

NOTICE OF LAND DEVELOPMENT APPLICATION

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	Plaas 1537/1, Stellenrust Road, Stellenbosch
Application Property Number	Plaas 1537/1, Division Stellenbosch
Applicant	Emile van der Merwe Town Planning Consultants
Owner	Solid Attack Trading 18 (Pty) Ltd
Application Reference	LU/16050 (TP466/2023)
Application Type	Subdivision, Consolidation and Permission required in terms of restrictive title deed condition

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

- Application in terms of Section 15 (2) (d) of the Stellenbosch Municipality Land Use Planning By-Law, 2023 for the subdivision of Farm 1537/0 Stellenbosch Farms into two portions namely, Portion B (± 0.91 ha in extent) and Remainder Farm 1537/0
- Application in terms of Section 15 (2) (e) of the Stellenbosch Municipality Land Use Planning By- Law, 2015 for consolidation of the subdivided Portion B with Farm 1537/1 Stellenbosch farms.
- Permission required in terms of restrictive title deed conditions contained in Deed of Transfer T3095/2023 in order to facilitate the proposed subdivision and consolidation on Farm 15371, Stellenbosch farms

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;

- o Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
- o Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: (Emile van der Merwe Town Planning Consultants: emilevdm@adept.co.za). By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

For purpose of fair administrative action, it is considered reasonable and justifiable to increase the prescribed minimum number of days for public comment over the holiday period (15 December 2023 – 15 January 2024). The comments therefore must be submitted and received on or before the closing date of 23 January 2024.

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

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at (0845566461/021-8865050) during normal office hours.

YOURS FAITHFULLY

EMILE VAN DER MERWE
EMILE VAN DER MERWE TOWN PLANNING CONSULTANTS

KENNISGEWING VAN GROND ONTWIKKELINGS AANSOEK

Naam van geaffekteerde persoon

Fisiese adres van geaffekteerde persoon

Stellenbosch Wine Routes

47 Church Street

Stellenbosch

7600

Email: elmarie@wineroute.co.za

Geagte Meneer/Mevrou

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

Adres van aansoek eiendom	Plaas 1537/1 Stellrust pad Stellenbosch
Aansoek eiendom beskrywing	Plaas 1537/1 Stellenbosch
Aansoeker	Emile van der Merwe Stadsbeplanningskonsultante
Eienaar	Solid Attack Trading 18 (Pty) Ltd
Aansoek Verwysing	LU/165050 (TP466/2023)
Tipe Aansoek	Onderverdeling, Konsolidasie en Goedkeuring in terme van beperkende titelvoorwaarde

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

- Aansoek in terme van Artikel 15 (2) (d) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning, 2023 vir die onderverdeling van Plaas 1537/0 in twee gedeeltes naamlik (Gedeelte B ± 0.91 ha groot) en Restant Plaas 1537
- Aansoek in terme van Artikel 15 (2) (e) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning, 2023 vir die konsolidasie van onderverdeelde gedeelte B met Plaas 1537/1 Stellenbosch
- Goedkeuring in terme van beperkende titelvoorwaardes vervat in beide Titelaktes T46410/2015 en Titelakte T3095/2023 ten einde die voorgestelde onderverdeling en konsolidasie te fasiliteer.

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

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

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

- Die kommentaar moet skriftelik wees;

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

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

Vir die doeleindes van gelyke administratiewe aksie is dit wenslik en regverdig om die periode vir publieke kommentaar te verleng gedurende die vakansietydperk (15 Desember 2023 – 15 Januarie 2024). Die kommentaar moet derhalwe voor of op die sluitingsdatum van 23 Januarie 2024 ontvang word.

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 voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by (0845566461 / 886 5050) gedurende normale kantoor ure.

Die uwe

EMILE VAN DER MERWE
EMILE VAN DER MERWE STADSBEPLANNINGS KONSULTANTE



2023-08-11

My ref: Farm 1537/1 Stellenbosch

Stellenbosch Municipality
Department Planning and Development
PO Box 17
STELLENBOSCH
7599
Email: landuse.applications@stellenbosch.gov.za

Dear Sir/Madam

**APPLICATION FOR SUBDIVISION AND CONSOLIDATION: REMAINDER FARM 1537 DIVISION
STELLENBOSCH, WESTERN CAPE PROVINCE AND PORTION 1 OF FARM 1537 DIVISION
STELLENBOSCH, WESTERN CAPE PROVINCE**

Include hereby please find the required formal application for the following:

- Application in terms of Section 15 (2) (d) of the Land Use Planning By-Law (2015) for the subdivision of a portion (Portion B measuring 0.91ha) from Remainder Farm 1537 Stellenbosch; and
- Application in terms of Section 15 (2) (e) of the Land Use Planning By-Law (2015) for the consolidation of subdivided Portion B with Portion 1 of Farm 1537 Stellenbosch.
- Permission required in terms of restrictive title deed conditions contained in both Deed of Transfer T 05023/2015 and Deed of Transfer T3095/2023 in order to facilitate the proposed subdivision and consolidation of Farm 1537/0 and Farm 1537/1 Stellenbosch

This office kindly awaits your response.

Thanking you in anticipation.

Yours faithfully



EMILE VAN DER MERWE

EMILE VAN DER MERWE TOWN PLANNING CONSULTANTS

Doornbosch Centre | Strand Road | PO Box 204 | Stellenbosch 7599
Tel: 021 - 886 5050 | Fax: 021 - 883 8965 | Email: emilevdm@adept.co.za

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

FARM 1537/1 STELLENBOSCH

1. BRIEF

Emile van der Merwe Town Planning Consultants have been appointed by the registered owners of Portion 1 and Remainder Farm 1537 Stellenbosch to prepare and submit the required town planning application to the Stellenbosch Municipality for the following:

- Application in terms of Section 15 (2) (d) of the Land Use Planning By-Law (2015) for the subdivision of a portion (Portion B measuring 0.91ha) from Remainder Farm 1537 Stellenbosch; and
- Application in terms of Section 15 (2) (e) of the Land Use Planning By-Law (2015) for the consolidation of subdivided Portion B with Portion 1 of Farm 1537 Stellenbosch.
- Permission required in terms of restrictive title deed conditions contained in both Deed of Transfer T 05023/2015 and Deed of Transfer T3095/2023 in order to facilitate the proposed subdivision and consolidation on Farm 1537/1 Stellenbosch

2. LOCATION AND ACCESS – LOCATION PLAN ATTACHED

The application properties are located approximately 10km to the south east of Stellenbosch Town and approximately 2km to the north east of the intersection of the Annandale Road and the R44. A location plan is attached. Access to Portion 1 of Farm 1537 is obtained from the Stellenrust Divisional road. The proposal will not have any impact on any accesses requirements since the existing accesses will not be affected by the subdivision and consolidation.

3. OWNERSHIP AND SIZE

Remainder Farm 1537 is owned by Audacia Wines (Pty) Ltd and Portion 1 of Farm 1537 is owned by Solid Attack Trading 18 (Pty) Ltd.

Extent: Remainder Farm 1537 = 23, 844 ha
 Portion 1 of Farm 1537 = 1.0853 ha

4. ZONING AND LAND USE

The properties, in terms of the Stellenbosch Municipal Zoning Scheme By-Law (2019) are zoned as Agricultural Rural Zone and are being utilized in accordance with the approved zoning. The primary use (agriculture) in terms of the zoning scheme is defined as follows:

“agriculture” (landbou) means the cultivation of land for crops and/or plants, the keeping and/or breeding of animals, livestock, game, bees, birds, whether or not in the open or in enclosures, and/or the breeding of water fauna and/or flora in artificially constructed dams or natural waterways, and includes a riding school, generating compost for own use on the land unit or farm, but excludes intensive feed farming or any other additional or consent uses in the Agriculture and Rural zone;

The proposal will not result in any change of the primary use that applies to the properties. The land use activities on the properties are provided below:

Remainder Farm 1537

The property is 23, 844 ha in extent and accommodates the Audacia Boutique Red wine cellar and associated bona-fide agricultural buildings. Audacia is renowned for its naturally preserved, no sulphur added red wine that is produced in the approved cellar on the property. The property is planted with 16 ha under vineyards that comprise the following cultivars:

- Malbec,
- Petit Verdot,
- Cabernet Franc
- Cabernet Sauvignon,
- Shiraz
- Merlot
- Roobernet.

