

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

Affected person's Name

Affected persons Physical Address

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

Property address	:	Molenvliet Wine and Guest Farm, Helshoogte Road
Property number	:	Farm 1424 Stellenbosch Division
Applicant	:	Emile van der Merwe Town Planning Consultants
Owner	:	Oscan Investments (Pty) Ltd
Application reference	:	LU/6068
Application type	:	Consent Use

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

Application is made in terms of 15 (2) (o) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for a consent use to establish a tourist accommodation establishment consisting of 13 new guest suites in addition to the existing guest units and to relocate the existing breakfast and dining area (±454m²) to the new swimming pool area.

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). By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of 13 October 2021.

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

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for

assistance at the e-mail address provided or telephonically at (0845566461/021-8865050) during normal office hours.)

Yours faithfully

EMILE VAN DER MERWE
EMILE VAN DER MERWE TOWN PLANNING CONSULTANTS

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

Naam van geaffekteerde persoon

Fisiese adres van geaffekteerde persoon

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

Adres van aansoek eiendom	:	Molenvliet Wine and Guest Farm, Helshoogte Pad
Aansoek eiendom beskrywing	:	Plaas 1424, Afdeling Stellenbosch
Aansoeker	:	Emile van der Merwe Stadsbeplannings konsultante
Eienaar	:	Oscan Investments (Edms) Bpk
Aansoek verwysing	:	LU/6068
Tipe aansoek	:	Vergunningsgebruik

Besonderhede van die grondgebruiksaansoek

Aansoek in terme van Artikel 15 (2) (o) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning(2015) vir 'n vergunningsgebruik ten einde 'n toerisme-akkommodasie fasiliteit bestaande uit 13 en-suite gastekamers ter aanvulling van die bestaande gastekames te vestig en om die bestaande ontbyt en eetsaal ($\pm 454m^2$) na die nuwe swembad area te verskuif.

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 tydskuur van die publieke deelname proses by die volgende adres:

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

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

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

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

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van 13 Oktober 2021.

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

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

Die uwe

EMILE VAN DER MERWE
EMILE VAN DER MERWE STADSBEPLANNINGSKONSULTANTE



EMILE VAN DER MERWE
town planning consultants

2020-07-20

My ref: Farm 1424 Stellenbosch

LU 6068

Stellenbosch Municipality
Department Planning and Development
PO Box 17
STELLENBOSCH
7599

Dear Sir/Madam

**APPLICATION FOR COSENT USE AND AMENMDNET OF CONDITIONS OF APPROVAL:
FARM 1424 STELLENBOSCH**

During 2017 application (LU 6068) was made for the following:

1. CONSENT USE/SPECIAL DEVELOPMENT IN TERMS OF THE SECTION 15 (2) (O) OF THE MUNICIPAL LAND USE PLANNING BY-LAW READ WITH THE SECTION 8 ZONING SCHEME REGULATIONS TO UTILISE THE GROUND FLOOR ($\pm 540M^2$) OF THE EXISTING FARM SHED FOR A TOURIST FACILITY (FUNCTION VENUE).
2. AMENDMENT OF CONDITION OF APPROVAL IAPPLICATION IN TERMS OF THE SECTION 15 (2) (H) OF THE MUNICIPAL LAND USE PLANNING BY-LAW TO RELOCATE THE APPROVED THREE (3) GUEST COTTAGES (SDP AMENDMENT) AND TO EXTEND THE EXISTING GUEST DINING AREA WITH AN AREA OF $459M^2$

The above-mentioned application was duly advertised and there were no objections received from the surrounding property owners, the relevant state departments, municipal internal departments as well as community organisations.

The Stellenbosch Municipality to date has not made a decision on the application referred to above.

Emile van der Merwe | 1111111111 | PO Box 204 | Stellenbosch 7599
Tel: 021-881 8081 | Fax: 021-881 8945 | Email: emile@emilvdmerwe.co.za

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

**STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015) AND THE
STELLENBOSCH MUNICIPAL ZONING SCHEME BY-LAW (2019)**

Stellenbosch Municipal Land Use Planning By-Law (2015)

Section 52 of the By-Law allows for an applicant to amend the application at any time before the approval of the application (see extract below)

Amendments before approval

52. (1) An applicant may amend his or her application at any time before the approval of the application—
- (a) at the applicant's own initiative;

The application as previously submitted is hereby amended as follows:

1. The relocation of the breakfast and dining area (454m²) to the new swimming pool area as shown on the SDP and floor plan drawn by Ivan Mccarthy Peens Architect (drawing no 2.01 and 101).
2. To formalise the existing guest suites (13) that have been developed on the old tennis court to the immediate south of the main homestead as shown on the drawings of Ivan Mccarthy Peens Architect (drawing 2.01 and 101). The applications in respect of the development of the 3 additional guest cottages are hereby omitted.

