

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

Sir / Madam

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

Application Property Address: Paradyskloof Road

Application Property Number: Farm 373/16, Stellenbosch

Applicant: TV3 Projects (Pty) Ltd – C Heys (contact details: 021 861 3800)

Owner: S M Spottiswoode – C Spottiswoode (contact details: 021 674 3356)

Application Reference: LU/13942

Description of Proposed Development:

- Application is made in terms of Section 15(2)(d) of the Land Use Planning By-Law, 2015 for a subdivision in order to **register an engineering services servitude over Farm 373/16, Stellenbosch.**

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: [[https://www.stellenbosch.gov.za/planning\\_portal/planning-notices/land-use-applications-advertisements](https://www.stellenbosch.gov.za/planning_portal/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: TV3 Projects (Pty) Ltd – C. Heys [clifford@tv3.co.za](mailto:clifford@tv3.co.za)

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date **7 July 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 021 861 3800 during normal office hours.

Yours faithfully

**CLIFFORD HEYS**  
**TV3 PROJECTS (PTY) LTD**

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## KENNISGEWING VAN GROND ONTWIKKELINGSAANSOEK AAN GEINTERESSEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR

Meneer / Dame

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

Adres van aansoek eiendom: Paradyskloofweg

Aansoek eiendom beskrywing: Plaas 373/16, Stellenbosch

Aansoeker: TV3 Projects (Pty) Ltd – C Heys (kontak besonderhede: 021 861 3800)

Eienaar: S M Spottiswoode – C Spottiswoode (kontak besonderhede: 021 674 3356)

Aansoek Verwysing: LU/13942

Tipe Aansoek:

- Aansoek word hiermee gemaak in terme van Afdeling 15.(2)(d) van die Stellenbosch Munisipaliteit se Beplanning Bywet, 2015 vir 'n onderverdeling ten einde **'n ingenieurs dienste serwitut oor Plaas 373/16, Stellenbosch te registreer.**

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

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

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.
- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsite 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 inlgting 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: TV3 Projects (Pty) Ltd – C. Heys [clifford@tv3.co.za](mailto:clifford@tv3.co.za)

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitingsdatum **7 Julie 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 021 861 3800 gedurende normale kantoor ure.

Die uwe

**CLIFFORD HEYS**  
**TV3 PROJECTS (PTY) LTD**

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Our Reference: 3764-P

4 February 2022

Director: Planning and Development Services  
Stellenbosch Municipality  
Town House  
**7600 STELLENBOSCH**

FIRST FLOOR  
LA GRATITUDE  
OFFICE BUILDING  
97 DORP STREET  
STELLENBOSCH 7600  
TEL 021 861 3800

**Attention: Ms. Chrizelle Kriel**

Madam

**RE: APPLICATION FOR THE REGISTRATION OF AN ENGINEERING SERVICES  
SERVITUDE OVER FARM 373/16, STELLENBOSCH**

1. Pertaining to the Farm 373/16, Stellenbosch.
2. Application is hereby made i.t.o. Section 15.2(d) of the Stellenbosch Municipality Planning By-law, 2015 for a subdivision of land that is not exempted i.t.o Section 24, including the registration of a servitude or lease agreement in order to register an engineering services servitude over Farm 373/16, Stellenbosch.
3. The purpose of the application is to allow the installation of engineering services (for the residents of the Westruther Estate) over Farm 393/16 as indicated on the aerial photograph below.



Figure 1: Proposed servitude area over Farm 373/16, Stellenbosch

4. Find attached hereto – for your endorsement – a detailed diagram illustrating the details of the proposed engineering servitude.
5. The proposed engineering services servitude will accommodate a sewer line and a power line in favour of the Westruther Estate's residents and will be located inside the private access road reserve (as indicated on the aerial photograph above).
6. We trust the information will suffice in processing the application. However, please feel free to contact the undersigned at 021 861 3800 or [clifford@tv3.co.za](mailto:clifford@tv3.co.za) if you have any queries or require any additional information.


Yours faithfully

A handwritten signature in black ink, appearing to read 'CRH'.


**CLIFFORD HEYS**  
**TV3 PROJECTS (PTY) LTD**



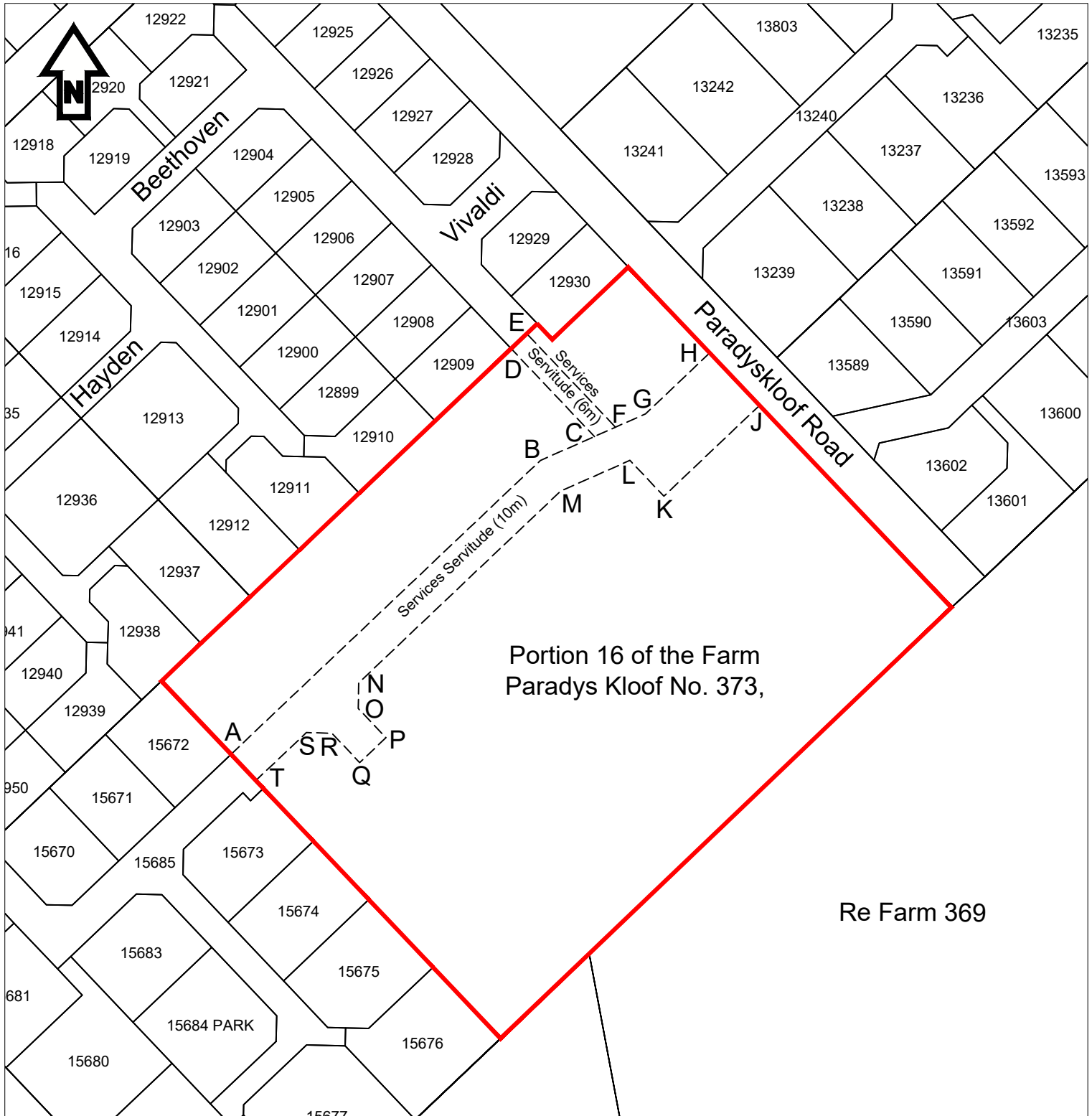
Drawn:	CH	Date:	AUG 2017
Drawing:	LOCALITY PLAN		
Project:	FARM 373/16, STELLENBOSCH		
Client:	MR. SPOTTISWOODE		

  
 Scale: 1:5 000 (A4)

First Floor • La Gratitude Office Building  
 97 Dorp Street • Stellenbosch 7600  
 tel (021) 861 3800  
 fax (021) 882 8025  
 e-mail: stel@tv3.co.za  
 web: www.tv3.co.za

  
**ARCHITECTS AND TOWN PLANNERS**

Plan No:	1	Project No:	3480-P
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Portion 16 of the Farm  
Paradys Kloof No. 373,

Re Farm 369

The figure ABCDEFGHJKLMNQRST represents a services servitude area 2520m<sup>2</sup>, as shown over **Portion 16 of the farm Paradyskloof No. 373** Administrative District of Stellenbosch

All areas and dimensions are approximate and should be verified by a professional land surveyor.

