

18 Mountain Fern Crescent  
SOMERSET WEST 7130

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

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

|                               |                                                                                                                                                                                         |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Application Property Address: | Excelsior Road, Franschhoek                                                                                                                                                             |
| Application Property Number:  | Portion 2 of the Farm No. 1119, Paarl                                                                                                                                                   |
| Applicant:                    | JV Planning Consultants<br>18 Mountain Fern Crescent, Somerset West, 7130<br>Cel. 0828216365<br>Email: <a href="mailto:jacques.volschenk10@gmail.com">jacques.volschenk10@gmail.com</a> |
| Owner:                        | Inheemshoek(Pty) Ltd.<br>PO Box 2831<br>Saxonwold, 2132<br>Tel. 0824586306<br>Email: <a href="mailto:hannetjie@kirsh.co.za">hannetjie@kirsh.co.za</a>                                   |
| Application Reference:        | LU/16498 (TP570/2023)                                                                                                                                                                   |

### Description of land development proposal:

Application has been made in terms of section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 for a Consent Use for a Tourist Accommodation Establishment to accommodate the newly constructed guest suites and additional suites created inside the existing cottages. Application is also made, in terms of section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 for a Departure to relax the building lines from 5.0m to 0.0m to accommodate the existing buildings.

Notice is hereby given in terms of the provisions 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 must 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. Written comment, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person who submits the comment in the application, may be submitted to the Applicant by electronic mail as follows: (Att.: JL Volschenk, [Jacques.volschenk10@gmail.com](mailto:Jacques.volschenk10@gmail.com)). By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of (i.e. by **22 April 2024**).

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 (082 821 6365) during normal office hours.

Yours faithfully

**JL VOLSCHENK**  
**JL PLANNING CONSULTANTS**



18 Mountain Fern Crescent  
SOMERSET WEST 7130

Tel: +27(0)21-887 0124

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## KENNISGEWING VAN GRONDONTWIKKELINGSAANSOEK AAN GEÏNTERESSEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR.

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

|                             |                                                                                                                                                                                                        |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Adres van aansoek eiendom:  | Excelsior Road, Franschhoek                                                                                                                                                                            |
| Aansoek eiendom beskrywing: | Portion 2 of the Farm No. 1119, Paarl                                                                                                                                                                  |
| Aansoeker:                  | Jacques Volschenk / JV Planning Consultants<br>18 Mountain Fernsingel, Somerset-Wes, 7130<br>Sel. 0828216365<br>Epos: <a href="mailto:jacques.volschenk10@gmail.com">jacques.volschenk10@gmail.com</a> |
| Eienaar:                    | Inheemshoek(Pty) Ltd.<br>Posbus 2831<br>Tel. 0824586306<br>Epos: <a href="mailto:hannetje@kirsh.co.za">hannetje@kirsh.co.za</a>                                                                        |
| Aansoek Verwysing:          | LU/16498 (TP570/2023)                                                                                                                                                                                  |

### Besonderhede van die grondgebruiksaansoek:

Aansoek word gedoen ingevolge artikel 15(2)(o) van die Stellenbosch Munisipale Grondgebruikbeplanningsverordening, 2023 vir 'n vergunningsgebruik vir 'n toeriste-accommodasie-onderneming om die nuutgeboude gastesuites en bykomende suites wat binne die bestaande kothuise geskep is, te akkommodeer. Ingevolge artikel 15(2)(b) van die Stellenbosch Munisipale Grondgebruikbeplanningsverordening, 2023 word aansoek ook gedoen vir 'n permanente afwyking om die boulyne van 5.0 m tot 0.0 m te verslap om die bestaande geboue te akkommodeer.

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

<https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>.

Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening. Skriftelike kommentaar, wat besonderhede ten opsigte van die verwysings nommer van die aansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, die redes vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die aansoek, by die Aansoeker ingedien word by wyse van elektroniese pos as volg: (Vir aandag: JL Volschenk, [Jacques.volschenk10@gmail.com](mailto:Jacques.volschenk10@gmail.com)). Deur 'n beswaar, kommentaar of versoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van (i.e. teen **22 April 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 (082 821 6365) gedurende normale kantoor ure.

Die uwe

**JL VOLSCHENK**  
**JL PLANNING CONSULTANTS**

14 March 2024

## EXECUTIVE SUMMARY

### APPLICATION FOR A CONSENT USE FOR A TOURIST ACCOMMODATION ESTABLISHMENT AND DEPARTURE: PORTION 2 OF THE FARM NO. 1119, PAARL (LA DAUPHINE)

The primary purpose of this application is to allow for an expanded tourist accommodation establishment on the property.

In particular, application is made for the following:

- a) In terms of Section 15(2)(o) of the Stellenbosch Municipality: Land Use Planning By-Law, 2023 (hereinafter referred to as the By-Law) for a consent use for a tourist accommodation establishment to accommodate the newly constructed three guest suites.
- b) In terms of Section 15(2)(b) of the By-Law for a permanent departure to relax the building lines from 5.0m to 0.0m in order to accommodate the existing buildings.

## 1 LOCATION AND CONTEXT

The property is situated approximately 1.8km southwest of the town of Franschhoek along Excelsior Road. The farm, previously referred to as La Petit Dauphine, is a picturesque estate set among vineyards, olive groves and fruit orchards. The working farm is bordered by Excelsior Road to the north, from where access is provided to the property, and Green Valley Road to the west. The Franschhoek River presents the southern and eastern boundary of the property.

The property comprises some 12.9ha of which a total of 7.1ha is under a combination of vineyards and orchards (i.e. grapes, plums and olives). The remaining area comprise fallow land, riverine corridors and dams and areas of physical infrastructure (i.e. tourist accommodation and facilities, dwellings units and roads).

The buildings and infrastructure on the property is concentrated in three distinct nodes/clusters. The primary cluster in the southern corner of the property include the manor house, outbuilding, garage, coffee shop and farm manager's office. A secondary cluster is located next to the entrance and includes the former labourers cottages. These have been converted into guest accommodation. A third cluster comprise three newly constructed guest suites. These are located in the centre of the property, immediately south of an irrigation dam and along the local drainage line.

Up until approximately 2 years ago, Le Petite Dauphine provided tourist accommodation and tourist facilities in the form of a coffee shop/restaurant called Café Bon Bon. All tourist activities and accommodation has however since ceased whilst only the farming enterprise is still operational.



**Figure 1:** The original approved cottages on site.



**Figure 2:** Two of the newly constructed guest suites.

## **2 SITE DESCRIPTION AND DEVELOPMENT PARAMETERS**

The property is referred to in the title deed as the Remainder Portion 2 of the Farm La Dauphine No. 1119, situated in the Stellenbosch Municipality, Division Paarl, Western Cape Province.

The property details, as per the title deed and municipal records, are summarised in the table below:

Table 1: Property Details.

| PROPERTY DESCRIPTION                                   | SIZE      | TITLE DEED  | ZONING                     | OWNER                 |
|--------------------------------------------------------|-----------|-------------|----------------------------|-----------------------|
| Rem. Portion 2 of the Farm La Dauphine No. 1119, Paarl | 12.9319ha | T42060/2016 | Agriculture and Rural Zone | Mongwawane (Pty) Ltd. |

The property is held under Title Deed No. T42060/2016. In terms of same there are no restrictive title conditions which would prevent the items described in this application.

The Stellenbosch Municipality, on 14 February 2007, granted approval for the rezoning of a portion of the property ( $\pm 625\text{m}^2$ ) from Agricultural Zone I to Residential Zone V, in terms of the former Land Use Planning Ordinance, No. 15 of 1985 (LUPO) in order to convert 4 existing labourer's cottages into 5 guest suites.

At the same time, approval was also granted for a consent use (tourist facilities) in order to convert existing outbuildings of  $\pm 511\text{m}^2$  for an interior decorating studio and a breakfast room/coffee shop purposes.

The property has since been confirmed to have a zoning of 'Agriculture and Rural Zone'. The development parameters, which apply to Agriculture and Rural Zone, are described in the table below.

| BUILDING TYPE                                                                             | BUILDING LINE (street & common)     | HEIGHT    | PRIMARY USE (coverage)        | ADDITIONAL USE (coverage)            | CONSENT USE (coverage) |
|-------------------------------------------------------------------------------------------|-------------------------------------|-----------|-------------------------------|--------------------------------------|------------------------|
| <b>ACCOMMODATION AND DWELLINGS</b>                                                        |                                     |           |                               |                                      |                        |
| Dwelling house and second dwelling house (excluding outbuildings, carport or garage)      | 5.0m                                | 2 storeys | 600m <sup>2</sup> each        |                                      |                        |
| Guest house, bed & breakfast & tourist dwelling units: in existing approved dwellings     | In existing approved dwelling house |           |                               | Max. 7 bedrooms                      | As approved by muni.   |
| <b>TOURIST FACILITIES</b>                                                                 |                                     |           |                               |                                      |                        |
| Tourist facilities: overall max. limit including outdoor areas used but excluding parking | 5.0m                                | 1 storey  |                               | 250m <sup>2</sup>                    | As approved by muni.   |
| - Shop in tourist facility sub-limit                                                      |                                     |           |                               | 120m <sup>2</sup>                    |                        |
| - Manufacture and craft workshop sublimit                                                 |                                     |           |                               | 50m <sup>2</sup>                     |                        |
| <b>OTHER AGRICULTURAL BUILDINGS</b>                                                       |                                     |           |                               |                                      |                        |
| Employee housing unit (excluding outbuildings, carport or garage)                         | 5.0m                                | 1 storey  | 120m <sup>2</sup>             | As approved by muni.                 |                        |
| Agricultural buildings                                                                    | 5.0m                                | 3 storeys | No overall limit on land unit | Any one building >2000m <sup>2</sup> |                        |



The tourist accommodation offering on the property is confined to two distinct clusters – one cluster at the entrance to the property and another cluster to the east, immediately south of an irrigation dam (see figure below). In total, the accommodation units comprise of 7 cottages (9 guest suites) – 7 x one-bedroom units and 2 x two-room units. In total, provision is made for the accommodation of 22 people.



The expanded tourist accommodation establishment will include the following:

- The 5 guest suites which operated from the original 4 labourers' cottages;
- An additional guest suite which has been created inside one of the existing cottages;
- The additional three guest suites/cottages which has been established south of the irrigation dam.

The permanent departure, in turn, is to provide for the relaxation of the building lines from 5.0m to 0.0m to accommodate the existing buildings on site.

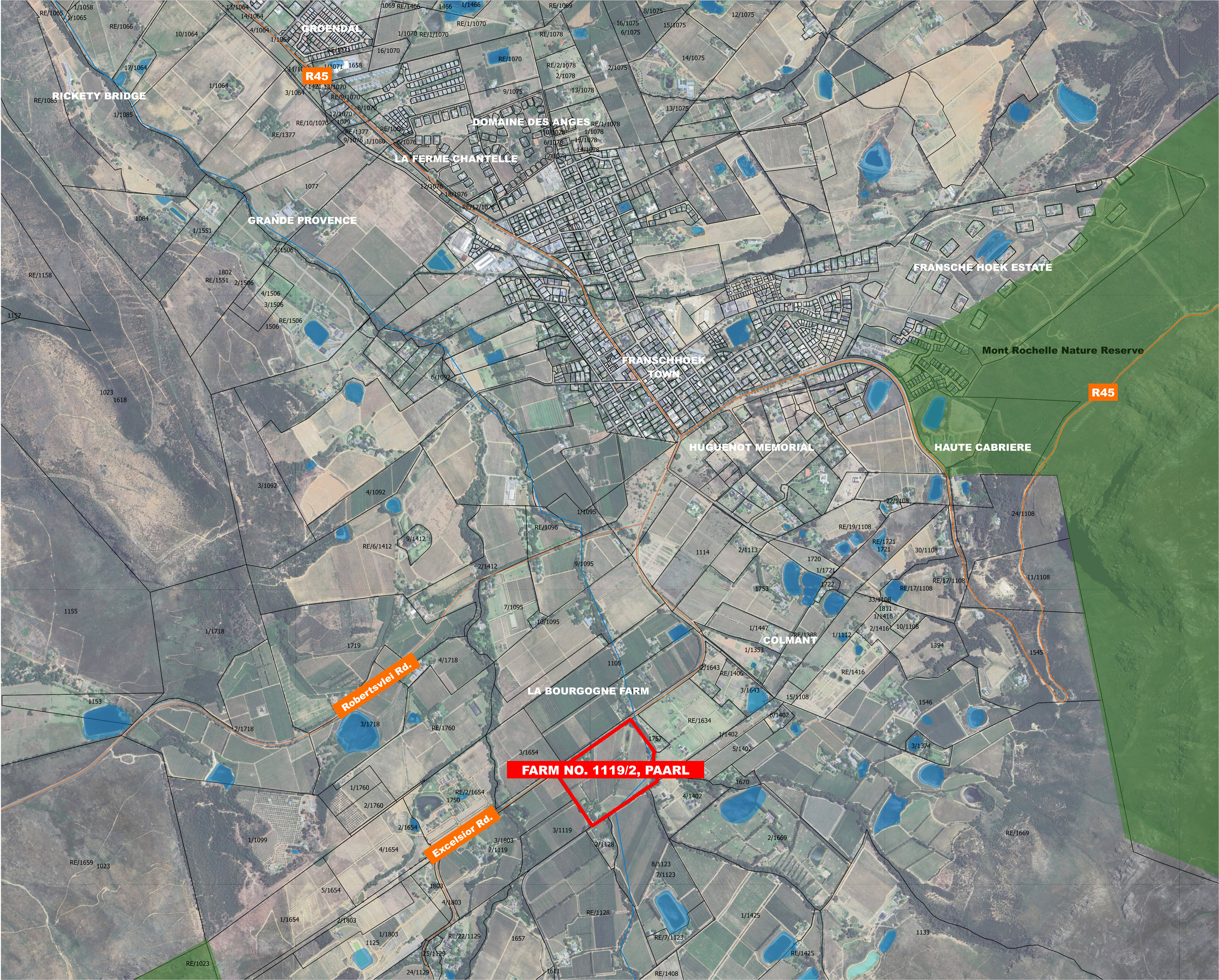
As mentioned above, the property accommodates several other buildings including a manor house, second dwelling, manager's office, garage, store, etc. Some of these buildings are positioned within the 5.0m building line of the property. As a result, the application also requests the permanent relaxation of the building line to accommodate the same.

#### **4 CONCLUSION**

In conclusion, the following motivating factors should be considered during the adjudication of the application:

- a) Section 213(2) of the Zoning Scheme By-Law states that *when approving new consent uses the Municipality shall have regard for the objectives of the zone namely the preservation of agricultural land and the continued use of farmland for agriculture*. The tourist accommodation establishment complies with this parameter as it is established partly within existing buildings and on fallow land.
- b) The scale of the buildings used for the consent use is in keeping with the character of buildings on the land unit and the character of the area.
- c) As required in terms of Section 213(5), the primary use of the land unit will remain bona fide agriculture and the tourist accommodation establishment will remain subservient to the primary land use activities on the property.
- d) There are no restrictive conditions listed in the respective title deed that would prohibit the nature of this application.
- e) The Stellenbosch Spatial Development Framework (SDF) recognises the importance of the tourism industry and calls for the protection and expansion of tourism assets. The SDF also recognises the importance of the agricultural sector especially in relation to supporting tourism and employment.
- f) The consent use will also contribute to creating employment opportunities and minimise the poverty gap.
- g) The farm has proven that the land uses can be accommodated on site without it negatively impacting on surrounding properties.





LEGEND

CLIENT:

MONGWAWANE (PTY) LTD.

PROJECT TITLE:

LAND USE PLANNING APPLICATION:  
FARM NO. 1119/2, PAARL

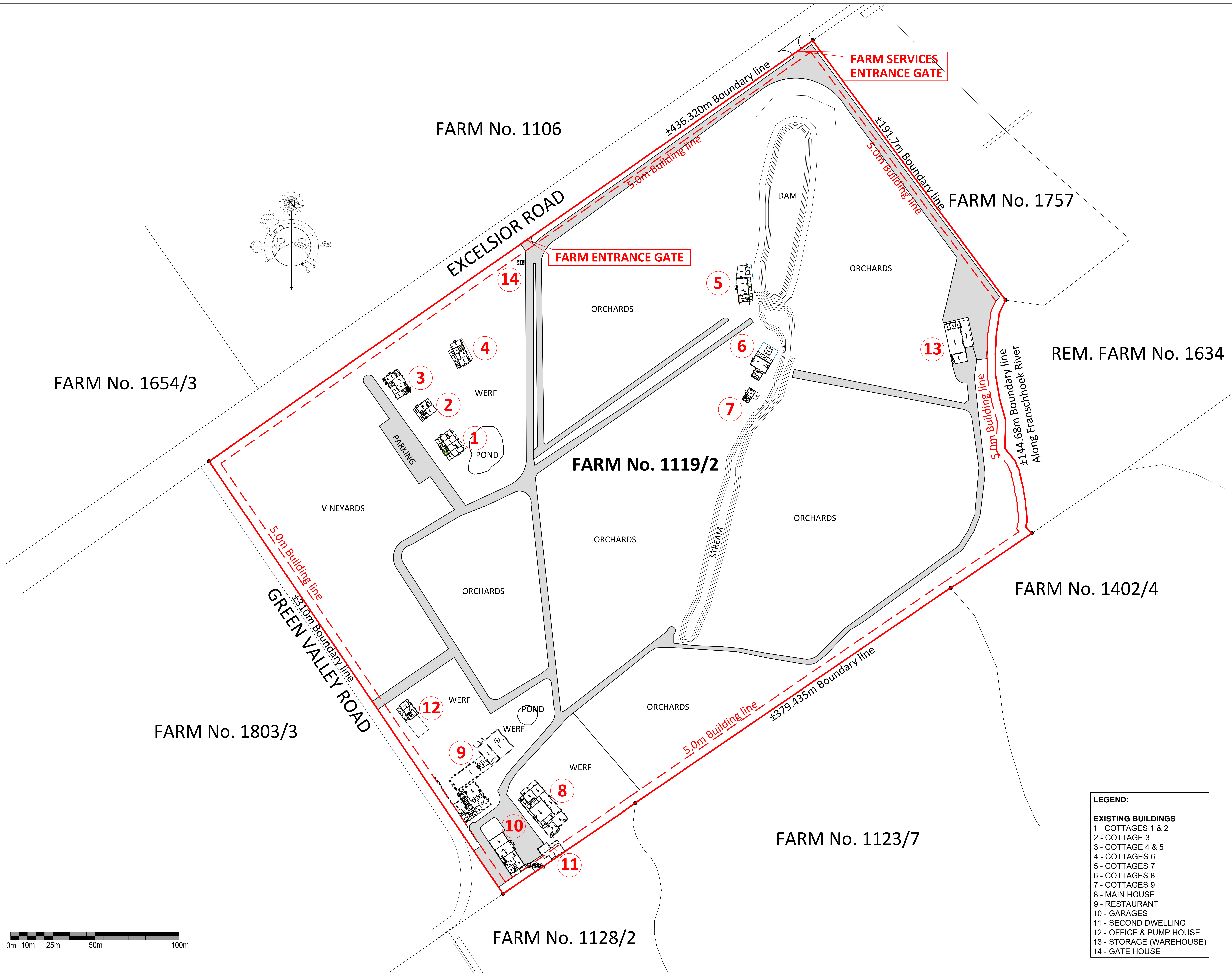
DRAWING TITLE:

LOCALITY MAP

|              |                |        |            |
|--------------|----------------|--------|------------|
| PROJECT NO.: | Farm 1119/2_01 | SCALE: | 1:10000    |
| DRAWING NO.: | /              | DATE:  | 2023-08-14 |
| REV.         | /              | DRAWN: | CHECKED:   |

FOR INFORMATION

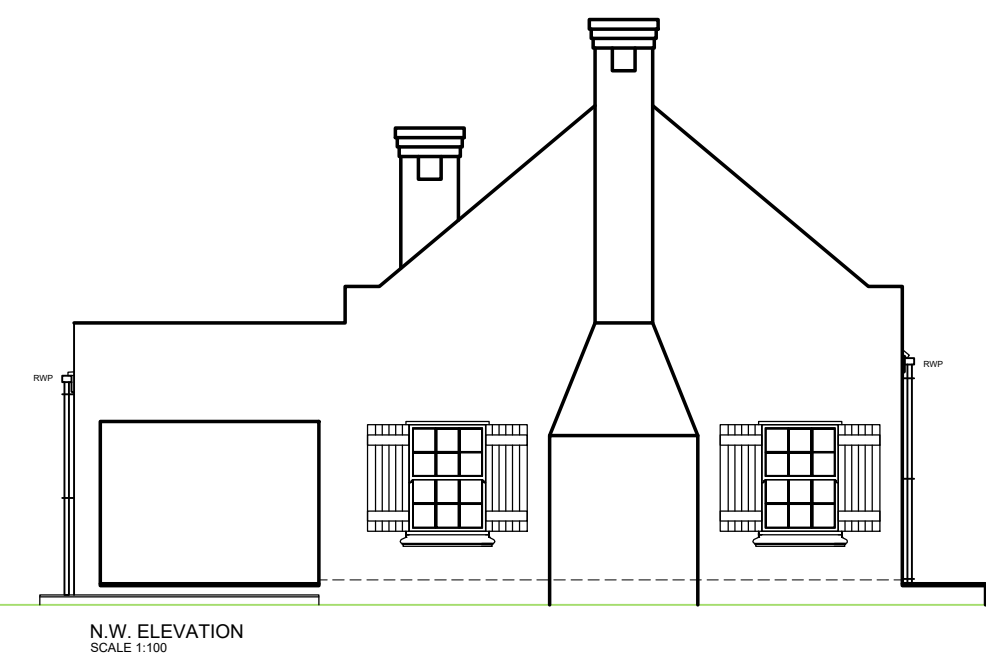
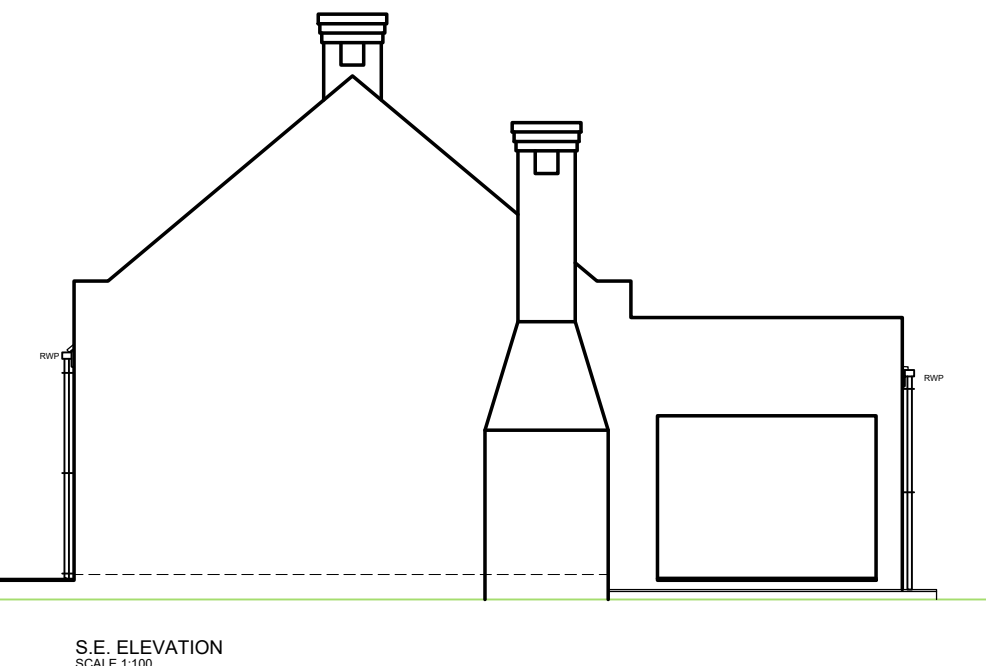
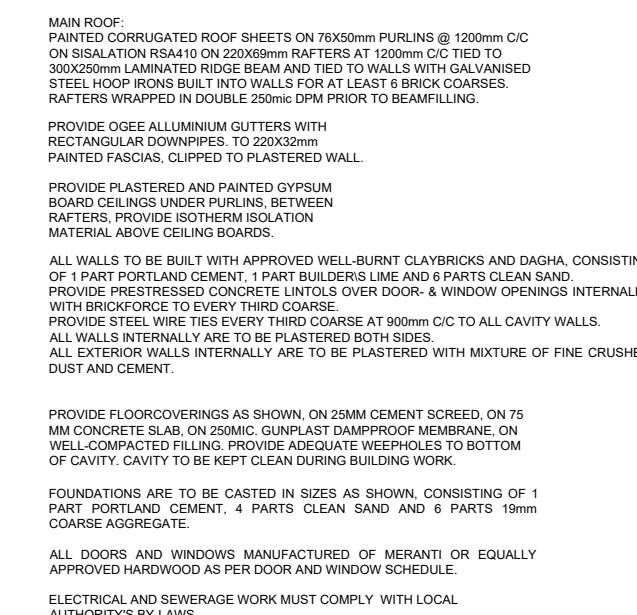
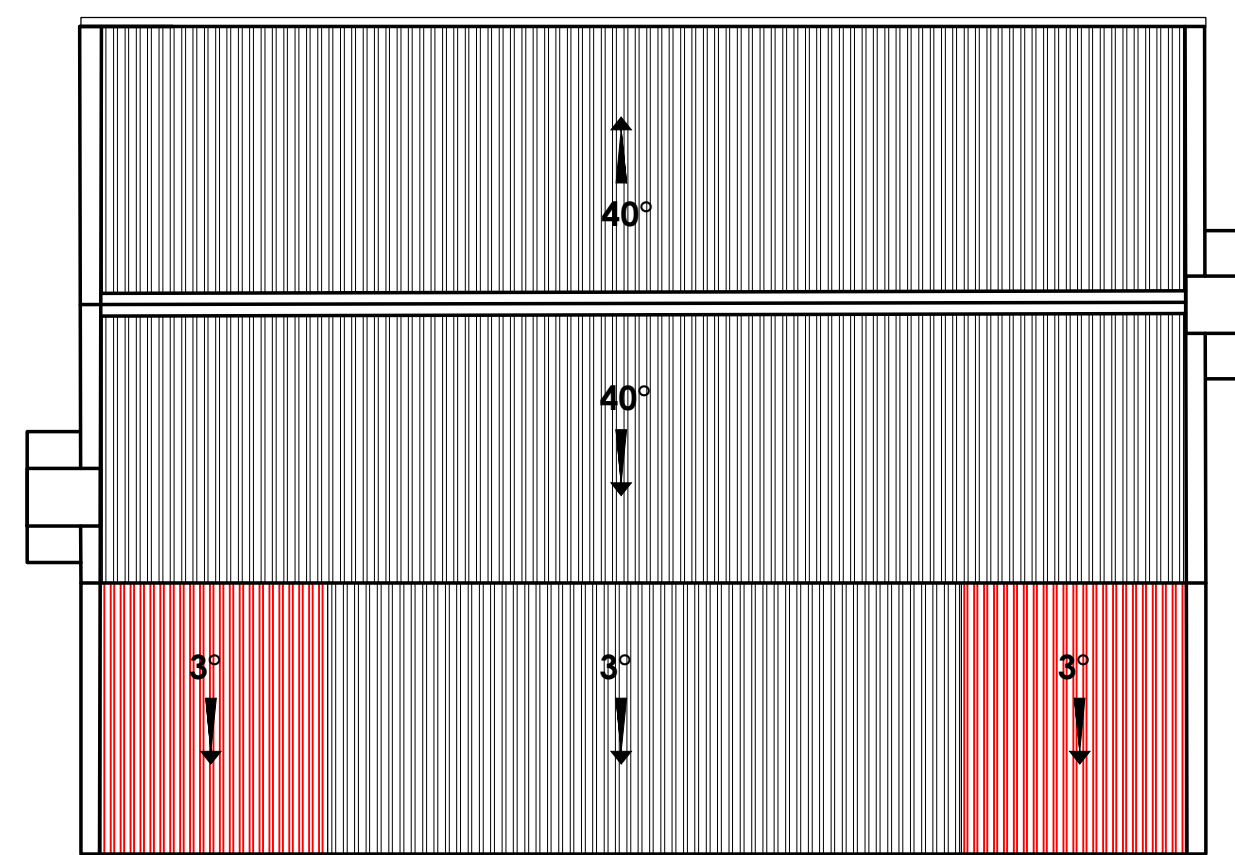
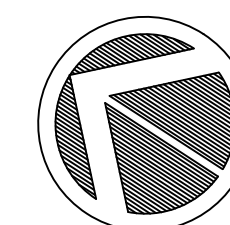




