

NOTICE OF LAND DEVELOPMENT APPLICATION

Affected person's Name

Affected persons Physical Address

Affected person's Title:

APPLICATION FOR A CONSENT USE: FARM 1643/2 PAARL DIVISION

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

Application Property Address: Klein Dauphine Estate, Excelsior Road, Franschoek

Application Property Number: Portion 2 of Farm Number 1643 Paarl Division

Applicant: Peter Mons, Town Planning Consultant, Contact Number: 082 826 4000. Email: petergm@fibresky.co.za

Owner: Klein Dauphine Estate (Pty) Ltd, C/O Joost de Haas, Cell Number: 064 977 3346 Email: joostdehaas@me.com

Application Reference: LU 16512 (TP558/2023)

Description of land development proposal:

Application has been made for a consent use in terms of section 15(2)(o) of the Stellenbosch Municipality: By-law on Municipal Land Use Planning, 2023 to allow two tourist dwelling units on a property measuring less than 20ha, on Farm Number 1643/2 Paarl Division.

Notice is hereby given in terms of the provisions 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 must be requested from the Applicant.

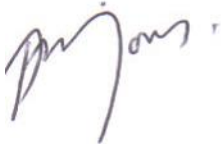
You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw. Written comment, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person who submits the comment in the application, may be submitted to the Applicant by electronic mail as follows: Peter Mons, petergm@fibresky.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 **29 April 2024**.

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 082 826 4000 during normal office hours.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Peter Mons Pr. Pln', written in a cursive style.

Peter Mons Pr. Pln

28 March, 2024

KENNISGEWING VAN GRONDONTWIKKELINGS AANSOEK

Naam van geaffekteerde persoon

Fisiese adres van geaffekteerde persoon

Titel van geaffekteerde persoon:

VERGUNNINGSGEBRUIK AANSOEK: PLAAS 1643/2 PAARL AFDELING

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

Adres van aansoek eiendom: Klein Dauphine Landgoed, Excelsiorpad, Franschoek

Aansoek eiendom beskrywing: Plaas Nommer 1643, Gedeelte 2, Paarl Afdeling.

Aansoeker: Peter Mons, Konsultant Stadsbeplanner. Kontak nommer: 082 826 4000. E-pos: petergm@fibresky.co.za

Eienaar: Klein Dauphine Estate (Pty) Ltd, P/A Joost de Haas, Selfoon Nommer: 064 977 3346
Epos: joostdehaas@me.com

Aansoek Verwysing: LU 16512 (TP558/2023)

Besonderhede van die grondgebruiksaansoek:

Aansoek word gedoen vir 'n vergunningsgebruik in terme van Artikel 15(2)(o) van die Stellenbosch Munisipaliteit: Verordeninge op Munisipale Grondgebruikbeplanning, 2023 ten einde voorsiening te maak vir twee touriste wooneenhede op 'n eindomme van minder as 20ha, op Plaas Nommer 1643/2 Paarl Afdeling.

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

<https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. Indien die webtuiste of tersaaklike dokumente nie toeganklik is

nie, moet die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

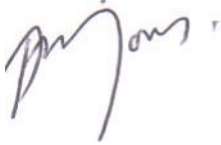
Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening. Skriftelike kommentaar, wat besonderhede ten opsigte van die verwysings nommer van die aansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, die redes vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die aansoek, by die Aansoeker ingedien word by wyse van elektroniese pos as volg: Peter Mons, petergm@fibresky.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 **29 April 2024**.

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 082 826 4000 gedurende normale kantoor ure.

Die uwe

A handwritten signature in blue ink, appearing to read 'Peter Mons', with a stylized flourish at the end.

Peter Mons Pr. Pln
28 Maart 2024

TAX INVOICE



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

PO BOX 17, STELLENBOSCH, 7599
PLANNING & ECONOMIC DEVELOPMENT: PLANNING

DATE:	2023-12-22	DOCUMENT NO:	761322
ERF / FARM NO:	1643/2	CREATED BY:	Nicole Katts
LOCALITY:	Excelsior Road , PAARL FARMS	APPLICATION NO:	LU/16512
OWNER'S NAME:	Klein Dauphine Estate - c/o Joost de Haas-Director	APPLICATION VAT NO:	4190288615
ADDRESS:	PO Box 851 Robertson 6705	VAT NO:	4700102181
		APPLICANT:	Peter Garnet Mons
		TEL NO:	0828264000

FEE DESCRIPTION	AMOUNT PER UNIT (R)	NUMBER OF UNITS	VOTE NUMBER	AMOUNT (R)
TEMPORARY DEPARTURE, CONSENT USE, PERMISSION IN TERMS OF ZONING SCHEME, PERMISSION REQUIRED IN TERMS OF THE TITLE DEED - Submitted in urban and rural areas, Per application per property	2600.00	1	20220630081392	2600.00
	0.00	1		0.00
	0.00	1		0.00
	0.00	1		0.00
	0.00	1		0.00
	0.00	1		0.00
	0.00	1		0.00
	0.00	1		0.00
	0.00	1		0.00
	0.00	1		0.00
	0.00	1		0.00
	0.00	1		0.00

FILE NR: F 1643/2 P

NEW TARIFFS IMPLEMENTED ON 1 JULY ANNUALLY

COLLABORATOR NR: _____

VERIFIED BY NAME: _____ SIGNATURE: _____

TOTAL AMOUNT PAYABLE	2600.00
VAT INCLUDED @ 15%	339.13

CALCULATED BY
NAME: Nicole Katts
SIGNATURE

NK

DATE: 22.12.2023

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

APPLICANT TO RETURN THIS FORM TO THE ADVICE CENTRE FOR DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT

DATE: _____

BANKING DETAILS FOR EFT PAYMENT:

ACCOUNT HOLDER: Stellenbosch Municipality
BANK: First National Bank (FNB)
ACCOUNT NUMBER: 62869253684
BRANCH CODE: 210554
REFERENCE: LU/_____ and ERF/FARM _____



Please use both the Land Use Application number and the Erf/Farm number indicated on this invoice as a reference when making EFT payment.

0.00
0

3-Qu...
1/01/17

ocal Authority : STB Stellenbosch Municipality LIVE Vote : 12200103450000
inancial Year : 2023 Period : 6 Level : 4

Post.Date	TC	LV	Reference	Amount	Lt.	Comment
5 04/12/2023	11	4	1000243726	478.27-	N A:DIR1	4331 LU/16468 ERF
5 04/12/2023	11	4	1000243823	2260.87-	N A:DIR1	4331 TP540/2023 4
5 05/12/2023	11	4	1000243954	2260.87-	N A:DIR1	4331 LU/16321 FAR
5 05/12/2023	11	4	1000243964	4521.74-	N A:DIR1	4331 TP573/2023 E ●
5 05/12/2023	11	4	0000380468	478.26-	N A:CASH1	1772B202312050016
5 06/12/2023	11	4	1000244000	478.27-	N A:DIR1	4331B202312080010
5 07/12/2023	11	4	1000244188	2260.87-	N A:DIR1	4332 LU16466/2023
5 08/12/2023	11	4	1000244304	4521.74-	N A:DIR1	4332 TP543/2023 T
5 08/12/2023	12	4	1000244081	37782.61-	N LUL6475	ERF 393B202312080016
5 09/12/2023	11	4	1000244325	2260.87-	N A:DIR1	4332 TP540/2023 T ●
5 11/12/2023	11	4	1000244340	2260.87-	N A:DIR1	4332 TP376/2023 E
5 11/12/2023	11	4	1000244358	86.96-	N A:DIR1	4332 ERF 15314 LA
5 11/12/2023	11	4	1000244373	913.05-	N A:DIR1	4332 LU/16488 ERF
5 11/12/2023	11	4	1000244394	2500.00-	N A:DIR1	4332 ERF 15314 LA
5 12/12/2023	11	4	1000244462	956.53-	N A:DIR1	4332 LU/16494 ERF
5 14/12/2023	11	4	1000244624	478.27-	N A:DIR1	4332 LU/16503 ERF
5 18/12/2023	11	4	1000244670	2260.87-	N A:DIR1	4332 TP533/2023 T
5 18/12/2023	11	4	1000244672	2260.87-	N A:DIR1	4332 LU/16492 ERF
5 19/12/2023	11	4	1000244927	2260.87-	N A:DIR1	4332 TP516/2023 E
5 23/12/2023	11	4	1000245275	2260.87-	N A:DIR1	4332 TP558/2023 T ●
Total :				73543.53-		

ocal Authority : STB Stellenbosch Municipality LIVE Vote : 12200103450000
inancial Year : 2023 Period : 7 Level : 4

7 03/01/2024	11	4	1000245760	2260.87-	N A:DIR1	4332 TP584/2023 T
7 10/01/2024	11	4	1000246208	478.27-	N A:DIR1	4332 LU/16526 ERF
7 10/01/2024	11	4	1000246251	2260.87-	N A:DIR1	4332 TP227/2022 T
7 11/01/2024	11	4	0000228246	478.26-	N A:CASH6	2993B202401110016
7 11/01/2024	11	4	1000246279	2260.87-	N A:DIR1	4332 LU/16528 ERF ●
7 15/01/2024	11	4	1000246455	478.27-	N A:DIR1	4332 LU/16496 FAR
Total :				8217.41-		
Grand Total :				81760.94-		

End of Report: Stellenbosch Municipality *

From: Nicole Katts <Nicole.Katts@stellenbosch.gov.za>
Sent: Wednesday, January 17, 2024 9:40 AM
To: Sharise De Klerk <Sharise.Deklerk@stellenbosch.gov.za>
Cc: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>; Salome Newman <Salome.Newman@stellenbosch.gov.za>
Subject: RECEIPT NUMBERS - DEC/JAN

Hi Sharise

Out of the Ordinary®



Investec Bank Limited

100 Grayston Drive, Sandown Sandton 2196
PO Box 785700 Sandton 2146 South Africa
T +27 (0) 11 286 7000 F +27 (0) 11 286 9555
www.investec.co.za

To whom it may concern

Investec Private Banking hereby confirms that the following payment has been made:

Payment From	Klein Dauphine Estate (Pty) Ltd
Amount	2 600.00
Payment Date from Investec	2023-12-23
Payment Reference	UP0037176094
Beneficiary Account Name	Stellenbosch
Beneficiary Bank	FIRST NATIONAL BANK
Branch Code	250655
Beneficiary Account Number	62869253684
Beneficiary Reference or Account Number	TP558/2023





DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

LAND USE APPLICATION COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW, 2015			Date of Submission of Application	31/10/2023	
Erf No		Town		Suburb	
Farm No	1643/2	Farm Portion		Nearest Town	Paarl Division
Owner / Applicant	Peter Garnet Mons		Contact number	082 826 4000	
Email address	petergm@fibresky.co.za				
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION	ADMIN TO VERIFY ¹		PLANNER TO EVALUATE ²		
	YES	NO			
1. Completed application form that is signed	✓		✓		
2. Power of Attorney / Owners' Consent if the applicant is an agent and Company Resolution	✓		✓		
3. Bondholders' consent					
4. Proof that applicant is authorized to act on behalf of an entity					
5. Proof of ownership or rights held in land					
6. Motivation based on criteria in s65	✓		✓		
7. SG diagram or General Plan	✓		✓		
8. Locality plan	✓		✓		
9. Site development plan or plan showing the land development	✓		✓		
10. Subdivision plan					
11. Permission for required servitude					
12. Title Deed	✓		✓		

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

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

13. Conveyancer's certificate			
14. Feedback on Pre-application scrutiny			
15. Minutes of Pre-consultation Meeting			
16. Consolidation plan			
17. Street name and numbering plan			
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION	ADMIN TO VERIFY	PLANNER TO EVALUATE	
18. Land use plan / zoning plan			
19. Landscaping / tree plan			
20. Flood line plan			
21. Neighbours' consent			
22. HOA / Body Corporate consent			
23. Assessments: EIA, HIA, TIA, TIS, MHIA, EA/ROD			
24. Services report (Engineers report)			
25. Previous approvals			
26. Proof of failure of HOA			
27. Proof of lawful use right / zoning certificate			
28. Other documents Specify:			
VERIFIED & SIGNED BY ADMIN	NAME Nicole Katts	SIGNATURE 	DATE 31/10/2023
<i>Outstanding information (to be completed by Planner):</i>			
<i>Applications to be invoiced (to be completed by Planner):</i>			
consent use.			
EVALUATED & SIGNED BY PLANNER	NAME T. Mazana	SIGNATURE 	DATE 19/12/2023
NOTES:			
<ol style="list-style-type: none"> 1. The documentation is not considered as a registered application until such time as it has been scrutinized, all outstanding information (if any) has been submitted and payment is reflected in Council's bank account, after Applicant has been requested by Admin to make payment. 2. Should it be found that the application is not complete, the Applicant will be notified of outstanding information [s41(1)(c)(f)]. 3. Once payment has been confirmed and the application has been registered, the Applicant will be notified of the complete application [s41(1)(c)(f)] and will receive instructions to advertise [s48(4)]. 4. Should the outstanding information and/or payment of fees not be received, the applicant will be notified that the application will not proceed due to failure to submit required information [s41(4)]. 			




DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

LAND USE APPLICATION COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW, 2015				Date of Submission of Application	31/10/2023
Erf No		Town		Suburb	
Farm No	1643/2	Farm Portion		Nearest Town	Paarl Division
Owner / Applicant	Peter Garnet Mons		Contact number	082 826 4000	
Email address	petergm@fibresky.co.za				
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION	ADMIN TO VERIFY¹		PLANNER TO EVALUATE²		
	YES	NO			
1. Completed application form that is signed	✓		✓		
2. Power of Attorney / Owners' Consent if the applicant is an agent and Company Resolution	✓		✓		
3. Bondholders' consent					
4. Proof that applicant is authorized to act on behalf of an entity					
5. Proof of ownership or rights held in land					
6. Motivation based on criteria in s65	✓		✓		
7. SG diagram or General Plan	✓		✓		
8. Locality plan	✓		✓		
9. Site development plan or plan showing the land development	✓		✓		
10. Subdivision plan					
11. Permission for required servitude					
12. Title Deed	✓		✓		

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

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

13. Conveyancer's certificate			
14. Feedback on Pre-application scrutiny			
15. Minutes of Pre-consultation Meeting			
16. Consolidation plan			
17. Street name and numbering plan			
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION	ADMIN TO VERIFY	PLANNER TO EVALUATE	
18. Land use plan / zoning plan			
19. Landscaping / tree plan			
20. Flood line plan			
21. Neighbours' consent			
22. HOA / Body Corporate consent			
23. Assessments: EIA, HIA, TIA , TIS, MHIA, EA/ROD			
24. Services report (Engineers report)			
25. Previous approvals			
26. Proof of failure of HOA			
27. Proof of lawful use right / zoning certificate			
28. Other documents Specify:			
VERIFIED & SIGNED BY ADMIN	NAME Nicole Katts	SIGNATURE 	DATE 31/10/2023
<i>Outstanding information (to be completed by Planner):</i>			
<i>Applications to be invoiced (to be completed by Planner):</i> Consent Use for tourist dwelling units on a property 2cha.			
EVALUATED & SIGNED BY PLANNER	NAME Truthula Mazara	SIGNATURE	DATE (31.10.2023)
NOTES:			
<ol style="list-style-type: none"> 1. The documentation is not considered as a registered application until such time as it has been scrutinized, all outstanding information (if any) has been submitted and payment is reflected in Council's bank account, after Applicant has been requested by Admin to make payment. 2. Should it be found that the application is not complete, the Applicant will be notified of outstanding information [s41(1)(c)(ii)]. 3. Once payment has been confirmed and the application has been registered, the Applicant will be notified of the complete application [s41(1)(c)(i)] and will receive instructions to advertise [s48(4)]. 4. Should the outstanding information and/or payment of fees not be received, the applicant will be notified that the application will not proceed due to failure to submit required information [s41(4)]. 			



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DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

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

FOR ENQUIRIES CONTACT landuse.enquiries@stellenbosch.gov.za or 021- 808 8606

SUBMIT APPLICATION BY UPLOADING COMPLETED FORM AND RELEVANT INFO TO THE

Town Planning Application Management System (TPAMS)

[AFLA Portal \(stellenbosch.gov.za\) /](http://AFLA Portal (stellenbosch.gov.za) /)

<https://citymaps.stellenbosch.gov.za/aflaportal/home>

NOTE: In terms of section 69 of the Bylaw on Municipal Land Use Planning 2023 the Municipality may categorise applications for consideration by either an authorised employee or the Municipal Planning Tribunal (Categorisation Model for Decision-making July 2023). These land use applications are subject to prescribed administrative and public participation processes and depending on the type of application, *Land Use Application Form A or Form B* must be completed. *Land Use Application Form B* can be used if the application ONLY comprises of a permanent departure.

If any other type of application is also required, *Land Use Application Form A* must be completed. *Land Use Application Form C* must be used if the application comprises of an application for permission either in terms of the zoning scheme or in terms of a condition of approval or in terms of the title deed.

