render sufficient water as described below for use by the owner of Portion 1 of the Farm No. 1362 Stellenbosch, the owner of the hereinmentioned property shall be liable at its cost to provide the owner of Portion 1 of the Farm No. 1362 Stellenbosch with an alternative borehole or water source producing the water as described in 2 and 3 below.
2. The owner of Portion 1 of the Farm No. 1362 Stellenbosch and its successors in title shall be entitled to draw any quantity of water he may wish, up to maximum of 2 000 litres per hour.
3. The owner of the hereinmentioned property guarantees that at least 500 litres per hour of such water will be portable and suitable for human consumption.
4. The owner of the hereinmentioned property and its successors in title shall be responsible at its own costs to construct and maintain the said borehole, water pump and pipe line, up to the boundary of Portion 1 of the Farm No. 1362 Stellenbosch represented by the line A B on Diagram S.G. No 10846/95.
5. The owner of the hereinmentioned property shall within 14 (FOURTEENE) days after request by the owner of Portion 1 of the Farm No. 1362 Stellenbosch at its own cost construct a fibre glass water tank with a cover, with a storage capacity of at least 5 000 litres on the property. After the construction of the aforementioned tank, the owner of the hereinmentioned property shall be responsible for the repair of any defects or leaks manifesting themselves within a period of 6 (SIX)

months whereafter the owner of Portion 1 of the Farm No 1362 Stellenbosch shall be responsible for the maintenance of the water tank.

6. The owner of the hereinmentioned property has, as its own cost, installed a water pump and shall, at its own cost, provide an electricity meter and separate flow-metres for each of the four co-users, being the owner of the hereinmentioned property, the owner of Portion 1 of the Farm No 1362 Stellenbosch and the owners of Portions 1 and 2 of the Farm No 1344. They shall each be responsible for a pro rata portion of the electricity account in relation to their usage."

As will more fully appear from the said Deed of Transfer.

- D. SUBJECT in terms of Deed of Transfer Nr. T45298/99 to a further servitude of water rights, pumping station and pipeline in favour of

PORTION 1 of the Farm Nr. 1362
In the Division of Stellenbosch
Province Western Cape

MEASURING 31,8293 (THIRTY ONE COMMA EIGHT TWO NINE THREE) HECTARES;

HELD by Deed of Transfer Number T45298/99

Including the following conditions:

- "1. The owner of the hereinmentioned property shall in addition make available to the owner of Portion 1 of the Farm No 1362 Stellenbosch 30 000 (THIRTY THOUSAND) cubic metres of water per calendar year, unless specifically otherwise agreed between the parties, for the existing dam nearest to Portion 1 of the Farm 1362 Stellenbosch at time reasonably suitable to the owner of the hereinmentioned property, more particularly during the wet winter months.
2. The owner of Portion 1 of the Farm No 1362 Stellenbosch shall be responsible for the electricity costs incurred by its upon utilising the existing pump at the dam referred to in 1 above.
3. The owner of Portion 1 of the Farm No 1362 Stellenbosch shall at its own cost install and maintain a pipe line across the hereinmentioned property to Portion 1 of the Farm No 1362 Stellenbosch along a route as will be agreed upon between the owner of the hereinmentioned property and the owner of Portion 1 of the Farm No 1362 Stellenbosch."

As will more fully appear from the said Deed of Transfer

- E. ENTITLED in terms of Deed of Transfer Nr. T45298/99 to the following conditions

- "1. The parties hereby agree that the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title shall, apart from labourers houses, only be entitled to erect 3 (THREE) residential dwellings on Portion 1 of the Farm No 1362 Stellenbosch.

2. The parties hereby agree that the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title shall utilise the property for agricultural processes only unless specifically otherwise agreed upon in writing between the owner of the hereinmentioned property or its successors in title and the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title provided that in the event of the hereinmentioned property being subdivided and used for residential purposes only, this restriction shall fall away.

The parties hereby agree that the owner of Portion 1 of the Farm No 1362 Stellenbosch and its successors in title shall not be entitled to subdivide Portion 1 of the Farm 1362 Stellenbosch; provided that in the event of the hereinmentioned property being subdivided and used for residential purposes only, this restriction shall fall away."

As will more fully appear from the said Deed of Transfer.

- F. SUBJECT in terms of Deed of Transfer Nr. T45298/99 to the following conditions newly imposed in favour of:

PORTION 2 of the Farm No 1362
In the Division of Stellenbosch
Province of the Western Cape

MEASURING 193,0129 (ONE HUNDRED AND NINETY THREE COMMA
NOUGHT ONE TWO NINE) HECTARES

Namely;

- "1. Should the registered owner of the property hereby transferred be unsuccessful in sourcing underground potable water thereon, the said owner shall be entitled to:
 - 1.1 sink a bore hole or bore holes on the said Remainder Farm No 1362 and to draw from such bore hole or bore holes a sufficient quantity of water for domestic use only;
 - 1.2 install at such bore hole or bore holes an electric pump or pumps to draw water from the bore hole or bore holes;
 - 1.3 construct a reservoir or reservoirs within which to store water drawn from the bore hole or bore holes from the said owner's domestic use;
 - 1.4 lead to and from the bore hole or bore holes such pipe lines and electrical cables as may be required for the effective operation of the aforementioned water works.
2. The registered owners, from time to time, of the property hereby transferred and of the said Remainder Farm No 1362 shall share equally the rights to the water from the Klippies River as allocated in terms of the order of the Water Court District No. 1, dated 4 April 1922, to the Remainder Farm No 1362, prior to the subdivision therefrom of the property hereby transferred. The said owners shall determine and agree a practical manner in

which the said water rights shall be shared equally between them, which shall include the construction of such water works as may be required to ensure and equal division and utilisation of the water rights."

- G. As mentioned in Certificate of Consolidated Title T33662/96 and in terms of a Notarial Servitude No K552/199 dated 9/6/1999 the within mentioned property is subject to a Powerline Servitude in favour of ESKOM with ancillary rights.
(The line b1c1d1e1 on Diagram SG No. 1877/2013 represents the centre line of the Electric Power Line Servitude 18m wide).

—
D



D

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

**THE TRUSTEES FOR THE TIME BEING OF THE
HANNES VAN NIEKERK TRUST
Registration Number T610/1987**

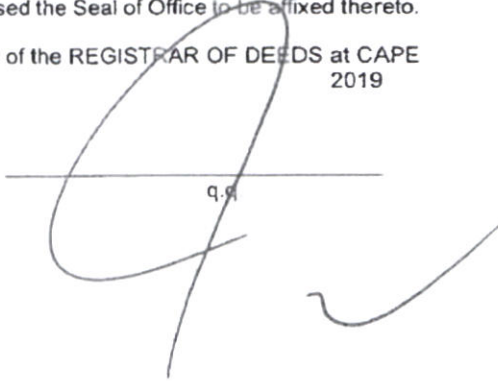
heretofore had to the premises, did in consequence also acknowledge it to be entirely
dispossessed of, and disentitled to the same, and that by virtue of these presents, the
said

**GAIDUK FARMING PROPRIETARY LIMITED
REGISTRATION NUMBER 2018/581348/07**

or its Successors in Title or assigns, now is and henceforth shall be entitled thereto,
conformably to local custom, the State, however reserving its rights, and finally
acknowledging the purchase price to be the sum of R94 000 000,00 (NINETY FOUR
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 8 March 2019



q. n.

In my presence



REGISTRAR OF DEEDS

B



APPENDIX 3
SG DIAGRAM

SIDES Metres		ANGLES		CO-ORDINATES Y System Lo 19°			S.G. No
		Constant			± 0,00	+3 700 000,00	10845/1995
AB	226,88	A	112 07 30				Approved
BC	1429,77	B	193 41 10				<i>D.S. Hellig</i>
CD	638,49	C	178 08 00				for Surveyor-General
		D	252 18 30				1996.01.04
EF	264,8	E	117 24 40	E	+ 10 034,8	+ 49 571,8	Sheet No 1 of 2 Sheets
FG	791,8	F	94 32 10	F	+ 9 770,0	+ 49 568,8	
GH	1601,99			G	+ 9 698,6	+ 50 357,4	
				G	+ 9 698,43	+ 50 357,47	
HJ	540,29						
JK	426,78						
KL	250,00	K	90 00 00	K	+ 12 153,24	+ 51 070,01	
LM	405,38	L	270 00 00	L	+ 12 084,19	+ 50 829,73	
MN	490,86	M	92 09 00	M	+ 12 473,80	+ 50 717,77	
NP	557,00	N	205 22 10	N	+ 12 356,01	+ 50 241,25	
PQ	287,15			P	+ 12 466,91	+ 49 695,41	
QA	96,19						
Connections							
NR	490,40	NRP	180 00 00	R	+ 12 453,65	+ 49 760,67	
RP	66,60						
Servitude Data							
RS	5,81	NRS	72 47 10	S	+ 12 447,87	+ 49 761,25	
MU	205,38	MUL	180 00 00	T	+ 11 670,04	+ 49 932,61	
UL	200,00			U	+ 12 276,41	+ 50 774,49	
		49 Knorhoek		△	+ 12 562,13	+ 50 953,54	
		404 Paradys		△	+ 10 120,28	+ 59 264,21	
		46 Klappmuts		△	+ 13 140,4	+ 44 466,7	
		142 Kanonkop (Stel 9)		△	+ 8 553,7	+ 48 146,3	

Beacon Description

E F 20 mm iron peg
 G masonry beacon
 K L M R S U 20 mm iron peg in stone cairn
 N iron rail fence post
 P stone beacon
 T centre of borehole pipe

The figure **ABCDEFGHIJKLMNPQ**

represents **366,4897 hectares** of land being

The Farm No 1362 and comprising 1) – 2) as enumerated on Sheet 2

situate in the

Administrative District of **Stellenbosch**

Province of the Western Cape

Compiled in **November 1995**

by me,

D.S. Hellig
D S HELLIG
 Land Surveyor
 PLS 0256

This diagram is annexed to
 No. **T 33662/96**
 dated
 i.f.o.