Audacia wine cellar produces approximately 125 tons of grapes at an average of 8-9 tons per hectare. The farm is a viable agricultural entity and also forms part of the Stellenbosch Wine Route. A small area (± 0.91 ha) of the property is currently being leased to the owner of the abutting property namely Portion 1 of Farm 1537 that is currently used as paddocks. The proposed subdivision will not affect the production capacity of Remainder Farm 1537 and it will not impact negatively on the daily running and farming operations on the property. The agricultural potential and economic activities will be sustained. Sufficient water for irrigation purposes is available from the Theewaterskloof Irrigation Scheme as per registration of the Wynland Water Use Association.

FARM 1537/1 STELLENBOSCH

Portion 1 of Farm 1537

Portion 1 of Farm 1537 was recently purchased by Solid Attack Trading 18 (Pty) Ltd and is the intention of the owner to extend and improve the agricultural viability of the farm. The adjacent farm owner (Audacia Wines Pty Ltd) is willing to subdivide a portion (0.91) from the farm for the consolidation of the subdivided portion with Portion 1 of Farm 1537. The farm will be used for the keeping of horses. The newly added portion will be used for paddocks in support of the farming activities. The subdivided portion (shown in white below) is not planted with vineyards and is extremely suited to accommodate the above.



The consolidation of the said portion with Portion 1 of 1537 as indicated on the subdivision and consolidation plan is considered desirable from an planning and agricultural resources point of view for the following reasons:

- ✓ The proposal will not result in any change of zoning and/or land use and is in keeping with agricultural zoning rights that applies to the properties;
- ✓ The proposal will not result in the fragmentation of agricultural land
- ✓ The proposal will not result in the creation of any new land units with associated primary rights
- ✓ The proposal will not result and constitute any form of urban related development that could impact negatively on sustainable food production and food security
- ✓ The proposal relates to bona-fide agricultural uses with no impact on the production capacity of Remainder Farm 1537

- ✓ The proposal will enhance and improve the agricultural and economic potential of Portion 1 of Farm 1537 in support of bona-fide agriculture.

6. LEGISLATIVE AND POLICY CONTEXT

6.1 Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and Western Cape Land Use Management Act (2014)

The legislative framework provides the norms and standards and guiding principles to which development applications must comply and assessed. The application inter-alia is consistent with the following guiding principles.

- Promote land development that is spatially compact, resource –frugal and within the fiscal, institutional and administrative means of the Stellenbosch Municipality.
- Protection of prime unique and high potential agricultural land
- Uphold consistency of land use measures in accordance with environmental management instruments
- Promote land development in locations that are sustainable and limit urban sprawl
- Protection of high biodiversity areas and heritage and tourism resources
- Optimise the use of resources, infrastructure, agriculture and land
- Integrate social, economic and institutional aspects of land development

The Western Cape Land Use Management Act, 2014 and the Spatial Planning and Land Use Management Act, 2013 serves as platform to guide decision-making in relation to land use and development. In this regard are the following 5 principles applicable

Spatial Justice

The proposal will not have a negative impact on the agricultural potential and farming activities.

Spatial efficiency

The proposal will make use resources in a just and efficient manner.

Spatial resilience

The proposal is deemed compatible with the rural character of the area and is in line with the municipal IDP and spatial development framework.

Good Administration

The proposal conforms to the requirements of the Stellenbosch Planning Zoning Scheme By-Law and Stellenbosch Land Use Planning By-Law

6.2 Stellenbosch Spatial Development Framework

The Stellenbosch SDF has been approved by Council during November 2019 is founded on the principles of the Spatial Planning and Land Use Management Act, the Western Cape Land Use Planning Act, the National Development Plan, the National Heritage Resources Act, the Environmental Management Act, as well as the Stellenbosch Municipal Integrated Development Plan. The SDF places a renewed and key focus on the protection of agricultural and farming land and the conservation of the natural and biodiversity areas.

The proposal is deemed to be consistent with the above principles and objectives of the SDF.

7. SERVICES

The proposal will not impact on municipal services.

8. CONCLUSION

The development proposal is consistent and complies with the criteria set out in Chapter V of the Stellenbosch Land Use Planning By-Law (2015) with reference to the following:

- The proposal will not result in any change of zoning and/or land use and is in keeping with agricultural zoning rights that applies to the properties;
- The proposal will not result in the fragmentation of agricultural land
- The proposal will not result in the creation of any new land units with associated primary rights
- The proposal will not result and constitute any form of urban related development that could impact negatively on sustainable food production and food security
- The proposal relates to bona-fide agricultural uses with no impact on the production capacity of Remainder Farm 1537
- The proposal will enhance and improve the agricultural and economic potential of Portion 1 of Farm 1537 in support of bona-fide agriculture.
- The proposal is consistent with the Integrated Development plan and the Spatial Development Framework of the Stellenbosch Municipality;

FARM 1537/1 STELLENBOSCH

- The proposal conforms to the matters referred to in Section 42 of the Spatial Planning and Land Use Management Act and the principles referred to in Chapter VI of the Land Use Management Act, and
- The proposal is in line with the provisions of the Stellenbosch Zoning Scheme By-Law and associated development parameters.

