



TAX INVOICE

STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

PO BOX 17, STELLENBOSCH, 7599

PLANNING & ECONOMIC DEVELOPMENT: PLANNING

DATE:	2021-09-01	DOCUMENT NO.:	712884
ERF/FARM NO:	345/16and20	CREATED BY:	Salome NEWMAN
LOCALITY:	, STELLENBOSCH FARMS	APPLICATION NO.:	LU/13106
OWNER'S NAME:	FRIEDLANDER,BURGER AND VOLKMANN	APPLICANT VAT NO.:	4130103692
ADDRESS:	P.O BOX 154 STELLENBOSCH 7599	VAT NO.:	4700102181
		APPLICANT:	FRIEDLANDER,BURGER AND VOLKMANN
		TEL NO.:	021 8864004

FEE DESCRIPTION	AMOUNT PER UNIT (R)	NUMBER OF UNITS	VOTE NUMBER	AMOUNT (R)
SUBDIVISION and CONSOLIDATION - Subdivision and Consolidation (Amendment/Cancellation of Subdivisional Plan / General Plan / Diagram),	R 5,000.00	1	20180711011497	R 5,000.00
SUBDIVISION and CONSOLIDATION - Subdivision and Consolidation (Amendment/Cancellation of Subdivisional Plan / General Plan / Diagram),	R 5,000.00	1	20180711011497	R 5,000.00
TOTAL AMOUNT PAYABLE				R 10,000.00
VAT included @ 15%				R 1,304.35

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

22 NOV 2021

RECEIVED

F 345/16and20S

All Tariffs include 15% VAT
FROM 1 JULY 2021 TO 30 JUNE 2022

CALCULATED BY:
NAME:
SIGNATURE:
S Newman

VERIFIED BY:
NAME:
SIGNATURE:
1.9.2021.

DATE:

DATE:

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

BANKING DETAILS FOR EFT PAYMENT:

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

Applicant to return this form to the Advice Centre for

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

DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT



Proof of payment

Date: 11/11/2021 Time: 12:39:28 PM

Profile name:	FRIEDLAENDER BURGER & VOLKMANN
Batch reference number:	1175829337
Reference number:	000000003248687526
Payment date:	11/11/2021
From account name:	FRIEDLAENDER BURGER EN VOLKMAN
From account description:	FRIEDLAENDER BURGER EN VOLKMANN
From account statement description:	APPLICATION FEES
Beneficiary account / cell phone number:	62869253684
Beneficiary/ Recipient name:	STELLENBOSCH MUNICIPALITY - APPLICATIONS
Beneficiary statement description:	LU/13106 FARM 345/16 & 20
Branch code:	210554
Amount:	10,000.00

Additional comments by payer:

View your account to **confirm that you have received this payment.**

- All payments are subject to clearing rules.

Please refer to landing page for cut off times and telephone numbers.

Profile name:FRIEDLAENDER BURGER & VOLKMANN
Profile number:4000064150

User name:DAMIEN PIETER BURGER
User ID:1

Small Business Services: 0860 116 400
Business Banking: 0860 111 055



TAX INVOICE

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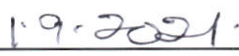
PO BOX 17, STELLENBOSCH, 7599
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All Tariffs include 15% VAT
FROM 1 JULY 2021 TO 30 JUNE 2022

CALCULATED BY:
NAME:
SIGNATURE:

DATE:

VERIFIED BY:
NAME:
SIGNATURE:

DATE:

PAYMENT MUST BE MADE AT THE APPLICABLE DISTRICT OFFICE
CHEQUES TO BE MADE PAYABLE TO STELLENBOSCH MUNICIPALITY
Applicant to return this form to the Advice Centre for
DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT

BANKING DETAILS FOR EFT PAYMENT:
*ACCOUNT HOLDER: Stellenbosch Municipality
BANK: First National Bank (FNB)
ACCOUNT NUMBER: 62869253684
BRANCH CODE: 210554
REF: LU/_____ and ERF/FARM_____*
Please use both the Land Use Application number and the Erf/Farm number indicated on this invoice as a reference when making EFT payment.

Salome Newman

From: Salome Newman
Sent: 11 November 2021 08:45 AM
To: Damien Burger
Subject: RE: [EX] RE: Farm 345/16 & 20 Stellenbosch

Good day;

Please confirm if you are still going ahead with the above application.

From: Damien Burger <damien.burger@fbvsurvey.co.za>
Sent: 07 October 2021 02:47 PM
To: Salome Newman <Salome.Newman@stellenbosch.gov.za>
Subject: [EX] RE: Farm 345/16 & 20 Stellenbosch

Hi Salome

Yes we are going ahead – just waiting for payment from client who had been away.

Regard
Damien Burger
FRIEDLAENDER, BURGER & VOLKMANN

Find us: <https://goo.gl/maps/JhVno5PrrXw4qmNr5>

Professional Land Surveyors • Sectional Title Consultants • Mapping Consultants

Professionele Landmeters • Deeltitel Konsultante • Kartering Konsultante

House 4 Patrysvlei Estate – Libertas Farm • TEL: 021 8864004, FAX 021 8878088 • PO Box / Posbus 154, Stellenbosch, 7599 • E-mail:

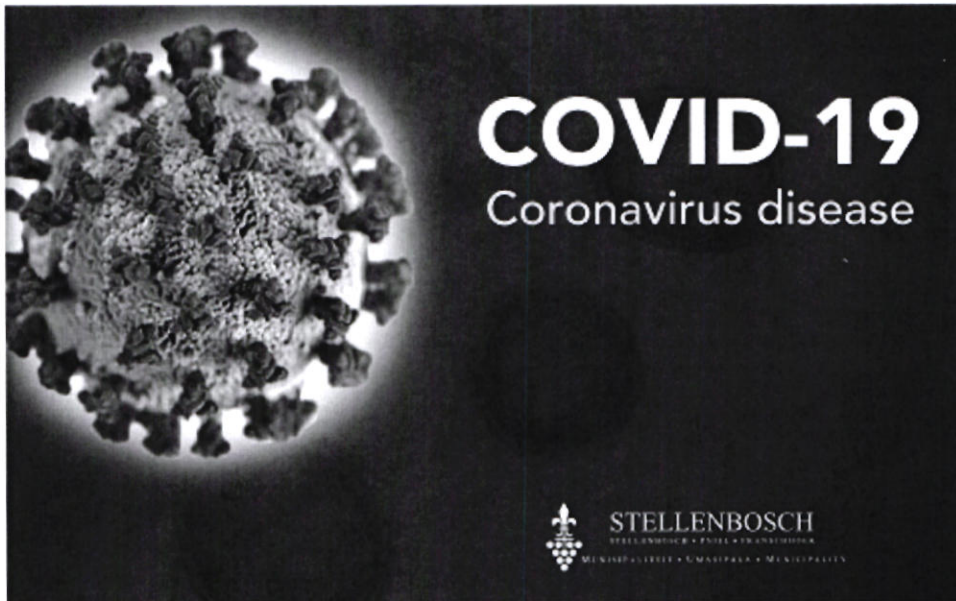
damien@fbvsurvey.co.za

Please note that this message is intended for specific recipients and its content is private and confidential. If you are not the intended recipient please return the message and then delete it.

From: Salome Newman [mailto:Salome.Newman@stellenbosch.gov.za]
Sent: Thursday, October 7, 2021 2:34 PM
To: 'damien@fbvsurvey.co.za'
Subject: RE: Farm 345/16 & 20 Stellenbosch

Good day;

Please confirm if you are still going ahead with the above application.



For official COVID-19 advice, updates and queries:

- National Hotline 0800 029 999
- Provincial Hotline 021 9284102
- WhatsApp 0600 123 456

Stay alert, stay updated and stay safe.



STELLENBOSCH
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About Stellenbosch Municipality

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



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 salome.newman@stellenbosch.gov.za sent at 2021-10-07 14:34:20 is confidential and may be legally privileged. It is intended solely for use by damien@fbvsurvey.co.za and others authorized to receive it. If you are not damien@fbvsurvey.co.za 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](#)

From: Salome Newman
Sent: 10 September 2021 10:27 AM
To: 'damien@fbvsurvey.co.za'
Subject: RE: Farm 345/16 & 20 Stellenbosch

Good day

I'm still waiting for the POP

From: Salome Newman
Sent: 01 September 2021 03:21 PM
To: damien@fbvsurvey.co.za
Subject: Farm 345/16 & 20 Stellenbosch

Good day

Pre-scrutiny of your documentation as submitted on 01 September 2021 has been completed. The documentation is considered complete and you may now pay the following fees into Council's bank account. Please provide this office with a copy of your proof of payment.

Salome Newman

From: Salome Newman
Sent: 07 October 2021 02:34 PM
To: 'damien@fbvsurvey.co.za'
Subject: RE: Farm 345/16 & 20 Stellenbosch

Good day;

Please confirm if you are still going ahead with the above application.

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Subject: Farm 345/16 & 20 Stellenbosch

Good day

Pre-scrutiny of your documentation as submitted on 01 September 2021 has been completed. The documentation is considered complete and you may now pay the following fees into Council's bank account. Please provide this office with a copy of your proof of payment.

See attached invoice for payment.



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

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



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

Salome Newman

From: Salome Newman
Sent: 01 September 2021 03:21 PM
To: damien@fbvsurvey.co.za
Subject: Farm 345/16 & 20 Stellenbosch
Attachments: SMFD-Eikest21090115410.pdf

Good day

Pre-scrutiny of your documentation as submitted on 01 September 2021 has been completed. The documentation is considered complete and you may now pay the following fees into Council's bank account. Please provide this office with a copy of your proof of payment.

See attached invoice for payment.



Regards / Groete,
Salome Newman
Admin Officer
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PLANNING & ECONOMIC DEVELOPMENT

LAND USE APPLICATION COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW, 2015				Date of Submission of Application	01-09-2021
Erf / Erven/ Farm no	345	Portion(s) if farm	16 and 20	Allotment Area	STELLENBOSCH
Owner / Applicant	Damien Burger		Contact number	0834543467	
Email address	danmien@fbvsurvey.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	✓				
13. Conveyancer's certificate	✓				
14. Feedback on Pre-application scrutiny	✓				
15. Minutes of Pre-consultation Meeting					
16. Consolidation plan					
17. Street name and numbering plan					

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

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

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

Outstanding information (to be completed by Planner):

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)].

Bulelwa Mdoda

From: Damien Burger <damien.burger@fbvsurvey.co.za>
Sent: 31 August 2021 05:13 PM
To: Landuse Enquiries
Subject: [EX] Application for Subdivision & Consolidation : Portion 16 and 20 of Farm No. 345 Stellenbosch
Attachments: COMBINED.pdf

Dear Sir/Madam

Please find attached our full application and accompanying documents for the above application.

Please could you acknowledge confirmation of receipt to damien@fbvsurvey.co.za

Regards

Damien Burger

FRIEDLAENDER, BURGER & VOLKMANN

Find us: <https://goo.gl/maps/JhVno5PrrXw4qmNr5>

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House 4 Patrysvlei Estate – Libertas Farm • TEL: 021 8864004, FAX 021 8878088 • PO Box / Posbus 154, Stellenbosch, 7599 • E-mail:

damien@fbvsurvey.co.za

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friedlaender, burger & volkmann

PROFESSIONAL LAND SURVEYORS. SECTIONAL TITLE CONSULTANTS. MAPPING CONSULTANTS

39 Herte Str, Stellenbosch, 7600

PO Box 154, Stellenbosch, 7599

+27 21 8864004

+27 21 8878088

info@fbvsurvey.co.za

www.fbvsurvey.co.za

Our ref: SA345-20

31/8/2021

The Municipal Manager

Landuse.Enquiries@stellenbosch.gov.za

Dear Sir/Madam

APPLICATION IN TERMS OF SECTION 15(2)(d) & SECTION 15(2)(e) – PLANNING BY-LAW:

PORTIONS 16 AND 20 OF THE FARM NO.345 STELLENBOSCH

Please find herewith our application and supporting documents in the above matter.

This application has been submitted electronically, negating the requirement for five copies as per checklist.

Please contact our office if further information is required.

Yours sincerely

D.P. Burger

pp. Friedlaender, Burger and Volkmann



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PLANNING & ECONOMIC DEVELOPMENT

LAND USE APPLICATION – CHECK LIST				Date	16/11/2020	
Erf/Erven/ Farm no	Farm No.345	Portion(s) if farm	16 & 20	Allotment Area	Stellenbosch	
Owner/ Applicant	Damien Burger		Contact number	021 886 4004		
Email address	damien@fbvsurvey.co.za					
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION				OWNER/APPLICANT TO INDICATE		CUSTOMER INTERFACE VERIFY <input checked="" type="checkbox"/> *
				YES	NO	
1. Application form completed in full and signed?				<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Correct copy of the Title Deed of the property?				<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Motivation attached?				<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Site Development Plan / Subdivision Plan / Consolidation Plan (A4/A3 size in colour?)				<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Property Registered in a Trust or Company – Power of Attorney as well as Trust / Company Resolution				<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. Neighbours Consent Forms (completed in full and signed) / Locality Plan indicating advertising to be undertaken				<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Five (5) sets of copies of all documentation (One set for permanent departure applications)				<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. Proof of payment				<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SIGNED BY OWNER/APPLICANT						
VERIFIED & SIGNED BY CUSTOMER INTERFACE OFFICER						

*Verification only of the documentation attached and not the completeness or correctness of that documentation.

**Please note that your documentation is not considered as a submitted application until such time as it has been scrutinized, all initial outstanding information (if any) has been submitted and payment is reflected in Council's bank account.

***Should the initial outstanding information and/or payment of fees not be received, all documentation will be discarded.

Outstanding information (to be completed by planner):

Planner

Date



STELLENBOSCH

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LAND USE PLANNING APPLICATION FORM 2017

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

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

PART A: APPLICANT DETAILS

First name(s)	Damien				
Surname	Burger				
Company name (if applicable)	Friedlaender, Burger and Volkmann				
Postal Address	P.O. Box 154, Stellenbosch				
			Postal Code	7599	
Email	damien@fbvsurvey.co.za				
Tel	+27 21 8864004	Fax	+27 21 8878088	Cell	+27 83 454 3467

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

Registered owner(s)	Jonkershoek Cellar Pty L:td				
Physical address	Jonkershoek Rd				
			Postal code	7599	
E-mail	hans@stark-conde.co.za				
Tel	+27 82 7720849	Fax	N/A	Cell	+27 82 7720849

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

Farm No.	345	Portion(s) if Farm	16 and 20	Allotment area	Stellenbosch		
Physical Address	Jonkershoek Road						
	Stellenbosch						
Current Zoning	Agriculture & Rural Zone	Extent	1. 85 ha 2. 2,01ha	Are there buildings?	existing	<input checked="" type="checkbox"/>	N

Applicable Zoning Scheme	Stellenbosch Municipality										
Current Land Use	Agricultural										
Title Deed number and date	T	T56860/1984 & T1033037/2003									
Attached Conveyance's Certificate	Y	X	Any Restrictions into the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate SEE ITEM 4.6 OF MOTIVATION REPORT								
Are the restrictive conditions in favour of a third party(ies)?	Y	X	If Yes, list the party(ies):								
Is the property encumbered by a bond?	Y	X	If Yes, list the bondholder(s):								
Is the property owned by Council?	Y	X	If Yes, kindly <u>attach a power of attorney</u> from the Manager Property Management								
Is the building located within the historical core?	Y	X	Is the building older than 60 years?	Y	X	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹	Y	X	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	X	If yes, is this application to legalize the building / land use ² ?				Y	X			
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	Y	X	Are there any land claim(s) registered on the subject property(ies)?				Y	X			
PART D: PRE-APPLICATION CONSULTATION											
Has there been any pre-application consultation?	Y	X	If Yes, please attach the minutes of the pre-application consultation.								
PART E: LAND USE PLANNING APPLICATIONS AND APPLICATION FEES PAYABLE											
APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)											
Tick	Type of application: Cost are obtainable from the Council Approved tariffs³										
	15(2)(a) Rezoning of Land										
	15(2)(b) a permanent departure from the development parameters of the zoning scheme										
	15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land;										
X	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;										
X	15(2)(e) a consolidation of land that is not exempted in terms of section 24;										

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

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

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

15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit;			
15(2)(g) a permission required in terms of the zoning scheme;			
15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval;			
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) an occasional use of land;			
15(2)(q) to disestablish a home owner's association			
15(2)(r) to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services;			
15(2)(s) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building.			
15(2)(6) When the Municipality on its own initiative intends to conduct land development or an activity			
15(2)(l) Amendment of Site Development Plan			
15(2)(l) Compilation / Establishment of a Home Owners Association Constitution / Design Guidelines			
OTHER APPLICATIONS			
Deviation from Council Policies/By-laws;	R		
Other (specify) : _____	R		
TOTAL A:	R		
PRESCRIBED NOTICE AND FEES** (for completion and use by official)			
Tick	Notification of application in media	Type of application	Cost
	SERVING OF NOTICES	Delivering by hand; registered post; data messages	R
	PUBLICATION OF NOTICES	Local Newspaper(s); <i>Provincial Gazette</i> ; site notice; Municipality's website	R
	ADDITIONAL PUBLICATION OF NOTICES	Site notice, public meeting, local radio station, Municipality's website, letters of consent or objection	R
	NOTICE OF DECISION	<i>Provincial Gazette</i>	R
	INTEGRATED PROCEDURES	T.B.C	R
TOTAL B:			R
TOTAL APPLICATION FEES* (TOTAL A + B)			R
* Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany an application.			
** The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable and the applicant will be informed accordingly.			
BANKING DETAILS			
Name:	Stellenbosch Municipality		
Bank:	NEDBANK		
Branch no.:	198765		
Account no.:	1152271679		
SWIFT	NEDSZAJJ		
Payment reference: (Erf/Farm number)		

DETAILS FOR INVOICE	
Name & Surname/Company name (details of party responsible for payment)	Friedlaender, Burger and Volkmann
Postal Address	P.O. Box 154, Stellenbosch, 7599
Vat Number (where applicable)	4130103692

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:

Proposed subdivision of Portion 16 and the consolidation of the subdivided portion with Portion 20 , both of Farm No. 345 Stellenbosch.

