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

Affected person's Name
Affected persons Physical Address

Affected person's Title:

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2023, refers:

Application Property Address	Eikendal Wine Estate, R44, Stellenbosch
Application Property Number	Farms 1585 and 1586 Stellenbosch
Applicant	Emile van der Merwe Town Planning Consultants
Owner	Eikendal Vineyards Pty Ltd
Application Reference	LU/17359 (TP822/2024)
Application Type	Subdivision and Consolidation

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 a portion (Portion A measuring ± 15,6 ha in extent) from Farm 1585 Stellenbosch Division leaving a remainder of ± 34.9ha
- Application in terms of Section 15 (2) (e) of the Stellenbosch Municipality Land Use Planning By- Law, 2023 for the simultaneous consolidation of the subdivided portion (Portion A) with Farm 1586 measuring ± 50.3 ha (upon consolidation).

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

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

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

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

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of 21 October 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 AAN GEÏTRESEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR.

Naam van geaffekteerde persoon

Fisiese adres van geaffekteerde persoon

Titel van geaffekteerde persoon:

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning, 2023, verwys:

Adres van aansoek eiendom	Eikendal Wynlandgoed, R44 Stellenbosch
Aansoek eiendom beskrywing	Plase 1585 & 1586 Stellenbosch
Aansoeker	Emile van der Merwe Stadsbeplanningskonsultante
Eienaar	Eikendal Vineyards (Pty) Ltd
Aansoek Verwysing	LU/17359 (TP822/2024)
Tipe Aansoek	Onderverdeling en Konsolidasie

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 'n gedeelte (Gedeelte A ongeveer 15.6 ha groot) vanaf Plaas 1585 Afdeling Stellenbosch met 'n Restant ± 34,9 ha groot.
- Aansoek in terme van Artikel 15 (2) (e) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning, 2023 vir die gelyktydige konsolidasie van onderverdeelde gedeelte A met Plaas 1586 (± 50.3 ha groot met konsolidasie)

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydsduur van die publieke deelname proses by die volgende adres: https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements. Indien die webtuiste of tersaaklike dokumente nie toeganglik 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 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 vertoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing ingedien word en moet ontvang word voor of op die sluitingsdatum van 21 Oktober 2024.

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by (0845566461/ 886 5050) gedurende normale kantoor ure.

Die uwe

EMILE VAN DER MERWE
EMILE VAN DER MERWE STADSBEPLANNINGS KONSULTANTE

EMILE VAN DER MERWE
town planning consultants

2024-07-18

My ref: Farm 1586 Stellenbosch

Stellenbosch Municipality

Department Planning and Development

PO Box 17

STELLENBOSCH

7599

Dear Sir/Madam

APPLICATION FOR SUBDIVISION AND CONSOLIDATION: FARM 1585 AND FARM 1586, EIKENDAL VINEYARDS, STELLENBOSCH

Include hereby please find the required application for the following:

1. *Application in terms of Section 15 (2) (d) of the Land Use Planning By-Law (2023) for the subdivision of a portion (Portion A measuring ± 15,6 ha in extent) from Farm 1585 Stellenbosch Division leaving a Remainder of ± 34,9 ha.*
2. *Application in terms of Section 15 (2) (e) of the Land Use Planning By-Law (2023) for the simultaneous consolidation of the subdivided portion (Portion A) with Farm 1586 measuring 50,3 ha (upon consolidation).*

Note: Application has been made to the National Department of Agriculture in terms of the Subdivision of Agricultural Land Act, 1970

This office kindly awaits your written feedback in respect of the above application.

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

1. BRIEF

Emile van der Merwe Town Planning Consultants have been appointed by the registered owner of Farm 1585 and Farm 1586 Stellenbosch, to prepare and submit the required town planning application to the Stellenbosch Municipality for the following:

1. *Application in terms of Section 15 (2) (d) of the Land Use Planning By-Law (2023) for the subdivision of a portion (Portion A measuring ± 15,6 ha in extent) from Farm 1585 Stellenbosch Division leaving a Remainder of ± 34,9 ha.*
2. *Application in terms of Section 15 (2) (e) of the Land Use Planning By-Law (2023) for the simultaneous consolidation of the subdivided portion (Portion A) with Farm 1586 measuring 50,3 ha (upon consolidation).*

The following report will endeavour to show that the proposal is desirable from an integrated planning point of view and that it is line with the planning policies of National- and Provincial Government as well as the planning directives endorsed in terms of the Stellenbosch Municipal Integrated Development Plan and the Stellenbosch Spatial Development Framework. The report further will show that the proposal is compatible with the surrounding land use character of the area.

2. LOCATION AND ACCESS – LOCATION PLAN ATTACHED AS APPENDIX 1

The application properties are located approximately 10km to the south of Stellenbosch Town and approximately 2km to the north of Somerset-West. The proposal will have no impact on the existing access conditions to the farm. Access to both portion is obtained from the Eikendal Divisional Road.