LAND USE PLANNING APPLICATION FORM A

Section 15 of the Municipal Bylaw on Land Use Planning 2023 and other relevant legislation

Complete form using BLOCK letters and ticking the appropriate boxes

PART A: APPLICANT DETAILS

First name(s)	PETER GARNET
Surname	MONS
Company name (if applicable)	N/A
Postal Address	PO BOX 851, ROBERTSON.6705.
Email Address	petergm@fibresky.co.za
Contact Number(s)	082 826 4000

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

Registered owner(s) Name	KLEIN DAUPHINE ESTATE (PTY) LTD C/o JOOST DE HAAS - DIRECTOR
E-mail Address	joostdehaas@me.com
Contact Number	064 977 3346

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

Erf No		Suburb		Town	
Farm no	1643	Farm Portion	2	Nearest Town	FRANSCHHOEK

Physical or Street Address	EXCELSIOR ROAD	Property / Business / Farm known as	KLEIN DAUPHINE ESTATE						
Current Zoning	AGRICULTURAL AND RURAL ZONE								
Additional or Consent Uses	DAY CARE CENTRE UNDER CONSIDERATION								
Current activities	RESIDENTIAL/ DAY CARE CENTRE AND AGRICULTURE								
Property Size / Extent	2,2395	ha	Are there existing buildings?	Y X	N				
Title Deed number	T 23460/2019								
Any restrictions in the Conveyance's Certificate?	Y	N	If yes, list condition(s) as per certificate. N/A						
Are the restrictive conditions in favour of a third party?	Y	N	If yes, list the party(ies). N/A						
Is the property owned by Council?	Y	N X	If yes, <u>attach a power of attorney</u> signed by the Municipal Manager or delegated authority						
Is the building located within the historical core?	Y	N X	Is the building older than 60 years?	Y	N X	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹	Y	N X	If yes, indicate which section are triggered and attach relevant permit.
Any existing unauthorized buildings and/or land use on the subject property(ies)?	Y X	N	If yes, is this application to legalise the building / land use ² ?			Y X	N		
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	Y	N X	Are there any land claim(s) registered on the subject property(ies)?			Y	N X		

PART D: PRE-APPLICATION CONSULTATION AND OR SCRUTINY

Has there been any pre-application consultation?	Y X	N	If yes, attach the minutes of the pre-application consultation. ONLY INFORMAL ENQUIRY BY EMAIL
Has the pre-application scrutiny form been submitted?	Y	N X	If yes, attach the written feedback received.

The submission of a pre-application scrutiny form to Landuse.Applications@stellenbosch.gov.za is compulsory for the following type of applications and written feedback must be attached to the land use planning application form: rezoning, subdivision and consolidation of land, removal, suspension or amendment of restrictive title deed conditions, the amendment, deletion, or imposition of conditions of approval and the cancellation of an approved subdivision plan.*

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

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

PART E: LAND USE PLANNING APPLICATIONS AND PAYMENT OF FEES**APPLICATIONS IN TERMS OF SECTION 15 OF THE MUNICIPAL BYLAW ON LAND USE PLANNING 2023**

Type of application	Tick
15(2)(a) rezoning of land*	
15(2)(b) a permanent departure from the development parameters of the zoning scheme	
15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land	
15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement*	
15(2)(e) a consolidation of land that is not exempted in terms of section 24*	
15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit*	
15(2)(g) a permission required in terms of the zoning scheme	
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	
15(2)(o) a consent use contemplated in the zoning scheme	√
15(2)(p) to disestablish a homeowners' association	
15(2)(q) to rectify a failure by a homeowners' association to meet its obligations in respect of the control over or maintenance of services	
15(2)(r) 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	

OTHER APPLICATIONS

Deviation from Council Policies/By-laws

Consent / Permission required in terms of a title deed (includes where permission is required in terms of the Advertising on Roads and Ribbon Development Act, Act 21 of 1940)

DETAILS FOR INVOICE

Name & Surname (party responsible for payment)	KLEIN DAUPHINE ESTATE (PTY) LTD
Postal Address	KLEIN DAUPHINE ESTATE, EXCELSIOR ROAD, FRANSCHHOEK.
Vat Number (where applicable)	4190 288 615

- Application fees are per the Council Approved Tariffs. The complete application should first be submitted without the payment of any applicable application fees. Only when satisfied that a complete and accurate application has been submitted, will a proforma invoice be submitted to the applicant with payment instructions. Application fees that are paid to the Municipality are non-refundable as per the Tariff Rules. Once proof of payment is received, the application will be regarded as duly submitted.**
- All indigent residents who are registered as such with the Municipality and with proof submitted together with application will be exempted from applicable fees for Permanent Departure applications including but not limited to building lines, coverage, parking. Contact: Indigent.office@ Stellenbosch.gov.za or 021 808 8501 or 021 808 8579**
- The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable, and the applicant will be informed accordingly.**

BANKING DETAILS

Account Holder Name: Stellenbosch Municipality
 Bank: FIRST NATIONAL BANK (FNB)
 Branch no.: 210554
 Account no.: 62869253684
 Payment reference: LU/_____ and ERF/FARM _____

Please use both the Land Use Application number and the Erf/Farm number indicated on the invoice as a reference when making EFT payment

PART F: DETAILS OF PROPOSAL *(Brief description of intent of development)*

THE APPLICATION SEEKS TO GAIN THE LAND USE RIGHTS FOR TWO SINGLE-BEDROOM, SELF CATERING LIVING UNITS IN AN EXISTING BUILDING FOR USE BY TRANSIENT GUESTS. THE APPLICATION ENTAILS A CONSENT USE FOR TWO, TOURIST DWELLING UNITS. SEE MOTIVATION REPORT FOR FULL DETAILS.

√

Name and Date of design guidelines (if applicable)		N/A				
		Adjoining erf number				
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 / footprint			From	%	To	%
Exceeding maximum permitted bulk / floor factor / habitable rooms			From		To	
Exceeding height restriction			From	m	To	m
Exceeding maximum storey height			From	m	To	m

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√		Proof of any other relevant right held in the land concerned
Y√	N		Resolution or other proof that applicant is authorised to act on behalf of a juristic person	Y√	N		S.G. diagram / General plan extract (A4 or A3 only)
Y√	N		Written motivation pertaining to the need and desirability of the proposal	Y√	N		Site development plan or conceptual layout plan (A4 or A3 only) to scale
Y√	N		Locality plan (A4 or A3 only) to scale	Y	N√		Proof of agreement or permission for required servitude
Y	N√		Proposed subdivision plan (A4 or A3 only) to scale	Y√	N		Proof of registered ownership (Full copy of the title deed)
Y	N√		Conveyancer's certificate	Y√	N		Written feedback of pre-application scrutiny and 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 √	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 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. N/A	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/A √	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, attach motivation.			

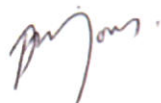
SECTION I: DECLARATION

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) of said bylaw 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 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 if it has reason to believe that information submitted, or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.
15. I am aware that by lodging an application, the information in the application and obtained during the process may be made available to the public.

Applicant's signature:



Date:

29/10/2023

Full name:

PETER GARNET MONS

Professional capacity:

TOWN PLANNER -A/116/2009

Peter G. Mons
Pr. Pln - A/116/2009

Professional Town
Planning Consultant



My Ref: P1643/2 06/23

Director: Planning & Economic Development
Stellenbosch Municipality
P. O. Box 17
Stellenbosch.
7599.

29 October 2023

Sir

**Application for a Consent Use for Tourist Dwelling Units to Operate from Portion
2 of Farm No 1643 Paarl – Klein Dauphine Estate**

The application form and supporting documents as listed on the contents page for the above-mentioned application are herewith forwarded to your offices for processing, please.

Please acknowledge receipt of the documentation.

Your prompt attention to processing the application will be appreciated.

Yours faithfully,

P. G. Mons -Pr. Pln. A/116/2009

Peter G. Mons
Pr. Pln - A/116/2009
B Sc, M (T&RP), MSAPI

▲ P.O. Box 851
Robertson
6705

☎ 023 626 3480
☎ 082 826 4000

✉ petergm@fibresky.co.za

Contents

- ❖ Application Form
- ❖ Motivation Report
- ❖ Locality Plan
- ❖ Site Plan
- ❖ Floor Plans and Elevations
- ❖ Character of the Surrounding Area
- ❖ Surveyor Generals Diagram
- ❖ Title Deed
- ❖ Power of Attorney
- ❖ Company Resolution
- ❖ Confirmation of Name Change

**Application for a Consent Use for Tourist Dwelling Units to
Operate from Portion 2 of Farm No 1643 Paarl – Klein
Dauphine Estate**

Motivation Report

Contents

- 1) Purpose of the Application
- 2) Property Details
- 3) Property Owner
- 4) Applicant
- 5) Current Rights, Physical Characteristics, Infrastructure and Utilization
- 6) Surrounding Land Uses and Character of the Surrounding Area
- 7) Desired Rights and Statutory Requirements
- 8) Detailed Description of the Proposed Development
- 9) Statutory Application
- 10) Motivation
- 11) Concluding Summary

1) Purpose of the Application

The owner of Portion 2 of Farm No 1643 Paarl known as Klein Dauphine Estate, wishes to use an existing building containing two self-catering accommodation units as tourist accommodation. The purpose of the application is to obtain the necessary land use right to permit the desired tourist accommodation on the property which has an Agriculture and Rural Zone zoning.

2) Property Details

2.1) Description

Remainder of Portion 2 of the Farm Number 1643 in the Stellenbosch Municipality, Division of Paarl, Province of Western Cape.

2.2) Location

The property is located at the intersection of Verdun Private Road with Excelsior Road, on the southern outskirts of Franschhoek town. (See Locality Plan).

2.3) Extent

The property measures 2,2395 hectares in extent.

2.4) Current Zoning

Agricultural and Rural Zone

2.5) Current Utilization

The property known as Klein Dauphine Estate is farmed on a small scale with vines. The agricultural activities are limited to neatly kept vineyards with a combined area of approximately 1ha and a small section of olive trees. The infrastructure consists of a primary dwelling (manor house), a second dwelling, a farm store, a solar panel installation, a day care centre for which there is a pending consent use application, and a further structure which was originally approved as a farm manager's cottage.



Vineyards



The primary dwelling



The second dwelling



The farm store building



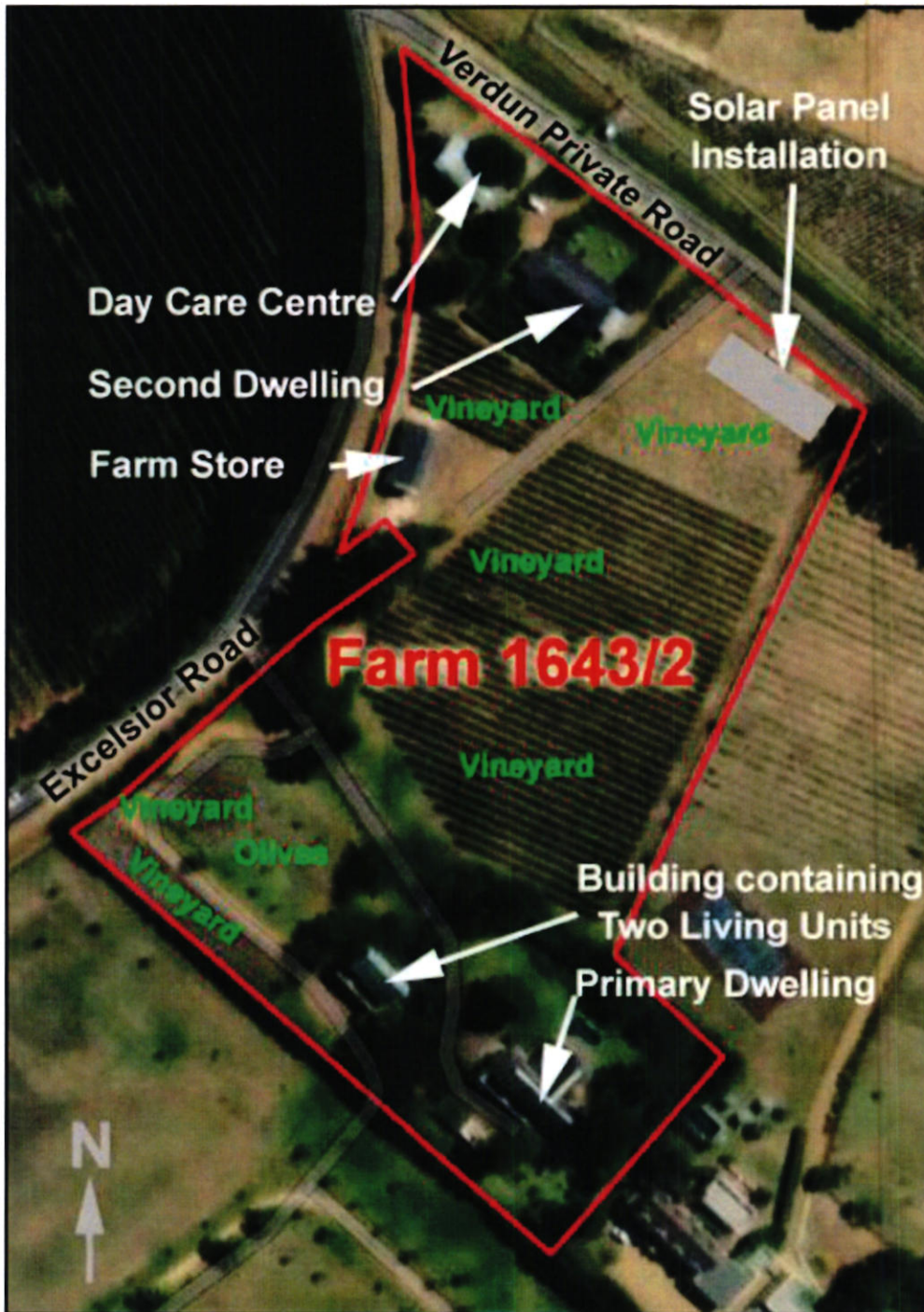
Solar panel installation



***Valley Kids School* day care centre**



Former manager's cottage



Aerial View showing the land use on the property.

3) Property Owner

Klein Dauphine Estate (Pty) Ltd (Reg No:2019/048604/07)

Contact persons: Joost de Haas

Mobile: 064 977 3346

e-mail: joostdehaas@me.com

Address: Klein Dauphine Estate, Excelsior Road, Franschoek.

4) Applicant

Peter G. Mons- Town Planning Consultant.

Tel No : 082 826 4000

Fax No : 023 626 3480

e-mail : petergm@fibresky.co.za

Address : P. O. Box 851
Robertson. 6705.

5) Current Rights, Physical Characteristics, Infrastructure and Utilization.

In terms of the property's Agricultural and Rural Zone zoning the **land use rights** are limited to those directly associated with the cultivation of land or the breeding of animals and buildings reasonably connected with the main farming activities. There is no record of additional rights being granted. There is a pending application for approval of the day care centre as a Consent Use.

The **physical characteristics** of the property are that it has a roughly oblong shape measuring ± 200 m in a north to south direction and ± 100 m in an east to west direction. The land has a minimal slope. The buildings are grouped together in the northwest and southeast sections of the property.

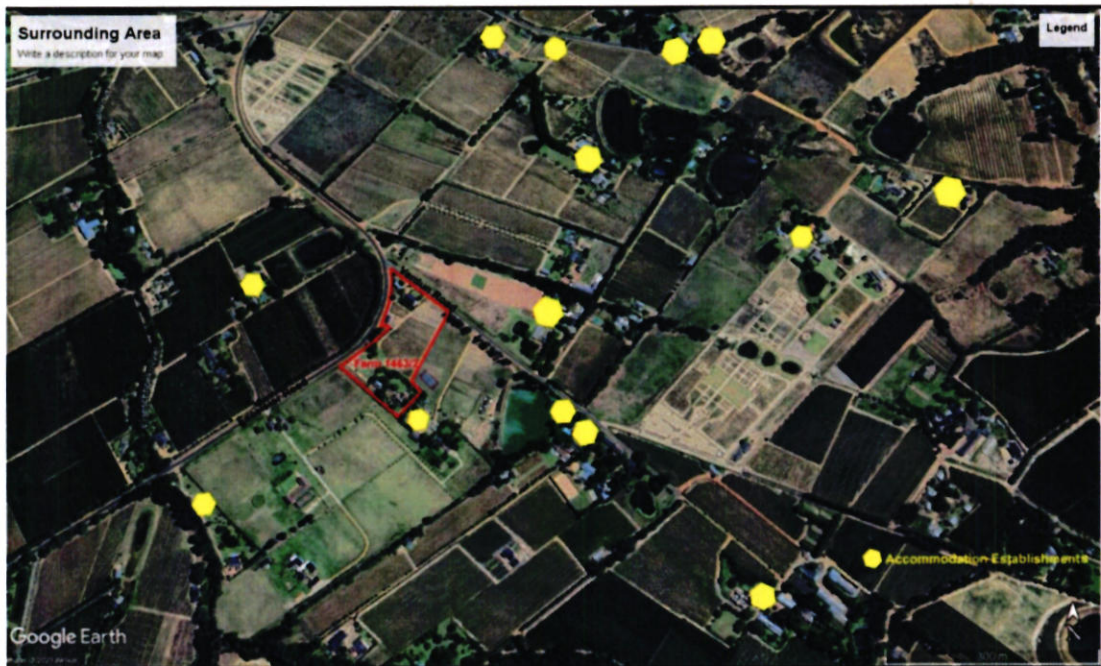
The **infrastructure** consists of a primary dwelling (manor house), a second dwelling, a farm store, a solar panel installation, a day care centre and a further structure containing two living units which was originally approved as a farm manager's cottage. Provision is made for adequate parking. An internal road system connects all the facilities. The main access is off Excelsior Road with alternative access points to the second dwelling and day care centre off Verdun Road.