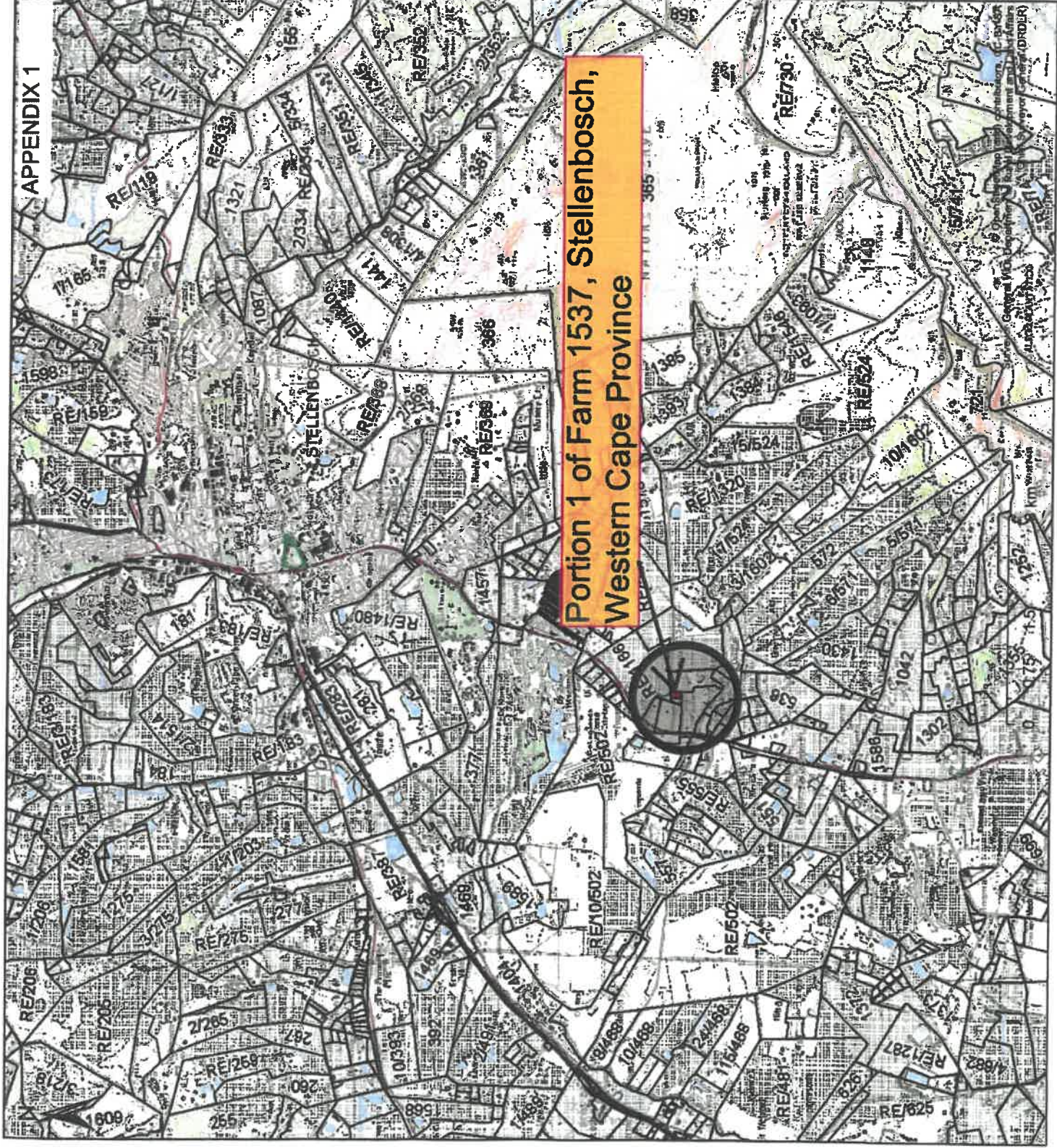
In light of the above report and supporting documentation it is trusted that the Stellenbosch Municipality favourably will consider the application on Remainder Farm 1537 and Portion 1 of Farm 1537 Stellenbosch.

.....

.

LOCATION MAP

APPENDIX 1



Portion 1 of Farm 1537, Stellenbosch,
Western Cape Province

Map Center: Lon: 18°51'9.6"E
Lat: 33°58'23.9"S

Scale: 1:90 422

Date created: January 30, 2023



Western Cape
Government
FOR YOU

Agriculture

11

STBB
2nd Floor
5 High Street
Rosenpark
Tygervalley
7536
DOCEX 38 TYGERBERG

Prepared by me,

CONVEYANCER
HANLIE FERREIRA
LPCM NUMBER 85987

Deeds Office Registration fees as per Act 47 of 1937		
	Amount	Office Fee
Purchase Price	R. 14 145 000,00	R. 3819,00
All other		
Reason for exemption	Category Exemption	Exemption l i o. Sec/Reg. Act/Proc.

VERBIND	MORTGAGED
VIR FOR R 12300 000,00	
B000001620 / 2023	
62 FEB 2023	REGISTRAR/REGISTRAR

T 003095 / 23

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN:

THAT **ELANA MOORE**

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, he/she, the said
Appearer, being duly authorised thereto by a Power of Attorney granted to him/her by

SILVERBACK TECHNOLOGIES CC
Registration Number 2004/057998/23

signed at **BELLVILLE** on **07 DECEMBER 2022**

STBB

Form E

DATA / CAPTURE
06-02-2023
ELIZABETH VAN TONDER

DATA / VER
16-02-2023
BRUNDA GONCALVES

AND the said Appearer declared that his/her principal had on 8 November 2022 truly and legally sold by Private Treaty and that he/she, the said Appearer in his/her capacity aforesaid, did, by these presents cede and transfer to and on behalf of:

SOLID ATTACK TRADING 18 PROPRIETARY LIMITED
Registration Number 2003/020622/07

its successors in title or assigns in full and free property:

PORTION 1 THE FARM AUDACIA ESTATE NUMBER 1537
IN THE STELLENBOSCH MUNICIPALITY
STELLENBOSCH DIVISION
WESTERN CAPE PROVINCE
IN EXTENT: 1, 0853 (ONE COMMA ZERO EIGHT FIVE THREE) HECTARES

FIRST TRANSFERRED by Deed of Transfer T38752/2015 with Diagram S.G. Number 3402/2009 relating thereto and held by Deed of Transfer Number T24425/2020.

- A. **SUBJECT** to the conditions contained in Deed of Transfer Number T1064/1941.
- B. **SUBJECT FURTHER** to the condition contained in Deed of Grant dated the 12th December, 1890 (Stellenbosch Letters of Grant Volume 6 Number 4) issued in terms of the regulations of Act Number 14 of 1887, reading as follows:
- "1. That all roads and thoroughfares now existing on the land hereby granted whether they are described in the diagram or not shall remain free and uninterrupted."
- C. **SUBJECT FURTHER** to the condition contained in the said Deed of Grant dated the 12 December, 1890 (Stellenbosch Letters of Grant Volume 6 Number 4) reading as follows:
- "Subject, however, to all such duties and regulations as are either already or shall in future be established with regard to such lands."
- D. **SUBJECT FURTHER** to the condition contained in an endorsement on Deed of Transfer Number T1064/1941 dated the 5th June, 1950 reading as follows:
- "By Deed of Transfer Number T7800/1950 Portion 2 thereby transferred is entitled to the benefit of a condition that the owners of the said remainders shall not have the right to erect any building or structure on such remainders within 100 yards of the eastern boundary of the said Portion 2, as will more fully appear on reference to the said Deed of Transfer."
- E. **SUBJECT FURTHER** to a Notarial Deed of Pipeline Servitude in favour of The Farm Number 1166, in the Municipality and Division of Stellenbosch; In Extent: 81,7271 (Eighty One Comma Seven Two Seven One) square Metres; held by

STBB

Form E

Certificate of Consolidated Title Number T7290/1985 over the herewith transferred property as will more fully appear from a Notarial Deed of Servitude Number K831/1996S.

(The Eastern Boundary of the said Servitude is represented by the line x y z on the said diagram S.G.Number 3402/2009)

- F. **ENTITLED** to a Servitude Borehole in the circular servitude area one (1) metre in diameter on THE FARM NUMBER 1166 in the Municipality and Division of Stellenbosch in extent: 81, 7271 (Eighty One Comma Seven Two Seven One) hectares; held by Certificate of Consolidated Title Number T7290/1985 as will more fully appear from a Notarial Deed of Servitude Number K831/1996S.
- G. **BY VIRTUE** of a Notarial Deed of Servitude Number K491/2008S dated 17 March 2007 the within mentioned property is entitled to:
- (a) A perpetual right of way, which servitude road area measuring 851 metres square is indicated by the figure middle of furrow bCDEFG on Diagram SG Number 6706/2007,
 - and
 - (b) A pre-emptive right over Portion 6 (Portion of Portion 1) of the Farm Annandale Number 537 measuring 4635 metres square held by T30265/1978.

With Ancillary Rights

As will more fully appear from the aforementioned Notarial Deed of Servitude Number K491/2008 dated 17 March 2007.