3. OWNERSHIP AND SIZE

The properties are owned by Eikendal Vineyards (Pty) Ltd and Heins Trust as held by Deed of Transfers T 52138/1996 and T52139/2016, respectively. Copies of the Title Deeds are attached as **Appendix 2.** The Resolution and Power of Attorney are attached as **Appendix 3 and 4.**

Property extent: Farm 1585 - 50,4918 ha
Farm 1586 - 34,7093 ha

The Surveyor Diagrams are attached as **Appendix 5.**

4. STELLENBOSCH ZONING SCHEME BY-LAW (2023)

The Stellenbosch Municipality Zoning Scheme By-Law, adopted by Council on 29 May 2019 has come into effect from 1 November 2019 (Amended November 2023). The application properties in terms of Chapter 20 of the afore-mentioned By-Law are zoned "Agricultural Rural Zone". The purpose of the zone is (see below) is make provision for the following:

200. Purpose of the zone

(1) The purpose of this zone is to make provision for:

(a) the protection and preservation of agricultural land, rural landscapes, and biodiversity.

(b) use of land for purposes of bona fide agricultural production or conservation.

(c) buildings and structures which may be erected for reasonable and normal agricultural purposes.

(d) a limited range of other ancillary uses which may take place on agricultural land units, either as additional rights or with the consent of the Municipality and which provides for more intensive agricultural use, agricultural industry or tourism which has the objective of creating variety, ensuring sustainability, and providing diversified income to landowners, without adversely impacting on the primary use of the land unit for agricultural purposes.

The base zone makes provision for the following land uses as per the table below;

Primary Uses	Additional Uses (not exceeding threshold in this chapter and subject to technical approval)	Consent Uses (Application required)
• Agricultural building (≤2000m²) • Agriculture • Dwelling house • Forestry • Natural environment • Occasional use (one event/year) • Private road • Polytunnel (≤2000m²) • Second dwelling • Employee housing (one unit)	• Agricultural building (>2000m²) • Agricultural industry (<2000m²) • Bed and breakfast establishment • Employee housing (exceeding one unit) • Guest house • Home day care centre • Home occupation practice • Polytunnel (≥2001m² and ≤5000m²) • Rooftop base telecommunication station • Tourist dwelling units • Tourist facility (existing buildings)	• Abattoir • Additional dwelling units (max 4) • Airfield • Airstrip • Agricultural industry (≥2000m²) • Camping site • Day care centre • Freestanding base telecommunication station • Helicopter landing pad • Intensive feed farming • Kennel • Market • Occasional use (> one event/year) • Plant nursery • Polytunnel (>5000m²) • Renewable energy structure • Service trade • Tourist accommodation establishment • Tourist facility (new buildings or exceeding threshold) • Any additional use exceeding the threshold set out in this chapter

The properties are being utilised in accordance with the zoning and are extensively farmed as viable economic farming entities.

5. SUBDIVISION AND CONSOLODATION – PLAN ATTACHED AS APPENDIX 6

Both properties are economically viable productive agricultural farming units and is farmed in a sustainable manner. The proposed subdivision and consolidation from a sustainable resource management perspective will not have a detrimental and/or negative impact on the

continued use and farming operations of the land units and it will remain viable productive agricultural farming entities. The agricultural activities as a result of the subdivision and consolidation will comprise the following:

Farm 1585

- Bona-fide agricultural buildings, wine cellar, wine tasting, guest house and restaurant
- Agriculture (±23 ha vineyards) sufficient for production capacity of wine cellar

Farm 1586

- Bona-fide agricultural buildings (farm dwelling, farm sheds, and labourers' cottages)
- Agriculture (±40 ha vineyards).

Current farming operations	**Subdivision and consolidation**
Farm 1585 – 50,4918 ha	Farm 1585 – ±34,9 ha
Farm 1586 – 34,7093 ha	Farm 1586 – ±50,3 ha

From the above it is clear that the proposal will not have any detrimental impact on the sustainable use of the properties for farming purposes.

The proposed consolidation of the said portion makes practical sense and will improve the farming operations given the fact that properties are physically separated by means of the Eikendal Divisional Road. The proposal will formalize the existing boundary arrangements and practical situation on site.

The proposal will not lead to the fragmentation of agricultural land and no new land units will be created as result of the subdivision and consolidation. The proposal will formalize and improve the functionality given the Eikendal Road that transverses the properties.

The proposed subdivision and consolidation from a sustainable resource management perspective will not have a detrimental and/or negative impact on the continued use and farming operations of the land units and it will remain viable productive agricultural farming entities.

The proposal will not lead to re-allocation and division of any allocated water rights. Sufficient water is available from the 3 dams (115 000m³) on the land units for the sustainable use of the agricultural activities. The said properties are further Scheduled with the Wynland Water Users Association for irrigation purposes as follows:

- Farm 1585 – 5 ha A
- Farm 1586 – 5 ha A

One scheduled hectare of irrigation water means a maximum of 4000m³ per year and is delivered at 2m³/ha listing.

Application has been made to the National Department of Agriculture, Land Reform and Rural Development to obtain the required consent in terms of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970).

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 of 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. Desirability In terms of Section 49 (d) of the Western Cape Land Use Planning Act (2014) is defined as the degree of acceptability of a specific proposal on a property within and existing natural or built environment. An important factor when assessing such a proposal is the extent to which the proposal complies with the overarching national, provincial and local planning guidelines and spatial frameworks. With reference to the development proposal your attentions in this regard is drawn to the following

LUPA

Desirability In terms of Section 49 (d) of the Western Cape Land Use Planning Act (2014) is defined as the degree of acceptability of a specific proposal on a property within and existing natural or built environment. An important factor when assessing such a proposal is the extent to which the proposal complies with the applicable provincial and local planning guidelines and spatial frameworks. With reference to the development proposal your attention in this regard is drawn to the following:

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 property is located outside the urban to which the following principles apply:

- Land outside the urban edge should be used for agricultural production, biodiversity, conservation, scenic quality and agri-tourism;
- Intensification of agriculture, biodiversity, conservation and agri-tourism should be promoted in farming areas outside of urban settlements
- Tourism facilities preferably should make use of existing buildings or new buildings on disturbed footprints and these should take the natural and heritage significance of the site into account.