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

<input checked="" type="checkbox"/>	N		Power of attorney / Owner's consent if applicant is not owner	Y	<input checked="" type="checkbox"/>	Bondholder's consent (if applicable)	
<input checked="" type="checkbox"/>	N		Resolution or other proof that applicant is authorised to act on behalf of a juristic person	Y	<input checked="" type="checkbox"/>	Proof of any other relevant right held in the land concerned	
<input checked="" type="checkbox"/>	N		Written motivation pertaining to the need and desirability of the proposal	<input checked="" type="checkbox"/>	N	S.G. diagram / General plan extract (A4 or A3 only)	
<input checked="" type="checkbox"/>	N		Locality plan (A4 or A3 only) to scale	Y	<input checked="" type="checkbox"/>	Site development plan or conceptual layout plan (A4 or A3 only) to scale	
<input checked="" type="checkbox"/>	N		Proposed subdivision plan (A4 or A3 only) to scale	Y	<input checked="" type="checkbox"/>	Proof of agreement or permission for required servitude	
Y	<input checked="" type="checkbox"/>		Proof of payment of application fees	Y	<input checked="" type="checkbox"/>	Proof of registered ownership (Full copy of the title deed)	
Y	<input checked="" type="checkbox"/>		Conveyancer's certificate	Y	N/A	Minutes of pre-application consultation meeting (if applicable)	
Y	N	<input checked="" type="checkbox"/>	Consolidation plan (A4 or A3 only) to scale	Y	N	<input checked="" type="checkbox"/>	Land use plan / Zoning plan (A4 or A3 only) to scale
Y	N	<input checked="" type="checkbox"/>	Street name and numbering plan (A4 or A3 only) to scale	Y	N	<input checked="" type="checkbox"/>	1 : 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale
Y	N	<input checked="" type="checkbox"/>	Landscaping / Tree plan (A4 or A3 only) to scale	Y	N	<input checked="" type="checkbox"/>	Home Owners' Association consent
Y	N	<input checked="" type="checkbox"/>	Abutting owner's consent	Y	N	<input checked="" type="checkbox"/>	Services Report or indication of all municipal services / registered servitudes
Y	N	<input checked="" type="checkbox"/>	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	<input checked="" type="checkbox"/>	Proof of failure of Home owner's association
Y	N	<input checked="" type="checkbox"/>	Copy of original approval and conditions of approval	Y	N	<input checked="" type="checkbox"/>	Any additional documents or information required as listed in the pre-application consultation form / minutes
Y	N	<input checked="" type="checkbox"/>	Proof of lawful use right	Y	N	<input checked="" type="checkbox"/>	Other (specify)
Y	N	<input checked="" type="checkbox"/>	Required number of documentation copies	Y	N	<input checked="" type="checkbox"/>	

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

Y	<input checked="" type="checkbox"/>	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 <input checked="" type="checkbox"/> National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
Y	<input checked="" type="checkbox"/>	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)	Y <input checked="" type="checkbox"/> National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
Y	<input checked="" type="checkbox"/>	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)	Y <input checked="" type="checkbox"/> National Water Act, 1998 (Act 36 of 1998)
Y	<input checked="" type="checkbox"/>	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations	Y <input checked="" type="checkbox"/> Other (specify)
Y	<input checked="" type="checkbox"/>	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)	
Y	<input checked="" type="checkbox"/>	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, please attach motivation.	


SECTION I: DECLARATION

I hereby wish to confirm the following :

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. I'm aware that it is an offense in terms of section 86(1)(e) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.
3. I am properly authorized to make this application on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto.
4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
5. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
6. I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.
7. It is the owner's responsibility to ensure that approval is not sought for a building or land use which will be in conflict with any applicable law.
8. The Municipality assesses an application on the information submitted and declarations made by the owner or on his behalf on the basis that it accepts the information so submitted and declarations so made to be correct, true and accurate.
9. Approval granted by the Municipality on information or declarations that are incorrect, false or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.
10. The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false or misleading information or declarations being set aside.
11. Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or

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

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

Applicant's signature:		Date:	4 December 2020
Full name:	Damien Pieter Burger		
Professional capacity:	Pr. Land Surveyor		

FOR OFFICE USE ONLY

<p>Date received: _____</p> <p>Received By: _____</p>	<div style="border: 1px solid black; width: 100%; height: 100%;"></div>
--	---

Proposed Subdivision & Consolidation

**PROPOSED SUBDIVISION OF PORTION 16 & FURTHER
CONSOLIDATION WITH PORTION 20
OF THE FARM NO.345,
STELLENBOSCH
Western Cape Province**

Prepared by

Friedlander, Burger and Volkmann

House 4 Patrysvlei Estate, Stellenbosch, 7600 | P.O. Box 154, Stellenbosch, 7599

Tel +27 21 8864004 Fax +27 21 8878088 Email info@fbvsurvey.co.za

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1 Proposal

Acting on behalf of the owners of Portion 16 of the Farm No. 345 and Portion 20 of the Farm No.345 Stellenbosch ("the properties") we propose to adjust the boundary between the two properties to include the existing access and surrounding areas into Portion 20 of the Farm No.345

A locality plan is provided as **Annexure A** and a plan of proposed subdivision as **Annexure B**

In terms of Section 15(2)(d) and section 15(2)(e) of the Stellenbosch Municipality Planning Land Use Planning By-Law, application is therefore made for the

- i. Subdivision of Portion A, in extent $\pm 1,60$ ha, of Portion 16 of the Farm No.345 Stellenbosch leaving a remainder of $\pm 85,0333$ ha, and
- ii. Consolidation of Portion A with Portion 20 of the Farm No.345 Stellenbosch with a combined area of $\pm 3,6166$ ha

2 Pre Application Scrutiny Feedback

The pre-application scrutiny feedback is attached as **Annexure J**

3 Authority to apply

The Properties are owned by:

- Portion 16 of the Farm No.345 – Jonkershoek Cellars Pty Ltd
The title deed is attached as **Annexures C and** the power of attorney/and authorisation as **Annexure D**
- Portion 20 of the Farm No.345 – Old Nectar Pty Ltd
The title deed is attached as **Annexures E and** the power of attorney/and authorisation as **Annexure F**

4 The farms

4.1 Description

The properties are farms in Jonkershoek Valley in the Stellenbosch Winelands area.

Portion 16 of the Farm No.345 – measuring 86,6333 ha

Portion 20 of the Farm No.345– measuring 2,0166 ha

The diagrams are attached as **Annexures G & H**

4.2 Current use and zoning

The properties are zoned Agriculture & Rural.

Portion 16 is part of an existing wine farm.

Portion 20 is a small holding well known for the gardens that surround the historic Old Nectar Homestead.

4.3 Access

Access to Portion 16 is off the Jonkershoek Road

Access to Portion 20 is along the existing farms road linking up with the Jonkershoek Road

4.4 Services

There are no municipal services connected to the property.

4.5 Water Rights

As this is an adjustment of boundaries, there will be no re-allocation of any of the water rights

4.6 Restrictive Conditions

Both Portions 16 and 20 are the result of previous subdivisions and consolidations. It is clear that there are no restrictive conditions that prohibit subdivision.

5 Reason for the proposal

The existing access to Portion 20 traverses an unutilised part of Portion 16.

The owner of Portion 20 would like the road and surrounding areas to be included in his property for security, landscaping and maintenance reasons.

6 Motivation

6.1 Subdivision – Consent in terms of Act 70/1970

The competent authority dealing with the subdivision of Agricultural Land in terms of Act 70 of 1970 has issued the consent, attached as **Annexure I**

In issuing the consent for subdivision the Department is satisfied that application has met the conditions required for the subdivision of agricultural land.

Conditions pertaining to this consent stipulate that Portion A must be consolidated with Portion 1 of the farm No 550.

It is this condition that triggers the requirement for the application in terms of Section 15 of the Planning- Bylaw

6.2 Subdivision & consolidation

The proposal is effectively an adjustment of boundaries between the two properties and no additional land unit will be created.

The access road and surrounding area falls on a portion of Portion 16 that has not been utilised at all, and due to the steep terrain is very difficult to access.

In order to upgrade security over the access road it is intended that the boundary be adjusted so that a security fence can be erected in a practical position.

It makes practical sense, taking cognisance of the existing road, the inaccessibility of the rounding area and positioning of future fences, that this part of Portion 16 be consolidated with Portion 20.

There is no loss of productive agricultural land. The adjustment of boundaries does not in any way effect the agricultural activities on Portion 16 as it is technically redundant land.

The land can be better utilised for landscaping the access road to form part of the already famous garden that that surrounds the historic Old Nectar homestead situated on Portion 20

6.3 Principles of IDP & Municipal SDF

The application is in line with the principles of both the IDP and SDF.

There is no negative impact on the natural environment, cultural heritage or transport as a result of the subdivision and consolidation.

There is no new development or change in land use or zoning as a result of the subdivision and consolidation.

There is no fragmentation of agricultural land as no additional property is created with the implementation of the consolidation condition contained in the Act 70/1970 approval

6.4 Summary

No reason for refusal of the application is apparent.

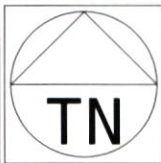
7 List of Annexures

Annexure A	Locality Plan
Annexure B	Subdivision Plan
Annexure C	Title Deed of Portion 16 Farm No. 345
Annexure D	Power of Attorney and authorization from Jonkershoek Cellars
Annexure E	Title Deed of Portion 20 Farm No. 345
Annexure F	Power of Attorney and authorization from Old Nectar Pty Ltd
Annexure G	Diagram of Portion 16 Farm No. 345
Annexure H	Diagram of Portion 20 Farm No. 345
Annexure I	Act 70 of 1970 Approval
Annexure J	Pre Application Scrutiny Feedback

ANNEXURE A

JONKERSPARK

MOSTERTSDRIFT



Caveat
 1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey.
 2. All levels are to be confirmed prior to construction.

Scale 1:30000 @A4

Date: August 2020

Contours: N/A

System: WG 19

LOCALITY PLAN

Ref: SA345-20

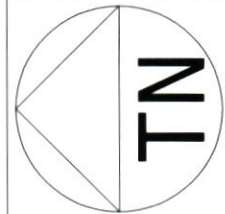
Dwg: LOCALITY

fbv
 friedlaender, burger & volkmann
PROFESSIONAL LAND SURVEYORS, 3011 TONK, 17 THE CONSTITUTION SQUARE, WINDERMERE, 2145
 30 TONK ROAD, WINDERMERE, 2145 • P.O. Box 104, WINDERMERE, 2145
 Tel: (011) 461 4500 • Email: info@friedlaender.com

ANNEXURE A

JONKERSPARK

MOSTERTSDRIFT



Caveat

- 1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey.
- 2. All levels are to be confirmed prior to construction.

Scale 1:30000 @A4

Date: August 2020

Contours: N/A

System: WG 19

LOCALITY PLAN

Ref: SA345-20

Dwg: LOCALITY

fb/
friedlaender, burger & volkmann
PROFESSIONAL LAND SURVEYORS, S.E.T. (Pty) LTD. CONSULTANTS, MAPPING CONSULTANTS
30 Ferns Street, Maitland 7600 • PO Box 164, Bitterfontein 7599
Tel: +27 31 886 4004 • Email: info@fbv.co.za

ANNEXURE B



Remainder
Portion 16
Farm No.345
±85 ha

Portion A
±1,6Ha

Stormwater Furrion
servitude

CONSOLIDATE

20/345
±2,02 ha

11/345

15/345

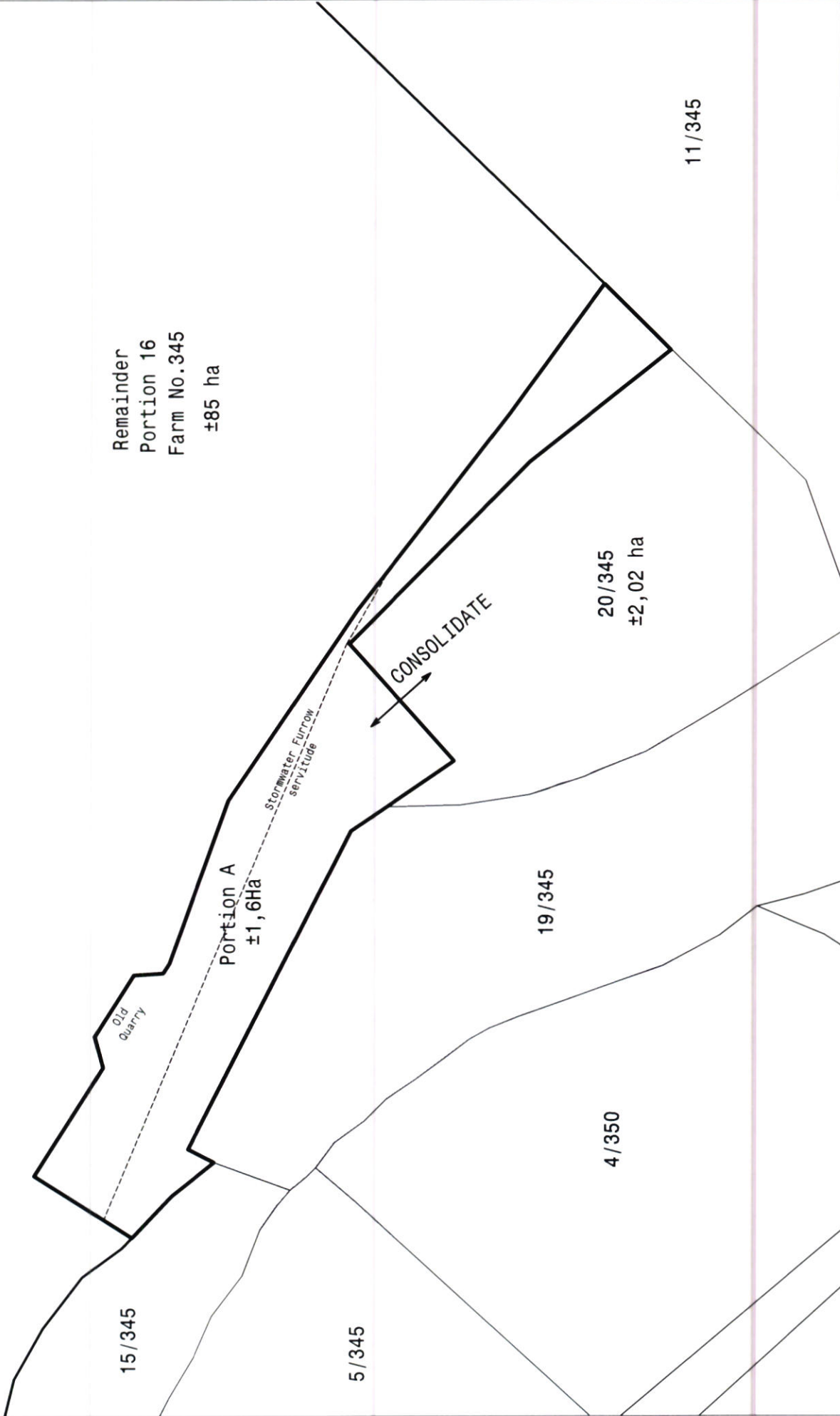
5/345

19/345

4/350

<p>Notes: Portion A to be consolidated with Portion 20 of the Farm No.345 Stellenbosch</p>	<p>Scale 1:1500 Proposed subdivision of Portion 16 & consolidation with Portion 20 of the Farm No.345 Stellenbosch</p>	<p>System: WG 19</p>
<p>Contours:N/A</p>	<p>Date:14/08/2020 Ref:SA345-20 Dwg:PROPOSED SUB</p>	<p>System: WG 19</p>
<p>1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey. 2. All levels are to be confirmed prior to construction.</p>		
<p>friedlaender, burger & volkmann</p>		