The original diagrams are as
 enumerated on Sheet 2

File No. **Stel 1362**

S.R. No. Compiled
 Comp.
 BH-8BCD (3763)
 BH-8BDC (3766)
 BH-8DAB (3775)
 BH-8DBA (3778)

Registrar of Deeds

FOR ENDORSEMENTS
 SEE BACK OF DIAGRAM

The Farm No 1362, Administrative District of Stellenbosch

S.G. No

10845/1995

Approved

Ra. F.

for Surveyor-General

1996.01.04

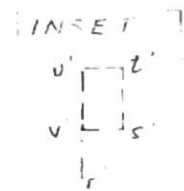
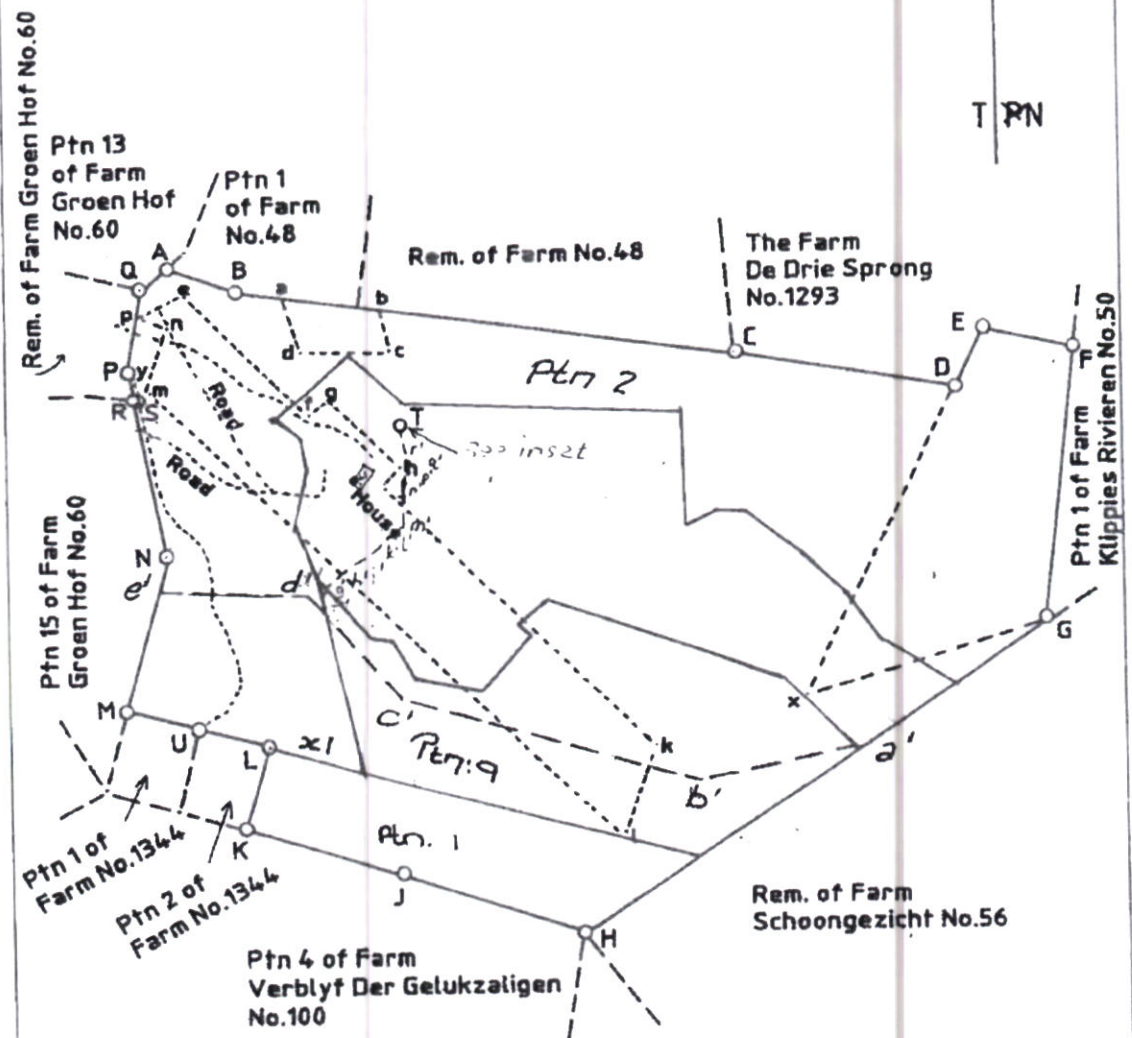
Components:

- 1) The figure A B C D x G H J K L M N P Q represents the Remainder of the Farm No 1344 vide Dgm No 1463/1995 D/T 1995. .57439
- 2) The figure E F G x represents the Remainder of the Farm Klippies Rivieren No 50 vide Dgm No 968/1948 D/T 1951.346.17263

Servitude Notes:

- 1) The line R S represents the Southern Boundary of a Servitude Road 7 m wide and the curvilinear line S U the Centre Line of a Servitude Road 7 metres wide, as shown, vide Dgm No 2354/1995 D/T 1995. .57440 (Farm No 1344/1)
- 2) The point T represents the Middle of a Circular Servitude Borehole 2 metres in diameter, as shown, vide Dgm No 2354/1995 D/T 1995. .57440 (Farm No 1344/1)

Sheet No 2 of 2 Sheets



Compiled in November 1995 by me,

D S Hellig
D S HELLIG
 Land Surveyor
 PLS 0256

Scale 1 : 20 000

10845/95

SERVITUDES/LEASEHOLD AREAS				
SURVEY RECORD	DIAGRAM NO.	DESCRIPTION	DEED	INITIALED
E 3454/95 Farm 1362/1)	10846/95	the line xy represents the southern bdy. of a serv. Road 7m wide.	33663/96	MF
E 327/97	4141/97	LI represents lease area no 1	WITHDRAWN	
-11-	4142/98	LI represents lease area no 1		
E 3215/98	7656/98	The line a'b'c'd'e' represents the centre line of an Electric Power Transmission Servitude extending 9.0 metres on each side of the line a'b'c'd'e'	K 552/99	GLC

THE FOLLOWING DEDUCTIONS HAVE BEEN MADE FROM THIS DIAGRAM						
SURVEY RECORD	DIAGRAM NO.	SUBDIVISION	AREA HA./SQ. M.	TRANSFER NO.	INITIALED	REMR.
E 3454/95	10846/95	Portion 1	31,8293 ha	33663/96	MF	
E 703/99	1614/99	Portion 2	193,0129 ha	45 298/99	GLC	
E 2071/01	5265/01	Portion 6		Withdrawn		
E 2769/99	6415/99	Portion 3		Withdrawn		
E 872/13	1877/13	Ptn. 9	68,8324 ha	121083/2013	DC	

SERVITUDES/LEASEHOLD AREAS				
SURVEY RECORD	DIAGRAM NO.	DESCRIPTION	DEED	INITIALED
E 703/99	1615/99	The figure s't'u'v' represents a Servitude Area 16m ² in extent. The line v'r'q'p'n'm'l'k' j'h'g'f' represents the Centre line of a Servitude Pipeline 3m wide		

APPENDIX 4
RESOLUTION AND POWER OF ATTORNEY



KNORHOEK

STELLENBOSCH

RESOLUTION

**PASSED AT THE MEETING OF KNORHOEK FARMS (PTY) LTD
(REG NO 2018/581348/07)
HELD AT STELLENBOSCH ON 20 MARCH 2020**

DENYS GAIDUK is hereby authorized to sign on behalf of the Company
pertaining to the land use applications of Farm 1362 Stellenbosch.


DALE IRVINE



POWER OF ATTORNEY

KNORHOEK FARMS (PTY) LTD, the registered owner of Farm 1362 Stellenbosch held by Deed of Transfer T9184/2019

Do hereby nominate, constitute and appoint

Emile van der Merwe Town Planning Consultants

With the power of substitution, to be my/our lawful Agent in my/our name, place and stead and to make the necessary applications to the Stellenbosch Municipality for the following:

APPLICATION FOR CONSENT USE MADE IN TERMS OF SECTION 15(2)(0) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW(2015) READ WITH THE STELLENBOSCH ZONING SCHEME BY-LAW(2019) FOR TOURIST FACILITIES (RESTAURANT, FARM SHOP, DELI AND FUNCTION VENUE)

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

SIGNED AT BRACKENFELL ON THIS 12TH DAY OF NOVEMBER 2020.


DENIS GAIDUK

APPENDIX 5
ZONING APPROVALS



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPATA • MUNICIPALITY

INNOVATION CAPITAL • ISIXEKO ESIZA NENGUQU • INNOVASIESTAD

Application Number: LU/5868
Our File Reference Number: Farm 1362, Stellenbosch
Your Reference Number:
Enquiries: C Charles /U von Molendorff
Contact No: 021 8088699/ 8682
Date: 04 September 2017

REGISTERED MAIL

Emile van der Merwe Town Planning Consultant
P O Box 204
Stellenbosch
7599

Sir / Madam

APPLICATION FOR CONSENT USE AND TEMPORARY DEPARTURE: FARM 1362, STELLENBOSCH DIVISION

1. This Municipality's letter, refers.
2. The Authorised Employee on 22 August 2017, **approved, in whole** in terms of section 60 of the Stellenbosch Municipal Land Use Planning By-law, promulgated by Notice no 354/2015 dated 20 October 2015, your application for :
 - (i) consent use for a tourist facility to formalise the existing restaurant on Farm 1362, Stellenbosch Division attached as **Appendix 3**
 - (ii) temporary departure to utilise the restaurant and outside seating as a function facility on Farm 1362, Stellenbosch Division, attached as **Appendix 3**.

That a zoning of Agricultural Zone II be deemed for the existing wine cellar ($\pm 1500\text{m}^2$) with consent use for a wine tasting and sales facility ($\pm 100\text{m}^2$) on Farm 1362, Stellenbosch Division attached as **Appendix 3**

subject to the following conditions:

- (a) That the approval applies only to the application in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
- (b) That the applicable approvals and certificates be obtained from the relevant authorities for the operation of the restaurant, function venue and wine tasting and sales facility;
- (c) That functions may only be held until 12am on any day of the week;
- (d) That council reserves the right to impose further conditions if deemed necessary.