| LEGEND:                  |  |  |
|--------------------------|--|--|
| EXISTING BUILDINGS       |  |  |
| 1 - COTTAGES 1 & 2       |  |  |
| 2 - COTTAGE 3            |  |  |
| 3 - COTTAGE 4 & 5        |  |  |
| 4 - COTTAGES 6           |  |  |
| 5 - COTTAGES 7           |  |  |
| 6 - COTTAGES 8           |  |  |
| 7 - COTTAGES 9           |  |  |
| 8 - MAIN HOUSE           |  |  |
| 9 - RESTAURANT           |  |  |
| 10 - GARAGES             |  |  |
| 11 - SECOND DWELLING     |  |  |
| 12 - OFFICE & PUMP HOUSE |  |  |
| 13 - STORAGE (WAREHOUSE) |  |  |
| 14 - GATE HOUSE          |  |  |

|                |                |                                                                               |            |
|----------------|----------------|-------------------------------------------------------------------------------|------------|
| CLIENT:        |                | MONGWAWANE (PTY) LTD.                                                         |            |
| PROJECT TITLE: |                | LA DAUPHINE<br>LAND USE PLANNING APPLICATION:<br>FARM NO. 1119/2, FRANSCHHOEK |            |
| DRAWING TITLE: |                | SITE DEVELOPMENT PLAN                                                         |            |
| PROJECT No.:   | FARM_1119/2_01 | SCALE:                                                                        | 1:750      |
| DRAWING No.:   | P001           | DATE:                                                                         | 01/11/2023 |
| REV.           | /              | DRAWN:                                                                        | JLV        |
|                |                | CHECKED:                                                                      | JLV        |
| FOR APPROVAL   |                |                                                                               |            |



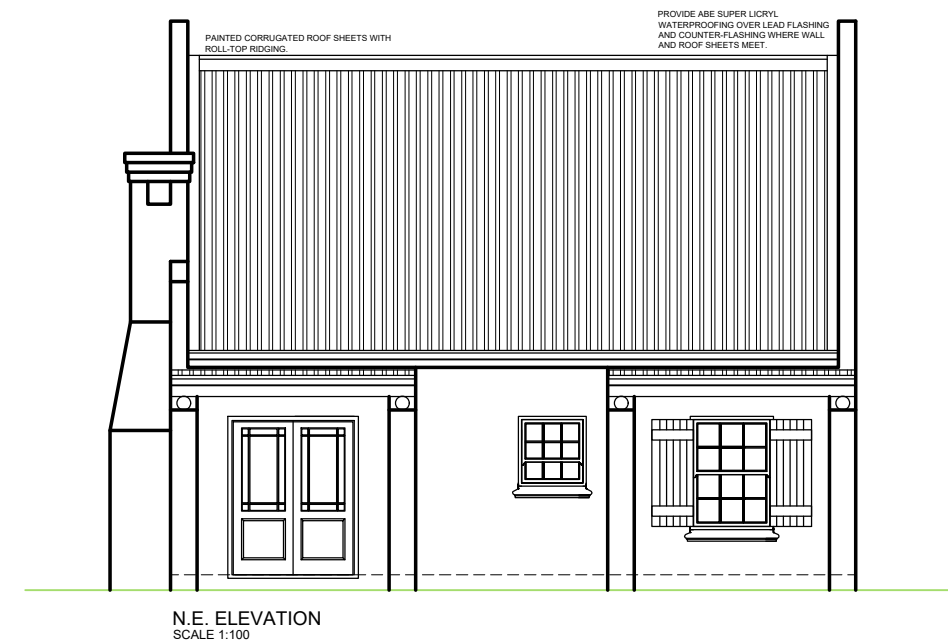


|                                       |                            |                        |
|---------------------------------------|----------------------------|------------------------|
| PROJECT No.:<br><b>FARM_1119/2_01</b> | SCALE:<br><b>1:100</b>     |                        |
| DRAWING No.:<br><b>P002</b>           | DATE:<br><b>01/11/2023</b> |                        |
| <b>/</b>                              | DRAWN:<br><b>JLV</b>       | CHECKED:<br><b>JLV</b> |

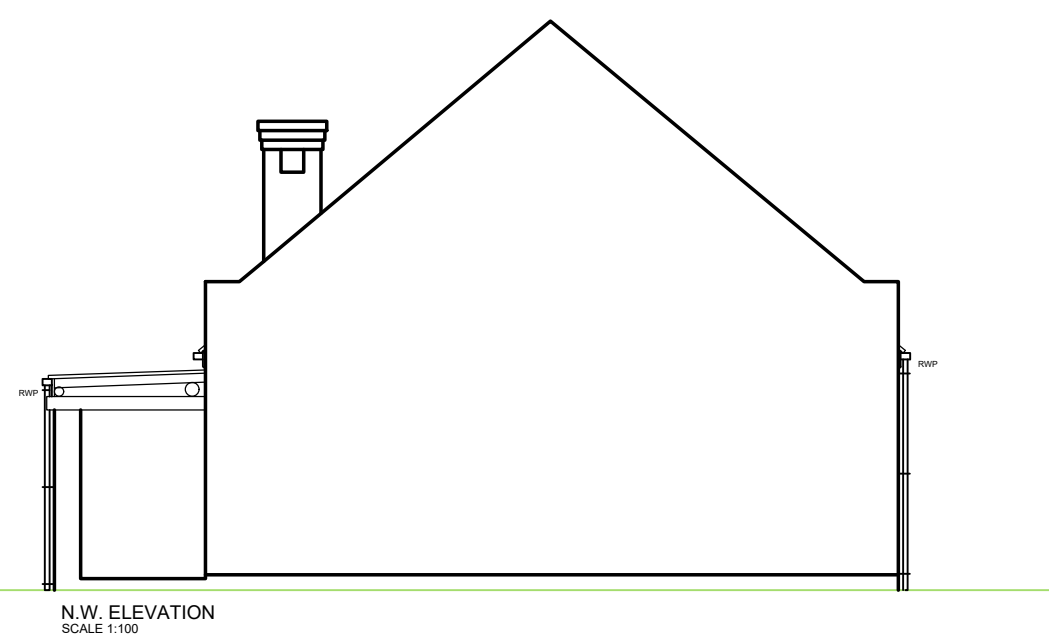
JV PLANNING CONSULTANTS

FOR APPROVAL

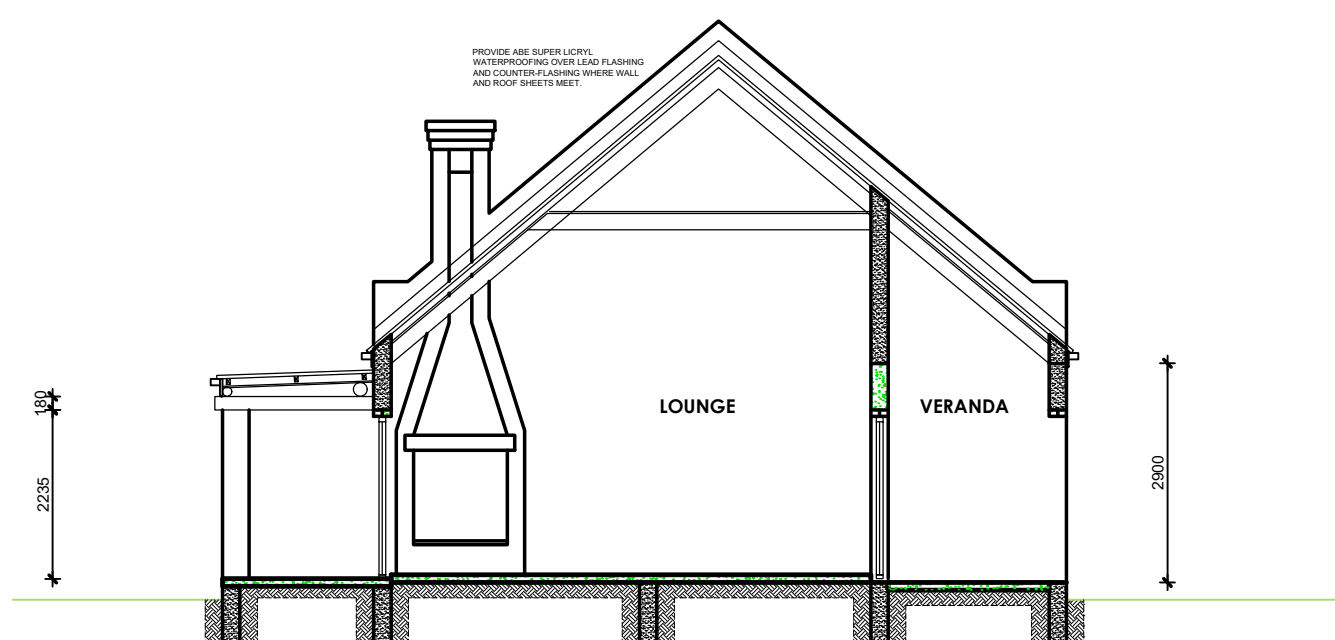




N.E. ELEVATION  
SCALE 1:100



N.W. ELEVATION  
SCALE 1:100



SECTION 01-01  
SCALE 1:100

MAIN ROOF:  
PAINTED CORRUGATED ROOF SHEETS ON 7000mm PURLIN @ 1200mm C/C  
ON ISOLATION BEAM 10 ON 2000mm RAFTERS AT 1000mm C/C TIED TO  
30000mm LAMINATED ROOF BEAM AND TIED TO WALLS WITH GALVANIZED  
STEEL HOOP IRONS BUILT INTO WALLS FOR AT LEAST 8 BRICK COARSE.  
RAFTERS WRAPPED IN DOUBLE ZONGI PPM PRIOR TO BEAM/LINING.

PROVIDE OGE ALUMINUM GUTTERS WITH  
RECTANGULAR DOWNPIPES TO 2000mm  
PAINTED FASCIA, CLIPPED TO PLASTERED WALL.

PROVIDE PLASTERED AND PAINTED GYPSUM  
BOARD CEILING UNDER PURLINS, BETWEEN  
RAFTERS, PROVIDE ISOTHERM ISOLATION  
MATERIAL ABOVE CEILING BOMBS.

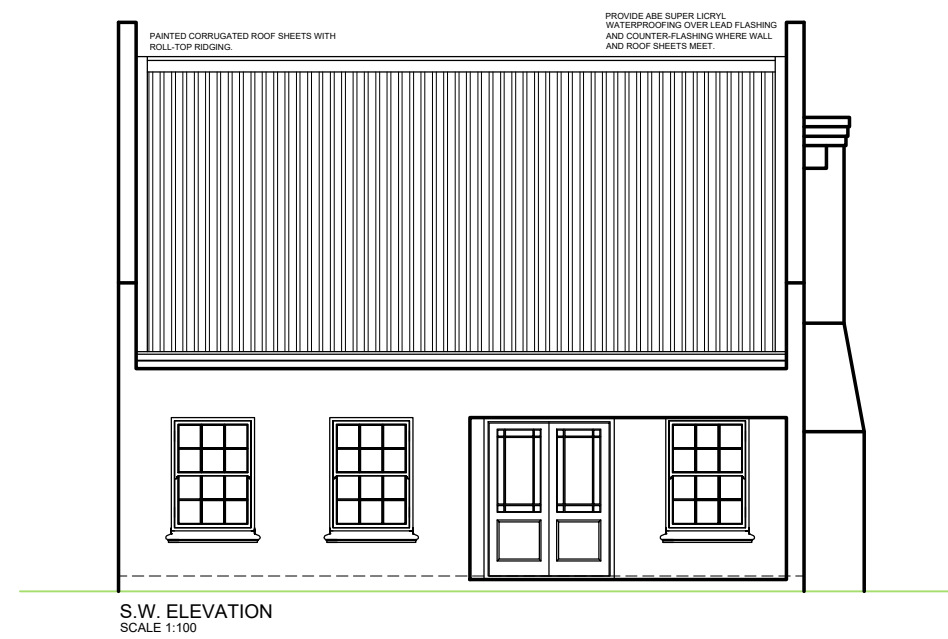
ALL WALLS TO BE BUILT WITH APPROVED WELL-BURNT CLAYBRICKS AND DASHA, CONSISTING  
OF 1 PART PORTLAND CEMENT, 1 PART BUILDING LIME AND 6 PARTS CLEAN SAND.  
PROVIDE PRESTRESSED CONCRETE UNIFOLS OVER DOOR- & WINDOW OPENINGS INTERNALLY  
WITH BRIDGEOCE TO EVERY THIRD COARSE.

PROVIDE STEEL WIRE TIES EVERY THIRD COARSE AT 900mm GC TO ALL CAVITY WALLS.  
ALL WALLS INTERNALLY ARE TO BE PLASTERED BOTH SIDES.  
ALL EXTERIOR WALLS INTERNALLY ARE TO BE PLASTERED WITH MIXTURE OF FINE CRUSHER  
DUST AND CEMENT.

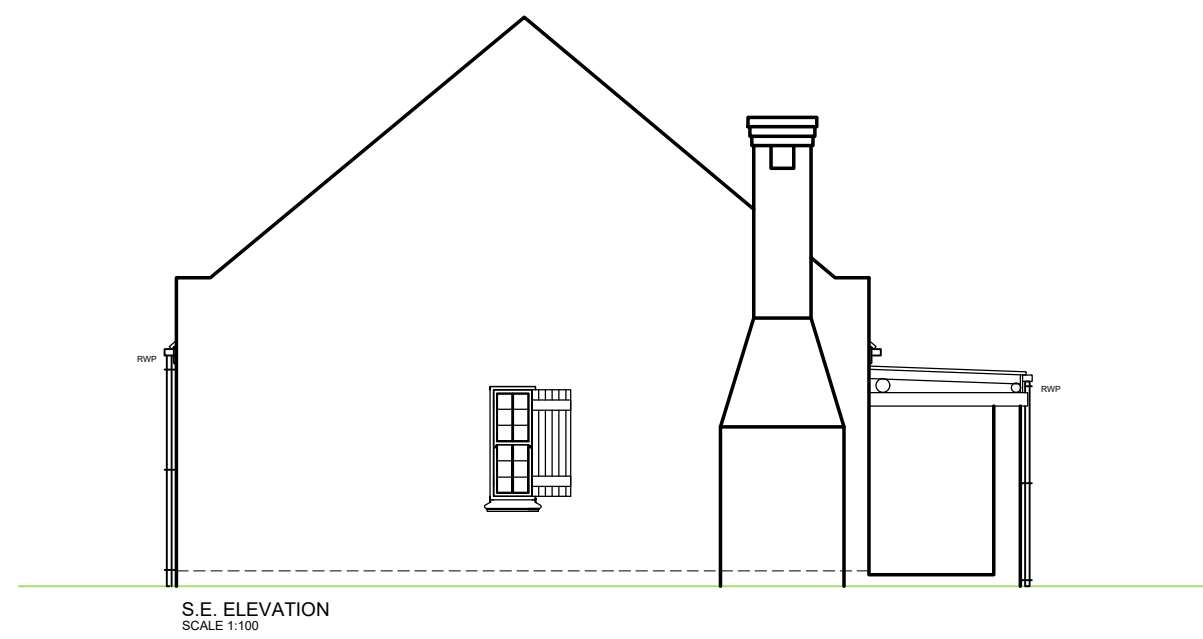
PROVIDE FLOORCOVERINGS AS SHOWN, ON 10MM CEMENT SCREED, ON 75  
MM CONCRETE SLAB, ON 200MM GUMPLAST DAMPROOF MEMBRANE, ON  
WELL-COMPACTED FILLING. PROVIDE SQUARE WEEDPOLES TO BOTTOM  
OF CAVITY. CAVITY TO BE KEPT CLEAN DURING BUILDING WORK.

FOUNDATIONS ARE TO BE CASTED IN SIZES AS SHOWN, CONSISTING OF 1  
PART PORTLAND CEMENT, 4 PARTS CLEAN SAND AND 6 PARTS 10mm  
COARSE AGGREGATE.

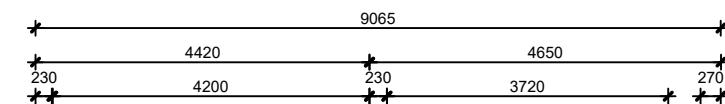
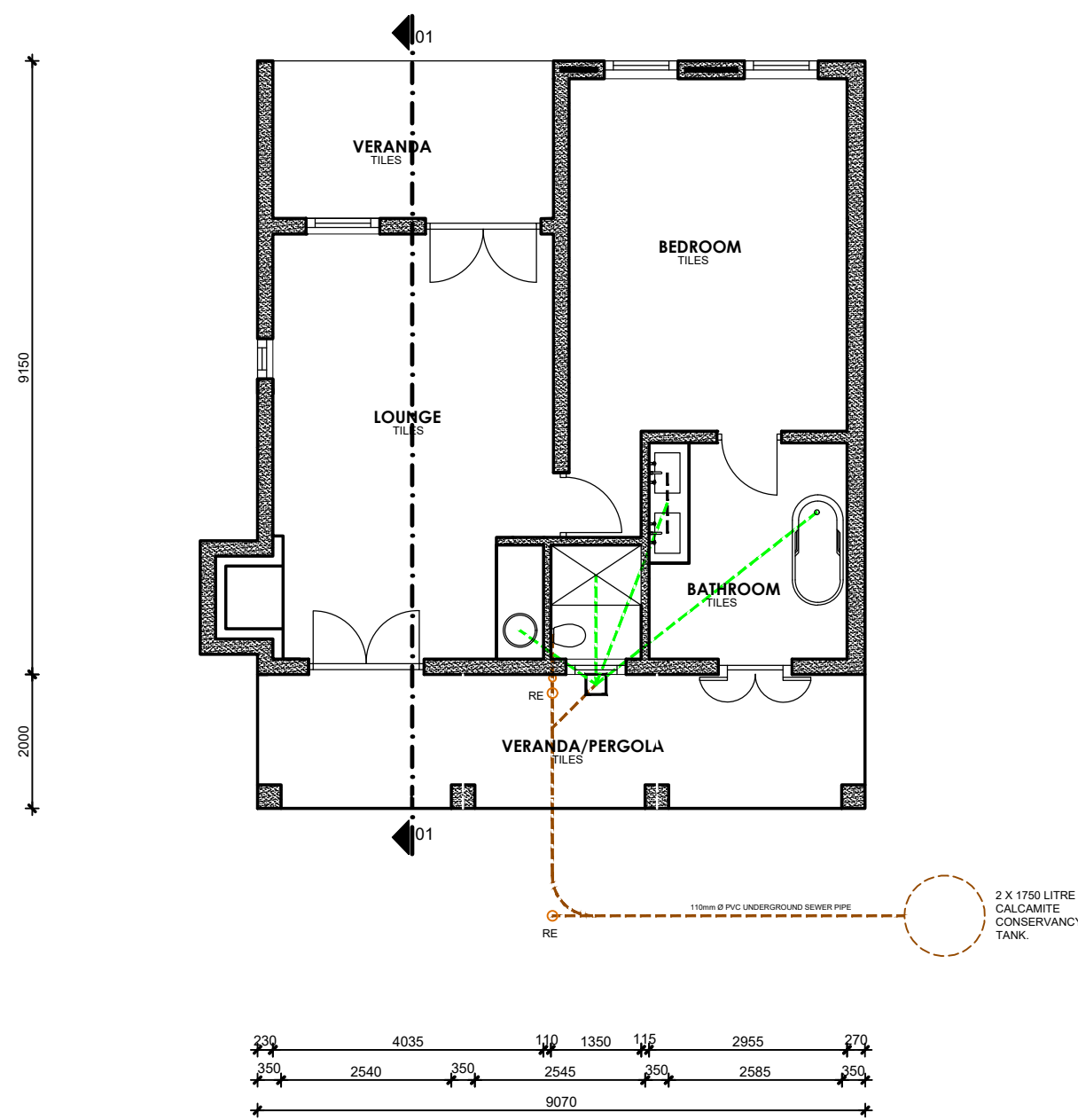
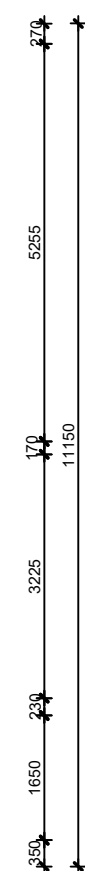
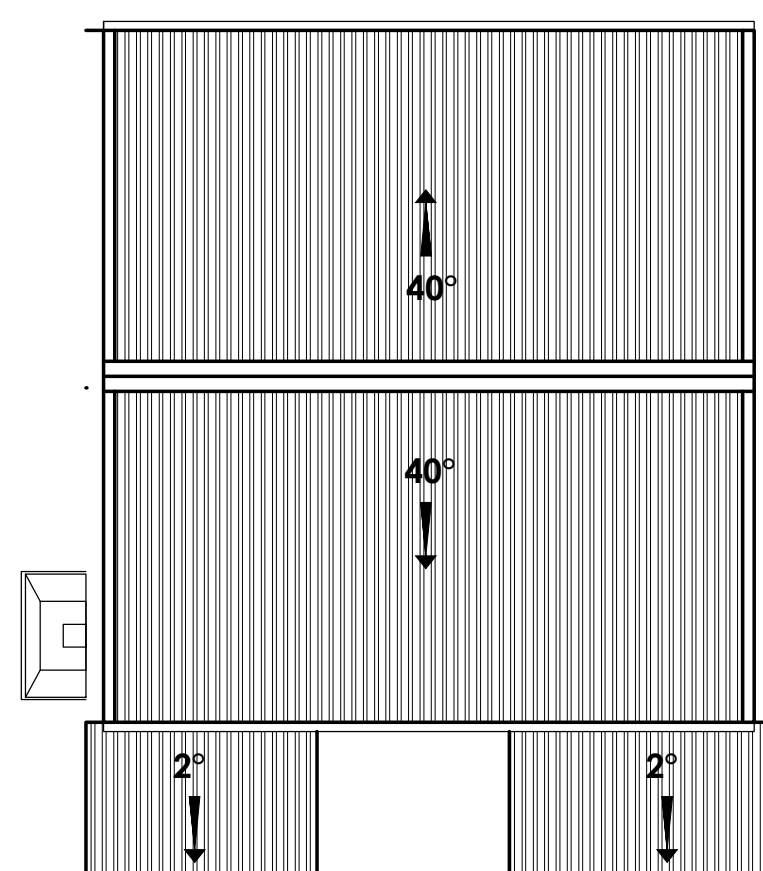
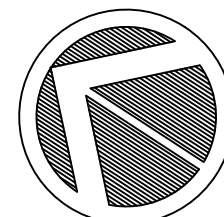
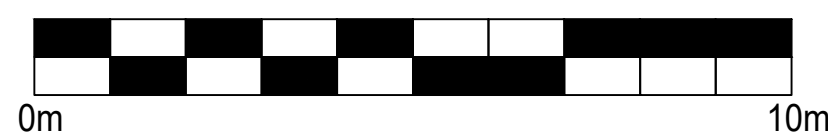
ALL DOORS AND WINDOWS MANUFACTURED OF MERANTI OR EQUALLY  
APPROVED HARDWOOD AS PER DOOR AND WINDOW SCHEDULE  
ELECTRICAL AND SEWERAGE WORK MUST COMPLY WITH LOCAL  
AUTHORITY'S BY-LAWS.



S.W. ELEVATION  
SCALE 1:100



S.E. ELEVATION  
SCALE 1:100



MONGWAWANE (PTY) LTD.