ANNEXURE B



Notes: Portion A to be consolidated with Portion 20 of the Farm No.345 Stellenbosch		Caveat 1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey. 2. All levels are to be confirmed prior to construction.	Scale 1:1500	Date:14/08/2020	Contours:N/A	System: WG 19
			Proposed subdivision of Portion 16 & consolidation with Portion 20 of the Farm No.345 Stellenbosch	Ref: SA345-20		
friedlaender, burger & volkmann <small>17 BONTJE BOULEVARD STELLENBOSCH 7701 T +27 21 410 2811 F +27 21 410 3338</small>						

CLUVER & MARKOTTER

TEL. (02231) 70120

ANNEXURE C

7

Datum van indiening/Date of lodgement

**NA MIKRO
TO MIKRO**

28

A. VIR AKTEKANTOOR GEBRUIK/FOR DEEDS OFFICE USE

<p>Vir Kans. For Canc.....</p> <p>Vir Onthef For Release.....</p> <p>Vir Afstand For Waiver.....</p>	<p>Verband. Bond.....</p> <p>Vir Ged. Afspe. For Pt. Privil.....</p> <p>Vir Sessie For Cession.....</p> <p>Vir Subst. For Subst.....</p>
--	--

17.5

HEG KAGHT AAN ANNEXURAS

	Ondersoekers/Examiners	Kamers/Rooms	Skaling/Linking	Reject/Verwerp	Passeer/Pass
1.	B. J. SMITH	1/30	A 3		
2.	G. J. VAN DER WESTHUIZEN				
3.					

B. VIR AKTEBESORGER SE GEBRUIK/FOR CONVEYANCER'S USE.

Aard van Akte/Nature of Deed: CERTIFICATE OF CONSOLIDATED TITLE

56860/84

IDOR ESTATES (PTY) LTD

Verw. No./Ref. No.: JDEW/DJ 04646

Skaling/Linking	4 3	Titelaktes, ens. binne/Title deeds, etc. within
		Diagram S G No 5751-84 in duplicate

GELYKTYDIGES/SIMULS

No. in stel/batch	Kode Code	Name van Partye/Names of Parties	Naam van Firma/Name of Firm	Firma/Firm No.
1	T	IDOR ESTATES / RUST TRUST	CLUVER & MARKOTTER	117
2	BC	IDOR ESTATES	BISSET BOEHMKE & MCBLAIN	52
3	BC	IDOR ESTATES	BISSET BOEHMKE & MCBLAIN	52
4	BC	IDOR ESTATES	BISSET BOEHMKE & MCBLAIN	52
4	T	IDOR ESTATES	CLUVER & MARKOTTER	117
6				
7				
8				
9				
10				
11				
12				

(Kort beskrywing van eiendom (slegs para 1 in Akte) Brief description of property (merely para 1 in Deed))
 PORTION 16 (NEKTAR) of the Consolidated Farm GLENCOONOR 345
 Stellenbosch DK

v.d. Stiel 7140

9

VIR ENDOSSEMENTE KYK BLADSY
FOR ENDORSEMENTS SEE PAGE... 7 ... ET SEQ.

REKENAAR: D.A.V. ...
OPNEEM/NIERSU
26/11/84
DEBTAAFVERH...

T 56860/84

Prepared by me:

J A L DE WAAL,
CONVEYANCER

JDEW/DJ

CERTIFICATE OF CONSOLIDATED TITLE

(Issued under the provisions of Section 40 of the Deeds Registries Act, 1937 (No 47 of 1937))

WHEREAS

IDOR ESTATES (PROPRIETARY) LIMITED

(NO 70/5709)

has applied for the issue of a Certificate of Consolidated Title under the provisions of Section 40 of the Deeds Registries Act, 1937;

AND WHEREAS IDOR ESTATES (PROPRIETARY) LIMITED

is the registered owner of

1. PORTION 3 of the Consolidated Farm CLENCONNOR NO 345 in the Division of Stellenbosch and
2. REMAINDER OF PORTION 4 of the Consolidated Farm GLENCONNOR NO 345 in the Division of Stellenbosch

HELD / ...

BLADSY/PAGE

7

ENDOSSEMENT OP
ENDORSEMENT ON

56860/84

EIENDOM/PROPERTY Part 16 (NEICAR) of THE
FARM GLENCOANOR NO. 345,
STELLENBOSCH

BC 44412/84

W.O.P

Section Artikel	40	Act No. 47 of 1937 Wet No. 47 van 1937
Mortgaged by Bond No. Verbind deur Verband No.	B20508/1982	
Dated gedateer	11-8-82	for vir R. 100 000,00 +
Deeds Office Aktekants	20 000,00	Asst. Registrar/Asst.-Registrateur
	28	

Town/Kaapstad.

AA

HELD by Deed of Transfer No 32348/1970

which have been consolidated into the land hereinafter described;

NOW, THEREFORE, in pursuance of the provisions of the said Act,
I, the Registrar of Deeds at Cape Town do hereby certify that
the said

IDOR ESTATES (PROPRIETARY) LIMITED (NO 70/5709)

WHITE GROUP

or Assigns

is the registered owner of

PORTION 16 (NEKTAR) of the Consolidated Farm GLENCONNOR NO 345
in the Division of Stellenbosch

MEASURING 86,6333 (Eighty six comma six three three three)
hectares

AS WILL APPEAR from Diagram S G No 5751-84 annexed hereto.

I. IN SO FAR AS the figure ABCDH'J'K'k middle of Eerste River eE'
on Diagram S G No 5751-84 is concerned:-

A. SUBJECT to the conditions referred to in Deed of
Transfer No 11785/1936.

B. FURTHER SUBJECT AND ENTITLED TO the benefit of
the servitude referred to in the endorsement dated
30 January 1935 on Certificate of Consolidated Title
No 3944/1931, relating to certain water rights.

C. SUBJECT FURTHER / ...

....

A

- C. SUBJECT FURTHER to an endorsement dated 7 Februarie 1978 on Deed of Transfer No 32348/1970, reading as follows:-

"ENDORSEMENT IN TERMS OF SECTION 31(6) OF ACT 47 OF 1937 (AS AMENDED)

A Portion of:-

The herein-mentioned property in Para 2 meas + 0352 Ha has been expropriated by Div. Council of Stellenbosch in terms of Sec 27 of The Roads Ord. 1976 Vide Notice of expropriation No R 1/16/1 d.d. 14.12.77 filed as exprop. caveat Ex 665/77 plans in duplicate filed herewith."

A

- II. IN SO FAR AS the figure DEFGHJKLMNPQRSTUVWXYZA'B'C'D'd middle of Eerste River kK'J'H' on Diagram S G No 5751-84 is concerned:-

- A. SUBJECT to the conditions referred to in Deed of Transfer No 14248/1942.

- B. SUBJECT FURTHER TO AND ENTITLED TO the benefit of the servitude referred to in the endorsement dated 17 June 1932 on Certificate of Consolidated Title No 3944/1931, which reads:-

"By Deed of Transfer No 3651 dated 17/6/1932 the use of the water for irrigation purposes only, the construction of a dam for storage purposes and the use of the water for domestic purposes from certain reservoir has been mutually agreed upon by the owners of the property thereby conveyed and the remainder of the property held hereunder, as will more fully appear on reference to the said Deed of Transfer."

- C. FURTHER SUBJECT TO AND ENTITLED TO the benefit of the servitude referred to in the endorsement dated 30 January 1935 on Certificate of Consolidated Title No 3944/1931 which reads:

"The within described land is subject to a servitude with regard to the apportionment of water in terms of Order of the Water Court (Water Court District No 1) dated 12/8/1919 - 3/6/1929 as will more fully appear on reference to the copy of the said Order annexed hereto."

- D. ENTITLED / ...

D. ENTITLED TO THE BENEFIT of the special condition contained in Deed of Transfer No 872/1935, which reads:-

"That the land hereby conveyed shall be entitled to a pro rata share of the water accruing to and awarded to the owner of the farm "Nector" now called "Glenconnor" such pro rata share being as follows:-
3½ (three and a half) gallons per second during 10 (ten) hours on Tuesday, Wednesday and Thursday of each week - total 30 (Thirty) Hours."

The above being a portion of the water rights referred to in the Order of Water Court referred to in the endorsement dated 30 January 1935 on Certificate of Consolidated Title No 3944/1931.

E. FURTHER SUBJECT TO OR ENTITLED TO the benefit of, as the case may be, the following conditions contained in Deed of Transfer No 14248/1942, imposed for the benefit of Portion 4 of the Consolidated Farm Glenconnor No 345 thereby transferred, and the Remainder of the Consolidated Farm Glenconnor No 345 as per Deed of Transfer No 14249/1942:-

1. In the enjoyment of the water rights set out in clauses B, C and D above the property hereby transferred shall be entitled together with the remainder of the land this day transferred to K R van der Spuy by Deed of Transfer No 14249 to pro rata shares according to the pro rata extents of irrigable land held respectively by the Transferee herein and the transferee in the said Deed of Transfer No 14249.
2. The Transferee and his successors in title is entitled to lead the water to which he is entitled under condition 1 above along the existing furrow R Q on diagram no 2948/41 over the remainder of the land this day transferred by the said Deed of Transfer T 14249 to the land hereby transferred which furrow corresponds to the furrow U' V' on the annexed diagram no 5751/84.

3. In / ...

3. In regard to the reservoir marked A on Diagram No 2948/41 annexed to Deed of Transfer No 14249/41 and situate on the property hereby transferred the Transferee and his successors in title of the remainder transferred this day by the said Deed of Transfer No 14249 shall have the necessary servitude facilities as they exist at present and shown by the servitude pipeline A B' on diagram no 2948/41 annexed to Deed of Transfer no 14249/42 (the transferee in the said Deed of Transfer No 14249 shall not however increase the size of the existing one inch pipe) to allow the use of such water on the remainder of the said land, which servitude reservoir is marked M' and which servitude pipeline is marked M'N' on the annexed diagram no 5751/84.
4. The servitude right of way over the land hereby transferred and marked M N on diagram no 2948/41 annexed to Deed of Transfer No 14249/42 is for the common use of the land hereby transferred and the remainder of the land this day transferred by the said Deed of Transfer No 14249, which servitude right of way is marked m n on the annexed diagram No 5751/84.
5. The land hereby transferred is entitled to a servitude right of way over the remainder of the land this day transferred by the said Deed of Transfer No 14249 such right of way being marked P O R' S' on the diagram (No 2948/41) annexed thereto which servitude right of way is marked a b c f on the annexed diagram no 5751/84.
6. As far as possible the character of the trees along the avenue marked M N on diagram (No 2948/41) annexed to Deed of Transfer No 14249/42 leading to the buildings shown thereon shall be retained and that neither transferee shall be permitted to build cottages for coloured people or stables within 100 feet of this avenue, which avenue is marked m n on the annexed diagram no 5751/84.

AND THAT by virtue of these presents the said

IDOR ESTATES (PROPRIETARY) LIMITED

(NO 70/5709)

WHITE GROUP

or Assigns

now is and henceforth shall be entitled thereto conformably to local custom, the State, however, reserving its rights.

IN / ...

Handwritten mark

IN WITNESS WHEREOF, I, the said REGISTRAR OF DEEDS, 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 this *26th* day of *November* in the year of Our Lord, One thousand Nine hundred and Eighty Four (1984)


REGISTRAR OF DEEDS

REGISTERED IN THE FARM REGISTER OF

Stellenbosch.

BOOK


FOLIO

345 / 16 / 1.



1-3-4-5
00

PREPARED BY ME


CONVEYANCER
J A L DE WAAL

**APPLICATION IN TERMS OF SECTION 40 (3) OF ACT 47 OF 1937
FOR THE ISSUE OF A CERTIFICATE OF CONSOLIDATED TITLE**

I, DERRICK LAWSON ALFRED PECK, on behalf of IDOR ESTATES (PTY) LTD (Company No 70/5709) duly authorized thereto (White Group) do hereby, in terms of the abovementioned section, apply to the Registrar of Deeds at Cape Town for the issue to me of a Certificate of Consolidated Title in respect of :

1. Portion 3 of the consolidated farm Glenconnor no 345 in the Division of Stellenbosch; and
2. The remainder of portion 4 of the consolidated farm Glenconnor no 345 in the Division of Stellenbosch, held under Deed of Transfer No 32348/1970

7,0751
79,5582

86,6333

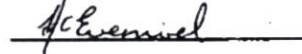
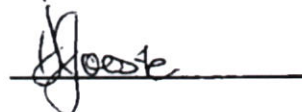
which properties have been consolidated and are now known as

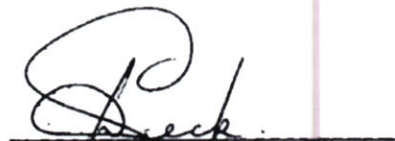
Portion 16 (Nektar) of the consolidated farm Glenconnor no 345, measuring ~~86,333~~ hectares x 86,6333 hectares

as will more fully appear from Diagram S.G. no 5751/84

DATED AT STELLENBOSCH this 2nd of October 1984

AS WITNESSES:

1. 
2. 