Zoning Scheme By-Law

The guest suites (referred to in 2 above) in terms of the newly adopted zoning by-law can be accommodated as tourist accommodation establishment that is defined as follows:

"tourist accommodation establishment" (toeriste-akkommodasie-onderneming) means an enterprise which provides the accommodation for transient guests which exceeds the scale and extent of tourist dwelling unit or guest house, and which is also not a hotel with its ancillary public facilities, and:

- i) may have an informal, clustered layout which takes cognisance of the natural features of the site and where internal road standards do not necessarily comply with formal township standards;
- ii) may consist of self-catering units;
- iii) and where enabled by the Scheme, may include tourist facilities subject to the development parameters of the particular zone;
- iv) where the following land uses may only be undertaken only with the specific further consent use approval of the Municipality regardless of whether tourist accommodation or tourist facilities is a primary right in that zone or not:
 - a) additional facilities for day visitors;
 - b) wellness centres and meeting rooms which serve resident guests;
 - c) camping sites with ancillary facilities;
 - d) tented accommodation, tree houses, mobile accommodation or the use of any construction materials and methodologies that are not ordinarily used;

DESIRABILITY AND CRITERIA FOR DECISION-MAKING

The application with associated proposals can be accommodated in terms of the development parameters of the applicable zoning scheme with reference to the following:

- The primary use will remain agriculture (vineyards)
- The proposed use is subservient to the primary agricultural activities
- The proposals will not impact on the production capacity of the farming unit as it is and will be located on areas that are not used for agricultural purposes.
- The directorate engineering services have indicated that the previous proposal will not impact on the service level capacity of the farm. It is envisaged that the revised application will have a minimal impact on the service infrastructure of the farming unit
- Sufficient parking is available on site
- The breakfast and dining facility will be open for residing guests only. It therefore will not be accessible for the general public.
- The proposals are consistent with the development principles of spatial justice, spatial sustainability and spatial efficiency as contemplated in terms of Section 7 of the Spatial Planning and Land Use Management Act
- The proposals conform to and are aligned with the land use planning principles set out in Section 59 of the Land Use Planning Act (2014) in so far as the following:
 - Prime, unique and high potential agricultural land will be protected
 - The proposal will not promote urban sprawl and related development located outside the urban edge
 - The proposals are consistent with the approved principles and guidelines of the Stellenbosch Municipal Spatial Development Framework that supports small scale tourism development outside the urban edge
 - The proposals will have a minimum impact on the rural character of the winelands landscape
 - The proposals are not visible from the Helshoogte Road and will not lead to a proliferation of the unique and scenic quality of the area;
 - The provision of tourism related facilities are conducive to local employment opportunities as supported in terms of the Municipal Integrated Development Plan and Local Economic Development Framework
 - The proposed land uses are compatible with the surrounding character of the area that comprise various tourism related development facilities

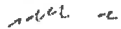
Supporting documentation:

- Location map – Appendix 1
- Title Deed – Appendix 2
- Resolution and Power of attorney – Appendix 3
- Surveyor diagram – Appendix 4
- Revised site development plan – Appendix 5
- Floor plans – Appendix 6
- Completed application form – Appendix 7
- Affected property owners map – Appendix 8

It will be appreciated if you can please provide this office with the invoice in respect of the application fee - R2500.

Your assistance in this regards is appreciated.

Yours faithfully



EMILE VAN DER MERWE

EMILE VAN DER MERWE TOWN PLANNING CONSULTANTS

Appendix 2.

CTN01278

Laetitia Knoetze
Blousuikerbosstraat 22
BELLVILLE
7530

26 694 886 - 04		R4400
Mission / exemption		Exempt in. o
Car.	Section	Act

Opgestel deur my

TRANSPORTBESORGER
LAETITIA KNOETZE

T 000036926 / 2016

TRANSPORTAKTE

DATA / VERIFY
01 JUL 2016
MURIE LORRAINE

HIERBY WORD BEKEND GEMAAK DAT

ANTON LUTHER POSTHUMUS

voor my verskyn het, REGISTRATEUR VAN AKTES te KAAPSTAD, hy die genoemde komparant synde behoortik daartoe gemagtig kragtens 'n Volmag aan hom verleen deur

MOLENVLIET WINE AND GUEST ESTATE (PTY) LIMITED
Registrasienuommer 1995/013454/07

geteken te STELLENBOSCH op 11 MEI 2016

DATA / CAPTURE
29 JUN 2016
MUYATYAMBA NOLINGO

M

En genoemde Komparant het verklaar dat sy prinsipaal, op 20 April 2016, waarlik en wettiglik verkoop by Privaat ooreenkoms, en dat hy, in sy voorgenoemde hoedanigheid hierby sedeer en transporteer aan en ten gunste van

OCSAN INVESTMENT ENTERPRISES (PTY) LIMITED
Registrasienuommer 1991/001071/07

diese Opvolgers in titel of Regverkrygendes, in volkome en vrye eiendom

PLAAS NR 1424
GELEË IN DIE STELLENBOSCH MUNISIPALITEIT
AFDELING STELLENBOSCH
PROVINSIE WES-KAAP

GROOT 12,9347 (TWAALF KOMMA NEGE DRIE VIER SEWE) Hektaar

AANVANKLIK GEREGISTREER kragtens Sertifikaat van Verenigde Titel No. T60456/2001 met kaart L.G. Nr. 5933/2000 wat daarop betrekking het en gehou kragtens Transportakte Nommer T31701/2006

I. **WAT BETREF** die figuur A middel van teerpad B C B1 W X Y Z A1 op die hierby aangehegte Kaart L.G. No 5933/2000:

1. **ONDERHEWIG** aan die voorwaardes waarna verwys word in Transportakte No T 6086, gedateer 22 Julie 1914.
2. **GEREGTIG** op die voordele van die regte soos uiteengesit in die voorwaardes waarna verwys word in die endossement gedateer 19 September 1923 op Transportakte No T 6086, gedateer 22 Julie 1914, welke endossement soos volg lui:

"By Notarial Deed dated 23rd January 1923 the owner of the remainder of the property conveyed by trf 8127 dated 9th October 1899 has granted to the owner of the property conveyed hereby all his right, title and interest in and to the water of the Baviaans Kloof and in and to the furrow and dam referred to in trf

M

10467 dated 23rd Nov. 1900 as will more fully appear on reference to the copy annexed hereto",

welke genoemde regte egter gewysig is deur die wáterregte toegeken in Transportakte Nr T 1211, gedateer 2 Maart 1932, deur 'n voorwaarde wat onder andere soos volg lui:

"That the transferee as owner of the above land, his successors in title or assigns shall be entitled to one-third, or to so much as will flow through a half inch pipe at any intake whichever be the lesser of the water to which the Appearer's Constituent is entitled by virtue of the Notarial Agreement dated 23rd January 1923 annexed to the said Deed of Transfer No 6086 dated 22nd July 1914 (and to referred to in the endorsement dated 19th September 1923 thereon)".

3. GEREKTIG op die voordeel van die voorwaarde waarna verwys word in die endossement gedateer 2 Maart 1932 op Transportakte Nr T 6086, gedateer 22 Julie 1914, naamlik:

"By Deed of Transfer No 1211 dd. 2.3.1932 the owner of the remainder held hereunder reserved the right a) to conduct irrigation water over the land thereby conveyed along the furrow marked on the diagram annexed thereto as Water furrow; b) to lay a pipe line over the land thereby conveyed along the boundary marked a f on the diagram annexed thereto, for the purpose of conducting water to the remainder of the land held hereunder, with a right of access and egress to lay and maintain the said pipe line, as will more fully appear on reference to the said Deed of Transfer".

4. VERDER ONDERHEWIG aan die bepalings van 'n serwituuft ten opsigte waarvan 'n endossement gedateer 9 Maart 1936 op genoemde Transportakte No T 4618, gedateer 10 Julie 1935 soos volg lui:

"Registration of Servitude

By Not. Deed d.d. 31.12.1935 the Electricity Supply Commission has acquired certain rights to convey electricity by means of cables or wires underground or overhead along the line of Route shown on Diagram No 5603/1935 annexed to

M

said Not. Deed and to certain ancillary rights and restrictions including a supply of electricity to the owners of the land hereby conveyed. Vide copy of Not. Deed annexed hereto."

welke Serwituut Elektriese Transmissielyn voorgestel word deur die lyn vwx op Diagram No 5933/2000.

5. ONDERHEWIG VERDER aan die bepalings van die endossement kragtens artikel 31(6) van Wet 47 van 1937 (soos gewysig) gedateer 11 Augustus 1986 op Transportakte Nr T32908/1969 welke endossement soos volg lees:

"n Gedeelte van die eiendom hierin vermeld groot $\pm 1,3036$ hektaar is onteien deur die Afdelingsraad Stellenbosch kragtens Artikel 27 van die Ordonnansie op Paaie, Ordonnansie 19 van 1976 Vide onteieningskennisgewing Nr 9/1/2/1/5/1/20 dd 4-8-1986 geliasseer as onteienings caveat EX 288/1986 planne in tweevoud geliasseer EX 288/1986.

6. ONDERHEWIG VERDER aan die bepalings van die endossement gedateer 6 Maart 1992 op Transportakte Nr T 32908/1969 welke endossment soos volg lees:

"Kragtens Notariële Akte van Sessie K 234/1992S gedateer 17 Julie 1991 is (a) die regte gehou kragtens Notariële Akte gedateer 23 Januarie 1927 en waarna verwys word in voorwaarde 2 hiervan is gesedeer aan Petrus le Grange ID 370506 5014 00 4 getroud buite gemeenskap van goed as eienaar van die restant van gedeelte 1 van die Plaas Zorgvliet Nr 172 Stellenbosch Afdeling, Groot 66,8087 hektaar en (b) die regte soos vervat in voorwaarde 2 bo-aan bldsy 4 hiervan is gekanselleer soos volledig sal blyk uit gesegde Notariële Akte."

7. ONDERHEWIG VERDER aan die bepalings van die endossement gedateer 2 Oktober 1997 op Transportakte Nr T 32908/1969 welke endossement soos volg lees:



"By Notarial Deed of Servitude of Right of Way K 1012/97 dated 2 July 1997 the within properties are subject to a servitude Right of Way Represented by the figure ABCD on diagram no 1820/1997 annexed hereto ifo Portion 27 (a portion of Portion 25) of the Farm Zorgvliet No 127 meas. 3,1939 hectare held by Deed of Transfer T 24378/1996 and Portion 28 (a portion of portion 25) of the Farm Zorgvliet No 127 meas 4,1242 hectare held by T 24378/1996 to provide access to Sevenrivieren Road as will more fully appear from said Notarial Deed".

9. ONDERHEWIG VERDER aan die volgende voorwaardes opgelê deur en ten gunste van die Distrikspadingenieur kragtens Artikel 11 van Wet 21/1940 by die goedkeuring van die onderverdeling van Restant Gedeelte 2 van die Plaas Zorgvliet Nr 127, soos meer volledig blyk uit Transportakte No T 455/2001, naamlik:

1. geen addisionele toegange vanuit Hoofpad 172 of Ondergeskikte Pad 302 tot beoogde Restant 127/2 geneem mag word nie;
2. die konsolideerde Plaas 1407 toegang neem vanuit Ondergeskikte Pad 302.