PROJECT TITLE:  
**LA DAUPHINE  
LAND USE PLANNING APPLICATION:  
FARM NO. 1119/2, FRANSCHHOEK**

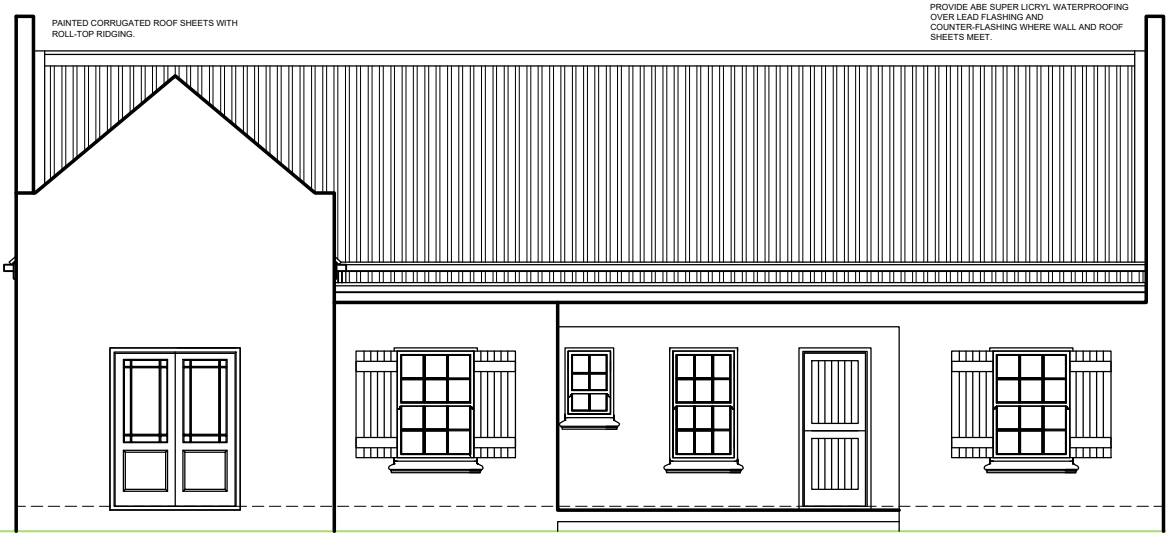
DRAWING TITLE:  
**COTTAGE 3  
BUILDING PLAN**

|             |                |          |            |
|-------------|----------------|----------|------------|
| PROJECT No: | FARM_1119/2_01 | SCALE:   | 1:100      |
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|             | /              | DRAWN:   | JLV        |
|             |                | CHECKED: | JLV        |

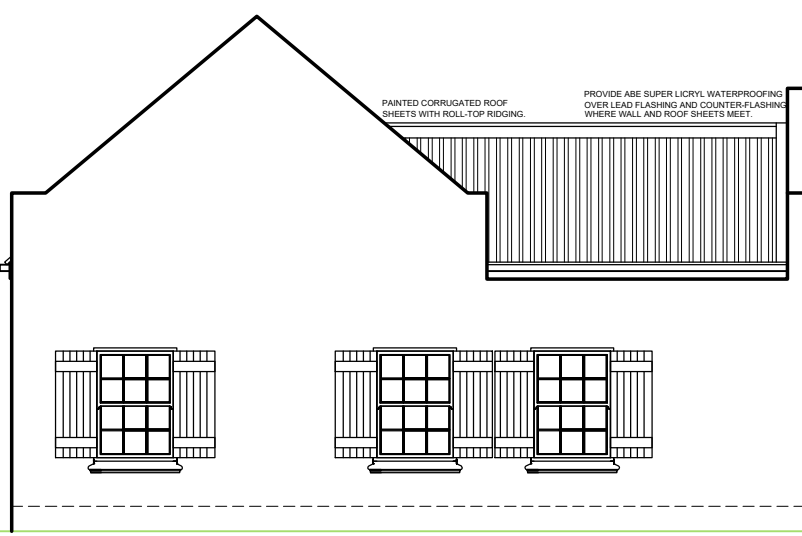
**JV PLANNING CONSULTANTS**

FOR APPROVAL

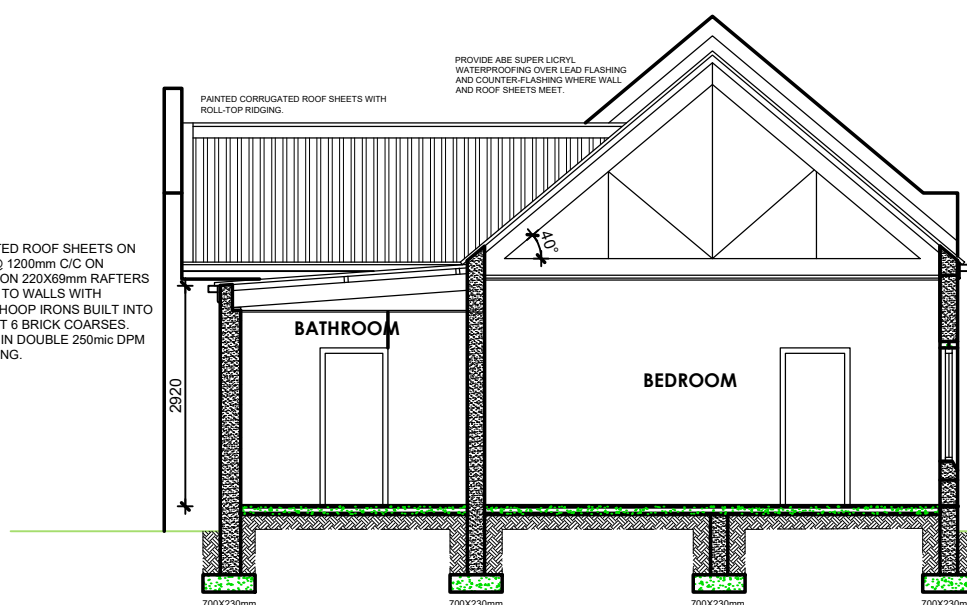




S.W. ELEVATION  
SCALE 1:100



N.W. ELEVATION  
SCALE 1:100



SECTION 01-01  
SCALE 1:100

MAIN ROOF:  
PAINTED CORRUGATED ROOF SHEETS ON 75x200mm PURLINS @ 1200mm C/C  
ON ISOLATION MEMBRANE ON 220x50mm RAFTERS AT 1200mm C/C TIED TO  
300x200mm LAMINATED RIDGE BEAM AND TIED TO WALLS WITH GALVANISED  
STEEL HOOP BARS BUILT INTO WALLS FOR AT LEAST 6 BRICK COARSE.  
RAFTERS WRAPPED IN DOUBLE 250mm DPM PRIOR TO BEAMFILLING.

PROVIDE JOISTE ALUMINIUM GUTTERS WITH  
RECTANGULAR DOWNPIPES TO 250x250mm  
PAINTED FASCIA, CLIPPED TO PLASTERED WALL.

PROVIDE PLASTERED AND PAINTED GYPSUM  
BOARD 12.5mm UNDER PURLIN, BETWEEN  
RAFTERS, PROVIDE 50mm ISOLATION  
MATERIAL ABOVE CEILING BOARD.

ALL WALLS TO BE BUILT WITH APPROVED WELL-BURNT CLAYBRICKS AND DAGHA, CONSISTING  
OF 1 PART PORTLAND CEMENT, 1 PART BUILDERS LIME AND 4 PARTS CLEAN SAND.  
PROVIDE PRESTRESSED CONCRETE LINTELS OVER DOOR & WINDOW OPENINGS INTERNALLY  
WITH BRICKWORK TO EVERY THIRD COARSE.

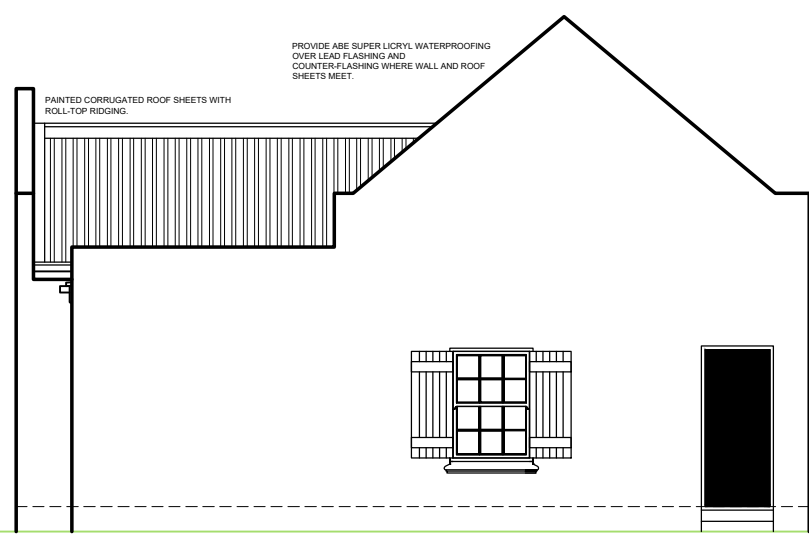
PROVIDE STEEL WIRE TIE EVERY THIRD COARSE AT 800mm C/C TO ALL CAVITY WALLS.  
ALL WALLS INTERNALLY ARE TO BE PLASTERED BOTH SIDES.  
ALL EXTERIOR WALLS INTERNALLY ARE TO BE PLASTERED WITH MIXTURE OF FINE CRUSHER  
DUST AND CEMENT.

PROVIDE FLOORCOVERINGS AS SHOWN, ON 25mm CEMENT SKEED, ON 75  
mm CONCRETE SLAB ON 200mm COMPACT SANDPROOF MEMBRANE, ON  
WELL-COMPACTED FILLING. PROVIDE ADEQUATE WEEPHOLES TO BOTTOM  
OF CAVITY. CAVITY TO BE KEPT CLEAN DURING BUILDING WORK.

FOUNDATIONS ARE TO BE CASTED IN SIZES AS SHOWN, CONSISTING OF 1  
PART PORTLAND CEMENT, 4 PARTS CLEAN SAND AND 6 PARTS 19mm  
COARSE AGGREGATE.

ALL DOORS AND WINDOWS MANUFACTURED OF MERANTI OR EQUALLY  
APPROVED HARDWOOD AS PER DOOR AND WINDOW SCHEDULE.

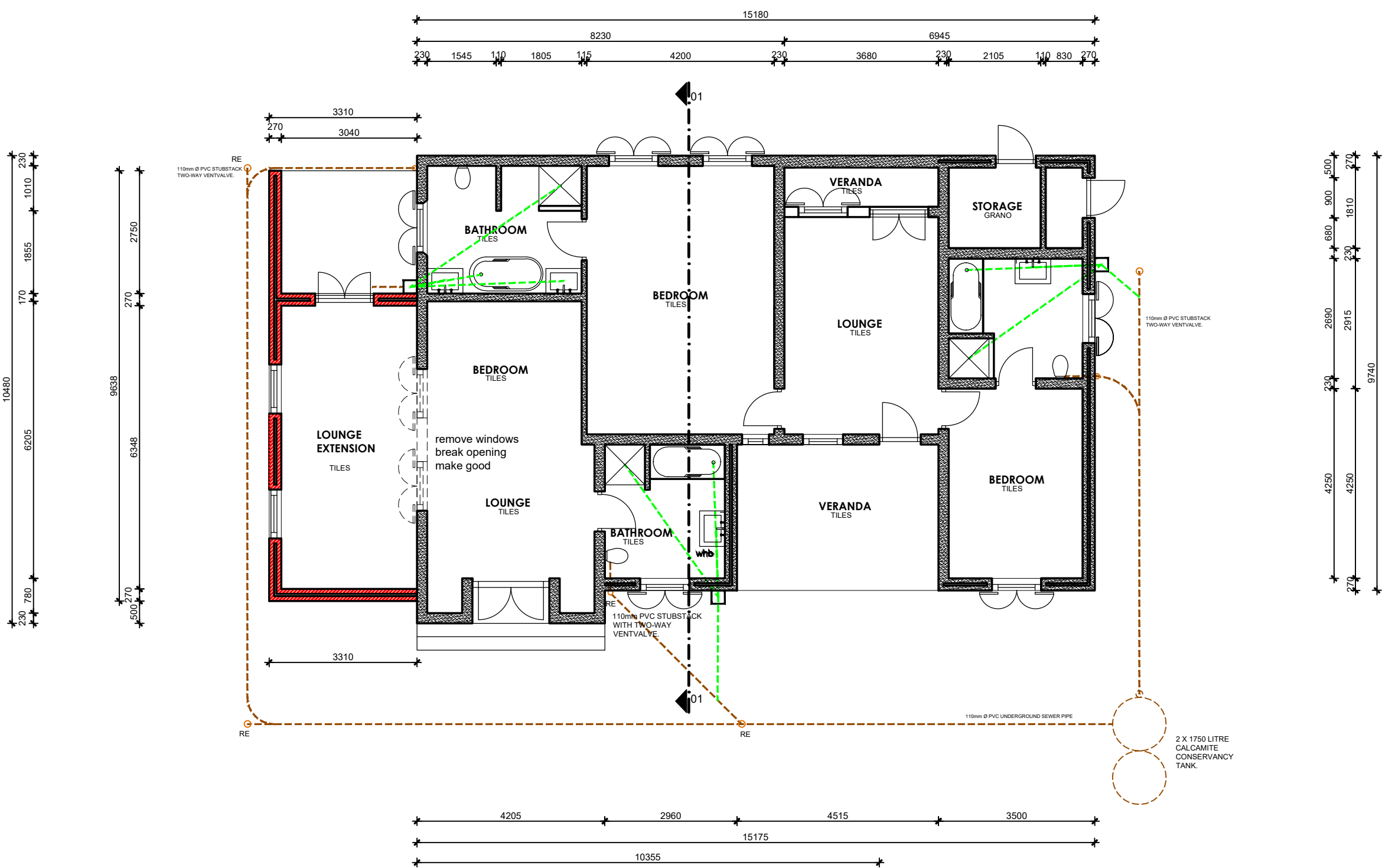
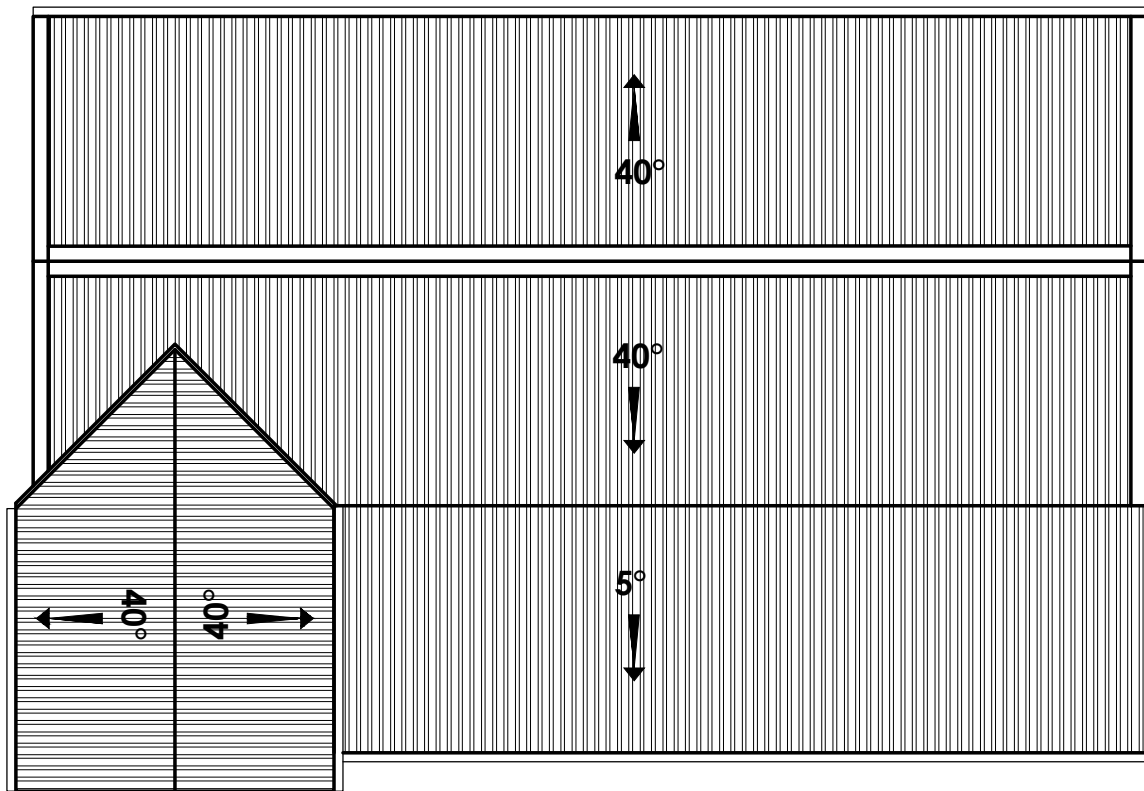
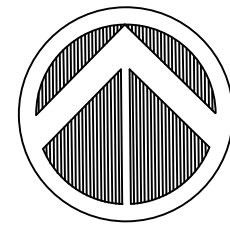
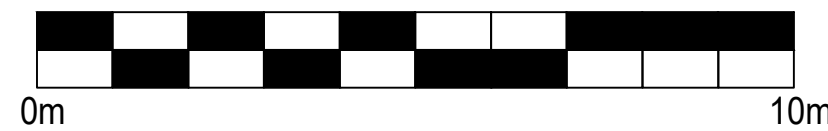
ELECTRICAL AND SEWERAGE WORK MUST COMPLY WITH LOCAL  
AUTHORITY'S BY-LAWS.



N.E. ELEVATION  
SCALE 1:100



S.E. ELEVATION  
SCALE 1:100



MONGWAWANE (PTY) LTD.

PROJECT TITLE:  
**LA DAUPHINE  
LAND USE PLANNING APPLICATION:  
FARM NO. 1119/2, FRANSCHHOEK**

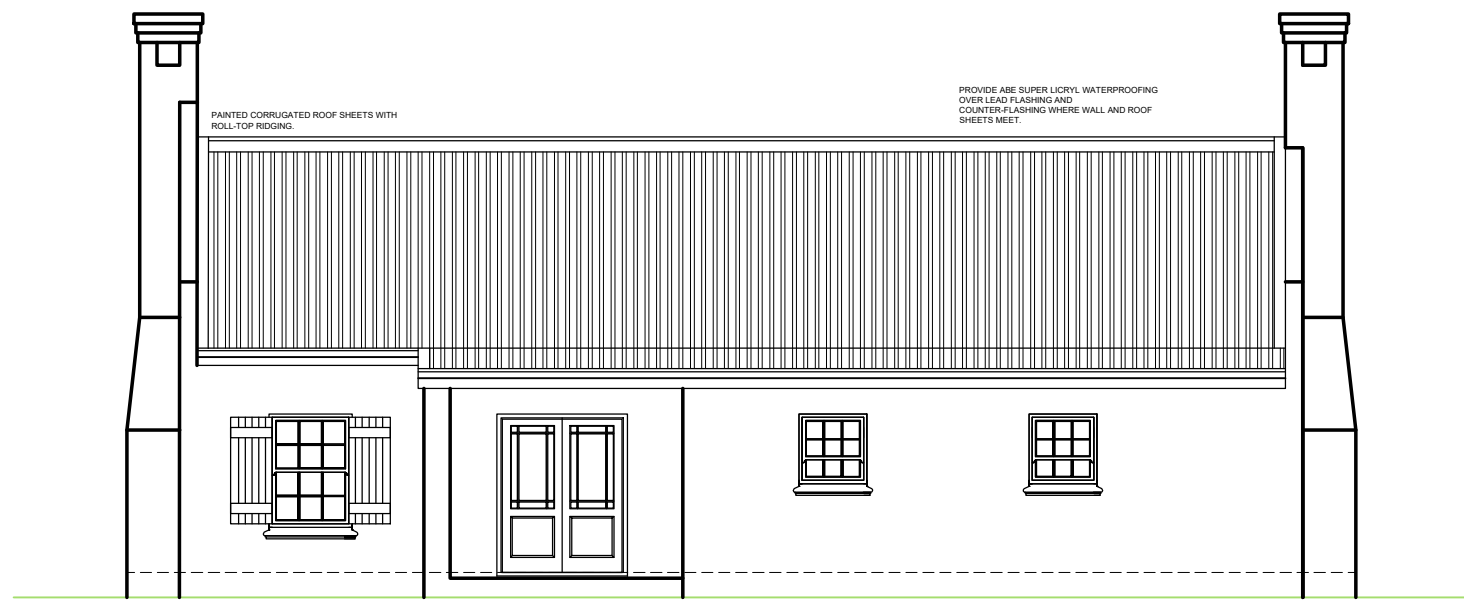
DRAWING TITLE:  
**COTTAGE 4 & 5  
BUILDING PLAN**

|             |                |          |            |
|-------------|----------------|----------|------------|
| PROJECT No: | FARM_1119/2_01 | SCALE:   | 1:100      |
| DRAWING No: | P004           | DATE:    | 01/11/2023 |
|             | /              | DRAWN:   | JLV        |
|             |                | CHECKED: | JLV        |