The farm is primarily **utilized** for the cultivation of vines (± 1 ha) planted in the available areas as well as a small olive grove. The grapes are used to produce wine off the site. The property also serves the **tourist industry** in the form of two self-catering units which are the subject of this application. A day care centre which caters for the needs of local children which is registered as an NPO known as the *Valley Kids School* operates from an existing building in the northwest section of the property.

6) Surrounding Land Uses and Character of the Surrounding Area

The property falls within an active agricultural area in the Franschhoek valley. The area is characterized by agriculture activities primarily in the form of vineyards, plumbs, and orchards, mostly on smaller farming units. Within this farming landscape there are numerous tourist accommodation establishments. Those in proximity include Franschhoek Farm Cottages, Auberge La Dauphine Guest House, Saddlebrook Cottage, Lavender Farm Guest House, La Verdure, Farm Lorraine, Cape Dutch @Keerweder and The Terraces @Chambray Estate (Source: Google Maps).

This mix of land uses gives the immediate surrounding area a character typical of the Franschhoek valley being extensively cultivated with vineyards, plumbs and orchards interspersed with a variety of tourist establishments, with many offering accommodation. The Franschhoek river runs through this part of the valley and is well vegetated along its banks as are the tributaries. Other vegetation is largely limited to windbreaks which add to the rural character. (See photograph below of the surrounding area).



Google image showing the surrounding land uses and agricultural/tourist accommodation character of the area.

7) Desired Rights and Statutory Requirements

There is currently a main dwelling and a second dwelling which are permitted as primary rights in terms of the property's zoning of Agricultural and Rural Zone. The residential building which was previously approved as a manager's dwelling has subsequently been utilized as tourist accommodation in the form of two, single-bedroom self-catering units. It is this building for which additional land use rights are being sought.

In terms of the applicable By-Law such a use can be permitted as *Tourist dwelling units* which is defined as follows:

"tourist dwelling unit" (toerisme-woneenheid) means the use of a furnished dwelling house and/or second dwelling and/or a dwelling unit in flats, where the entire dwelling unit is rented out for the accommodation of **transient guests** and where accommodation is only provided on a self-catering basis, provided that if more than 4 dwelling units on the same property are rented out by the same owner

or proprietor as an enterprise it is deemed to be a **tourist accommodation establishment**.

The Tourist dwelling units may be permitted as an Additional use or as a Consent use where the threshold is exceeded which is the case with this application due to the restricted size of the property.

Town Planning:

To achieve the desired new land use right will require an application for a **Consent use** for **Tourist dwelling units** in terms of the Stellenbosch Municipal: By-law on Municipal Land Use Planning, 2023.

Title Restrictions: It is not considered necessary to apply for the removal of any restrictive Title Deed conditions in terms of the **Removal of Restrictions Act, Act 84 of 1967**. Approval in terms the Controlling Authority as defined in Act 21 of 1940, may be required.

Heritage: An application in terms of the **National Heritage Resources Act, Act 25 of 1999** is not considered necessary for such a minor application.

8) Detailed Description of the Proposed Development

The property is farmed productively albeit on a small scale, and the grapes are processed off-site and returned to the owner. Furthermore, the property is occupied periodically by the owner while the second dwelling also serves as a residence. The property also contains *The Valley Kids* Day care centre which caters for 32 local children. The undertaking operates as an NPO supported by the owner and other donors. The ratification of this use is currently being applied for as a separate Consent Use application.

The building which is the subject of this application was previously approved as a living unit for a farm manager but has subsequently been converted into two, single bedroom tourist units which conform to the definition of flats, which reads as follows: “flats” (**woonstelle**) means a building which consist of two or more dwelling units which may be let or sold separately, and may consist of more than one building, together with such outbuildings as are ordinarily associated therewith.

Details of the building are as follows:



Front view

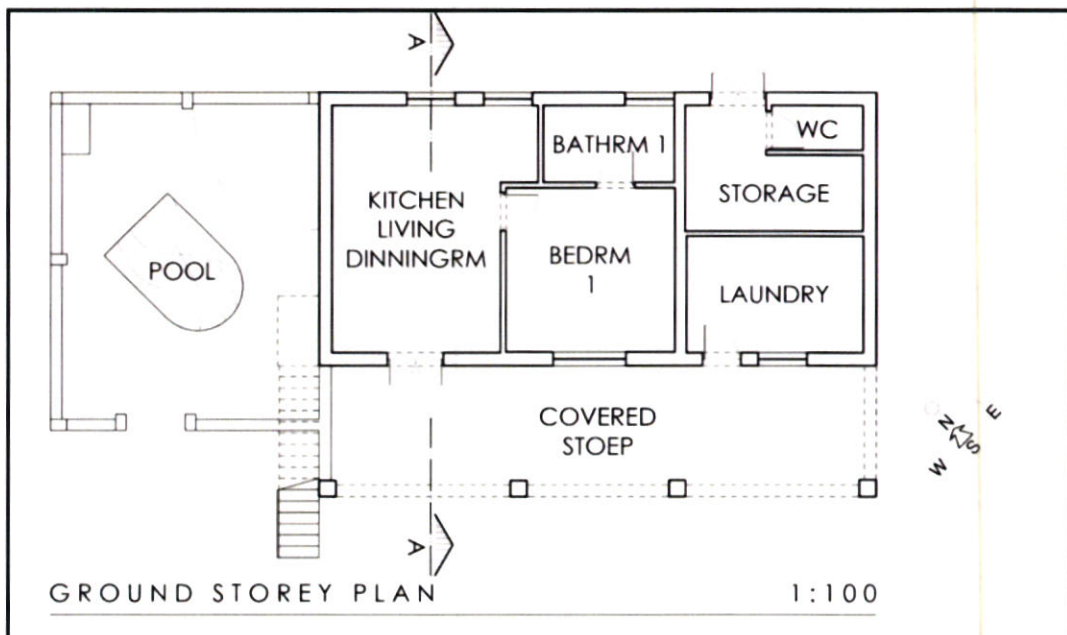


Dedicated paved parking area



Swimming pool

Ground Storey

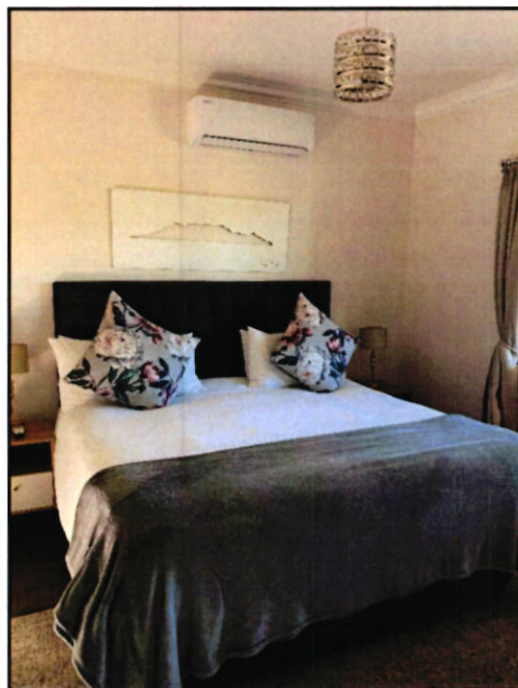


Floor Plan

The ground storey layout measures 79.9m² and consists of a kitchen/living/dining area, a single bedroom with an on-suite bathroom. This floor also contains a laundry, storage area and toilet for use by the staff servicing the units. It also has access to a covered stoep measuring 38.2m².



Kitchen/dining/living area



Bedroom

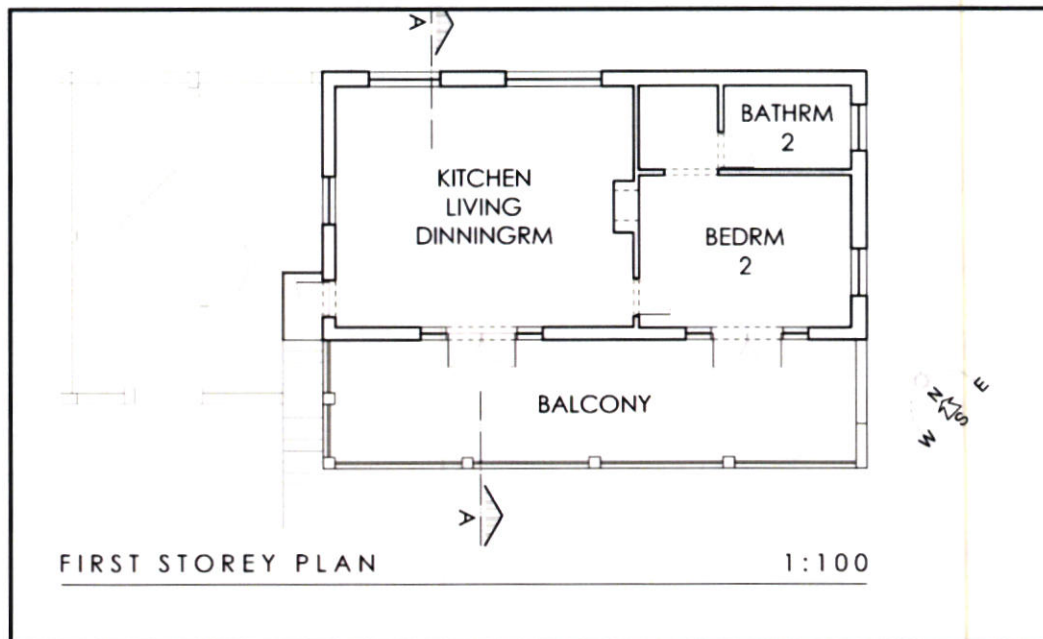


Laundry



Covered Stoep

First Storey



Floor plan

The first storey layout measures 79.9m² and consists of a kitchen/living/dining area, a single bedroom with an on-suite bathroom. This floor which is accessed via an external staircase, opens onto an open balcony measuring 38.2m². There is also a mezzanine level measuring 34.2m².



Kitchen/dining/living area



Bedroom



Mezzanine



Balcony



External staircase

The building for which approval is sought covers an area of 114.1m² and is two storeys high with a partial mezzanine section on the first storey level. The building hosts two, single bedroom units designed as self-catering units which can accommodate a maximum of four transient guests. Convenient parking is provided alongside the building.

9) Statutory Application

Application is made in terms of Section 15(2) (o) of the Stellenbosch Municipality: By-law on Land Use Planning, 2023 for a Consent Use to permit two Tourist dwelling units within an existing building on Portion 2 of Farm No 1643 Paarl Division.

10) Motivation

10.1) Desirability of the proposed land uses

Section 49 (d) of the Western Cape Land Use Planning Act (LUPA), Act 3 of 2014 requires that the desirability of the proposed land use should be one of the factors forming the basis of assessment of land use applications.

The concept of **desirability** may be defined as the degree of acceptability of a specific proposal on a property within an existing natural or man- made environment.

The desirability of this application is illustrated in terms of the relevant factors.

10.2) Land Use Planning Guidelines

An important consideration when assessing the desirability of a new planning proposal is the extent to which the proposal complies with the available planning guidelines compiled to manage the development of the applicable area. In terms of Sections 49 (a) and (b) of LUPA the applicable spatial development frameworks and structure plans must be considered when a municipality considers a land use application. In the case of the proposed additional land use on Farm No 1643/2 various guidelines at different levels need to be considered.

The following documents are relevant to the application:

10.2.1 Western Cape Government Spatial Development Framework

At a provincial level, the **Western Cape Provincial Spatial Development Framework (WCPSDF)** serves as a guideline and puts forward proposals and strategies aimed at achieving certain provincial wide goals. The WCPSDF is a strategic document which strives to ensure that future development in the province takes place in a manner which is sustainable.

The following extracts are of relevance to this application: **Opening-up opportunities in the Provincial space-economy.**

The province's economy is made up of the diverse economic activities in the province's urban centres and its rural areas, and the relationship of these places and spaces to the infrastructure that connects and supports them. A space-economy that opens-up livelihood and income earning opportunities, attracts private investment, and promotes inclusive growth, is a focus area of the PSDF.

Policy E2 under Paragraph 3.2.3.3 deals with how to **Diversify and Strengthen the Rural Economy**. Policy 4 says the following with regard to development outside the Urban Edge: *Compatible and sustainable rural activities(i.e. activities that are appropriate in a rural context, generate positive socio-economic returns, and do not compromise the environment or ability of the municipality to deliver on its mandate) and are of an appropriate scale and form can be accommodated outside the urban edge (except in bona fide wilderness areas).*

This policy acknowledges the role which the rural economy can play in the overall economy and is of relevance to the greater Cape Winelands area. It is contended that the proposal on the property under consideration presents an opportunity where this policy to allow compatible and sustainable activities, can be applied to promote appropriate development in the rural area.

The proposal for **Farm No 1643/2** as outlined in the application where an appropriate tourist related activity namely two self-catering units, will be permitted in a manner which will not be detrimental to the farming activities, can be considered to be consistent with the approach promulgated in the PSDF in that it strives to ensure the **sustainability** of the farming/tourist unit in a

manner which will not be detrimental to the wider area and the surrounding property owners. The activity will generate positive economic returns through an increase in tourist activities. The type of activity proposed is also considered to be compatible and sustainable.

10.2.2 Stellenbosch Municipality: Amended Spatial Development Framework – June 2023

This document, as approved in June 2023 after a review of the November 2019 document, covers the entire Stellenbosch Municipal area and deals with a wide variety of subjects related to spatial planning and the future path of development for the greater Stellenbosch area.

As the Stellenbosch municipal area is sought after for the opportunity and quality of living it offers, much of the municipal area is constantly under pressure for development; in the form of various types of residential development, and commercial development ranging from shopping malls to tourist and visitors' facilities in the rural areas surrounding towns. The Municipal Spatial Development Framework seeks to play a key role in managing these pressures. As such it seeks to influence the overall spatial distribution of current and future land use within a municipality.

The following extracts are relevant to this application:

Part 5 deals with Plans and Settlement Proposals for the various settlements, sub-areas and for the area as a whole (5.2).

The following is stated regarding the plan for the area as a whole:

The overall plan indicates a municipal area largely set aside as protected and managed areas of nature and high value agricultural land. These areas of nature and agriculture are critical in delivering various ecological and economic services and opportunity. Significant change in use and land development is not envisaged in the nature and agricultural areas. Only non-consumptive activities are permitted (for example, passive outdoor recreation and tourism, traditional ceremonies, research and environmental education) in core nature areas. In agricultural areas, associated building structures are permitted, as well as **dwelling units to support rural tourism**, and **ancillary rural activities that serves to diversify farm income**. However, these should not undermine the sustainability of agricultural production, and adhere to the guidelines contained in the SEMF and “Western Cape Land Use Planning: Rural Guidelines”.

The proposal for Farm No 1643/2 does not represent a significant change in use and land development as it entails the use of an existing building which will not impact on the agricultural activities. As such it will further supplement and diversify the farm income in a manner which is consistent with the guidelines.

10.2.3 General Compliance with Spatial Plans.

No specific approved detailed spatial plan exists for the area in which the subject property is located. The proposal must therefore be assessed in terms of the available policy documents applicable to the greater Stellenbosch municipal area.

From the contents of the above paragraphs, it is evident that the introduction of an additional land use activity in the form of self-catering accommodation for tourists on Farm No 1643/2 will be in compliance with the policies and guidelines as contained in the relevant forward planning documents.

10.3 Development Principles as contained in the relevant Planning Legislation

Planning proposals are required to comply with certain **development principles** as spelt out in the current planning legislation including the Spatial Planning Land Management Act, Act 16 of 2013 and the Land Use Planning Act, Act 3 of 2014. These principles including spatial justice, spatial sustainability, principles of efficiency, good administration and spatial resilience are generally overarching principles applying to planning at a wider scale. The principles of **Spatial Sustainability** and **Efficiency** can be applied to the proposals for **Farm No 1643/2**. Spatial sustainability requires that land development should be promoted in locations that are sustainable while the principle of efficiency requires that land development optimizes the use of existing resources and infrastructure.

The proposal for Farm No 1643/2 is compliant with these principles in that the property is in an area where tourism facilities are appropriate and due to the fact that the proposed new activity will contribute towards maximizing the use of the existing infrastructure, namely the buildings, roads and services which have been installed.

