

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

Affected person's Name

Affected persons Physical Address

Affected person's Title:

The following land use application in terms of the Stellenbosch Municipality: By-law on Municipal Land Use Planning, 2023, refers: **APPLICATION FOR A CONSENT USE: FARM 1643/2 PAARL DIVISION**

Application Property Address: Klein Dauphine Estate, Excelsior Road, Franschhoek.

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

Applicant: Joost de Haas, Cell Number: 064 977 3346 Email: joostdehaas@me.com

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

Application Reference: LU/ 15726

Application Type: Application for a Consent Use.

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

Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipality: By-law on Municipal Land Use Planning 2023 for a **consent use** to permit a day care centre accommodating 32 children on Farm 1643/2 Paarl Division.

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: <https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

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

- o Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: Joost de Haas, email: joostdehaas@me.com. 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 **17 November 2023**.

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 064 977 3346 during normal office hours.

Yours faithfully,

Joost de Haas

18 October 2023.

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

Naam van geaffekteerde persoon

Fisiese adres van geaffekteerde persoon

Titel van geaffekteerde persoon:

Die volgende grondgebruiksaansoek in terme van Stellenbosch Munisipaliteit:
Verordeninge op Munisipale Grondgebruikbeplanning, 2023, verwys: **AANSOEK VIR VERGUNNINGSGEBRUIK: PLAAS 1643/2 PAARL AFDELING**

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

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

Aansoeker: Joost de Haas, Selfoon Nommer: 064 977 3346 Epos: joostdehaas@me.com

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

Aansoek Verwysing: LU/15726

Tipe Aansoek: Aansoek Vir Vergunningsgebruik

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoek word gedoen in terme van Artikel 15(2)(o) van die Stellenbosch Munisipaliteit:
Verordeninge op Munisipale Grondgebruikbeplanning, 2023, vir 'n **vergunnings gebruik**, ten einde voorsiening te maak vir 'n dagsorgsentrum wat 32 kinders huisves op Plaas 1643/2 Paarl Afdeling.

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

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

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

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

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

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: Joost de Haas, e-pos adres: joosdehaas@me.com. Deur 'n beswaar, kommentaar of vertoë 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 17 November 2023.

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 064 977 3346 gedurende normale kantoor ure.

Die uwe

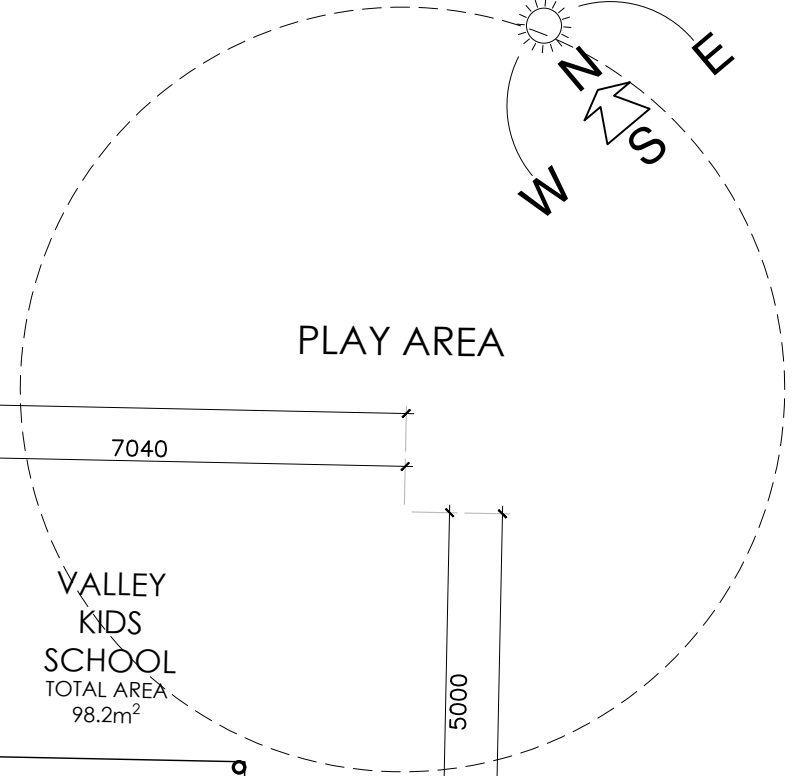
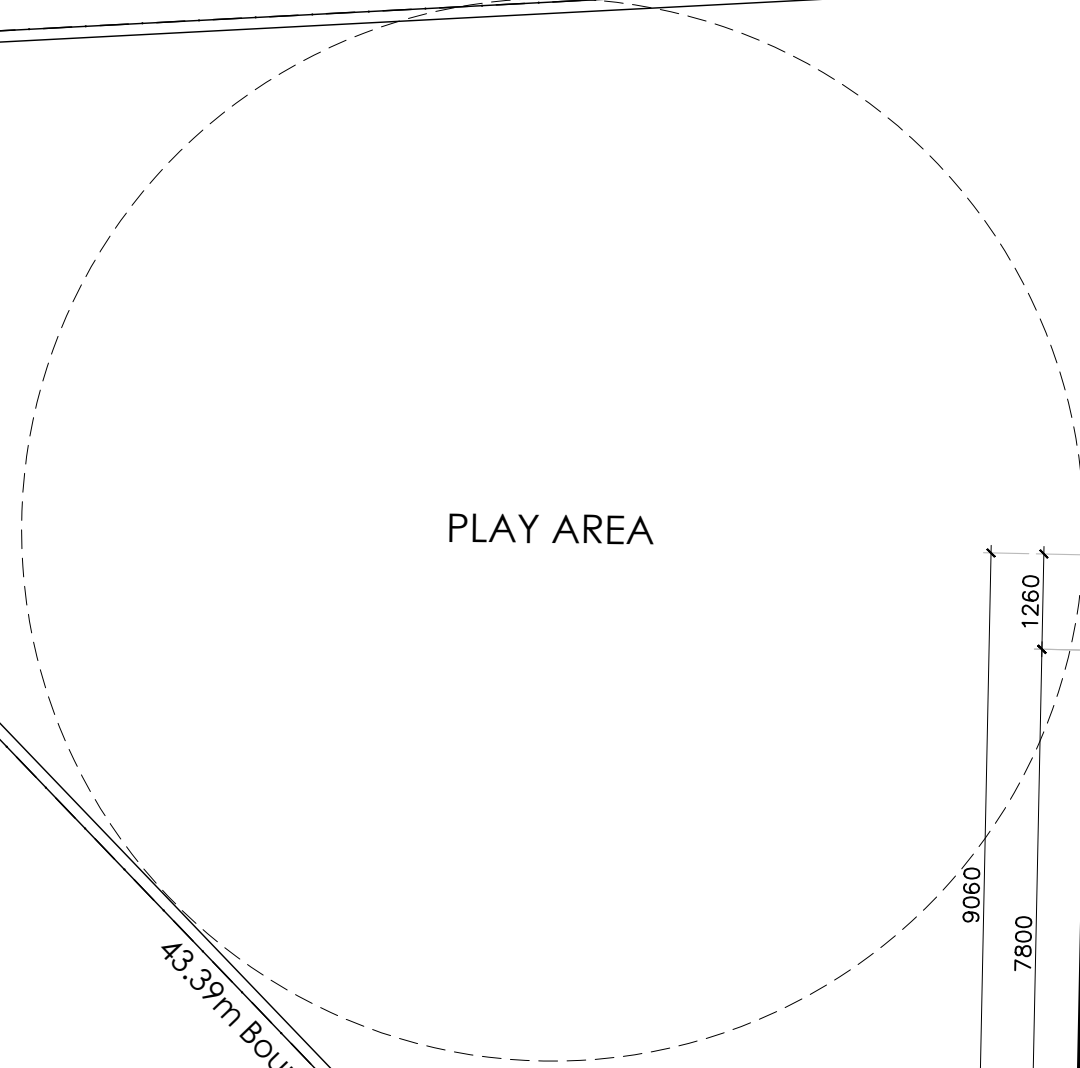
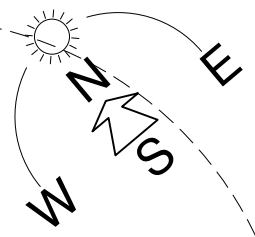
Joost de Haas