II. WAT BETREF die figuur C D E F G H a1 B 1 op die hierby aangehegte Kaart L.G. No 5933/2000:

- A. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte no T 558 gedateer 15 Januarie 1904.
- B. ONDERHEWIG VERDER aan die voorwaardes vervat in Notariële Akte van Serwituut gedateer 2 Oktober 1934, aangeheg by Transportakte Nr T 7971/1925 en verwys na in die endossement daarop, gedateer 12 November 1934, wat soos volg lui:-

"By Notarial Deed dd 2/10/34 the right has been granted to the Electricity Supply Commission to convey electricity across the property held hereunder by means of cables or wires underground or overhead along the line of route marked on the diagram hereto as will more fully appear on reference to the copy annexed."



welke Serwituut Elektriese Transmissielyn voorgestel word deur die lyn xyz op Diagram SG No 5933/2000.

III. WAT BETREF die figuur H J J1 middel van Dwarsrivier C1 a1 op die hierby aangehegte Kaart L.G. No 5933/2000:

- A. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte no T 15572/1946.
- B. ONDERHEWIG VERDER aan die voorwaardes vervat in Notariële Akte van Serwituut gedateer 2 Oktober 1934, wat volledig aangehaal is in paragraaf II B hierbo.

welke Serwituut Elektriese Transmissielyn voorgestel word deur die lyn xyz op Diagram SG No 5933/2000.

- C. ONDERHEWIG aan die terme van die endossement gedateer 21 Maart 1960 op Transportakte Nr T 20669/1947, wat soos volg lui:-

"Registration of servitude

The within described land is subject to a servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District No 1) dated 13 May 1921 as will more fully appear on reference to the copy of said Order annexed hereto."

IV WAT BETREF die figuur B1 a1 q p op die hierby aangehegte Kaart L.G. No 5933/2000:

- A. ONDERHEWIG aan die voorwaardes sulks waarna verwys word in Transportakte Nr T 558 gedateer 15 Januarie 1904.
- B. ONDERHEWIG VERDER aan die voorwaardes vervat in Notariële Akte van Serwituut gedateer 2 Oktober 1934, wat volledig aangehaal is in II B hierbo.

welke Serwituut Elektriese Transmissielyn voorgestel word deur die lyn xyz op

N

Diagram SG No 5933/2000.

V WAT BETREF die figuur al C1 middel van Dwarsrivier r q op die hierby aangehegte Kaart L.G. No 5933/2000:

- A. ONDERHEWIG aan die voorwaardes sulks waarna verwys word in Transportakte Nr T 15572/1946.
- B. ONDERHEWIG VERDER aan die voorwaardes vervat in Notariële Akte van Serwituut gedateer 2 Oktober 1934, wat volledig aangehaal is in II B hierbo.

welke Serwituut Elektriese Transmissielyn voorgestel word deur die lyn xyz op Diagram SG No 5933/2000:

- C. ONDERHEWIG aan die terme van die endossement gedateer 21 Maart 1960 op Transportakte No T 20669/1947 wat volledig aangehaal is in III C hierbo.

VI WAT BETREF die figuur p r middel van Dwarsrivier D1 b1 op die hierby aangehegte Kaart L.G. No 5933/2000:

- A. ONDERHEWIG aan sodanige voorwaardes as waarna verwys word in Transportakte Nr T 10655/1925 gedateer 4 November 1925 en daardie gedeelte van die grond daarby oorgedra, groot 69 vierkante roede, synde 'n gedeelte van Oak Lodge, synde geregtig op die voordeel van die spesiale voorwaarde na verwys in Transportakte Nr T 7752/1915, wat soos volg lui:-

"That the transferee and his successors in title shall be entitled to lead water over the adjoining property Zelfstandig, this day tranfered to H Roode along the furrow marked WX on the diagram of Zelfstandig No 1805 of 1915, three times a week and on alternate days and shall further have the right of access over the said property Zelfstandig at all reasonable times for the purpose of keeping the furrow clean, and in proper repair.

- B. ONDERHEWIG aan die terme van die endossement gedateer 21 Maart 1960 op Transportakte No T 20669/1947 wat volledig aangehaal is in III C hierbo.

VII WAT BETREF die figuur d1 p b1 op die hierby aangehegte Kaart L.G. No 5933/2000:

- A. ONDERHEWIG aan sodanige voorwaardes as waarna verwys word in Transportakte Nr T 1471/1914.
- B. ONDERHEWIG aan die terme van die endossement gedateer 21 Maart 1960 op Transportakte Nr. T 20669/1947 wat volledig aangehaal is in III C hierbo.

VIII WAT BETREF die figuur V W B1 P d1 op die hierby aangehegte Kaart L.G. No 5933/2000:

- A. ONDERHEWIG aan sodanige voorwaardes as waarna verwys word in Transportakte Nr T 4237/1945.
- B. ONDERHEWIG aan die voorwaardes van 'n serwituut reg van weg 3 (Drie) meter wyd soos vervat in Sertifikaat van Verenigde Titel No T 38204/1999, welke serwituut aangedui is op die gemelde Kaart SG No 4005/1999 deur die lyn tu en tw.

welke middellyn van 'n Serwituut Reg van Weg voorgestel word deur die kromlynige lyne tu en vw op Diagram SG No 5933/2000.