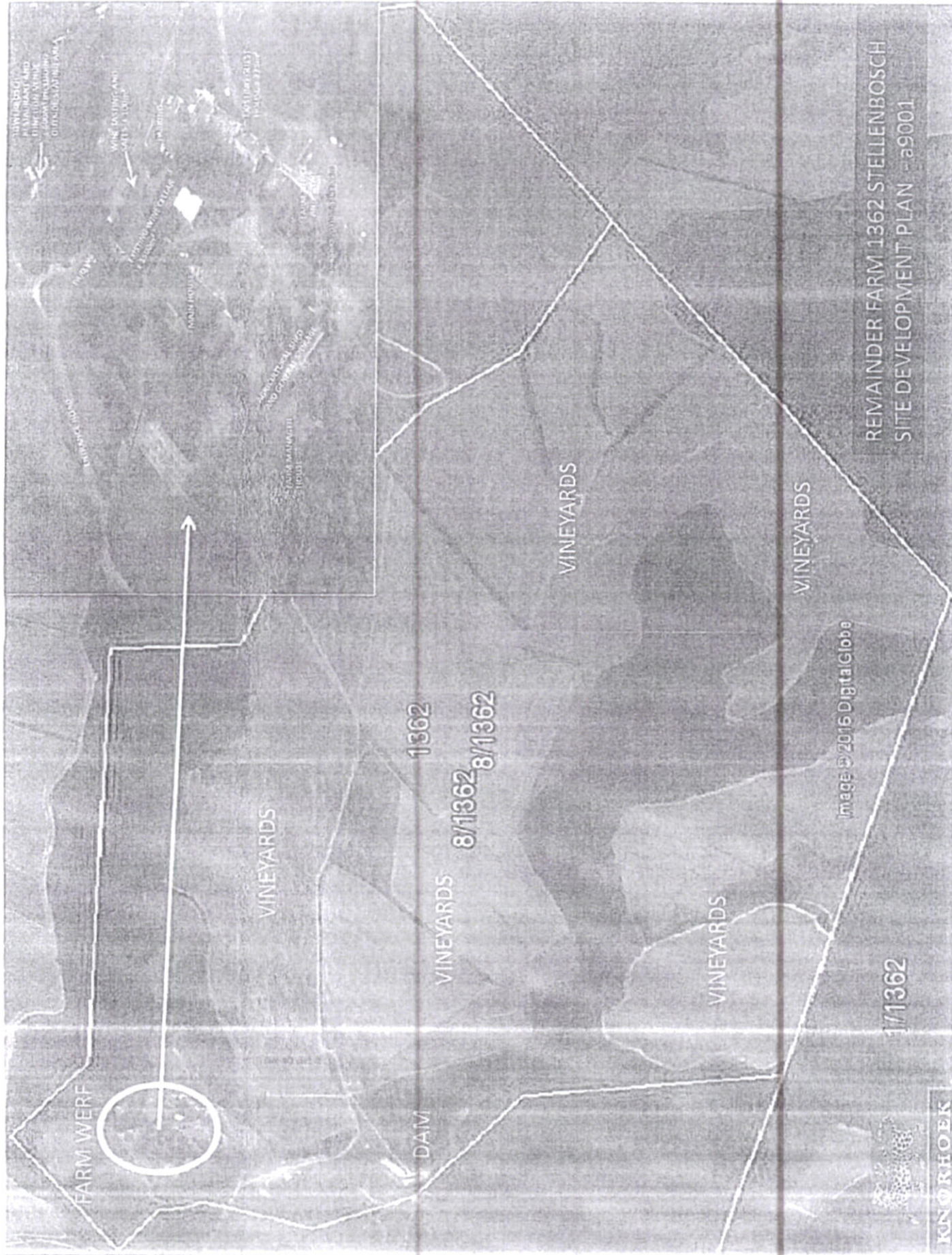
Tel: +27 21 808 8025 | Fax: +27 21 886 6749

Physical Address: Plein Street, Stellenbosch, 7600 | Postal Address: PO Box 17, Stellenbosch, 7599 | Website: www.stellenbosch.gov.za

3. Reasons for the above decision are as follows:
 - (a) The land uses have been in operation for numerous years without any complaints from the surrounding property owners;
 - (b) No negative impact is foreseen on the surrounding natural or built environment;
 - (c) The land uses are subservient to the main agricultural activities on the farm and it will not impact negatively on the production capacity of the farming unit.
4. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.
5. If you intend to appeal, the appeal form, which can be obtained from our Advice Centre: Land Use Management, Ground floor, Plein Street, Stellenbosch or the municipal website at www.stellenbosch.gov.za/planning_portal, must be completed and should be directed to the Appeal Authority and received by the Municipal Manager at P O Box 17, Stellenbosch, 7599 or faxed to 021 886 6899, or hand delivered to the Office of the Municipal Manager, third floor, Plein Street, Stellenbosch within 21 days of notification of this decision together with proof of payment of the appeal fee. (See the approved tariff structure on the municipal website: <http://www.stellenbosch.gov.za/documents/idp-budget/2017-2/4873-appendix-3-tariff-book-2017-2018/file>)
6. You are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine (see attached list). Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.
7. The notice must be served in accordance with section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
8. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
9. Kindly note the above decision is suspended until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully


FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT



REMAINDER FARM 1362 STELLENBOSCH
SITE DEVELOPMENT PLAN - a9001

Image © 2015 DigitalGlobe

KNORHOEK

APPENDIX 3



Image © 2015 Digital Globe

APPENDIX 6
PLANS

APPENDIX 7

**CONFIRMATION OF HERITAGE
APPOINTMENT**

contract proposal

2020 11 17 Knorhoek Section 34 Appointments

17 November 2020

Attention: Emile van der Merwe

Emile van der Merwe Townplanning Consultants
PO Box 204
Stellenbosch
7599

Dear Emile,



50 bosmans crossing sq
stellenbosch 7600

p (021) 883 2506

stuart@hermansen.co.za

KNORHOEK FARM: CONFIRMATION OF APPOINTMENT FOR SECTION 34 APPLICATIONS

This letter serves to confirm that HB architects (Pty)Ltd has been appointed, by the owners of Knorhoek Wine Farm.

We will act as Heritage Consultants for Section 34 Heritage applications to the appropriate Heritage Authorities as well as Heritage Western cape.

This application is for the alterations to both the proposed Homestead restaurant and the Shop & Deli situated inside buildings older than 60years.

Please contact us if we can be of further assistance.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Stuart Hermansen', is written over a light blue horizontal line.

Stuart Hermansen
FOR: HB ARCHITECTS

APPENDIX 8
APPLICATION FORM



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

LAND USE PLANNING APPLICATION FORM 2017										
(Section 15 of the Stellenbosch Municipal Land Use Planning By-Law (2015) and other relevant legislation)										
KINDLY NOTE: Please complete this form using BLOCK letters and ticking the appropriate boxes.										
PART A: APPLICANT DETAILS										
First name(s)	Emile									
Surname	van der Merwe									
Company name <i>(if applicable)</i>	Emile van der Merwe Town Planning Consultants									
Postal Address	PO Box 204						Postal Code	7599		
	Stellenbosch									
Email	emilevdm@adept.co.za									
Tel	021 886 5050			Fax	021 8838965			Cell	0845566461	
PART B: REGISTERED OWNER(S) DETAILS <i>(if different from applicant)</i>										
Registered owner(s)	Gaiduk Farming Pty Ltd									
Physical address	.Knorhoek Wine Farm						Postal code	7600		
	Knorhoek Road, Stellenbosch									
E-mail	denis@quoinrock.co.za									
Tel	021-8884740			Fax				Cell		
PART C: PROPERTY DETAILS <i>(in accordance with title deed)</i>										
Erf / Erven / Farm No.	Farm 1362	Portion(s) if Farm		Allotment area	Stellenbosch					
Physical Address	As above									
Current Zoning	Convential Residential Zone	Extent	104.6444ha	m ² / ha	Are there buildings?	existing	y	N		

Applicable Zoning Scheme	Stellenbosch									
Current Land Use	Agriculture, wine cellar, restaurant, guest house, wine tasting and sales, function venue									
Title Deed number and date	T		9814/2019							
Attached Conveyance's Certificate	Y	N	Any Restrictions to the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate							
Are the restrictive conditions in favour of a third party(ies)?	Y	N	If Yes, list the party(ies):							
Is the property encumbered by a bond?		N	If Yes, list the bondholder(s):							
Is the property owned by Council?	Y	N	If Yes, kindly <u>attach a power of attorney</u> from the Manager Property Management							
Is the building located within the historical core?	Y	N	Is the building older than 60 years?	Y	N	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹	Y	N	If Yes, kindly indicate which section are triggered and attached the relevant permit if applicable.	
Any existing unauthorized buildings and/or land use on the subject property(ies)?				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)?				N	Are there any land claim(s) registered on the subject property(ies)?					N
PART D: PRE-APPLICATION CONSULTATION										
Has there been any pre-application consultation?		Y	If Yes, please attach the minutes of the pre-application consultation.							
PART E: LAND USE PLANNING APPLICATIONS AND APPLICATION FEES PAYABLE										
APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)										
Tick	Type of application: Cost are obtainable from the Council Approved tariffs³									
	15(2)(a) Rezoning of Land									
	15(2)(b) a permanent departure from the development parameters of the zoning scheme									
	15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;									
	15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement;									
	15(2)(e) a consolidation of land that is not exempted in terms of section 24;									

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

² No application may be submitted to legalize unauthorised building work and or land use on the property if a notice have been served in terms of Section 87(2)(a), and until such time a Section 91 Compliance Certificate have been issued in terms of the Stellenbosch Land Use Planning By-law (2015)

³ <http://www.stellenbosch.gov.za/documents/idx-budget/2017-2/4873-appendix-3-tariff-book-2017-2018.file>

	15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit;		
	15(2)(g) a permission required in terms of the zoning scheme;		
	15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval;	R2500	
	15(2)(i) an extension of the validity period of an approval		
	15(2)(j) an approval of an overlay zone as contemplated in the zoning scheme;		
	15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram ;		
	15(2)(l) a permission required in terms of a condition of approval;	R2500	
	15(2)(m) a determination of a zoning;		
	15(2)(n) a closure of a public place or part thereof;		
x	15(2)(o) a consent use contemplated in the zoning scheme;		
	15(2)(p) an occasional use of land;		
	15(2)(q) to disestablish a home owner's association		
	15(2)(r) to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;		
	15(2)(s) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building.		
	15(2)(6) When the Municipality on its own initiative intends to conduct land development or an activity		
	15(2)(l) Amendment of Site Development Plan		
x	15(2)(l) Compilation / Establishment of a Home Owners Association Constitution / Design Guidelines		
OTHER APPLICATIONS			
	Deviation from Council Policies/By-laws;	R	
	Other (specify) : _____	R	
TOTAL A:		R2500	
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); <i>Provincial Gazette</i> ; site notice; Municipality's website	R
	ADDITIONAL PUBLICATION OF NOTICES	Site notice, public meeting, local radio station, Municipality's website, letters of consent or objection	R
	NOTICE OF DECISION	<i>Provincial Gazette</i>	R
	INTEGRATED PROCEDURES	T.B.C	R
TOTAL B:		R	
TOTAL APPLICATION FEES* (TOTAL A + B)		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:	NEDBANK		
Branch no.:	198765		
Account no.:	1152271679		
SWIFT	NEDSZAJJ		
Payment reference: (Erf/Farm number)		

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

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

Brief description of proposed development / Intent of application:

See motivation attached

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

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

Information and documentation required:

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 pertaining to the need and desirability of the proposal		Y	N	S.G. diagram / General plan extract (A4 or A3 only)	
Y	N	Locality plan (A4 or A3 only) to scale		Y	N	Site development plan or conceptual layout plan (A4 or A3 only) to scale	
Y	N	Proposed subdivision plan (A4 or A3 only) to scale		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 (A4 or A3 only) to scale	Y	N	N/A	Land use plan / Zoning plan (A4 or A3 only) to scale
Y	N	N/A	Street name and numbering plan (A4 or A3 only) to scale	Y	N	N/A	1 : 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale
Y	N	N/A	Landscaping / Tree plan (A4 or A3 only) to scale	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	Other (specify)
Y	N	N/A	Required number of documentation copies	Y	N	N/A	

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

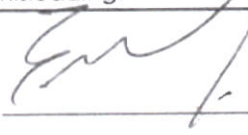
I hereby wish to confirm the following :

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.
7. It is the owner's responsibility to ensure that approval is not sought for a building or land use which will be in conflict with any applicable law.
8. The Municipality assesses an application on the information submitted and declarations made by the owner or on his behalf on the basis that it accepts the information so submitted and declarations so made to be correct, true and accurate.
9. Approval granted by the Municipality on information or declarations that are incorrect, false or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.
10. The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false or misleading information or declarations being set aside.
11. Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or

declarations made as to his or her qualification as a Competent person and/or registration as a professional.