18 Oktober 2023.

VERDUN PRIVATE ROAD edge of road
FARM 1106

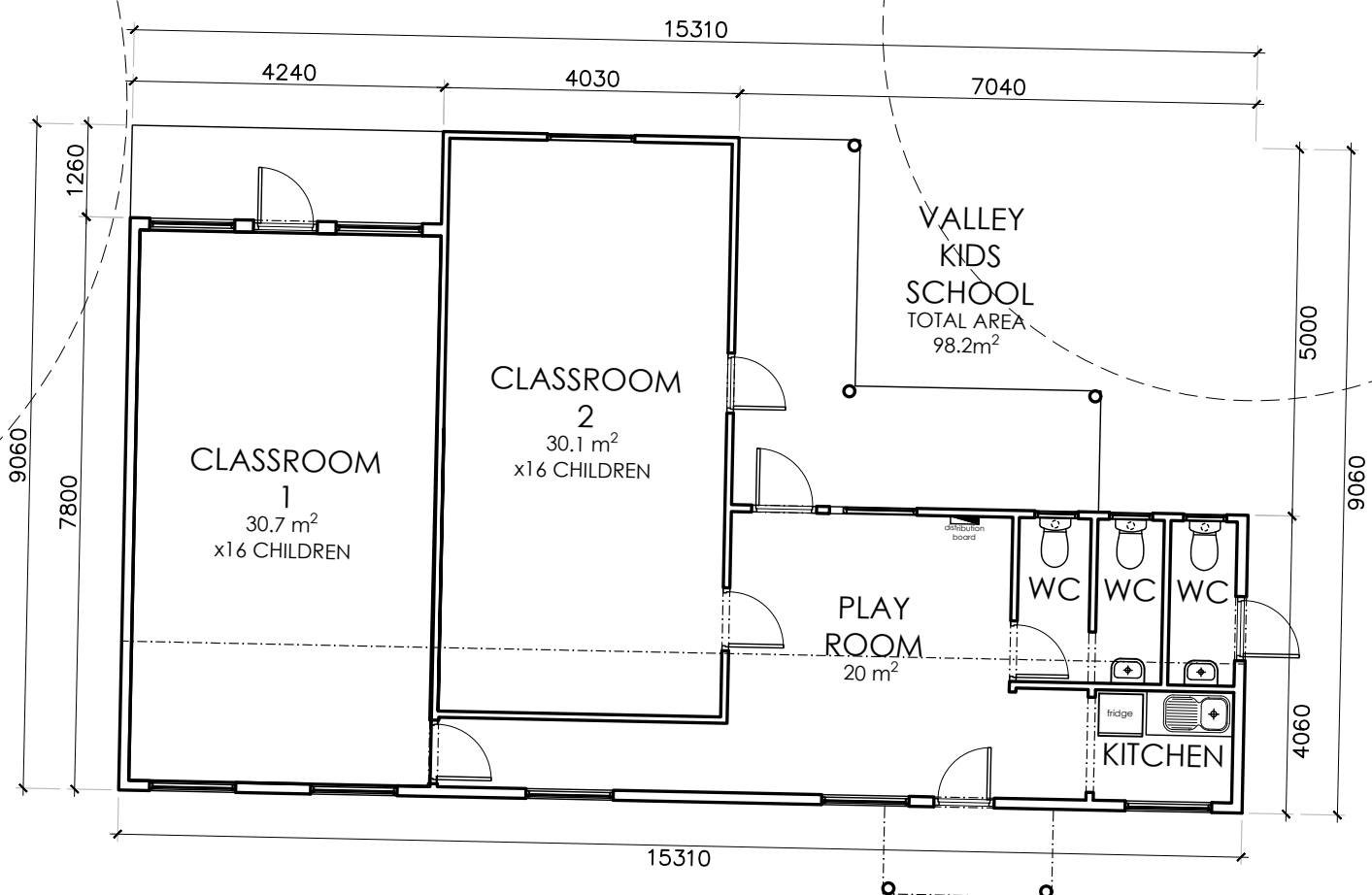
87.67m Boundary Line gate

PORTION 2 OF FARM 1643

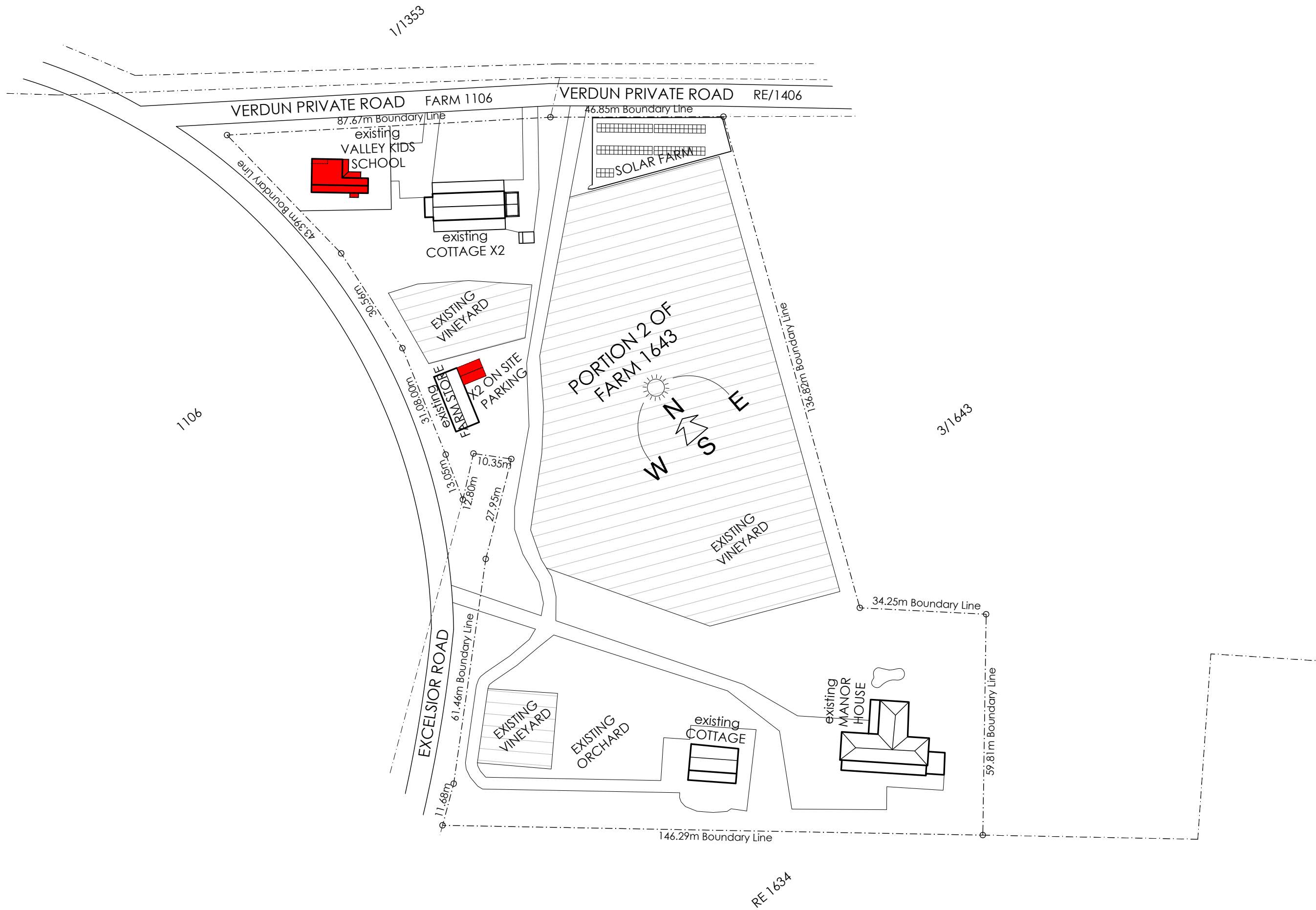


PLAY AREA

PLAY AREA



43.39m Boundary Line



TAX INVOICE



STELLENBOSCH
 STELLENBOSCH • PNIEL • FRANSCHHOEK
 MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

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

DATE:	2023-06-15	DOCUMENT NO:	751193
ERF / FARM NO:	1643/2	CREATED BY:	Nolusindiso Momoti
LOCALITY:	Excelsior Road, FRANSCHHOEK	APPLICATION NO:	LU/15726
OWNER'S NAME:	Jooste De Haas	APPLICATION VAT NO:	4190288615