10.4 Compliance with the prescriptions of the Stellenbosch Municipality: Zoning Scheme By-Law, 2019.

10.4.1 Definitions

“tourist dwelling unit” (toerisme-wooneenheid) means the use of a furnished dwelling house and/or second dwelling and/or **a dwelling unit in flats**, where the entire dwelling unit is rented out for the accommodation of **transient guests** and where accommodation is only provided on a self-catering basis, provided that if more than 4 dwelling units on the same property are rented out by the same owner or proprietor as an enterprise it is deemed to be a **tourist accommodation establishment**.

“flats” (woonstelle) means a building which consist of two or more dwelling units which may be let or sold separately, and may consist of more than one building, together with such outbuildings as are ordinarily associated therewith.

Comment:

The proposed tourist dwelling units in the form of two self-catering accommodation units **will comply** with the definition as this use will cater for transient guests on a self-catering basis. The structure which is to be utilized also complies with the definition of flats, which are permitted as a tourist dwelling unit.

10.4.3 Compliance with requirements of Section 207. Bed and breakfast, guest house, tourist dwelling unit as additional use in this zone.

The proposal complies with the relevant sub-paragraphs as follows:

- (1) The total number of guest bedrooms will not exceed seven.
- (2) The guest accommodation is subservient to the primary agricultural activities and will not interfere with the agricultural or natural environment land uses on the property.
- (3) The tourist dwelling units do not include meeting or beauty treatment rooms or a wellness centre.

10.5 Compatibility with the surrounding land uses

As can be seen on the Aerial photo of the area surrounding the property, Farm No 1643/2 is in an area characterized by small agricultural farms, smallholdings, and tourist accommodation establishments.

The prevailing character of the surrounding area is thus rural agricultural interspersed with tourist accommodation facilities. The proposed additional dwelling units will thus be compatible with the prevailing land uses.

10.6 Potential Visual and Environmental/Heritage Impact.

There will be minimal **visual impact** as the activity will be conducted from an existing building located close to the primary dwelling. The accommodation of transient guests on a small scale should not have any environmental or heritage impact.

10.7 Economic Benefits

The conducting of the tourist dwelling units will provide employment for administration and maintenance personal. The additional facility will also contribute towards the property being a viable economic unit.

10.8 Access, Traffic Impact and Parking

Access to the units is obtained via the main access gate off Excelsior Road. Reasonable site distances are present to allow for safe entry and exit from the property.

The introduction of the tourist dwelling units as proposed will not increase traffic visiting the property in any significant way. The internal accessways and parking that exist are adequate to cater for the visitors. Sufficient conveniently located parking is provided.



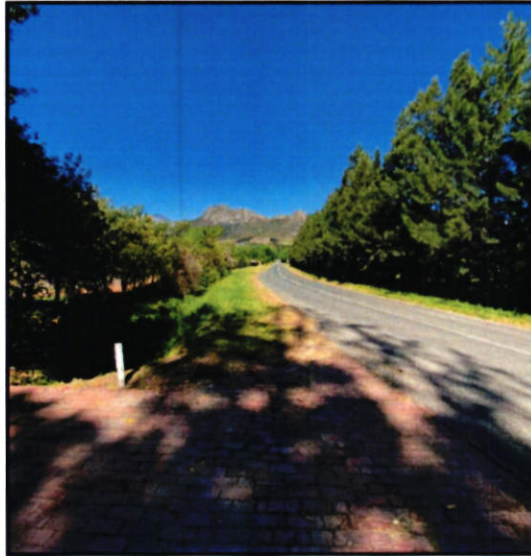
Internal paved access pathway



Entrance gate off Excelsior Road



Sight distance to the NW



Sight distance to the SE

10.9 Provision of Services

The owner is responsible for ensuring that sufficient services of a high standard are available. Details of the services are as follows: The property has its own borehole water; sewage is partially treated by a water treatment plant and partially in septic tanks which are serviced periodically by a private contractor, and electricity is provided by an on-site solar panel installation with partial back-up from Eskom.

Adequate services thus are currently available which meet the needs of the property. The addition of the two living units should not change the status quo.



A component of the sewerage treatment system

11. Concluding Summary

The proposal to permit two self-catering **tourist dwelling units** for transient guests within an existing building on Farm No 1643/2 is **desirable** for the following reasons:

- ❖ The proposal is **in keeping with the policies and guidelines** as contained in the relevant documents for the wider area which promote appropriate tourism facilities which operate in harmony with the agricultural activities.
- ❖ The proposed new land use is not expected to have any significant negative impact on the **surrounding properties** or the character of the wider area as the use proposed is in keeping with the prevailing agricultural/tourism character of the area.
- ❖ The facility is of an **appropriate small scale** and will have minimal impact.
- ❖ The location of the building which will be utilised is sufficiently isolated from the surrounding dwellings and farmsteads so as **not to have any significant impact** on them.
- ❖ The living units will be housed in an existing building of a limited extent which will **not result in negative impact** on the primary use of the property, namely agriculture.
- ❖ **Employment opportunities** will be created,
- ❖ **Safe access** through the existing gateway off Excelsior Road is possible for the relatively low volume of additional traffic which the new facility is expected to generate.
- ❖ Suitable internal **access paved pathways already exist**, and the volume of traffic generated by the added activity is not expected to be significant. No significant impact on traffic in the area is therefore envisaged.
- ❖ The living units are accessed via the internal road system with direct access off Excelsior Road and therefore **traffic will not pass** through any other properties.

❖ Adequate **parking** is already available.

❖ The required **services** are available.

It is consequently concluded that the proposal to permit two tourist dwelling units in an existing building on Farm No 1643/2 Paarl Division is desirable and should enjoy the Councils full support.

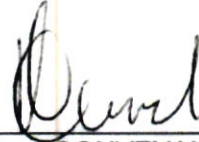
Compiled by Peter Mons Pr. Pln – Town Planning Consultant. –
October 2023.

CTN01307

Sharing Box 111

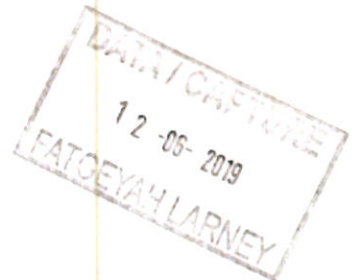
KRENSEL AND ASSOCIATES
100 NEW CHURH STREET
CAPE TOWN
8001

Prepared by me



CONVEYANCER
LINDA KRENSEL

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R 21 447 500,00	51 04,00
Reason for exemption	Category Exemption	Exemption i t o. Sec/Reg. Act/Proc.



T 000023460 / 2019

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

Jacorine Alida Booyens

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a General Power of Attorney, PA 181/2019 registered at Cape Town granted to him/her by



WILLY ERNST KOCH

Born on 29 August 1942

Married, which marriage is governed by the laws of Switzerland and duly assisted herein by his spouse ADELHEID VERENA KOCH insofar as needs be

which said Power of Attorney was signed at BELLVILLE on 10 April 2019

And the appearer declared that his/her said principal had, on 28 March 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:

KITSICURE (PTY) LTD

REGISTRATION NUMBER: 2019/048604/07

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

REMAINDER OF PORTION 2 OF THE FARM NUMBER 1643
IN THE STELLENBOSCH MUNICIPALITY
DIVISION OF PAARL
PROVINCE OF WESTERN CAPE

IN EXTENT 2,2395 (TWO COMMA TWO THREE NINE FIVE) Hectares

FIRST TRANSFERRED by CERTIFICATE OF CONSOLIDATED TITLE
NUMBER T5394/2006 with Diagram SG No. 5494/2004 relating thereto and
held by Deed of Transfer T20930/2012

In respect of the figure A B x C D E r q p n m1 m J K L M N P Q on diagram SG No 5494/2004:

- I. **SUBJECT** in respect of that portion of the land represented by the figure mJKfm1 on Diagram S.G. No 5494/2004 to the following:
 - A. **SUBJECT** to the special conditions referred to in Deed of Transfer No T12508/1955, namely:
 1. Alle paaie en deurgange wat op die genoemde grond bestaan, en wat beskrywe is in die plan of Kaart daarvan, bly vry en onbelemmer, tensy hulle op bevoegde gesag gesluit of verander word.
 2. As dit, op grond van 'n petisie van 'n aangrensende of naburige eienaar 'n weg of pad nodig het na of van die grond van sodanige aangrensende of naburige eienaar, dan is die eienaar van die hierby getransporteerde grond waarop sodanige weg vereis word, verplig om sodanige noodweg of pad toe te staan, en die rigting en breedte daarvan aan te dui net die verstande dat ingeval van twis of geskil aangaande die pad of sy doelmatigheid die rigting en breedte van die pad bepaal moet word deur die Afdelingsraad van die Afdeling waarin die grond geleë is; met die verstande verder dat die genoemde eienaar nie verplig is nie om so 'n pad of deurgang toe te laat oor grond wat op daardie tydstip onder bebouing of verbetering

is, en dat die persoon of persone wat voordeel trek uit en wat aansoek gedoen het om voormelde pad, vir die oorgangsreg en vir alle skade aangerig, vergoeding moet betaal volgens 'n skeidsregterlike uitspraak.

3. Die Staatspresident het te eniger tyd die reg om tot nut van die publiek, paaie, spoorweë, damme, waterleidinge en affeivore te maak, en telegraaf en telefoonlyne oor die genoemde grond aan te lê, om boustof vir hierdie doeleindes te neem; asook om gerieflike uitspannings vir die gebruik van reisigers vas te stel, teen betaling, as vergoeding aan die eienaar, van 'n sodanige som geld as deur skidsregters die verlief of nadeel van die eienaar veroorsaak mag stel teenoor die onmiddellike of toekomstige voordeel wat hy sal of mag trek uit die bou van enige van die genoemde werke.
4. Die Staatspresident het te enige tyd die reg om die genoemde grond geheel of gedeeltelik weer in besit te neem as die vir publieke doeleindes vereis word, teen betaling, as vergoeding aan die eienaar, van 'n sodanige som geld soos deur die betrokke partye, onderling ooreengekom of, by gebreke van 'n sodanige ooreenkoms, soos deur 'n skeidsregterlike uitspraak vasgestel, mag word.
5.

B. FURTHER ENTITLED to the terms of the Servitude endorsement dated 19 October 1977 in Deed of Transfer T3590/1974, which endorsement reads as follows:

"Kragtens Notariële Akte K933/1977S gedateer 8 September 1977 is die herinvermelde eiendom geregtig op sekere waterregte oor

- (i) Die restant van die plaas Nr. 112 Franschhoek, Afdeling Paarl, Grootte 6,0244.
- (ii) Ged 18 (Ged van Ged.14) van die Plaas La Motte Nr 1108, Grootte 8522 vierkante meter. Gehou kragtens T18681/1966.

Soos meer ten volle sal blyk uit gesegde Notariële Akte."

II. SUBJECT in respect of the portion of the land represented by the Remainder of figure KLBxhf on Diagram S.G. No 5494/2004, to the following conditions:

A. SUBJECT to the conditions referred to in Deed of Transfer T7205/1917.

B. FURTHER ENTITLED to the servitude endorsement dated 19 October 1977 as more fully set out in paragraph I.B above.

III. SUBJECT in respect of the portion of the land represented by the Remainder of figure fgj on Diagram S.G. No 5494/2004, to the following conditions:

A. SUBJECT to the conditions referred to in Deed of Transfer T11824/1921.

B. SUBJECT FURTHER to the order of the Water Court referred to in the endorsement dated 29 July 1930 in Deed of Transfer T11824/1921 namely:

4

"The within described land is subject to a servitude with regard to appointment of water in terms of an Order of the Water Court (Water Court District No 1 dated 18, 19, 20 and 24th March 1930 as will more fully appear on reference to the copy of said Order annexed thereto."

- C. **FURTHER ENTITLED** to the servitude endorsement dated 19 October 1977 as more fully set out in paragraph I.B above.
- IV. **SUBJECT** in respect of that portion of the land represented by the Remainder of figure f j q p n m1 on Diagram S.G. No 5494/2004 to the following conditions:
- A. **SUBJECT** to the conditions referred to in Deed of Transfer T11824/1921.
- B. **SUBJECT FURTHER** to the order of the Water Court referred to in the endorsement dated 29 July 1930 in Deed of Transfer No T11824/1921 the terms of which are more fully set out in paragraph III.B above.
- C. **FURTHER ENTITLED** to the servitude endorsement dated 19 October 1977 as more fully set out in paragraph I.B above.
- V. **SUBJECT** in respect of that portion of the land represented by the figure ABMNPQ on Diagram S.G. No 5494/2004, to the following conditions:

- A. **SUBJECT** to the conditions referred to in Deed of Transfer T6906/1918.
- B. **SUBJECT FURTHER** to the terms of a servitude dated 29 July 1930 referred to in the endorsement in Deed of Transfer T6909/1918, namely:

"Registration of Servitude

The within described land is subject to a servitude with regard to the apportionment of water in terms of an Order of the Water Court (Water Court District No. 1 dated 18, 19, 20 and 24th March 1930) as will more fully appear on reference to the copy of said Order annexed hereto."

In respect of the figure G H m m1 n p q r E F s e on Diagram No. 5494/2004:

- VI. **SUBJECT** in respect of that portion of the land represented by the figure G H m m1 e on Diagram S. G. No 5494/2004 to the following conditions:
- A. **SUBJECT** to the special conditions referred to in Deed of Transfer No 12508/1955, namely:
1. "1. Alle paaie en deurgange wat op die genoemde grond bestaan, en wat beskrywe is in die plan of Kaart daarvan, bly vry en onbelemmer, tensy hulle op bevoegde gesag gesluit of verander word.

2. As dit, op grond van 'n petisie van 'n aangrensende of naburige eienaar 'n weg of pad nodig het na of van die grond van sodanige aangrensende of naburige eienaar, dan is die eienaar van die hierby getransporteerde grond waarop sodanige weg vereis word verplig om sodanige noodweg of pad toe te staan, en die rigting en breedte daarvan aan te dui net die verstande dat ingeval van twis of geskil aangaande die pad of sy doelmatigheid die rigting en breedte van die pad bepaal moet word deur die Afdelingsraad van die Afdeling waarin die grond geleë is; met die verstande verder dat die genoemde eienaar nie verplig is nie om so 'n pad of deurgang toe te laat oor grond wat op daardie tydstip onder bebouing of verbetering is, en dat die persoon of persone wat voordeel trek uit en wat aansoek gedoen het om voormelde pad, vir die oorgangsreg en vir alle skade aangerig, vergoeding moet betaal volgens 'n skeidsregterlike uitspraak.
3. Die Staatspresident het te eniger tyd die reg om tot nut van die publiek, paaie, spoorweë, damme, waterleidinge en afleivore te maak, en telegraaf en telefoonlyne oor die genoemde grond aan te lê, om boustof vir hierdie doeleindes te neem; asook om gerieflike uitspannings vir die gebruik van reisigers vas te stel, teen betaling, as vergoeding aan die eienaar, van 'n sodanige som geld as deur skidsregters die verlief of nadeel van die eienaar veroorsaak mag stel teenoor die onmiddellike of toekomstige voordeel wat hy sal of mag trek uit die bou van enige van die genoemde werke.
4. Die Staatspresident het te enige tyd die reg om die genoemde grond geheel of gedeeltelik weer in besit te neem as die vir publieke doeleindes vereis word, teen betaling, as vergoeding aan die eienaar, van 'n sodanige som geld soos deur die betrokke partye, onderling ooreengekom of, by gebreke van 'n sodanige ooreenkoms, soos deur 'n skeidsregterlike uitspraak vasgestel, mag word.

5.

B. FURTHER ENTITLED to the terms of the Servitude endorsement dated 19 October 1977 in Deed of Transfer T3590/1974, the terms of which endorsement is as more fully set out in paragraph I.B above.

VII. SUBJECT in respect of the portion of the land represented by the figure s q r E F on Diagram S.G. No 5494/2004 to the following conditions:

A. SUBJECT to the conditions contained in Deed of Transfer No T15569/1903.

B. SUBJECT FURTHER to the servitude referred to in the endorsement dated 29 July 1930 in Deed of Transfer No T 15569/1930, as in more fully set out on paragraph III.B above.

C. ENTITLED to the benefit of a servitude referred to in the endorsement dated 7 April 1904 in Deed of Transfer No T 15569/1903, namely:

"By Deed of 31 March 1904 the owner of this land has acquired certain water and grazing rights as will more fully appear on reference to the copy annexed hereto."

D. **FURTHER ENTITLED** to the terms of the servitude endorsed dated 19 October 1977 in said Deed of Transfer no T3590/1974, the terms of which endorsement is as more fully set out in paragraph I.B above.

VIII. **SUBJECT** in respect to that portion of the land represented by the figure e m l n p q s on Diagram S.G. No. 5494/2004, to the following conditions:

A. **SUBJECT** to the conditions referred to in Deed of Transfer No T11824/1921.

B. **SUBJECT FURTHER** to the servitude referred to in the endorsement dated 29 July 1930 in Deed of Transfer No T15569/1903, as is more fully set out in paragraph III.B above.