IX WAT BETREF die figuur N1 V d1 op die hierby aangehegte Kaart L.G.No 5933/2000:

- A. ONDERHEWIG aan sodanige voorwaardes as waarna verwys word in Transportakte Nr T 4237/1945.
- B. ONDERHEWIG aan die voorwaardes van 'n serwituut reg van weg 3 (Drie) meter wyd soos vervat in Sertifikaat van Verenigde Titel No T 38204/1999, welke serwituut aangedui is op die gemelde Kaart SG No 4005/1999 deur die lyn tu en tw.

welke middellyn van 'n Serwituut Reg van Weg voorgestel word deur die kromlynige lyne tu en vw op Diagram SG No 5933/2000.

X. WAT BETREF die figuur N1 d1 b1 L P1 op die hierby aangehegte Kaart L.G. No 5933/2000:

A. ONDERHEWIG aan sodanige voorwaardes as waarna verwys word in Transportakte Nr T 1471/1914.

B. ONDERHEWIG aan die voorwaardes van 'n serwituut reg van weg 3 (Drie) meter wyd soos vervat in Sertifikaat van Verenigde Titel No T 38204/1999, welke serwituut aangedui is op die gemelde Kaart SG No 4005/1999 deur die lyn tu en tw.

welke middellyn van 'n Serwituut Reg van Weg voorgestel word deur die kromlynige lyne tu en ww op Diagram SG No 5933/2000.

C. ONDERHEWIG aan die terme van die endossement gedateer 21 Maart 1960 op Transportakte Nr T 20669/1947 wat volledig aangehaal is in III C hierbo.

XI WAT BETREF die figuur b1 D1 middel van Dwarsrivier K1 K L op die hierby aangehegte Kaart L.G. NO 5933/2000:

A. ONDERHEWIG aan sodanige voorwaardes as waarna verwys word in Transportakte Nr T 10655/1925 gedateer 4 November 1925 en daardie gedeelte van die grond daarby oorgedra, groot 69 vierkante roede, synde 'n gedeelte van Oak Lodge, synde geregtig op die voordeel van die spesiale voorwaarde na verwys in Transportakte Nr T 7752/1915, wat soos volg lui:-

"That the transferee and his successors in title shall be entitled to lead water over the adjoining property Zelfstandig, this day transferred to H. Roode along the furrow marked WX on the diagram of Zelfstandig No 1805 of 1915, three times a week and on alternate days and shall further have the right of access over the said property Zelfstandig at all reasonable times for the purpose of keeping the furrow clean, and in proper repair.

B. ONDERHEWIG aan die terme van die endossement gedateer 21 Maart 1960 op Transportakte Nr T 20669/1947 wat volledig aangehaal is in III C hierbo.



XII WAT BETREK die figuur U N1 P1 M s op die hierby aangehegte Kaart L G No 5933/2000:

- A. ONDERHEWIG aan sodanige voorwaardes as waarna verwys word in Transportakte Nr T 1471/1914.
- B. ONDERHEWIG aan die voorwaardes van 'n serwituut reg van weg 3 (Drie) meter wyd soos vervat in Sertifikaat van Verenigde Titel No T 38204/1999, welke serwituut aangedui is op die gemelde Kaart SG No 4005/1999 deur die lyn tu en tw.

welke middellyn van 'n Serwituut Reg van Weg voorgestel word deur die kromlynige lyne tu en vw op Diagram SG No 5933/2000.

- C. ONDERHEWIG aan die terme van die endossement gedateer 21 Maart 1960 op Transportakte Nr T 20669/1947 wat volledig aangehaal is in III C hierbo.

XIII WAT BETREK die figuur L1 U s M N P Q Q1 middel van Dwarsrivier F1 op die hierby aangehegte Kaart L.G. No 5933/2000:

- A. ONDERHEWIG aan sodanige voorwaardes as waarna verwys word in Transportakte Nr T 4337/1917.
- B. ONDERHEWIG aan die voorwaardes van 'n serwituut reg van weg 3 (Drie) meter wyd soos vervat in Sertifikaat van Verenigde Titel No T 38204/1999, welke serwituut aangedui is op die gemelde Kaart SG No 4005/1999 deur die lyn tu en tw.

welke middellyn van 'n Serwituut Reg van Weg voorgestel word deur die kromlynige lyne tu en vw op Diagram SG No 5933/2000.

- C. ONDERHEWIG aan die terme van die endossement gedateer 21 Maart 1960 op Transportakte Nr T 20669/1947 wat volledig aangehaal is in III C hierbo.

XIV WAT BETREF die figuur K1 L1 M1 J1 op die hierby aangehegte Kaart L.G. No 5933/2000:

- A. ONDERHEWIG aan sodanige voorwaardes as waarna verwys word in Transportakte Nr T 4337/1917.
- B. ONDERHEWIG aan die terme van die endossement gedateer 21 Maart 1960 op Transportakte Nr T 20669/1947 wat volledig aangehaal is in III C hierbo.

XV WAT BETREF die figuur M1 F1 middel van Dwarsrivier G1 H1 J1 op die hierby aangehegte Kaart L.G. No 5933/2000:

- A. ONDERHEWIG aan sodanige voorwaardes as waarna verwys word in Transportakte Nr T 4337/1917.
- B. ONDERHEWIG aan die voorwaardes van 'n serwituut reg van weg 3 (Drie) meter wyd soos vervat in Sertifikaat van Verenigde Titel No T 38204/1999, welke serwituut aangedui is op die gemelde Kaart SG No 4005/1999 deur die lyn tu.

welke middellyn van 'n Serwituut Reg van Weg voorgestel word deur die kromlynige lyne tu en vw op Diagram SG No 5933/2000.