ADDRESS:	KLEIN DAUPHINE ESTATE EXCELSIOR ROAD FRANSCHHOEK-7690	VAT NO:	4700102181
		APPLICANT:	Joost de Haas Klein Dauphine Estate (Pty)Ltd FRANSCHHOEK 7690
		TEL NO:	0649773346

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	2500.00	1	20220630081392	2500.00
TOTAL AMOUNT PAYABLE				2500.00
VAT INCLUDED @ 15%				326.09

NEW TARIFFS IMPLEMENTED ON 1 JULY ANUALLY

CALCULATED BY

NAME:

SIGNATURE

DATE: 15/06/2023

VERIFIED BY

NAME:

SIGNATURE

DATE: 15/06/2023

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

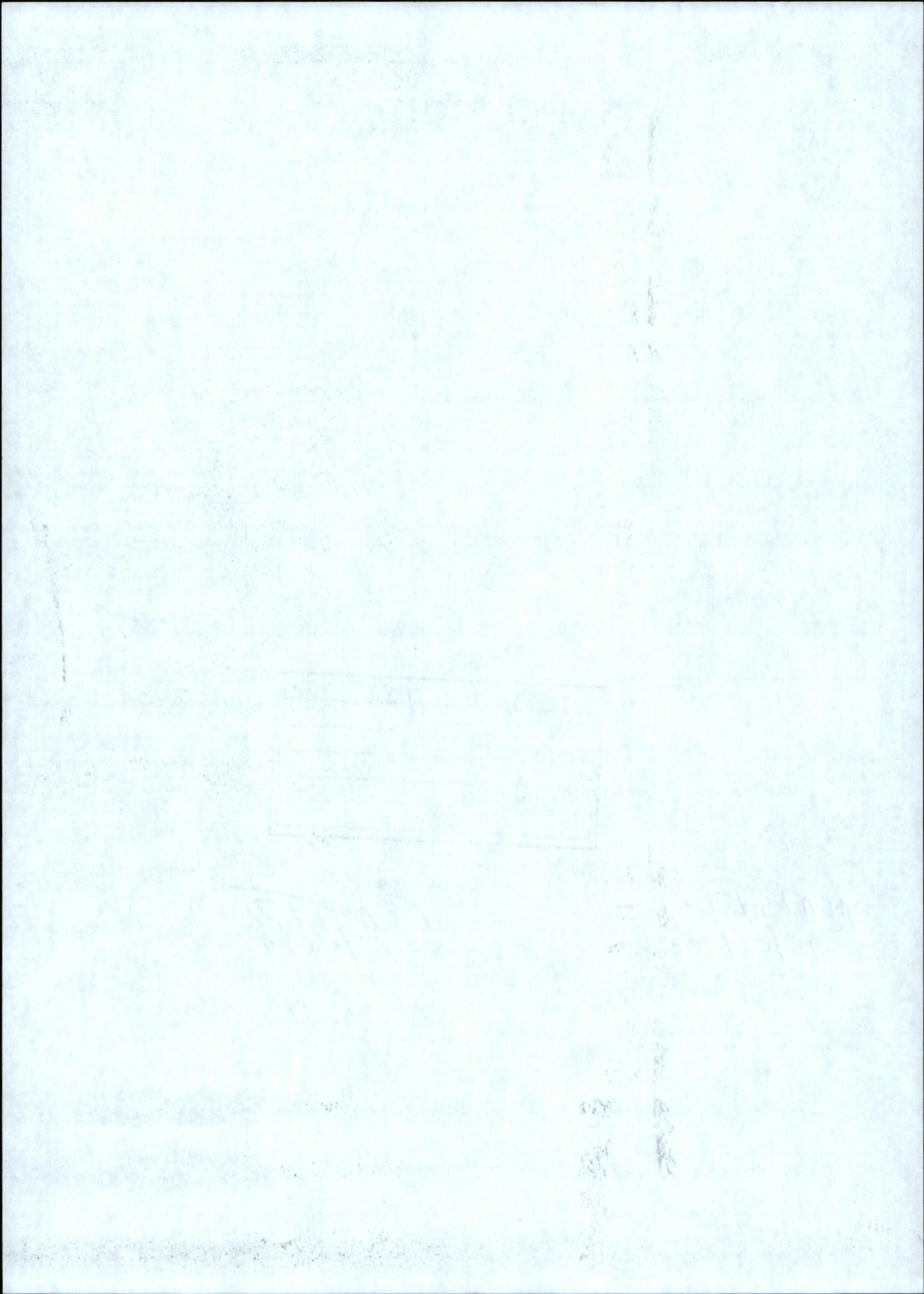
BANKING DETAILS FOR EFT PAYMENT:

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





Enquiries

Phone Number

E-mail

Nolusindiso Momoti

0218088673

nolusindiso.momoti@stellenbosch.gov.za

BTW/VAT Invoice No: 13925

Invoice VAT Reference: 4700102181

Name: Joost de Haas

Invoice Date: 2023/6/6

Reference No: TP339/2023

Payment Due Date: 2023/7/6

Client Street address: Klein Dauphine Estate, Excelsior Road Franschoek Franschoek Western Cape South Africa 7690

Municipality street address: PLEIN STREET STELLENBOSCH STELLENBOSCH Western Cape 7600

Client Postal address: Klein Dauphine Estate, Excelsior Road Franschoek Franschoek Western Cape South Africa 7690

Municipality postal address: PLEIN STREET STELLENBOSCH STELLENBOSCH Western Cape 7600

Client VAT No: 4190288615

Town Planning Application Fees

Vote No	Description	Qty	Rate	UoM	Amount (Incl VAT)
20220630081392	Consent Use ito Zoning	1	2 500.00	Per application per property	2 500.00
Total Excl VAT					2 173.91
VAT					326.09
Invoice Total					2 500.00

*VAT Exempt

Created By: Momoti, Nolusindiso

Signature: 

Verified By: Momoti, Nolusindiso

Signature: 

Please note that application fees that are paid to the municipality are non-refundable and proof of payment must accompany the application. It is the responsibility of the applicant to ensure that the payment is made into the correct account.

Bank Details: First National Bank Acc# 62869253684 Branch Code 250655

Please use the following as reference number: TP339/2023

To expedite the application, please send proof of payment by e-mail or fax as per the detail above.

12 01/06/2023 11 4 1000228487	434.79-	N A:DIR1	4331 LU/15649 ERF
12 01/06/2023 11 4 1000228542	2173.92-	N A:DIR1	4331 TP259/2023 L
12 01/06/2023 11 4 1000228543	2173.92-	N A:DIR1	4331 TP362/2023 B
12 01/06/2023 11 4 2001132338	434.79-	N A:DIR2	2205 LU/15663ERF
12 02/06/2023 11 4 1000228632	434.79-	N A:DIR1	4331 LU/15651 ERF
12 05/06/2023 11 4 1000228803	2173.92-	N A:DIR1	4331 LU/15663 FAR
12 06/06/2023 11 4 1000228854	2173.92-	N A:DIR1	4331 TP383/2023 L
12 07/06/2023 11 4 1000228987	2173.92-	N A:DIR1	4331 TP185/2022 B
12 07/06/2023 11 4 1000229020	434.79-	N A:DIR1	4331 LU/15675 ERF
12 07/06/2023 11 4 1000229021	434.79-	N A:DIR1	4331 LU/15583 ERF
12 07/06/2023 11 4 1000229022	434.79-	N A:DIR1	4331 LU/15673 ERF
12 07/06/2023 11 4 1000229023	434.79-	N A:DIR1	4331 LU/15681 ERF
12 07/06/2023 11 4 1000229024	434.79-	N A:DIR1	4331 LU/15679 ERF
12 08/06/2023 11 4 1000229117	434.79-	N A:DIR1	4331 LU/15689 ERF
12 08/06/2023 11 4 1000229144	434.79-	N A:DIR1	4331 LU/15685 ERF
12 08/06/2023 11 4 1000229147	434.79-	N A:DIR1	4331 LU/15671 ERF
12 08/06/2023 11 4 1000229171	2173.92-	N A:DIR1	4331 TP339/2023 L
12 09/06/2023 12 4 1000229187	10869.58-	N TP374/2023	LANDB202306090009
12 09/06/2023 12 4 1000217843	2173.92-	N TP171/2022	LANDB202306090013
12 09/06/2023 12 4 1000228831	6086.96-	N LU/15662 ERF	36B202306090013
12 09/06/2023 12 4 1000228840	28695.66-	N LU/15638 ERF	81B202306090013
12 10/06/2023 11 4 1000229256	4347.83-	N A:DIR1	4331 TP350/2023 L
12 12/06/2023 12 4 1000213788	3913.05-	N LU14860 LAND	USB202306120015
12 13/06/2023 11 4 1000229353	434.79-	N A:DIR1	4331 LU/15707 ERF
12 13/06/2023 12 4 1000209418	2173.92-	N TP73/2022	LAND B202306130011
12 13/06/2023 12 4 1000224959	13043.48-	N TP179/2022	LANDB202306130011
12 13/06/2023 12 4 1000210402	4347.83-	N TP118/2022	LANDB202306130013
12 14/06/2023 11 4 1000229418	434.79-	N A:DIR1	4331 LU/15712 ERF
12 14/06/2023 11 4 1000229431	869.57-	N A:DIR1	4331 LU/15714 ERF