C. **FURTHER ENTITLED** to the terms of the servitude endorsement dated 19 October 1977 in said Deed of Transfer No T3590/1974, as is more fully set out in paragraph I.B above

IX. **SUBJECT** in respect of the portion of the land represented by the figure GHmm1npqrEFse on Diagram S.G. No 5494/2004 to the following conditions:

A. **SUBJECT** to the following conditions imposed by the Controlling Authority in terms of Act 21 of 1940 when approving the subdivision of Farm No 1643 and contained in Deed of Transfer No T27445/2001:

1. The property may not be subdivided without the written consent of the Controlling Authority as defined in Act 21 of 1940;

2. Not more than one dwelling house together with such outbuildings as are ordinary required to be sued in connection therewith shall be erected on the property except with the written approval of the Controlling Authority as defined in Act 21 of 1940;

3. No store or place of business whatsoever may be opened or conducted on the property without the written approval of the Controlling Authority as defined in terms of Act 21 of 1940;

4. No buildings or structure whatsoever shall be erected within a distance of 95 metres from the centerline of Divisional Road 1943 without the written approval of the Controlling Authority as defined in Act 21 of 1940.

XI. **SUBJECT** in respect of that Portion of the land represented by the figures em1npqs and GHmm1npqrEFse on Diagram S.G. No. 5494/2004 to the following condition:

By Notarial Deed of Servitude Number K401/2012S dated 21 February 2012 the within mentioned property is subject to:

A. A Circular Borehole Servitude with a 1 (one) metre radius. The centre point of which servitude is represented by Point A on Servitude Diagram S.G. No. 2205/2007;

B. A pipeline servitude 1 (one) metre wide, which servitude is represented; by a centre line AB on servitude Diagram S.G. No 2205/2007 in favour of Portion 3 (a portion of Portion 2) of the Farm No 1643, measuring 3,9945 (three

comma nine nine four five) hectares, held by Deed of Transfer Number T 5395/2006, together with Ancillary Rights. As will more fully appear from said Notarial Deed.

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

WILLY ERNST KOCH, Married as aforesaid

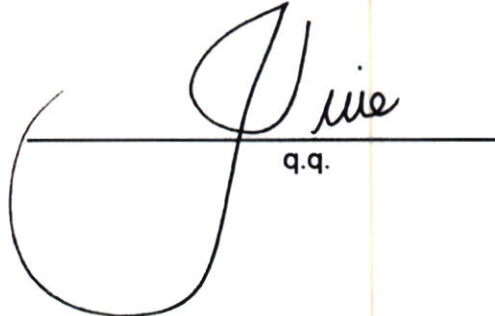
heretofore had to the premises, did in consequence also acknowledge him to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

**KITSICURE (PTY) LTD
REGISTRATION NUMBER: 2019/048604/07**

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 R21 447 500,00 (TWENTY ONE MILLION FOUR HUNDRED AND FORTY SEVEN THOUSAND FIVE HUNDRED 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.

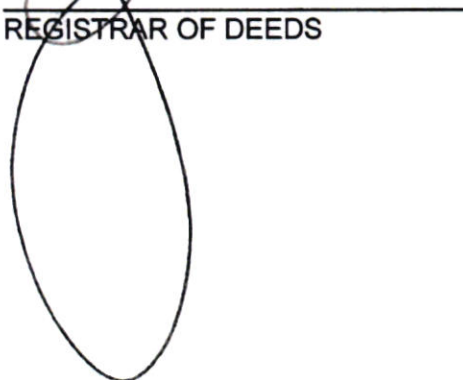
THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on 11 June 2019


q.q.

In my presence


REGISTRAR OF DEEDS







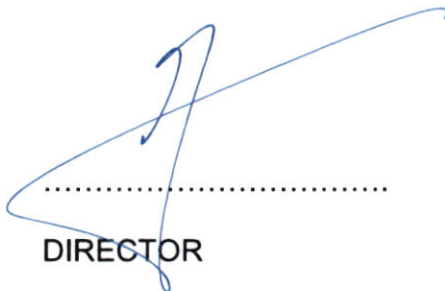
COMPANY RESOLUTION

At a meeting of Klein Dauphine Estate (Pty) Ltd (Reg Number 2019/048604/07) held at Franschhoek, it was resolved as follows:

- 1) To make Application in terms of
 - a) **Stellenbosch Municipality: By-Law on Municipal Land Use Planning, 2023**
 - b) **Any other applicable Acts/Ordinances**

with respect to a Consent Use for Tourist Dwelling Units on Portion 2 of the Farm No 1643 Division Paarl, situate in the Municipality of Stellenbosch.

- 2) To authorise **Joost de Haas** to sign the necessary Power of Attorney in favour of Peter G Mons, Professional Town Planner.



.....
DIRECTOR

DATE: 25 OCTOBER 2023

POWER OF ATTORNEY

I the undersigned,

Joost de Haas

duly authorised by Klein Dauphine Estate (Pty) Ltd

do hereby nominate, constitute and appoint **Peter G Mons, Professional Town Planner** with power of Substitution, to be my lawful Attorney and Agent.

To make Application and sign the necessary Application Form in terms of

- 1) **Stellenbosch Municipality: By-Law on Municipal Land Use Planning, 2023**
- 2) **Any other applicable Acts/Ordinances**

with respect to a Consent Use for a Tourist Dwelling Units on Portion 2 of the Farm No 1643 Division Paarl, situate in the Municipality of Stellenbosch, and generally, for effecting the purposes aforesaid, to do or cause to be done, whatsoever shall be requisite as fully and effectually, to all intents and purposes, as I 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 said Attorney shall lawfully do or cause to be done by virtue of these present.

Executed at **Franschhoek** in the **Western Cape Province** on this 25th day of **October 2023** in the presence of the undersigned Witnesses.

Witnesses:



KARIN VAN OOLDE
DIRECTOR



Joost de Haas
DIRECTOR

Portion 2 of the Farm No 1643, Administrative District of Paarl

S.G. No

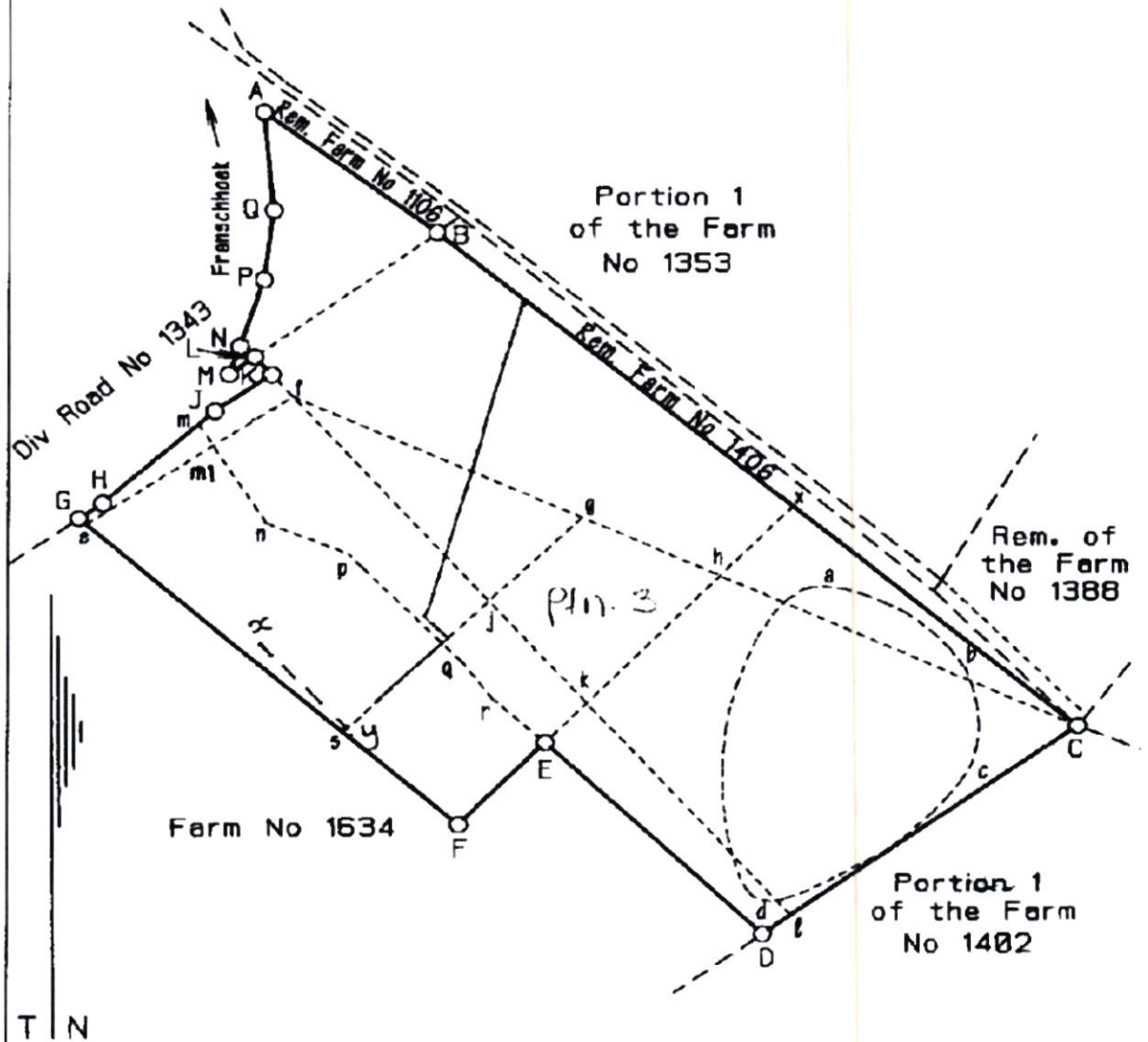
5494/2004

Approved

E. W. ...
for Surveyor-General

2004-11-12

Sheet No 2 of
2 Sheets



Surveyed between May 1982 and October 2004 by us.

D. S. Hellig *S. G. Dreyer*
D S HELLIG **S G DREYER**
 PLS 0256 PLS 1028
 Land Surveyors

Scale 1 : 3 000

Paarl Farm 1643,

FOR ENDEAVORERS
SEE BACK OF BOOK

SIDES Metres		ANGLES OF DIRECTION		CO-ORDINATES Y System WG 19 X			S.G. No 5494/2004
		Constant		±	0,00	+3 700 000,00	
AB	87,67	307 03 00	A	-	11 451,17	+	55 125,03
BC	339,75	310 01 20	B	-	11 521,14	+	55 177,85
CD	158,20	54 35 10	C	-	11 781,32	+	55 396,34
DE	122,42	133 52 20	D	-	11 652,40	+	55 488,01
EF	50,36	44 18 30	E	-	11 564,15	+	55 403,17
FG	204,58	131 23 30	F	-	11 528,97	+	55 439,21
GH	11,68	235 18 10	G	-	11 375,49	+	55 303,94
HJ	61,46	228 32 20	H	-	11 385,09	+	55 297,29
JK	27,95	234 54 50	J	-	11 431,14	+	55 256,59
KL	10,35	138 43 40	K	-	11 454,01	+	55 240,53
LM	12,80	53 24 40	L	-	11 447,19	+	55 232,75
MN	13,05	199 37 00	M	-	11 436,91	+	55 240,38
NP	31,08	198 02 00	N	-	11 441,29	+	55 228,09
PQ	30,56	187 37 00	P	-	11 450,91	+	55 198,54
QA	43,39	174 59 20	Q	-	11 454,96	+	55 168,25
	272 Du Toitskop		△	-	13 868,02	+	50 664,68
	274 Robert		△	-	9 159,39	+	54 252,31

Approved
Stow Blang
for Surveyor-General
2004-11-12

**Sheet No 1 of
2 Sheets**

Beacon Description

All beacons are 20 mm iron peg in stone cairn, except
C planted stone

Components

- 1) The figure m n p q r E F G H represents the Portion 1 of the Farm No 1643 vide dgm no 419/2001 D/T 2001. .27445
- 2) The figure A B C D E r q p n m J K L M N P Q represents the Remainder of the Farm No 1643 vide dgm no 418/2001 D/T 2001. .27444

Servitude Note

The curvilinear figure a b c d represents a Servitude Dam Area vide dgm no 6455/1987 D/T 1989. .24550 (Farm No 1406/4)

The figure **A B C D E F G H J K L M N P Q**
represents **6,2340 hectares** of land being
Portion 2 of the Farm No 1643 and comprising 1) – 2) as enumerated above
situate in **the Stellenbosch Municipality**

Administrative District of **Paarl**

Province of the Western Cape

Surveyed between **May 1982 and October 2004**

by us,

D S Hellig *S G Dreyer*
D S HELLIG **S G DREYER**
PLS 0256 PLS 1028
Land Surveyors

This diagram is annexed to No. 75394/2006 dated i.f.o. Registrar of Deeds	The original diagrams are as enumerated above	File No. Parl. 1643 S.R. No. E2478/2004 Comp. BI-7CAD (3895) BI-7CBC (3897) LPI C0550000
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Center of the
Planning Area