H. **SUBJECT FURTHER** to the following special conditions contained in Certificate of Registered Title Number T59999/2013 imposed by the Controlling Authority in terms of Section 11 of the Advertising on Boards and Ribbon Development Act Number 21 of 1940, which reads as follow :-

- "1. In terme van bogenoemde wet het hierdie direktoraat vanuit verkeersoorwegings geen beswaar teen die aansoek konsolidering en onderverdeling nie op voorwaarde dat:
- a.
 - b. alle toegange voldoen aan die standaardvereistes betrekking tot nuwe toegange op Provinsiale paaie (afskrif aangeheg);
 - c. addisionele toegange sonder die geen skriftelike goedkeuring van die Padowerheid ingevolge Artikel 10 van Wet 21/1940 geneem word nie;
 - d. die bestaande toegang vanuit Hoofpad 27 (km log 27.060) permanent gesluit en verwyder word, alle stormwaterpype of pypduiders in syslote moet permanent verwyder word en grensdrade moet permanent herstel word (soos genoem in die aansoek);

STBB

Form E

LegalSuite (Version 4.5531)
DeedOfTransferConventional.doc

- e. geen advertensie- of enige ander tekens wat sigbaar is vanaf Afdelings 1053 mag sonder die skriftelike goedkeuring van die Padowerheid opgerig word nie;
 - f. die 5 meter boulyn ingevolge Artikel 17 van Paaie Ordonansie 19/1976 is van toepassing langs aanliggende Provinsiale paaie;
 - g. geen winkel of besigheidsplek van waater aard ook al op die grond geopen word of bedryf word nie behalwe met die skriftelike goedkeuring van die Beherende Gesag soos omskryf in Wet 21/1940;
 - h. geen gebou of enige bouwerk van watter aard ook al mag op die grond binne 'n afstand van 95 meter van die meddelyn van die aanliggende Provinsiale paaie sonder die skriftelike goedkeuring van die Beherende Gesag soos omskryf in Wet 21/1940 opgerig word nie;
2. Die grond nie verder onderverdeel of gekonsolideer word sonder die skriftelike goedkeuring van die Beherende Gesag soos omskryf in Wet 21/1940 opgerig word nie;
 3. Nie meer as een woonhuis saam met sodanige buitegeboue as wat onder gewone omstandighede nodig is om in verband daarmee gebruik te word, mag sonder die skriftelike goedkeuring van die Beherende Gesag soos omskryf in Wet 21/1940 opgerig word nie."
- I. **BY VIRTUE** of Notarial Agreement K1609/2017S dated 8 November 2017, the within mentioned property is entitled to:
- (1) The figures s3 s4 s5 represent a services servitude area 149 square metres in extent being water tanks/reservoirs for borehole and municipal water, excluding the borehole situate thereon-in favour of Remainder Farm 537 for common use.
 - (2) The line s6 s7 represents the centre line of a services servitude 5,00 metres wide up to the boundary to divisional road number 1053, as shown being in flow of municipal water and out-flow of sewerage and/or effluent-in favour of Remainder Farm 537.
 - (3) The line s8 s9 represent the centre line of a services servitude 3,00 metres wide, as shown to service in-flow of municipal water, and out-flow of sewerage and/or effluent, borehole water, municipal water, pipelines, communication and electricity cables-in favour of Remainder Farm 537.
 - (4) The line s13 s12 represents the northern boundary of services servitude 3,00 metres wide, as shown being in respect of in-flow of municipal water, out-flow of sewerage and/or effluent, borehole, water pipelines, communication and electricity cables-in favour of Remainder Farm 537 for common use.
 - (5) The figure s14 s13 s15 s16 represents a services servitude area 130 square metres in extent being to service sewerage and/or effluent, sump pump and electricity-in favour of Remainder Farm 537 for common use.
 - (6) The lines s14 s13 s15 s16 represent the northern and western boundaries of services servitudes 5,00 metres wide up to Divisional Road Number

STBB

Form E

1053, as shown being in-flow of municipal water and out-flow of sewerage and/or effluent, borehole water, municipal water, pipelines, communication and electricity cables in favour of Remainder Farm 537 for common use.

- (7) The line s23 s24 s25 s26 s27 s30 a represents the centre line of a services servitude 3,00 metres wide, as shown being to service sewerage and/or effluent, borehole water, municipal water, pipelines, communication and electricity cables-in favour of Remainder Farm 537 for common use.
- (8) The line s29 s30 represents the centre line of services servitude 3,00 metres wide, as shown being to service sewerage and/or effluent, borehole water, municipal water, pipelines, communication and electricity cables-in favour of Remainder Farm 537 for common use.
- (9) The line s27 s28 represents a services servitude 3,00 metres wide, as shown being to service sewerage and/or effluent, borehole water, municipal water, pipelines, communication and electricity cables-in favour of Remainder Farm 537 for common use.
- (10) The figure s32 s33-s29 s34 represents a services servitude area 64 square metres in extent being to service tank, sump pump, electrical cabling and fibre-optics-in favour of Remainder Farm 537 for common use.
- (11) The line s30 a represents the centre line of a services servitude 3,00 metres wide, as shown being to service water sewerage and/or effluent, electrical cabling and fibre-optics in favour of the Remainder Farm 537.
- (12) The line a - s36 represents the centre line of services servitude 3,00 metres wide, as shown being to service water sewerage and/or effluent, electrical cabling and fibre-optics-in favour of the properties at 1, 2 and 3 over the Remainder Farm 537.

With Ancillary Rights

As will more fully appear from the aforementioned Notarial Agreement K1609/2017 dated 8 November 2017.

J. BY VIRTUE of Notarial Agreement K1609/2017S dated 8 November 2017, the within mentioned property is subject to:

- (1) The curvilinear line b c d represents the centre line of servitude road 6, 00 metres wide, as shown-in favour of Remainder Farm 1537 over Remainder Farm 537 for common use.
- (2) The curvilinear line ce represents the centre line of a servitude road 5, 00 metres wide up to Main Road Number 27 as shown in favour of Remainder Farm 1537 and over Remainder Farm 537 for common use.

With Ancillary Rights

As will more fully appear from the aforementioned Notarial Agreement K1609/2017 dated 8 November 2017.

STBB

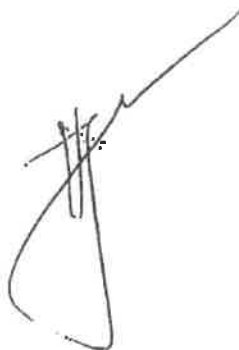
Form E

LegalSuite (Version 4.5531)
DeedOfTransferConventional.doc

B

0

- K. SUBJECT TO AND ENTITLED** that the borehole on the Seller's property (Portion 2 of the Farm Audacia Estate Number 1537), and borehole water from this source, shall be shared between the owners of Portions 1 and 2 of the Farm Audacia Estate Number 1537, the Remainder of the Farm Audacia Estate Number 1537 and The Remainder of the Farm Annandale Number 537 shall be available exclusively for household and drinking water, not for irrigation or any other use. Each property owner to install their own bore hole water meter at own cost. The Purchaser shall install piping, filters and related metering at its own costs, and be liable for costs of repairs, maintenance and capital related expenses, pro rata to water consumed.



STBB

Form E

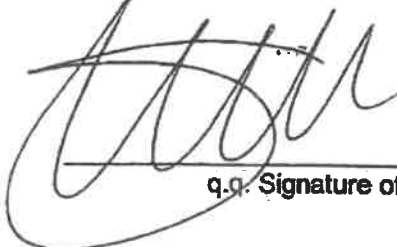
LegalSuite (Version 4.5531)
DeedOfTransferConventional.doc



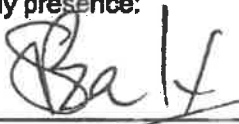
WHEREFORE the Appearer, renouncing all the right, title and interest which the said **SILVERBACK TECHNOLOGIES CC** heretofore had to the premises, did, in consequence also acknowledge them, to be entirely dispossessed of, and disentitled to, the same; and that, by virtue of these presents, the said **SOLID ATTACK TRADING 18 PROPRIETARY LIMITED**, its successors in title or assigns now is and henceforth shall be entitled thereto, conformably to local custom, the State, however, reserving its rights, and finally acknowledging the purchase price of the property hereby transferred to be the sum of **R14 145 000,00 (FOURTEEN MILLION ONE HUNDRED AND FORTY FIVE THOUSAND RAND)**.