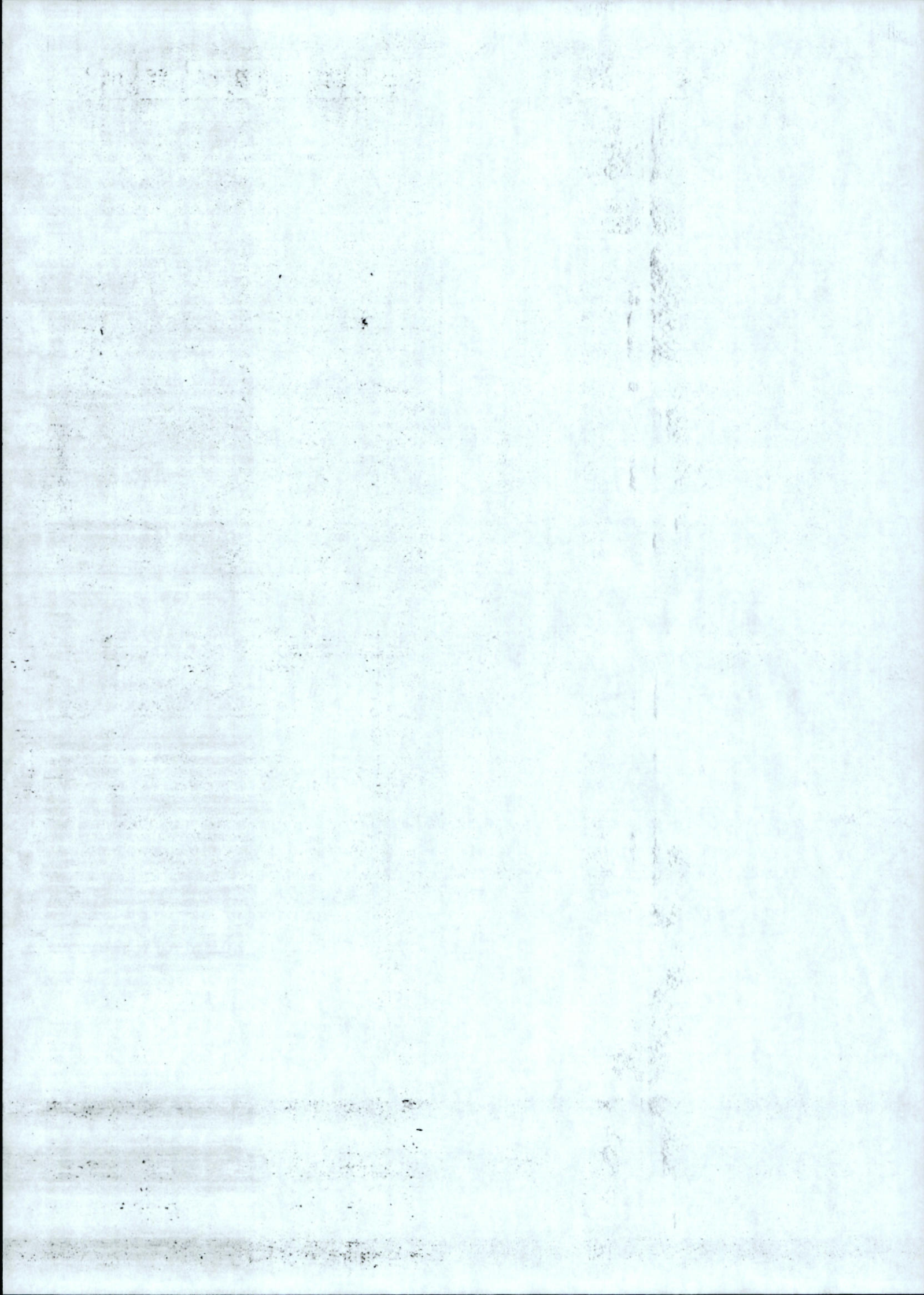
Total: 95652.38-

Grand Total: 95652.38-

* End of Report: Stellenbosch Municipality *

Period : 12

12 09 06 2023 12 1000229187	4347.83-	0.00 TP374/2023	LANDB202306090009
12 09 06 2023 12 1000217843	8695.66-	0.00 TP171/2022	LANDB202306090013
12 13 06 2023 12 1000209418	4347.83-	0.00 TP73/2022	LAND B202306130011
12 13 06 2023 12 1000223311	4347.83-	0.00 TP308/2023	LANDB202306130012
12 13 06 2023 12 1000212252	8695.66-	0.00 TP129/2022	LANDB202306130013



Nolusindiso Momoti

From: Joost de Haas <joostdehaas@me.com>
Sent: Friday, 12 May 2023 16:16
To: Nolusindiso Momoti
Subject: [EX] Re: TP339/2023 - OUTSTANDING INFO
Attachments: 230512 Land use motivation letter.pdf; 2023-05-11- Valley kids school Plan.pdf; 2023-05-11- Valley kids school Site Plan.pdf

Good day Sindi,

Please find attached the requested drawings and a revised motivation letter. Please let me know if this is all in order now.

Have a good weekend,

Joost

Op 21 apr. 2023, om 15:23 heeft Nolusindiso Momoti <Nolusindiso.Momoti@stellenbosch.gov.za> het volgende geschreven:

Good day Joost,

1. Your application with reference TP339/2023 (Farm 1643/2, Franschhoek) refers.
2. Your application has been duly scrutinized for compliance to the requirements stated in s.38 of the Stellenbosch Land Use Planning Bylaw, 2015.
3. In terms of s.41(1)(c)(ii) of the said Bylaw, the following matters needs to be addressed in order to proceed with the processing of the subject application:

1. Applicant is required to submit a building plan indicating all structures that exist on the property and that which is intended to be used or that is used for the day care centre. The building plan needs to include the following:

- *Floor layout plan of the structures which is used for the day care centre;*
- *The play area;*
- *On-site parking provision for the day care center.*

Please note that the extent of the structure and rooms needs to be indicated on the plan as well as the number of children accommodated in each classroom needs to be clearly annotated on the plan.

- 3.1.1 A written motivation is required to be submitted by the applicant motivating the proposed land use on the property which also highlights the following:

- *The need for the day care centre and who it will be serving;*
- *Total number of children which the day care centre is going to accommodate;*
- *The staff component for the day care centre;*
- *Days and hours of operation;*
- *Parking provided for the day care centre;*
- *Number of classrooms.*

4. Please note that additional information may be required upon submission of the above.

4. Please provide the required information/ documents / fees within 14 days from this notification, failing which the Municipality may in terms of s.41 (3) of the said Bylaw, refuse to consider the application.

5. For any enquiries on this correspondence please respond by e-mail to the writer hereof.

<image001.png> *Kind regards / Vriendelike Groete*
Nolusindiso Momoti (Sindi)
Administrative Officer
Land Use Management
Planning & Economic Development

T: +27 21 808 8673: F + 27 21 886 6899
NPK Building, 1st Floor, C/O Plein &
Ryneveld Street, Stellenbosch, 7600
www.stellenbosch.gov.za

<image002.png><image003.png>

Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions published at the following link:
http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm

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About Stellenbosch Municipality

<1.png> Our mission is to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens.

<2.png> Our head office is at Town House Complex, Plein Street, Stellenbosch, 7600, South Africa. For more information about Stellenbosch Municipality, please call +2721-808-8111, or visit www.stellenbosch.gov.za

Disclaimer:

The information contained in this communication from nolusindiso.momoti@stellenbosch.gov.za sent at 2023-04-21 15:23:20 is confidential and may be legally privileged. It is intended solely for use by joostdehaas@me.com and others authorized to receive it. If you are not joostdehaas@me.com you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this information is strictly prohibited and may be unlawful. Powered by [IOCO](#)