Franschoekrivier

Vardun Road

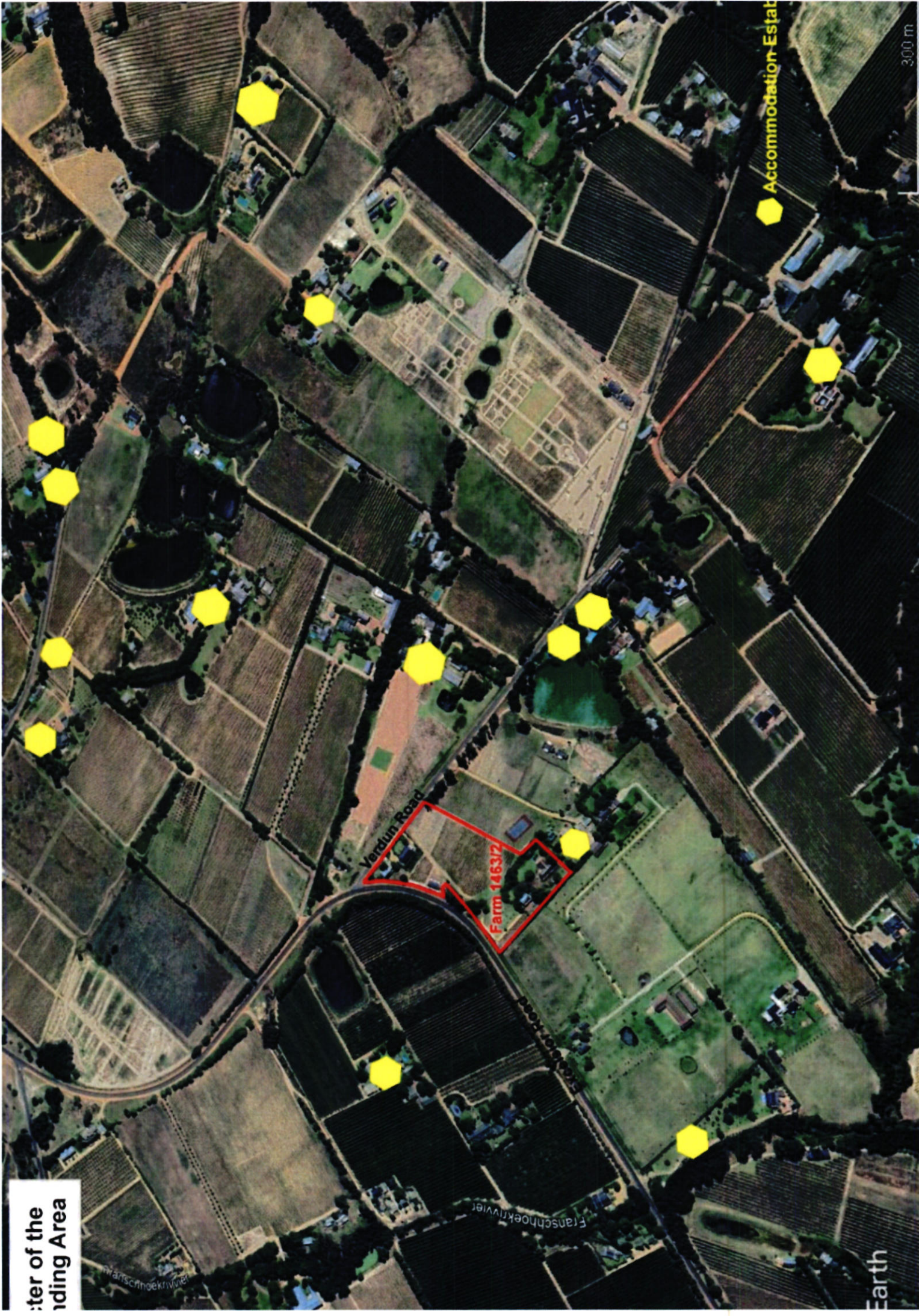
Farm 1463/2

Franschoekrivier

Accommodation-Estab

300 m

Earth

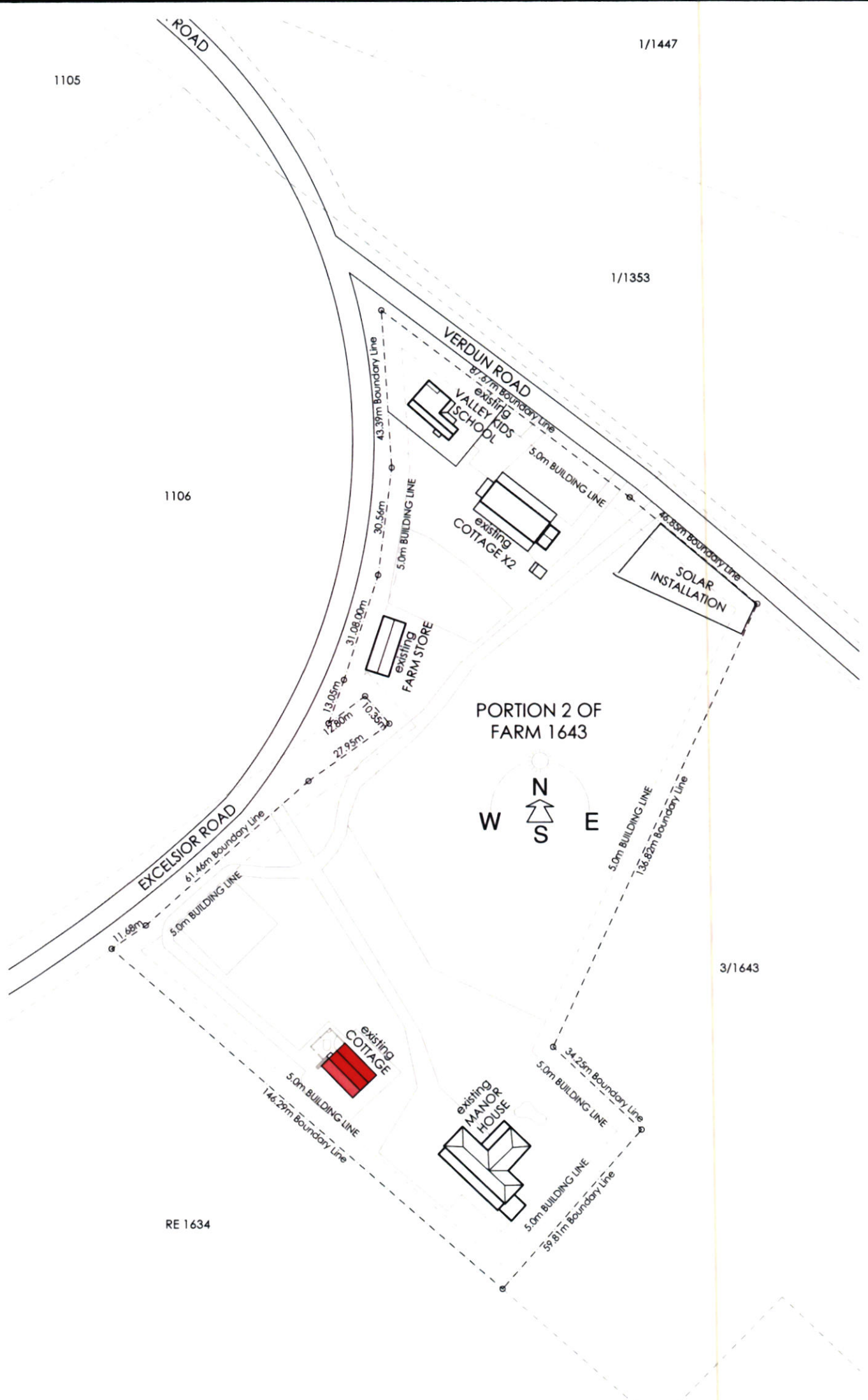


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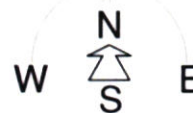
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1/1353

1106



PORTION 2 OF FARM 1643



3/1643

RE 1634

CoR 14.3



Companies and Intellectual
Property Commission

a member of the dti group

Date: 25/06/2019

Our Reference: 9190511986

WILDER LOCKITCH BMS (PTY) LTD NEL
E-mail: LYNN@WILLOCK.CO.ZA
PO BOX 60
CENTURY CITY
7446

RE: Amendment to Company Information

Company Number: 2019/048604/07

Company Name: KLEIN DAUPHINE ESTATE (PTY) LTD

We have received a COR15.2 (Amendment of Memorandum of Incorporation) from you dated 25/06/2019.

The COR15.2 was accepted and placed on file.

The name was changed from
KITSICURE to KLEIN DAUPHINE ESTATE.

Yours truly

Commissioner: CIPC

Please Note:

The attached certificate can be validated on the CIPC web site at www.cipc.co.za.

The contents of the attached certificate was electronically transmitted to the South African Revenue Services.



The Companies and Intellectual Property Commission
of South Africa

P.O. BOX 429, PRETORIA, 0001, Republic of South Africa Docex 256, PRETORIA

Call Centre Tel 086 100 2472, Website www.cipc.co.za





Companies and Intellectual
Property Commission
a member of the dti group

**COMPANIES AND INTELLECTUAL PROPERTY COMMISSION
REPUBLIC OF SOUTH AFRICA**

Form COR14.3 - Amended Registration Certificate

Effective date: 25/06/2019
Print date: 25/06/2019
Customer code: WILLOC
Tracking number: 9190511986

Concerning:

KLEIN DAUPHINE ESTATE (PTY) LTD 2019/048604/07

The above company has filed an amendment of its Memorandum of Incorporation in terms of section 16 of the Companies Act, 2008, changing the company name from KITSICURE

to KLEIN DAUPHINE ESTATE (PTY) LTD.

In accordance with the Notice of Amendment of the Memorandum of Incorporation, the change of the company name takes effect on 25/06/2019.

In conjunction with this certificate, the Commission has not issued another notice contemplated in section 12 (3).

Commissioner: CIPC



The Companies and Intellectual Property Commission
of South Africa

P O BOX 429, PRETORIA, 0001, Republic of South Africa Docex 256, PRETORIA

Call Centre Tel 086 100 2472, Website www.cipc.co.za



**Certificate issued by the Companies and Intellectual Property
Commission on Tuesday, June 25, 2019 09:50
Certificate of Confirmation**



Companies and Intellectual
Property Commission

a member of the dti group

Registration number	2019 / 048604 / 07
Enterprise Name	KLEIN DAUPHINE ESTATE (PTY) LTD
Enterprise Shortened Name	None provided.
Enterprise Translated Name	None provided.
Registration Date	30/01/2019
Business Start Date	30/01/2019
Enterprise Type	Private Company
Enterprise Status	In Business
Financial year end	February
Main Business/Main Object	BUSINESS ACTIVITIES NOT RESTRICTED.
Postal address	KLEIN DAUPHINE EXCELSIOR ROAD FRANSCHHOEK WESTERN CAPE 7690
Address of registered office	KLEIN DAUPHINE EXCELSIOR ROAD FRANSCHHOEK WESTERN CAPE 7690
Location of Company Records	COMPANY STATUTORY RECORDS WILDER LOCKITCH UNIT B10 CENTURY SQUARE



The Companies and Intellectual Property Commission
of South Africa

P O BOX 429 PRETORIA, 0001, Republic of South Africa Docex 256, PRETORIA

Call Centre Tel 086 100 2472. Website www.cipc.co.za



HERON CRESECENT
CENTURY CITY
7440



Companies and Intellectual
Property Commission

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Companies and Intellectual
Property Commission

a member of the dti group

Registration number **2019/048604/07**
Enterprise Name **KLEIN DAUPHINE ESTATE (PTY) LTD**

Name
Postal Address

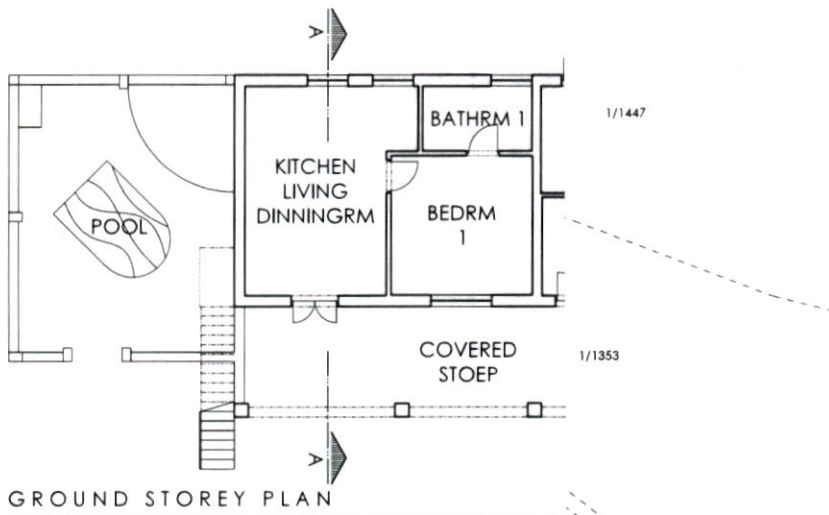
Active Directors / Officers

Surname and first names	ID number or date of birth	Director type	Appoint-ment date	Addresses
VAN DOLDER, KARIN	NSHFB0754	Director	14/06/2019	Postal: HOFLAAN 7, 1217 CZ HILVERSUM, NETHERLANDS, NETHERLANDS, 0000 Residential: HOFLAAN 7, 1217 CZ HILVERSUM, NETHERLANDS, NETHERLANDS, 0000
DE HAAS, JOOST ANNE	NMJBCD0R3	Director	30/01/2019	Postal: HOFLAAN 7, 1217CZ HILVERSUM, NETHERLANDS, NETHERLANDS, 0000 Residential: HOFLAAN 7, 1217CZ HILVERSUM, NETHERLANDS, NETHERLANDS, 0000

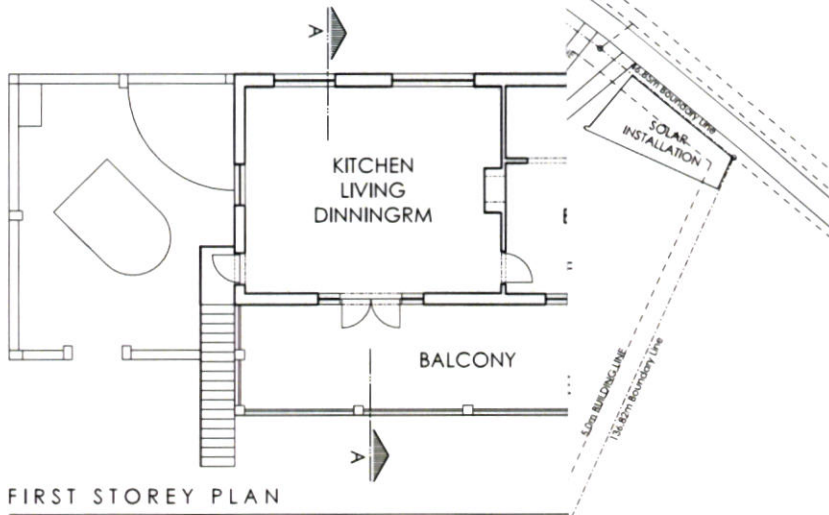


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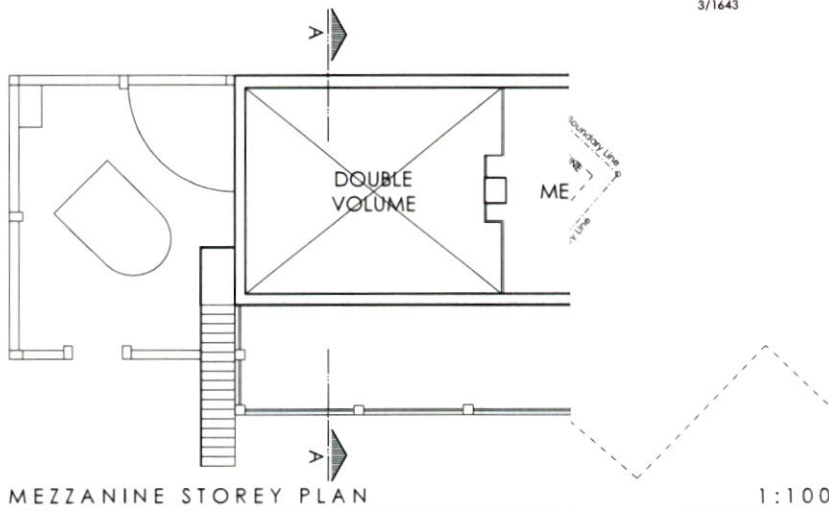




GROUND STOREY PLAN



FIRST STOREY PLAN



MEZZANINE STOREY PLAN

AREA CALCULATION

EXIST GROUND STOREY:	79.9 m ²	
EXIST FIRST STOREY:	79.9 m ²	
EXIST MEZZANINE:	34.2 m ²	194.0 m ²
EXIST COVERED STOEP:	38.2 m ²	
EXIST BALCONY (UNCOVERED):	38.2 m ²	76.4 m ²
TOTAL:		270.4 m ²
SITE:	2.2395 Hectares	
COVERED AREA :	114.1 m ²	
COVERAGE :	N/A (farm)	
POOL:	5.8 m ²	