The proposal is consistent will the planning principles put forward in the Stellenbosch Spatial Development Framework

6.3 Western Cape Land Use Planning Guidelines (Rural Areas) 2019: Western Cape Government

OBJECTIVES OF THE RURAL AREAS GUIDELINE

Forming part of the roll-out of the PSDF, the objectives of the Rural Areas Guideline are to:

- Promote sustainable development in appropriate rural locations throughout the Western Cape, and ensure the inclusive growth of the rural economy.
- Safeguard priority biodiversity areas and the functionality of the Province's life supporting ecological infrastructure and ecosystem services (i.e.environmental goods and services).
- Maintain the integrity, authenticity and accessibility of the Western Cape's significant farming, ecological, coastal, cultural and scenic rural landscapes, and natural resources.
- Assist Western Cape municipalities to plan and manage their rural areas more effectively, and to inform the principles of their zoning schemes and spatial development frameworks in a pro-active manner.
- Provide clarity to all role players and partners (public and private) on the type of development that is appropriate beyond the current built-up areas, suitable locations where it could take place, and the desirable form and scale of such development.
- Be viewed as a gender mainstreaming tool which will move the Western Cape further along the trajectory towards the achievement of equality, particularly the youth and gender equality imperatives in rural land use planning

Rural Guidelines with reference to the Agriculture Spatial Planning Category (SPC)

The purpose of the Agriculture SPC is to:

- Consolidate and protect existing and potential agricultural landscapes.
- Facilitate sustainable agricultural development, land and agrarian reform, and food security.
- Stabilise and manage ecosystems to restore ecological functionality.

The objectives associated with the Agricultural SPC (Chapter 8 of the Guidelines) are:

- Protect agriculture as the primary land use in the rural landscape.
- Restrict the fragmentation of agricultural landscapes and promote consolidation, except small-scale farming enterprises for land reform purpose.
- Protect, maintain and enhance viable agricultural units and encourage sustainable farming practices.
- Provide for small-scale farming and facilitate land, and agrarian, reform.
- Improve the economic viability of farms through the intensification and diversification of agricultural production and improve enterprise opportunities within the food system.
- Improved food resource management (availability of food/food security) and an inclusive food economy (assistance to access to food).

In addition to the above and with reference to proposed land uses the following should be noted:

- The proposal will not have a significant negative impact on biodiversity, ecological system services or the coastal environment;

- The proposal will not lead to the loss or alienation of agricultural land or has a cumulative impact there upon;
- It will not compromise existing or potential farming activities and compromise the current and future possible use of mineral resources;
- It is not inconsistent with the cultural and scenic landscape within which it is situated;
- It will not lead to inefficient service delivery or unjustifiable extensions to the municipality's reticulation networks;
- It will not impact on the municipality delivering on their mandate; and
- It will not infringe on the authenticity of the rural landscape.

7. SERVICES

The proposal will not have any impact on municipal services.

8. CONCLUSION

The proposed subdivision and consolidation of the said portion (Portion A) with Farm 1586 is considered desirable from an agricultural resources and land use management 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 the 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 the sustainable use of resources and it will not lead to the establishment of non-viable agricultural farming units
- The proposal is consistent with the planning principles advocated on Provincial and Municipal Planning Level with reference to the Spatial Development Frameworks and Rural Area Guidelines
- The proposal will not impact on the service level capacity of the municipality

In light of the above report and supporting documentation it is trusted that the Stellenbosch Municipality favourably will consider the application on Farm 1585 and Farm 1586, Stellenbosch Division.

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Farms 1585 and 1586 Location Map

Date created: 2024/07/18

0.0 2.0 4.0 6.0 8.0 10 km

Western Cape Government FOR YOU

CLUVER MARKOTTER
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Prepared by me

CONVEYANCER
LIZE PECORARO

Fee endorsement		
	Amount	Office fee
Purchase price/Value	R.....	R 210.00
Mortgage capital amount	R.....	R.....
Reason for exemption	Cat.....	Exempt i.t.o section.....Act.....

T00052139 / 2016

CERTIFICATE OF CONSOLIDATED TITLE

IN TERMS OF SECTION 40(3) OF ACT 47 OF 1937

DATA / CAPTURE
08 SEP 2016
OLIVIER YOLANDI

WHEREAS

NICOLAAS JOHANNES GROBLER duly authorised hereto by a resolution of the directors of

EIKENDAL VINEYARDS PROPRIETARY LIMITED
Registration Number: 1960/002075/07

DATA / VERIFY
21 SEP 2016
BARLOW MARLYN

has applied for the issue to EIKENDAL VINEYARDS PROPRIETARY LIMITED, Registration Number 1960/002075/07, of a Certificate of Consolidated Title under the provisions of Section 40(3) of the Deeds Registries Act 47 of 1937;