- 12. A person who provides any information or certificate required in terms of Regulation A19 of the National Building Regulations and Building Standards Act No 103 of 1977 which he or she knows to be incomplete or false shall be guilty of an offence and shall be prosecuted accordingly.
- 13. A person who supplies particulars, information or answers in a land use application in terms of the Stellenbosch Municipality Land Use Planning By-law knowing it to be incorrect, false or misleading or not believing them to be correct shall be guilty of an offence and shall be prosecuted accordingly.
- 14. The Municipality will refer a complaint to the professional council or similar body with whom a Competent Person/professional person is registered in the event that it has reason to believe that information submitted or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.

Applicant's signature:



Date:

2020/11/17

Full name:

EMILE VAN DER MERWE

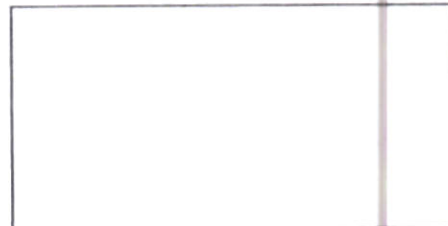
Professional capacity:

PROFESSIONAL PLANNER A1149/1996

FOR OFFICE USE ONLY

Date received: _____

Received By: _____



APPENDIX 9

PRE SCRUTINY APPLICATION FEEDBACK

NOTES:

ALL WORK TO BE CARRIED OUT IN STRICT ACCORDANCE WITH SABS 0400 AND LOCAL AUTHORITY BYE-LAWS. DIMENSIONS ARE NOT TO BE SCALED OFF ANY DRAWINGS. ALL RELEVANT DETAILS, LEVELS & DIMENSIONS TO BE CHECKED BEFORE WORK COMMENCES. CHANGES OR DIMENSIONS TO BE REPORTED TO ARCHITECT. THE ARCHITECT ACCEPTS NO RESPONSIBILITY FOR ERRORS RESULTING FROM THE MISINTERPRETATION OF THE DRAWING. ALL DIMENSIONS ARE GIVEN IN MILLIMETRES. WHEN IN DOUBT - ASK

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SACAP No: 6148
SAIA PRACTICE No: PH 3477
SAIA No: 6795

ADDITIONAL NOTES:

SIGNATURES:

OWNER
ARCHITECT
ENGINEER
HOA

FOR COUNCIL APPROVAL



hb ARCHITECTS
55 Seacombe Crossing
Chellies Rd 68 383 658 2445
Pretoria 0001 7600
info@hbarchitects.co.za

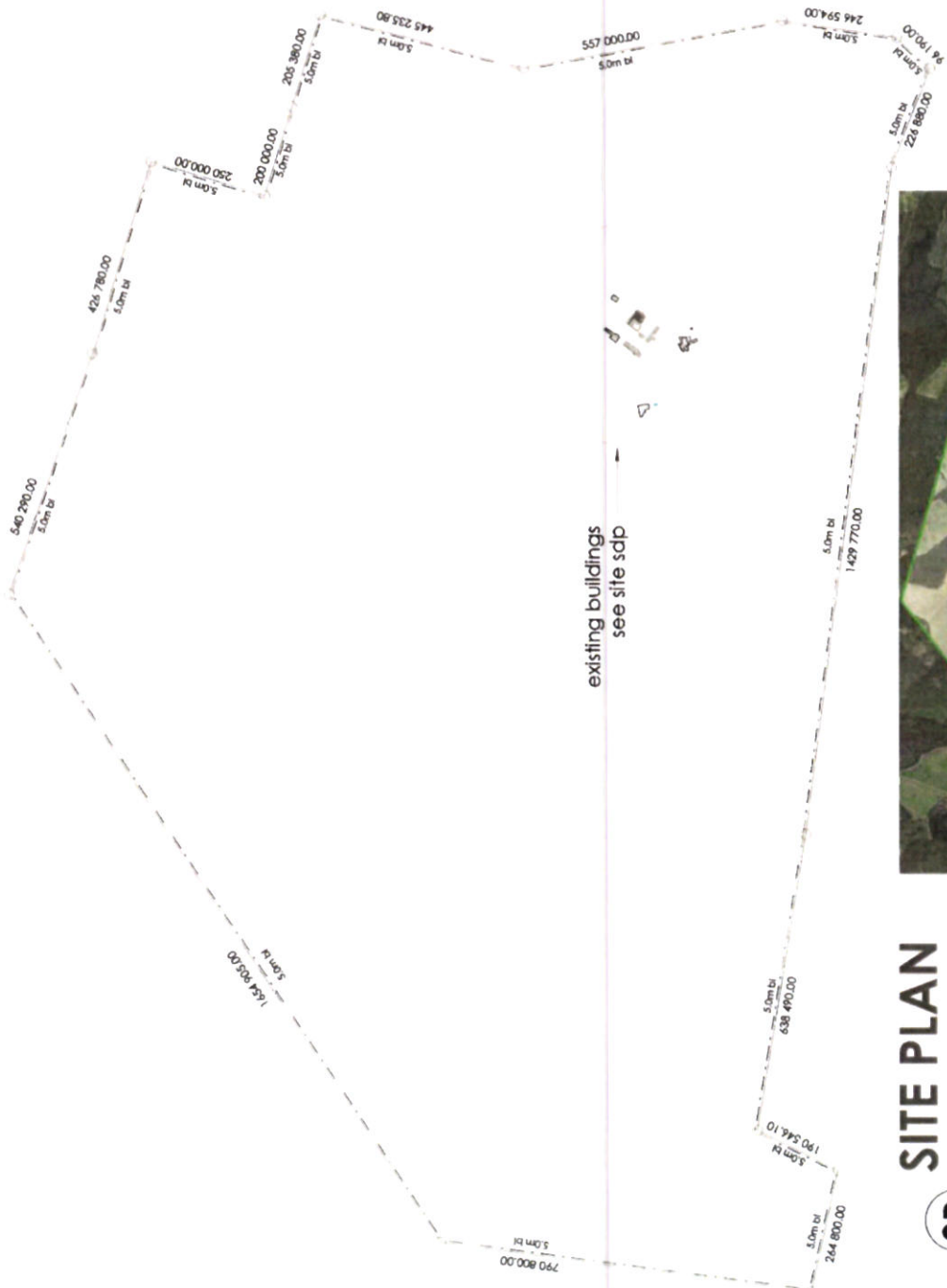
CLIENT
For Julie and Dennis Gaiduk

PROJECT
PROPOSED SITE DEVELOPMENT PLAN ON

REMAINDER OF FARM 1382 STELLENBOSCH, R44 KNORHOEK ROAD

DRAWING LOCALITY PLAN

SCALE 1:10000	DATE 2020/11/16 02:25:12 PM	CHECKER
PROJECT No 12-01	DRAWING No A301	DRAWN JWW
		REV



SITE PLAN

scale: 1 : 10000



ARIAL VIEW OF KNORHOEK FARM

NOTES:

ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS AND ALL LOCAL REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

REVISIONS:

NO.	DATE	DESCRIPTION	ISSUED BY

ADDITIONAL NOTES:

AREA SCHEDULE

GROUND FLOOR AREA:	1500m ²
ATTIC AREA:	200m ²
TOTAL FLOOR AREA:	1700m ²

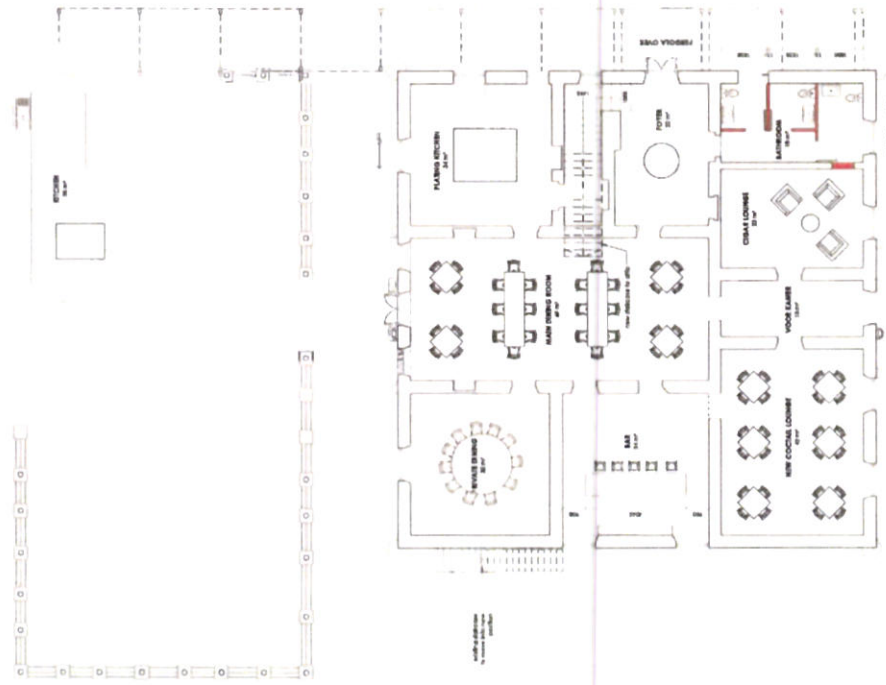
SIGNATURES:

DESIGNER: _____
 ARCHITECT: _____
 DATE: _____

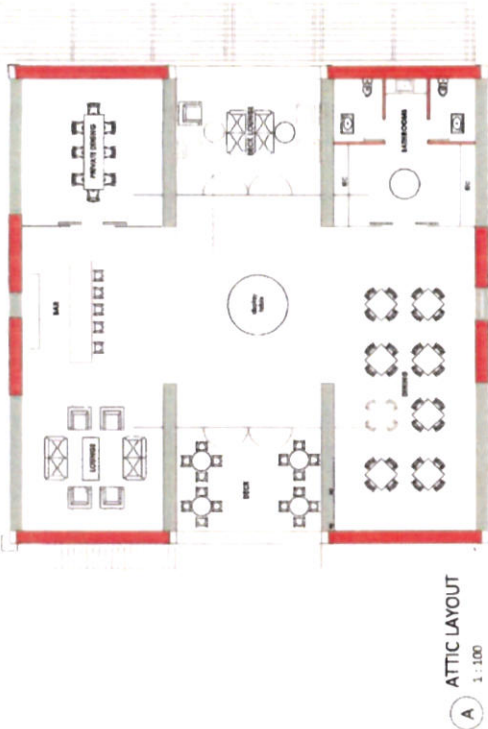


For Jolly and Sons Group
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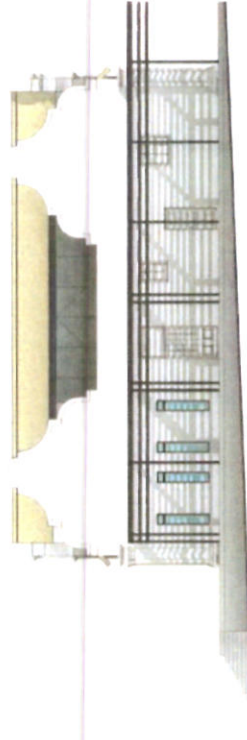
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 DRAWN BY: J. SMITH
 CHECKED BY: M. JONES
 PROJECT NO: 2023/001



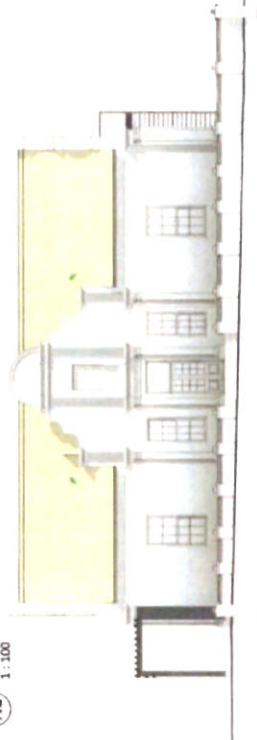
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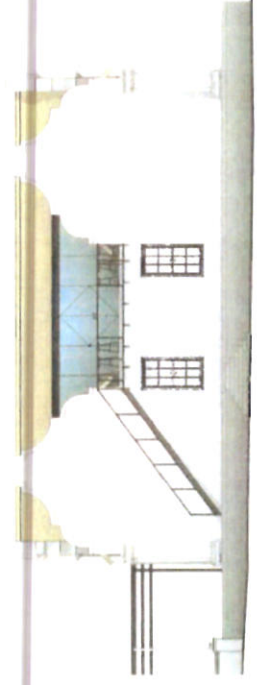
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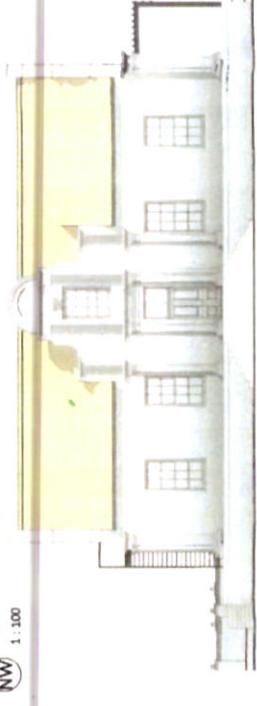
NE 1:100



NW 1:100



SW 1:100



SE 1:100

NOTES:

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 2. ALL FINISHES ARE TO BE AS SHOWN ON THE DRAWINGS.
 3. ALL MATERIALS ARE TO BE OF THE HIGHEST QUALITY AVAILABLE.
 4. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS AND ALL APPLICABLE STANDARDS.
 5. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL REGULATIONS AND ALL APPLICABLE STANDARDS.
 6. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE NATIONAL PLUMBING REGULATIONS AND ALL APPLICABLE STANDARDS.
 7. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE NATIONAL MECHANICAL REGULATIONS AND ALL APPLICABLE STANDARDS.
 8. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE NATIONAL FIRE REGULATIONS AND ALL APPLICABLE STANDARDS.
 9. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE NATIONAL SAFETY REGULATIONS AND ALL APPLICABLE STANDARDS.
 10. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE NATIONAL ENVIRONMENTAL REGULATIONS AND ALL APPLICABLE STANDARDS.

REVISIONS:

NO. DATE DESCRIPTION

ADDITIONAL NOTES:

SIGNATURES:

NAME
 TITLE
 DATE



For your next design challenge
 CONTACT US
 PHONE: 08 9438 2222
 FAX: 08 9438 2223
 EMAIL: info@hh.com.au
 WEBSITE: www.hh.com.au

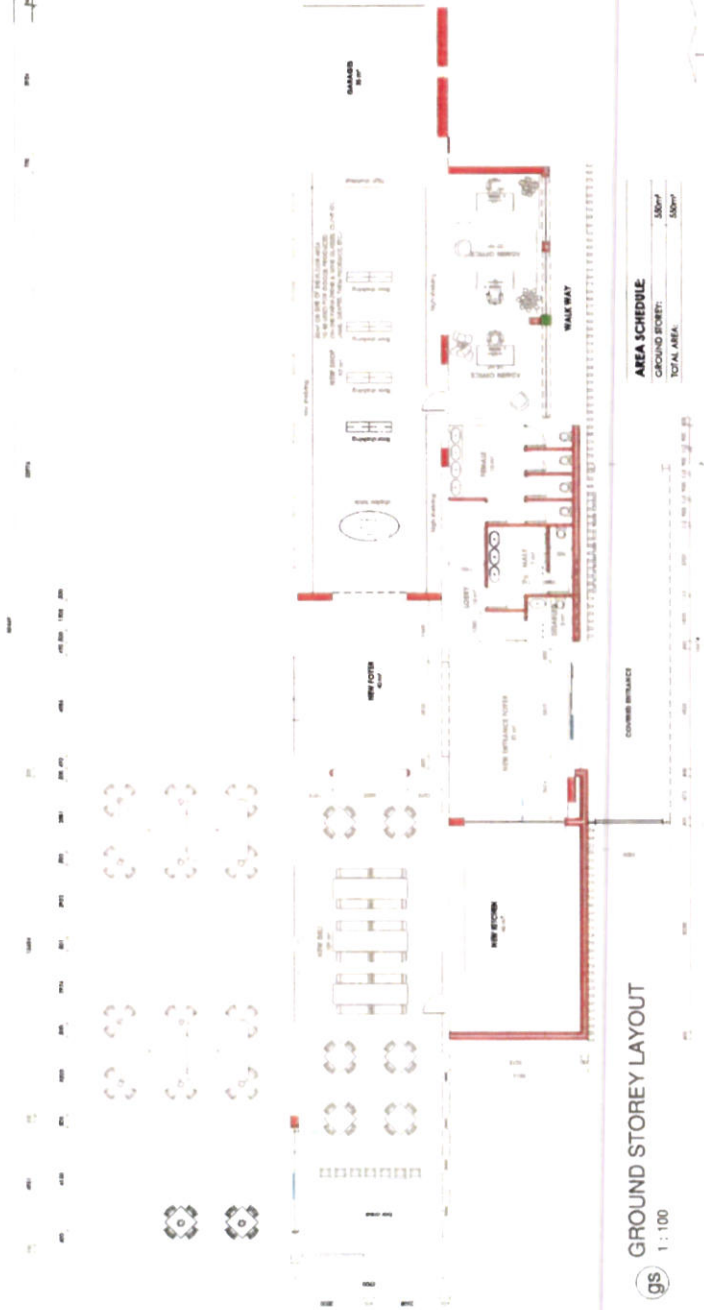
PROJECT NO.	DATE	SCALE



SE SOUTH EAST ELEVATION
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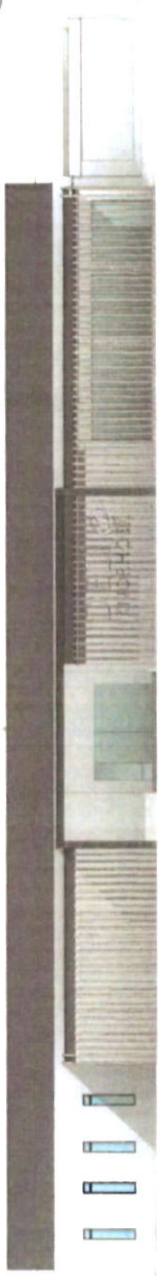
NW NORTH WEST ELEVATION
 1:100



gs GROUND STOREY LAYOUT
 1:100

AREA SCHEDULE

GROUND FLOOR:	550m ²
TOTAL AREA:	550m ²



NE NORTH EAST ELEVATION
 1:100



SW SOUTH WEST ELEVATION
 1:100

NOTES:

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SAGAP No: 6148
SAAIA PRACTICE No: PH 5477
SAAIA No: 6795

ADDITIONAL NOTES:

SIGNATURES:

OWNER:
ARCHITECT:
ENGINEER:
HDA:

FOR COUNCIL APPROVAL

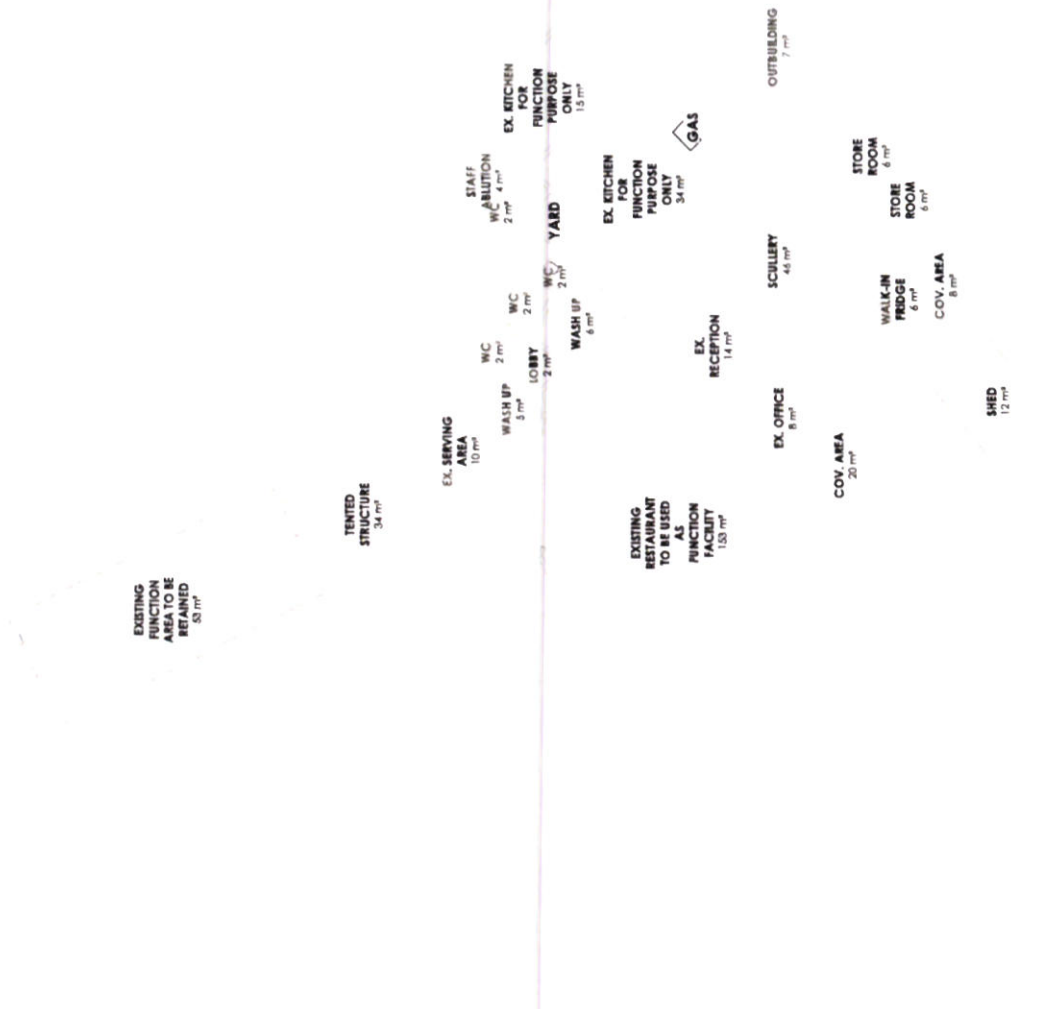


CLIENT:
For Julia and Dennis Gaidiuk

PROJECT:
AS-BUILT DRAWINGS FOR KROHDEK
WINEFARM - TOWERBOSCH VENUE

DRAWING:
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SCALE	DATE	CHECK
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PROJECT No	DRAWING No	DRAWN BY
12-01	A105	JVW



GROUND STOREY LAYOUT

scale: 1 : 200





STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

AMPTELIKE KWITANSIE / OFFICIAL RECEIPT

✉ 17, STELLENBOSCH 7599
☎ 021 808-8578 / 8547 / 8546
📠 021 886 7318

DUPPLICATE RECEIPT

Receipt M/c: DIR1 Duplicate Rec.No: 172617 Date: 23/12/2020

Local Authority: Stellenbosch Municipality

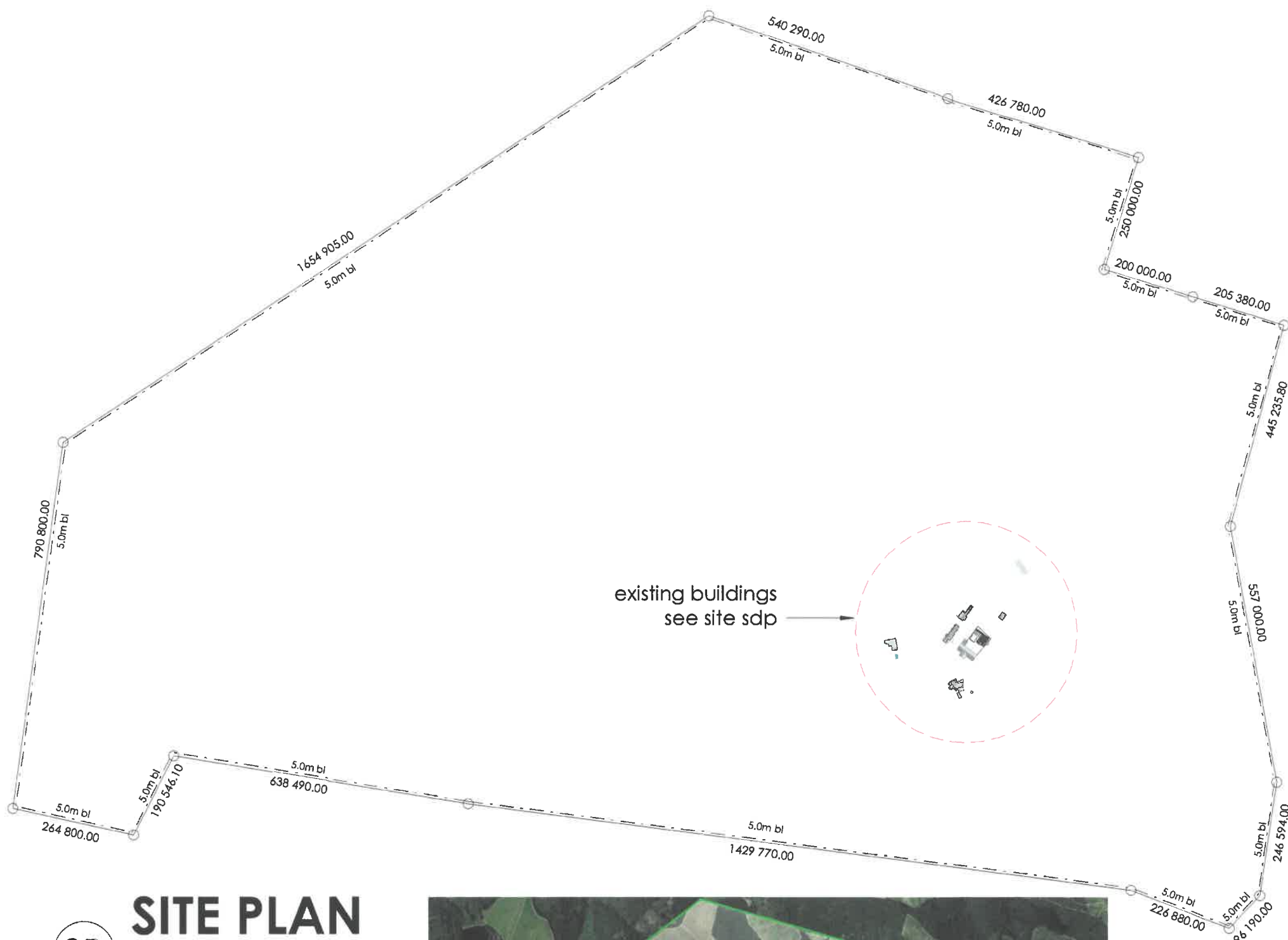
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X10 Key : STB · 0000017261700002



SITE PLAN

SP

scale: 1 : 10000



ARIAL VIEW OF KNORHOEK FARM



NOTES:

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SACAP No: 6148
SAIA PRACTICE No: PH 3477
SAIA No: 6795

ADDITIONAL NOTES:

SIGNATURES:

OWNER:
ARCHITECT:
ENGINEER:
HOA:

FOR COUNCIL APPROVAL



50 Bosmans Crossing Distillery Rd Stellenbosch 7600
+27 (0)21 883 2506
083 658 2640
hb@hbarchitects.co.za
cc no 2009/1013795/33

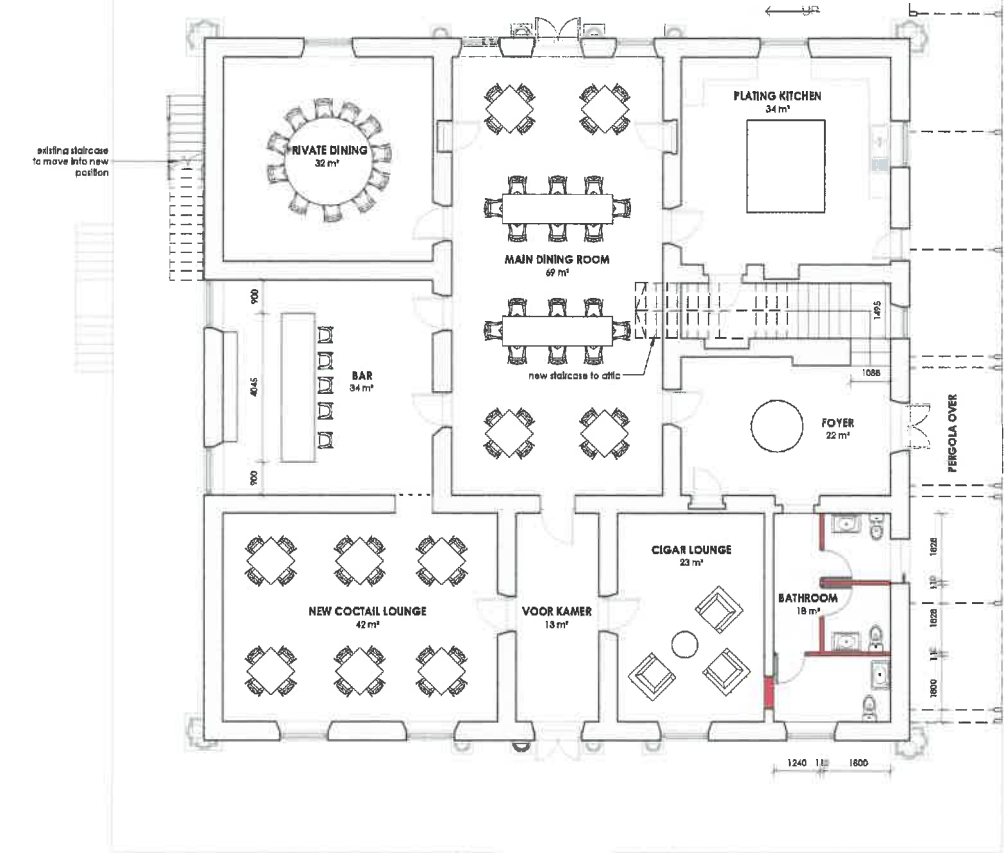
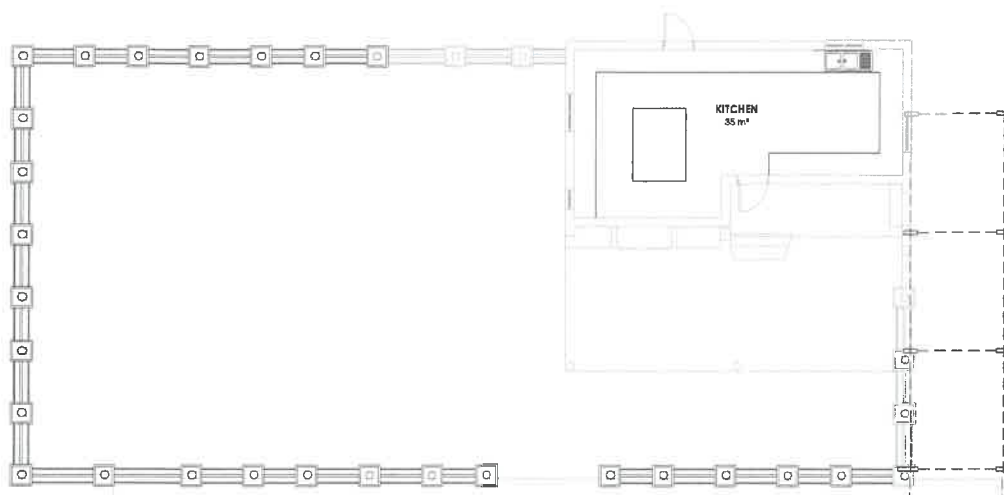
CLIENT
For Julia and Denis Gaiduk