**tv3** ARCHITECTS  
TOWN PLANNERS  
URBAN DESIGNERS

FIRST FLOOR LA GRATITUDE OFFICE BUILDING | 97 DORP STREET  
STELLENBOSCH 7600 | TEL +27 (21) 861 3800 | www.tv3.co.za

**Westruther Estate**

Property Description:  
Portion 16 of Farm 373, Stellenbosch

Drawing: Servitude Diagram		Plan no.: 2	
Date: 22/11/2021	Scale: 1:1500 (A4)		
Project no.: 3480-P	Drawn: WH	Checked: CH	





TAX INVOICE

STELLENBOSCH  
STELLENBOSCH • PNIEL • FRANSCHHOEK  
MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

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

DATE:	2022-04-11	DOCUMENT NO:	728098
ERF / FARM NO:	373/16	CREATED BY:	Nicole Katts
LOCALITY:	Paradyskloof Road , STELLENBOSCH FARMS	APPLICATION NO:	LU/13942
OWNER'S NAME:	Stephen Morrison Spottiswood	APPLICATION VAT NO:	0
ADDRESS:	LA Gratitude Offices (1st Floor) 97 Dorp Street Stellenbosch 7600	VAT NO:	4700102181
		APPLICANT:	Clifford Heys - TV3 Projects Pty Ltd
		TEL NO:	021861380

FEE DESCRIPTION	AMOUNT PER UNIT (R)	NUMBER OF UNITS	VOTE NUMBER	AMOUNT (R)
SUBDIVISION & CONSOLIDATION - Subdivision & Consolidation (Amendment/Cancellation of Subdivisional Plan / General Plan / Diagram), Per Application	5000.00	1	20180711011497	5000.00
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p>STELLENBOSCH MUNICIPALITY PLANNING AND DEVELOPMENT SERVICES</p> <p>25 APR 2022</p> <p>RECEIVED</p> </div>				

TOTAL AMOUNT PAYABLE 5000.00

VAT INCLUDED @ 15% 652.17

ALL TARIFFS INCLUDE 15% VAT FROM 1 JULY 2021 TO 30 JUNE 2022

CALCULATED BY  
NAME: Nicole Katts  
SIGNATURE

DATE: 11.04.2022

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

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

VERIFIED BY  
NAME:  
SIGNATURE:

DATE:

BANKING DETAILS FOR EFT PAYMENT:

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

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

0.00

0

FILE NR: \_\_\_\_\_

SCAN NR: F 373/16 S

COLLABORATOR NR: \_\_\_\_\_

## Nicole Katts

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**From:** Nicole Katts  
**Sent:** Wednesday, 09 February 2022 10:09  
**To:** 'clifford@tv3.co.za'  
**Subject:** OUTSTANDING INFORMATION: APPLICATION - FARM 373/16 STELLENBOSCH

Good day Clifford

I trust that you are well.

Please see below outstanding information requested from the town planner, upon receipt thereof an invoice will follow.

- Updated power of attorney – the one submitted is outdated and is referring to an Exemption instead of a Subdivision

For any technical enquiries you are welcome to contact the planner Bongiwe Zondo, see details below.

Bongiwe – 021 808 8951 / [bongiwe.zondo@stellenbosch.gov.za](mailto:bongiwe.zondo@stellenbosch.gov.za)



*Kind regards / Vriendelike Groete*

**Nicole Katts**

Administrative Officer

Development Management

**Planning & Economic Development**

---

T: +27 21 808 8318

43 Andringa Str, Eikestad Mall, 3<sup>rd</sup>

Floor

[www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)



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[http://www.stellenbosch.gov.za/main\\_pages/disclaimerpage.htm](http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm)

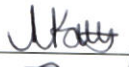



**PLANNING & ECONOMIC DEVELOPMENT**

LAND USE APPLICATION COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW, 2015				Date of Submission of Application	08/02/2022	
Erf / Erven/ Farm no	373	Portion(s) if farm	16	Allotment Area	Stellenbosch	
Owner / Applicant	Cliffor Heys – TV3 Projects		Contact number	083 309 9770		
Email address	<a href="mailto:clifford@tv3.co.za">clifford@tv3.co.za</a>					
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION				ADMIN TO VERIFY <sup>1</sup>		PLANNER TO EVALUATE <sup>2</sup>
				YES	NO	
1. Completed application form that is signed				✓		✓
2. Power of Attorney / Owners' Consent if the applicant is an agent				✓		
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						


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

<sup>2</sup> 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:.....			
<b>VERIFIED &amp; SIGNED BY ADMIN</b>	<b>NAME: Nicole Katts</b>		
<b>VERIFIED &amp; SIGNED BY PLANNER</b>	<b>NAME: Bongiwe Zondo</b>		

Outstanding information (to be completed by Planner):

NB: Applicant must send an updated power of Attorney, the one submitted is outdated and is referring to an Exemption, ~~POA~~ where ~~is~~ the application is for Subdivision.

POA submitted.  05/04/2022

**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)].

POWER OF ATTORNEY  
(REGISTERED OWNER'S CONSENT FORM)

I/we: STEPHEN MORRISON SPOTTISWOODE  
(name(s) of registered owner(s))

registered owner(s) of the following property(ies) :

FARM 373/16,  
STELLEN BOSCH

(property description(s))

wish to certify that authority is hereby granted to

TV3 ARCHITECTS,

(applicant's name)

in terms of the resolution enclosed herewith (applicable if land owner is a registered company / close corporation, trust or other juristic person), to apply for \*

- ~~removal / suspension / amendment of restrictions~~
- ~~rezoning~~
- ~~consent / conditional use~~
- ~~departure (temporary / permanent)~~
- ~~subdivision / subdivision exemption~~
- ~~site development plan approval / amendment~~
- ~~amendment of conditions~~
- ~~township establishment~~
- other (please specify)

in respect of the above-mentioned property(ies) to enable it to be developed / utilised for the following purpose(s) :

AND ASSOCIATED SERVICES  
MAINTENANCE OF ACCESS ROAD TO THE  
WESTRUTHER TOWNSHIP AND

(proposed purpose(s) / development)

(\* please delete whichever not applicable).

The undersigned therefore nominates, constitutes and appoints the above applicant with power of substitution to be the registered owner's legal representative / agent and to act in the name, place and stead of the registered owner in the above regard. Power of attorney is accordingly hereby granted to the applicant to sign all correspondence in respect of the matter referred to above.

Owner's name STEPHEN MORRISON SPOTTISWOODE

Owner's signature [Signature] Date 2<sup>ND</sup> APRIL 2022

## Nicole Katts

---

**From:** Landuse Applications  
**Sent:** Tuesday, 08 February 2022 14:59  
**To:** Bongwiwe Zondo; Landuse Applications; Bulelwa Mdoda  
**Subject:** RE: Pre-scrutiny application feedback on Farm 373/16 Stellenbosch

Noted, will do.



*Kind regards / Vriendelike Groete*

**Nicole Katts**

Administrative Officer  
Development Management  
**Planning & Economic Development**

---

T: +27 21 808 8318

43 Andringa Str, Eikestad Mall, 3<sup>rd</sup>  
Floor

[www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)



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[http://www.stellenbosch.gov.za/main\\_pages/disclaimerpage.htm](http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm)

**From:** Bongwiwe Zondo <Bongwiwe.Zondo@stellenbosch.gov.za>  
**Sent:** Tuesday, 08 February 2022 14:55  
**To:** Landuse Applications <Landuse.Applications@stellenbosch.gov.za>  
**Subject:** FW: Pre-scrutiny application feedback on Farm 373/16 Stellenbosch

Please print application.