Peck

Handwritten initials/signature

NOTAS VAN ONDERSOEKERS • EXAMINERS' NOTES

B. J. SMITH

⑦ Note 5 remains in so
for as cond. II (E) 3, 4, 5, 6 -
redraw. p. 5. R
Done

SIDES Metres	ANGLES OF DIRECTION	CO-ORDINATES System Lo. 19°		S.G. No.
		Y	X	
		0,00	+3700000,00	5751-84 Approved <i>Deunis</i> for Surveyor-General 1984-6-26
AB	46,88 A 51 04 20	A		
BC	371,97 B 169 54 20	B		
CD	314,92 C 177 27 00	C		
DE	354,53 D 104 19 10	D	+ 7 840,41 + 58 029,94	
EF	1652,33 E 274 10 10	E	+ 7 665,03 + 58 338,06	
FG	283,53 F 253 45 00	F	+ 6 292,23 + 57 418,43	
GH	946,99 G 32 10 30	G	+ 6 377,81 + 57 148,12	
HJ	325,40 H 71 23 10	H	+ 5 655,12 + 57 760,11	
JK	457,14 J 108 04 20	J	+ 5 933,67 + 57 928,33	
KL	803,89 K 256 56 40	K	+ 6 279,73 + 57 629,63	
LM	818,75 L 189 36 00	L	+ 6 928,90 + 58 103,80	
MN	74,59 M 82 29 10	M	+ 7 500,30 + 58 690,22	
		N	+ 7 546,46 + 58 631,63	
NP	105,0 N 186 59 00	N	+ 7 546,5 + 58 631,6	
PQ	64,5 P 266 25 20	P	+ 7 620,8 + 58 557,5	
QR	51,20 Q 277 21 20	Q	+ 7 669,1 + 58 600,3	
RS	147,57 R 208 44 30	R	+ 7 697,87 + 58 557,92	
		S	+ 7 829,23 + 58 490,70	
ST	23,35 S 275 06 20	S	+ 7 829,28 + 58 490,43	
TU	23,94 T 55 11 50	T	+ 7 838,02 + 58 512,08	
UV	27,44 U 183 44 30	U	+ 7 851,13 + 58 492,06	
VW	24,66 V 186 39 40	V	+ 7 867,63 + 58 470,13	
WX	26,48 W 187 39 00	W	+ 7 884,64 + 58 452,28	
XY	27,58 X 192 20 40	X	+ 7 905,30 + 58 435,72	
YZ	21,67 Y 190 31 20	Y	+ 7 930,01 + 58 423,46	
ZA	27,43 Z 188 45 30	Z	+ 7 950,85 + 58 417,54	
AB'	25,79 A' 189 08 30	A'	+ 7 978,08 + 58 414,15	
BC'	95,92 B' 183 06 50	B'	+ 8 003,85 + 58 415,07	
CD'	14,07 C' 177 02 40	C'	+ 8 099,39 + 58 423,69	
DE'	D' 276 18 00	D'	+ 8 113,45 + 58 424,23	
EA'	83,47 E' 208 16 30	E'		
EF'	75,60 F'	F'		
GH	114,01 G' 180 00 00	G'	+ 5 742,12 + 57 686,43	
Ee	42,51			
	405 Arendsnes	△	+ 9 120,25 + 60 006,05	
	401 Vergenoeg	△	+ 9 854,60 + 57 490,38	

- The figure ABCDEHJK middle of Eerste River eE' represents Portion 3 of the consolidated farm Glenconnor 345, see diagram No. 3918/1936; D/T No. 1936-220-11785.
- The figure DEFGHJKLMNPQRSTUVWXYZABCDa middle of Eerste River kKH' represents the Remainder of Portion 4 of the consolidated farm Glenconnor 345, see diagram No. 2948/1941; D/T No. 1942-286-14248

The figure ABCDEFGHJKLMNPQRSTUVWXYZABCDa middle of Eerste River eE' represents 86,6333 hectares of land, being PORTION 16 (Nektar) of the consolidated farm GLENCONNOR No. 345 and comprises figures 1. and 2. above situate in the

Administrative District of Stellenbosch Province of Cape of Good Hope.
 Surveyed in Compiled in June 1984
 by me. *Jan J. Volkmann*
 Land Surveyor

This diagram is annexed to Cert. of Consolidated No. Title 36860/84 dated 26 1984-11-26 i.f.o. IDOR ESTATES (PTY) LTD <i>[Signature]</i> Registrar of Deeds	The original diagrams are as quoted above No. annexed to Transfer/Grant No.	File No. Stel. 345 S.R. No. Compiled. Comp. BH-8DDA (3787) BH-8DD (3784)

Description of Beacons:

- A : Rail fence post
- B,F' : Pegs under cairns
- C : Iron standard
- D : Three fencing standards together (Fence post)
- E : Iron fencing standard (Fence post)
- F,M,R : Iron fencing standard under cairn of stones
- G : 12mm iron peg, cemented in rock, under cairn of stones
- H : Not beacons (Inaccessible)
- J,K,L : Iron pegs under cairns of stones
- N : Fencing standard section
- P,Q : 1,20m fencing standard projecting 450mm
- S ,D' : Iron fencing standard
- T : Iron fencing standard in cairn
- U,V,W,X,Y,Z,A',B' : Iron fencing standard with stones
- C' : 16mm iron peg
- E' : Iron fencing standard in concrete
- F' : Peg under cairn
- G' : 10mm iron peg, cemented in rock, under cairn of stones (Indicatory beacon on line GH)

S.G. No.
5751-84
 Approved
Demius
 for
 Surveyor General
 1984-6-26

D and E have been marked with paint and witness marks placed 4,72m from them on boundaries.

Servitude Notes:

1. The line M'N' represents a pipe line servitude from the Reservoir marked M'. *
2. The line mn (on the north of P'R.RS) represents a Servitude Right-of-Way. *
3. The line N'Q'R'S'T' represents the middle of a pipe line Servitude ~~over the remainder.~~ *
4. The line abcf represents the Middle of a Servitude Right-of-Way ~~over the remainder.~~ *
5. The figure ghlm represents a Servitude Right-of-Way 6,30m wide ~~over the remainder.~~ *
- ✓ 6. The line U'V' represents the middle of a Servitude water furrow ~~over the remainder.~~ *
7. This property is subject to existing irrigation servitude along stream marked H''J'' and K''L'' and Reservoir Servitude marked M' - vide D/T 1932-74-3651.

* For Servitudes 1-6 vide Dgm.2948/41 D/T.1942.286.14248

Compiled in June 1984 by me

James A. Volkmann
 Land Surveyor

S.G. No.

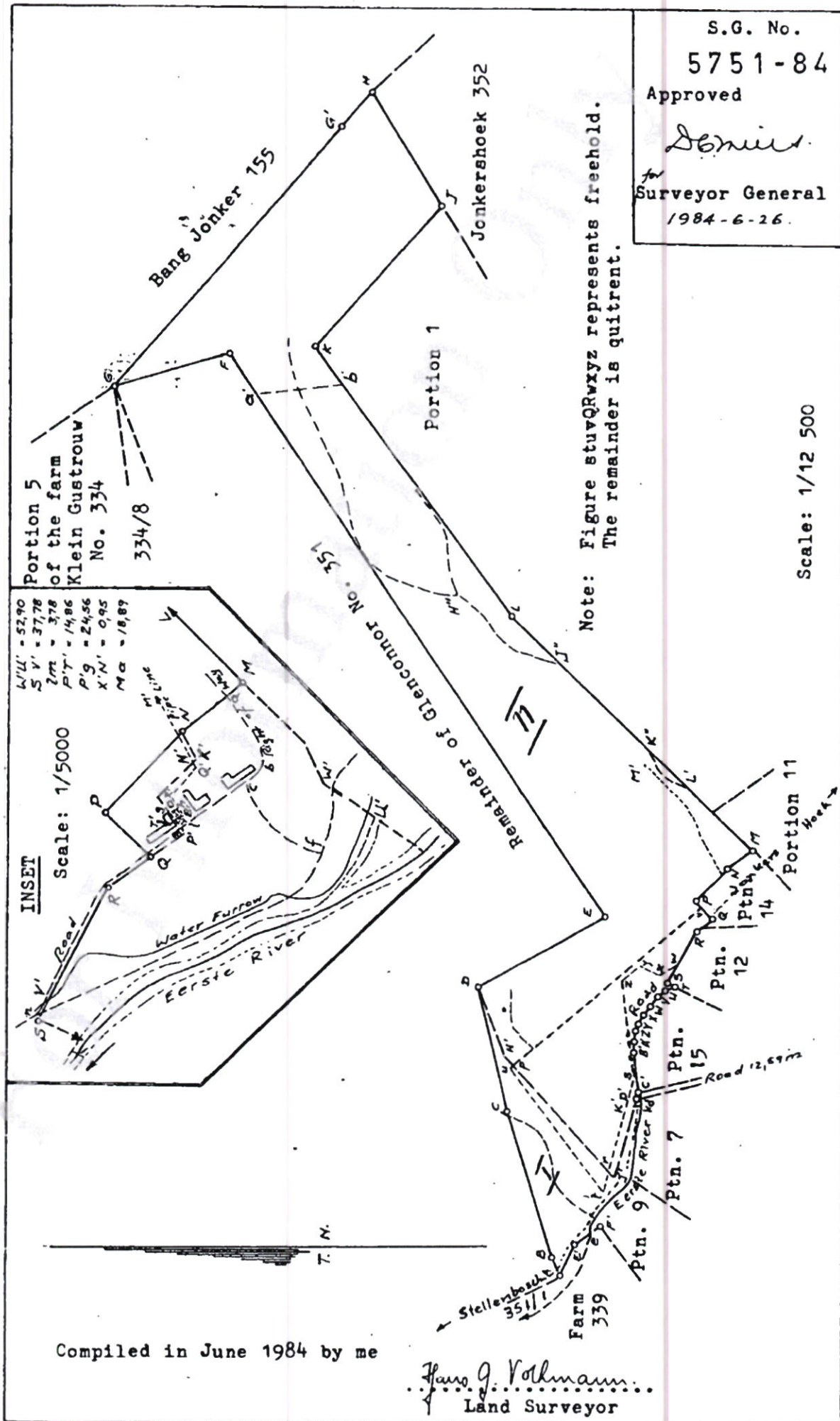
5751-84

Approved

Domin

Surveyor General

1984-6-26



225/11

20

RSM27A

DEPARTEMENT VAN GEMEENSKAPSONTWIKKELING
AKTE REGISTRASIESTELSEL

PERSOON

JAAR

ID

CODE KEUSE

EIENDOM

DORP/REG AFD STELLENBOSCH RD
ERF/PLAAS NR 0000345 OF PLAASNAAM
GEDEELTE 0016

TITEL

NOMMER/JAAR

PF1..BASIESE LYS

PF12..VOORBEREIDING

EIENDOM NIE OP REKORD

30

SILLIFAN AKTES REGISTRASIESTELSEL DATUM : 1984-11-16 TYD : 08.00.52

DRSP05A EIENDOMS-BESONDERHEDE VIR REG AFD STELLENBOSCH RD
PLAAS NR 0000345
GEDEELTE 0003

ADD BESKRYWING T11785/1936
DIAGRAM NR 7,0751HA
GROOTTE
UITKLARING
PLAASNAAM GLENCONNOR

GRDEP :

ENDOSSEMENTE/INTERDIKTE/PREP
B20508/1982

BEDRAG MIKROFILM
0000 0000 0000

EIENAAR

VOLLE NAAM EN AANDEEL
IDOR ESTATES PTY LTD

KOOPDATUM BEDRAG ID TITEL NR. DDMM MIKROFILM
T32348/1970 0911 0000 0000 0000

*** EINDE VAN VERSLAG ***

3/E
7) C.P. for ~~not~~ not ~~found~~ found.

① Note that this batch may not be split.
Done

② Amend ~~last~~ of consolidated copy on ~~the~~ application - prep
Conveyancer initials.
Done

③ Complete ~~the~~ at α , p. 2 as indicated.
Done

④ Complete ~~the~~ at α , p. 3 as indicated.
Done

⑤ Cond. E(2) refers - refer to the ~~provision~~ as set out in the and hereafter (P)
Identify the ~~revenue~~ on which Taxation -
retype p. 4. - ~~is~~ likewise in cond. No. 7
E(3)(4)(5)+(6) - ~~retype~~ where necessary.
Done

⑥ Note new ~~thinking~~ Done

A. VIR AKTEBESORGER SE GEBRUIK/FOR CONVEYANCER'S USE:

(a) Gelyktydiges met ander registrasiekantore/deeltitels: Simult with other registries/sectional titles:

Kode	Firma/Firm	Eiendom/Property	Kantoor/Office
1			
2			
3			
4			

(b) Kliënt afskrifte van aktes permanent in Aktekantoor geliasseer:
Client copies of deed filed permanently in Deeds Office:

Aard en nommer van akte Nature and number of deed	Cover No. Omslag Nr.	Parawe van ondersoekers Initials of Examiners

(c) Notas/Notes:

B. VIR AKTEKANTOOR GEBRUIK/FOR DEEDS OFFICE USE:

		Opmerkings Remarks	Paraaf Initials
Interdikte nagesien deur Interdicts checked by.....	(1) Dorp goedgekeur (geproklameer) Township approved (proclaimed).....		
Datum Date.....	(2) Begiftigingserwe Endowment erven.....		
	(3) Begiftiging Endowment.....		
	(4) Voorwaardes Conditions.....		
	(5) Mikro Micro.....		
Interdikte nagesien deur Interdicts checked by.....	(6) Algemene plan General Plan.....		
Datum Date.....	(7) Titelaakte Title Deed.....		
	(8) Verbands teen dorps-titel Bonds against township title.....		
	(9) Datum nagesien Date checked.....		

Kantoor instruksies/Office instructions:

Seksie/Section:

ANNEXURE D

SPECIAL POWER OF ATTORNEY

I / We, the undersigned

JONKERSHOEK CELLARS (PTY) LTD

in my capacity as the lawful Agent of the registered owner(s) (duly authorized thereto) of

PORTION 16 OF THE FARM NO.345 STELLENBOSCH

do hereby nominate, constitute and appoint Damien Pieter Burger and / or Mark Bernard Straughan and / or Matthew Stuart-Fox of the firm Friedlaender, Burger and Volkmann, Land Surveyors with the power of Substitution, to be my / our lawful Agent(s) in my / our name, place and stead, to make the necessary applications for the following:

PROPOSED SUBDIVISION OF PORTION 16 AND CONSOLIDATION WITH PORTION 20 OF THE FARM NO.345 STELLENBOSCH

on the above-mentioned property and to proceed with any required survey work to the final end and termination thereof

and generally for effecting the purposes aforesaid, to do our cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes, as I/we might or could do if personally present and acting herein – hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever my/our said Agent(s) shall lawfully do, or cause to be done.


SIGNED at Stellenbosch this 20th day of August 2020

in the presence of the undersigned witness.

Signature (Owner(s) or Lawful Agent)

Hans P. Schröder

WITNESS 1:



WITNESS 2:





RESOLUTION OF THE DIRECTORS OF

JONKERSHOEK CELLARS (PTY) LTD

(company name)

HEREINAFTER "THE COMPANY",

TAKEN AT Stellenbosch ON 20th August 2020
(place) (date)

RESOLVED THAT

Damien Pieter Burger and / or Mark Bernard Straughan of the firm Friedlaender, Burger and
Volkman, Land Surveyors may on behalf of the Company

**APPLY FOR THE PROPOSED SUBDIVISION OF PORTION 16 AND CONSOLIDATION PORTION 20 OF
THE FARM NO.345 STELLENBOSCH**

(description of services and / or activities)

And that the signatory below may sign any and all documentation required in connection with the
above services and / or activities.

Name: Hans Peter Schroder
(full name of signatory)

Hans P Schroder
(specimen signature)

Signed: _____

Name: _____

Signed: _____

Name: _____

ANNEXURE E

268

FAURE & FAURE
P O Box 20, PAARL 7620

Prepared by me,

Conveyancer
LOW, O G

GETRANSPOORTEEN AAN	TRANSFERRED TO
<i>W. J. ...</i>	
RESTANT/REMAINDER	
T	

SEELREG DUTY	R.
FOOI FEE	R.

957.00

T 000103303 / 2003

DEED OF TRANSFER NO T.