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

THUS DONE AND EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on **02 FEB 2023**


q.q. Signature of Appearer

In my presence:


Registrar of Deeds







POWER OF ATTORNEY

Audacia Wines (Pty) Ltd and Solid Attack Trading 18 (Pty) Ltd the registered owners of Remainder Farm 1537 and Portion 1 of Farm 1537 Stellenbosch Division

Do hereby nominate and appoint

Emile van der Merwe Town Planning Consultants

With the power of substitution, to be my/our lawful Agent in my/our name, place and stead and to make the necessary application for the following

- ❑ **APPLICATION FOR SUBDIVISION AND CONSOLIDATION IN TERMS OF SECTION 15 (2) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)**
- ❑ **PERMISSION REQUIRED IN TERMS OF RESTRICTIVE TITLE DEED CONDITIONS**

On the above mentioned property and to proceed with any required work to the final end and termination thereof and generally of effecting the purpose aforesaid, to do our cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes as I/we might or could do if personally present and acting herein – hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever my/our said Agent(s) shall lawfully do, or cause to be done by virtue of these present.

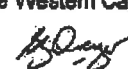
SIGNED AT STELLENBOSCH ON THIS 03rd DAY OF JULY 2023

SIGNATURE

CLIFFORD COOMBE

SIGNATURE

TREVOR STRYDOM

SIDES Metres		ANGLES OF DIRECTION		CO-ORDINATES Y System WG 19 X			S.G. No 3401/2009
		Constant		±	0,00	+3 700 000,00	
AB	398,95	274 28 20	A	+	15 974,45	+ 62 881,28	Approved  for Surveyor-General 2009.08.03 <u>Sheet No 1 of</u> <u>2 Sheets</u>
BC	165,23	198 44 30	B	+	15 578,71	+ 62 892,21	
CD	152,59	286 17 20	C	+	15 525,62	+ 62 735,74	
DE	160,78	2 20 30	D	+	15 373,35	+ 62 725,86	
EF	167,32	357 45 00	E	+	15 379,92	+ 62 886,51	
FG	45,75	271 00 10	F	+	15 373,35	+ 63 053,70	
GH	23,83	312 51 30	G	+	15 327,61	+ 63 054,50	
HJ	302,48	354 46 10	H	+	15 310,14	+ 63 070,71	
JK	109,33	36 02 00	J	+	15 282,56	+ 63 371,93	
KL	758,27	122 36 40	K	+	15 346,87	+ 63 460,34	
LM	54,47	183 19 00	L	+	15 985,59	+ 63 051,68	
MA	136,27	183 21 40	M	+	15 982,44	+ 62 997,30	
Kk		36 02 00					
LI		14 55 00					
Indicatory Data							
MN	10,08	279 36 50	N	+	15 972,50	+ 62 998,98	
NP	53,38	4 28 10	P	+	15 976,66	+ 63 052,20	
		9 Heiderberg	Δ	+	11 049,63	+ 67 148,93	
		65 Stel 7	Δ	+	14 440,04	+ 62 808,62	
Beacon Description							
A P	20 mm iron peg						
B	18 mm iron peg						
C	20 mm iron peg in stone cairn next to iron rail fence post						
D J K	iron standard						
E F G	iron standard next to wooden fence post						
H	iron standard in concrete next to wooden fence post						
L M	12 mm iron peg in tar road						
N	20 mm iron peg in concrete next to wooden fence post						
Components :							
1) The figure A x y represents Portion 2 of the Farm No 529 vide dgm no 4812/1949 D/T 1950. .7800							
2) The figure A y z M represents Portion 8 of the Farm Annandale No 537 vide dgm no 4813/1949 D/T 1950. .7800							
3) The figure x B C D E F G H J k Middle of Bonte River I L M z represents the Remainder of the Farm No 1291 vide dgm no 7308/1989 D/T 1990. .12058							
Servitude Note :							
The line a b d e f g represents the Eastern Boundary of a Servitude Water Pipeline 2m wide vide dgm no 8652/1989 D/S K831/1995 ^s							
The figure <u>A B C D E F G H J k Middle of Bonte River I L M</u>							
represents <u>26,1882 hectares</u> of land being							
<u>The Farm Audacia Estate No 1537 and comprising 1) – 3) as enumerated above</u>							
situate in <u>the Municipality and</u>							
Administrative District of <u>Stellenbosch</u>							
Province of the Western Cape							
Surveyed between <u>May 1996 and June 2009</u>							
by us,							
				 D.S. HELIG PLS 0256		 S.G. DREYER PLS 1028 Land Surveyors	
This diagram is annexed to				The original diagrams are as		File No. <u>Stel 1537</u>	
No. <u>CC.T. 5998/2013</u>				enumerated above		S.R. No. <u>1411/2009</u>	
dated						Comp.	
i.f.o.						BH – 8DCD (3785)	
Registrar of Deeds						<u>LPI-6-1* LPI C0670000</u>	