ALL BUILDINGS WORK TO COMPLY WITH
SANS 10400
SCHEDULED DRAWINGS BY THE
SCHEDULED LEVEL OF THE SITE

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22 UPPER BUITENKANT STREET
GARDENS, CAPE TOWN 8001
021 462 6017

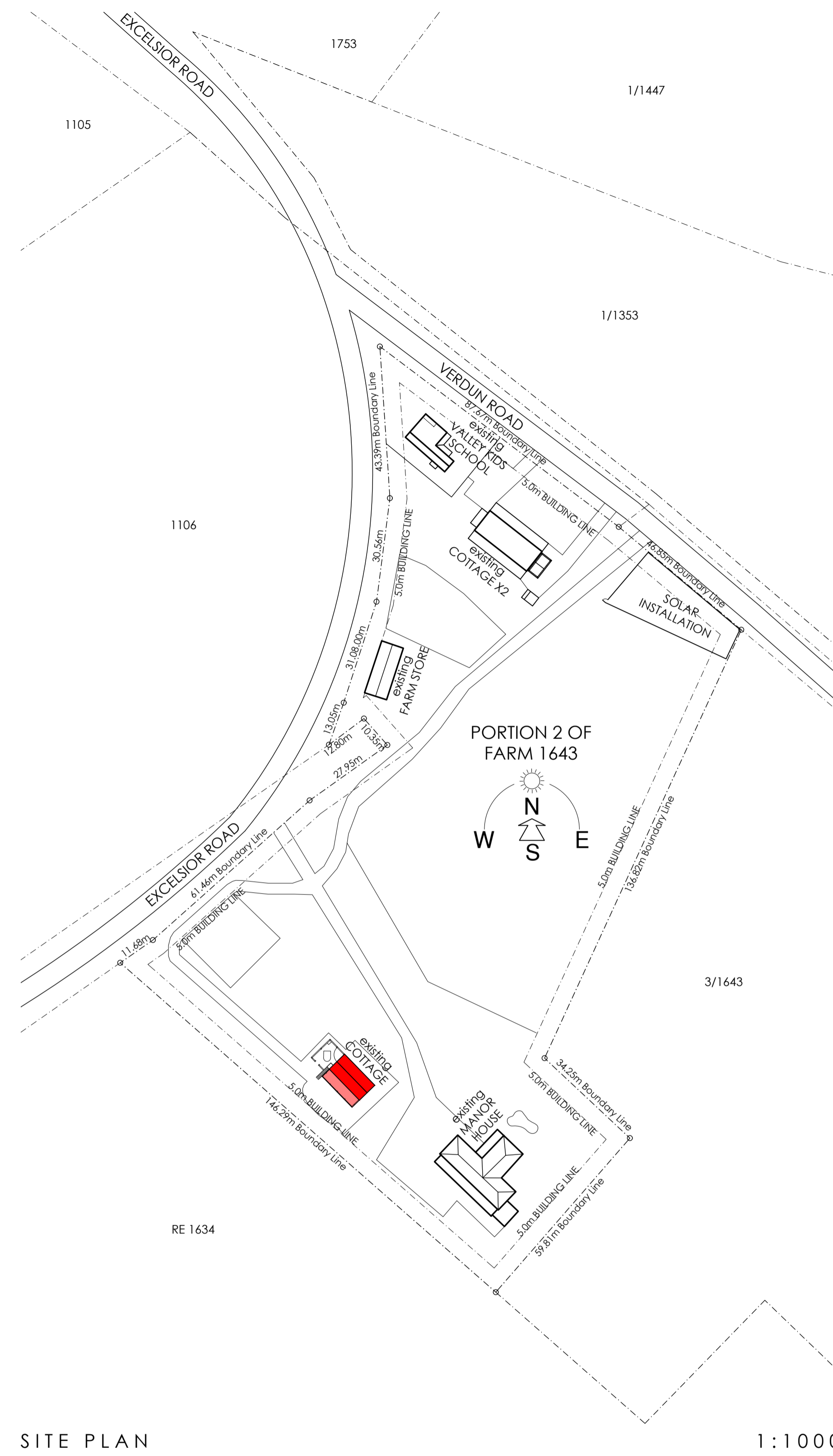
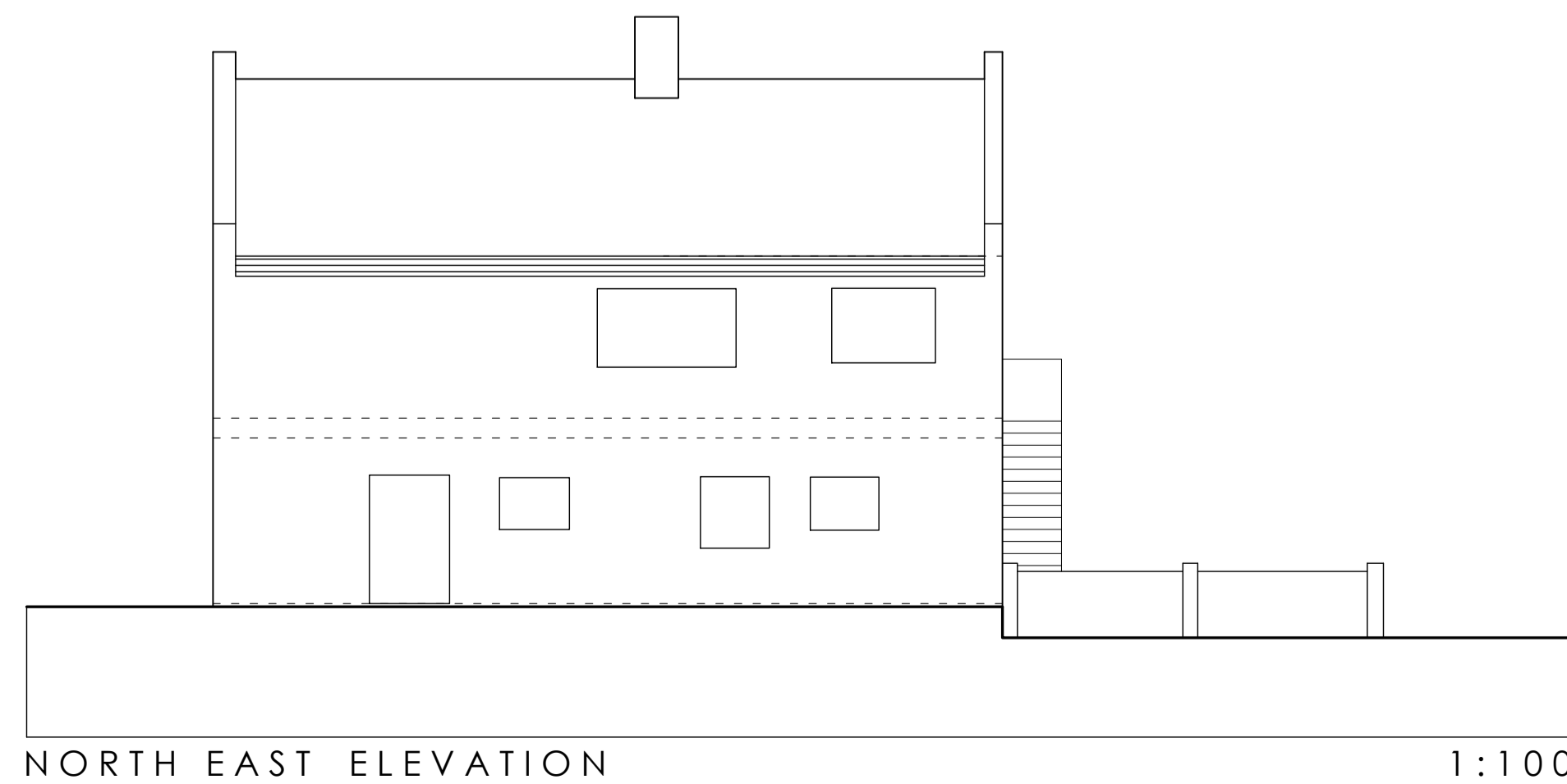
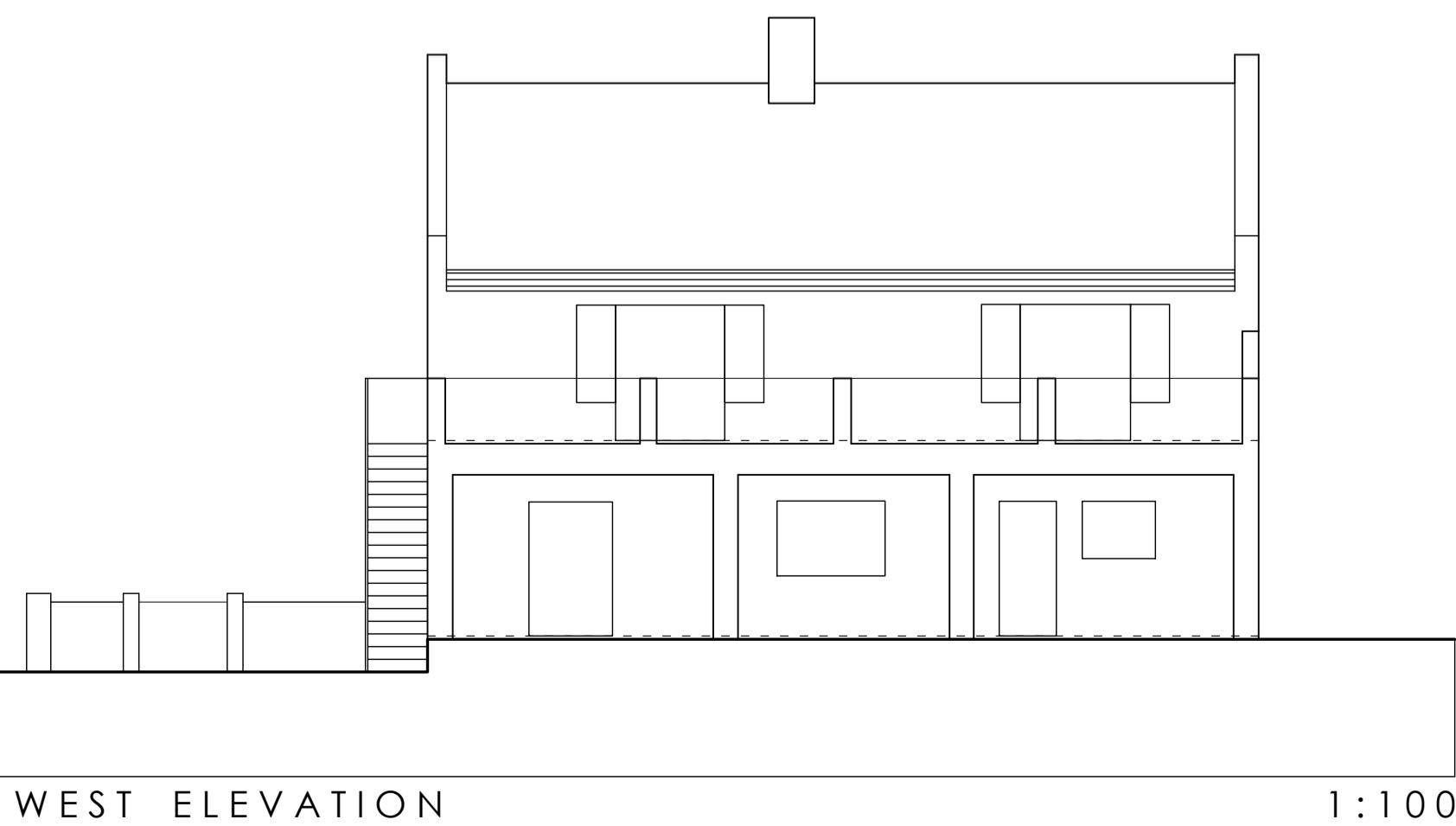
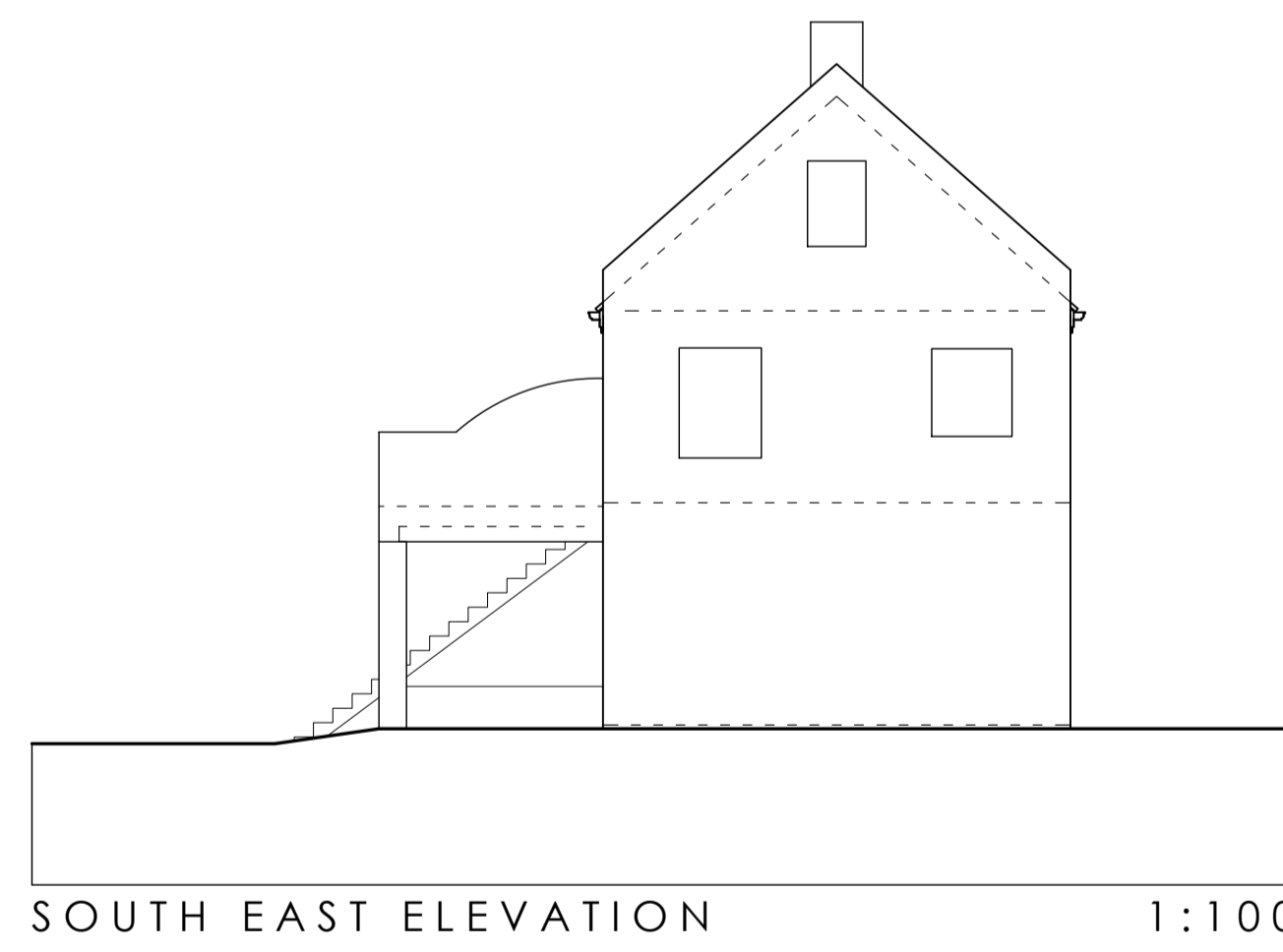
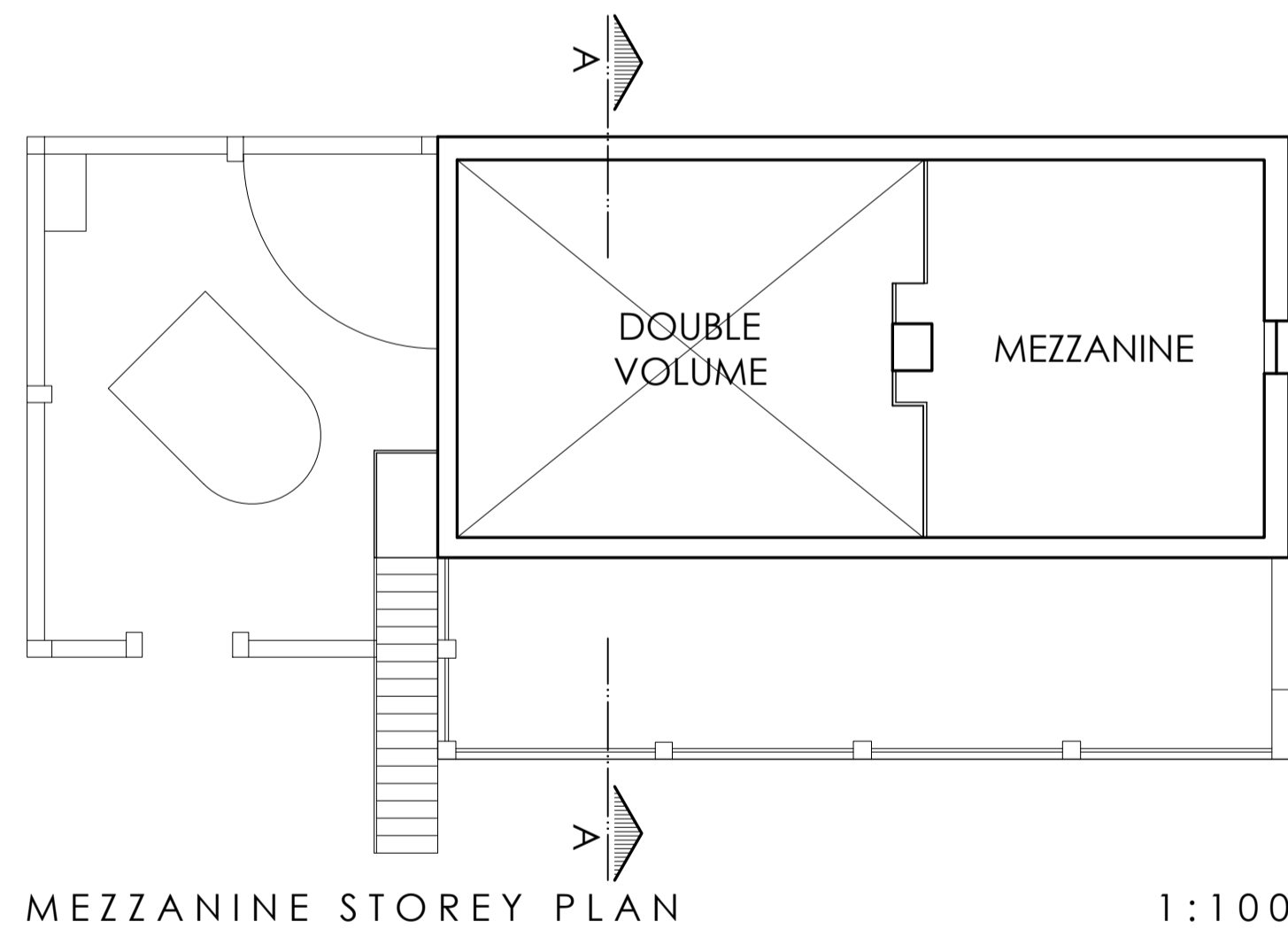
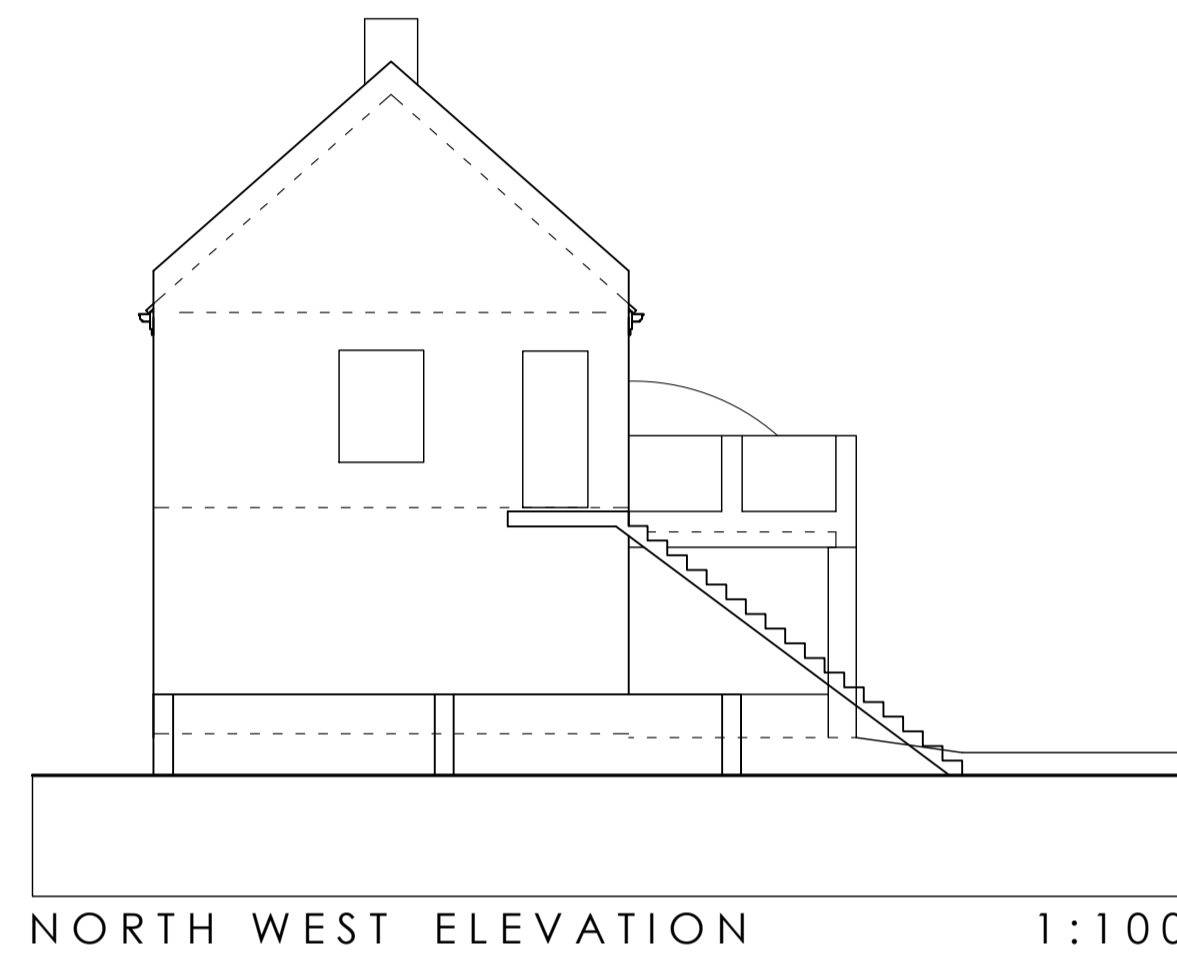
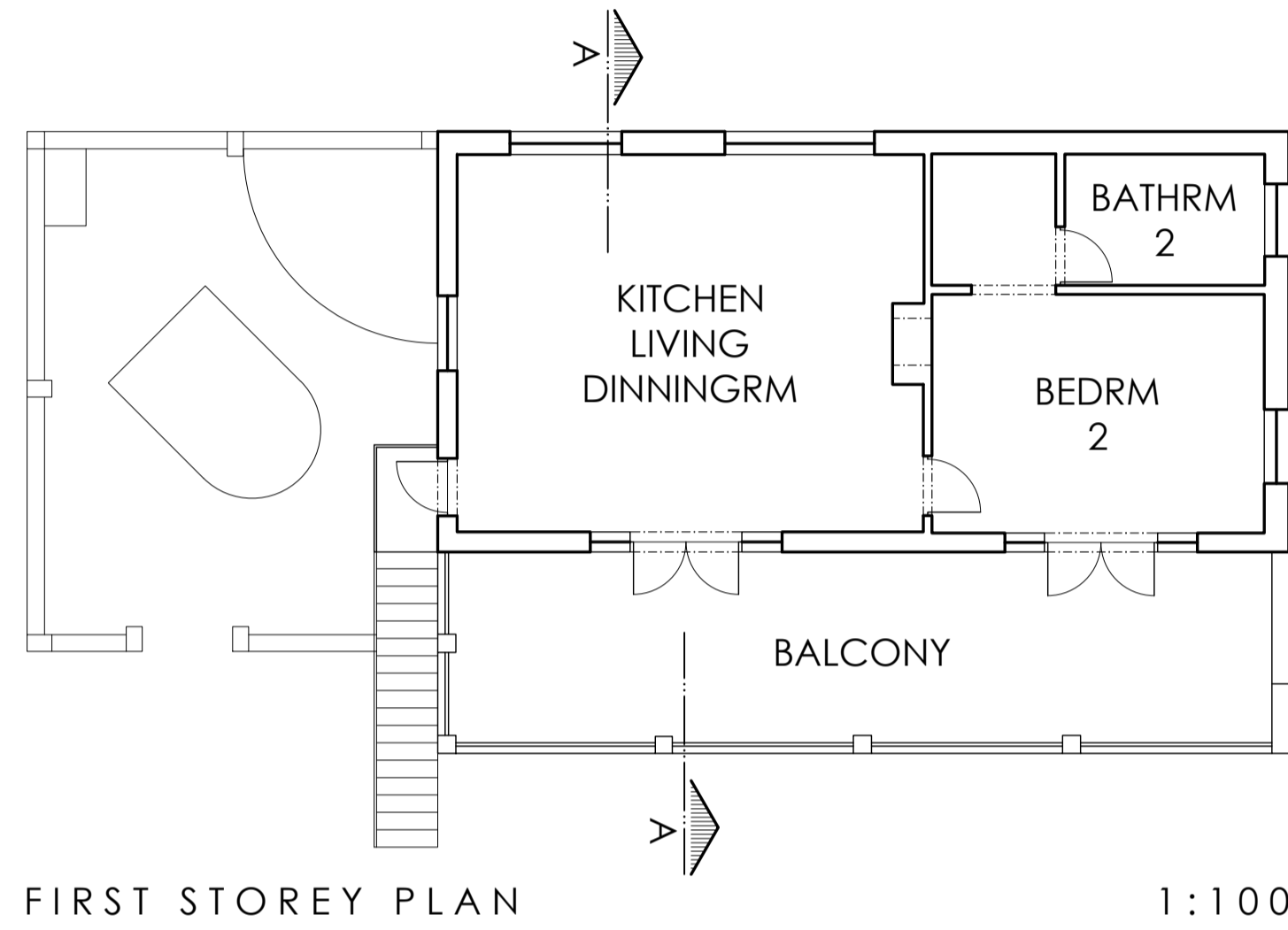
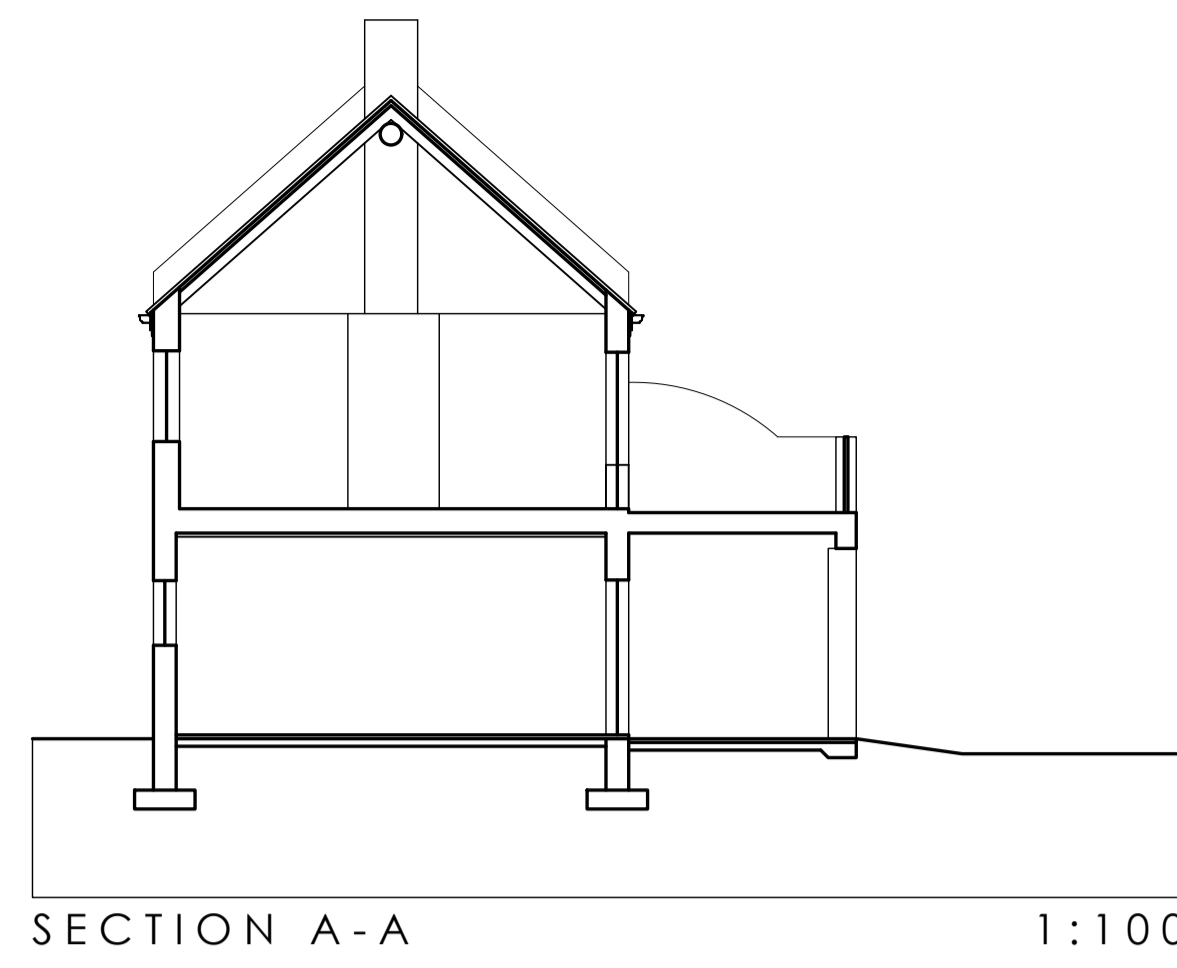
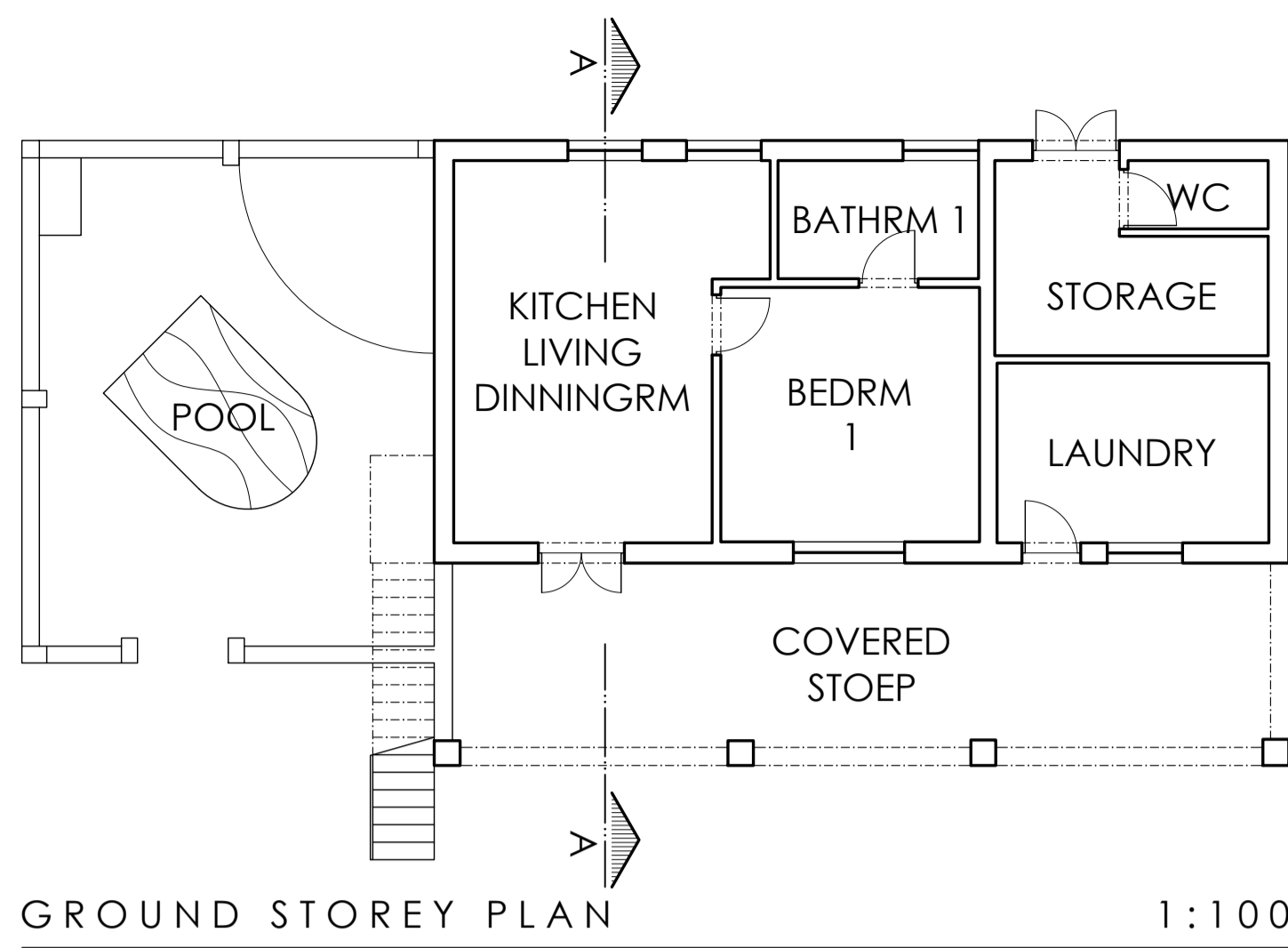
JAN DESSEYN
SACAP 6868
HENDRIK NELL
SACAP ST 1728