- C. ONDERHEWIG aan die terme van die endossement gedateer 21 Maart 1960 op Transportakte Nr T 20669/1947 wat volledig aangehaal is in III C hierbo.

XVI WAT BETREF die figuur K1 J1 H1 G1 middel van Dwarsrivier R1 R S T op die hierby aangehegte Kaart L.G. No 5933/2000:

- A. ONDERHEWIG aan sodanige terme as waarna verwys word in Transportakte Nr T 4687/1920.
- B. ONDERHEWIG aan die terme van die endossement gedateer 21 Maart 1960 op Transportakte Nr T 20669/1947 wat volledig aangehaal is in III C hierbo.

M

WESHALWE die komparant afstand doen van al die regte en titel wat

MOLENVLIET WINE AND GUEST ESTATE (PTY) LIMITED
Registrasienommer 1995/013454/07

voorheen op genoemde eiendom gehad het, en gevolglik ook erken het dat dit geheel en al van die besit daarvan onthef en nie meer daartoe geregtig is nie en dat, kragtens hierdie akte, bogenoemde

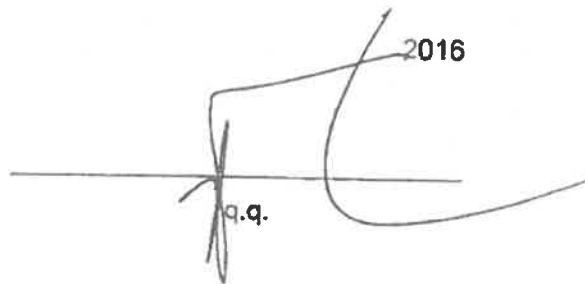
OCSAN INVESTMENT ENTERPRISES (PTY) LIMITED
Registrasienommer 1991/001071/07

diese Opvolgers in titel of Regverkrygendes, tans en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik, behoudens die regte van die Staat en ten slotte erken dit dat die verkoopprijs die bedrag van R26 694 886,04 (SES EN TWINTIG MILJOEN SES HONDERD VIER EN NEGENTIG DUISEND AGT HONDERD SES EN TAGTIG RAND EN VIER SENT) beloop.

TEN BEWYSE WAARVAN ek, genoemde Registrateur, tesame met die Komparant hierdie Akte onderteken en dit met die Ampseël bekragtig het.

ALDUS GEDOEN EN VERLY op die Kantoor van die REGISTRATEUR VAN AKTES te KAAPSTAD op hede die 23 JUN 2016

2016
q.q.



In my teenwoordigheid



REGISTRATEUR VAN AKTES



COMPANY RESOLUTION

**OSCAN INVESTMENT ENTERPRISES (PTY) LTD
(REG NO 1991/001071/07)**

RESOLUTION

Ockie J Oosthuizen in his capacity as Managing Director is duly authorized to sign all documentation in respect of the Land Use Management application on Farm 1424 Stellenbosch.



**MANAGING DIRECTOR
OCKIE J OOSTHUIZEN**

POWER OF ATTORNEY

Oscan Investment Enterprises (Pty) Ltd the registered owner of Farm 1424 Stellenbosch as held by Deed of Transfer T036920/2016 do hereby nominate 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 application for the following

- **APPLICATION FOR CONSENT USE AND AMENDMENT OF CONDITIONS OF APPROVAL IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL PLANNING BY-LAW**

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 STELLENBOSCH ON THIS 7TH DAY OF JULY 2020



**MANAGING DIRECTOR
OCKIE J OOSTHUIZEN**

L.G. No.

5933/2000

Goedgekeur

Alfred

27-11-2000

Landmeter-generaal

VEL 1 VAN 2 VELLE

Sewituut Notas:

1. Die lyn vwx stel 'n Serwituut Elektriese Transmissielyn voor;
Sien diagram Nr 5603/1935, Notariele Akte Nr
2. Die lyn xyz stel 'n Serwituut Elektriese Transmissielyn voor;
Sien diagram Nr 2595/1934, Notariele Akte Nr
3. Die kromlynige lyne t-u en v-w stel die middellyn van 'n
Serwituut Reg van Weg, 3,00 meter wyd, voor;
Sien diagram Nr 818/1999, S.G.T. Nr

Komponente:

1. Figuur A middel van teerpad B C B1 W X Y Z A1 stel Gedeelte 3B ('n gedeelte van Gedeelte 2) van die plaas Zorgvliet 127 voor;
Sien diagram Nr 5932/2000, T/A Nr
2. Figuur C D E F G H J' middel van Dwarsrivier K' L M N P Q' middel van Dwarsrivier R' S T U V B1 stel plaas 1407 voor;
Sien diagram Nr 4005/1999, S.G.T. Nr 2000. .38271

Die Figuur

A middel van teerpad B C D E F G H J' middel van Dwarsrivier K' L M N P N' middel van Dwarsrivier R' S T U V W X Y Z A1

stel voor 12,9347 hektaar

grond, synde

die PLAAS Nr 1424 en bevat figure 1. en 2. bo gelys

gelee in die
Administratiewe Distrik van Stellenbosch
Saamgestel in November 2000
deur my

Provinsie van die Wes-Kaap

Hans J. Volkmann

Hans J Volkmann
Pr Landmeter PLS0695

Hierdie kaart is geheg aan
No. CET 60456/2001
Gedateer
t.g.v.