JV PLANNING CONSULTANTS

FOR APPROVAL

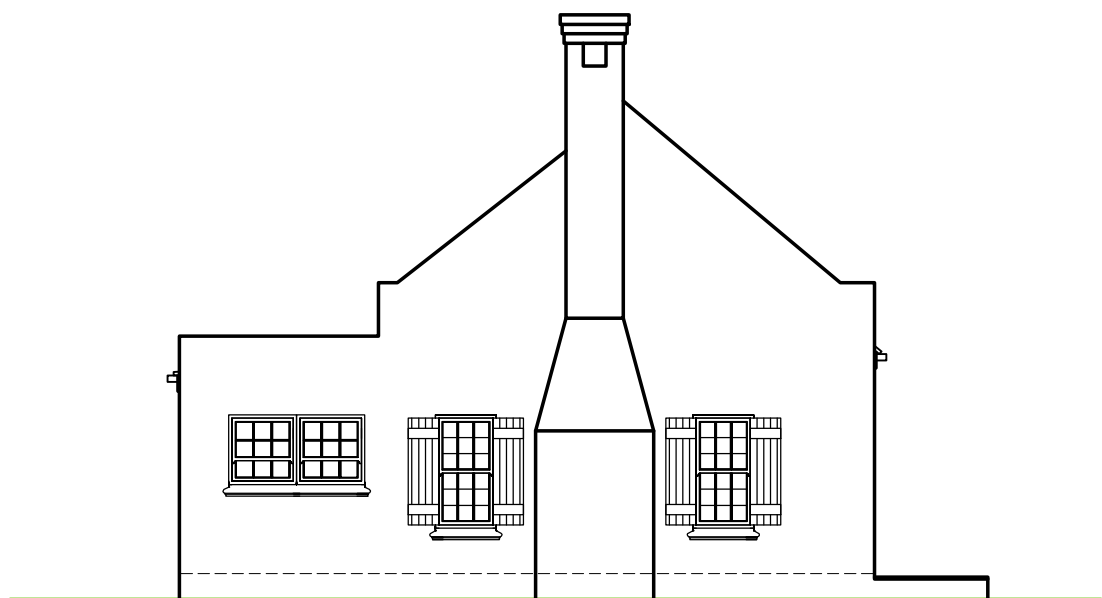




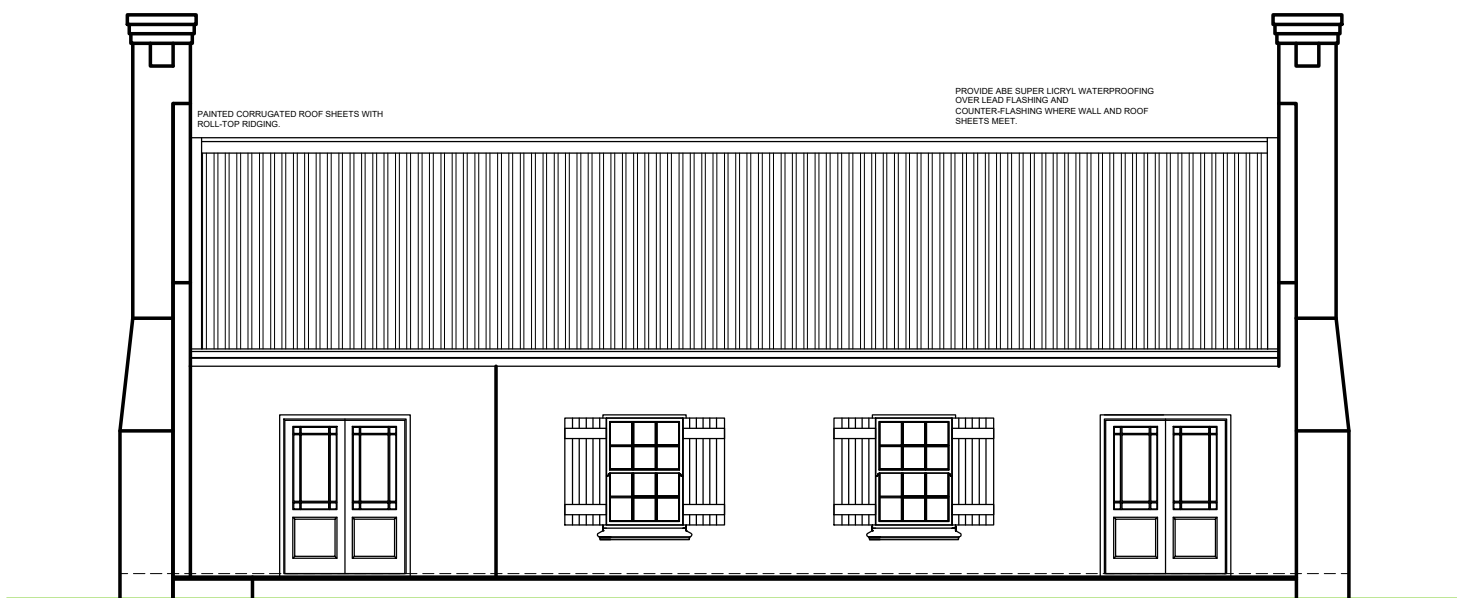
S.W. ELEVATION  
SCALE 1:100



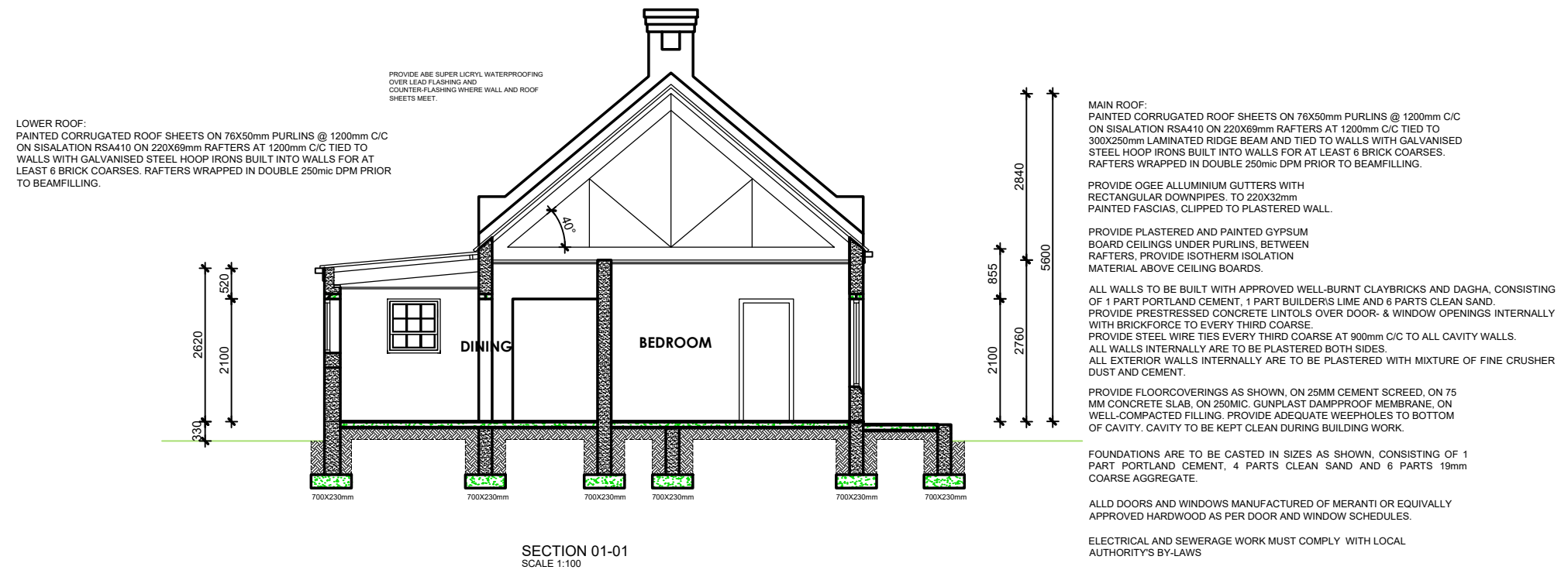
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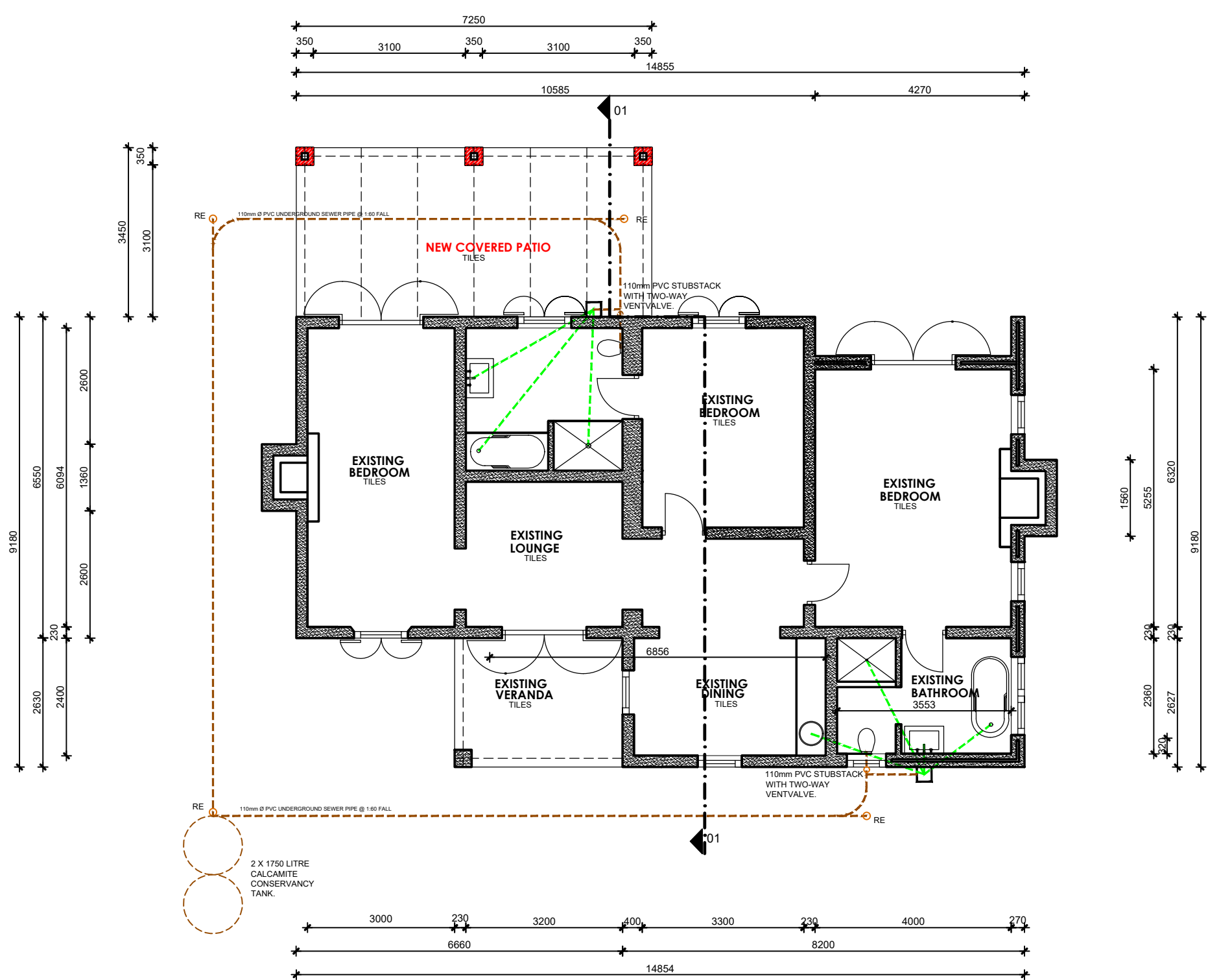
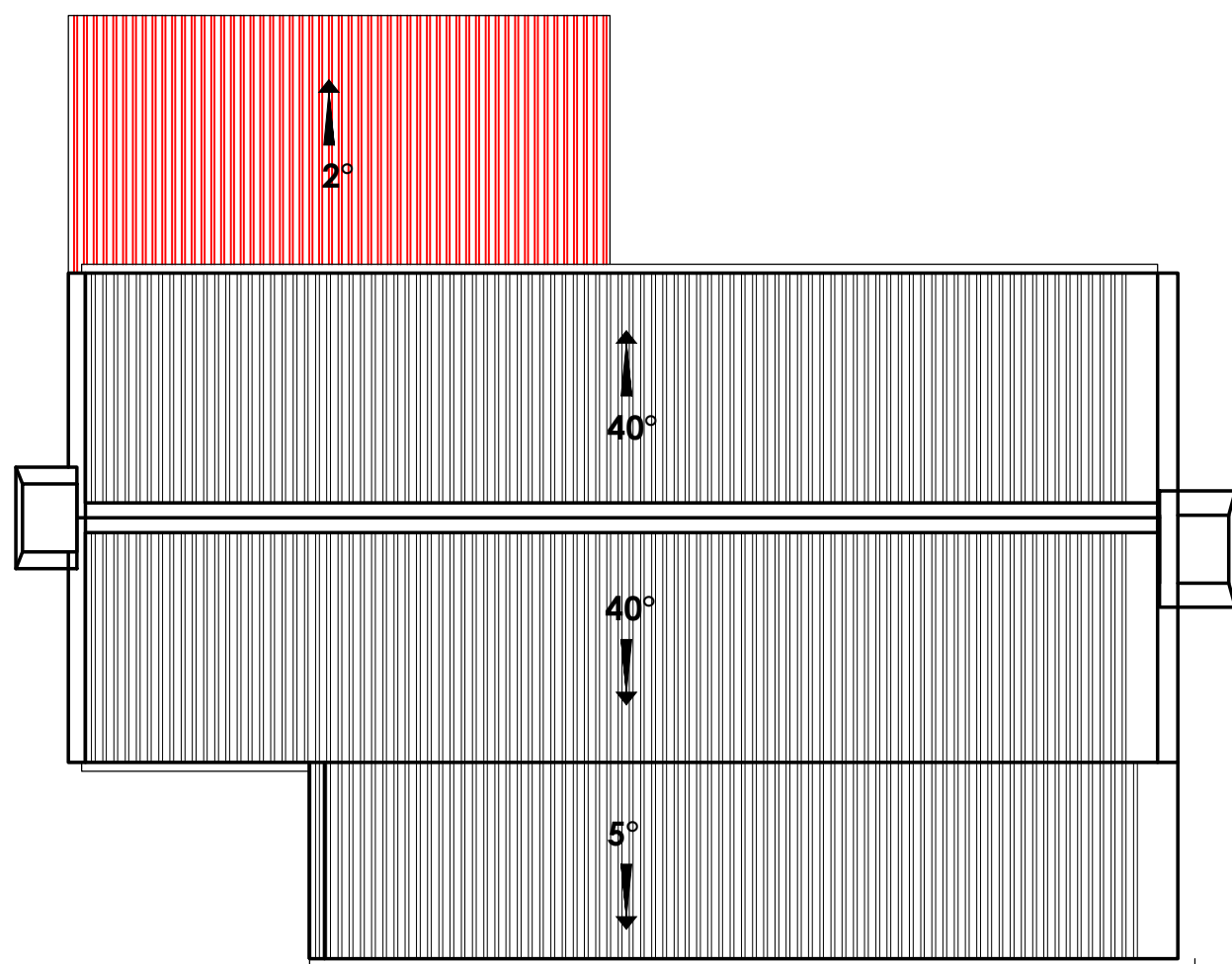
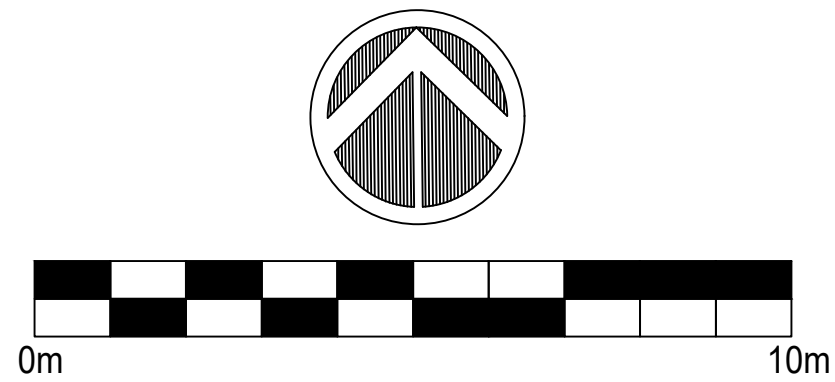
S.E. ELEVATION  
SCALE 1:100



N.E. ELEVATION  
SCALE 1:100



SECTION 01-01  
SCALE 1:100



MONGWAWANE (PTY) LTD.

PROJECT TITLE:  
**LA DAUPHINE  
LAND USE PLANNING APPLICATION:  
FARM NO. 1119/2, FRANSCHHOEK**

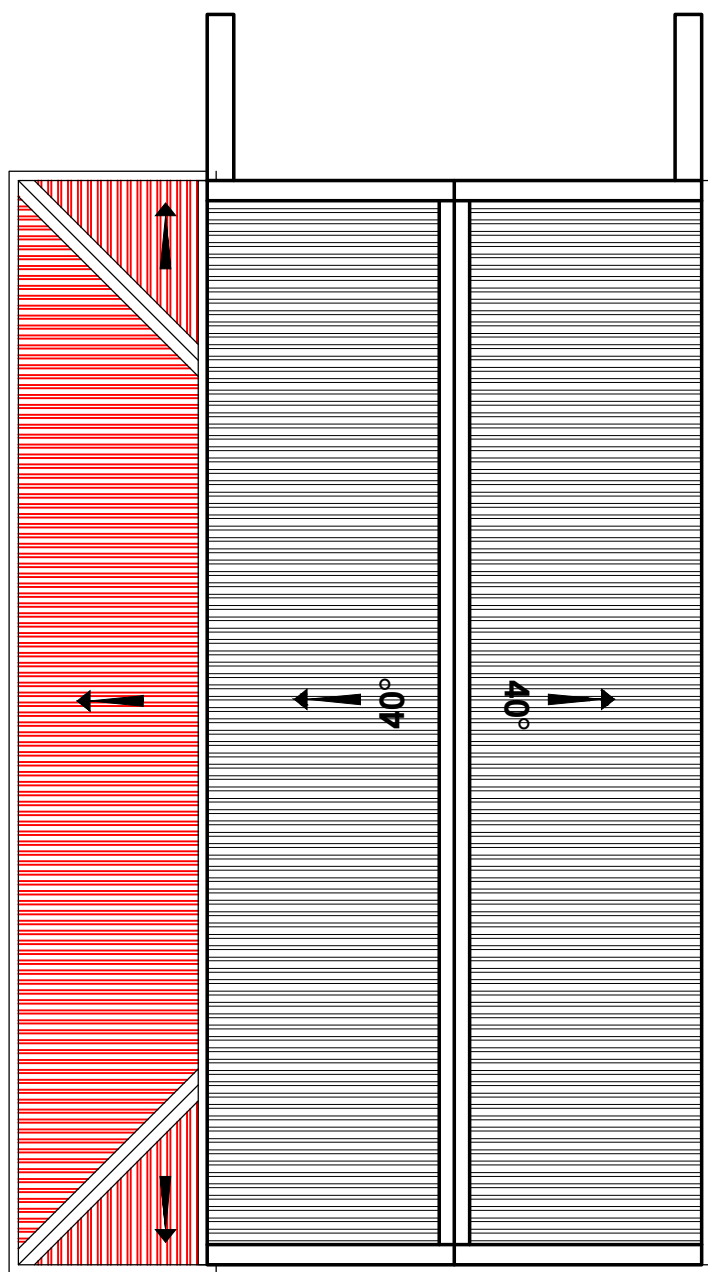
DRAWING TITLE:  
**COTTAGE 6  
BUILDING PLAN**

|             |                |          |            |
|-------------|----------------|----------|------------|
| PROJECT No: | FARM_1119/2_01 | SCALE:   | 1:100      |
| DRAWING No: | P005           | DATE:    | 01/11/2023 |
|             | /              | DRAWN:   | JLV        |
|             |                | CHECKED: | JLV        |

**JV PLANNING CONSULTANTS**

FOR APPROVAL





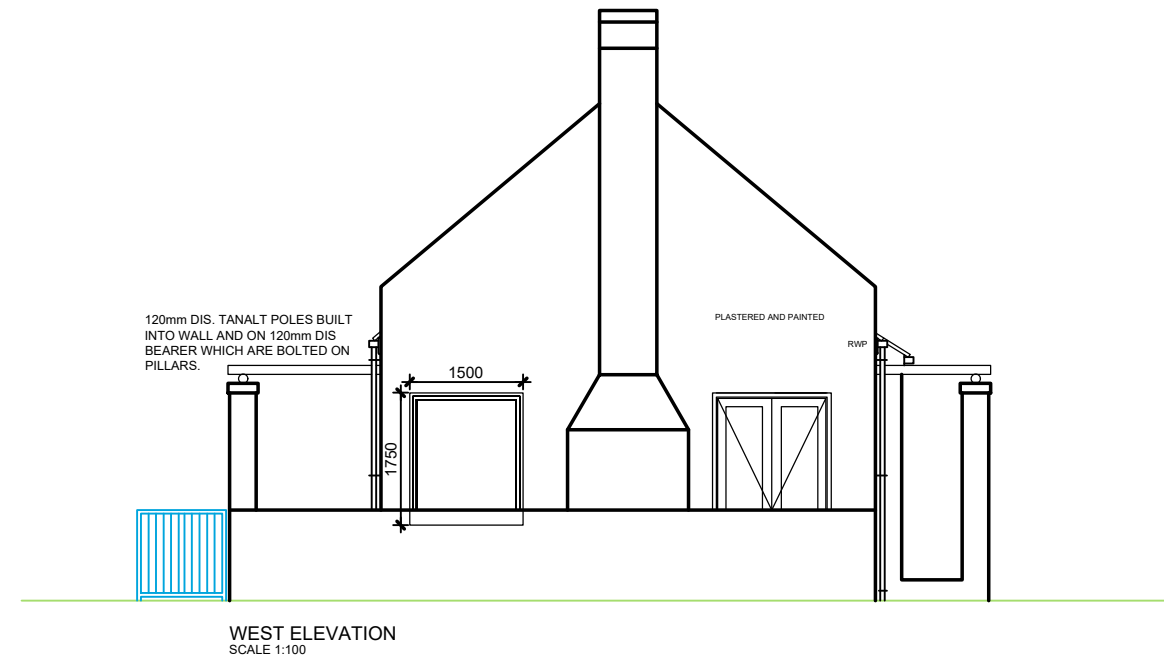
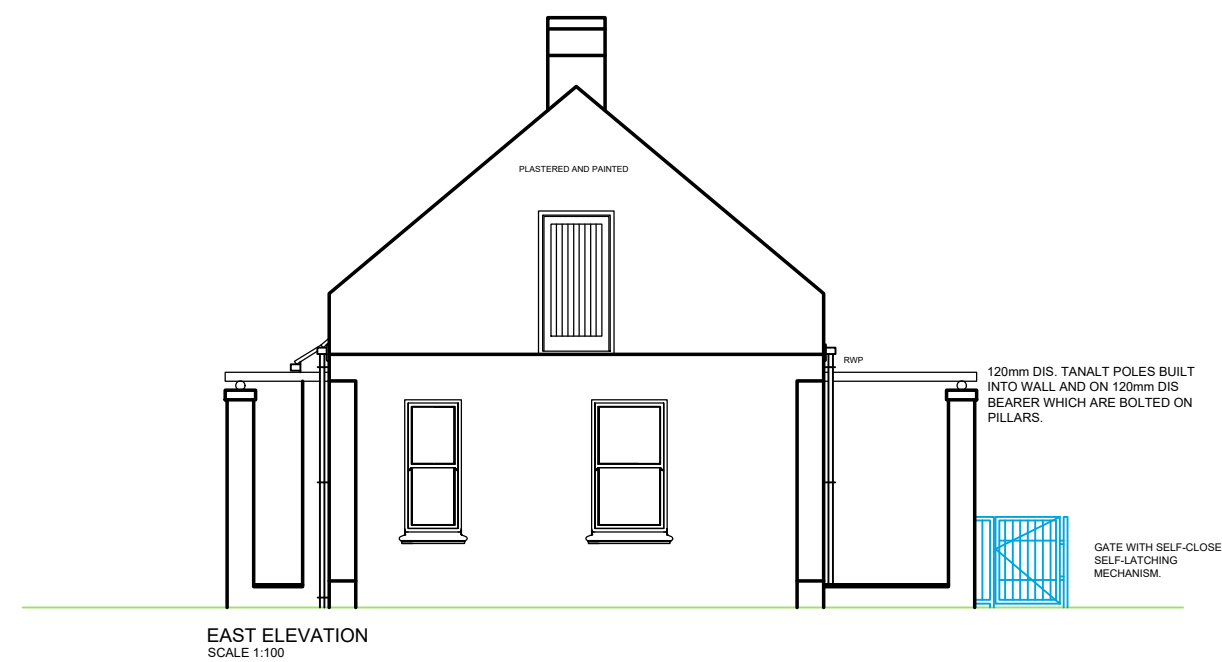
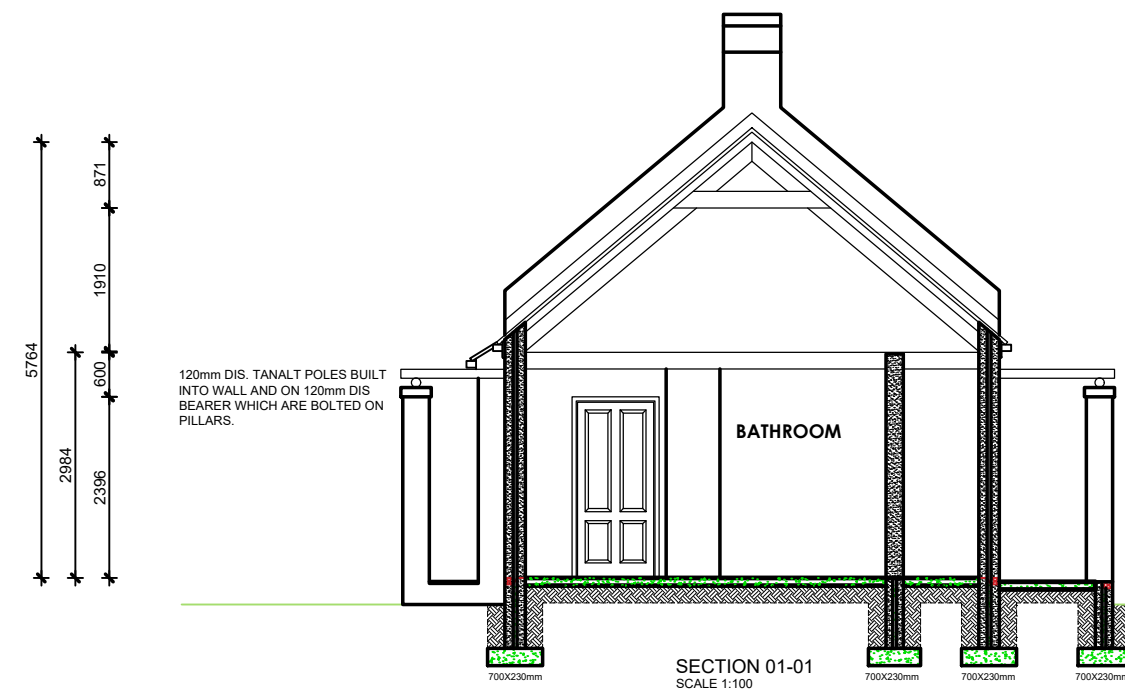
AND LINE

SWIMMING POOL

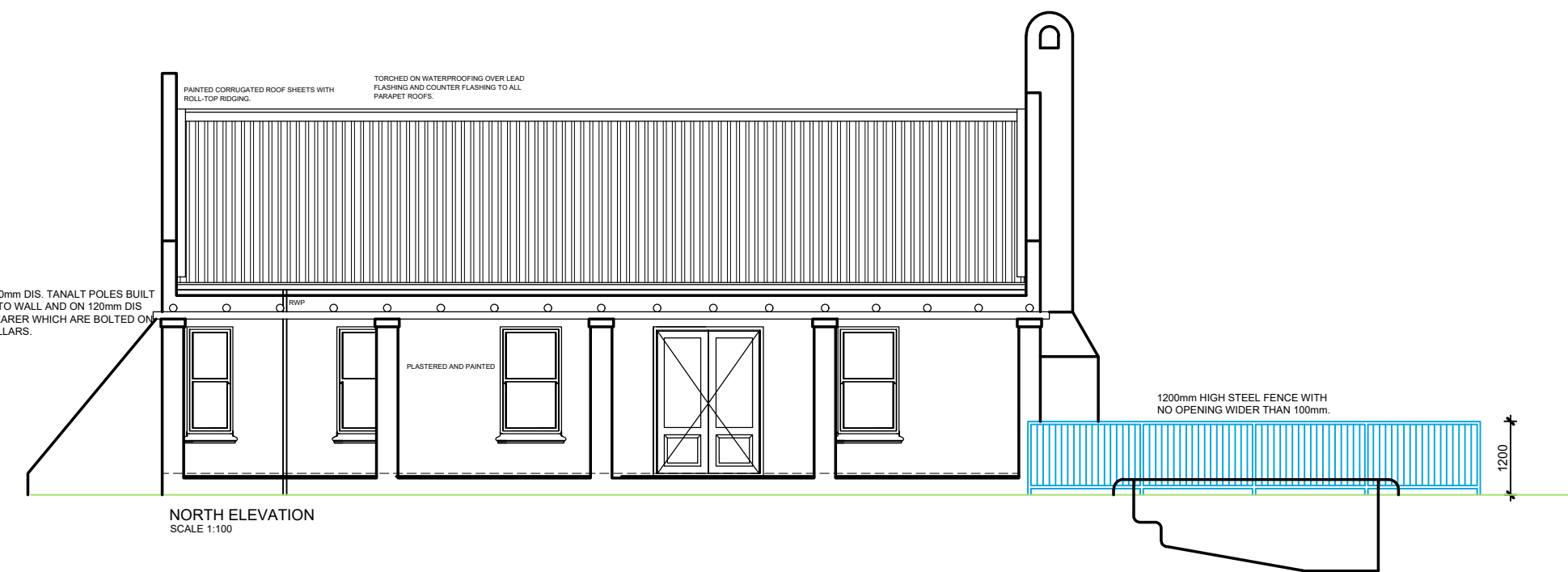
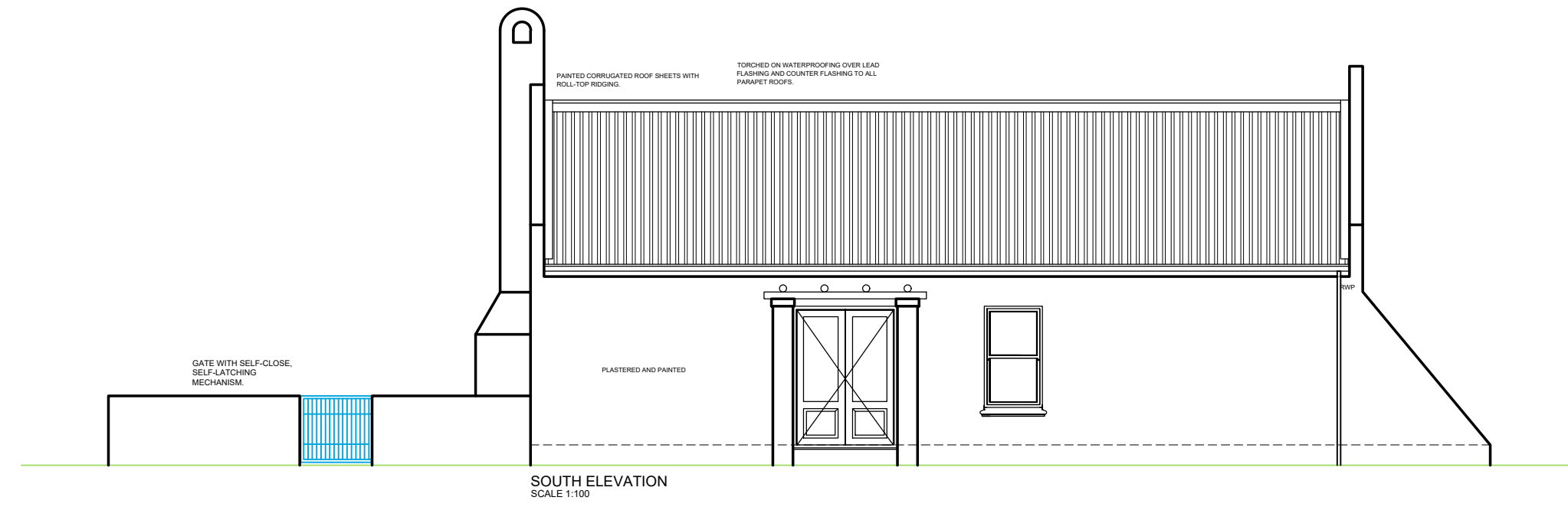
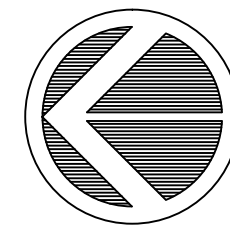
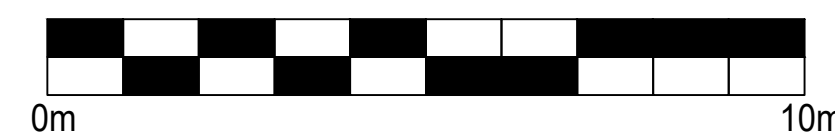
50mm THICK CONCRETE SLAB

POOL FINISH WITH SCUMBLETS AGAINST CONCRETE FILLED CAVITY WALLS WITH BRICKWORK TO EVERY COURSE AND TO STEEL REINFORCING BARS EVERY 100mm HORIZONTAL AND VERTICAL IN THE CAVITY. REINFORCING BARS TO BE TIED TOGETHER WITH REINFORCEMENT TO SLAB.