*Kind regards*

**Bongwiwe Zondo**

Senior Town Planner  
**Planning & Economic Development**

---

T: +27 21 808 8951

3<sup>rd</sup> Floor, Eikestad Mall, 43 Andringa  
Street, Stellenbosch, 7600

[www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)



**From:** Clifford Heys <[Clifford@tv3.co.za](mailto:Clifford@tv3.co.za)>  
**Sent:** Tuesday, 08 February 2022 14:21  
**To:** Bongwiwe Zondo <[Bongwiwe.Zondo@stellenbosch.gov.za](mailto:Bongwiwe.Zondo@stellenbosch.gov.za)>  
**Cc:** Landuse Applications <[Landuse.Applications@stellenbosch.gov.za](mailto:Landuse.Applications@stellenbosch.gov.za)>  
**Subject:** [EX] RE: Pre-scrutiny application feedback on Farm 373/16 Stellenbosch

Thx Bongwi!

Will the application now be processed?

Regards

Clifford

**From:** Bongwiwe Zondo <[Bongwiwe.Zondo@stellenbosch.gov.za](mailto:Bongwiwe.Zondo@stellenbosch.gov.za)>  
**Sent:** 08 February 2022 12:27 PM  
**To:** Clifford Heys <[Clifford@tv3.co.za](mailto:Clifford@tv3.co.za)>  
**Cc:** Landuse Applications <[Landuse.Applications@stellenbosch.gov.za](mailto:Landuse.Applications@stellenbosch.gov.za)>  
**Subject:** Pre-scrutiny application feedback on Farm 373/16 Stellenbosch

Good Day Clifford

Kindly find the attached correspondence regarding your pre-scrutiny application on Farm 373/16 Stellenbosch.



*Kind regards*

**Bongwiwe Zondo**

Senior Town Planner

Planning & Economic Development

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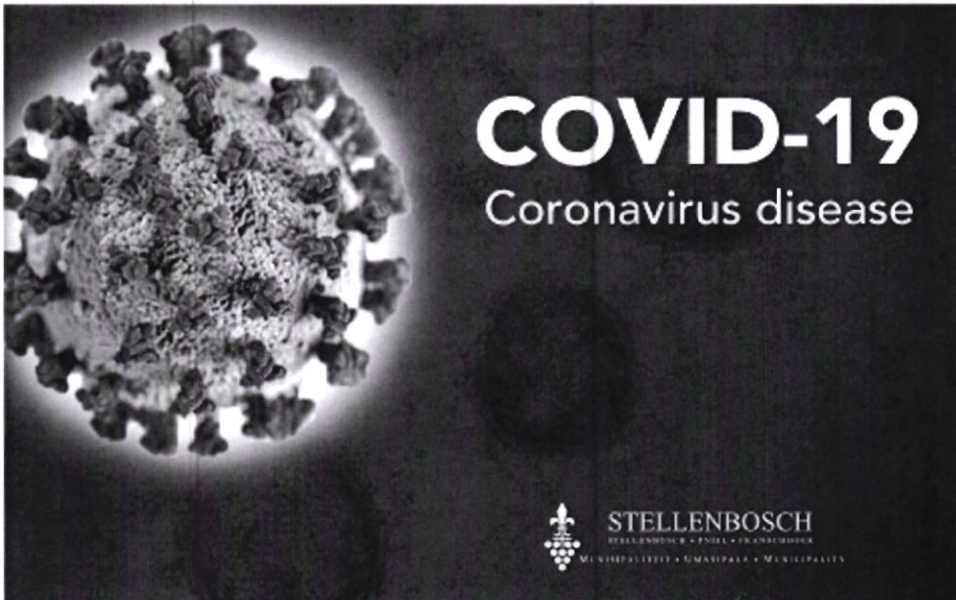
T: +27 21 808 8951

3<sup>rd</sup> Floor, Eikestad Mall, 43 Andringa

Street, Stellenbosch, 7600

[www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)





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**  
STELLENBOSCH • PNEEL • FRANSCHHOEK  
MUNICIPALITEIT • UMASIPLA • MUNICIPALITY



**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](http://www.stellenbosch.gov.za)

**Disclaimer:**

The information contained in this communication from [bongiwe.zondo@stellenbosch.gov.za](mailto:bongiwe.zondo@stellenbosch.gov.za) sent at 2022-02-08 12:27:19 is confidential and may be legally privileged. It is intended solely for use by [clifford@tv3.co.za](mailto:clifford@tv3.co.za) and others authorized to receive it. If you are not [clifford@tv3.co.za](mailto:clifford@tv3.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](#)



DIRECTORS: JHJ van Rensburg | E Swanepoel | NJ Smit | LR He  
ASSOCIATES: J Breuninger | WD Fourie | CR Heys | A Prinsloo | HC Hugo | M

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FIRST FLOOR | LA GRATITUDE OFFICE BUILDING | 97 DORP STREET | STELLENBOSCH 7600 | TEL: +27 (21) 861 3800



Our Reference: 3764-P

4 February 2022

Director: Planning and Development Services  
Stellenbosch Municipality  
Town House  
**7600 STELLENBOSCH**

**Attention: Ms. Chrizelle Kriel**

Madam

**RE: APPLICATION FOR THE REGISTRATION OF AN ENGINEERING SERVICES  
SERVITUDE OVER FARM 373/16, STELLENBOSCH**

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Figure 1: Proposed servitude area over Farm 373/16, Stellenbosch

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Yours faithfully

**CLIFFORD HEYS**  
**TV3 PROJECTS (PTY) LTD**

**LIST OF ATTACHMENTS:**

**SECTION A – LAND USE PLANNING APPLICATION FORM**

**SECTION B – LOCALITY MAP**

**SECTION C – SERVITUDE DIAGRAM**

**SECTION D – POWER OF ATTORNEY**

**SECTION E – TITLE DEED AND SG DIAGRAM**

SECTION A

**LAND USE PLANNING  
APPLICATION FORM**



### LAND USE PLANNING APPLICATION FORM

(Section 15 of the Stellenbosch Municipal Land Use Planning By-Law 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)	CLIFFORD				
Surname	HEYS				
Company name (if applicable)	TV3 PROJECTS (PTY) LTD				
Postal Address	LA GRATITUDE OFFICES (1 <sup>ST</sup> FLOOR) 97 DORP STREET				
	STELLENBOSCH	Postal Code	7600		
Email	<a href="mailto:clifford@tv3.co.za">clifford@tv3.co.za</a>				
Tel	021 861 3800	Fax	021 882 8025	Cell	083 309 9770

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

Registered owner(s)	STEPHEN MORRISON SPOTTISWOODE				
Physical address	c/o CHRISTOPHER MERVYN SPOTTISWOODE 63 NEWLANDS AVENUE				
	CAPE TOWN	Postal code	8000		
E-mail	<a href="mailto:cms@metaset.co.za">cms@metaset.co.za</a>				
Tel		Fax		Cell	083 452 8508

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

Erf / Erven / Farm No.	373	Portion(s) if Farm	16	Allotment area	STELLENBOSCH		
Physical Address	PARADYSKLOOF ROAD						
	PARADYSKLOOF						
	STELLENBOSCH						
	7600						
Current Zoning	AGRICULTURE & RURAL	Extent	2.3283 HA	Are there buildings?	existing	<input type="checkbox"/>	N