EXISTING COTTAGE
KLEIN DAUPHINE ESTATE (PTY) LTD
CORNER OF EXCELSIOR VERDUN ROAD
PORTION 2 OF FARM 1643
FRANSCHHOEK

AS BUILT PLANS
GENERAL PLANS, SITE PLAN
ELEVATIONS AND SECTION

REV: 1	23/005	AS SHOWN
REV: 2	101	2023-07-26
DATE OF PRINT:		
REV:		JDA





AREA CALCULATION

EXIST GROUND STOREY:	79.9 m ²	
EXIST FIRST STOREY:	79.9 m ²	
EXIST MEZZANINE:	34.2 m ²	
		194.0 m ²
EXIST COVERED STOEP:	38.2 m ²	
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		76.4 m ²
TOTAL:		270.4 m ²
SITE:	2.2395 Hectares	
COVERED AREA :	114.1 m ²	
COVERAGE :	N/A (farm)	
POOL:	5.8 m ²	

ALL BUILDING WORK TO COMPLY WITH SANS 10400
 SCALED DIMENSIONS INVALID
 CHECK LEVELS ON SITE.

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 021 462 6017

EXISTING COTTAGE
KLEIN DAUPHINE ESTATE (PTY) LTD
 CORNER OF EXCELSIOR
 & VERDUN ROAD
 PORTION 2 OF FARM 1643
 FRANSCHHOEK

DRAWING TITLE
AS BUILT PLANS
 GENERAL PLANS, SITE PLAN
 ELEVATIONS AND SECTION

PROJECT NO:	23/005	SCALE:	AS SHOWN
DRAWING NO:	101	DATE:	2023-07-26
DATE OF PRINT:	-	DRAWN:	JDA
REV:	-	CHECKED:	-

LU: 16512 – Farm 1643/2 Paarl Division - Commencement Date for the Serving of Notices

Notices are to be served on 28 March 2024 with the 30-day closing date being 29 April 2024 and the 60-day closing date being 27 May 2023.

Executive Summary – Application for a Consent Use to Permit Two Tourist Dwelling Units on Farm Klein Dauphine No 1643/2 Paarl Division – LU/16512.

Farm No 1643/2 is a small farm known as Klein Dauphine measuring 2.23ha, located at the intersection of Excelsior Road and Verdun Private Road in the Franschhoek Valley. The property is farmed on a small scale with vineyards and contains a manor house, a second dwelling, a former farm managers cottage utilized as two tourist self-catering units, a farm store and a solar panel installation. It also contains a building housing the 'Valley Kids' School.

A residential building which was previously approved as a manager's dwelling has subsequently been utilized as tourist accommodation in the form of two, single-bedroom self-catering units. It is this building for which additional land use rights are being sought.

In terms of the applicable By-Law such a use can be permitted as a consent use for *Tourist dwelling units*.

The building in question is located in the southern section of the property, west of the main dwelling with its own access path. The building covers an area of 114.1m² and is two storeys high with a partial mezzanine section on the first storey level. The building hosts two, single bedroom units designed as self-catering units which can accommodate a maximum of four transient guests. Convenient parking is provided alongside the building. There is also a small pool of 5.8m² for use by the guests.

The application serves to obtain the required Consent Use right for the two self-catering tourist dwelling units to continue to operate.