FOUNDATIONS ARE TO BE CASTED IN SIZES AS SHOWN, CONSISTING PART PORTLAND CEMENT, 4 PARTS CLEAN SAND AND 8 PARTS COARSE AGGREGATE.

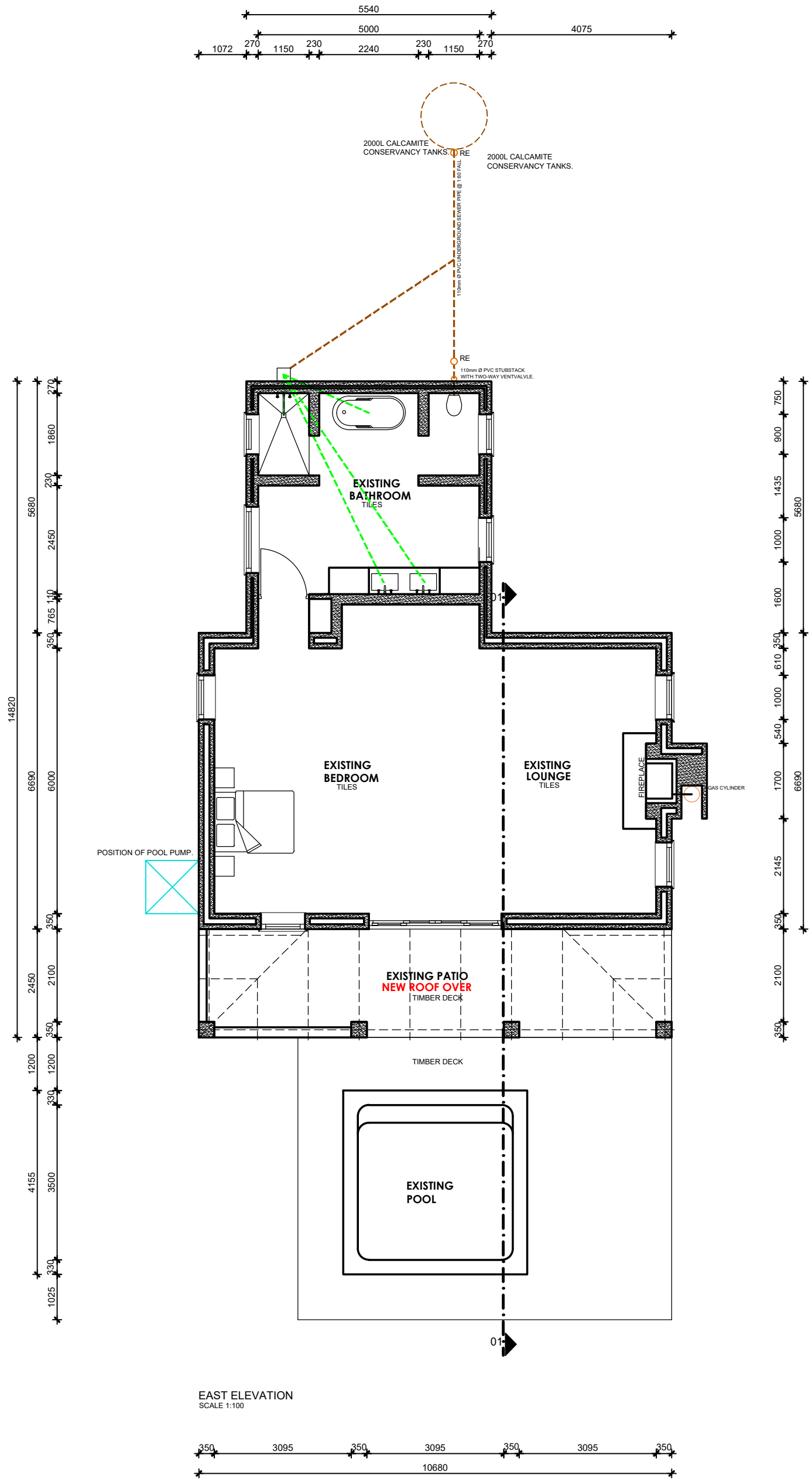
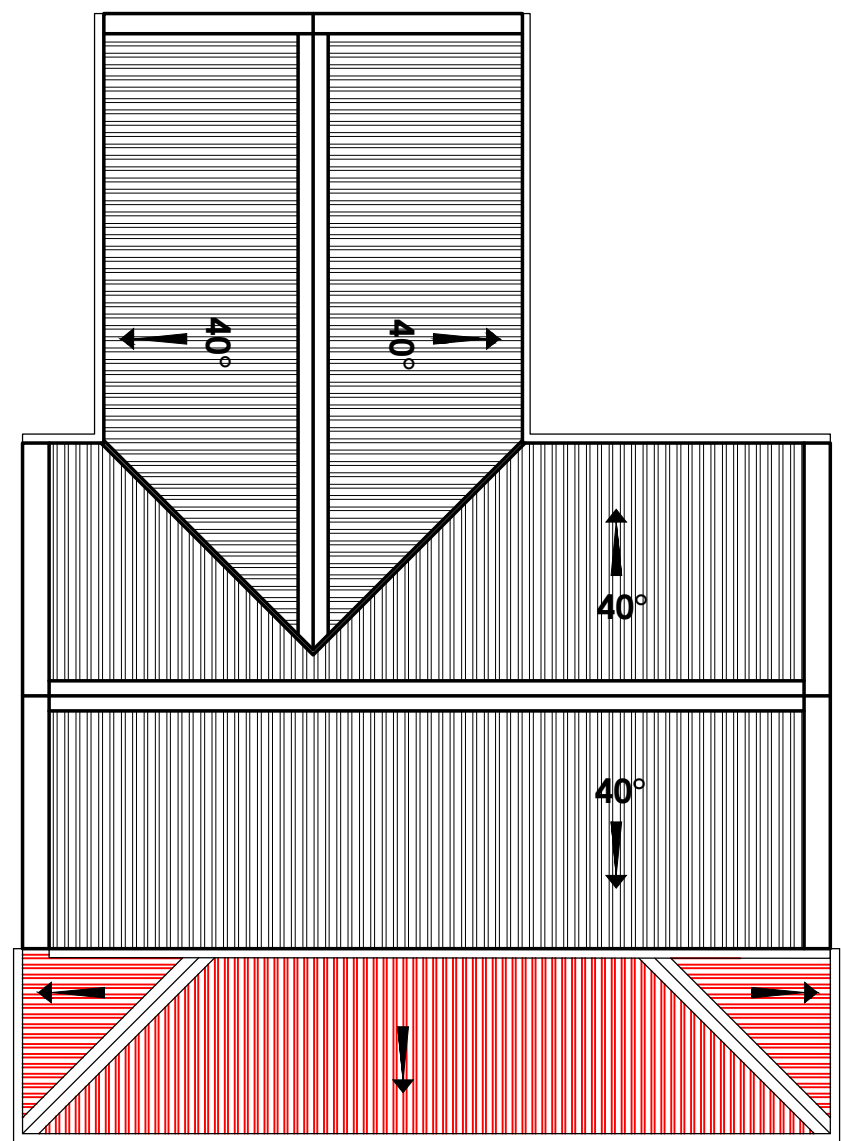


FOUNDATIONS ARE TO BE CASTED IN SIZES AS SHOWN, CONSISTING OF PART PORTLAND CEMENT, 4 PARTS CLEAN SAND AND 6 PARTS 19mm COARSE AGGREGATE.



FOR APPROVAL





MAIN ROOF:  
PAINTED CORRUGATED ROOF SHEETS ON PRESSURE TREATED 120mm x 120mm x 10mm C/C ON ISALATION ROAD ON 200mm x 100mm PRE-FABRICATED GANGVAL ROOF TRUSSES AT 1200mm C/C TIED TO WALLS WITH GALVANISED STEEL HOOP ROPS BUILT INTO WALLS FOR AT LEAST 6 BRICK COURSES. TRUSSES WRAPPED IN DOUBLE LAYERS 200mm DPM PRIOR TO BEAMFILLING.

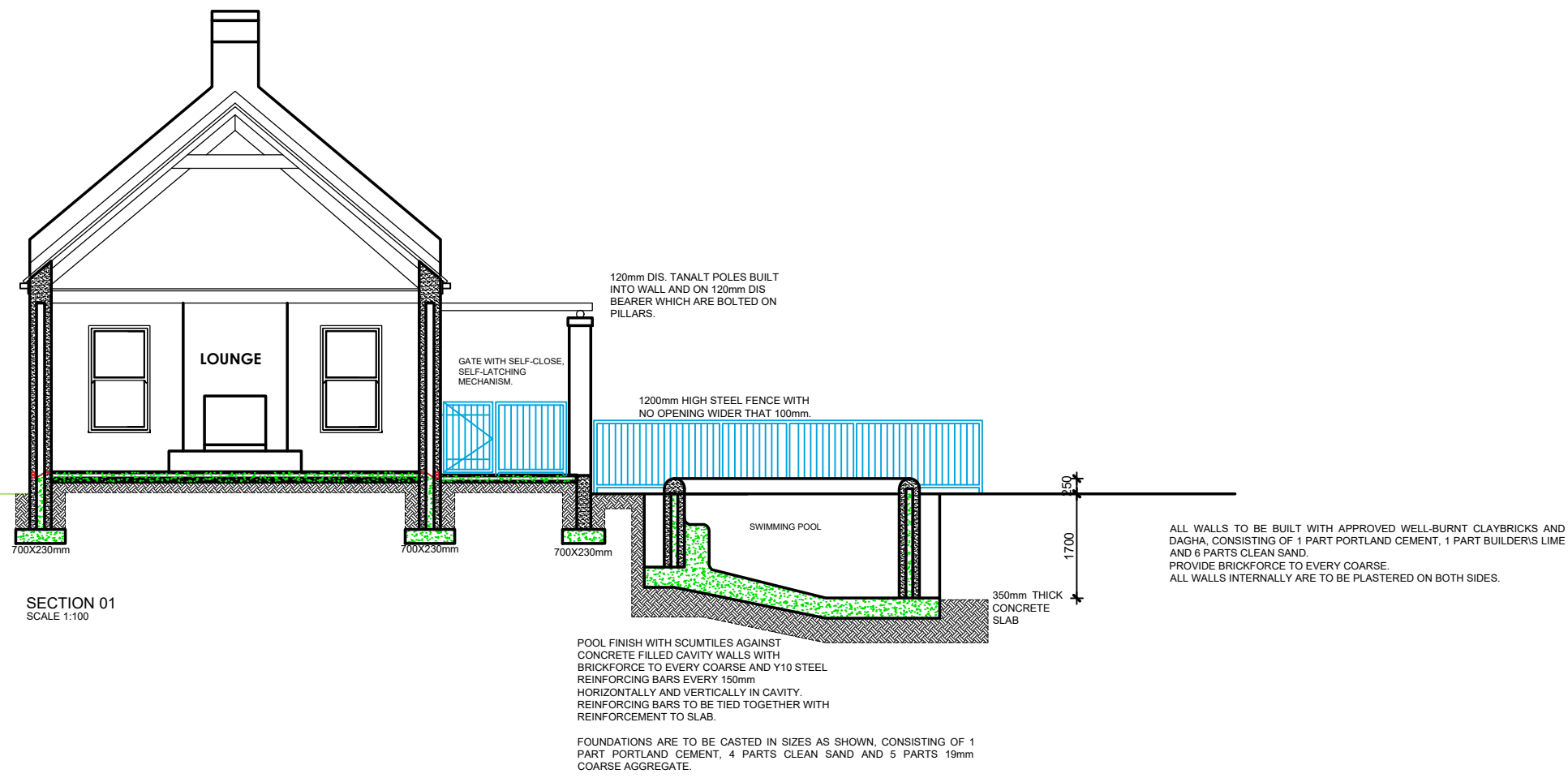
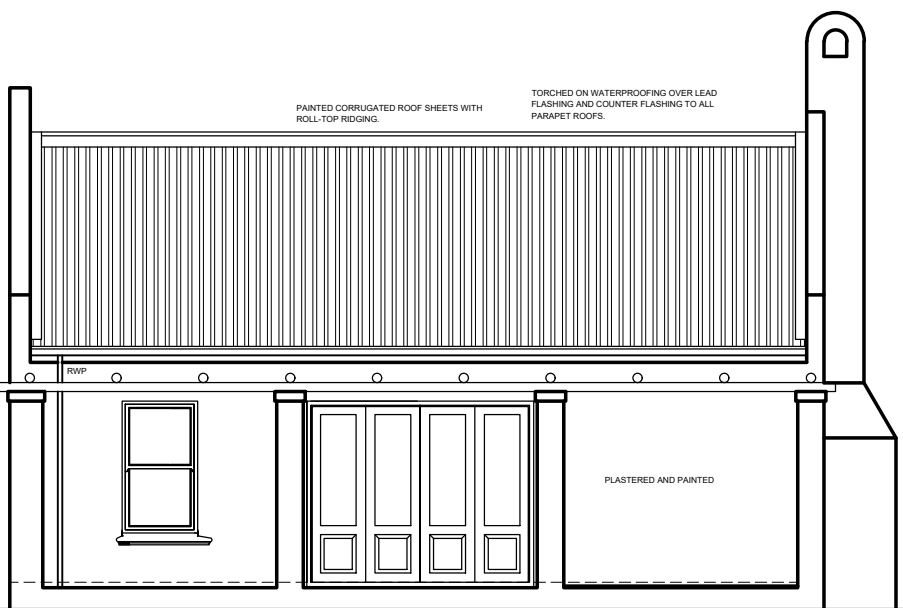
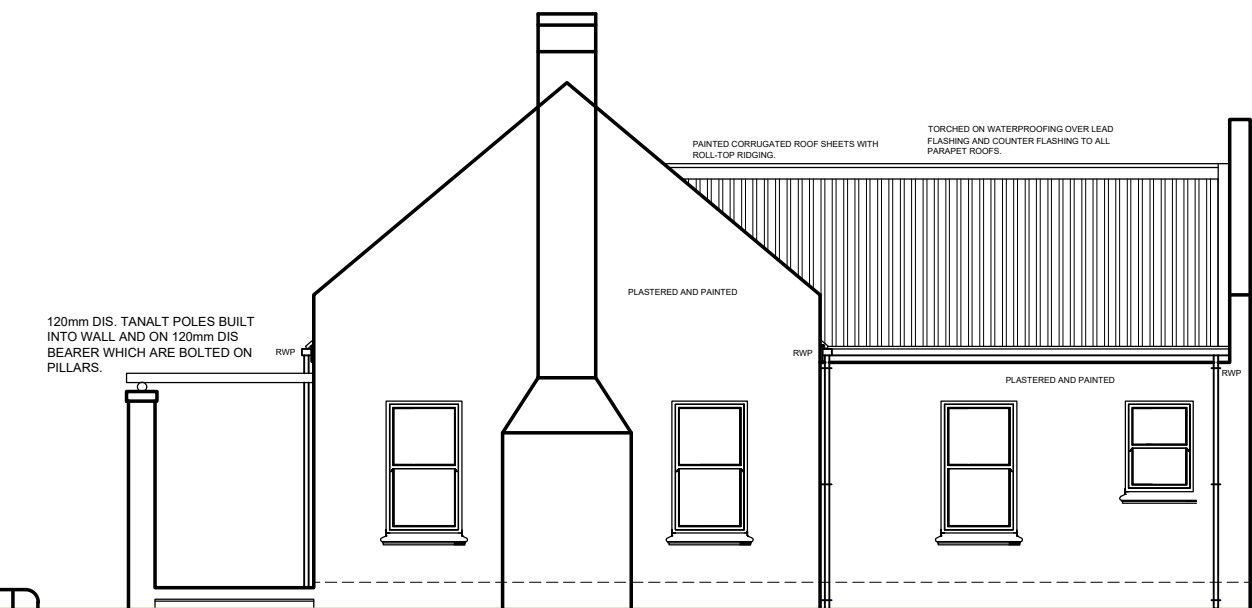
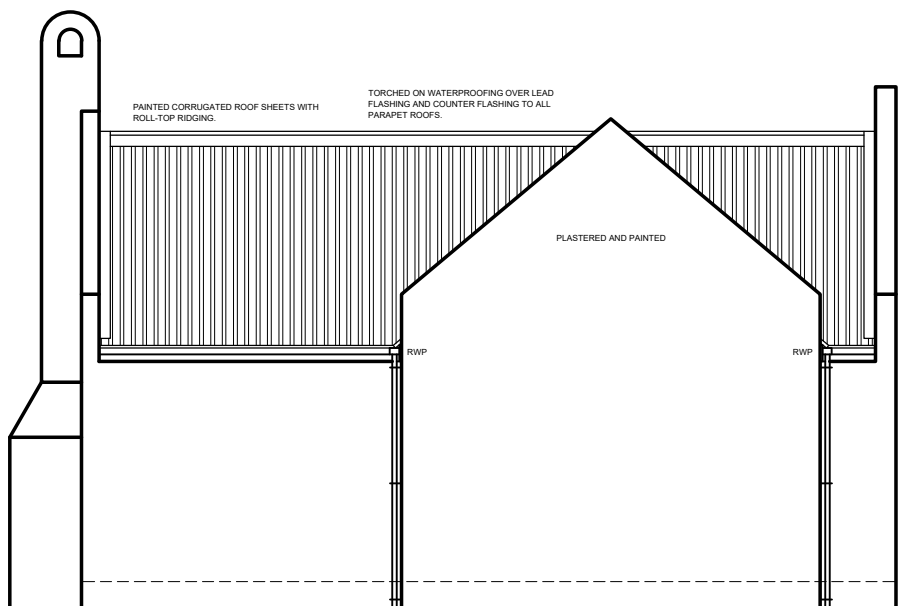
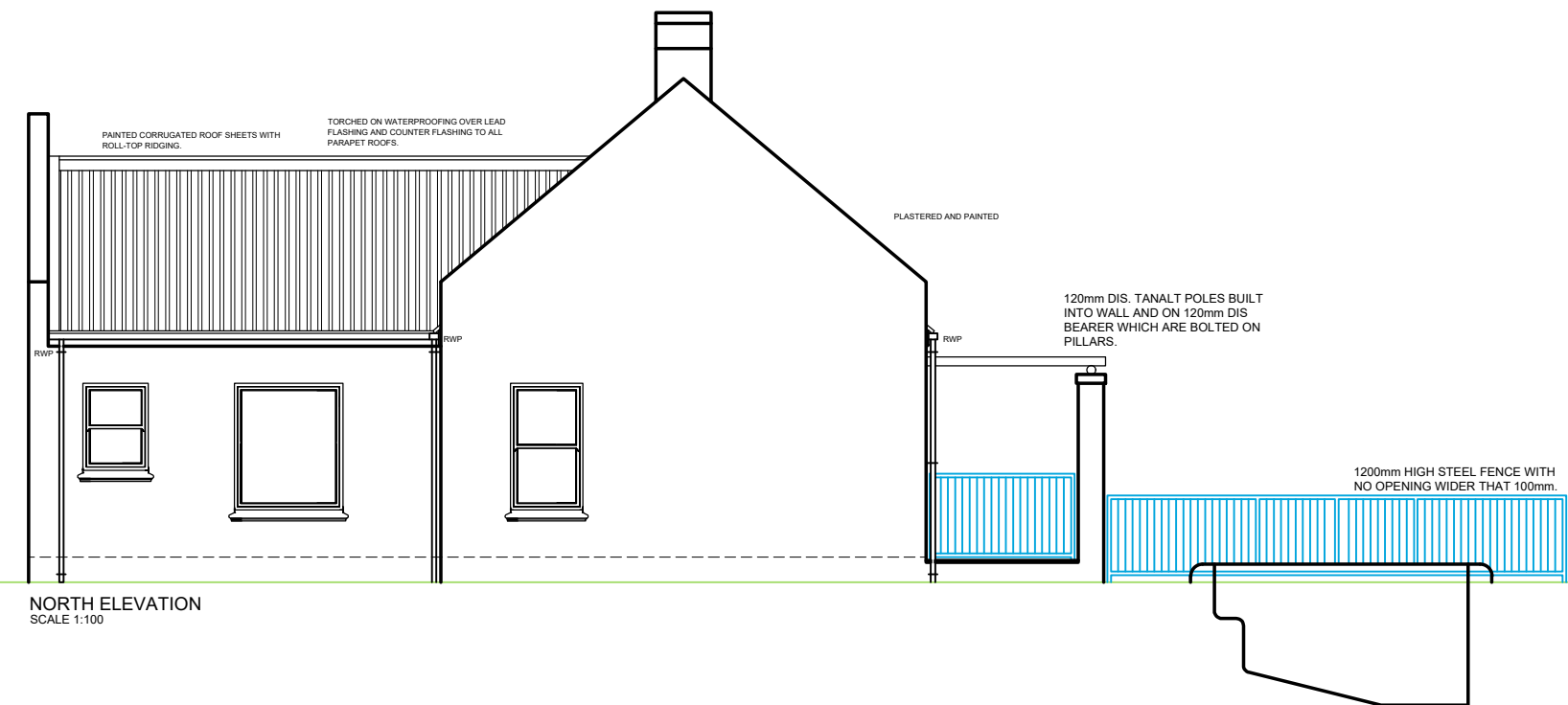
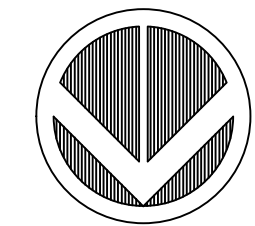
ROOF OVER BATHROOM:  
PAINTED CORRUGATED ROOF SHEETS ON PRESSURE TREATED 120mm x 120mm x 10mm C/C ON ISALATION ROAD ON 140mm x 100mm PRE-FABRICATED GANGVAL ROOF TRUSSES AT 1200mm C/C TIED TO WALLS WITH GALVANISED STEEL HOOP ROPS BUILT INTO WALLS FOR AT LEAST 6 COURSES. TRUSSES WRAPPED IN DOUBLE LAYERS 200mm DPM PRIOR TO BEAMFILLING.

PROVIDE LINE DRAINED PINE CEILING BETWEEN BATTERIES LINED 300mm x 100mm BATTERS AT 400mm C/C. PROVIDE DOUBLE LAYER ISALATION MATERIAL ABOVE CEILING. PROVIDE TIMBER COVERED CORNICES.

ALL WALLS TO BE BUILT WITH APPROVED WELL-BURNED CLAYBRICKS AND DIGITAL, CONSISTING OF 1 PART PORTLAND CEMENT, 1 PART BUILDERS LIME AND 6 PARTS CLEAN SAND.  
PROVIDE PRESTRESSED CONCRETE LINTELS OVER DOOR- & WINDOW OPENINGS WITH BRICKWORK TO EVERY THIRD COURSE.  
ALL WALLS INTERNALLY ARE TO BE PLASTERED AND PAINTED ONE MASONRY UNDERCOAT, ONE FILLER COAT AND ONE COAT FINA.  
ALL EXTERIOR WALLS ARE TO BE PLASTERED AND PAINTED ONE MASONRY UNDERCOAT, ONE FILLER COAT AND ONE COAT FINA.

PROVIDE FLOORCOVERINGS AS SHOWN, ON 25mm CEMENT SCREEN, ON 75mm CONCRETE SLAB, ON 200mm GUARD RAIL DAMPPROOF MEMBRANE, ON WELL-COMPACTED FILLING. PROVIDE ADEQUATE WEEPHOLES TO BOTTOM OF CAVITY. CAVITY TO BE KEPT CLEAN DURING BUILDING WORK.  
ELECTRICAL AND SEWERAGE WORK MUST COMPLY WITH LOCAL AUTHORITIES BY LAWS.