AND WHEREAS

EIKENDAL VINEYARDS PROPRIETARY LIMITED
Registration Number: 1960/002075/07

is the registered owner of:

1. Remainder Farm Number 1001 in the Municipality and Division of STELLENBOSCH, Province of the WESTERN CAPE

   HELD by Deed of Transfer Number T 29325/1967

AND

2. Portion 1 of the Farm Number 1002 in the Municipality and Division of STELLENBOSCH, Province of the WESTERN CAPE

   HELD by Certificate of Registered Title Number C0005213 6 / 2016 /2016

which pieces of land 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

EIKENDAL VINEYARDS PROPRIETARY LIMITED
Registration Number: 1960/002075/07

its Administrators or Assigns, is the registered owner of

FARM NUMBER 1586 in the Municipality and Division of STELLENBOSCH, Province of the WESTERN CAPE

MEASURING: 34,7093 (Three Four Comma Seven Zero Nine Three) Hectares

AS WILL more fully appear from Diagram S.G. No 685/2016

I. **WITH REGARD to the figure KLrsDEFGHJ on the hereto annexed Diagram S.G. No 685/2016:**

A. **SUBJECT** to the conditions referred to in Deed of Transfer Number 787 dated 6th February 1918.

B. **SUBJECT FURTHER** to the terms of the endorsement dated 10th February 1966 on Certificate of Consolidated Title No. 14882/1961 which endorsement reads as follows:-

"'n Gedeelte van die eiendom hierin vermeld ±0.31 morg groot is ontein deur die Afdelingsraad van Stellenbosch kragtens Artikel 130 van Ordonnansie Nr. 15 van 1952 soos gewysig. Vide Onteiningskennisgewing Nommer H/9/3 d.d 3-2-1966 geliasseer as onteinings caveat 108/1966 planne in tweevoud geliasseer hiermee."

II. **WITH REGARDS to the figure ABCDsrMN on the hereto annexed Diagram S.G. No 685/2016**

A. **SUBJECT** to the conditions referred to in Deed of Transfer Number 789 dated 6th February 1918

B. **SUBJECT** to the Endorsement on page 4 of Certificate of Consolidated Title Number T14884/1961, which reads as follows:-

"Expropriated by The Department of Transport and Public Works (WCP) of a Portion of the within-mentioned property meas. approximately 1,2359 ha. Vide Notice of Expropriation No. 139/2011 dated 11 April 2012."

And that by virtue of these presents the said

EIKENDAL VINEYARDS PROPRIETARY LIMITED
Registration Number: 1960/002075/07

its 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 Deed at CAPE TOWN on this 29th day of August 2016.

REGISTRAR OF DEEDS

CLUVER MARKOTTER

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Fee endorsement		
	Amount	Office fee
Purchase price/Value	R.....	R.....
Mortgage capital Amount	R.....	R.....
Reason for exemption	Cat.....	Exempt i.t.o section.....Act.....

Prepared by me

CONVEYANCER
LIZE PECORARO

DATA / CAPTURE
0 8 SEP 2016
OLIVIER YOLANDI

T 000052138 / 2016

CERTIFICATE OF CONSOLIDATED TITLE

IN TERMS OF SECTION 40(3) OF ACT 47 OF 1937

DATA / VERIFY
2 1 SEP 2016
BARLOW MARLYN

WHEREAS

NICOLAAS JOHANNES GROBLER duly authorised hereto by a resolution of the directors of

EIKENDAL VINEYARDS PROPRIETARY LIMITED

Registration Number: 1960/002075/07

has applied for the issue to EIKENDAL VINEYARDS PROPRIETARY LIMITED, Registration Number 1960/002075/07, of a Certificate of Consolidated Title under the provisions of Section 40(3) of the Deeds Registries Act 47 of 1937;

AND WHEREAS

EIKENDAL VINEYARDS PROPRIETARY LIMITED
Registration Number: 1960/002075/07

is the registered owner of:

1. Remainder Farm Number 1002 in the Municipality and Division of STELLENBOSCH, Province of the WESTERN CAPE

   HELD by Certificate of Consolidated Title Number T 14884/1961

AND

2. Portion 3 of the Farm Number 1001 in the Municipality and Division of STELLENBOSCH, Province of the WESTERN CAPE

   HELD by Certificate of Registered Title Number T 000052137 / 2016 /2016

which pieces of land 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

EIKENDAL VINEYARDS PROPRIETARY LIMITED
Registration Number: 1960/002075/07

its Administrators or Assigns, is the registered owner of

FARM NUMBER 1585 in the Municipality and Division of STELLENBOSCH, Province of the WESTERN CAPE

MEASURING: 50,4918 (Five Zero Comma Four Nine One Eight) Hectares

AS WILL more fully appear from Diagram S.G. No 684/2016

I. **WITH REGARD to the figure ABCDtMQNP on the hereto annexed Diagram S.G. No 684/2016:**

A. **SUBJECT** to the conditions referred to in Deed of Transfer Number 787 dated 6th February, 1918.

B. **SUBJECT** to the Endorsement on page 4 of Certificate of Consolidated Title Number T14884/1961, which reads as follows:-

"ENDORSEMENT in terms of Section 31(6) of Act 47 of 1937 as amended. A Portion of the within-mentioned property meas. ± 1,2359 ha has been expropriated by The Department of Transport and Public Works (WCP) in terms of Sect. 130 of Ord. 15 of 1952. Vide Notice of Expropriation No. 139/2011 dated 11 April 2012."