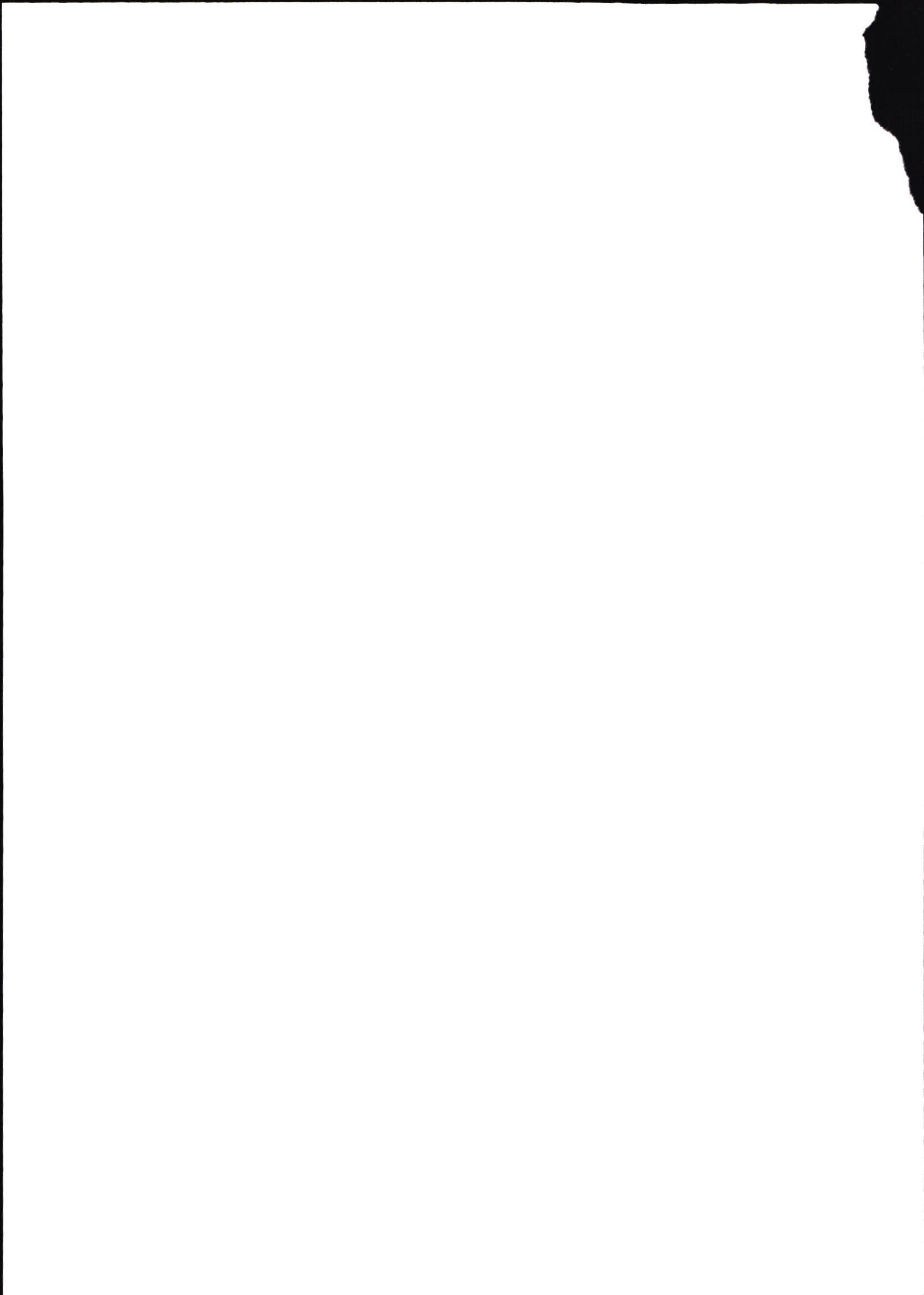


DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

LAND USE APPLICATION COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW, 2015				Date of Submission of Application	29/03/2023	
Erf No		Town		Suburb	Franschhoek	
Farm No	1643	Farm Portion	2	Nearest Town	STELLENBOSCH	
Owner / Applicant	Joost de Haas		Contact number	0649773346		
Email address	joostdehaas@me.com					
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				✓		✓
13. Conveyancer's certificate						
14. Feedback on Pre-application scrutiny						

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.



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 Nolusindiso	SIGNATURE <i>N. Momoti</i>	DATE 14/04/2023
Outstanding information (to be completed by Planner):			
<p>1. Applicant is required to submit a building plan indicating all structures that exist on the property and that which is intended to be used or that is used for the day care centre. The building plan needs to include the following:</p> <ul style="list-style-type: none"> • Floor layout plan of the structures which is used for the day care centre; • The play area; • On-site parking provision for the day care center. <p>Please note that the extent of the structure and rooms needs to be indicated on the plan as well as the number of children accommodated in each classroom needs to be clearly annotated on the plan.</p>			
<p>2. A written motivation is required to be submitted by the applicant motivating the proposed land use on the property which also highlights the following:</p> <ul style="list-style-type: none"> • The need for the day care centre and who it will be serving; • Total number of children which the day care centre is going to accommodate; • The staff component for the day care centre; • Days and hours of operation; • Parking provided for the day care centre; • Number of classrooms. 			

3. Please note that additional information may be required upon submission of the above.

Applications to be invoiced (to be completed by Planner):

Consent Use

EVALUATED & SIGNED BY PLANNER	NAME T. Mazana	SIGNATURE TM	DATE 21/04/2023
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NOTES:

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



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

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

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

LAND USE PLANNING APPLICATION FORM							
(Section 15 of the Stellenbosch Municipal Land Use Planning By-Law (2015) and other relevant legislation)							
KINDLY NOTE: Please complete this form using BLOCK letters and ticking the appropriate boxes.							
PART A: APPLICANT DETAILS							
First name(s)	Joost						
Surname	de Haas						
Company name (if applicable)	Klein Dauphine Estate (Pty) Ltd						
Postal Address	Klein Dauphine Estate Excelsior Road						
	Franschhoek	Postal Code	7690				
Email	joostdehaas@me.com						
Tel	064 977 3346	Fax		Cell			
PART B: REGISTERED OWNER(S) DETAILS (If different from applicant)							
Registered owner(s)							
Physical address							
		Postal code					
E-mail							
Tel		Fax		Cell			
PART C: PROPERTY DETAILS (in accordance with title deed)							
Erf / Erven / Farm No.	1643	Portion(s) if Farm	2	Allotment area	Paarl		
Physical Address	Klein Dauphine estate						
	Excelsior Road						
	Franschhoek						
Current Zoning	Agricultural and rural zone	Extent	2.2395 ha	Are there existing buildings?	Y	N	
Applicable Zoning Scheme	Stellenbosch						
Current Land Use	Agricultural land						

Title Deed number and date	T	000023460/2019 12/6/2019							
Attached Conveyance's Certificate	Y	N	Any Restrictions into the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate						
Are the restrictive conditions in favour of a third party(ies)?	Y	N	If Yes, list the party(ies):						
Is the property encumbered by a bond?	Y	N	If Yes, list the bondholder(s):						
Is the property owned by Council?	Y	N	If Yes, kindly <u>attach a power of attorney</u> from the Manager Property Management						
Is the building located within the historical core?	Y	N	Is the building older than 60 years?	Y	N	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹	Y	N	If Yes, kindly indicate which section are triggered and attached the relevant permit if applicable.
Any existing unauthorized buildings and/or land use on the subject property(ies)?	Y	N	If yes, is this application to legalize the building / land use ² ?	Y	N				
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	Y	N	Are there any land claim(s) registered on the subject property(ies)?	Y	N				

PART D: PRE-APPLICATION CONSULTATION AND OR SCRUTINY

Has there been any pre-application consultation?	Y	N	If Yes, please attach the minutes of the pre-application consultation.
Has the pre-application scrutiny form been submitted?	Y	N	If yes, please attach the written feedback received.