FOUNDATIONS ARE TO BE CASTED IN SIZES AS SHOWN, CONSISTING OF 1 PART PORTLAND CEMENT, 4 PARTS CLEAN SAND AND 6 PARTS 19mm COARSE AGGREGATE.



MONGWAWANE (PTY) LTD.

PROJECT TITLE:  
**LA DAUPHINE  
LAND USE PLANNING APPLICATION:  
FARM NO. 1119/2, FRANSCHHOEK**

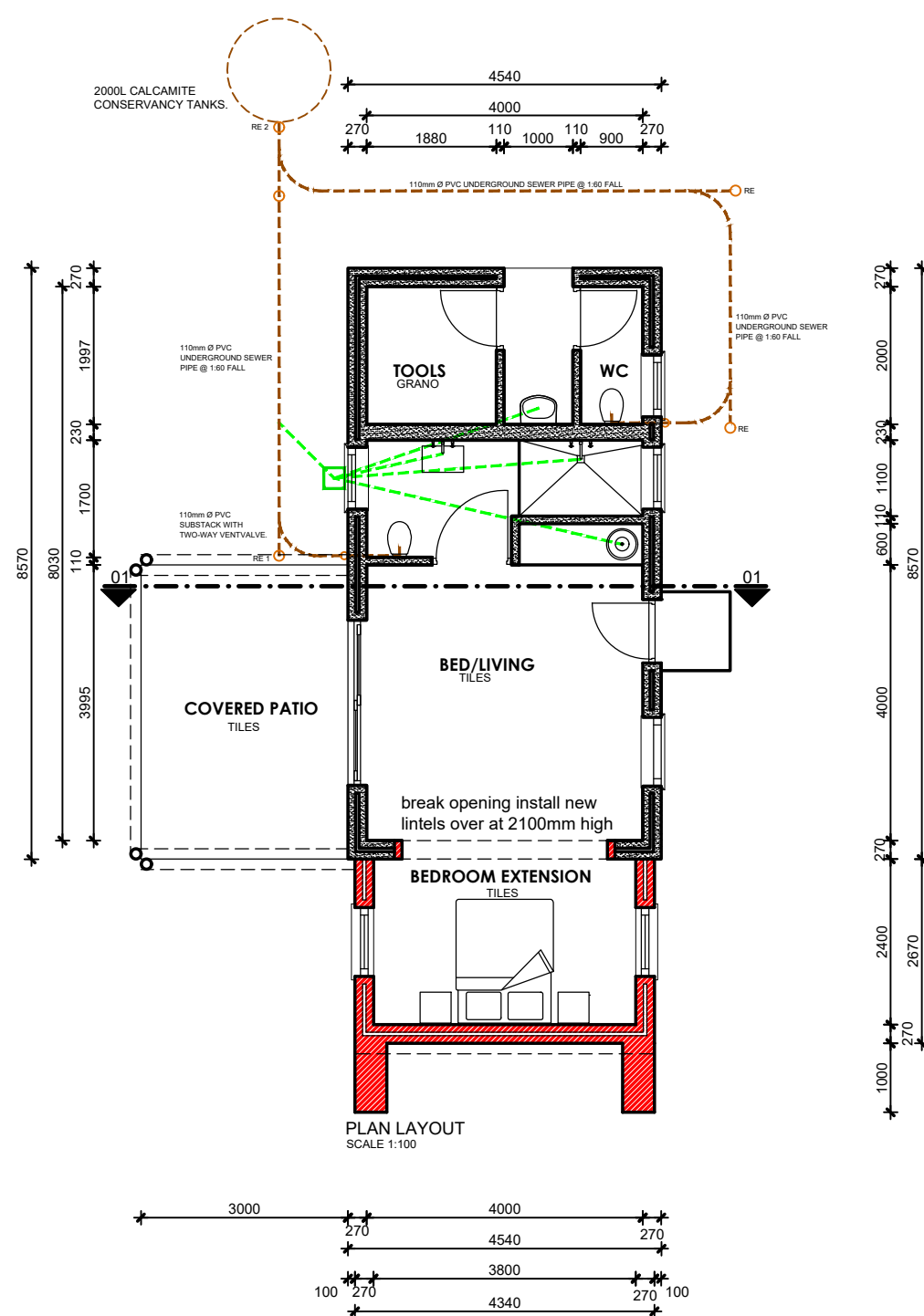
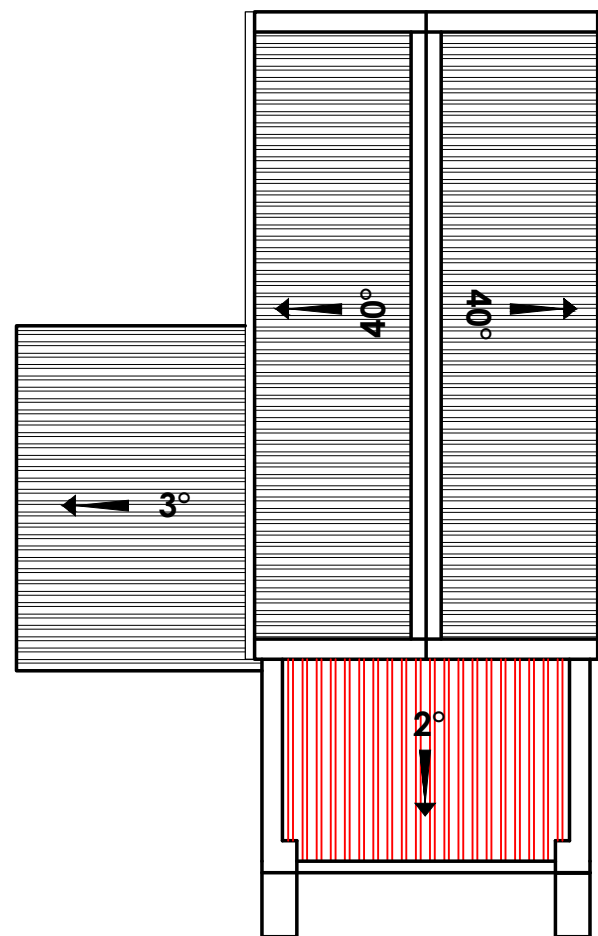
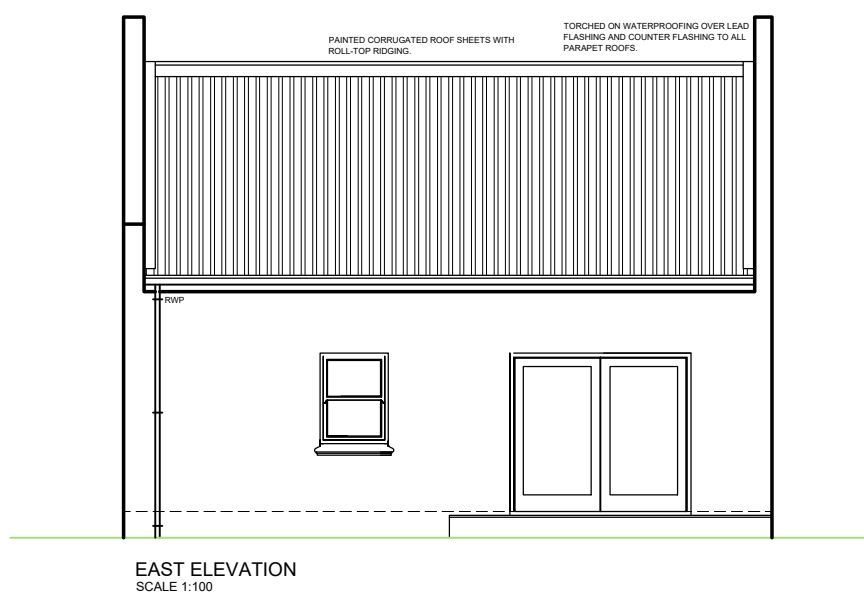
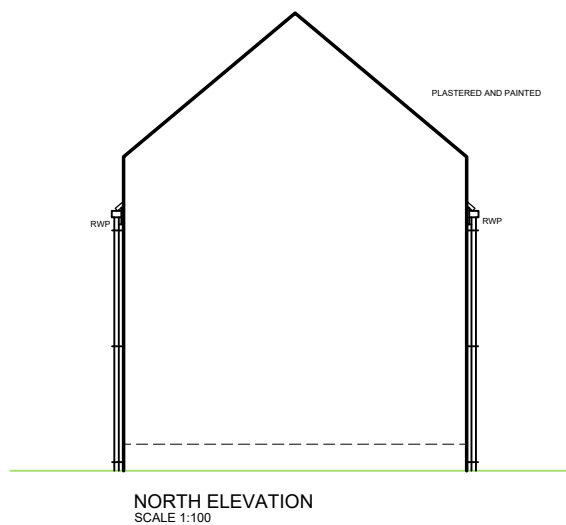
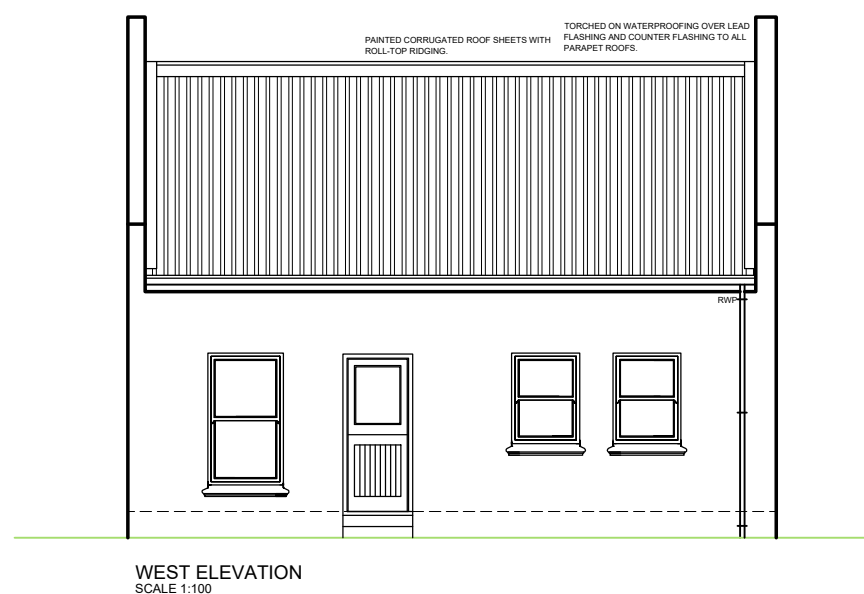
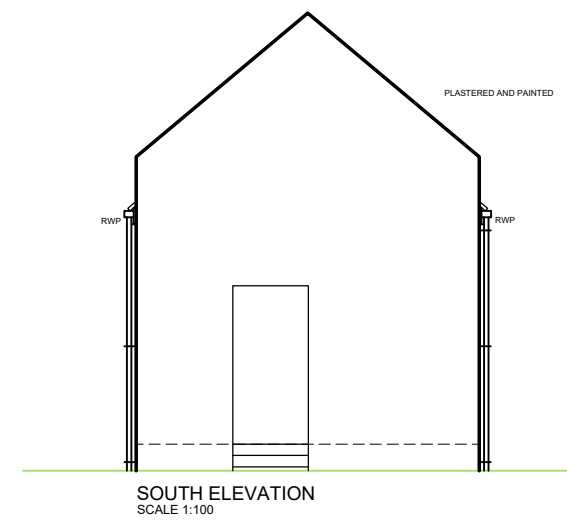
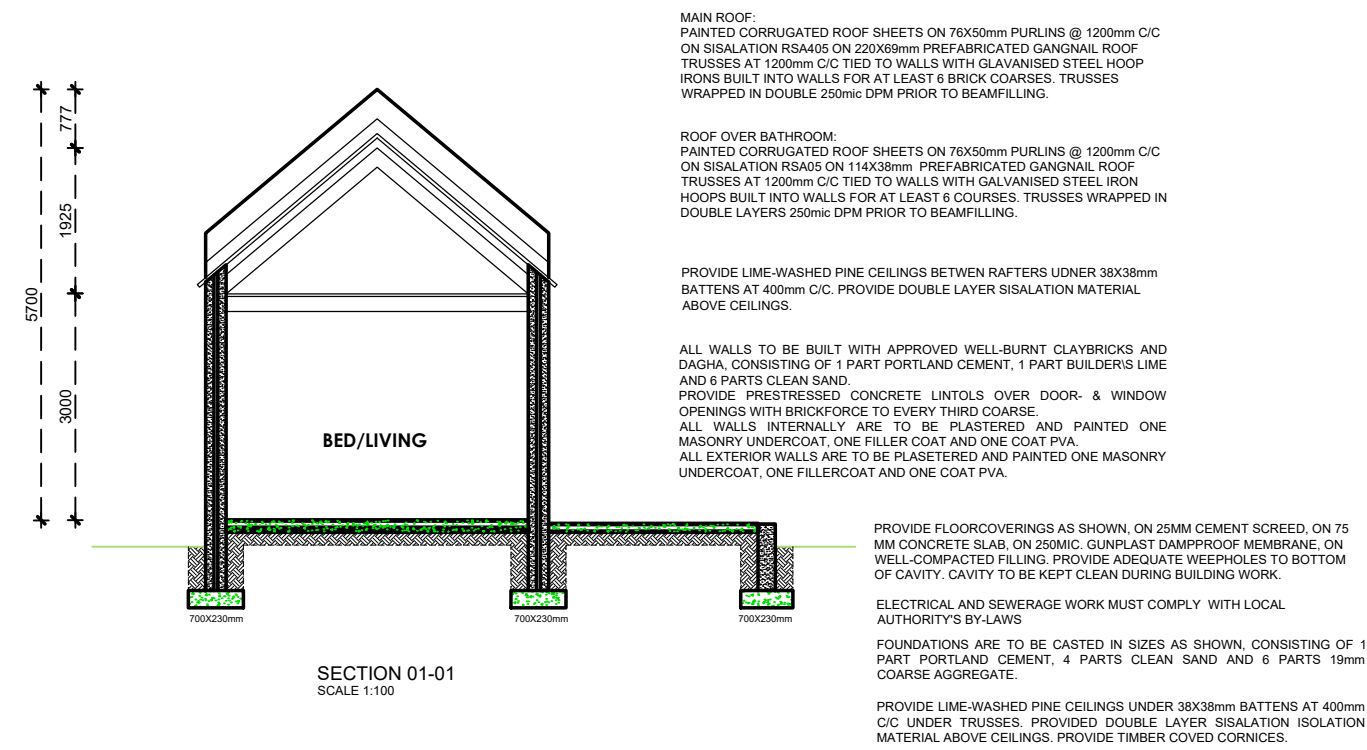
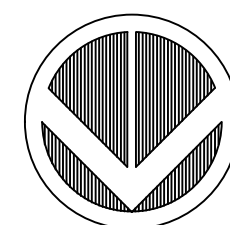
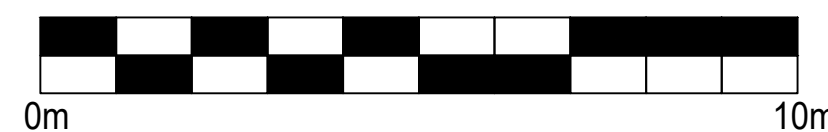
**COTTAGE 8  
BUILDING PLAN**

|             |                |          |            |
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| PROJECT No: | FARM_1119/2_01 | SCALE:   | 1:100      |
| DRAWING No: | P007           | DATE:    | 01/11/2023 |
|             | /              | DRAWN:   | JLV        |
|             |                | CHECKED: | JLV        |

**JV PLANNING CONSULTANTS**

**FOR APPROVAL**





MONGWAWANE (PTY) LTD.

PROJECT TITLE:  
**LA DAUPHINE  
LAND USE PLANNING APPLICATION:  
FARM NO. 1119/2, FRANSCHHOEK**

DRAWING TITLE:  
**COTTAGE 9  
BUILDING PLAN**

|             |                |          |            |
|-------------|----------------|----------|------------|
| PROJECT No: | FARM_1119/2_01 | SCALE:   | 1:100      |
| DRAWING No: | P008           | DATE:    | 01/11/2023 |
|             | /              | DRAWN:   | JLV        |
|             |                | CHECKED: | JLV        |

**JV PLANNING CONSULTANTS**

FOR APPROVAL





CLIENT

MONGWAWANE (PTY) LTD.

DRAWING TITLE

LA DAUPHINE  
LAND USE PLANNING APPLICATION:  
FARM NO. 1119/2, FRANSCHHOEK

DRAWING TITLE

DEPARTURE PLAN

|                             |            |                  |  |
|-----------------------------|------------|------------------|--|
| PROJECT No.: FARM_1119/2_01 |            | SCALE: 1:100     |  |
| DRAWING No.: P001           |            | DATE: 01/11/2023 |  |
| REV. /                      | DRAWN: JLV | CHECKED: JLV     |  |

FOR APPROVAL



## TAX INVOICE



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

PO BOX 17, STELLENBOSCH, 7599

PLANNING &amp; ECONOMIC DEVELOPMENT: PLANNING

|                |                                                       |                     |                                                                           |
|----------------|-------------------------------------------------------|---------------------|---------------------------------------------------------------------------|
| DATE:          | 2023-12-12                                            | DOCUMENT NO:        | 760876                                                                    |
| ERF / FARM NO: | 1119/2                                                | CREATED BY:         | Nicole Katts                                                              |
| LOCALITY:      | Excelsior Road , FRANSCHHOEK                          | APPLICATION NO:     | LU/16498                                                                  |
| OWNER'S NAME:  | Mongwawane Pty Ltd                                    | APPLICATION VAT NO: | 4240277436                                                                |
| ADDRESS:       | Postnet Suite<br>Private Bag X7260<br>Witbank<br>1035 | VAT NO:             | 4700102181                                                                |
|                |                                                       | APPLICANT:          | Mongwawane Pty Ltd<br>Jacques Volschenk - JV Planning Consultants Pty Ltd |
|                |                                                       | TEL NO:             | 0828216365                                                                |

| FEE DESCRIPTION                                                                                                                                                                           | AMOUNT PER UNIT (R) | NUMBER OF UNITS | VOTE NUMBER    | AMOUNT (R) |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-----------------|----------------|------------|
| PERMANENT DEPARTURE - Departure applications including but not limited to building lines, coverage, height, bulk, parking, Per applications per property                                  | 2600.00             | 1               | 20220630081392 | 2600.00    |
| TEMPORARY DEPARTURE, CONSENT USE, PERMISSION IN TERMS OF ZONING SCHEME, PERMISSION REQUIRED IN TERMS OF THE TITLE DEED - Submitted in urban and rural areas, Per application per property | 2600.00             | 1               | 20220630081392 | 2600.00    |
|                                                                                                                                                                                           | 0.00                | 1               |                | 0.00       |
|                                                                                                                                                                                           | 0.00                | 1               |                | 0.00       |
|                                                                                                                                                                                           | 0.00                | 1               |                | 0.00       |
|                                                                                                                                                                                           | 0.00                | 1               |                | 0.00       |
|                                                                                                                                                                                           | 0.00                | 1               |                | 0.00       |
|                                                                                                                                                                                           | 0.00                | 1               |                | 0.00       |
|                                                                                                                                                                                           | 0.00                | 1               |                | 0.00       |
|                                                                                                                                                                                           | 0.00                | 1               |                | 0.00       |
|                                                                                                                                                                                           | 0.00                | 1               |                | 0.00       |

FILE NR:

F 1119/2 P

NEW TARIFFS IMPLEMENTED ON 1 JULY ANNUALLY

CALCULATED BY

NAME: Nicole Katts

SIGNATURE

COLLABORATOR NR:

VERIFIED BY

NAME:

SIGNATURE

TOTAL AMOUNT PAYABLE

5200.00

VAT INCLUDED @ 15%

678.26

DATE: 12.12.2023

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

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

DATE:

BANKING DETAILS FOR EFT PAYMENT:

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

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

0.00

0





Receipt Nr: 244762.

Enquiries

Phone Number

E-mail

Nicole Katts

Nicole.Katts@stellenbosch.gov.za

**BTW/VAT Invoice No:** 14863

**Invoice VAT Reference:** 4700102181

**Name:** Mongwawane Pty Ltd Mongwawane Pty Ltd

**Invoice Date:** 2023/12/12

**Reference No:** TP570/2023

**Payment Due Date:** 2024/1/11

**Client Street address:** 18 Mountain Fern Crescent  
Fernwood Estate South Africa Western Cape South Africa  
7130

**Municipality street address:** PLEIN STREET  
STELLENBOSCH STELLENBOSCH Western Cape 7600

**Client Postal address:** 18 Mountain Fern Crescent  
Fernwood Estate South Africa Western Cape South Africa  
7130

**Municipality postal address:** PLEIN STREET  
STELLENBOSCH STELLENBOSCH Western Cape 7600

**Client VAT No:** 4240277436

### Town Planning Application Fees

| Vote No              | Description                                                                                          | Qty | Rate     | UoM                          | Amount (Incl VAT) |
|----------------------|------------------------------------------------------------------------------------------------------|-----|----------|------------------------------|-------------------|
| 20220630081392       | Consent Use ito Zoning                                                                               | 1   | 2 600.00 | Per application per property | 2 600.00          |
| 20220630081392       | Departure applications including but not limited to building lines, coverage, height, bulk, parking. | 1   | 2 600.00 | Per application per property | 2 600.00          |
| Total Excl VAT       |                                                                                                      |     |          |                              | 4 521.74          |
| VAT                  |                                                                                                      |     |          |                              | 678.26            |
| <b>Invoice Total</b> |                                                                                                      |     |          |                              | <b>5 200.00</b>   |

\*VAT Exempt

**Created By:** Petersen, Nicole

**Signature:** NKatts

**Verified By:** Petersen, Nicole

**Signature:** \_\_\_\_\_

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

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





**Please use the following as reference number:** TP570/2023

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



# Standard Bank of South Africa

ComputerGeneratedCopy

The Standard Bank of South Africa Limited Registered Bank Reg. No. 1962/000738/06

## CUSTOMER ALL PAYMENTS FINAL AUDIT REPORT

|                                |                              |                          |                        |
|--------------------------------|------------------------------|--------------------------|------------------------|
| <b>Customer No</b>             | 490414503                    | <b>User Name</b>         | WERKSMANS INC-TRUST WC |
| <b>User ID</b>                 | QGI58                        | <b>Reference</b>         | 2023348006             |
| <b>Sub Module</b>              | SSVS                         | <b>Action date</b>       | 20231218               |
| <b>Description</b>             | HK MONG51097.2_EM            |                          |                        |
| <b>Finalreleasingoperators</b> | PBD47 HENDRIK ANDRIES KOT    |                          | YGB35 TAAHIR TELADIA   |
| <b>Sub-batch</b>               | 001                          | <b>From Account no</b>   | 0000073228877          |
|                                |                              | <b>From Account Name</b> | WERKSMANS INC WESTER   |
| <b>Trans No</b>                | 1                            |                          |                        |
| <b>Acc No / CDI</b>            | 62869253684                  |                          |                        |
| <b>Branch No</b>               | 254005                       |                          |                        |
| <b>Statement Ref</b>           | TP570/2023                   |                          |                        |
| <b>Account Name</b>            | STELLENBOSCH MUNICIPALITY    |                          |                        |
| <b>Creditor Code</b>           | STELL0003                    |                          |                        |
| <b>Amount</b>                  | 5,200.00                     |                          |                        |
| <b>StatusDescription</b>       | FINAL AUDIT TO BE DOWNLOADED |                          |                        |
| <b>RTGS/RTC</b>                |                              |                          |                        |
| <b>ISN/Bus Ref</b>             | 0                            |                          |                        |
| <b>Pay Alert</b>               | N                            |                          |                        |





**DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT**

| <b>LAND USE APPLICATION<br/>COMPLIANCE CHECKLIST ITO S38 OF THE<br/>LAND USE PLANNING BYLAW, 2015</b> |                                                                                  |                     |                       | <b>Date of<br/>Submission of<br/>Application</b> | 16/11/2023   |                                            |
|-------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|---------------------|-----------------------|--------------------------------------------------|--------------|--------------------------------------------|
| <b>Erf No</b>                                                                                         |                                                                                  | <b>Town</b>         |                       | <b>Suburb</b>                                    |              |                                            |
| <b>Farm No</b>                                                                                        | 1119                                                                             | <b>Farm Portion</b> | 2                     | <b>Nearest Town</b>                              | Franschhoek  |                                            |
| <b>Owner / Applicant</b>                                                                              | JV Planning Consultants (Pty) Ltd                                                |                     | <b>Contact number</b> |                                                  | 082 821 6365 |                                            |
| <b>Email address</b>                                                                                  | <a href="mailto:jacques.volschenk10@gmail.com">jacques.volschenk10@gmail.com</a> |                     |                       |                                                  |              |                                            |
| <b>INDICATE WHICH OF THE FOLLOWING FORM PART OF THE<br/>DOCUMENTATION</b>                             |                                                                                  |                     |                       | <b>ADMIN TO VERIFY<sup>1</sup></b>               |              | <b>PLANNER TO<br/>EVALUATE<sup>2</sup></b> |
|                                                                                                       |                                                                                  |                     |                       | <b>YES</b>                                       | <b>NO</b>    |                                            |
| 1. Completed application form that is signed                                                          |                                                                                  |                     |                       | ✓                                                |              | ✓                                          |
| 2. Power of Attorney / Owners' Consent if the applicant is an agent and Company Resolution            |                                                                                  |                     |                       |                                                  |              |                                            |
| 3. Bondholders' consent                                                                               |                                                                                  |                     |                       |                                                  |              |                                            |
| 4. Proof that applicant is authorized to act on behalf of an entity                                   |                                                                                  |                     |                       |                                                  |              |                                            |
| 5. Proof of ownership or rights held in land                                                          |                                                                                  |                     |                       |                                                  |              |                                            |
| 6. Motivation based on criteria in s65                                                                |                                                                                  |                     |                       |                                                  |              |                                            |
| 7. SG diagram or General Plan                                                                         |                                                                                  |                     |                       | ✓                                                |              | ✓                                          |
| 8. Locality plan                                                                                      |                                                                                  |                     |                       |                                                  |              |                                            |
| 9. Site development plan or plan showing the land development                                         |                                                                                  |                     |                       | ✓                                                |              | ✓                                          |
| 10. Subdivision plan                                                                                  |                                                                                  |                     |                       |                                                  |              |                                            |
| 11. Permission for required servitude                                                                 |                                                                                  |                     |                       |                                                  |              |                                            |
| 12. Title Deed                                                                                        |                                                                                  |                     |                       | ✓                                                |              | ✓                                          |

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

<sup>2</sup> Technical evaluation by Planner of the documentation attached for completeness and correctness thereof.