C. **SUBJECT** to the Endorsement on page 1 of Certificate of Consolidated Title Number T14884/1961, which reads as follows:-

"ENDORSEMENT in terms of Section 31(6) of Act 47 of 1937 as amended. A Portion of the herein-mentioned property meas. ± 0.31 Morgen has been expropriated by The Divisional Council of Stellenbosch in terms of Section 130 of Ordinance 12 of 1952 as amended. Vide Notice of expropriation No. H/9 dated 3.2.1966 filed as exprop. caveat 109/1966. Plans in duplicate filed herewith.

II. **WITH REGARD to the figure MtsL on the hereto annexed Diagram S.G. No 684/2016:**

A. **SUBJECT** to the conditions referred to in Deed of Transfer Number 789 dated 6th February, 1918.

B. **SUBJECT** to the Endorsement on page 4 of Certificate of Consolidated Title Number T14884/1961, which reads as follows:-

"ENDORSEMENT in terms of Section 31(6) of Act 47 of 1937 as amended. A Portion of the within-mentioned property meas. ± 1,2359 ha has been expropriated by The Department of Transport and Public Works (WCP) in terms of Sect. 130 of Ord. 15 of 1952. Vide Notice of Expropriation No. 139/2011 dated 11 April 2012."

III. **WITH REGARD to the figure KsEFGHJ on the hereto annexed Diagram S.G. No 684/2016:**

A. **SUBJECT** to the conditions referred to in Deed of Transfer Number 787 dated 6th February 1918.

And that by virtue of these presents the said

EIKENDAL VINEYARDS PROPRIETARY LIMITED
Registration Number: 1960/002075/07

its 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 Deed at CAPE TOWN on this 29th day of August 2016.

REGISTRAR OF DEEDS

RESOLUTION

PASSED AT THE MEETING OF EIKENDAL VINEYARDS (PTY) LTD
(REG NO 1960/002075/07

HELD AT STELLENBOSCH

ON 12 JULY 2024

Chris Saager in his capacity as Director is hereby authorized to sign all documentation which may be necessary for the application for subdivision and consolidation in terms of Section 15 (2) of the Stellenbosch Municipal Land Use Planning By-Law (2013) applicable to Farms 1585 and 1586 Division Stellenbosch.

DIRECOR

POWER OF ATTORNEY

Eikendal Vineyards (Pty) Ltd the registered owner of Farm 1585 and 1586 Stellenbosch as held by Deed of Transfer T 52139/2016 and T52138/2016

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 SUBDIVSION AND CONSOLIDATION IN TERMS OF SECTION 15 (2) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2023)**
- ☐ **APPLICATION FOR SUBDIVSION IN TERMS OF THE SUBDIVISION OF AGRICULTURAL LAND ACT, 1970**