** The submission of a pre-application scrutiny form is compulsory for this type of application as listed below and written feedback must be attached to the land use planning application.*

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)**

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

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

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

15(2)(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	X
15(2)(p) an occasional use of land	
15(2)(q) to disestablish a home owner's association	
15(2)(r) to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services	
15(2)(s) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building	
15(2)(6) when the Municipality on its own initiative intends to conduct land development or an activity	
15(2)(l) amendment of Site Development Plan	
15(2)(l) Compilation / Establishment of a Home Owners Association Constitution / Design Guidelines	

OTHER APPLICATIONS

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

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

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

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

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

****** The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable and the applicant will be informed accordingly.**

BANKING DETAILS

Account Holder Name: Stellenbosch Municipality
Bank: FIRST NATIONAL BANK (FNB)

Branch no.: 210554
 Account no.: 62869253684
 Payment reference: LU/_____ and ERF/FARM _____

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

DETAILS FOR INVOICE

Name & Surname/Company name (details of party responsible for payment)	Klein Dauphine Estate (Pty) Ltd
Postal Address	Excelsior Road 7690 Franschhoek
Vat Number (where applicable)	4190 288 615

PART F: DETAILS OF PROPOSAL

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

Brief description of proposed development / intent of application:

See attachment

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

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

Information and documentation required

Y	N		Power of attorney / Owner's consent if applicant is not owner	Y	N		Bondholder's consent (if applicable)
Y	N		Resolution or other proof that applicant is authorised to act on behalf of a juristic person	Y	N		Proof of any other relevant right held in the land concerned
Y	N		Written motivation pertaining to the need and desirability of the proposal	Y	N		S.G. diagram / General plan extract (A4 or A3 only)
Y	N		Locality plan (A4 or A3 only) to scale	Y	N		Site development plan or conceptual layout plan (A4 or A3 only) to scale
Y	N		Proposed subdivision plan (A4 or A3 only) to scale	Y	N		Proof of agreement or permission for required servitude
Y	N		Proof of payment of application fees	Y	N		Proof of registered ownership (Full copy of the title deed)
Y	N		Conveyancer's certificate	Y	N		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	Home Owners' Association consent
Y	N	N/A	Abutting owner's consent	Y	N	N/A	Services Report or indication of all municipal services / registered servitudes
Y	N	N/A	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD)	Y	N	N/A	Proof of failure of Home owner's association
Y	N	N/A	Copy of original approval and conditions of approval	Y	N	N/A	Any additional documents or information required as listed in
Y	N	N/A	Proof of lawful use right	Y	N	N/A	

							the pre-application consultation form / minutes	
Y	N	N/A	Required number of documentation copies		Y	N	N/A	Other (specify)

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


Y	N	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.

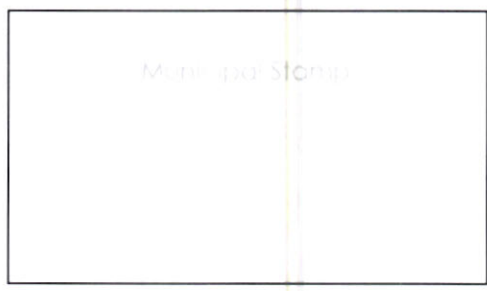
- 10. The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false or misleading information or declarations being set aside.
- 11. Information and declarations include any information submitted or declarations made on behalf of 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.
- 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: 25 March 2023

Full name: Joost de Haas

Professional capacity: Managing director

FOR OFFICE USE ONLY

Date received: _____ Received By: _____	
--	--

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	R 51 04,00
Reason for exemption	Category Exemption.....	Exemption i t o. Sec/Reg..... Act/Proc.....

DATA / CAPTURE
12-05-2019
FATGEYAH LARNEY

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

DATA / VERIFY
12-05-2019
MARLYN BARLOW

8

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 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 verlies 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 Franschoek, 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:

"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 Staatsprseident 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 1 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

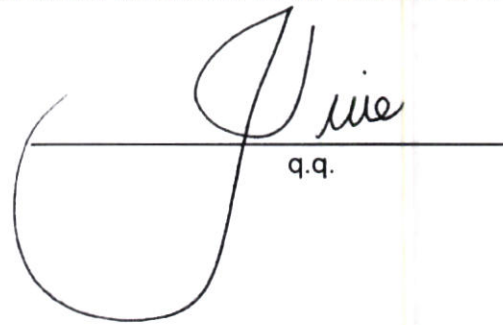
heretofore had to the premises, did in consequence also acknowledge him to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

**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



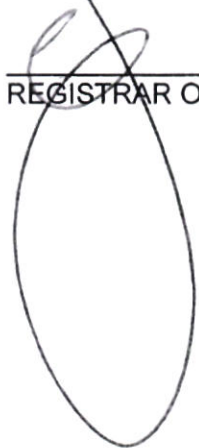
q.q.

In my presence



REGISTRAR OF DEEDS







8

Klein Dauphine Estate (Pty) Ltd. (Registration Number: 2019/048604/07), formerly known as Kitsicure (pty) Ltd

Incorporated in the Republic of South Africa (the "Company")

WRITTEN RESOLUTION OF THE COMPANY TO AUTHORISE A DIRECTOR WITH A POWER OF ATTORNEY

The company adopts on this day, the 25th of March 2023, the following resolution, considering:

- The Company has condoned a pre-school/daycare center on its property since (app.) 2003, now named 'Valley Kids';
- Valley Kids has received the status of Non-Profit Organisation and is now applying for Early Development Center;
- The Company wishes to apply for a consent use for the part of the Company's land Valley Kids occupies;

Hereby authorises its director, Joost de Haas, to take all measures necessary to apply for a consent use with the Stellenbosch Municipality and gives Joost de Haas power of attorney to act on its behalf.

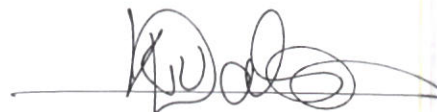
Date: 25/3/23

Signed by the Director



Joost de Haas

Signed by the Director



Karin van Dolder

Klein Dauphine Estate (Pty) Ltd. (Registration Number: 2019/048604/07), formerly known as Kitsicure (Pty) Ltd

Incorporated in the Republic of South Africa (the “Company”)

MOTIVATION LETTER LAND USE CONSENT

In or about 2003, the Lions Ladies of Franschhoek helped establish a day care centre/pre-school on the property of Klein Dauphine Estate. The intention was to provide day care for children of farmworkers in the 'Bohoek' area of Franschhoek (or 'Franschhoek Cul-de Sac'), enabling parents of those children to have paid work as well as to provide children (aged two to five years) with basic education and proper care.

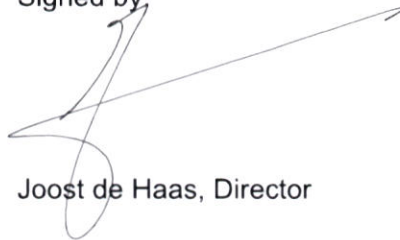
When the current owners of Klein Dauphine Estate acquired the property in 2019, the day care centre was not up to standard in terms of hygiene, governance and educational support. Since then, the quality of the building, the facilities and the teaching staff were improved, with the financial support of four Franschhoek-based families (including the applicant) and several donations.