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                              |                                 |                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|---------------------------------|--------------------------------------|
| 13. Conveyancer's certificate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | ✓                                            |                                 | ✓                                    |
| 14. Feedback on Pre-application scrutiny                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | ✓                                            |                                 | ✓                                    |
| 15. Minutes of Pre-consultation Meeting                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                              |                                 |                                      |
| 16. Consolidation plan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                              |                                 |                                      |
| 17. Street name and numbering plan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                              |                                 |                                      |
| <b>INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>ADMIN TO VERIFY</b>                       | <b>PLANNER TO EVALUATE</b>      |                                      |
| 18. Land use plan / zoning plan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                              |                                 |                                      |
| 19. Landscaping / tree plan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                              |                                 |                                      |
| 20. Flood line plan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                              |                                 |                                      |
| 21. Neighbours' consent                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                              |                                 |                                      |
| 22. HOA / Body Corporate consent                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                              |                                 |                                      |
| 23. Assessments: EIA, HIA, <b>TIA</b> , TIS, MHIA, EA/ROD                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                              |                                 |                                      |
| 24. Services report (Engineers report)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | ✓                                            |                                 | ✓                                    |
| 25. Previous approvals                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                              |                                 |                                      |
| 26. Proof of failure of HOA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                              |                                 |                                      |
| 27. Proof of lawful use right / zoning certificate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | ✓                                            |                                 | ✓                                    |
| 28. Other documents<br>Specify:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                              |                                 |                                      |
| <b>VERIFIED &amp; SIGNED BY ADMIN</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | NAME<br><b>Nicole Katts</b>                  | SIGNATURE<br><i>Nkatts</i>      | DATE<br><b>16/11/2023</b>            |
| <b>Outstanding information (to be completed by Planner):</b><br><i>POA to be submitted by applicant</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                              |                                 |                                      |
| <b>Applications to be invoiced (to be completed by Planner):</b><br><i>Consent Use</i><br><i>Departure</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                              |                                 |                                      |
| <b>EVALUATED &amp; SIGNED BY PLANNER</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | NAME<br><i>Bongiwe Zondo</i><br>(16.11.2023) | SIGNATURE<br><i>[Signature]</i> | DATE<br><i>17/11/2023 / 21/12/23</i> |
| <b>NOTES:</b><br>1. The documentation is not considered as a registered application until such time as it has been scrutinized, all outstanding information (if any) has been submitted and payment is reflected in Council's bank account, after Applicant has been requested by Admin to make payment.<br>2. Should it be found that the application is not complete, the Applicant will be notified of outstanding information [s41(1)(c)(ii)].<br>3. Once payment has been confirmed and the application has been registered, the Applicant will be notified of the complete application [s41(1)(c)(i)] and will receive instructions to advertise [s48(4)].<br>4. Should the outstanding information and/or payment of fees not be received, the applicant will be notified that the application will not proceed due to failure to submit required information [s41(4)]. |                                              |                                 |                                      |





# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

## DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

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

FOR ENQUIRIES CONTACT [landuse.enquiries@stellenbosch.gov.za](mailto:landuse.enquiries@stellenbosch.gov.za) or 021- 808 8606

SUBMIT APPLICATION BY UPLOADING COMPLETED FORM AND RELEVANT INFO TO THE  
**Town Planning Application Management System (TPAMS)**

[AFLA Portal \(stellenbosch.gov.za\) /](http://AFLA Portal (stellenbosch.gov.za) /)

<https://citymaps.stellenbosch.gov.za/aflaportal/home>

**NOTE:** In terms of section 69 of the Bylaw on Municipal Land Use Planning 2023 the Municipality may categorise applications for consideration by either an authorised employee or the Municipal Planning Tribunal (Categorisation Model for Decision-making July 2023). These land use applications are subject to prescribed administrative and public participation processes and depending on the type of application, *Land Use Application Form A or Form B* must be completed. *Land Use Application Form B* can be used if the application ONLY comprises of a permanent departure. If any other type of application is also required, *Land Use Application Form A* must be completed. *Land Use Application Form C* must be used if the application comprises of an application for permission either in terms of the zoning scheme or in terms of a condition of approval or in terms of the title deed.

### LAND USE PLANNING APPLICATION FORM A

Section 15 of the Municipal Bylaw on Land Use Planning 2023 and other relevant legislation

Complete form using BLOCK letters and ticking the appropriate boxes

#### PART A: APPLICANT DETAILS

|                                 |                                                |
|---------------------------------|------------------------------------------------|
| First name(s)                   | JACQUES LOUIS                                  |
| Surname                         | VOLSCHENK                                      |
| Company name<br>(if applicable) | JV PLANNING CONSULTANTS (PTY) LTD.             |
| Postal Address                  | 18 MOUNTAIN FERN CRESCENT, SOMERSET WEST, 7130 |
| Email Address                   | jacques.volschenk10@gmail.com                  |
| Contact Number(s)               | 0828216365                                     |

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

|                          |                       |
|--------------------------|-----------------------|
| Registered owner(s) Name | MONGWAWANE (PTY) LTD. |
| E-mail Address           | paul@mongwawane.co.za |
| Contact Number           | 079 875 6157          |

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

|         |      |              |   |              |             |
|---------|------|--------------|---|--------------|-------------|
| Erf No  |      | Suburb       |   | Town         |             |
| Farm no | 1119 | Farm Portion | 2 | Nearest Town | FRANSCHHOEK |



|                                                                                       |                                                                      |                                     |                                                                                                  |   |   |                                                                                                         |   |   |                                                                          |
|---------------------------------------------------------------------------------------|----------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------|---|---|---------------------------------------------------------------------------------------------------------|---|---|--------------------------------------------------------------------------|
| Physical or Street Address                                                            | EXCELSIOR ROAD                                                       | Property / Business / Farm known as | LA PETITE DUAPHINE                                                                               |   |   |                                                                                                         |   |   |                                                                          |
| Current Zoning                                                                        | AGRICULTURE AND RURAL ZONE                                           |                                     |                                                                                                  |   |   |                                                                                                         |   |   |                                                                          |
| Additional or Consent Uses                                                            | CONSENT FOR TOURIST ACCOMMODATION ESTABLISHMENT AND TOURIST FACILITY |                                     |                                                                                                  |   |   |                                                                                                         |   |   |                                                                          |
| Current activities                                                                    | FARMING - ALL OTHER ACTIVITIES CEASED                                |                                     |                                                                                                  |   |   |                                                                                                         |   |   |                                                                          |
| Property Size / Extent                                                                | 12.9319ha                                                            | m <sup>2</sup> / ha                 | Are there existing buildings?                                                                    | X | N |                                                                                                         |   |   |                                                                          |
| Title Deed number                                                                     | T 42060/2016                                                         |                                     |                                                                                                  |   |   |                                                                                                         |   |   |                                                                          |
| Any restrictions in the Conveyance's Certificate?                                     | Y                                                                    | X                                   | If yes, list condition(s) as per certificate.                                                    |   |   |                                                                                                         |   |   |                                                                          |
| Are the restrictive conditions in favour of a third party?                            | X                                                                    | N                                   | If yes, list the party(ies).<br>WATER RIGHTS IN FAVOUR OF FARM 1128/2, PAARL                     |   |   |                                                                                                         |   |   |                                                                          |
| Is the property owned by Council?                                                     | Y                                                                    | X                                   | If yes, <u>attach a power of attorney</u> signed by the Municipal Manager or delegated authority |   |   |                                                                                                         |   |   |                                                                          |
| Is the building located within the historical core?                                   | Y                                                                    | X                                   | Is the building older than 60 years?                                                             | Y | X | Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) <sup>1</sup> | Y | X | If yes, indicate which section are triggered and attach relevant permit. |
| Any existing unauthorized buildings and/or land use on the subject property(ies)?     |                                                                      |                                     |                                                                                                  | X | N | If yes, is this application to legalise the building / land use <sup>2</sup> ?                          |   | X | N                                                                        |
| Are there any pending court case(s) / order(s) relating to the subject property(ies)? |                                                                      |                                     |                                                                                                  | Y | X | Are there any land claim(s) registered on the subject property(ies)?                                    |   | Y | X                                                                        |

#### PART D: PRE-APPLICATION CONSULTATION AND OR SCRUTINY

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

*The submission of a pre-application scrutiny form to [Landuse.Applications@ Stellenbosch.gov.za](mailto:Landuse.Applications@ Stellenbosch.gov.za) is compulsory for the following type of applications\* and written feedback must be attached to the land use planning application form: rezoning, subdivision and consolidation of land, removal, suspension or amendment of restrictive title deed conditions, the amendment, deletion, or imposition of conditions of approval and the cancellation of an approved subdivision plan.*

<sup>1</sup> 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

<sup>2</sup> 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



**PART E: LAND USE PLANNING APPLICATIONS AND PAYMENT OF FEES****APPLICATIONS IN TERMS OF SECTION 15 OF THE MUNICIPAL BYLAW ON LAND USE PLANNING 2023**

| Type of application                                                                                                                                                                                                                | Tick |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 15(2)(a) rezoning of land*                                                                                                                                                                                                         |      |
| 15(2)(b) a permanent departure from the development parameters of the zoning scheme                                                                                                                                                | X    |
| 15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land                                                                  |      |
| 15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement*                                                                                          |      |
| 15(2)(e) a consolidation of land that is not exempted in terms of section 24*                                                                                                                                                      |      |
| 15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit*                                                                                                                                   |      |
| 15(2)(g) a permission required in terms of the zoning scheme                                                                                                                                                                       | X    |
| 15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval*                                                                                                                                    |      |
| 15(2)(i) an extension of the validity period of an approval                                                                                                                                                                        |      |
| 15(2)(j) an approval of an overlay zone as contemplated in the zoning scheme                                                                                                                                                       |      |
| 15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram*                                                                                                        |      |
| 15(2)(l) a permission required in terms of a condition of approval                                                                                                                                                                 |      |
| 15(2)(m) a determination of a zoning                                                                                                                                                                                               |      |
| 15(2)(n) a closure of a public place or part thereof                                                                                                                                                                               |      |
| 15(2)(o) a consent use contemplated in the zoning scheme                                                                                                                                                                           | X    |
| 15(2)(p) to disestablish a homeowners' association                                                                                                                                                                                 |      |
| 15(2)(q) to rectify a failure by a homeowners' association to meet its obligations in respect of the control over or maintenance of services                                                                                       |      |
| 15(2)(r) 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 |      |

**OTHER APPLICATIONS**

|                                                                                                                                                                                |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Deviation from Council Policies/By-laws                                                                                                                                        |  |
| Consent / Permission required in terms of a title deed (includes where permission is required in terms of the Advertising on Roads and Ribbon Development Act, Act 21 of 1940) |  |

**DETAILS FOR INVOICE**

|                                                |                                                 |
|------------------------------------------------|-------------------------------------------------|
| Name & Surname (party responsible for payment) | Mongwawane (Pty) Ltd.                           |
| Postal Address                                 | Postnet Suite, Private Bag X7260, Witbank, 1035 |
| Vat Number (where applicable)                  | 4240277436                                      |

1. Application fees are per the Council Approved Tariffs. 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 as per the Tariff Rules. Once proof of payment is received, the application will be regarded as duly submitted.
2. 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, parking. Contact: [Indigent.office@stellenbosch.gov.za](mailto:Indigent.office@stellenbosch.gov.za) or 021 808 8501 or 021 808 8579
3. 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



**PART F: DETAILS OF PROPOSAL** *(Brief description of intent of development)*

On 14 February 2007, Stellenbosch Municipality granted approval for the rezoning of a portion of the property from Agricultural Zone I to Residential Zone V, in terms of LUPO, to convert 4 existing labourer's cottages into 5 guest suites. At the same time, approval was granted for a consent use to convert existing buildings into an interior decorating studio and breakfast room/coffee shop.

The La Dauphine Estate in Franschhoek has since been operating as a guest farm between 2007 and 2020 when all operations, except for farming, ceased on the property.

Whilst operating, one of the guest suites has been split into two (to include an additional suite) while three additional units have been established elsewhere on site to provide a total of 9 guest suites which can accommodate 22 people in total. The proposed application is therefore to allow for an expanded tourist accommodation establishment.

At the same time, an inspection of the building plan file at Council has revealed that no building plans exist for any buildings on site, even though some of these buildings date back several decades. The application is therefore also for a permanent building line departure for the existing buildings and structures within the applicable building lines. A separate application for approval of all building plans will be submitted following the LUMS approval.

| Name and Date of design guidelines (if applicable)                |                |                      |      |       |    |       |
|-------------------------------------------------------------------|----------------|----------------------|------|-------|----|-------|
|                                                                   |                | Adjoining erf number |      |       |    |       |
| Building line encroachment                                        | Street         |                      | From | m     | To | m     |
|                                                                   | Street         |                      | From | m     | To | m     |
|                                                                   | Side           | 1128/2               | From | 5.0 m | To | 0.0 m |
|                                                                   | Side           |                      | From | m     | To | m     |
|                                                                   | Aggregate side |                      | From | m     | To | m     |
|                                                                   | Rear           |                      | From | m     | To | m     |
| Exceeding permissible site coverage / footprint                   |                |                      | From | %     | To | %     |
| Exceeding maximum permitted bulk / floor factor / habitable rooms |                |                      | From |       | To |       |
| Exceeding height restriction                                      |                |                      | From | m     | To | m     |
| Exceeding maximum storey height                                   |                |                      | From | m     | To | m     |



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

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

## Information and documentation required

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



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

|   |     |                                                                                                                                                                           |                                                                                                               |     |                                                                           |
|---|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-----|---------------------------------------------------------------------------|
| X | 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                                                                                                             | NXA | National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) |
|   |     |                                                                                                                                                                           | Y                                                                                                             | NXA | National Environmental Management: Waste Act, 2008 (Act 59 of 2008)       |
|   |     |                                                                                                                                                                           | X                                                                                                             | N/A | National Water Act, 1998 (Act 36 of 1998)                                 |
|   |     |                                                                                                                                                                           | Y                                                                                                             | NXA | Other (specify)                                                           |
| Y | NXA | Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)                                                                                                               |                                                                                                               |     |                                                                           |
| Y | NXA | Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)                                                                                              |                                                                                                               |     |                                                                           |
| Y | NXA | Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations                                                                         |                                                                                                               |     |                                                                           |
| Y | NXA | Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)                                                                                                                        |                                                                                                               |     |                                                                           |
| Y | X   | 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, attach motivation. |                                                                                                               |     |                                                                           |

**SECTION I: DECLARATION**

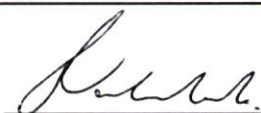
I hereby wish to confirm the following:

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) of said bylaw 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 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 if 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:

01/11/2023

Full name:

JACQUES LOUIS VOLSCHENK

Professional capacity:

REGISTERED PLANNER





**24G Consultation: 14/2/4/1/B4/12/0018/23**

---

## **Pre-Application – Information Requirements letter**

The Managing Director  
Mongwawane (Pty) Ltd  
Postnet Suite 465  
Private Bag X7260  
Witbank  
1035

Email: [paul@mongwawane.co.za](mailto:paul@mongwawane.co.za)

Tel: (079)8756157

### **Attention: Paul Springorum**

#### **INFORMATION REQUIREMENTS OF THE POTENTIAL SECTION 24G APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA") FOR THE UNLAWFUL COMMENCEMENT OF LISTED ACTIVITIES: UNLAWFUL CONSTRUCTION OF 3 COTTAGES AND A STOREROOM ON THE REMAINDER OF PTN 2 OF FARM LA DAUPHINE, NO.1119, FRANSCHHOEK**

1. The abovementioned consultation form dated 17 October 2023 as received by this Department, has reference.
2. Please be advised that the *Section 24G Fine Regulations (GN. No. 698 of 20 July 2017)* (hereafter referred to as "the fine regulations") were published on 20 July 2017. The fine regulations require that public participation be conducted prior to the submission of an application and that an application must include the representations as set out in Annexure A of the fine regulations.
3. Please be advised that submission of a section 24G application shall in no way derogate from an investigation of any transgression in terms of the *National Environmental Management Act, 1998 (Act 107 OF 1998)* ("NEMA") nor from the National Prosecuting Authority's legal authority to institute criminal proceedings.

#### **Listed activities that are being applied for:**

4. A section 24G application is only relevant to listed activities that have commenced without the pre-requisite environmental authorisation. Only those activities applied for will be considered for environmental authorisation.
5. The applicant is thus required to ensure that all the applicable listed activities are included in the application to be submitted. In this regard, the timeframe of commencement of the listed activity/ies and the relevant Environmental Impact Assessment legislative period/regime is of particular importance.



# 12

Werksmans Attorneys  
2nd Floor Block B  
De Wagenweg Office Park  
Stellentia Road Stellenbosch 7600  
South Africa

Prepared by me



CONVEYANCER

HENDRIK ANDRIES KOTZÉ (80047)

| Deeds Office Registration fees as per Act 47 of 1937 |                    |                                          |
|------------------------------------------------------|--------------------|------------------------------------------|
|                                                      | Amount             | Office Fee                               |
| Purchase Price                                       | R. 90 000 000.00   | R. 6477-00                               |
| Reason for exemption                                 | Category Exemption | Exemption i to.<br>Sec/Reg.<br>Act/Proc. |

01-11-2023

T 000045771-2023

## DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

LYNNE BOTHA LPCM 82076

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

**MONGWAWANE PROPRIETARY LIMITED**  
Registration Number 1981/007519/07

which said Power of Attorney was signed at Centurion on 11 September 2023



And the appearer declared that his/her said principal had, on 27 August 2023, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

**MAP FAMILY INVESTMENTS PROPRIETARY LIMITED**  
**Registration Number 2017/136292/07**

or its Successors in Title or assigns, in full and free property

REMAINDER OF PORTION 2 OF THE FARM LA DAUPHINE NO. 1119  
IN THE STELLENBOSCH MUNICIPALITY  
DIVISION PAARL  
PROVINCE OF THE WESTERN CAPE

IN EXTENT 12,9319 (TWELVE COMMA NINE THREE ONE NINE) Hectares

FIRST TRANSFERRED by Deed of Transfer Number T161 dated 15 April 1857  
with Diagram annexed thereto and held by Deed of Transfer Number  
T42060/2016

I. SUBJECT to the conditions as referred to Deed of Transfer No. T10257/1907.

II. SUBJECT FURTHER:

A. Aan 'n serwituut van reg van weg genome in 'n sekere Noariële Akte geheg aan Transportakte Nr. T10257/1907 waarna verwys word in the Serwituut aantekening daarop gedateer 6 Desember 1909.

B. Aan die serwituut waarna verwys word in die Endossement gedateer 29 Julie 1930 op Transportakte Nr. T9023/1924, welke as volg lees:

"The within described land is subject to a servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District No. 1) dated 18, 19, 20 & 24th March 1930 as will more fully appear on reference to the copy of the said Order annexed hereto.

C. By virtue of Notarial Deed of Servitude No. K1147/2005S dated 7 October 2005 the within property is subject to:

(a) a servitude borehole with a 2 meter radius, the center of which is represented by the Point A point A on diagram No. SG 4873/2003, and the perpetual right to draw such amount of water from such borehole as may be allocated in terms of a licence of use of water which has been applied for and to be issued by the Department of Water Affairs and Forestry;

(b) a servitude in perpetuity of a Pump station at Point A on the said Diagram SG 4873/2003;



(c) A pipeline and Power Servitude, 4 metres wide, the center line of which is indicated by the Figure A B on Diagram SG 4873/2003.

With ancillary rights in favour of Portion 2 of the Farm Bosplaats No. 1128 in the Stellenbosch Municipality Division of Paarl, Province of the Western Cape

As will more fully appear from said Notarial Deed of Servitude.

M



WHEREFORE the said Appearer, renouncing all rights and title which the said

**MONGWAWANE PROPRIETARY LIMITED**  
**Registration Number 1981/007519/07**

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

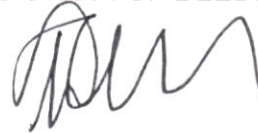
**MAP FAMILY INVESTMENTS PROPRIETARY LIMITED**  
**Registration Number 2017/136292/07**

or its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R90 000 000,00 (NINETY MILLION RAND) .

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

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on

27 October 2023.



q.q.

In my presence



REGISTRAR OF DEEDS





CERTIFIED EXTRACT OF MINUTES/RESOLUTION OF A MEETING OF THE COMPANY INHEEMSHOEK  
(PTY) LTD. (NO. 2017/136292/07)

The meeting having been duly convened it is hereby unanimously resolved that:

JACQUES LOUIS VOLSCHENK  
(Pr Pln A/208/2010)

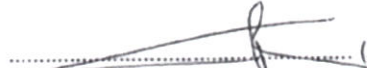
- a) be nominated, constituted and appointed with power of substitution to be my/our lawful agent and in my/our name, place and stead, to apply to the relevant authorities for the necessary approvals as it relates to the land use planning application on the following property:

REMAINDER PORTION 2 OF THE FARM LA DAUPHINE NO. 1119, PAARL

- b) with power of substitution to be my/our lawful agent and in my/our name, place and stead, to apply to the relevant authorities for the necessary approvals as it relates to the submission of the required land use planning application to the decision-making authorities,
- c) and generally for the purposes aforesaid, to do or cause to be done whatsoever shall be required as fully and effectually, 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 shall lawfully do, or cause to be done, by virtue of these presents.

It is resolved further that either:

Johanna Bardiena Smith Wilson (Full name)  (Signature)

Gregory John Roediger (Full name)  (Signature)

In his/her capacity as director

Is hereto authorized to sign all such documents in order to implement this resolution.

This done and signed at SANDTON on this 20 day of NOVEMBER 2023





**Amended Registration Certificate: Companies**

**COR 14.3**

Registration Number: 2017 / 136292 / 07  
Enterprise Name: INHEEMSHOEK

Effective date: 08/11/2023  
Print date: 08/11/2023  
Customer code: ABNOHR  
Tracking number: 9397933179

**RE : INHEEMSHOEK (PTY) LTD**

The above company has filed an amendment of its Memorandum of Incorporation in terms of section 16 of the Companies Act, 2008, changing the company name from **MAP FAMILY INVESTMENTS** to **INHEEMSHOEK**.

In accordance with the Notice of Amendment of the Memorandum of Incorporation, the change of the company name takes effect on 08/11/2023.

In conjunction with this certificate, the Commission has not issued another notice contemplated in section 12 (3).

**Commissioner: CIPC**





**Certificate issued by the Commissioner of Companies & Intellectual  
Property Commission on Wednesday, November 8, 2023 at 12:11**



Companies and Intellectual  
Property Commission

a member of the dti group

**Amended Registration Certificate: Companies**

**COR 14.3**

Registration Number: 2017 / 136292 / 07  
Enterprise Name: INHEEMSHOEK

**ENTERPRISE INFORMATION**

Registration Number: 2017 / 136292 / 07  
Enterprise Name: INHEEMSHOEK (PTY) LTD  
Registration Date: 18/04/2017  
Business Start Date: 18/04/2017  
Enterprise Type: Private Company  
Enterprise Status: In Business  
Financial Year End: February  
TAX Number: 9493489182

**Addresses**

**POSTAL ADDRESS**

P O BOX 2831  
SAXONWOLD  
SAXONWOLD  
GAUTENG  
2132

**ADDRESS OF REGISTERED OFFICE**

ACORNLANE ESTATE 61 RIVONIA ROAD  
SANDHURST  
SANDTON  
GAUTENG  
2196

**ACTIVE MEMBERS / DIRECTORS**

| Surname and First Names        | Type                                 | ID Number /<br>Date of Birth | Contrib.<br>(R) | Interest<br>(%) | Appoint.<br>Date | Address                                                                                                                                                      |
|--------------------------------|--------------------------------------|------------------------------|-----------------|-----------------|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| KIRSH MANAGEMENT SERVICES,     | Secretary<br>(Companies and<br>CC's) | 1965-10-04                   | 0.00            | 0.00            | 20/06/2017       | Postal: PO BOX 2284,<br>PARKLANDS, 2121<br><br>Residential:                                                                                                  |
| SMITH WILSON, JOHANNA BARDIENA | Director                             | 5803030029088                | 0.00            | 0.00            | 18/04/2017       | Postal: P O BOX 2831,<br>SAXONWOLD, JOHANNESBURG,<br>GAUTENG, 2132<br><br>Residential: WILLOWILD ESTATE 5<br>SPIER PLACE, HURLINGHAM<br>MANOR, JOHANNESBURG, |
| ROEDIGER, GREGORY JOHN         | Director                             | 7203285159086                | 0.00            | 0.00            | 03/02/2022       | Postal: 176 EMPIRE PLACE,<br>SANDHURST, SANDTON,<br>GAUTENG, 2192<br><br>Residential: 176 EMPIRE PLACE,<br>SANDHURST, SANDTON,<br>GAUTENG, 2192              |





6. Please also ensure that the similarly listed activities in terms of the current *Environmental Impact Assessment Regulations, 2014* (as amended) are applied for should the listed activities not have commenced within this period.
7. Your appointed Environmental Assessment Practitioner is required to provide a detailed explanation as to why the unlawfully commenced activity is still similarly listed in terms of the NEMA.