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 12 H DAY OF JULY 2024

DULY AUTHORISED

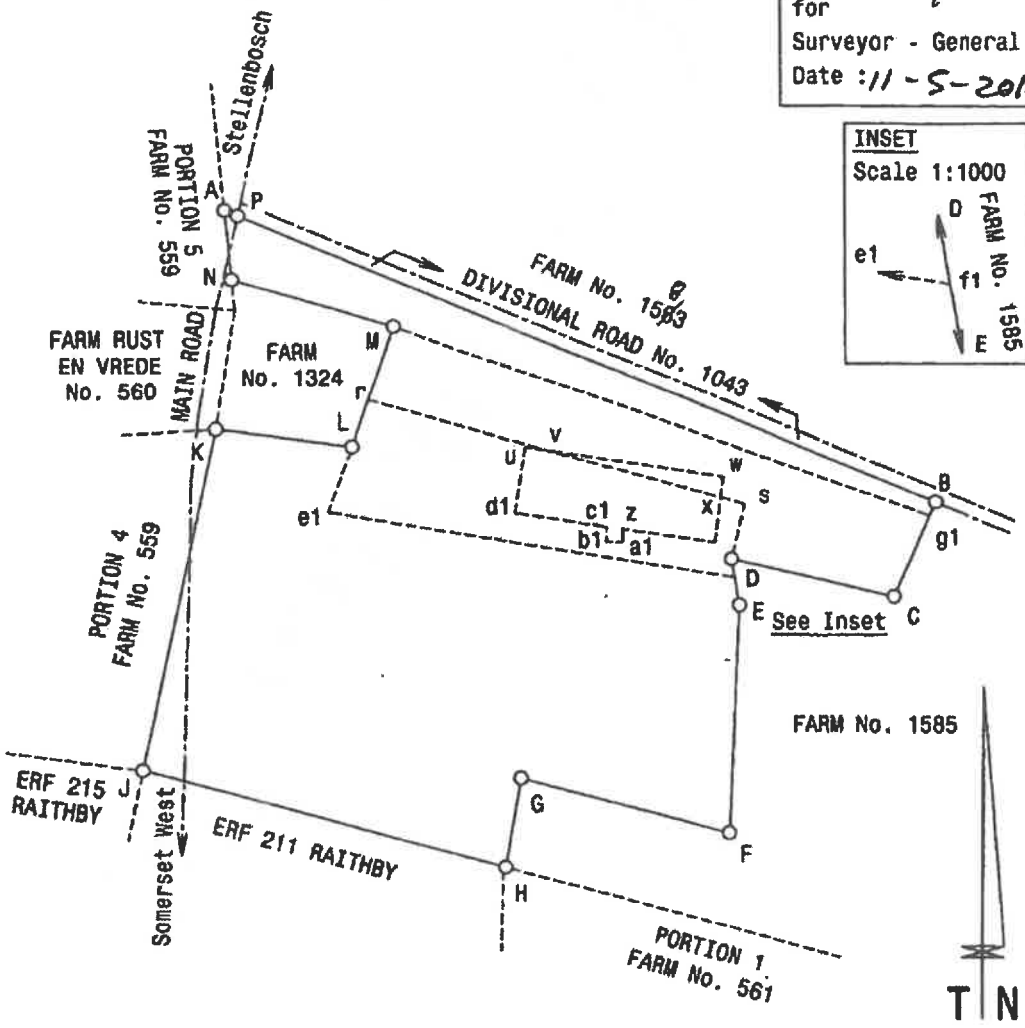
CERTIFIED COPY FOR REGISTRATION
FOR SURVEYOR-GENERAL
DATE 12 MAY 2016

Friedlaender, Burger & Volkmann - Land Surveyors

Components:

1. The figure KLrsDEFGHJ represents Remainder Farm No. 1001, vide Diagram No. 3101/1961, C.C.T. 1961- -14882
2. The figure ABCDsrMN represents Portion 1 of the Farm No. 1002, vide Diagram No. 2363/2013, D/T

S.G. No.
685/2016
Approved.
for
Surveyor - General
Date :11-5-2016



SCALE 1 : 7500

The figure ABCDEFGHJKLMN
represents 34,7093 hectares of land, being

FARM No. 1586 STELLENBOSCH and comprises 1. and 2. as above

Situate in the Stellenbosch Municipality
Administrative District of Stellenbosch
Province of Western Cape
Compiled in April 2016
by me

PLS 0080 D P Burger | Pr Land Surveyor

This diagram is annexed to No. Dated 0000521**39**/2016 i.f.o. Registrar of Deeds	The original diagrams are as quoted above	File No. STEL. 1586 V.1 S.R. No. Compiled Comp. AH-2BAB (3283) LPI C0670000

Farm 1586 Stellenbosch

CERTIFIED COPY FOR REGISTRATION
FOR SURVEYOR-GENERAL
DATE 12 MAY 2016

Friedlaender, Burger & Volkmann - Land Surveyors

S.G. No.
684/2016
Approved.
for
Surveyor - General
Date : 11-5-2016

SHEET 1 OF 2 SHEETS

Components:

1. The figure ABCDsLMNP represents Remainder Farm No. 1002, vide Diagram No. 3100/1961, C.C.T. 1961- -14884
2. The figure KsEFGHJ represents Portion 3 of the Farm No. 1001, vide Diagram No. 683/2016 D/T

The figure ABCDEFGHJKLMNP
represents 50,4918 hectares of land, being

FARM No. 1585 STELLENBOSCH and comprises 1. and 2. as above

Situate in the Stellenbosch Municipality
Administrative District of Stellenbosch
Province of Western Cape
Compiled in April 2016
by me

PLS 0080 D P Burger | Pr Land Surveyor

This diagram is annexed to No. Dated 29 AUG 2016 i.f.o T 000052138 /2016 Registrar of Deeds	The original diagrams are as quoted above	File No. STEL.1585 v.1 S.R. No. Compiled Comp. AH-2BAB (3283) LPI C0670000