KNOW ALL MEN WHOM IT MAY CONCERN :

THAT ANTON LUTHER POSTHUMUS

appeared before me, Registrar of Deeds, at Cape Town, he/she, the said Appearer, being duly authorised thereto by a Power of Attorney, granted by

PETER MARTIN HARTLEY VAN DER SPUY

Born on 26 November 1941

married, which marriage is governed by the laws of Australia

herein represented by **UNA DOROTHY VAN DER SPUY** in terms of a General Power of Attorney granted at Stellenbosch on the 25th June 2001 Number PA 1047 / 2003

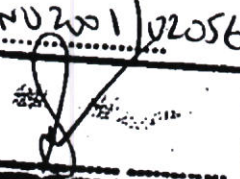
dated 2 OCTOBER 2003

signed at STELLENBOSCH

and witnessed in accordance with law which Power has been lodged with me;

VIR ENDOSSERENDE KYK BLADSY
FOR ENDORSEMENT SEE PAGE

14 18 SEC

DIE NAAM VAN DIE		THE NAME OF THE	
CORPORATE HOLDINGS Limited		HAS BEEN CHANGED TO	
S VERANDER NA		old Nectar Limited. (REG NO 2001/020562/10)	
BC	000041270/2018		
12 OCT 2018			
REGISTRAR			

FOR INFORMATION

And the said Appearer declared that the transferor/s had on the 11 September 2001 donated to and which donation was accepted on the same date, and that he/she, in his/her capacity as attorney aforesaid, did by virtue of these presents cede and transfer in full and free property to and on behalf of

CORPORATE HOLDINGS LIMITED (incorporated in Guernsey)

Number 2001/020562/10

or its Assigns

PORTION 20 of the Farm GLENCONNOR Nr 345 in the Municipality and Division of Stellenbosch Province of the Western Cape

IN EXTENT : 2,0166 (Two Comma Nought One Six Six) Hectares

FIRST registered and still held by Certificate of Consolidated Titel nr T 3622/2003 with Diagram Nr 485/2002 annexed thereto

I. IN RESPECT of the figure B C D q h j on Diagram S.G. No 485/2002 annexed to Certificate of Consolidated Title Nr T: 3622/2003

A. SUBJECT to the conditions referred to in Deed of Transfer No T32346 dated this day.

B. SUBJECT TO AND ENTITLED TO THE benefit of the servitude referred to in the endorsement dated 17 June 1932 endorsed on the said Certificate of Consolidated Title No T3944/1931 dated 6 June 1931 which reads:

"By Deed of Transfer No 3651 dated 17/6/1932 the use of the water for by Deed of Transfer No T3651 dated 17/6/1932 the use of the water for irrigation purposes only, the construction of a dam for storage purposes

and the use of the water for domestic purposes for certain reservoir has been mutually agreed upon by the owners of the property thereby conveyed and the remainder of the property held hereunder, as will more fully appear on reference to the said Deed of Transfer."

- C. SUBJECT TO AND ENTITLED TO THE benefit of the servitude referred to in the endorsement dated 30 January 1935, on the said Certificate of Consolidated Title No 3944 dated 6 June 1931 which reads:

"The within described land is subject to a servitude with regard to the apportionment of water in terms of Order of the Water Court (Water Court District No 1) dated 12/8/1919 – 3/6/1929 as will more fully appear on reference to the copy of the said Order annexed hereto."

- D. ENTITLED TO THE benefit of the special condition contained in Deed of Transfer No 872/1935, which reads:

"That the land hereby conveyed shall be entitled to a pro rata share of the water accruing to and awarded to the owner of the farm "Nector" now called "Glenconnor" such pro rata share being as follows:-

3.5 (three and one half) gallons per second during 10 (ten) hours on Tuesday, Wednesday and Thursday of each week – total 30 (thirty) hours." The above being a portion of the water rights referred to in the Order of Water Court, referred to in the endorsement dated 30 January 1935 endorsed on the said Certificate of Consolidated Title No 3944 dated 6 June 1931.

- II. **IN RESPECT of the figure A j h q D E F G H J K R S T U on Diagram S.G. No 485/2002 annexed to Certificate of Consolidated Title Nr T. 3622/2003**

- A. SUBJECT to the conditions referred to in Deed of Transfer No T14249/1942 dated 27 November 1942 and Deed of Transfer No T496/1948 dated 13 January 1948;

d

- B. SUBJECT TO AND ENTITLED TO THE benefit of the servitude referred to in the endorsement dated 17 June 1932 endorsed on the said Certificate of Consolidated Title No T3944/1931 dated 6 June 1931 which reads:

"By Deed of Transfer No 3651 dated 17/6/1932 by the use of the water for irrigation purposes only, the construction of a dam for storage purposes and the use of the water for domestic purposes for certain reservoir has been mutually agreed upon by the owners of the property thereby conveyed and the remainder of the property held hereunder, as will more fully appear on reference to the said Deed of Transfer."

- C. SUBJECT TO AND ENTITLED TO THE benefit of the servitude referred to in the endorsement dated 30 January 1935 on the said Certificate of Consolidated Title No T3944/1931 dated 6 June 1931 which reads:

"The within described land is subject to a servitude with regard to the apportionment of water in terms of Order of the Water Court (Water Court District No 1) dated 12/8/1919 – 3/6/1929 as will more fully appear on reference to the copy of the said Order annexed hereto."

- D. ENTITLED TO THE benefit of the special condition contained in Deed of Transfer No T872/1935 dated 12 February 1935, which reads:

"That the land hereby conveyed shall be entitled to a pro rata share of the water accruing to and awarded to the owner of the farm "Nector" now called "Glenconnor" such pro rata share being as follows:-

3.5 (three and one half) gallons per second during 10 (ten) hours on Tuesday, Wednesday and Thursday of each week – total 30 (thirty) hours."

The above being a portion of the water rights referred to in the Order of Water Court, referred to in the endorsement dated 30 January 1935 endorsed on the said Certificate of Consolidated Title No 3944 dated 6 June 1931.

- E. FURTHER SUBJECT AND ENTITLED TO THE benefit of the following conditions contained in Deed of Transfer No T14249/1942 dated 27 November 1942, imposed for the benefit of the Remainder of the

d

Consolidated Farm Glenconnor No 345 as per Deed of Transfer No T14248/1942 dated 27 November 1942:-

1. The Transferee and his successors in title of the said Portion 4 this day transferred to the said K A Spilhaus by Deed of Transfer No T14248 is entitled to lead water his water to which he is entitled under condition 1 above along the existing furrow marked R Q on diagram No 2948/41 over the remainder of the land hereby transferred.
2. In regard to the reservoir marked "A" on the diagram of the said Portion 4 this day transferred to the said K A Spilhaus by Deed of Transfer No 14248 and situate on the said land the owner of the land hereby transferred and his successors in title shall have the necessary servitude facilities as they exist at present and shown by the servitude pipe line A B on the diagram of the said Portion 4 (the owner of the remainder hereby transferred, shall not, however, increase the size of the existing one inch pipe), which coincides with the line stvxy on Diagram SG No 485/2002 annexed hereto and to allow the use of the water on such remainder.
3. The servitude right of way over the said Portion 4 this day transferred to the said K A Spilhaus by Deed of Transfer No 14248 and marked "M N" on the diagram thereto attached, which coincides with the line de (on the North of gf) on Diagram SG No 485/2002 annexed hereto, is for the common use of the land hereby transferred and of the said Portion 4.
4. The said Portion 4 this day transferred to the said K A Spilhaus by Deed of Transfer No 14248 is entitled to a servitude right of way over the remainder of the land hereby transferred such right of way being marked P.O.R.'S' on the diagram of the said Portion 4, which right of way is represented by the figure zabc on the annexed diagram and which figure coincides with the figure zabc on Diagram SG No 485/2002 annexed hereto.
5. That as far as possible the character of the trees along the avenues marked M N on the diagram of the said Portion 4, leading to the buildings shown thereon, shall be retained and that neither

7

transferee shall be permitted to build coloured cottages or stables within 100 feet of this Avenue.

F. FURTHER SUBJECT to the following conditions contained in Deed of Transfer No T496/1948 dated 13 January 1948 imposed at the instance of the Divisional Council of Stellenbosch in terms of Section 11(4) of Act No 21 of 1940:-

1. The land a share wherein is held hereunder, may not be divided without the approval of the controlling authority as defined in Act No 21 of 1940.
2. Not more than one dwelling house together with such outbuildings as are ordinarily required to be used in connection therewith, shall be erected by the transferee or transferor or their successors in title, except with the approval of the controlling authority as defined in Act No 21 of 1940.
3. The land shall be used for residential and agricultural purposes only and no store or other place of business or industry whatsoever may be opened or conducted on the land without the written approval of the controlling authority as defined in Act No 21 of 1940.
4. No building or any structure whatsoever shall be erected on the land, a share wherein is held hereunder, within a distance of 300 cape feet from the centre line of the divisional road commonly known as the Jonkershoek divisional road which passes through the property, without the written approval of the controlling authority as defined in Act No 21 of 1940.

G. FURTHER SUBJECT to the conditions referred to in the endorsement dated 28 January 1969 on Deed of Transfer No T14249/1942 dated 27 November 1942 and on Deed of Transfer No T496/1948 dated 13 January 1948 reading as follows:-

"Endorsement ifo S 8(4) Act 4/1934 (as amended)

A portion of within mentioned property measuring 49,566 sq ft. as per Diagram 962/64 has been proclaimed a Monument by Proclamation No 385 dd 23/3/67 published in Govt Gazette of same date ifo S 8(1) Act 4/34 (as amended).

For further particulars refer to said proclamation and minute HMK 6/9/2/53/111/117 dd 10/4/67 from the Director of Archives, Pretoria, in file 73."

III. IN RESPECT of the figure R V K L M N P Q on Diagram S.G. No 485/2002 annexed to Certificate of Consolidated Title Nr T 3622/2003

A. SUBJECT to the conditions referred to in Certificate of Consolidated Title No T3944/1931 dated 6 June 1931.

B. FURTHER SUBJECT to the servitude referred to in the Endorsement dated 17 June 1932 of said Certificate of Consolidated Title No T3944/1931 dated 6 June 1931, which endorsement reads as follows:-

"By Deed of Transfer No 3651 dated 17/6/1932 the use of the water for irrigation purposes only, the construction of a dam for storage purposes and the use of the water for domestic purposes for certain reservoir has been mutually agreed upon by the owners of the property thereby conveyed and the remainder of the property held hereunder, as will more fully appear on reference to the said Deed of Transfer."

BUT, as stated in said Deed of Transfer No T1468/1969 NOT ENTITLED to the benefit of any of the water rights referred to in such Servitude, which water rights are reserved to the owner and his successors in title of the remaining extent of the Consolidated farm Glenconnor No 345, situate as above, measuring as such, 1,5559 Hectares held under said Deed of Transfer No T14249/1942 dated 27 November 1942 and T496/1948 dated 13 January 1948; save that the said owner and his successors in title of the said Remaining Extent fo the Consolidated Farm Glenconnor No 345, situate as above, shall be obliged to allow such water as is not required by him to continue to flow over the land hereby conveyed.

C. FURTHER SUBJECT AND ENTITLED TO – as the case may be – to the servitude referred to in the endorsement dated the 30th January 1935 on said Certificate of Consolidated Title No T3944/1931 dated 6 June 1931, which endorsement reads as follows:-

"The within described land is subject to a servitude with regard to the apportionment of water in terms of Order of the Water Court (Water Court

District No 1) dated 12/8/1919 – 3/6/1929 as will more fully appear on reference to the copy of the said Order annexed hereto.”

D. FURTHER SUBJECT to the special condition contained in Deed of Transfer No T872/1935 dated 12 February 1935, which reads as follows:-

“That the land hereby conveyed shall be entitled to a pro rata share of the water accruing to and awarded to the owner of the farm “Nector” now called “Glenconnor” such pro.rata share being as follows:-
3½ (three and one half) gallons per second during 10 (ten) hours on Tuesday, Wednesday and Thursday of each week – total 30 (thirty) hours.”

The above being a portion of the water rights referred to in the Order of Water Court referred to in the endorsement dated 30 January, 1935 endorsed on the said Certificate of Consolidated Title No T3944/1931 dated 6 June 1931.

E. SUBJECT FURTHER to the following conditions contained in Deed of Transfer No T14249/1942 dated 27 November 1942, which were imposed for the benefit of the remainder of the land thereby transferred – portion 4 transferred to K.A. Spilhaus by Deed of Transfer No T14248/1942 dated 27 November 1942:-

“(e) In the enjoyment fo the water rights set out in clauses (b), (c) and (d) above, the property hereby transferred shall be entitled together with Portion 4 of Glenconnor transferred to K.A. Spilhaus on the 27th November, 1942 to pro rata shares according to the pro rata extents of the irrigible land held respectively by the Transferee herein and the Transferee in the said Deed of Transfer No 14248;

(f) The Transferee and his successors in title of the said Portion 4 transferred to the said K.A. Spilhaus on the 27th November, 1942 by Deed of Transfer No. 14248 is entitled to lead his water to which he is entitled under condition (e) above along the existing furrow marked R Q on the diagram over the remainder of the land hereby transferred (which servitude furrow is marked b.c. on said diagram No 1333/1968 hereunto annexed.);

- (g) In regard to the reservoir marked "A" on the diagram of the said Portion 4 transferred on the 27 November, 1942 to the said K.A. Spilhaus by Deed of Transfer No 14248 and situate on the said land the owner of the land hereby transferred and his successors in title shall have the necessary servitude facilities as they exist at present and shown by the servitude pipe AB' on the diagram of the said Portion 4 (the owner of the remainder hereby transferred, shall not, however, increase the size of the existing one inch pipe) to allow the use of the water on such remainder;
- (h) The owner and his successors in title of the said Portion 4 transferred to the said K.A. Spilhaus on the 27th November, 1942 by Deed of Transfer No. 14248 is entitled to a servitude of waterleading along the existing pipes and marked servitude pipe line B' B D E F on the diagram of the said Portion 4 over the remainder of the land hereby transferred to the Seller on the said Portion 4 and he shall be entitled to such much water along these pipes as may be necessary for the proper operation of his cellar facilities. The owner of the said Portion 4 and his successors in title shall receive and if he be so minded, utilize the excess water on his property from the reservoir along the existing channels;

BUT NOT ENTITLED as stated in said Deed of Transfer No T1468/1969, to the benefit of any of the water rights referred to in said conditions (e), (f), (g) and (h) which are reserved for the benefit of the owner and his successors in title of the remainder of the Consolidated Farm Glencorner, situate as above, measuring as such 1.8166 morgen, held under said Deeds of Transfer No T14249/1948 dated 27 November 1942 and T496/1948 dated 13 January 1948:

- (j) The said Portion 4 transferred on the 27th November, 1942 to the said K.A. Spilhaus by Deed of Transfer No 14248 is entitled to a servitude right of way over the remainder of the land hereby transferred such right of way being marked P Q R S on the diagram of the said Portion 4, which servitude right of way is marked d.e. on said diagram No 1333/1968 hereunto annexed);

F. SUBJECT also to the following conditions imposed at the instance of the Divisional Council of Stellenbosch in terms of Section 11(4) of Act No 21 of 1940 contained in said Deed of Transfer No T496/1948 dated 13 January 1948 in respect of one half (1/2) share in the property hereby conveyed, namely:

1. The land a share wherein is held hereunder, may not be divided without the approval of the controlling authority as defined in Act No 21 of 1940.
2. Not more than one dwelling house together with such outbuildings as are ordinarily required to be used in connection therewith, shall be erected by the transferee or transferor or their successors in title, except with the approval of the controlling authority as defined in Act No 21 of 1940.
1. The land shall be used for residential and agricultural purposes only and no store or other place of business or industry whatsoever may be opened or conducted on the land without the written approval of the controlling authority as defined in Act No 21 of 1940.
2. No building or any structure whatsoever shall be erected on the land, a share wherein is held hereunder, within a distance of 94,46 metres from the centre line of the divisional road commonly known as the Jonkershoek divisional road which passes through the property, without the written approval of the controlling authority as defined in Act No 21 of 1940.

The property hereby conveyed is portion of the Remainder of Consolidated Farm Glenconnor No 345 against which the aforesaid conditions were imposed in terms of Act 21 of 1940.

G. FURTHER SUBJECT to the following special conditions contained in said Deed of Transfer No T1468/1969 imposed by the Administrator of the Cape Province in terms of Section 196 of Ordinance 15 of 1952 as amended, when approving of the subdivision of Consolidated Farm Glenconnor No 345 namely:-

- “(a) The portion shall be used only for residential and nursery garden purposes.
- (b) No building or structure or any portion thereof shall be erected on this land in a position between the Remainder and the Main Road crossing this land except with the approval of the Local Authority which shall be empowered to refuse such approval in respect of any building or structure which in its opinion will interfere with the view in its opinion will interfere with the view from the Main Road of the buildings on the said Remainder”.