Applicable Zoning Scheme	STELLENBOSCH MUNICIPALITY ZONING SCHEME BY-LAW, 2019				
Current Land Use	AGRICULTURE				
Title Deed number and date	T	T50204/2003			
Attached Conveyance's Certificate	N	Any Restrictions ito the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate			
Are the restrictive conditions in favour of a third party(ies)?	N	If Yes, list the party(ies)			
Is the property encumbered by a bond?	Y	If Yes, list bondholder(s)			
Any existing unauthorized buildings and/or land use on the subject property(ies)?	N	If yes, is this application to legalize the building / land use?			N
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	N	Are there any land claim(s) registered on the subject property(ies)?			N
<b>PART D: PRE-APPLICATION CONSULTATION</b>					
Has there been any pre-application consultation?	N	If Yes, complete the information below and attach the minutes of the pre-application consultation.			
Official's name		Reference Number		Date of consultation	
<b>PART E: LAND USE PLANNING APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW AND APPLICATION FEES PAYABLE</b>					
Tick	Section	Type of application	Cost		
	2(a)	a rezoning of land;	R		
	2(b)	a permanent departure from the development parameters of the zoning scheme;	R		
	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;	R		
<b>X</b>	2(d)	a subdivision of land that is not exempted in terms of section 24, including the <b>registration of a servitude</b> or lease agreement;	R		
	2(d)	certificate of exemption, in terms of section 24(2), from applying for subdivision in terms of section 15;	R		
	2(e)	a consolidation of land that is not exempted in terms of section 24;	R		
	2(e)	certificate of exemption, in terms of section 24(2), from applying for consolidation in terms of section 15;	R		
	2(f)	a removal, suspension or amendment of restrictive conditions in respect of a land unit;	R		
	2(g)	a permission required in terms of the zoning scheme;	R		
	2(h)	an amendment, deletion or imposition of conditions in respect of an existing approval;	R		

2(i)	an extension of the validity period of an approval;	R
2(j)	an approval of an overlay zone as contemplated in the zoning scheme;	R
2(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram;	R
2(l)	a permission required in terms of a condition of approval;	R
2(m)	a determination of a zoning;	R
2(n)	a closure of a public place or part thereof;	R
2(o)	a consent use contemplated in the zoning scheme (Special Developments & Special Consent);	R
2(p)	an occasional use of land;	R
2(q)	to disestablish a home owner's association;	R
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;	R
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.	R

**OTHER APPLICATIONS**

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

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

Tick	Notification of application in media	Type of application	Cost
	<b>SERVING OF NOTICES</b>	Delivering by hand; registered post; data messages	R
	<b>PUBLICATION OF NOTICES</b>	Local Newspaper(s); Provincial Gazette; site notice; Municipality's website	R
	<b>ADDITIONAL PUBLICATION OF NOTICES</b>	Site notice, public meeting, local radio station, Municipality's website, letters of consent or objection	R
	<b>NOTICE OF DECISION</b>	Provincial Gazette	R
	<b>INTEGRATED PROCEDURES</b>	T.B.C	R
<b>TOTAL B:</b>			<b>R</b>
<b>TOTAL APPLICATION FEES* (TOTAL A + B)</b>			<b>R 5 000-00</b>

\* 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
Payment reference: (Erf / Farm number)	Farm 373/16 Stellenbosch

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:**

Pertaining to Farm 373/16, Stellenbosch – application is hereby made in terms of Section 15.2(d) of the Stellenbosch Municipality Planning By-law, 2015 for subdivision of land that is not exempted i.t.o. Section 24, including the registration of a servitude or lease agreement in order to register an engineering servitude over the subject property.

**PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION [section 15(2)(a) to (s) of the Stellenbosch Municipal Land Use Planning By-Law (2015)]**

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

Information and documentation required					
Y		Power of attorney / Owner's consent if applicant is not owner		N	Bondholder's consent (if applicable)
	N	Resolution or other proof that applicant is authorised to act on		N	Proof of any other relevant right held in the land concerned



		behalf of a juristic person					
Y		Written motivation		Y		S.G. diagram / General plan extract	
Y		Locality plan			N	Site development plan or conceptual layout plan	
	N	Proposed subdivision plan			N	Proof of agreement or permission for required servitude	
	N	Proof of payment of application fees		Y		Proof of registered ownership (Full copy of the title deed)	
	N	Conveyancer's certificate			N	Minutes of pre-application consultation meeting (if applicable)	
		N/A	Consolidation plan			N/A	Land use plan / Zoning plan
		N/A	Street name and numbering plan			N/A	1 : 50 / 1:100 Flood line determination (plan / report)
		N/A	Landscaping / Tree plan			N/A	Home Owners' Association consent
		N/A	Abutting owner's consent			N/A	Services Report or indication of all municipal services / registered servitudes
		N/A	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD)			N/A	Proof of failure of Home owner's association
		N/A	Copy of original approval and conditions of approval			N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes
		N/A	Proof of lawful use right			N/A	Other (specify)
		N/A	Required number of documentation copies			N/A	

**PART H: AUTHORISATION(S) IN TERMS OF OTHER LEGISLATION**

	N/A	National Heritage Resources Act, 1999 (Act 25 of 1999)			Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989))
	N/A	National Environmental Management Act, 1998 (Act 107 of 1998)		N/A	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)		N/A	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)		N/A	National Water Act, 1998 (Act 36 of 1998)

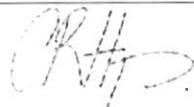
N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations		N/A	Other (specify)
N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)			
N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.			
N	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, please attach motivation.			

### SECTION I: DECLARATION

I hereby wish to confirm the following :

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. I'm aware that it is an offense in terms of section 86(1)(e) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.
3. I am properly authorized to make this application on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto.
4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
5. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
6. I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.

Applicant's signature:



4 FEBRUARY 2022

Full name:

CLIFFORD HEYS

Professional capacity:

PR. PLANNER (SA): A/1158/2000

**FOR OFFICE USE ONLY**

Date received:

Received by:

**ANNEXURES**

The following Annexures are attached for your information, only if applicable:

**Please do not submit these Annexures with the application form.**

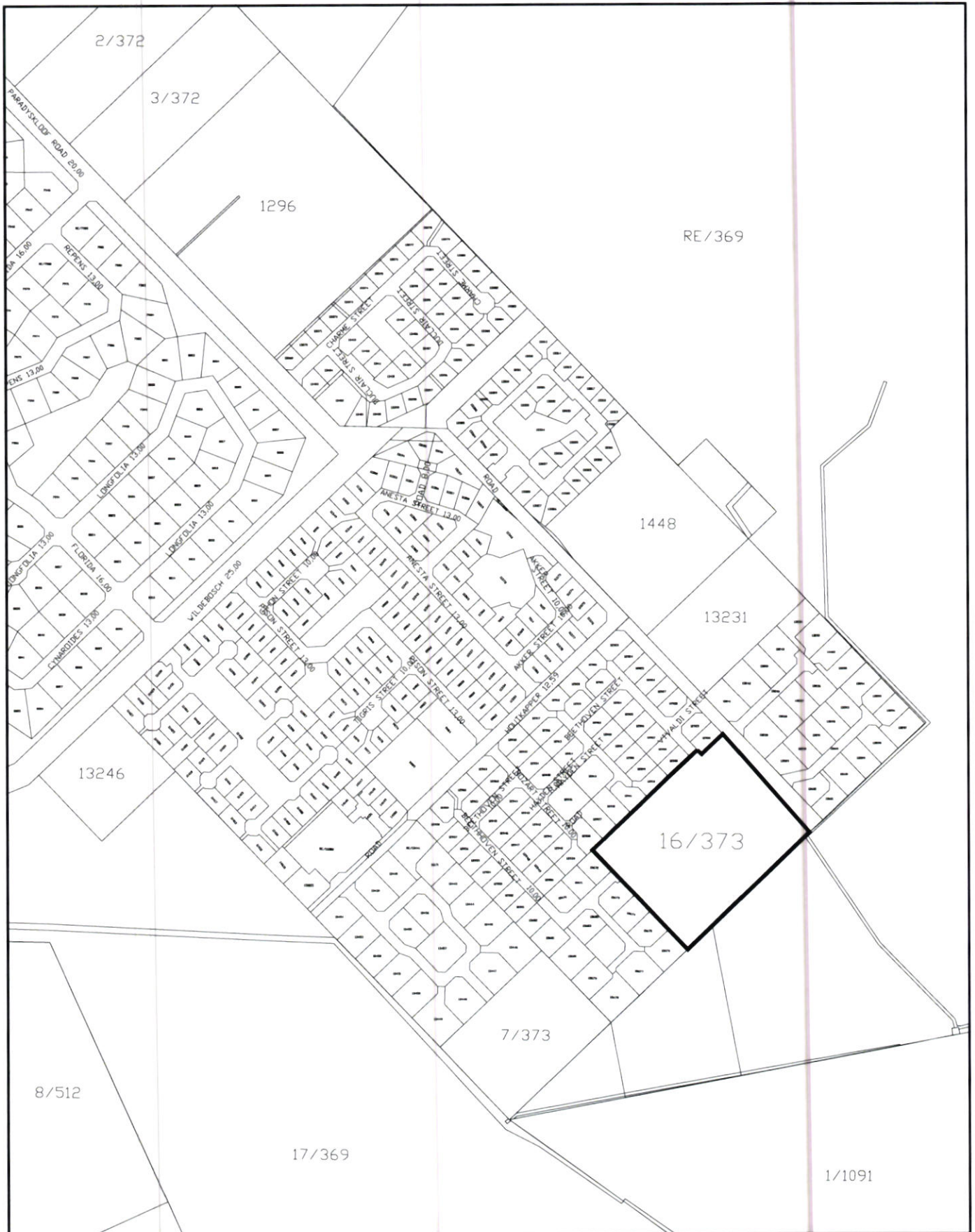
Annexure A: Minimum requirements matrix



Annexure B: Land use planning application submission and protocol

Annexure C: Land use planning application workflow

SECTION B

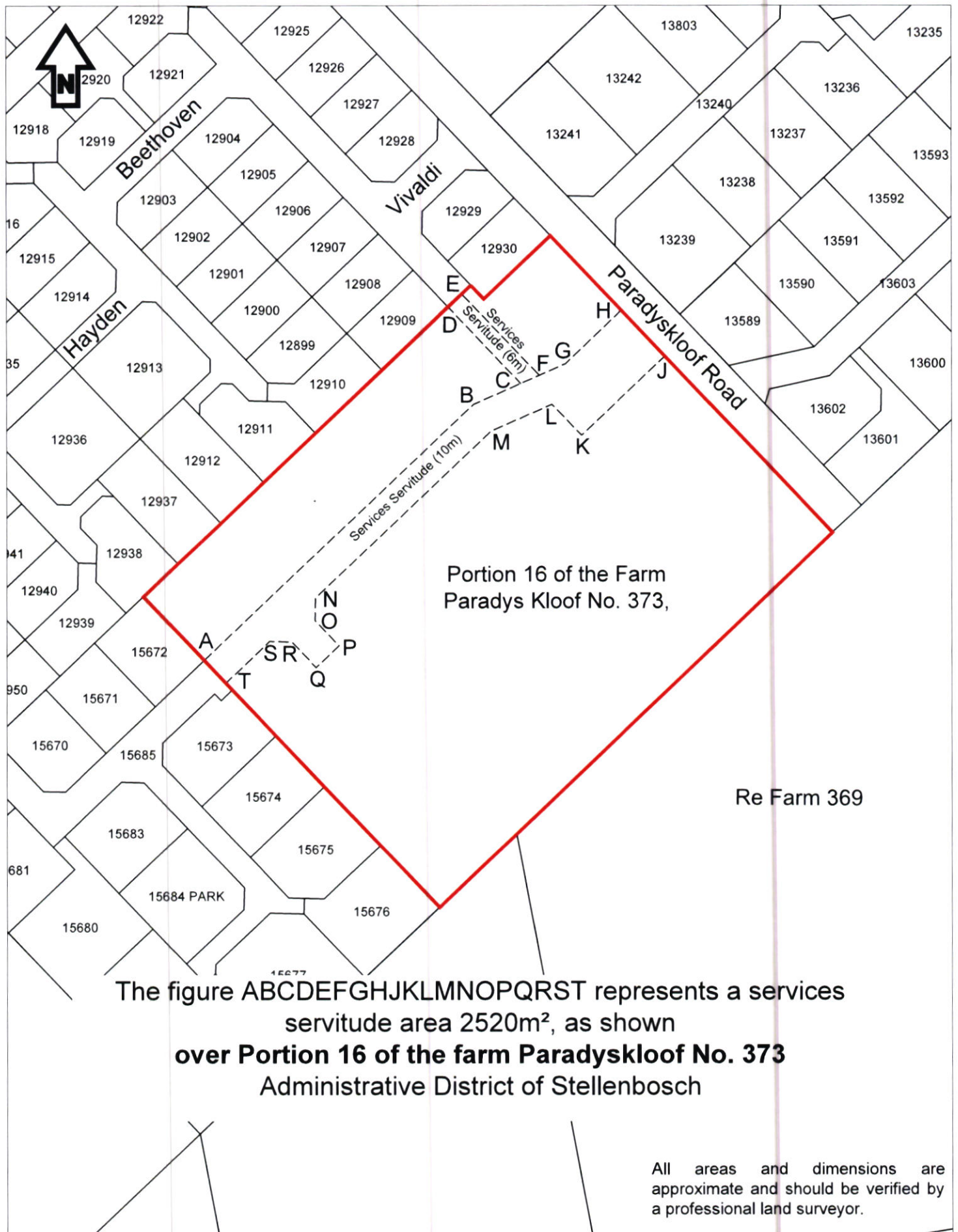
**LOCALITY MAP**



Drawn:	CH	Date:	AUG 2017	 Scale: 1:5 000 (A4)	 <p>First Floor • La Gratitude Office Building          97 Dorp Street • Stellenbosch 7600          tel (021) 861 3800          fax (021) 882 8025          e-mail: stel@tv3.co.za          web: www.tv3.co.za</p>
Drawing:	LOCALITY PLAN				
Project:	FARM 373/16, STELLENBOSCH				
Client:	MR. SPOTTISWOODE				
Plan No:			1	Project No: 3480-P	

SECTION C

**SERVITUDE DIAGRAM**



Drawing:		Plan no.:	
Servitude Diagram		2	
Date:	22/11/2021	Scale:	1:1500 (A4)
Project no.:	3480-P	Drawn:	WH
		Checked:	CH



## LAND USE PRE-APPLICATION SCRUTINY FORM

### KINDLY NOTE:

1. This Pre-Application Scrutiny form must be submitted prior to the submission of any Land Use and Land Development application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015. (SLUPB)
2. Relevant documents can be accessed at:  
<https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal/legislation/3116-stellenbosch-municipality-land-use-planning-by-law-2015/file>
3. The applicant will receive feedback per e-mail following a weekly internal technical discussion on the pre-application scrutiny submission.
4. A pre-application consultation meeting may be required in terms of Section 37 of the said Bylaw on receipt and consideration of this Pre-Application Scrutiny.

### PART A: APPLICANT, OWNERSHIP & PROPERTY PARTICULARS

Applicant Name	TV3 PROJECTS (PTY) LTD
E-Mail	<a href="mailto:clifford@tv3.co.za">clifford@tv3.co.za</a>
Tel / Cell	021 861 3800
Registered Owner	STEPHEN SPOTTISWOODE
Property Description	FARM 373/16, STELLENBOSCH
Physical Address:	PARADYSKLOOF ROAD
Suburb & Town	PARADYSKLOOF, STELLENBOSCH
Current Zoning	AGRICULTURE AND RURAL ZONE
Current Land Use	AGRICULTURE



Are there existing buildings on the subject property(ies)?		N
Are there any existing unauthorized buildings and/or land use on the subject property(ies)?		N
If yes, is this application to legalize the building/ land use?		N
Are there any pending court case(s)/ order(s) relating to the subject property(ies)?		N
Is the property located in a heritage area or contains any heritage significant buildings?		N
Does the property fall inside the urban edge?	Y	

## PART B: APPLICATION

### 1. WHAT LAND USE PLANNING APPLICATIONS ARE REQUIRED IN TERMS OF SECTION 15(2) OF THE SLUPB?

<input type="checkbox"/>	Rezoning	<input checked="" type="checkbox"/>	Subdivision	<input type="checkbox"/>	Removal/Suspension Amendment of restrictive conditions	<input type="checkbox"/>	Consent use
<input type="checkbox"/>	Permanent Departure	<input type="checkbox"/>	Consolidation	<input type="checkbox"/>	Closure of public place	<input type="checkbox"/>	Rectification/ disestablishment of HOA
<input type="checkbox"/>	Temporary Departure	<input type="checkbox"/>	Amendment of condition(s) of approval	<input type="checkbox"/>	Extension of validity period of approval	<input type="checkbox"/>	Amendment/cancel ation of approved subdivision plan
<input type="checkbox"/>	Determination of a zoning	<input type="checkbox"/>	Occasional use	<input type="checkbox"/>	Permission in terms of zoning scheme	<input type="checkbox"/>	Permission in terms of condition of approval
<input type="checkbox"/>	Other	<input type="checkbox"/>	Technical Approval	<input type="checkbox"/>	Exemption	<input type="checkbox"/>	

**Details of the Proposal:** (Brief description of proposal (not a full motivation))

To obtain planning approval for the registration of an engineering services servitude over Farm 373/16, Stellenbosch.