The Farm Audacia Estate No 1537, Admin. District of Stellenbosch

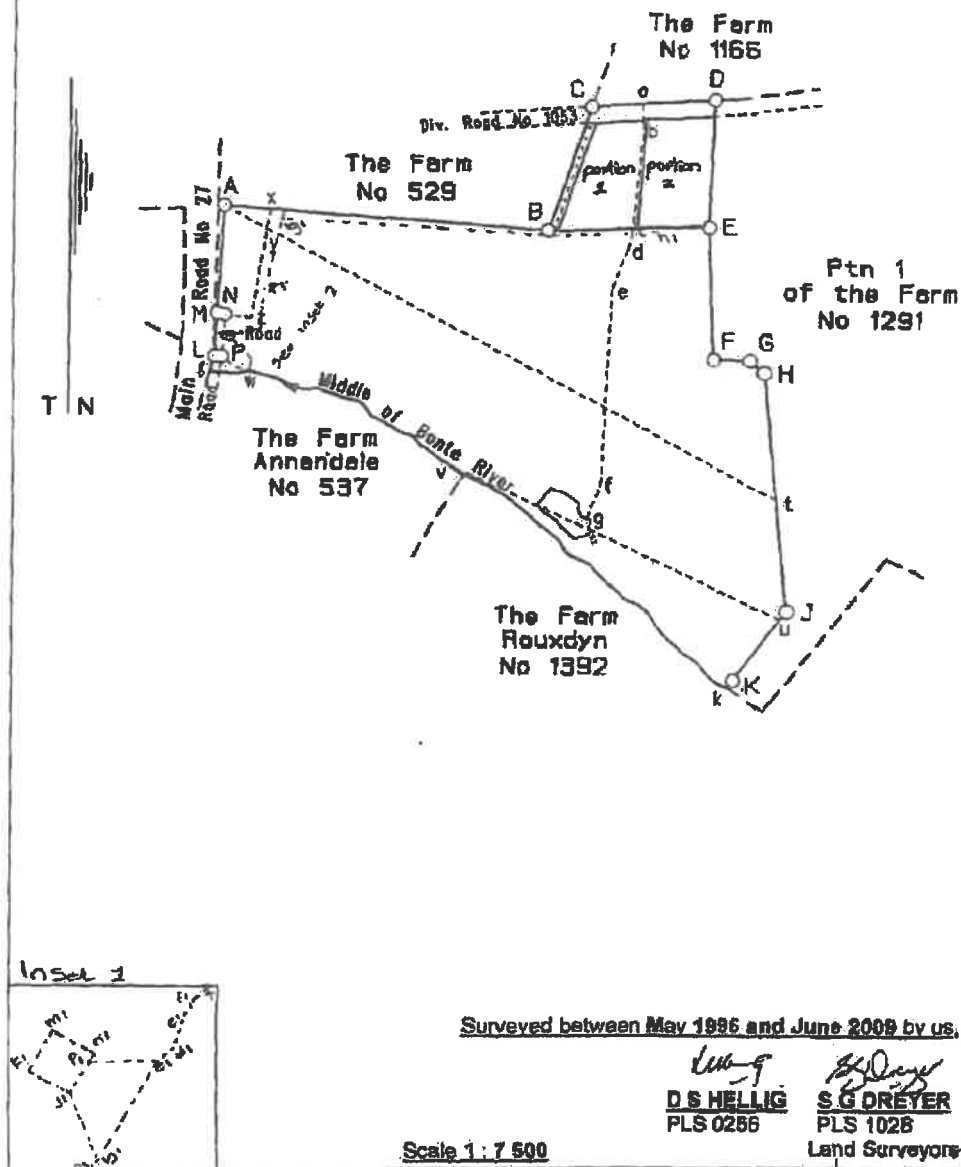
S.G. No

3401/2009

Approved

[Signature]
for Surveyor-General
2009.08.03

Sheet No 2 of
2 Sheets



Surveyed between May 1996 and June 2009 by us.

[Signature]
D.S. HELLIG
PLS 0256

[Signature]
S.G. DREYER
PLS 1028
Land Surveyors

Scale 1 : 7 500

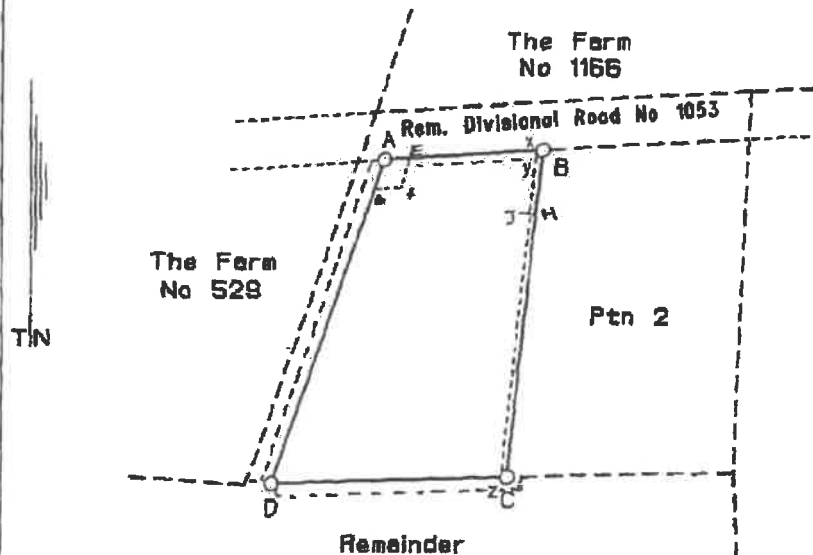
FOR ENDORSEMENTS
SEE BACK OF DIAGRAM

Farm 1537 Stellenbosch

SIDES Metres		ANGLES OF DIRECTION		CO-ORDINATES System WG 19			S.G. No 3402/2009
		Constant		Y	X		
				±	0,00	+3 700 000,00	
AB	83,79	266 17 20	A	+ 15 521,77	+ 62 755,53	Approved  for Surveyor-General 2009.08.03	
BC	138,42	5 41 20	B	+ 15 458,11	+ 62 751,40		
CD	96,25	88 21 30	C	+ 15 471,83	+ 62 889,15		
DA	144,01	198 44 30	D	+ 15 568,04	+ 62 891,80		
		9 Helderberg	Δ	+ 11 049,83	+ 67 146,93		
		65 Stel 7	Δ	+ 14 440,04	+ 62 808,62		

Beacon Description

A B C D 16 mm iron peg

**Servitude Note :**The line x y z represents the Eastern Boundary of a Servitude Water Pipeline 2m wide vide dgm no 8652/1989 D/S K831/1989^s

Scale 1: 2 500

The figure **ABCD**represents **1,0853 hectares**

of land being

Portion 1 of the Farm Audacia Estate No 1537situate in **the Municipality and**Administrative District of **Stellenbosch**

Province of the Western Cape

Surveyed between **May 1998 and June 2009**

by us,

[Signature]
D S HELLIG
PLS 0256*[Signature]*
S G DREYER
PLS 1028
Land Surveyors

This diagram is annexed to

The original diagram is

File No. **Stel 1537**No. **T 6999/2013**
dated
i.f.o.No. **3401/2009** annexed to
Transfer No.S.R. No. **1411/2009**
Comp.
BH - 8DCD (3785)