PROJECT
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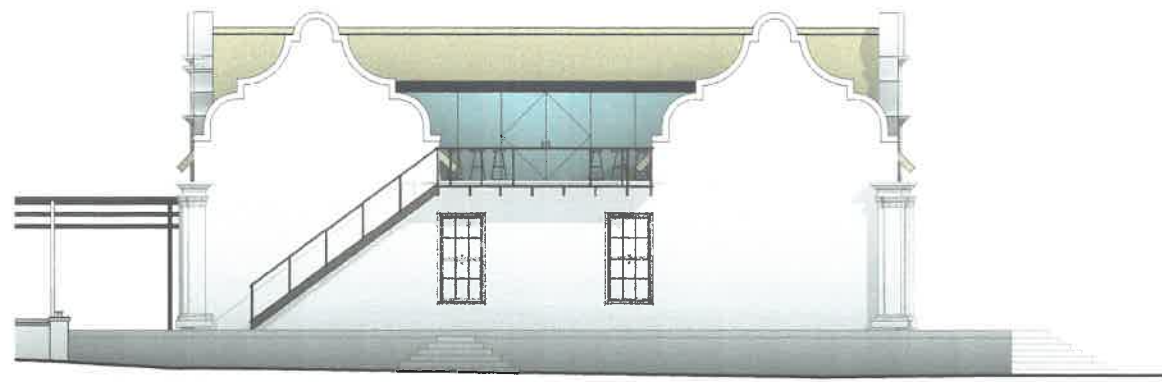
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LOCALITY PLAN

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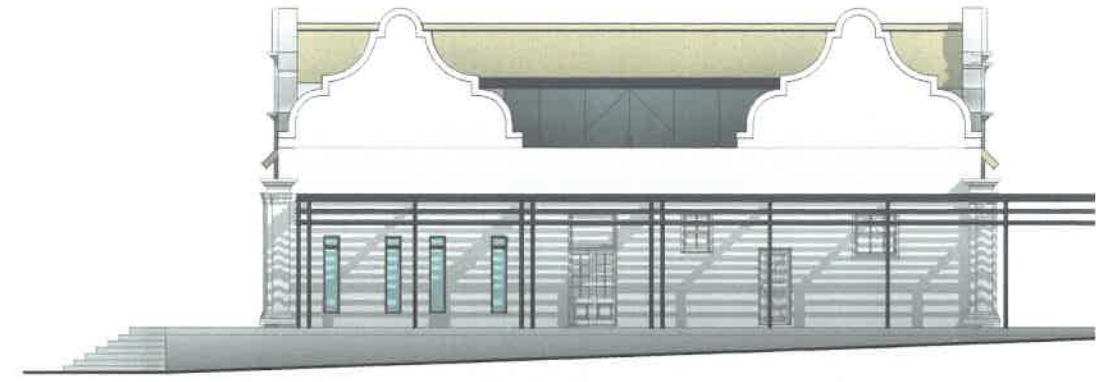
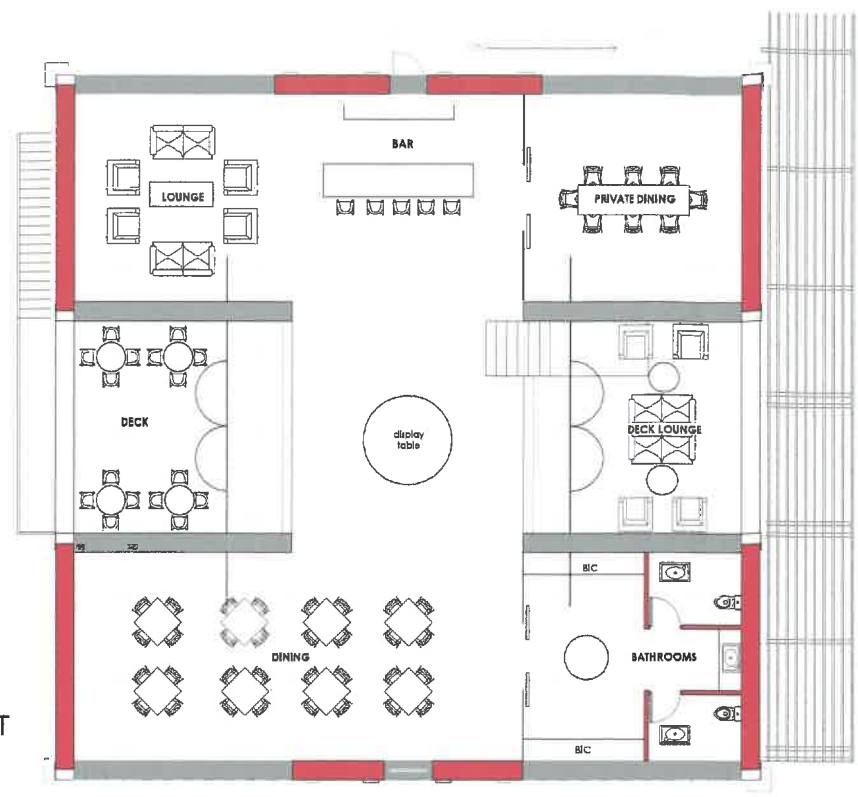


GS GROUND STOREY LAYOUT
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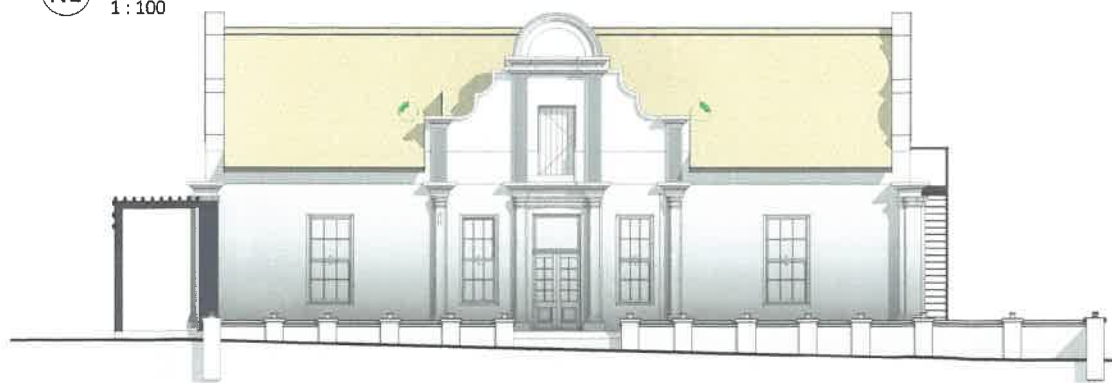


SW SOUTH WEST ELEVATION
1 : 100

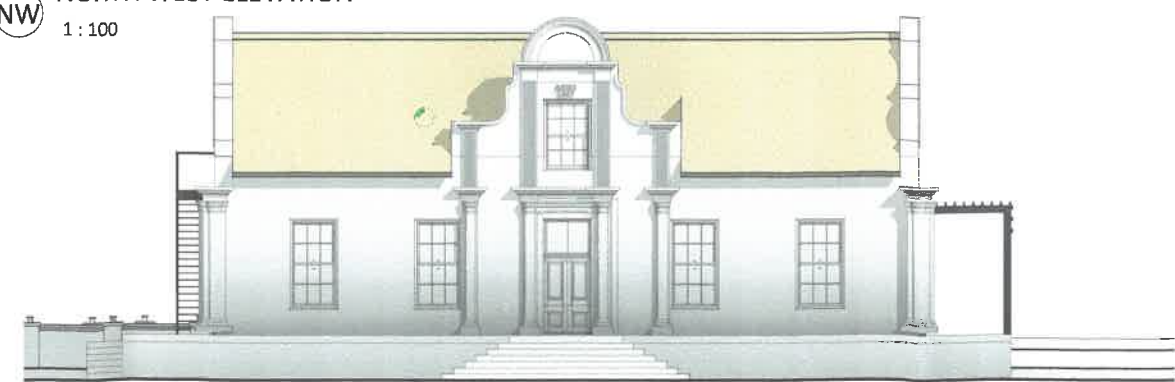
A ATTIC LAYOUT
1 : 100



NE NORTH EAST ELEVATION
1 : 100



NW NORTH WEST ELEVATION
1 : 100



SE SOUTH EAST ELEVATION
1 : 100

NOTES:
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SACAP No: 6145
SAIA PRACTICE No: PH 3477
SAIA No: 5789

REVISIONS:

REV	DATE	DESCRIPTION	ISSUED BY

ADDITIONAL NOTES:

AREA SCHEDULE

GROUND FLOOR AREA:	365m²
ATTIC AREA:	308m²
TOTAL FLOOR AREA:	673m²

SIGNATURES:

OWNER	
ARCHITECT	
ENGINEER	
HQA	

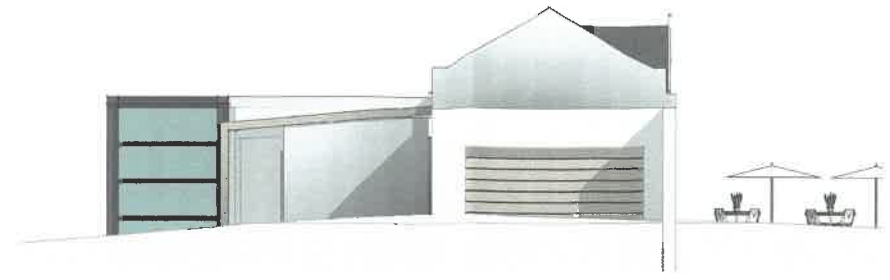
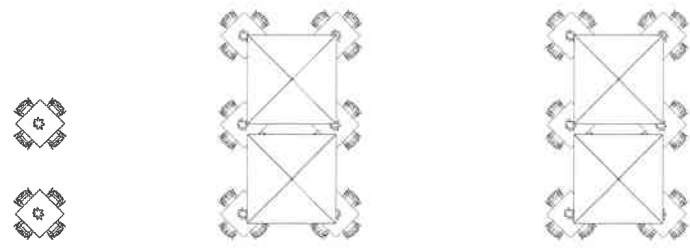
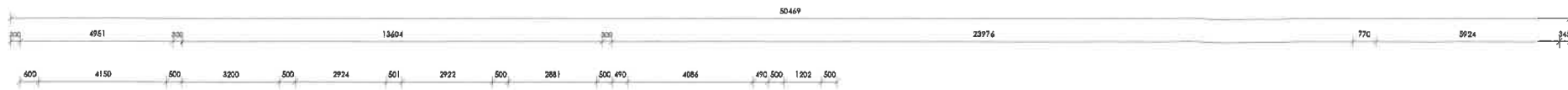