The day care centre, now operating under the name 'Valley Kids', has applied for the status of Early Development Centre and already acquired the status of Non-Profit Organisation. Valley Kids provides a safe learning environment (in two classrooms) for a maximum of 32 children of parents employed in the Bohoek area and is now widely recognised as an outstanding facility. Valley Kids employs two full-time qualified teachers. Valley Kids operates between 8:00 and 16:00 during weekdays. Parking is provided on Klein Dauphine Estate.

The Company is a working wine farm and designated for agricultural use. The Company has entered into a lease agreement (with a yearly lease of ZAR 1.00) for an undetermined period of time. The Company wishes to formalise the use of the land for the benefit of Valley Kids and requests consent of Stellenbosch Municipality.

Date: 12 May 2023

Signed by:

A handwritten signature in black ink, appearing to be 'Joost de Haas', written over a horizontal line.

Joost de Haas, Director

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Date: 25 March 2023

Signed by:

Joost de Haas, Director

1/1353

VERDUN PRIVATE ROAD RE/1406

VERDUN PRIVATE ROAD FARM 1106

existing VALLEY KIDS SCHOOL

existing COTTAGE X2

existing FARM STORE

X2 ON SITE PARKING

EXISTING VINEYARD

PORTION 2 OF FARM 1643



EXISTING VINEYARD

EXISTING VINEYARD

EXISTING ORCHARD

EXISTING COTTAGE

EXISTING MANOR HOUSE

46.85m Boundary Line

87.67m Boundary Line

43.39m Boundary Line

30.96m

31.08.00m

13.05m

12.80m

27.95m

10.35m

136.82m Boundary Line

34.25m Boundary Line

59.81m Boundary Line

146.29m Boundary Line

RE 1634

1106

VERDUN PRIVATE ROAD edge of road

FARM 1106

87.67m Boundary Line gate

PORTION 2 OF FARM 1643



PLAY AREA

VALLEY KIDS SCHOOL
TOTAL AREA
98.2m²

PLAY AREA

43.39m Boundary Line

15310

4030

4240

1260

9060

7800

5000

9060

4060

15310

CLASSROOM
2
30.1 m²
x16 CHILDREN

CLASSROOM
1
30.7 m²
x16 CHILDREN

PLAY ROOM
20 m²

KITCHEN

WC

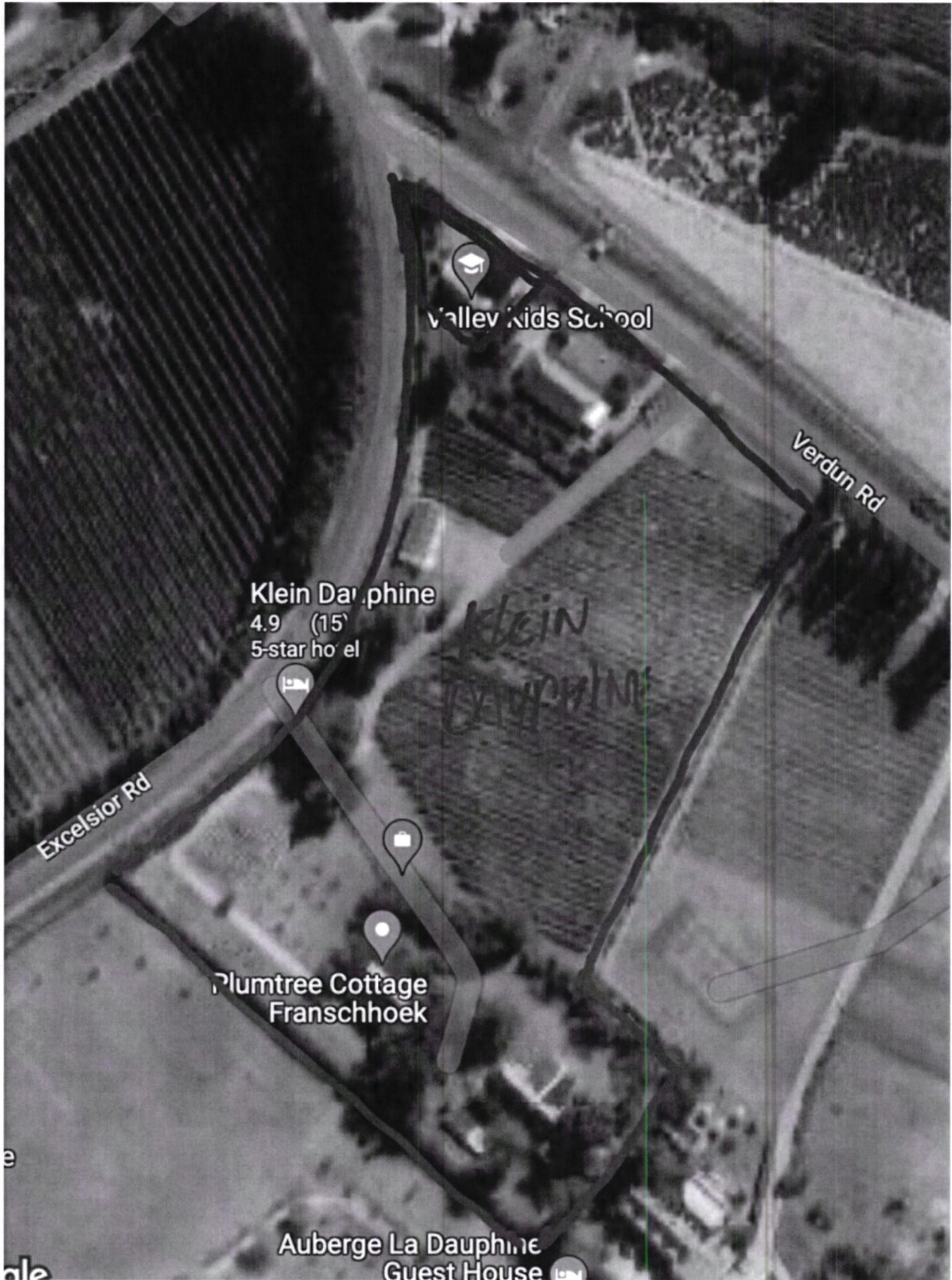
WC

WC

WC

VALLEY KIDS SCHOOL PLAN

1 : 100



Valley Kids School

Verdun Rd

Klein Dauphine
4.9 (15)
5-star hotel

Klein
Dauphine

Excelsior Rd

Plumtree Cottage
Franschoek

Auberge La Dauphine
Guest House



Valley Kids School

Verdun Rd

Klein Dauphine
4.9 (15)
5-star hotel

Klein
Dauphine

Excelsior Rd

Plumtree Cottage
Franschhoek

Auberge La Dauphine
Guest House

Locality Plan



Mont Rochelle
Nature Reserve