Registrar of Deeds

LPI 06870000FOR ENDORSEMENTS
SEE BACK OF DIAGRAM

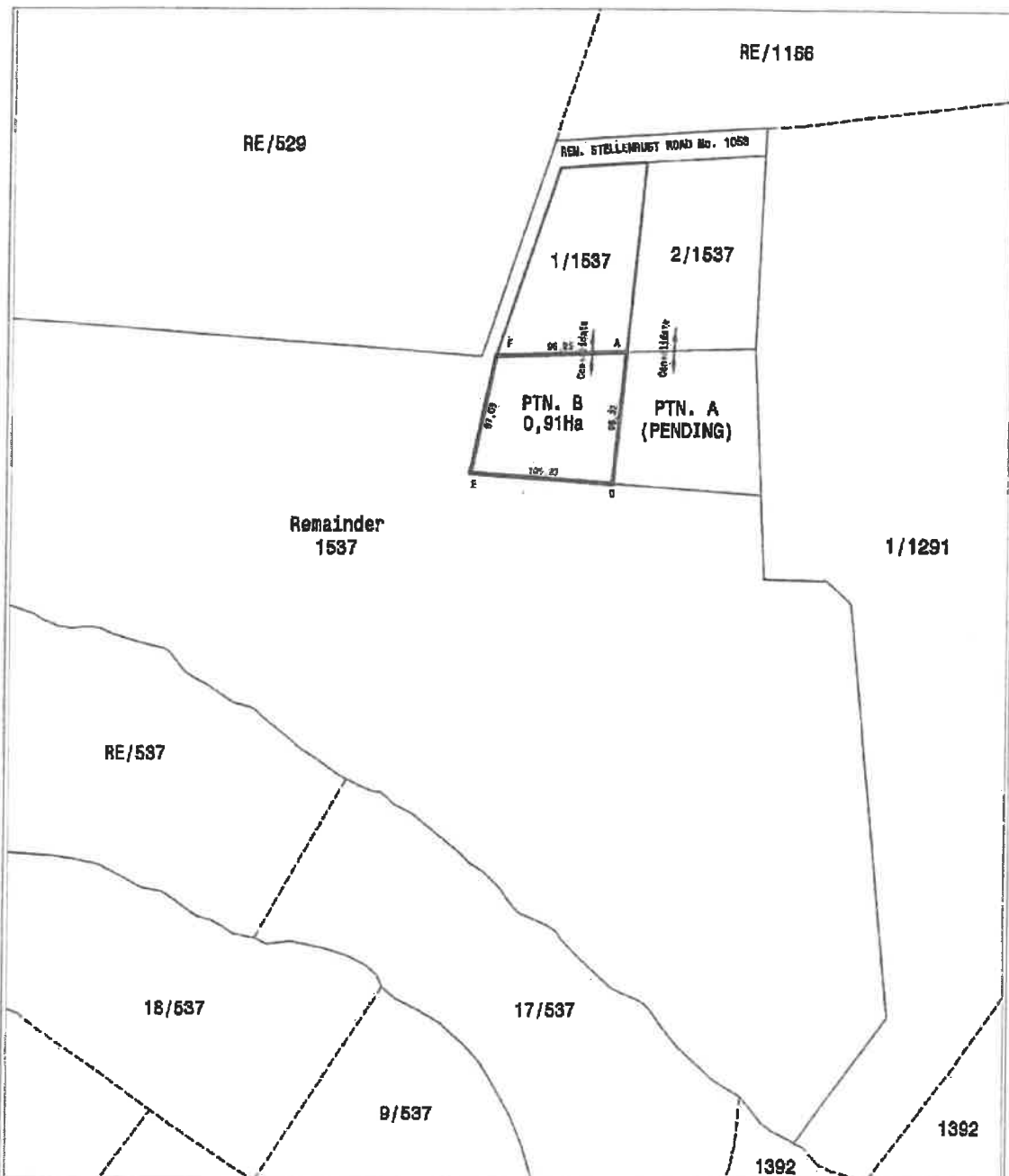
Farm 1537 Stellenbosch

S

APPROVED IN TERMS OF SECT. 25
OF ORD. 15/1985
REF. *Farm 1537 Stellenbosch*
DATE **2007-10-04**

APPROVED IN TERMS OF SECT. 4
OF ACT 70/1970
REF **41467**
DATE **2007-08-06**

THIS PORTION IS SUBJECT TO
CONDITIONS REFERRED TO IN
SECT. 11 (6) OF ACT 21/1940.



Notes:

1. The figure FADE represents Portion B measuring 0,91 hectares.
2. Portion B to be consolidated with Portion 1 of the Farm No. 1537

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 1:4000

Date: 3 July 2023

System: WG 19

**PROPOSED SUBDIVISION OF REMAINDER FARM
No. 1537, CONSOLIDATION OF PORTION B
WITH PORTION 1 OF FARM No. 1537,
STELLENBOSCH**

friedlaender, burger & volkmann

PROFESSIONAL LAND SURVEYORS REGIONAL TITLE CONSULTANTS MAPPING CONSULTANTS

Bedfordview, Gauteng, 1609, T +27 (0) 21 5588888, Fax: 21 5588888, Email: info@fblv.co.za, www.fblv.co.za
Stellenbosch, Western Cape, 7600, T +27 (0) 21 5588888, Fax: 21 5588888, Email: info@fblv.co.za, www.fblv.co.za

Ref: SA1537-2

Dwg: SUBD-REV6-MONO



WYNLAND

WATERGEBRUIKERSVERENIGING WATER USERS' ASSOCIATION

HELDERBERGGEWED / DISTRICT

Rek/Acc No: 1004
Audacia (Pty)Ltd
Posbus 12679
Die Boord
7613

Datum/Date: 31 October 2022

Ingelys/ Scheduled (ha)	10.00A -B -Nywer/Ind
Kwota/Quota:	40,000 m3 (1 ha = 4 000.00 m3)

Lyn/Line: H2.8	Afkap/Take-off point: 87
----------------	--------------------------

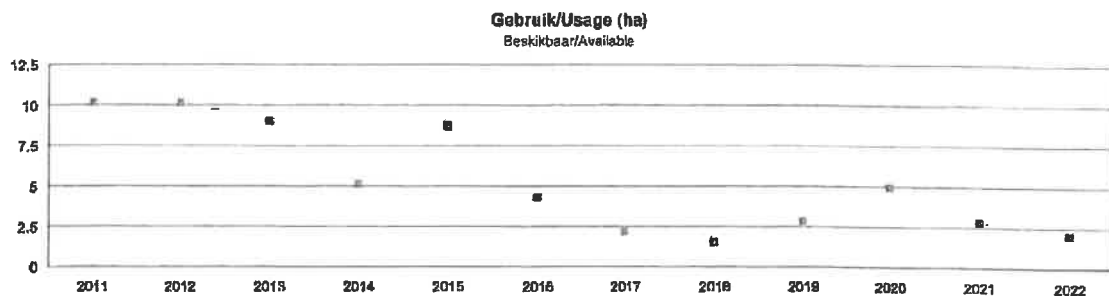
Meter Lesing/Reading:

Gebruik/Used: (m3)

Okt/Oct 2021 :	785,716	Apr 2022:	793,916	Sept 2022:	794,183	8,467
Okt/Oct 2020 :	774,129	Apr 2021:	785,541	Sept 2021:	785,716	11,587
Okt/Oct 2019 :	754,329	Apr 2020:	770,878	Sept 2020:	774,129	19,800
Okt/Oct 2018 :	743,008	Apr 2019:	751,791	Sept 2019:	754,329	11,321
Okt/Oct 2017 :	736,696	Apr 2018:	742,873	Sept 2018:	743,008	6,312
Okt/Oct 2016 :	727,987	Apr 2017:	734,486	Sept 2017:	736,696	8,709
Okt/Oct 2015 :	710,408	Apr 2016:	727,030	Sept 2016:	727,987	17,579
Okt/Oct 2014 :	675,353	Apr 2015:	705,268	Sept 2015:	710,408	35,055
Okt/Oct 2013 :	654,836	Apr 2014:	673,342	Sept 2014:	675,353	20,517
Okt/Oct 2012 :	629,348	Apr 2013:	651,779	Sept 2013:	654,836	25,488
Okt/Oct 2011 :	588,768	Apr 2012:	618,028	Sept 2012:	629,348	40,580
Okt/Oct 2010 :	547,971	Apr 2011:	577,513	Sept 2011:	588,768	40,797

PLEASE MONITOR YOUR WATER USE CLOSELY

U MOET ASB U WATERGEBRUIK NOUKEURIG MONITOR





STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

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

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

LAND USE PLANNING APPLICATION FORM

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

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

PART A: APPLICANT DETAILS

First name(s)	Emile				
Surname	Van der Merwe				
Company name (if applicable)	Emile van der Merwe Town Planning Consultants				
Postal Address	PO Box 204 Stellenbosch				Postal Code 7599
Email	emilevdm@adept.co.za				
Tel	0218865050	Fax	0218838965	Cell	0845566461

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

Registered owner(s)	Sold Attack Trading 18 (Pty) Ltd				
Physical address	77 Amatole Steet, Willow Park Manor Pretoria				Postal code 0001
E-mail	fin@coombe.co.za				
Tel	012-1110972	Fax	0862741560	Cell	

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

Erf / Erven / Farm No.	Farm 1537	Portion(s) if Farm	1	Allotment area	Stellenbosch	
Physical Address	Stellenrust Divisional Road, Stellenbosch					
Current Zoning	Agricultural Rural Zone	Extent	1.0853 ha	Are there existing buildings?	Y	N
Applicable Zoning Scheme	Stellenbosch Zoning Scheme By-Law					
Current Land Use	Agriculture					