**2. RELEVANCE OF ANY PLANNING LEGISLATION/ POLICIES AND PLANS**

<b>RELEVANT PLANNING CONSIDERATIONS</b>		
<b>(a) Are any Municipal plans/policies/guidelines, or any restrictive title conditions, or other legislation / authorizations applicable to the application, and if yes, is the proposal consistent/ compliant with such?</b>		<b>N</b>
<b>(b) Does the proposal require the following additional infrastructure / services? e.g. electricity; water; sewerage; road network; other?</b>		<b>N</b>
<b>(c) Does the development proposal include the provision of residential units, and if so, what is the target market re: range in income bracket/ selling price or rental for the units?</b>		<b>N</b>
<b>(d) In addressing the SPLUMA principle of Spatial Justice and as it relates to prescripts on the provision of inclusionary housing, how will this development proposal target affordable market segments?</b>		<b>N</b>

**PART C: COPIES OF PLANS / DOCUMENTS TO BE SUBMITTED AS PART OF PRE-APPLICATION SCRUTINY**

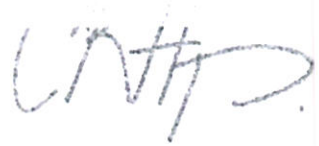
The following minimum documentation **must** be attached to this pre-application scrutiny form:

1. **Locality plan**
2. **Layout plan of proposal** (e.g. copy of existing building plan, indicating proposal on site plan, etc.)
3. **Full copy of the Title Deed or Conveyancer Certificate**

**Please Note:**

- The Municipality may request any other information deemed necessary for the purpose of this pre-application scrutiny.
- If an incomplete pre-application scrutiny form or the required minimum supporting documents are not submitted the pre-application scrutiny form will not be accepted by the Municipality.

**DECLARATION:** I hereby confirm that the information contained in this pre-application scrutiny form and accompanying documentation is complete and accurate.



Applicant's signature:

Date: 4 FEB 2022

**FOR OFFICE USE:**

Municipal Stamp
Received by: _____
Date: _____



**DETERMINATION BY AUTHORISED OFFICIAL**

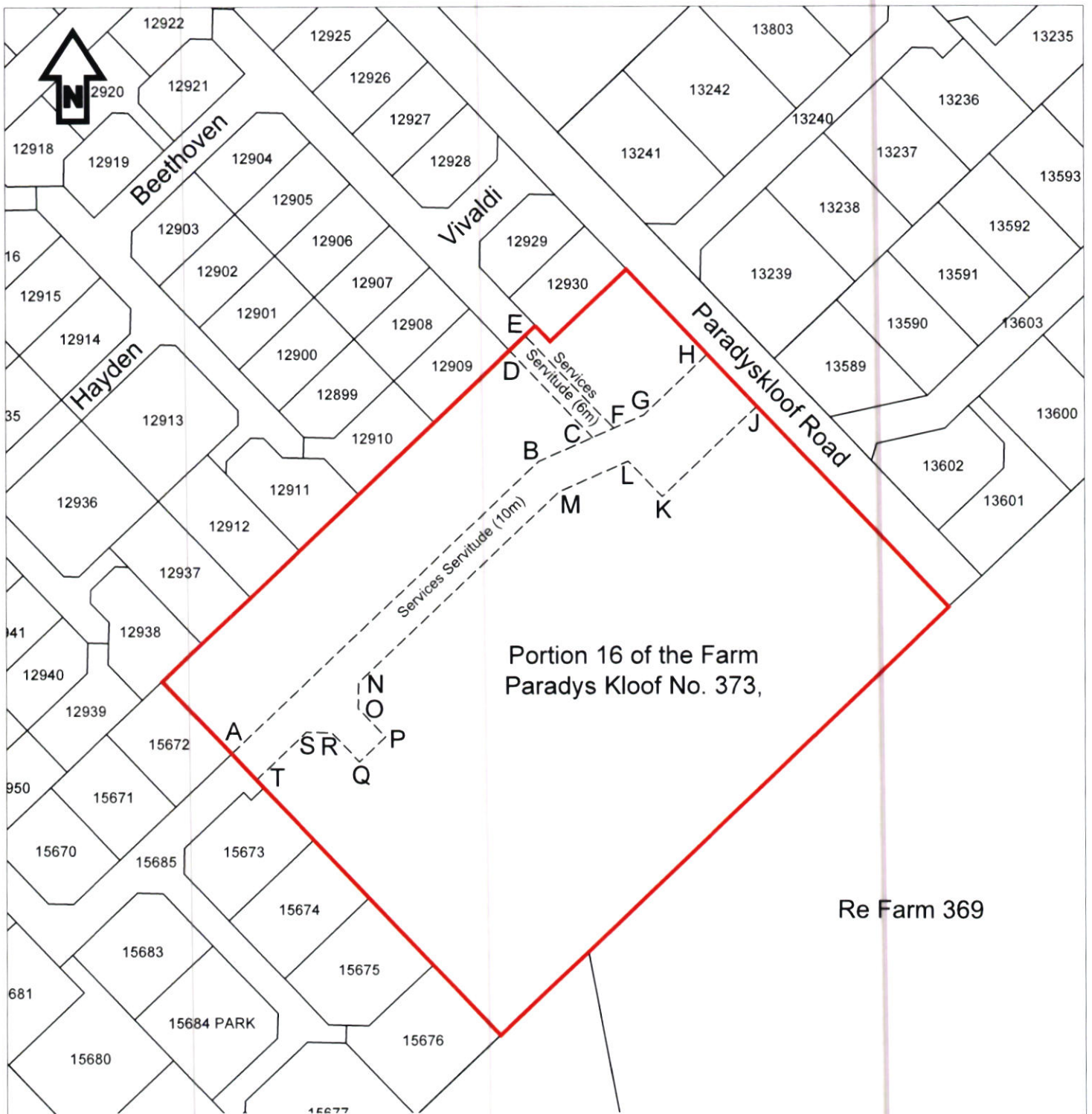
Additional Information	Pre-Application Consultation	Application Ready
Sign: _____		Date: _____

**APPLICANT INFORMED BY RESPONSIBLE OFFICIAL**

Sign: _____	Date: _____
-------------	-------------



Drawn: CH Drawing: LOCALITY PLAN Project: FARM 373/16, STELLENBOSCH Client: MR. SPOTTISWOODE	Date: AUG 2017	 Scale: 1:5 000 (A4)	 <p>           First Floor • La Gratitude Office Building            97 Dorp Street • Stellenbosch 7600            tel (021) 861 3800            fax (021) 882 8025            e-mail: stel@tv3.co.za            web: www.tv3.co.za         </p>	
	Plan No: 1			Project No: 3480-P



The figure ABCDEFGHJKLMNQRST represents a services servitude area 2520m<sup>2</sup>, as shown over Portion 16 of the farm Paradyskloof No. 373 Administrative District of Stellenbosch

All areas and dimensions are approximate and should be verified by a professional land surveyor.



FIRST FLOOR LA GRATITUDE OFFICE BUILDING | 97 DORP STREET  
STELLENBOSCH 7600 | TEL +27 (0)11 861 3800 | www.tv3.co.za

## Westruther Estate

Property Description:

Portion 16 of Farm 373, Stellenbosch

Drawing:		Plan no.:
Servitude Diagram		2
Date:	Scale:	
22/11/2021	1:1500 (A4)	
Project no.:	Drawn:	Checked:
3480-P	WH	CH

SECTION D

**POWER OF ATTORNEY**

## POWER OF ATTORNEY

I, the undersigned : STEPHEN MORRISON SPOTTISWOODE  
registered owner of : FARM 373/16, STELLENBOSCH  
do hereby appoint : TV3 PROJECTS (PTY) LTD  
La Gratitude Offices (1<sup>st</sup> Floor)  
97 Dorp Street  
7600 STELLENBOSCH

With power of substitution to be my agent in my name, place and stead in order to apply for:

- An exemption certificate for the registration of a servitude / private right.