H. FURTHER SUBJECT to and ENTITLED to the benefit of the following condition contained in Deed of Transfer No T14249/1942 dated 27 November 1942 which was imposed for the benefit of the remainder of the land thereby transferred and Portion 4 transferred to K.A. Spilhaus by Deed of Transfer No T14248/1942 dated 27 November 1942, namely:

“(h) That as far as possible the character of the trees along the avenue marked M N on the diagram of the said Portion 4, leading to the buildings shown thereon shall be retained and that neither transferee shall be permitted to build cottages or stables within 31,49 metres of this Avenue.”

I. FURTHER SUBJECT to the condition imposed in the Deed of Settlement dated 14 August 2001 made an Order of the High Court of South Africa Cape of Good Hope Provincial Division in Case No 17608/98 as will more fully appear from Deed of Transfer No T /2002, namely that:

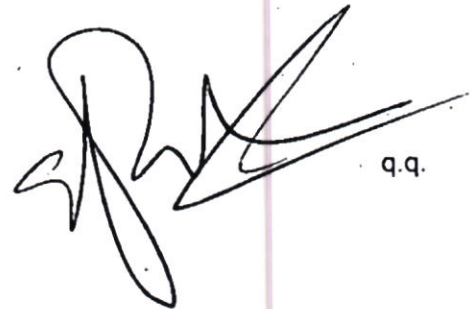
PORTION 18 (Portion of Portion 12) of the Farm GLENCONNOR NO 345 STELLENBOSCH held herein will be used for gardening and agricultural purposes only and for no other purpose whatsoever IN FAVOUR OF THE REMAINDER OF PORTION 12 of the Farm GLENCONNOR NO 345 STELLENBOSCH, held by Deed of Transfer No T20439/1973.

- J . **SUBJECT FURTHER** to the right in favour of PORTION 19 of the Farm Glenconnor No 345 situate in the Municipality and Division of Stellenbosch, Province of the Western Cape, Measuring : 3,4515 (Three comma Four Five One Five) hectares, that no vehicles other than for private use will be allowed to drive across or park on the area currently comprising the pergola on PORTION 20 of the Farm Glenconnor No 345 situate in the Municipality and Division of Stellenbosch, Province of the Western Cape, Measuring : 2,0166 (Two comma Nil One Six Six) hectares as depicted by the figure ABCDEFGHJKLMNPQRS on Diagram S.G. No. 1687/2002 as will more fully appear from Notarial Deed of Limitation of Vehicular Access and Use No. K
- K **SUBJECT FURTHER** to a right of usufruct for a period fo 5 (five) years as from date of registration hereof in favour of PETER MARTIN HARTLEY VAN DER SPUY (BORN ON 26 NOVEMBER 1941) Married, which marriage is being governed by the laws of Australia

WHEREFORE the Appearer, renouncing all the right and title the said transferor heretofore had to the premises, did, in consequence, also acknowledge the transferor/s to be entirely dispossessed of, and disentitled to the same; and that by virtue of these presents the said transferee company, or its Assigns, now is/are and henceforth shall be entitled thereto, conformably to local custom; The State, however, reserving its rights;

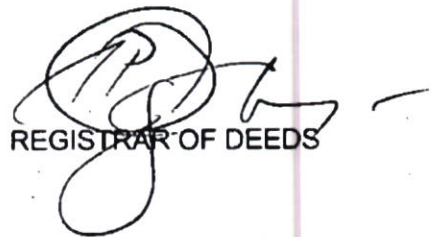
IN WITNESS whereof I, the said Registrar, together with the Appearer, q.q., have subscribed to these presents, and have caused my Seal of Office to be affixed thereto.

THUS DONE AND EXECUTED at the Office of the Registrar of Deeds, at Cape Town on 5 November 2003



q.q.

In my presence,



REGISTRAR OF DEEDS

o

ANNEXURE F

SPECIAL POWER OF ATTORNEY

I / We, the undersigned

OLD NECTAR LTD

in my capacity as the lawful Agent of the registered owner(s) (duly authorized thereto) of

PORTION 20 OF THE FARM NO.345 STELLENBOSCH

do hereby nominate, constitute and appoint Damien Pieter Burger and / or Mark Bernard Straughan and / or Matthew Stuart-Fox of the firm Friedlaender, Burger and Volkmann, Land Surveyors with the power of Substitution, to be my / our lawful Agent(s) in my / our name, place and stead, to make the necessary applications for the following:

PROPOSED SUBDIVISION OF PORTION 16 AND CONSOLIDATION WITH PORTION 20 OF THE FARM NO.345 STELLENBOSCH

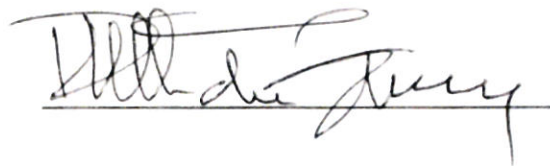
on the above-mentioned property and to proceed with any required survey work to the final end and termination thereof

and generally for effecting the purposes aforesaid, to do our cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes, as I/we might or could do if personally present and acting herein – hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever my/our said Agent(s) shall lawfully do, or cause to be done.

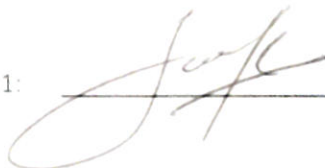
SIGNED at Stellenbosch this 20 day of August 2020

in the presence of the undersigned witness.

Signature (Owner(s) or Lawful Agent)



WITNESS 1:



WITNESS 2:



RESOLUTION OF THE DIRECTORS OF

OLD NECTAR LTD

(company name)

HEREINAFTER "THE COMPANY",

TAKEN AT Stellenbosch ON 20/09/2020
(place) (date)

RESOLVED THAT

Damien Pieter Burger and / or Mark Bernard Straughan of the firm Friedlaender, Burger and
Volkmann Land Surveyors may on behalf of the Company

APPLY FOR THE PROPOSED SUBDIVISION OF PORTION 16 AND CONSOLIDATION PORTION 20 OF
THE FARM NO.345 STELLENBOSCH

(description of services and / or activities)

And that the signatory below may sign any and all documentation required in connection with the
above services and / or activities.

Name: PETER VANDER SPUY
(full name of signatory)

[Handwritten Signature]
(specimen signature)

Signed: [Handwritten Signature]

Name: Johann Heyns

Signed: [Handwritten Signature]

Name: Louise Rucklbeck

ANNEXURE G

SIDES Metres	ANGLES DIRECTION	COORDINATES		S.G. No.
		System	Lo. 19	
		0,00	+3700000,00	<p>5751-84</p> <p>Approved</p> <p><i>[Signature]</i></p> <p>for Surveyor-General</p> <p>1984-6-26</p>
AB	46,88 A 51 04 20 A			
BC	371,97 B 169 54 20 B			
CD	314,92 C 177 27 00 C			
DE	354,53 D 104 19 10 D	+ 7 840,41	+ 58 029,94	
EF	1652,33 E 274 10 10 E	+ 7 665,03	+ 58 338,06	
FG	283,53 F 253 45 00 F	+ 6 292,23	+ 57 418,43	
GH	946,99 G 32 10 30 G	+ 6 377,81	+ 57 148,12	
HJ	325,40 H 71 23 10 H	+ 5 655,12	+ 57 760,11	
JK	457,14 J 108 04 20 J	+ 5 933,67	+ 57 928,33	
KL	803,89 K 256 56 40 K	+ 6 279,73	+ 57 629,63	
LM	818,75 L 189 36 00 L	+ 6 928,90	+ 58 103,80	
MN	74,59 M 82 29 10 M	+ 7 500,30	+ 58 690,22	
		N + 7 546,46	+ 58 631,63	
NP	105,0 N 186 59 00 N	+ 7 546,5	+ 58 631,6	
PQ	64,5 P 266 25 20 P	+ 7 620,8	+ 58 557,5	
QR	51,20 Q 277 21 20 Q	+ 7 669,1	+ 58 600,3	
RS	147,57 R 208 44 30 R	+ 7 697,87	+ 58 557,92	
		S + 7 829,23	+ 58 490,70	
ST	23,35 S + 7 829,28	+ 58 490,43		
TU	23,94 T 55 11 50 T	+ 7 838,02	+ 58 512,08	
UV	27,44 U 183 44 30 U	+ 7 851,13	+ 58 492,06	
VW	24,66 V 186 39 40 V	+ 7 867,63	+ 58 470,13	
WX	26,48 W 187 39 00 W	+ 7 884,64	+ 58 452,28	
XY	27,58 X 192 20 40 X	+ 7 905,30	+ 58 435,72	
YZ	21,67 Y 190 31 20 Y	+ 7 930,01	+ 58 423,46	
ZA	27,43 Z 188 45 30 Z	+ 7 950,85	+ 58 417,54	
A'B'	25,79 A' 189 08 30 A'	+ 7 978,08	+ 58 414,15	
B'C'	95,92 B' 183 06 50 B'	+ 8 003,85	+ 58 415,07	
C'D'	14,07 C' 177 02 40 C'	+ 8 099,39	+ 58 423,69	
D'E'	276 18 00 D'	+ 8 113,45	+ 58 424,23	
E'A'	83,47 E' 208 16 30 E'			
F'F'	75,60 F'			
GH	114,01 G 180 00 00 G'	+ 5 742,12	+ 57 686,43	
E'e	42,51			
	405 Arendsnes	Δ + 9 120,25	+ 60 006,05	
	401 Vergenoeg	Δ + 9 854,60	+ 57 490,38	

1. The figure ABCDHJK middle of Eerste River e'E' represents Portion 3 of the consolidated farm Glenconnor 345, see diagram No. 3918/1936; D/T No. 1936-220-11785.
2. The figure DEFHJKLMNPQRSTUVWXYZABCD middle of Eerste River k'K'J' represents the Remainder of Portion 4 of the consolidated farm Glenconnor 345, see diagram No. 2948/1941; D/T No. 1942-

Scale 1: 12 500

The figure ABCDEFGHJKLMNPQRSTUVWXYZABCD middle of Eerste River e'E' represents 86,6333 hectares of land, being PORTION 16 (Nektar) of the consolidated farm GLENCONNOR No. 345 and comprises figures 1. and 2. above situate in the

Administrative District of Stellenbosch Province of Cape of Good Hope.

Surveyed in Compiled in June 1984

by me.

[Signature]
Land Surveyor

This diagram is annexed to
C.C.T.
No. 56860/84
dated
i.f.o.

Registrar of Deeds

The original diagrams are as quoted above

No. annexed to
Transfer/Grant
No.

File No. Stel. 345
S.R. No. Compiled.
Comp.
BH-8DDA (3787)
BH-8DD (3786)

345/16
 68
 68
 68
 S
 C

Description of Beacons:

- A : Rail fence post
- B,F' : Pegs under cairns
- C : Iron standard
- D : Three fencing standards together (Fence post)
- E : Iron fencing standard (Fence post)
- F,M,R : Iron fencing standard under cairn of stones
- G : 12mm iron peg, cemented in rock, under cairn of stones
- H : Not beacons (Inaccessible)
- J,K,L : Iron pegs under cairns of stones
- N : Fencing standard section
- P,Q : 1,20m fencing standard projecting 450mm
- S',D' : Iron fencing standard
- T : Iron fencing standard in cairn
- U,V,W,X,Y,Z,A',B' : Iron fencing standard with stones
- C' : 16mm iron peg
- E' : Iron fencing standard in concrete
- F' : Peg under cairn
- G' : 10mm iron peg, cemented in rock, under cairn of stones (Indicatory beacon on line GH)

S.G. No.
5751-84
Approved

Denier
for
Surveyor General
1984-6-26

D and E have been marked with paint and witness marks placed 4,72m from them on boundaries.

Servitude Notes:

1. The line M'N' represents a pipe line servitude from the Reservoir marked M'. *
2. The line mn (on the north of P'R.RS) represents a Servitude Right-of-Way. *
3. The line N'Q'R'S'T' represents the middle of a pipe line Servitude ~~over the remainder.~~ *
4. The line abcf represents the Middle of a Servitude Right-of-Way ~~over the remainder.~~ *
5. The figure ghlm represents a Servitude Right-of-Way 6,30m wide ~~over the remainder.~~ *
6. The line U'V' represents the middle of a Servitude water furrow ~~over the remainder.~~ *
7. This property is subject to existing irrigation servitude along stream marked H''J'' and K''L'' and Reservoir Servitude marked M' - vide D/T 1932-74-3651.

* For Servitudes 1-6 vide Dgm.2946/41 D/T.1942.286.14242

Compiled in June 1984 by me

Paul A. Vothman
.....
Land Surveyor

Denier
Denier
Denier
Denier

B
C

L

S.G. No.