Farm 1585 Stellenbosch

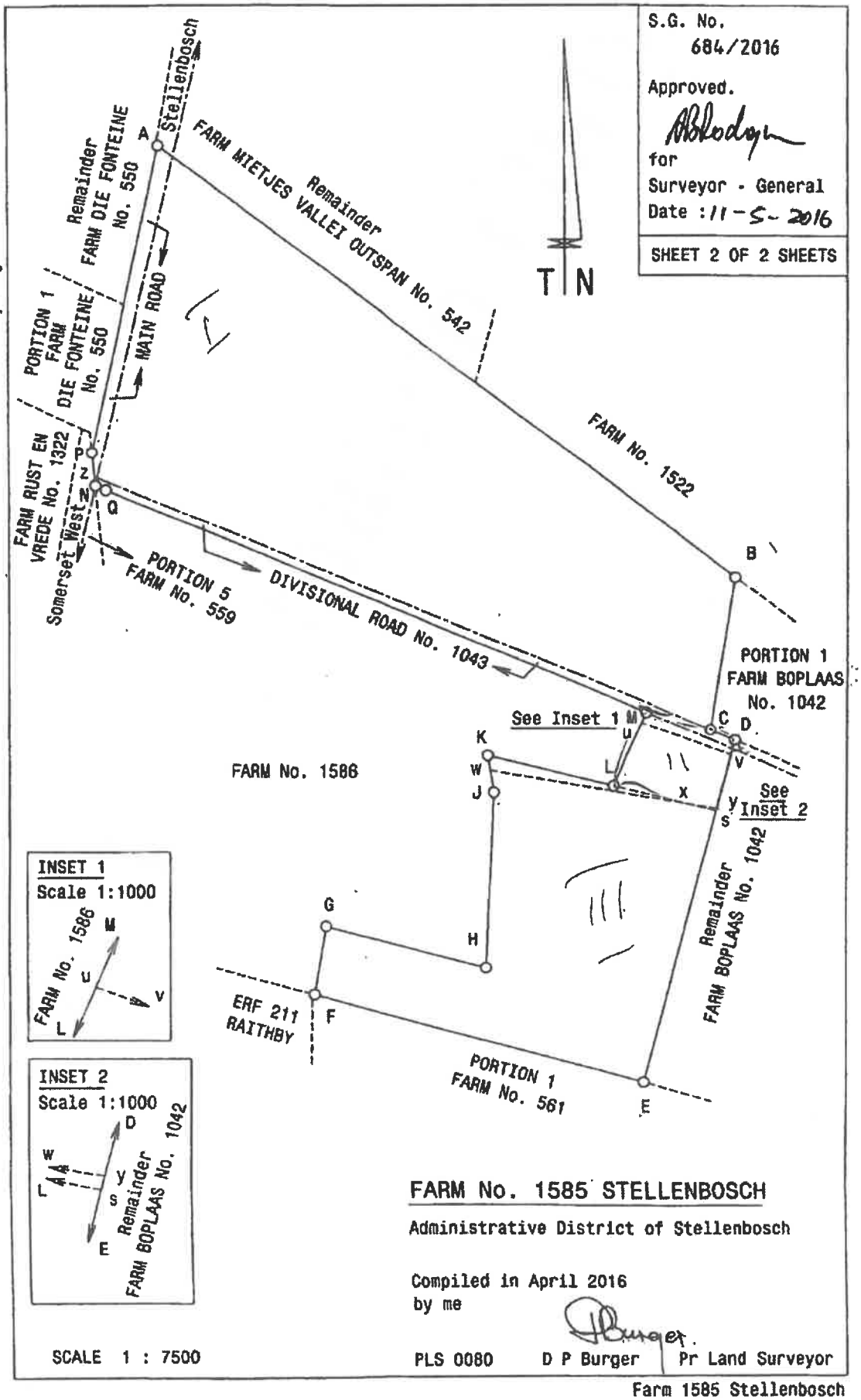
FOR ENDORSEMENT

CERTIFIED COPY FOR REGISTRATION
FOR SURVEYOR-GENERAL .....
DATE 12 MAY 2016

Friedlaender, Burger & Volkmann - Land Surveyors

S.G. No.
684/2016
Approved.
for
Surveyor - General
Date : 11-5-2016

SHEET 2 OF 2 SHEETS



INSET 1
Scale 1:1000

INSET 2
Scale 1:1000

SCALE 1 : 7500

FARM No. 1585 STELLENBOSCH

Administrative District of Stellenbosch

Compiled in April 2016
by me

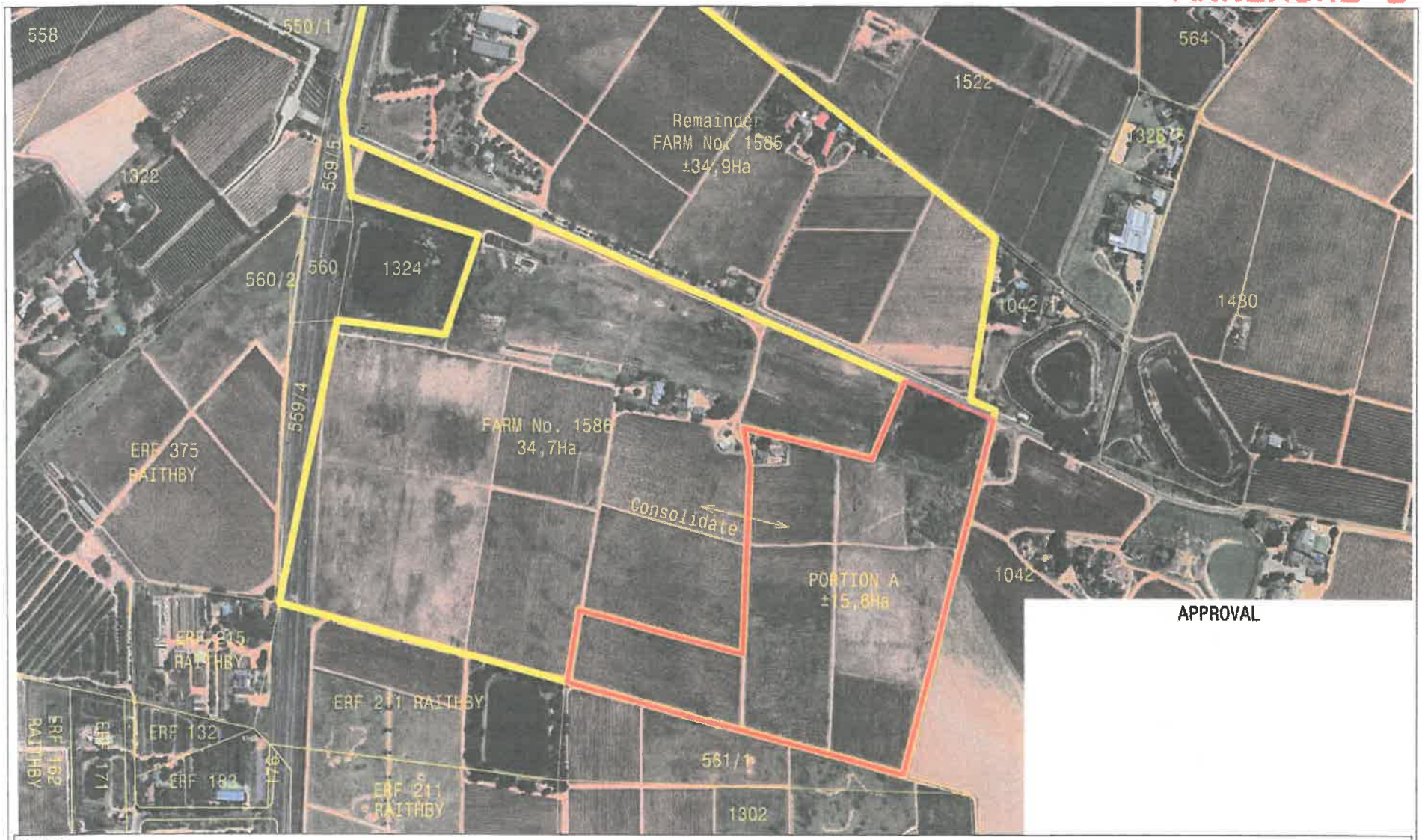
PLS 0080 D P Burger Pr Land Surveyor

Farm 1585 Stellenbosch

SERVITUDES/LEASEHOLD AREAS

SURVEY RECORD	DIAGRAM NO.	DESCRIPTION	DEED	WITHHELD
1105/208	2365/2013	The figure MbcL represents a servitude dam area		

ANNEXURE B



Note:
Portion A to be consolidated with Farm No. 1586 Stellenbosch.

TN

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 1:7500 @ A4	Date: 1 July 2024	System: WG 19

PROPOSED SUBDIVISION FARM NO. 1585
STELLENBOSCH

Ref:SA1002 | Dwg:APPL1-REV

fbv
friedlaender, burger & volkmann

WYNLAND

WATERGEBRUIKERSVERENIGING
WATER USERS' ASSOCIATION

20 July 2012

According to our records the following properties of Eikendal Vineyards (Pty) Ltd is scheduled with the Wynland Water Users' Association for irrigation water:

Property	**Total Listing (ha)**
Farm 1001	5 ha A
Farm 1002	5 ha A

One scheduled hectare of irrigation water means a maximum of 4000 m^3 per year and is delivered at 2 $m^3/h/ha$ A listing.

Kind Regards

Q. Brynard

CEO: Wynland Water

Disclaimer:

We do not guarantee that the scheduling reflects a lawful water use as contemplated by the National Water Act, 1998. We furthermore make no warranties or representations with respect to the content of this document or our records which is provided "as is". We do not accept any liability whatsoever arising from or in any way connected with the use of this information and reliance thereon will be at the sole risk of the user.

POSBUS 12658 DIE BOORD 7613 Tel: 021 887 6487 Fax: 021 8876486 Cell: 082 440 4011 info@wynlandwater.co.za
www.wynlandwater.co.za

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)	Eikendal Vineyards Pty Ltd				
Physical address	Eikendal Vineyards				
	R44, Stellenbosch			Postal code	7600
E-mail	chrsaager@bluewin.ch				
Tel	021-8851422	Fax	0218851027	Cell	

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

Erf / Erven / Farm No.	Farm 1585 Farm 1586	Portion(s) if Farm		Allotment area	Stellenbosch
Physical Address					
	R44, Stellenbosch				
Current Zoning	Agricultural Rural Zone	Extent	50ha and 34ha	Are there existing buildings?	Y / N