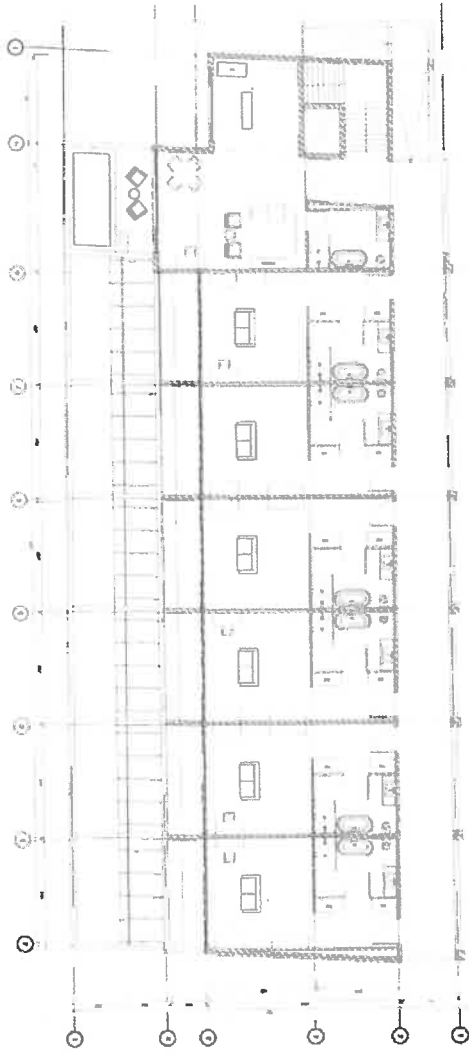
Die oorspronklike kaarte
soos bo beskryf

Leer No. Stel 1424
M.S. No. Saamgestel
Komp. BH-8DB/Y3 (1488)

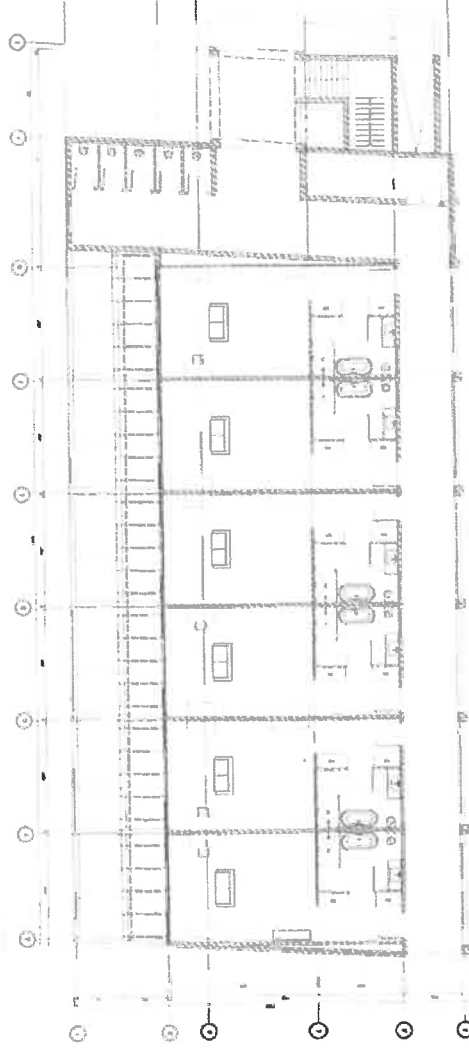
Registrateur van Aktes

S

APPENDIX 6



1 GROUND FLOOR PLAN
Scale 1:100



2 FIRST FLOOR PLAN
Scale 1:100

COULD BE MODIFIED TO ACCOMMODATE A LARGER HOTEL OR RESIDENTIAL DEVELOPMENT



IVAN MCCARTHY PEENS ARCHITECTS
100 COMMERCIAL STREET
STELLENBOSCH
WESTERN CAPE
7201
TEL: 0278 7433194
WWW.IVANMCCARTHYPEENS.COM