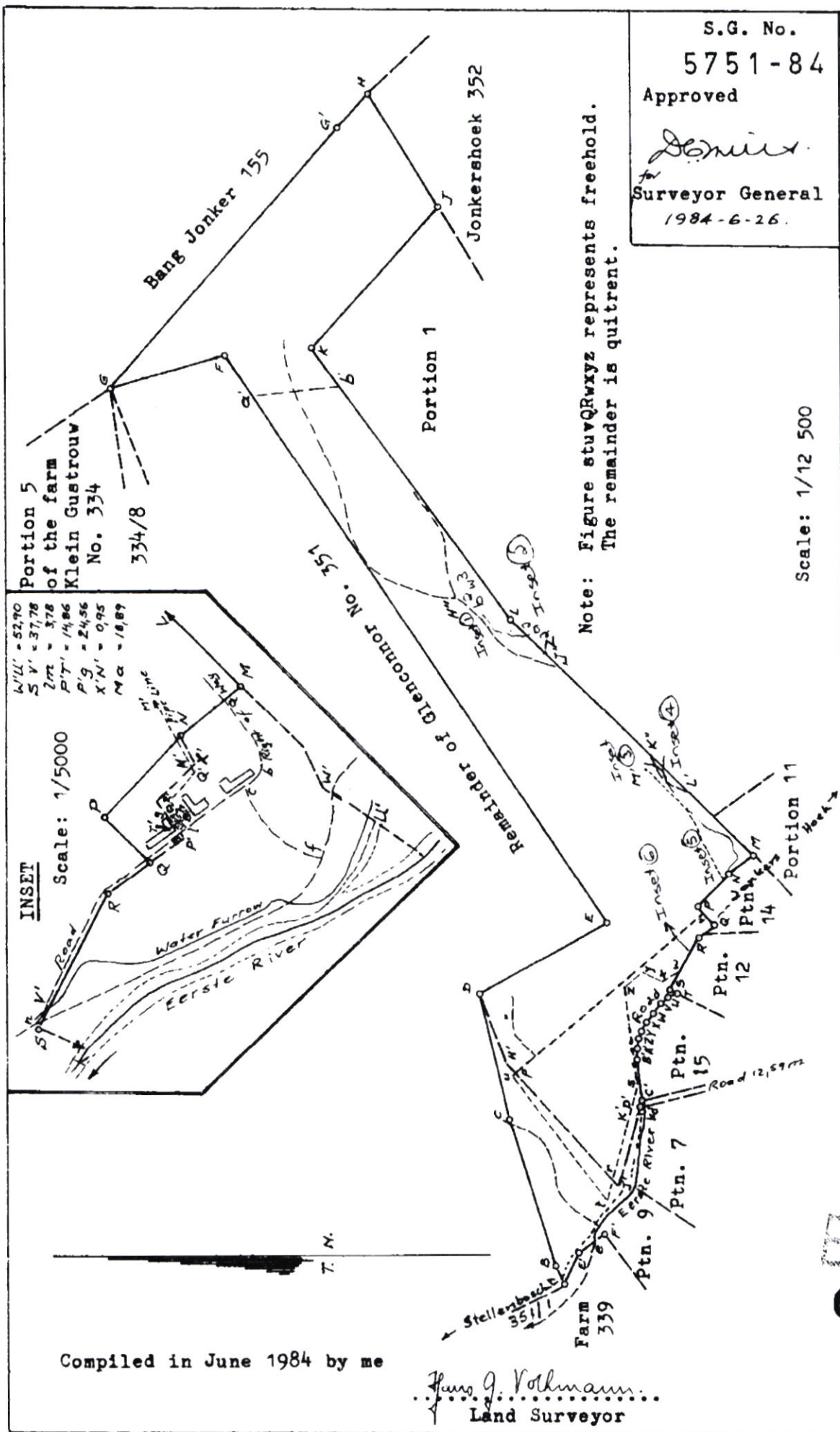
5751-84

Approved

Denier

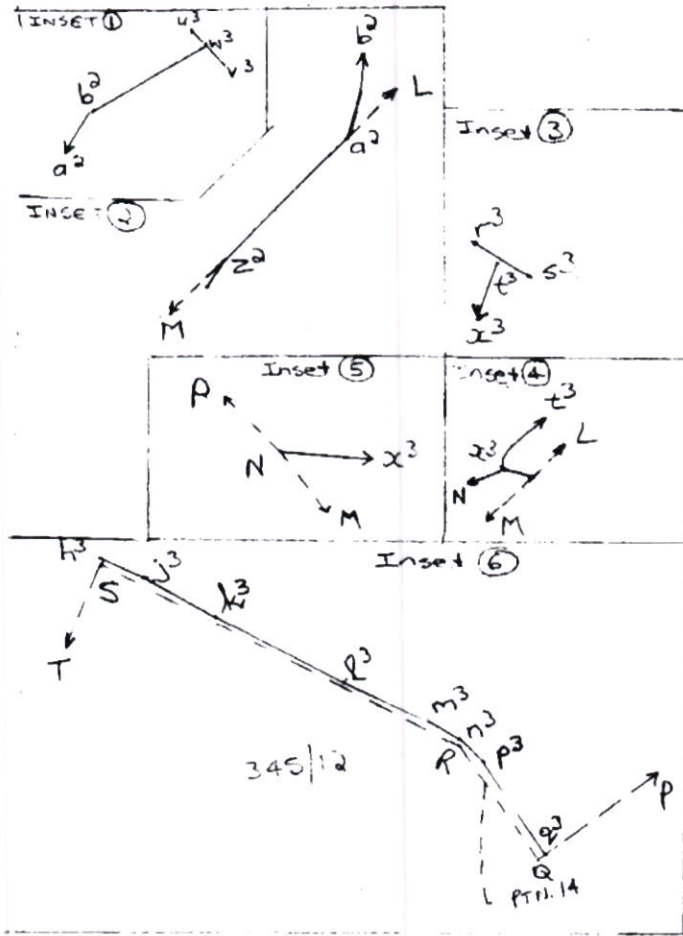
Surveyor General

1984-6-26.



S 35 1/6

INSET 1-6: NOT TO SCALE



SERVITUDES/LEASEHOLD AREAS				
SURVEY RECORD	DIAGRAM NO.	DESCRIPTION	DEED	INITIALED
E 57/2002	129/2002	<p>1) The line $h^3 j^3 k^3 l^3 m^3 n^3 p^3 q^3$ represents the south western boundary of a serv. Right of way 4 m wide</p> <p>2) The irregular lines w^3-a^2, y^3-x^3, t^3-x^3, x^3-N represent middle of a servitude Pipeline 2m wide</p> <p>3) Line a^2-z^2 represents the southeastern boundary of a serv. pipeline 2m wide</p> <p>4) Line r^3-s^3 represents the upstream edge of a serv. weir 0.33m wide</p> <p>5) Line u^3-v^3 represents the downstream edge of a serv. weir 0.45m wide</p> <p>6) The points t^3, w^3 and b^2 represent servitude water points.</p>		

ANNEXURE H

OFFICE COPY

Friedlaender, Burger & Volkmann Land Surveyors

S.G. No.

485/2002

Approved.

2002.03.06

Surveyor - General

SHEET 1 OF 2 SHEETS

* 2948/1941; D/T No 1942-286-14248

Servitude Notes:

1. The line stvxy represents the middle of a Pipe Line Servitude.
See Diagram No ~~2592/1970~~, D/T No ~~1970~~ — 32347. *
2. The line zabc represents the middle of a Servitude Right of Way.
See Diagram No ~~2592/1970~~, D/T No ~~1970~~ — 32347. *
3. The figure defg represents a Servitude Right of Way 6,30m wide.
See diagram No 2948/1941, D/T No 1942-286-14248.

Components:

1. Figure A B C D E F G H J K V R S T U represents the Remainder of Portion 14 of the farm Glenconner 345; see diagram No 2592/1970, D/T No 1970- -32347.
2. Figure R V K L M N P Q represents Portion 18 (a portion of Portion 12) of the farm Glenconner 345; see diagram No 483/2002 , D/T No

The figure A B C D E F G H J K L M N P Q R S T U represents ~~1,7378 hectares~~ 2,0166 Hectares of land, being PORTION 20 of the farm GLENCONNER 345 and comprises components 1. and 2. listed above

Situate in the Municipality of Stellenbosch in the Administrative District of Stellenbosch
Compiled in JAnuary 2002
by me

Province of the Western Cape

Hans J. Volkmann

Hans J Volkmann
Pr Land Surveyor PLS0695

This diagram is annexed to No. <u>CC 3622/2003</u> Dated i.f.o. Registrar of Deeds	The original diagrams are as quoted above	File No. Stel.345 S.R. No. Compiled Comp. BH-8DDA (3787)
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Farm 345/20

345/20

S

Friedlaender, Burger & Volkmann Land Surveyors

S.G. No.

485/2002

Approved.

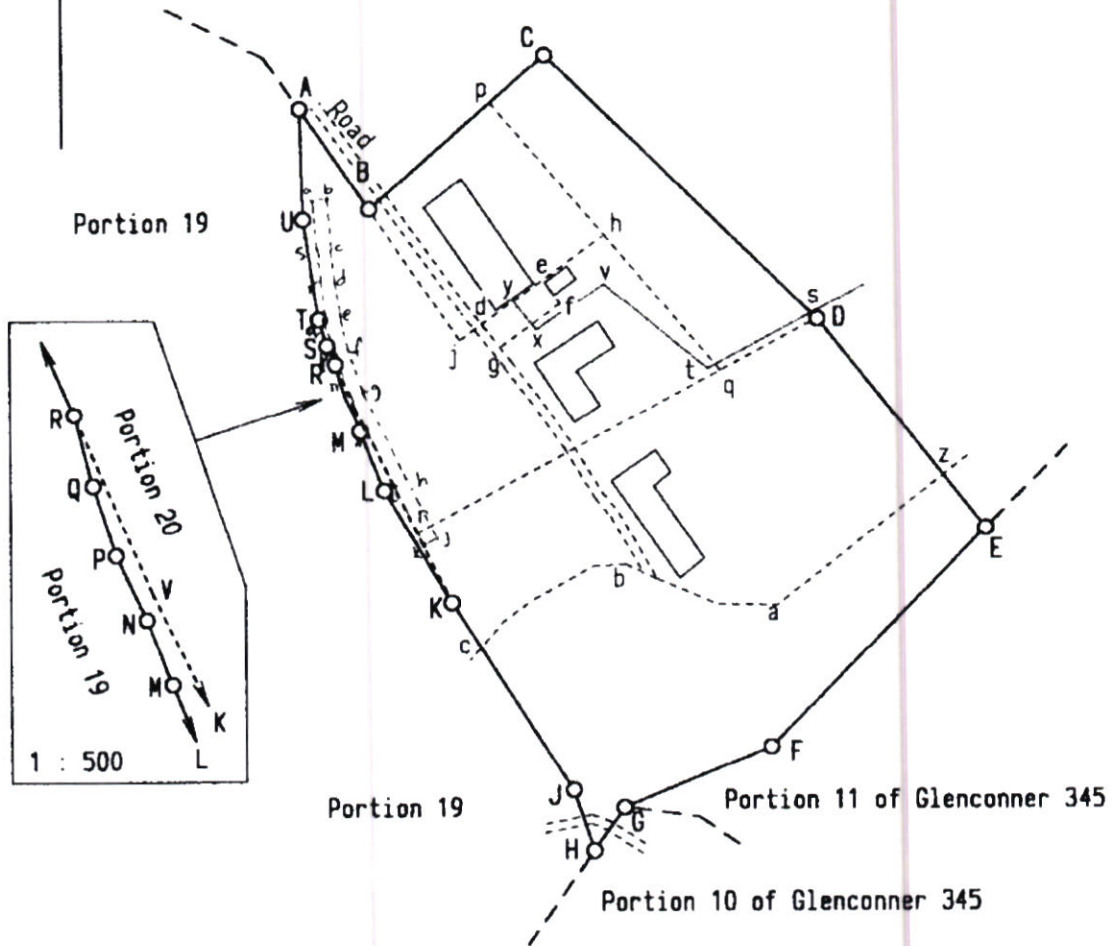
2002.07.06

Surveyor - General

SHEET 2 OF 2 SHEETS

Portion 16 of Glenconner 345

T N



PORTION 20 of the farm GLENCONNER 345 - STELLENBOSCH

Compiled in January 2002
by me

Hans J Volkmann
Hans J Volkmann
Pr Land Surveyor PLS0695

SCALE 1 : 2 000

Farm 345/20



SERVITUDES/LEASEHOLD AREAS

SURVEY RECORD	DIAGRAM NO.	DESCRIPTION	DEED	INITIALED
R 745/02	1687/2002	The figure above of right line of right interests - a suitable area 404 m ² in extent		



**agriculture, land reform
& rural development**

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

Private Bag X120, Pretoria, 0001
Delpen Building, C/o Annie Botha & Union Street, Riviera, 0084

From: Directorate Land and Soil Management
Tel: 012-319-7634 Fax: 012-329-5938 LUAHelpdesk@dairrd.gov.za
Enquiries: Helpdesk Ref: 2021_03_0041

Friedlaender, Burger & Volkmann Professional Land Surveyors
P.O.Box 154
STELLENBOSCH
7599

Attention: D.P Burger

APPLICATION IN TERMS OF THE SUBDIVISION OF AGRICULTURAL LAND ACT, ACT 70 OF 1970: PORTION 16 OF THE FARM GLENCONNOR NO. 345; WESTERN CAPE PROVINCE

Your letter bearing reference SA345-20 dated 23 October 2020 refers.

With reference to the above-mentioned subject, the Department wishes to inform you that the application has been granted.

Consent No.**55786** issued in terms of section 4 of the Act is enclosed.

To facilitate registration, the conveyancer must lodge the signed copy of the consent with the Registrar of Deeds together with the documents for registration.

Kindly note that the properties concerned are subject to the provisions of the Conservation of Agricultural Resources Act 1983 (Act 43 of 1983).

Yours faithfully

MS T.S. CHIPETA
CHIEF DIRECTOR: NATURAL RESOURCES AND DISASTER MANAGEMENT
DELEGATE OF THE MINISTER

DATE: 04/06/2021

CC: The Surveyor-General Private Bag X 2 CAPE TOWN 8000
CC: Land Use and Soil Management Private Bag X 2 SANLAMHOF 7592
CC: Mr Brandon Layman Landuse Management Department of Agriculture: Western Cape Private Bag x 1 ELSENBURG 7607



**agriculture, land reform
& rural development**

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

VERW/REF.

2021_03_0041

TOESTEMMING
*KRAGTENS DIE WET OP DIE ONDERVERDELING
VAN LANDBOUGROND, 1970*

CONSENT
*IN TERMS OF THE SUBDIVISION OF
AGRICULTURAL LAND ACT, 1970*

55786

By virtue of the powers delegated to me by the Minister of Agriculture, Land Reform & Rural Development consent is hereby granted in terms of section 4(2) of the Subdivision of Agricultural Land Act, 1970, for the subdivision of the agricultural land described in paragraph 1, into units indicated in paragraph 2, subject to the conditions set out in paragraph 3.

PARAGRAPH 1: THE AGRICULTURAL LAND TO WHICH THIS CONSENT APPLIES

PORTION 16 OF THE FARM GLENCONNOR NO. 345, IN EXTENT 86,6333 HECTARES,
WESTERN CAPE PROVINCE

PARAGRAPH 2: CONSENT GRANTED

The subdivision of the agricultural land mentioned in paragraph 1 into two portions measuring approximately 1,60 hectares and 85 hectares respectively represented by the figures marked Ptn A and the Remainder as shown on the sketch plan attached.

PARAGRAPH 3: CONDITIONS PERTAINING TO THIS CONSENT

- 3.1 Simultaneously with registration of transfer, a portion measuring approximately 1,60 hectare (Portion A) must be consolidated with Portion 20 of the farm No. 345, in extent 2,0166 hectares.
- 3.2 This consent does not imply that the above-mentioned subdivisions are assured of a permanent water supply.
- 3.3 This consent does not exempt any person from any provision of any other law and does not purport to interfere with the rights of any person who may have an interest in the agricultural land.
- 3.4 This consent is valid for 5 years from date of this grant. Should it not be registered within the time frame, a new complete application must be lodged which will be considered on its own merits.

04/06/2021
DATE


MS T.S. CHIPETA
CHIEF DIRECTOR: NATURAL RESOURCES AND
DISASTER MANAGEMENT
DELEGATE OF THE MINISTER

ANNEXURES

Remainder
Portion 16
Farm No. 345
±85 ha

Portion A
±1,6Ha

CONSOLIDATE

20/345
±2,02 ha



11/345

19/345

4/350

15/345

5/345

<p>Notes: Portion A to be consolidated with Portion 20 of the Farm No.345 Stellenbosch</p>	<p>Scale 1:1500</p>	<p>Date:14/08/2020</p>	<p>Contours:N/A</p>	<p>System: WG 19</p>
	<p>Proposed subdivision of Portion 16 & consolidation with Portion 20 of the Farm No.345 Stellenbosch</p>		<p>friedlaender, burger & volkmann</p>	
<p>Caveat 1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey. 2. All levels are to be confirmed prior to construction.</p>	<p>Ref: SA345-20</p>	<p>Dwg: PROPOSED SUB</p>		
<p>SKETCHPLAN TO WHICH REFERENCE IS MADE BEFORE THE REFERRED IN CONSENT 55736</p>	<p>No. 4/06/2021</p>	<p>Approved by: [Signature]</p>		



Damien Burger for Friedlaender, Burger & Volkmann

damien@fbvsurvey.co.za

021 886 4004

10 November 2020

SUBJECT: PRE-APPLICATION SCRUTINY FEEDBACK, FARM 345 PTN 16 & 20, STELLENBOSCH

1. Your pre-application scrutiny submission on the above property dated **23 October 2020**, refers.
2. Your submission has been duly scrutinized for your intended land use application.
3. Your intended land use application as depicted in the submission represents on face value an accurate approach to the prevailing provisions in the Stellenbosch Land Use Planning Bylaw (2015) [SLUPB] and Stellenbosch Zoning Scheme Bylaw (2019) [ZSB].
4. The intended land use and/ or land development application also needs to fulfil the requirements as stipulated in Section 38 of the SLUPB. The required application documents and related information on any applicable Bylaws, Policies and Spatial Plans are available on the Planning Portal of the Municipal Website. (<https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal>).
5. Please note that the sole purpose of this pre-application scrutiny feedback is to facilitate an accurate approach for the intended land use and/ or land development application. The feedback should consequently not be interpreted to represent any position on the merit nor desirability of such intended land use and/ or land development application, which can only be determined once a complete application has been received and duly processed and decided on by the authorised decision maker.
6. It should also be noted that the complete application should first be submitted without the payment of any applicable application fees. Only when satisfied that a complete and accurate application has been submitted, will a proforma invoice be submitted to the applicant with payment instructions. Once proof of payment is received, the application will be regarded as duly submitted in accordance with a notice as contemplated in terms of Section 41(1)(c)(i) of the SLUPB.
7. For any enquiries on this correspondence please respond by e-mail to the writer hereof.