Applicable Zoning Scheme	Stellenbosch Zoning Scheme By-Law				
Current Land Use	Agriculture				

Title Deed number and date	T	52138/2016 and T52139/2016								
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 attach a power of attorney from the Manager Property Management							
Is the building located within the historical core?	Y	N	Is the building older than 60 years?	Y	N	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999)[1]	Y	N	If Yes, kindly indicate which section are triggered and attached the relevant permit if applicable.	
Any existing unauthorized buildings and/or land use on the subject property(ies)?				Y	N	If yes, is this application to legalize the building / land use[2]?	Y	N		
Are there any pending court case(s) / order(s) relating to the subject property(ies)?				Y	N	Are there any land claim(s) registered on the subject property(ies)?	Y	N		

PART D: PRE-APPLICATION CONSULTATION AND OR SCRUTINY

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

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

PART E: LAND USE PLANNING APPLICATIONS AND APPLICATION FEES PAYABLE

APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)

Type of application: *Cost are obtainable from the Council Approved tariffs*	**Tick**
15(2)(a) rezoning of land*	
15(2)(b) a permanent departure from the development parameters of the zoning scheme	
15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land	
15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement*	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
	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)**	

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

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

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

BANKING DETAILS

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

Branch no.: 210554
Account no.: 62869253684
Payment reference: LU/_____ and ERF/FARM _____
Please use both the Land Use Application number and the Erf/Farm number indicated on the invoice as a reference when making EFT payment

DETAILS FOR INVOICE	
Name & Surname/Company name (details of party responsible for payment)	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)	_____ _____ _____					

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**	Landscaping / Tree 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	Abutting owner's consent	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: 2024/07/18

Full name: Emile van der Merwe

Professional capacity: Pr. Planner

FOR OFFICE USE ONLY

Date received: _____

Received By: _____