Title Deed number and date	T	3095/2023							
Attached Conveyance's Certificate	Y	N							
Are the restrictive conditions in favour of a third party(ies)?	Y	N	If Yes, list the party(ies):						
Is the property encumbered by a bond?	Y	N	If Yes, list the bondholder(s):						
Is the property owned by Council?	Y	N	If Yes, kindly <u>attach a power of attorney</u> from the Manager Property Management						
Is the building located within the historical core?	Y	N	Is the building older than 60 years?	Y	N	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999)? ¹	Y	N	If Yes, kindly indicate which section are triggered and attached the relevant permit if applicable.
Any existing unauthorized buildings and/or land use on the subject property(ies)?			-	N	If yes, is this application to legalize the building / land use? ²			Y	N
Are there any pending court case(s) / order(s) relating to the subject property(ies)?			-	N	Are there any land claim(s) registered on the subject property(ies)?			Y	N
PART D: PRE-APPLICATION CONSULTATION AND OR SCRUTINY									
Has there been any pre-application consultation?			Y	N	If Yes, please attach the minutes of the pre-application consultation.				
Has the pre-application scrutiny form been submitted?			Y	N	If yes, please attach the written feedback received.				
* The submission of a pre-application scrutiny form is compulsory for this type of application as listed below and written feedback must be attached to the land use planning application.									
PART E: LAND USE PLANNING APPLICATIONS AND APPLICATION FEES PAYABLE									
APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)									
Type of application: <i>Cost are obtainable from the Council Approved tariffs</i>									Tick
15(2)(a) rezoning of land*									
15(2)(b) a permanent departure from the development parameters of the zoning scheme									
15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land									
15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement*									x
15(2)(e) a consolidation of land that is not exempted in terms of section 24*									x
15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit*									
15(2)(g) a permission required in terms of the zoning scheme									
15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval*									

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

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

15(2)(i)	an extension of the validity period of an approval		
15(2)(j)	an approval of an overlay zone as contemplated in the zoning scheme		
15(2)(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram*		
15(2)(l)	a permission required in terms of a condition of approval		
15(2)(m)	a determination of a zoning*		
15(2)(n)	a closure of a public place or part thereof		
15(2)(o)	a consent use contemplated in the zoning scheme		
15(2)(p)	an occasional use of land		
15(2)(q)	to disestablish a home owner's association		
15(2)(r)	to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services		
15(2)(s)	a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building		
15(2)(6)	when the Municipality on its own initiative intends to conduct land development or an activity		
15(2)(l)	amendment of Site Development Plan		
15(2)(l)	Compilation / Establishment of a Home Owners Association Constitution / Design Guidelines		
OTHER APPLICATIONS			
	Deviation from Council Policies/By-laws	R	
	Consent / Permission required in terms of a title deed	R	
	Technical approval in terms of the Zoning Scheme Bylaw, 2019	R	
x	Other (specify): Permission in terms of title deed condition (Act 21 of 1940)	R	
TOTAL A:			
PRESCRIBED NOTICE AND FEES*** (for completion and use by official)			
Tick	Notification of application in media	Type of application	Cost
	SERVING OF NOTICES	Delivering by hand; registered post; electronic communication methods	R
	PUBLICATION OF NOTICES	Local Newspaper(s); Provincial Gazette; 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	Provincial Gazette	R
	INTEGRATED PROCEDURES	T.B.C	R
TOTAL B:			R
TOTAL APPLICATION FEES**			
(TOTAL A + B)			
<p>**The complete application should first be submitted without the payment of any applicable application fees. Only when satisfied that a complete and accurate application has been submitted, will a proforma invoice be submitted to the applicant with payment instructions. Application fees that are paid to the Municipality are non-refundable and once proof of payment is received, the application will be regarded as duly submitted.</p> <p>***All indigent residents who are registered as such with the Municipality and <u>with proof submitted together</u> with application will be exempted from applicable fees for Permanent Departure applications including but not limited to building lines, coverage, height, bulk, parking. Contact: indigent.office@ Stellenbosch.gov.za or 021 808 8501 or 021 808 8579</p> <p>**** 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.</p>			
BANKING DETAILS			
Account Holder Name:		Stellenbosch Municipality	
Bank:		FIRST NATIONAL BANK (FNB)	

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

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

DETAILS FOR INVOICE

Name & Surname/Company name (details of party responsible for payment)	EVDM Town Planning Services
Postal Address	PO Box 204 Stellenbosch, 7599
Vat Number (where applicable)	4740239944

PART F: DETAILS OF PROPOSAL

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

Brief description of proposed development / Intent of application:

SEE MOTIVATION DOCUMENT

PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION									
Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete.									
Information and documentation required									
Y	N	Power of attorney / Owner's consent if applicant is not owner			Y	N	Bondholder's consent (if applicable)		
Y	N	Resolution or other proof that applicant is authorised to act on behalf of a juristic person			Y	N	Proof of any other relevant right held in the land concerned		
Y	N	Written motivation pertaining to the need and desirability of the proposal			Y	N	S.G. diagram / General plan extract (A4 or A3 only)		
Y	N	Locality plan (A4 or A3 only) to scale			Y	N	Site development plan or conceptual layout plan (A4 or A3 only) to scale		
Y	N	Proposed subdivision plan (A4 or A3 only) to scale			Y	N	Proof of agreement or permission for required servitude		
Y	N	Proof of payment of application fees			Y	N	Proof of registered ownership (Full copy of the title deed)		
Y	N	Conveyancer's certificate			Y	N	Written feedback of pre-application scrutiny and Minutes of pre-application consultation meeting (if applicable)		
Y	N	N/A	Consolidation plan (A4 or A3 only) to scale		Y	N	N/A	Land use plan / Zoning plan (A4 or A3 only) to scale	
Y	N	N/A	Street name and numbering plan (A4 or A3 only) to scale		Y	N	N/A	1 : 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale	
Y	N	N/A	Landscaping / Tree plan (A4 or A3 only) to scale		Y	N	N/A	Home Owners' Association consent	
Y	N	N/A	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD)		Y	N	N/A	Services Report or indication of all municipal services / registered servitudes	
Y	N	N/A	Copy of original approval and conditions of approval		Y	N	N/A	Proof of failure of Home owner's association	
Y	N	N/A	Proof of lawful use right		Y	N	N/A	Any additional documents or information required as listed in	

								the pre-application consultation form / minutes
Y	N	N/A	Required number of documentation copies		Y	N	N/A	Other (specify)
PART H: AUTHORISATION(S) SUBJECT TO OR BEING CONSIDERED IN TERMS OF OTHER LEGISLATION								
Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.			Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989))			
					Y	N/A	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)	
Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)			Y	N/A	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)	
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)			Y	N/A	National Water Act, 1998 (Act 36 of 1998)	
Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations			Y	N/A	Other (specify)	
Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)						
Y	N	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, please attach motivation.						
SECTION I: DECLARATION								
I hereby wish to confirm the following :								
1. That the information contained in this application form and accompanying documentation is complete and correct.								
2. I'm aware that it is an offense in terms of section 86(1)(e) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.								
3. I am properly authorized to make this application on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto.								
4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.								
5. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.								
6. I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.								
7. It is the owner's responsibility to ensure that approval is not sought for a building or land use which will be in conflict with any applicable law.								
8. The Municipality assesses an application on the information submitted and declarations made by the owner or on his behalf on the basis that it accepts the information so submitted and declarations so made to be correct, true and accurate.								
9. Approval granted by the Municipality on information or declarations that are incorrect, false or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.								

10. The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false or misleading information or declarations being set aside.
11. Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or declarations made as to his or her qualification as a Competent person and/or registration as a professional.
12. A person who provides any information or certificate required in terms of Regulation A19 of the National Building Regulations and Building Standards Act No 103 of 1977 which he or she knows to be incomplete or false shall be guilty of an offence and shall be prosecuted accordingly.
13. A person who supplies particulars, information or answers in a land use application in terms of the Stellenbosch Municipality Land Use Planning By-law knowing it to be incorrect, false or misleading or not believing them to be correct shall be guilty of an offence and shall be prosecuted accordingly.
14. The Municipality will refer a complaint to the professional council or similar body with whom a Competent Person/professional person is registered in the event that it has reason to believe that information submitted or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.
15. I am aware that by lodging an application, the information in the application and obtained during the process may be made available to the public.

Applicant's signature: _____

Date: 2023/08/11

Full name: _____

Emile van der Merwe

Professional capacity: _____

Pr. Planner

FOR OFFICE USE ONLY

Date received: _____

Received By: _____