Kind regards

Bongiwe Zondo

bongiwe.zondo@stellenbosch.gov.za



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

AMPTELIKE KWITANSIE / OFFICIAL RECEIPT

✉ 17, STELLENBOSCH 7599

☎ 021 808-8578 / 8547 / 8546

📠 021 886 7318

DUPLICATE RECEIPT

Receipt M/c: DIR1 Duplicate Rec.No: 185536 Date: 11/11/2021

Local Authority: Stellenbosch Municipality

1 STB N 10000.00

30111060201 05236 LU/13106 F

DIRECT 030111060201 LU/13106 FARM 345/1

X100 Key: STB -009-20211111-00000073

X10 Key : STB 0000018553600003

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

Affected person's Name

Affected persons Physical Address

Dear Sir/ Madam

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

Application Property Address: Jonkershoek Road

Application Property Number: FARM 345/16 AND 345/20 STELLENBOSCH DIVISION

Applicant: D.P. Burger for Friedlaender Burger Volkmann

Owners: Jonkershoek Cellars Pty Ltd and Old Nektar Pty Ltd

Application Reference: LU/13103

Application Type: APPLICATION FOR SUBDIVISION AND CONSOLIDATION

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

1. Application is made in terms of Section 15(2)(d) of the Stellenbosch Land Use Planning By-Law, 2015 for the Subdivision of Portion A ($\pm 1,60$ ha in extent) of Farm 345/16
2. Application is made in terms of Section 15(2)(e) of the Stellenbosch Land Use Planning By-Law, 2015 for the Consolidation of the subdivided Portion A with Farm 345/20

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

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

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
 - Indicate the facts and circumstances that explain the comments;

- Where relevant demonstrate the undesirable effect that the application will have if approved;
- Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
- Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows:

e-mail comment@fbysurvey.co.za attention Damien Burger.

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 18 April 2022

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

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at 021-8864004 during normal office hours.

Yours faithfully

D.P.Burger

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

Naam van geaffekteerde persoon

Fisiese adres van geaffekteerde persoon

Geagte Meneer/Mevrou

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

Adres van aansoek eiendom: Jonkershoekpad

Aansoek eiendom beskrywing: : PLAAS 345/16 en PLAAS 345/20 : STELLENBOSCH AFDELING

Aansoeker: D.P.Burger vir Friedlaender Burger Volkmann

Eienaars: Jonkershoek Cellars Pty Ltd en Old Nektar Pty Ltd

Aansoek Verwysing: LU/ 13103

Tipe Aansoek: Aansoek vir Onderverdeling en Konsolidasie

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

1. Aansoek word gedoen in terme van Artikel 15(2)(d) van die Stellenbosch Munisipale Verordening op Grondverbruiksbeplanning , 2015 vir die Onderverdeling van Gedeeltes A (±1,60ha groot)van Plaas 345/16
2. Aansoek word gedoen in terme van Artikel 15(2)(e) van die Stellenbosch Munisipale Verordening op Grondverbruiksbeplanning ,2015 vir die Konsolidasie van onderverdeelde Gedeeltes A met Plaas 345/20

Kennis word hiermee gegee in terme van die voorskrifte van Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir ooreweging. 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: comment@fbvsurvey.co.za vir aandag Damien Burger.

Deur 'n beswaar, kommentaar of versoë 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 **18 April 2022**

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 by 021-8864004 gedurende normale kantoor ure.

Die uwe

D.P. Burger

Executive summary
Proposed Subdivision & Consolidation

**PROPOSED SUBDIVISION OF PORTION 16 & FURTHER
CONSOLIDATION WITH PORTION 20
OF THE FARM NO.345,
STELLENBOSCH
Western Cape Province**

Prepared by

Friedlander, Burger and Volkmann
House 4 Patrysvlei Estate, Stellenbosch, 7600 | P.O. Box 154, Stellenbosch, 7599
Tel +27 21 8864004 Fax +27 21 8878088 Email info@fbvsurvey.co.za

1 Proposal

Acting on behalf of the owners of Portion 16 of the Farm No. 345 and Portion 20 of the Farm No.345 Stellenbosch (“the properties”) we propose to adjust the boundary between the two properties to include the existing access and surrounding areas into Portion 20 of the Farm No.345

A locality plan is provided as **Annexure A** and a plan of proposed subdivision as **Annexure B**

In terms of Section 15(2)(d) and section 15(2)(e) of the Stellenbosch Municipality Planning Land Use Planning By-Law, application is therefore made for the

- i. Subdivision of Portion A, in extent $\pm 1,60$ ha, of Portion 16 of the Farm No.345 Stellenbosch leaving a remainder of $\pm 85,0333$ ha, and
- ii. Consolidation of Portion A with Portion 20 of the Farm No.345 Stellenbosch with a combined area of $\pm 3,6166$ ha

The Properties are owned by:

- Portion 16 of the Farm No.345 – Jonkershoek Cellars Pty Ltd - measuring 86,6333 ha
- Portion 20 of the Farm No.345 – Old Nectar Pty Ltd - measuring 2,0166 ha

2 The farms

The properties are zoned Agriculture & Rural.

Portion 16 is part of an existing wine farm.

Portion 20 is a small holding well known for the gardens that surround the historic Old Nectar Homestead.

3 Reason for the proposal

The existing access to Portion 20 traverses an unutilised part of Portion 16.

The owner of Portion 20 would like the road and surrounding areas to be included in his property for security, landscaping and maintenance reasons.

4 Motivation

The competent authority dealing with the subdivision of Agricultural Land in terms of Act 70 of 1970 has issued an consent. In issuing the consent for subdivision the Department is satisfied that application has met the conditions required for the subdivision of agricultural land.

Conditions pertaining to this consent stipulate that Portion A must be consolidated with Portion 1 of the farm No 550.

It is this condition that triggers the requirement for the application in terms of Section 15 of the Planning- Bylaw

The proposal is effectively an adjustment of boundaries between the two properties and no additional land unit will be created.

The access road and surrounding area falls on a portion of Portion 16 that has not been utilised at all, and due to the steep terrain is very difficult to access.

In order to upgrade security over the access road it is intended that the boundary be adjusted so that a security fence can be erected in a practical position.

It makes practical sense, taking cognisance of the existing road, the inaccessibility of the rounding area and positioning of future fences, that this part of Portion 16 be consolidated with Portion 20.

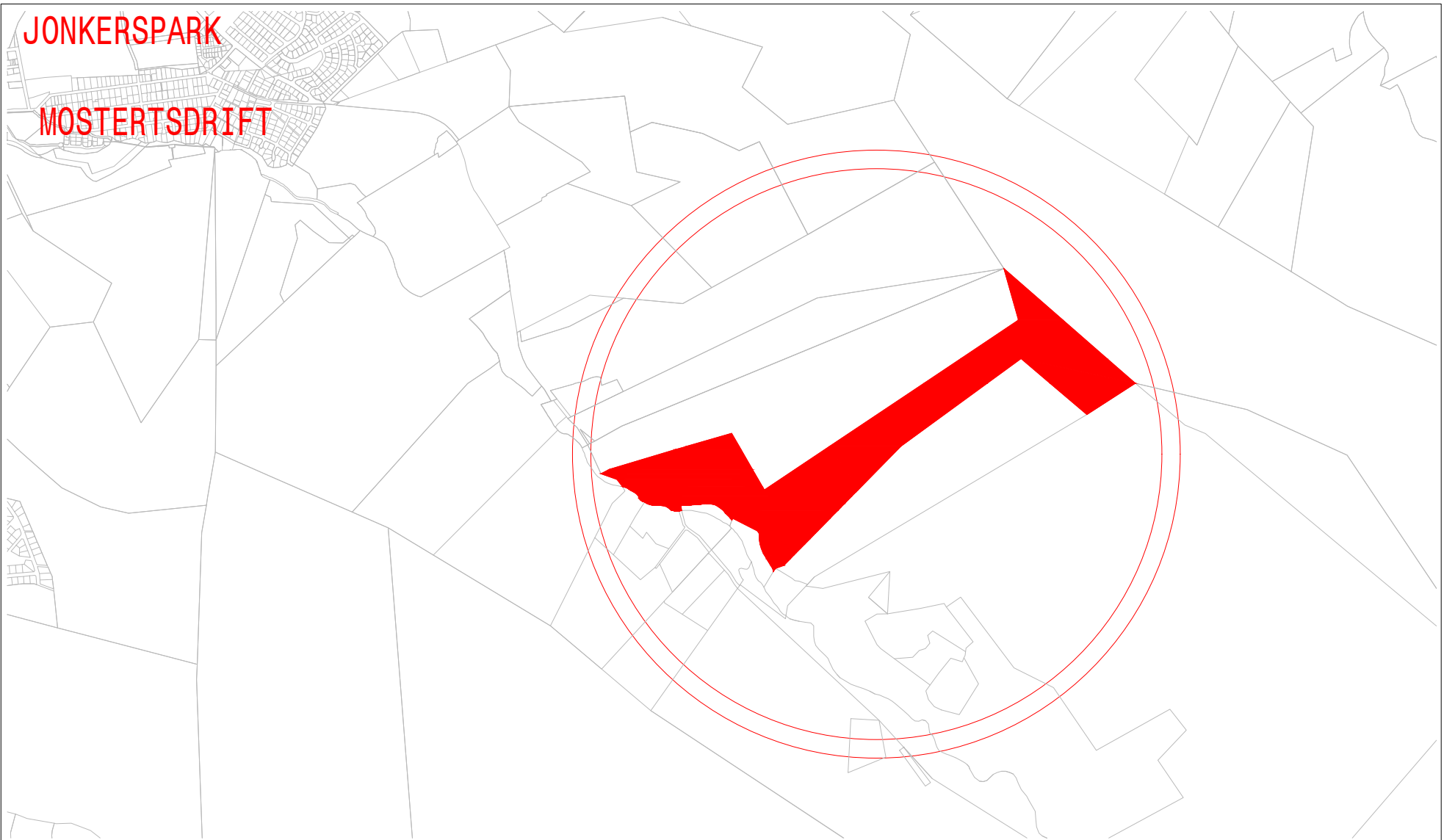
There is no loss of productive agricultural land. The adjustment of boundaries does not in any way effect the agricultural activities on Portion 16 as it is technically redundant land.

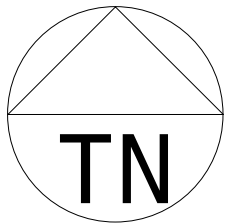

The land can be better utilised for landscaping the access road to form part of the already famous garden that that surrounds the historic Old Nectar homestead situated on Portion 20

The application is in line with the principles of both the IDP and SDF. There is no negative impact on the natural environment, cultural heritage or transport as a result of the subdivision and consolidation. There is no new development or change in land use or zoning as a result of the subdivision and consolidation.

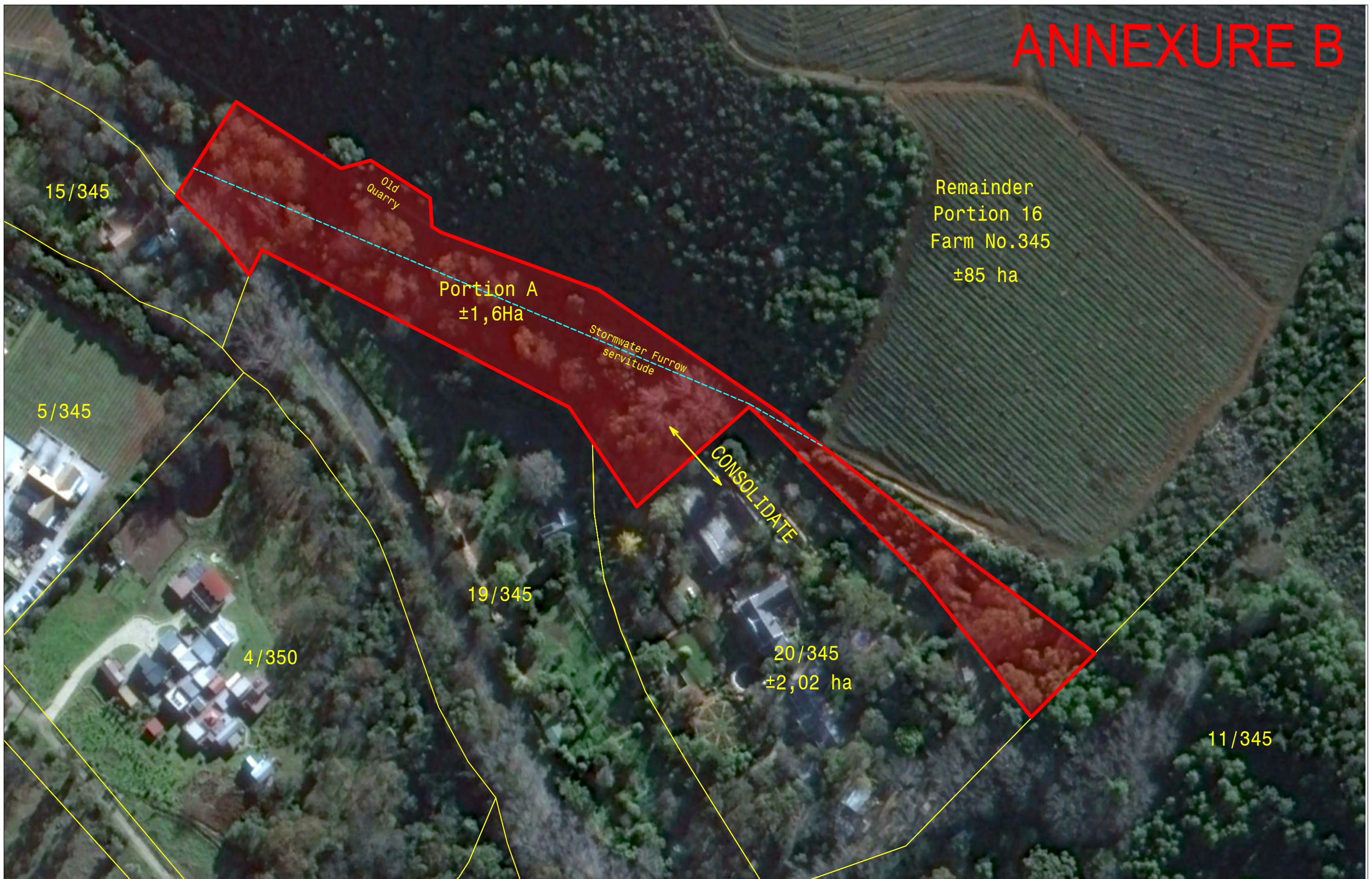
There is no fragmentation of agricultural land as no additional property is created with the implementation of the consolidation condition contained in the Act 70/1970 approval

ANNEXURE A

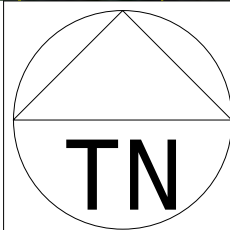


	Caveat 1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey. 2. All levels are to be confirmed prior to construction.	Scale 1:30000 @A4	Date:August 2020	Contours:N/A	System: WG 19
		LOCALITY PLAN		 friedlaender, burger & volkmann <small>PROFESSIONAL LAND SURVEYORS. SECTIONAL TITLE CONSULTANTS. MAPPING CONSULTANTS</small> <small>39 Herie Street, Stellenbosch, 7600 • PO Box 154, Stellenbosch, 7599</small> <small>Tel +27 21 886 4004 • Email info@fbvsurvey.co.za</small>	
		Ref :SA345 -20	Dwg :LOCALITY		

ANNEXURE B



Notes:
 Portion A to be consolidated with Portion 20 of the Farm No.345 Stellenbosch



Caveat
 1. Any areas and dimensions are provisional and will be finalised at time of subdivision survey.
 2. All levels are to be confirmed prior to construction.

Scale 1:1500

Date:14/08/2020

Contours:N/A

System: WG 19

Proposed subdivision of Portion 16 & consolidation with Portion 20 of the Farm No.345 Stellenbosch

Ref:SA345-20

Dwg:PROPOSED SUB

fbv
 friedlaender, burger & volkmann
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