And generally for effecting the purposes aforesaid, to do or cause to be done whatsoever shall be requisite as fully and effectually for all intents and purposes, as I might or could do if personally present and acting herein -hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and confirm all and whatsoever my said agent shall lawful do or cause to be done, by virtue of these present.

Signed at JOHANNESBURG this 21<sup>ST</sup> day of AUGUST 2017 in the presence of the undersigned witnesses.

AS WITNESSES:

1 KL Spottiswoode

2 Constance Meyer

Stephen Morrison Spottiswoode  
STEPHEN MORRISON SPOTTISWOODE

SECTION E

**TITLE DEED AND SG DIAGRAM**



SEEK REG DUTY	<u>                    </u>
FOCI FEE	<u>95,00</u>

185 MALAN LOURENS  
ARENDSE INC.  
TEL: (021) 853 1535

Prepared by me,  
*[Signature]*  
CONVEYANCER  
D P SMIT

T 000050204 / 2003

## CERTIFICATE OF CONSOLIDATED TITLE

Issued under the provisions of Section 40 (3) of the Deeds Registries Act No. 47 of  
1937

WHEREAS

STEPHEN MORRISON SPOTTISWOODE

Identity No. 470404 5132 084

Married out of community of property

has applied for the issue to him of a Certificate of Consolidated Title under the  
provisions of Section 40 (3) of the Deeds Registries Act 1937;

VIR ENDOSSEMENTE KYK BLADSY 9  
FOR ENDORSEMENTS SEE PAGE 9

*[Handwritten signature]*

AND WHEREAS he is the registered owner of:-

- 1 REMAINDER OF PORTION 9 of the farm PARADYS KLOOF No. 373, in the Municipality and Division of Stellenbosch, Western Cape Province HELD under Deed of Transfer No. T67758/1994.
- 2 PORTION 15 (A PORTION OF PORTION 8) of the farm PARADYS KLOOF No. 373, in the Municipality and Division of Stellenbosch Western Cape Province HELD under Deed of Transfer dated this day No. T000050203-1/2003

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

STEPHEN MORRISON SPOTTISWOODE

Identity no. 470404 5132 084

Married out of community of property

His heirs, executors, administrators or assigns –

is the registered owner of –

PORTION 16 of the farm PARADYS KLOOF No. 373 in the Municipality and Division of Stellenbosch, Western Cape Province

IN EXTENT : TWO COMMA THREE TWO EIGHT THREE (2,3283) Hectares

AS WILL appear from the annexed Diagram No. S.G. 2223/2001

P

The said land is held subject –

I Insofar as the figure marked ABefEF on the said Diagram –

A. SUBJECT to the conditions referred to in Deed of Transfer No. 3861 dated 23<sup>rd</sup> March 1920 (Paragraph 1).

B. SUBJECT to the following special conditions contained in Deed of Transfer No. T2621/1950, which conditions have been varied by Notarial Deed No. 165/1950 referred to in Condition C below, namely:-

- (a) That the Transferors, namely Michael Mohrhardt and George William Seabridge and/or their successors in title of the remainder of the said farm Paradys Kloof in extent 18.1255 morgen, held under Certificate of Amended Title on Consolidation dated 7 November 1949, No. 18034, and/or of any portion thereof, shall have the right to bore for water on PORTION 9 of the Farm Paradys Kloof No. 373 at any point within a distance of 100 feet from the North-Western boundary of the said Portion 9, which said boundary is marked AB on the Diagram (N9o. 8450/48) annexed to Deed of Transfer No. T2621/1950) of the said Portion 9, which said right shall include the right to erect the necessary pump(s), pumphouse(s) and reservoir(s), and to lead the water over the said Portion 9 to the said remaining extent of Paradys Kloof and/or to any portion thereof subject to the condition, however, that the reservoir(s), excluding the borehole(s) and pumphouse(s) shall not take up more than one thousand (1000) square feet of land.



- (b) That for purpose of the boring operations etc. the said Transferors and/or their successors in title as owners of the remaining extent of Paradys Kloof held under the said Certificate of Amended Title on Consolidation dated 7 November 1949 No. 18034, and/or any portion thereof, shall have the right of access to and egress from the said PORTION 9.
- (c) That the stipulations and conditions referred to in paragraph (a) above shall also apply to the existing boreholes situated on said Portion 9 within a distance of 100 feet from the North-Western boundary of the said Portion 9.
- (d) That not to interfere with the water supply of the Transferors as owners of the remaining extent of the said farm Paradys Kloof, measuring 18.1255 Morgen, held under Certificate of Amended Title of Consolidation dated 7 November 1949 No. 18034, which said water is referred to in paragraphs (a) and (b) above, it has specially been agreed upon that the Transferee and his successors in title as owners of said Portion 9, or of any portion thereof, shall insofar as the said Portion 9 is concerned only be entitled to bore for water on that portion of Portion 9 which is situated between the South-Eastern boundary which said boundary is marked DE on the Diagram (No. 8450/48) of the said Portion 9, and a straight line drawn parallel to the aforesaid boundary and passing through the existing borehole on said Portion 9 which said borehole is marked P on the Diagram (No. 8450/48) of said Portion 9.

C SUBJECT FURTHER in terms of the Endorsement dated 11<sup>th</sup> May 1950 on Deed of Transfer No. 2621 dated 2<sup>nd</sup> March 1950, to the conditions (a) (b) (c) and (d) as set out in Para B above, which



f

conditions shall in future also be operative in favour of the owners of Portion 2 of the farm "Paradys Kloof" and their successors in title held by Certificate of Registered Title No. 18036 dated 7 November 1949 as more fully set out in Notarial Deed No. 165/50 dated 3 May 1950.

D SUBJECT FURTHER to clause 6.0 of the Will dated 20 June 1991 of Late Hildegard Enid Spottiswoode who died on 30 April 1993, which reads as follows:-

"I direct that all inheritances shall specifically and expressly be exempted from any community of property or accrual system which may subsist or in future subsist between my beneficiaries and their spouses and shall be protected against the creditors of their spouses and under no circumstances be liable to attachment by such creditors, whether married in or out of community of property and in respect of female beneficiaries also not be subject to the control, interference and marital power of any husband."

E ENTITLED FURTHER in terms of Deed of Transfer No. T41329/74 to a servitude of borehole and a servitude of pipeline together with the right to erect and maintain a pump and pumphouse at the borehole to ensure a supply of water therefrom and the right of access to and across the undermentioned property to the borehole aforesaid together with other rights, in favour of the owner and successors in title as owner of the property hereby transferred, over portion 6 of the Farm Paradys Kloof No. 373; measuring 3,9264 Ha. As will more fully appear from said Deed of Transfer.



F. SUBJECT FURTHER in terms of an endorsement in Deed of Transfer No. T10137/1962 and as more fully set out in Deed of Transfer No. T36558/74 to the following water and pipeline servitudes:

- (a) Portion 5 of the farm Paradys Kloof No. 373, measuring 3,8363 Ha. Is entitled to  $\frac{1}{2}$  share of the water from the borehole on Portion 9 of the farm Paradys Kloof No 373, measuring 3,8365 Ha; the position of the borehole being defined at a spot 12,28 metres from the boundary AB and 26,45 metres from the boundary CD on Diagram 8450/48 annexed to Deed of Transfer No. T2621/1950 on said Portion 9.
- (b) Portion 5 of the farm Paradys Kloof No. 373 is further entitled to servitude of pipeline over Portion 9 of the farm to the servitude of pipeline over Portion 9 of the farm Paradys Kloof No. 373 together with the right to erect and maintain a pump and pumphouse at the borehole to ensure a supply of water therefrom and the right of access to and egress from the borehole and along the pipeline for the owner of the said Portion 5 and his successors in title and their workmen for the maintenance and for repair of the borehole, pump, pumphouse and pipeline.