CLIENT
For Julia and Denis Gaiduk

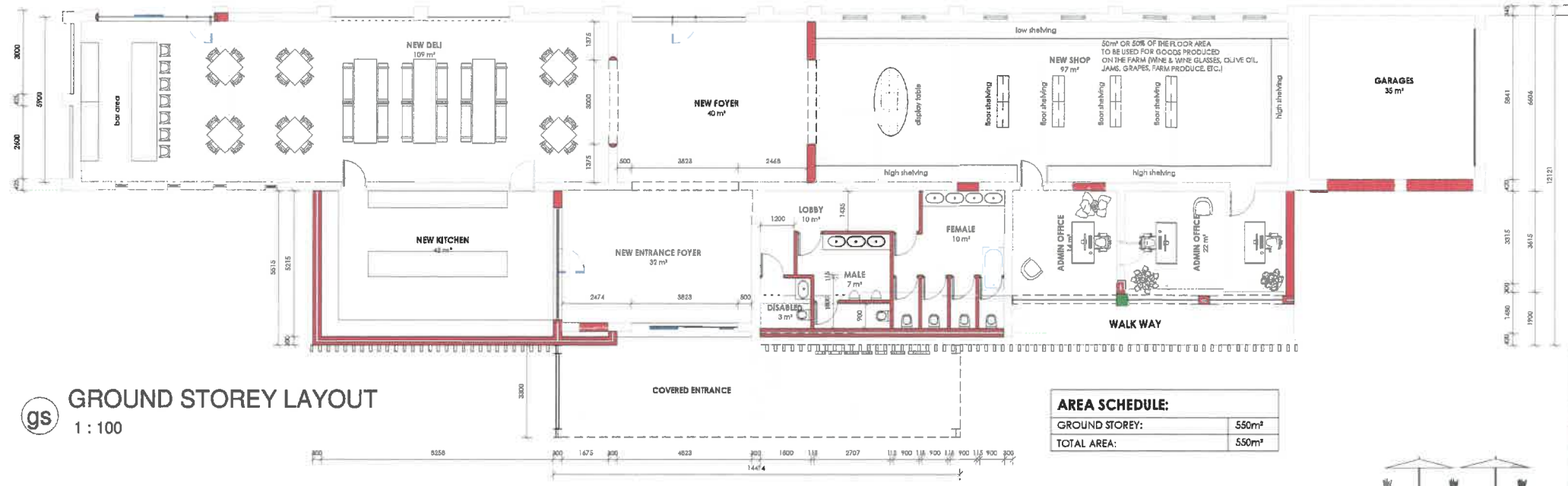
PROJECT
PROPOSED RESTAURANT AT EXISTING HOMESTEAD BUILDING ON REMAINDER OF FARM 1362 STELLENBOSCH R44 KNORHOEK ROAD

DRAWING
PLANS & ELEVATIONS

SCALE	DATE	CHECK
As Indicated	2020/10/09 09:37:26 AM	
PROJECT NO	DRAWING NO	DRAWN
1945	A101	JVW



SE SOUTH EAST ELEVATION
1 : 100



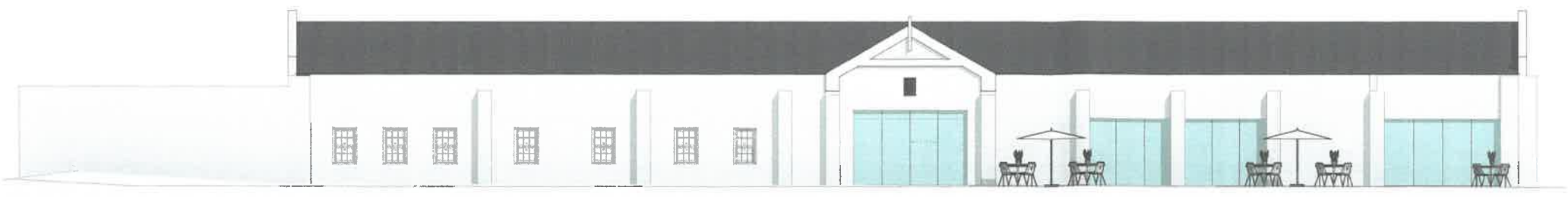
gs GROUND STOREY LAYOUT
1 : 100



NW NORTH WEST ELEVATION
1 : 100



NE NORTH EAST ELEVATION
1 : 100



SW SOUTH WEST ELEVATION
1 : 100

NOTES:
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THE ARCHITECT ACCEPTS NO RESPONSIBILITY FOR ERRORS RESULTING FROM THE MISINTERPRETATION OF THE DRAWING. ALL DIMENSIONS ARE GIVEN IN MILLIMETERS. WHEN IN DOUBT - ASK.

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SACAP No: 6148
SAIA PRACTICE No: PH 3477
SAIA No: 6799

REVISIONS:

REV	DATE	DESCRIPTION	ISSUED BY

ADDITIONAL NOTES:

SIGNATURES:

OWNER:
ARCHITECT:
ENGINEER:
HOA:

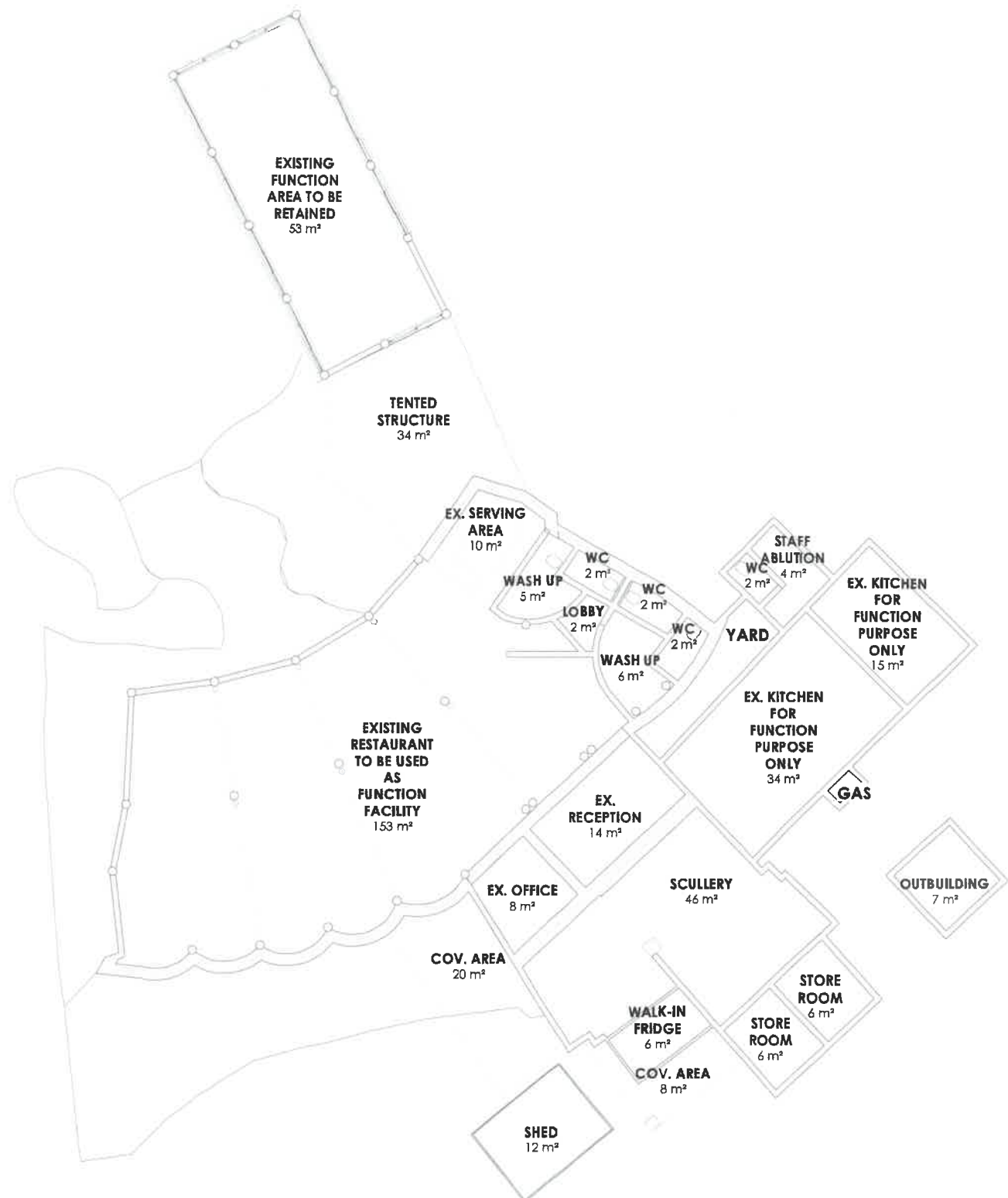


CLIENT:
For Julia and Denis Gelduk

PROJECT:
PROPOSED DELI & SHOP @ EXISTING GARAGES BUILDING ON REMAINDER OF FARM 1362 STELLENBOSCH, R44 KHORHOEK ROAD

DRAWING:
PLAN & ELEVATIONS

SCALE: As indicated	DATE: 2020/11/11 02:55:59 PM	CHECK:
PROJECT NO: 1945	DRAWING NO: A102	DRAWN BY: JVW



GROUND STOREY LAYOUT

GS

scale: 1 : 200



NOTES:

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THIS DRAWING IS THE INTELLECTUAL PROPERTY OF HB ARCHITECTS AND MAY NOT BE DISCLOSED TO A THIRD PARTY, COPIED OR REPRODUCED IN WHOL OR IN PART WITHOUT THE PERMISSION OF HB ARCHITECTS

SACAP No: 6148
SAIA PRACTICE No: PH 3477
SAIA No: 6795

ADDITIONAL NOTES:

SIGNATURES:

OWNER:
ARCHITECT:
ENGINEER:
HOA:

FOR COUNCIL APPROVAL

50 Bosmans Crossing
Distillery Rd
Stellenbosch
7600

+27 (0)21 883 2506
083 658 2640

hb architects cc
cc no 2003 / 022718 / 13

CLIENT
For Julia and Denis Gaiduk

PROJECT
AS BUILT DRAWINGS FOR KNORHOEK WINEFARM - TOWERBOSCH VENUE

DRAWING
GROUND STOREY LAYOUT

SCALE 1 : 200	DATE 2020/11/11 02:11:14	CHECK PM
PROJECT No 12-01	DRAWING N A105	DRAWN JVW
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