Ivan McCarthy Peens Architects

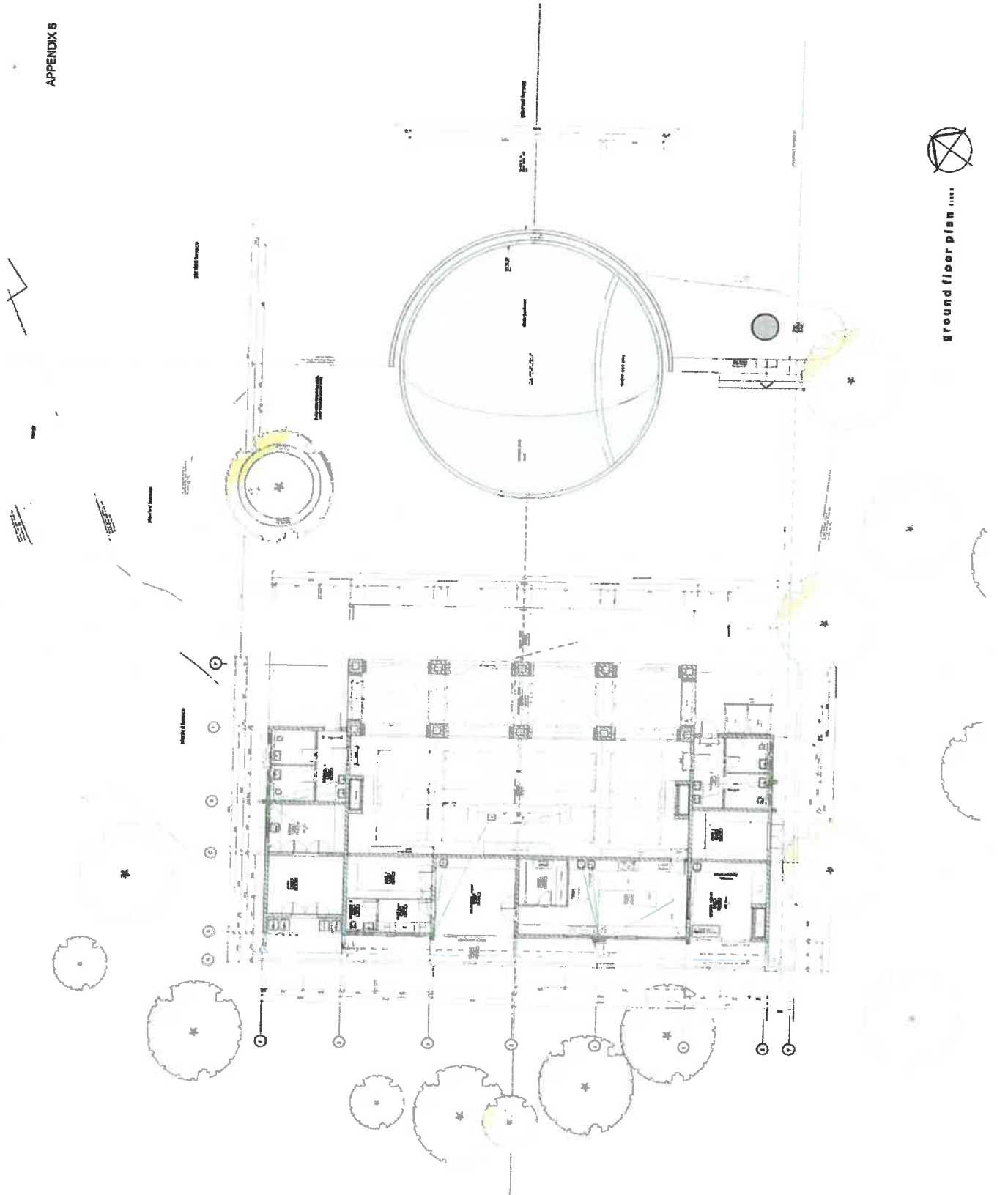
100 Commercial Street
Stellenbosch
7201
Tel: 0278 7433194
www.ivanmccarthypeens.com

PROPOSED NEW TOURIST
ACCOMMODATION
ESTABLISHMENT
Farm 1424
Stellenbosch

GROUND FLOOR PLAN
FIRST FLOOR PLAN

TOTAL AREA 496m²

DATE	10/20	SCALE	AS SHOWN
PROJECT NO.	2.01	DATE	2023-04-30
DESIGNER	IMP	CLIENT	IMP
ARCHITECT	IMP	ENGINEER	IMP



Ground floor plan (1:100)



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)	Oscan Investments (Pty) Ltd								
Physical address	PO Box 6288						Postal code	7612	
	Uniedal								
E-mail	info@molenvliet.co.za								
Tel	021-8551597			Fax	0862979801			Cell	
PART C: PROPERTY DETAILS <i>(in accordance with title deed)</i>									
Erf / Erven / Farm No.	Farm 1424	Portion(s) if Farm		Allotment area	Stellenbosch				
Physical Address	As above								
Current Zoning	Agricultural and Residential Zone V	Extent	12.9347ha ^m ² / ha	Are there existing buildings?	existing	y	N		

Applicable Zoning Scheme	Stellenbosch										
Current Land Use	Agricultural and guest accommodation										
Title Deed number and date	T		036926/2016								
Attached Conveyance's Certificate	Y	N	Any Restrictions in 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)?		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?		N	Is the building older than 60 years?		N	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹		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		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?		N	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/ide-budget/2017-2/4873-opp-ndbx-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;		
	15(2)(i) an extension of the validity period of an approval		
	15(2)(j) an approval of an overlay zone as contemplated in the zoning scheme;		
	15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram ;		
	15(2)(l) a permission required in terms of a condition of approval;		
	15(2)(m) a determination of a zoning;		
	15(2)(n) a closure of a public place or part thereof;		
X	15(2)(o) a consent use contemplated in the zoning scheme;		
	15(2)(p) an occasional use of land;		
	15(2)(q) to disestablish a home owner's association		
	15(2)(r) to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;		
	15(2)(s) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building.		
	15(2)(6) When the Municipality on its own initiative intends to conduct land development or an activity		
	15(2)(l) Amendment of Site Development Plan		
	15(2)(l) Compilation / Establishment of a Home Owners Association Constitution / Design Guidelines		
OTHER APPLICATIONS			
	Deviation from Council Policies/By-laws; R		
	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 2500
* 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	
	N	Proof of payment of application fees		Y	N	Proof of registered ownership (full copy of the title deed)	
	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			N/A	1 : 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale
	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
	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

	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

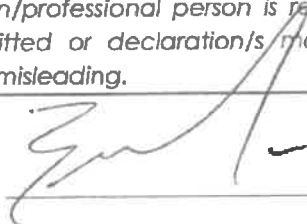
I hereby wish to confirm the following :

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:

2020-07-20

Full name:

EMILE VAN DER MERWE

Professional capacity:

PROFESSIONAL PLANNER A1149/1996

FOR OFFICE USE ONLY

Date received: _____

Received By: _____