G. NOT SUBJECT to condition B in Deed of Transfer No. T67758/1994 by virtue of the endorsement thereon dated 25<sup>th</sup> May 1995, reading as follows:-

“By Notarial deed of cancellation of servitude No. K462/95S dated this day, 26 April 1995, condition B at the bottom of page 2 to page 3 relating to water rights has been cancelled in relation to the Remaining extent of



Portion 10 of the farm Paradys Kloof No. 373, in the Municipality of Stellenbosch, Division Stellenbosch, Province Western Cape, in extent 4899 m2 gehou kragtens T63965/1991 as will more fully appear from said Notarial Deed,”

H. NOT SUBJECT to Condition B in Deed of Transfer No. T67758/94, by virtue of the endorsement thereon dated 25<sup>th</sup> May 1995 reading as follows:-

“By notarial deed of cancellation of servitude No. K463/95S dated this day 26 April 1995 Condition B at the bottom of page 2 to page 3 relating to water rights has been cancelled in relation to Erf 11138 Stellenbosch, in the Municipality of Stellenbosch, Division Stellenbosch, Province Western Cape, in extent 2,9999 Ha. Gehou kragtens T33076/1991, as will more fully appear from said Notarial Deed.”

II Insofar as the figure marked feCD on annexed Diagram –

A SUBJECT to the conditions referred to in Deed of Transfer No. 3861 dated 23<sup>rd</sup> March 1920 (Paragraph 1).

B ENTITLED FURTHER in terms of Deed of Transfer No. T41329/74 to a servitude of borehole and a servitude of pipeline together with the right to erect and maintain a pump and pumphouse at the borehole to ensure a supply of water therefrom and the right of access to and across the undermentioned property to the borehole aforesaid together with other rights, in favour of the owner and successors in title as owner of the property hereby transferred, over portion 6 of the Farm Paradys Kloof No. 373; measuring 3,9264 Ha. As will more fully appear from said Deed of Transfer.

P

AND THAT, by virtue of these presents

STEPHEN MORRISON SPOTTISWOODE

Identity No. 470404 5132 084

Married out of community of property

His heirs, executors, administrators or assigns -

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

In witness whereof, I, the said Registrar, 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

9 JUNE 2003

  
REGISTRAR OF DEEDS





9

T 50204/2003

NOTARIAL DEED OF AMENDED SERVITUDE K 325/2014 S  
DATED 31 AUGUST 2010:

*CONDITION E IS AMENDED TO READ*

THE WITHIN PROPERTY IS

Entitled to a servitude of borehole and servitude of pipeline together with the right to erect and maintain a pump at the borehole and a switchbox on the boundary wall of Erf 14150 held by Deed of Transfer T38998/10 with an electrical connection to the borehole, to ensure a supply of water therefrom and the Right of access to and egress from the borehole and along the pipeline for the maintenance and repair of the borehole, switchbox, pump and pipeline and the transferee and its successors in title shall not bore for water within 10 metres from the servitude borehole aforesaid as will more fully appear in the aforesaid Notarial Deed to Amend Servitude.

2016-04-08

DEED OFFICE  
CAPE TOWN

REGISTRAR.  
REGISTER OF DEEDS

VIR ENDOSSEMENTE KYK BLADSY  
FOR ENDORSEMENTS SEE PAGE 10

T 50204/2003

By notarial deed of servitude K 325/2016 S, Dated the 10<sup>th</sup> December 2015.

The within mentioned property is **SUBJECT**, together with all ancillary rights, to a temporary underground high voltage electrical cable at a depth of approximately 1,0 metres in favor of:

**ERF 15685 STELLENBOSCH**

**IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH**

**PROVINCE OF THE WERSTERN CAPE**

**IN EXTENT 1849 (ONE THOUSAND EIGHT HUNDRED AND FORTY NINE) SQURE METRES**

Held By Certificate of Registered Title No. (2) 19391/2016.

As will more fully appear in the said notarial document,

Deeds Registry  
Cape Town

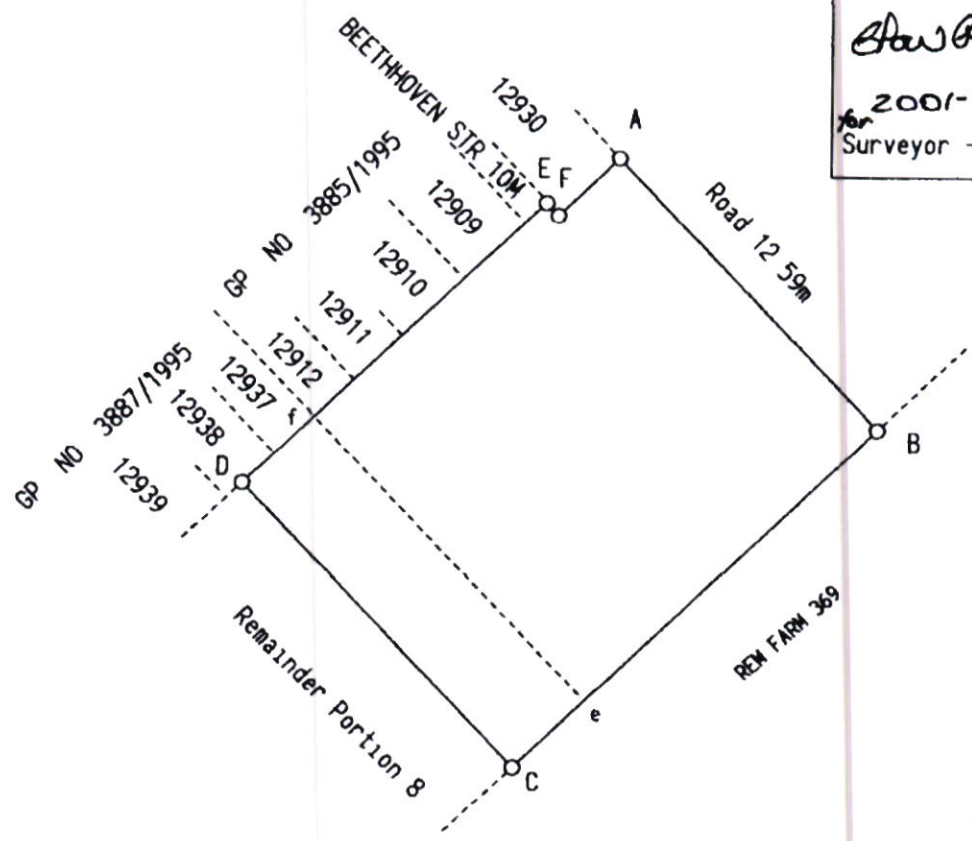
2016-04-08



REGISTRAR OF DEEDS

Friedlaender, Burger & Volkmann Land Surveyors

S G No  
2223/2001  
Approved  
*Stu Blang*  
for 2001-05-14  
Surveyor - General



COMPONENTS

- 1 The figure AB<sup>of</sup>eF<sup>^</sup>EF represents the Remainder of Portion 9 of the farm PARADYS KLOOF ~~Paradyskloof~~ No 373  
Vide Dgm No 8450/1948 D/T 1950- -2621
- 2 The figure feCD represents Portion 15 of the farm PARADYS KLOOF NO 373  
Vide Dgm No 2222/2001

SCALE 1 2500

The figure ABCDEF represents 2 3283 hectares of land, being  
PORTION 16 of the farm PARADYS KLOOF No 373 comprising of 1 and 2 as above

Situate in the Municipality and Administrative District of Stellenbosch  
Compiled in February 2001  
by me

Province of Western Cape

*D P Burger*  
D P Burger Pr Land Surveyor PLS 0080

This diagram is annexed to No <u>CCT 50204/2003</u> Dated 1 f o Registrar of Deeds	The original diagrams are as above	File No Stel 373 S R No Compiled Comp BH-8DCB (3783) BH-8DCD (3785)
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# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DUPLICATE RECEIPT

Receipt M/c: DIR1 Duplicate Rec.No:1000195344 Date: 11/04/2022

Local Authority: Stellenbosch Municipality

1 STB

N

5000.00

30111060201

05236

INVESTICPB

DIRECT 030111060201 INVESTICPB/U/13942 F

X100 Key:

X10 Key :

AMPTELIKE KWITANSIE / OFFICIAL RECEIPT

✉ 17, STELLENBOSCH 7599

☎ 021 808-8578 / 8547 / 8546

📞 021 886 7318



# СІЛТІЛІННОСОН

AMPLIFIRE KWITANCE - OFFICIAL RECEIPT