**Minimum requirements for every application for environmental authorisation:**

8. You are reminded that section 24G is an application for environmental authorisation and thus an applicant must comply with the requirements of the NEMA in relation to the submission of an application for environmental authorisation and any other relevant information (section 24(1A)(e) of the NEMA). Section 24(4)(a) of the NEMA specifies the "procedures for the investigation, assessment and communication of the potential consequences or impacts of the activities on the environment" that every application for environmental authorisation must comply with.
9. Taking the above into consideration, together with the information requirements of Annexure A, Section C, Part 1 of the fine regulations related to the environmental impacts and representations to be completed by an Environmental Assessment Practitioner ("EAP"); and to be submitted together with the section 24G application; you are hereby advised that the application be informed by an environmental impact assessment.
10. When conducting such environmental impact assessment, the applicant/EAP must take into account the applicable guidelines developed by the Department, which may be downloaded from the Department's website (see above). In particular, the following are applicable:
  - 10.1. Guideline for Environmental Management Plans (June 2005);
  - 10.2. Guideline on Public Participation
  - 10.3. Guideline on Alternatives
  - 10.4. Guideline on Need and Desirability
  - 10.5. Departmental guideline series for involving specialist assessments, 2005
  - 10.6. Information Document for the Development of a Maintenance Management Plan for a Watercourse, July 2017
11. You are required to submit a Screening Report from the National Web based Environmental Screening Tool. The Screening Tool also provides site specific EIA process and review information, for example, the Screening Tool may identify if an industrial development zone, minimum information requirement, Environmental Management Framework or bio-regional plan applies to a specific area. The Screening Tool identifies related exclusions and/ or specific requirements including specialist studies applicable to the site and/or development, based on the national sector classification and the environmental sensitivity of the site.
12. Having considered the information contained in the consultation form, this Department hereby advises that a Freshwater specialist be considered for appointment to assess the impacts the unlawful activities undertaken may pose on the receiving environment.



## Public Participation Process:

### 13. Preliminary Advertisement

- 13.1. Kindly note the requirements of Regulation 8 and Annexure A, Section D of the fine regulations which stipulate that when submitting an application form, the applicant must attach proof that the application has been advertised in at least one local newspaper in circulation in the area in which the activity was commenced, and on the applicant's website, if any.
- 13.2. Please note further that the advertisement must state that the applicant commenced a listed/ specified/ waste management activity(ies) without the necessary environmental authorisation and/or waste management licence and is now applying for *ex post facto* approval. The advertisement **must** include (a) the date, (b) the location, (c) the applicable legislative provision contravened, (d) and the listed activity(ies) commenced with without the required authorisation.
- 13.3. Interested and affected parties (I&APs) must be provided with the details of where they can register as an I&AP and submit their comment. Please be advised that at least 20 days must be provided in which to do so. Proof of compliance with Regulation 8 of the fine regulations must be submitted together with your application.
- 13.4. Should you decide to compile a draft section 24G Application and of your own accord make it available for comment, it is recommended that the draft section 24G Application report be made available simultaneously with the Preliminary Advertisement requirement.

### 14. Section 24O consultation with organs of state/State departments

- 14.1. However, kindly note that any public participation undertaken **prior to submission of the section 24G Application** report, does not exempt from compliance with section 24O of the NEMA which obligates the competent authority when considering an application; to consult with every State department that administers a law relating to a matter affecting the environment.
- 14.2. You are required to submit a list of organs of state to be consulted in terms of section 24O together with the complete and signed application. The list of organs of state must be include their contact details with fax/email and the relevant contact person.
- 14.3. Copies of the section 24G application may be made available for comment to the relevant organs of state upon simultaneous submission of the application to the Department.  
**Note:** this does not qualify as the Regulation 8 public participation requirement which is required to be conducted prior to submission of an application.
- 14.4. Upon receipt of the complete and signed application, the Department will issue section 24O letters to the relevant organs of state for comment as per the EAPs specified timeframe for comment.
- 14.5. In terms of the public participation process ("PPP") to be undertaken, kindly be advised that you/the EAP must record and respond to all comments received during the public participation process. The comments and responses must be captured in a Comment and Response Report (C&RR) and must also include a description of the PPP followed.
- 14.6. Following the initial 30-day commenting period, the application and the C&RR must be made available to registered Interested and Affected Parties and State Departments for an additional 21 days for review and/or comment, if any, advising them how their comments and concerns have been addressed, before it is submitted to the



Department for consideration. Proof of notification of the additional 21-day commenting period must be appended to the final C&RR.

15. It is noted that your activity/development may require a water use licence. Please provide proof of submission of the application to the relevant authority together with your section 24G application form.
16. Two printed copies as well as an electronic copy of the final Application must be submitted to the Department.
17. You are reminded that it is an offence in terms of section 49A of the NEMA to commence with a listed activity unless the competent authority has granted environmental authorisation for the undertaking of the activity, and it is an offence to fail to comply with a directive issued in terms of NEMA. A person convicted of an offence is liable to a fine not exceeding **R10 million** or **imprisonment for a period not exceeding 10 years**, or to both such fine and imprisonment.
18. Kindly quote the abovementioned reference number in any future correspondence in respect of this consultation form.

**Zaidah Toefy**

Digitally signed by Zaidah Toefy  
Date: 2023.10.25 13:53:46 +02'00'

**Mrs Z Toefy**

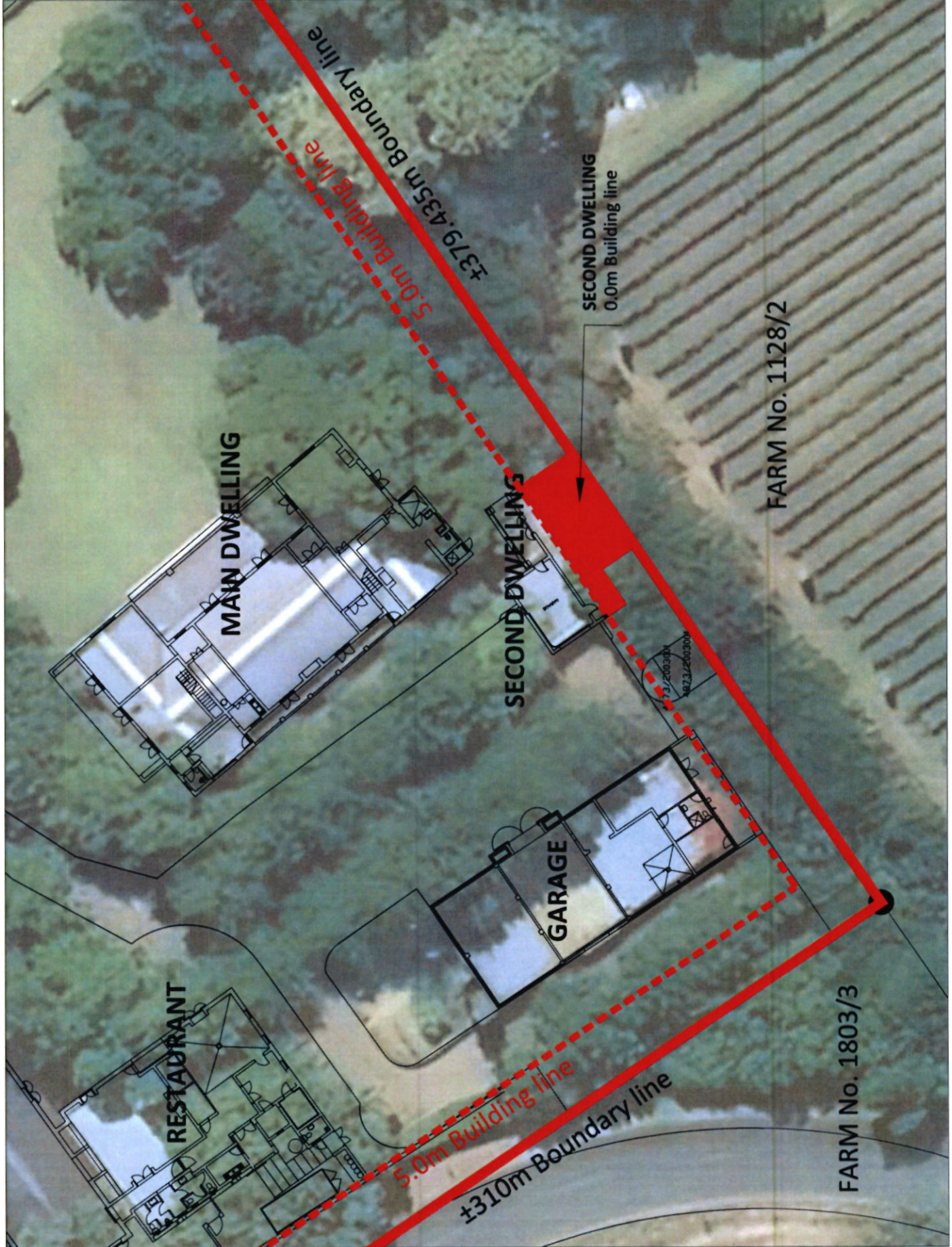
**Head of Rectification**

**Directorate: Environmental Governance**

CC: (Susanna Nel (EAP)

Email: [susanna@landscapedynamics.co.za](mailto:susanna@landscapedynamics.co.za)





MAIN DWELLING

SECOND DWELLING

GARAGE

RESTAURANT

±379.435m Boundary line  
5.0m Building line

SECOND DWELLING  
0.0m Building line

5.0m Building line  
±310m Boundary line

FARM No. 1128/2

FARM No. 1803/3

MOONSHAWANE (Pty) LTD

LA DAUPHINE  
LAND USE PLANNING APPLICATION:  
FARM NO. 1119/2, FRANSCHHOEK

DEPARTURE PLAN

|          |              |            |              |
|----------|--------------|------------|--------------|
| DATE     | 11/01/2017   | SCALE      | 1:100        |
| DRAWN BY | DAVID DUBOIS | CHECKED BY | DAVID DUBOIS |
| DATE     | 11/01/2017   | SCALE      | 1:100        |

FOR APPROVAL





DATE: 31 October 2023

YOUR REF:

OUR REF: 9467 / A1

**PORTION 2 OF THE FARM LA DAUPHINE No. 1119, PAARL :  
CONSOLIDATION OF DEVELOPMENT RIGHTS**

**REPORT ON PROVISION OF CIVIL ENGINEERING SERVICES**

**1. INTRODUCTION**

This property owner, Mongwanane (Pty) Ltd, is applying for the consolidation / legalizing of development rights on the farm. The farm includes a manor house, guest housing facilities, farm administration offices, and workshops. This report focuses on the provision of basic civil engineering services, such as water supply, sewerage, and solid waste removal.

**2. SITE LOCATION AND DESCRIPTION**

The property is located to the south of Franschhoek on relatively flat land. The site naturally drains in a northwestern direction toward the Franschhoek River. A Site Plan (Drawing 9467/01) is provided as Annexure B.

**3. WATER SUPPLY**

**3.1 Demand:**

The demand for potable water for the developed property is calculated for different components, including the Manor House, Coffee Shop, Guest Cottages, and Farm Shed:

|                               |                                                   |                     |
|-------------------------------|---------------------------------------------------|---------------------|
| Manor House :                 | 600 m <sup>2</sup>                                | = 1.0 kl/day        |
| Coffee shop :                 | 250 m <sup>2</sup> @ 400 l/day/100 m <sup>2</sup> | = 1.0 kl/day        |
| Guest cottages (one bedroom): | 7 units @ 220 l/unit/day                          | = 1.5 kl/day        |
| Guest cottages (two bedroom): | 2 units @ 400 l/unit/day                          | = 0.8 kl/day        |
| Farm shed:                    | 200 m <sup>2</sup>                                | = <u>0.1 kl/day</u> |
|                               |                                                   | 4.4 kl/day          |

The total daily demand for water is calculated to be 4.4 kiloliters.



### **3.2 Supply:**

No bulk water infrastructure of the Stellenbosch Municipality exists near the property.

The property is currently serviced with potable water from boreholes on the property and the water is treated on site to meet SANS 241 Drinking Water Quality Standards. Most recent test results on the potable water supply confirming the quality are attached in Annexure C.

## **4. SEWERAGE**

### **4.1 Run-off:**

Sewage run-off from the existing facilities is estimated as follows:

|                               |                                                   |                     |
|-------------------------------|---------------------------------------------------|---------------------|
| Manor House :                 | 600 m <sup>2</sup>                                | = 0.8 kl/day        |
| Coffee shop :                 | 250 m <sup>2</sup> @ 400 l/day/100 m <sup>2</sup> | = 1.0 kl/day        |
| Guest cottages (one bedroom): | 7 units @ 220 l/unit/day                          | = 1.5 kl/day        |
| Guest cottages (two bedroom): | 2 units @ 400 l/unit/day                          | = 0.8 kl/day        |
| Farm shed:                    | 200 m <sup>2</sup>                                | = <u>0.1 kl/day</u> |
|                               |                                                   | 4.2 kl/day          |

The estimated daily sewage run-off is calculated for different components of the development, resulting in a total of 4.2 kiloliters per day.

### **4.2 Sewer Drainage and Treatment:**

There is no existing bulk sewer infrastructure from the Stellenbosch Municipality in the vicinity. The existing facilities on the property utilize conservancy tanks.

Drainage of existing facilities is serviced by a private provider, and the conservancy tanks have a capacity of 4 x 5 kiloliters, sufficient for once-a-week servicing.

## **5. SOLID WASTE REMOVAL**

The estimated solid waste generated by the development is approximately 1.0 cubic meter per week.

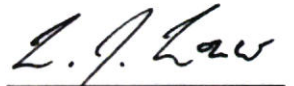
Currently the Stellenbosch Municipality provides waste removal services, but private waste collection is also considered as an alternative.



## 6. CONCLUSION

The report concludes that the required basic civil engineering services, including potable water, sewerage, and solid waste removal, are provided for Portion 2 of Farm La Dauphine No. 1119 in Paarl.

**BART SENEKAL INC.**

---

L J Louw Pr. Eng.



**ANNEXURE A**

**LOCALITY PLAN**



## ANNEXURE A





## **ANNEXURE B**

### **SITE PLAN**



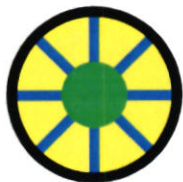




## **ANNEXURE C**

### **WATER QUALITY TESTING - RESULTS**



**REID-LINE Scientific Services CC**

5 Flamingo Vlei Village  
Stilt Avenue  
FLAMINGO VLEI  
7441

MEMBER: G. T. Reid  
Reg. No. CK 98/26906/23

TEL: (021) 557 2774  
CELL: 083 444 2496  
E-Mail: [gtreid@telkomsa.net](mailto:gtreid@telkomsa.net)  
FAX: 086 639 1403

## CERTIFICATE OF ANALYSIS

**ATTENTION:** Shandor Cylvan - WPS

**DATE:** 7 June 2013

1. **GENERAL:** La Petite Dauphine - Product – Sampled 21 May 2013

| DETERMINANTS<br>CONSTITUENTS                            | Results expressed in mg/l unless specifically stated. |                      |                             |
|---------------------------------------------------------|-------------------------------------------------------|----------------------|-----------------------------|
|                                                         | Product<br>23-Aug-12                                  | Product<br>21-May-13 | WHO QC Standard -<br>Limits |
| Conductivity (µS/cm)                                    | 216                                                   | 151                  | Not Specified               |
| Total Dissolved Solids TDS @ 105 °C                     | 157                                                   | 107                  | < 500                       |
| pH                                                      | 6.78                                                  | 8.06                 | 6.5 to 8.5                  |
| Turbidity (NTU)                                         | 0.16                                                  | 0.15                 | < 1.0 (Target < 0.2)        |
| Colour (Pt/Co Units)                                    | 15                                                    | 14                   | < 30 (Target < 20)          |
| Total-Alkalinity (as CaCO <sub>3</sub> )                | 45                                                    | 40.3                 | 20 to 200                   |
| Total Hardness (TDH as CaCO <sub>3</sub> )              | 68.63                                                 | 47.63                | 20 to 200                   |
| Iron (Fe) Total (µg/l)                                  | 17                                                    | BDL                  | < 100                       |
| Manganese (Mn) Total (µg/l)                             | 3                                                     | BDL                  | < 50                        |
| Sodium (Na)                                             | 21.3                                                  | 12.5                 | 5 to 100                    |
| Chloride (Cl)                                           | 38.3                                                  | 18.4                 | 5 to 100                    |
| Sulphate (SO <sub>4</sub> )                             | 19.3                                                  | 13.8                 | < 250                       |
| Active Chlorine (HOCl) (µg/l)                           | 46                                                    | 28                   | < 150                       |
| Disinfectant by-products (Total) (µg/l)                 | 32                                                    | 12                   | < 150                       |
| Total Suspended Solids (TSS)                            | BDL                                                   | BDL                  | Must be absent              |
| Total Organic Carbon (TOC)                              | 3.1                                                   | 3.0                  | < 10                        |
| Dissolved Organic Carbon (DOC)                          | 3.1                                                   | 3.0                  | < 10                        |
| Tannins (Total)                                         | BDL                                                   | BDL                  | Not Applicable              |
| Total Microbial Count (TMC)<br>(Colonies per ml)        | 7                                                     | 13                   | A maximum of 100            |
| Total Coliforms<br>(Colonies per 100-ml)                | No<br>growth                                          | No growth            | Must be zero                |
| Total Faecal Coliforms<br>(Colonies per 100-ml)         | No<br>growth                                          | No growth            | Must be zero                |
| Total Macro-biological Count<br>(Organisms per 1000-ml) | No<br>growth                                          | No growth            | Must be zero                |
| Moulds & Yeasts (Pos/Neg Test)                          | Negative                                              | Negative             | Must be negative            |
| Odour (TON) Instrumentation                             | 3.7                                                   | 3.5                  | Must be < 5.0               |
| Stiff & Davis Index (S&DI @ 22 °C)                      | - 0.793                                               | + 0.448              | - 0.5 > S&DI < + 0.5        |
| Oxidation Demand (mg/l-H <sub>2</sub> O <sub>2</sub> )  | 2.3                                                   | 1.6                  | (Target < 3.0)              |

Please Note: This report only relates to the actual water sample supplied and analysed. No responsibility can be accepted, related to the use of these results and recommendations provided.

|                                                 |                                                 |
|-------------------------------------------------|-------------------------------------------------|
| WHO = World Health Organisation                 | TNTC = Too Numerous To Count                    |
| BDL = Below Detection Limit                     | TON = Threshold Odour Number                    |
| mg/l = Milligrams per litre = Parts per million | µg/l = micrograms per litre = parts per billion |



## 2. DISCUSSION:

### Notes:

- This laboratory makes use of the World Health Organisation (WHO) Quality Control (QC) standard and guideline limits for potable water, as opposed to the SABS standard. It is more helpful and explicit in showing up related problems and categorically stipulates what must be considered, to correspondingly improve the water quality.
- Be aware of the units of concentration used in the table. (Note that  $1.0\text{-mg/l} = 1\,000\text{-}\mu\text{g/l}$ ).

- I. Water quality shows up good with all health related parameters within the limits stipulated.

Yours sincerely



Gordon Reid  
Water & Wastewater Treatment Division



## **ANNEXURE D**

### **BOREHOLE CERTIFICATES**





## water & sanitation

Department:  
Water and Sanitation  
REPUBLIC OF SOUTH AFRICA

### National Register of Water Use Registration Record 22159753

Water Use Registration Record 22159753 is issued in terms of the regulations requiring that a Water Use be registered, promulgated under Section 26(1)(c) of the National Water Act( Act 36 of 1998) to:

#### Applicant

Applicant Type: COMPANY  
Name: MONGWAWANE (PTY) LTD  
Enterprise Type: PRIVATE COMPANY  
Business Registration Number: 1981/007519/07  
Postal Address: PO BOX 119  
FRANSCHHOEK  
7690

VAT Registration Number:

#### Water Management Area

Name: BERG-OLIFANTS

#### Register Status

Status: ACTIVE

#### Water Uses

See attached Annexure(s)

| Water Use No. | Water Use | Volume                          | Volume Start Date | Volume End Date |
|---------------|-----------|---------------------------------|-------------------|-----------------|
| 1             | 21(a)     | 8 000 CUBIC<br>METRES PER YEAR  | 2016/08/01        | 2021/12/31      |
| 2             | 21(a)     | 11 000 CUBIC<br>METRES PER YEAR | 2016/08/01        | 2021/12/31      |
| 3             | 21(a)     | 31 000 CUBIC<br>METRES PER YEAR | 2016/08/01        | 2021/12/31      |
| 3             | 21(a)     | 39 000 CUBIC<br>METRES PER YEAR | 2022/01/01        |                 |
| 4             | 21(a)     | 5 000 CUBIC<br>METRES PER YEAR  | 2016/08/01        |                 |





## water & sanitation

Department:  
Water and Sanitation  
REPUBLIC OF SOUTH AFRICA

### National Register of Water Use Registration Record 22159753

Water Use Registration Record 22159753 is issued in terms of the regulations requiring that a Water Use be registered, promulgated under Section 26(1)(c) of the National Water Act (Act 36 of 1998) to:

  
Office: WESTERN CAPE OFFICE

INSTITUTIONAL ESTABLISHMENT  
CHIEF DIRECTOR

30 MAY 2023

PRIVATE BAG X16, SANLAMHOF, 7532  
52 VOORTREKKER STREET, BELLVILLE, WARMES

DEPT. OF WATER AND SANITATION  
Date stamp of issuing office

#### DISCLAIMER :

##### This Registration Record:

- 1 is not an acknowledgement of an entitlement to the registered water use;
- 2 may NOT be used to create the impression that it is proof of a water use entitlement. By virtue of section 22(1) of the National Water Act, the only documents that may be used as proof of a water use entitlement, are:
  - 2.1 a licence;
  - 2.2 an official document stating the extent of existing lawful water use pursuant to sections 33 or 35 of the National Water Act;
  - 2.3 a general authorisation as published in the Gazette; or
  - 2.4 Schedule 1 of the National Water Act.

##### Notes:

- If an entitlement for the specific water use referred to in this Registration Record has been confirmed by the Department, it may be indicated as such in this Registration Record.
  - If the responsible authority has dispensed with the requirement for a licence for a specific water use, no water use entitlement is needed for that use under the National Water Act.
- 3 is issued without alterations or erasures and is invalid if it contains alterations not in conformity with the Department's official copy; and in substitution of any Registration Record the Department may have previously issued and the information is valid as at the date of issue.



## National Register of Water Use Registration Record 22159753

Taking water from a water resource in terms of Section 21(a) of the National Water Act

### Water Use Identification

|                         |             |
|-------------------------|-------------|
| Register Number:        | 22159753    |
| Water Use Number:       | 1           |
| Water Use Start Date:   | 2016/08/01  |
| Water Use Status Date:  | 2023/05/29  |
| Water Use Status:       | CLOSED      |
| Water Use Close Date:   | 2021/12/31  |
| Water Use Close Reason: | SURRENDERED |

### Lawfulness Authentication

|                 |                                   |
|-----------------|-----------------------------------|
| Finding:        | LAWFULNESS STILL TO BE DETERMINED |
| Finding Date:   | 2022/11/17                        |
| Finding Reason: | UNVERIFIED                        |

|                    |     |
|--------------------|-----|
| Finding Confirmed: | YES |
|--------------------|-----|

### Succession/Transfer Details

|                           |                                |
|---------------------------|--------------------------------|
| Succession/Transfer Type: | SUCCESSION IN TITLE            |
| Source Part2 Details:     | Register No. WUN<br>22105482 1 |

### Water Use Details

|                                                    |                                                        |
|----------------------------------------------------|--------------------------------------------------------|
| Water Use Sector(s)(i.e. Purpose(s) of Water Use): | AGRICULTURE: IRRIGATION                                |
| Source Type:                                       | RIVER/STREAM                                           |
| Water Resource Name:                               | TRIBUTARY OF FRANSCHHOEK RIVER                         |
| Point of Abstraction:                              | Latitude Longitude<br>33.928604° south 19.118956° east |
| Datum Type:                                        | WGS-84                                                 |
| Quaternary Drainage Region:                        | G10A                                                   |

### Registered Volumes

| Start Date | End Date   | Registered Volume (m³) | Time Interval |
|------------|------------|------------------------|---------------|
| 2016/08/01 | 2021/12/31 | 8000                   | PER YEAR      |



## National Register of Water Use Registration Record 22159753

Taking water from a water resource in terms of Section 21(a) of the National Water Act

### Water Use Identification

Register Number: 22159753  
Water Use Number: 1  
Water Use Start Date: 2016/08/01  
Water Use Status Date: 2023/05/29  
Water Use Status: CLOSED  
Water Use Close Date: 2021/12/31  
Water Use Close Reason: SURRENDERED

### Property Where Water Use Occurs

Property Name: LA DAUPHINE  
Property Number: 1119  
Portion of Property: 2  
SG Cadastral Code: C05500000000111900002  
Deeds Office: CAPE TOWN  
Registration Division: PAARL  
Registration Division Province: WESTERN CAPE  
Surveyor General Office: CAPE TOWN

### WUN/Property Relationship Details

| Relationship Start Date | Relationship End Date |
|-------------------------|-----------------------|
| 2016/08/01              |                       |



## National Register of Water Use Registration Record 22159753

Taking water from a water resource in terms of Section 21(a) of the National Water Act

### Water Use Identification

|                         |             |
|-------------------------|-------------|
| Register Number:        | 22159753    |
| Water Use Number:       | 1           |
| Water Use Start Date:   | 2016/08/01  |
| Water Use Status Date:  | 2023/05/29  |
| Water Use Status:       | CLOSED      |
| Water Use Close Date:   | 2021/12/31  |
| Water Use Close Reason: | SURRENDERED |

#### DISCLAIMER:

This Registration Record:

- 1 is not an acknowledgement of an entitlement to the registered water use;
- 2 may NOT be used to create the impression that it is proof of a water use entitlement. By virtue of section 22(1) of the National Water Act, the only documents that may be used as proof of a water use entitlement, are:
  - 2.1 a licence;
  - 2.2 an official document stating the extent of existing lawful water use pursuant to sections 33 or 35 of the National Water Act;
  - 2.3 a general authorisation as published in the Gazette; or
  - 2.4 Schedule 1 of the National Water Act.

#### Notes:

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## National Register of Water Use Registration Record 22159753

Taking water from a water resource in terms of Section 21(a) of the National Water Act

### Water Use Identification

Register Number: 22159753  
Water Use Number: 2  
Water Use Start Date: 2016/08/01  
Water Use Status Date: 2023/05/29  
Water Use Status: CLOSED  
Water Use Close Date: 2021/12/31  
Water Use Close Reason: VERIFICATION

### Lawfulness Authentication

Finding: LAWFULNESS STILL TO BE DETERMINED  
Finding Date: 2022/11/17  
Finding Reason: UNVERIFIED

Finding Confirmed: YES

### Succession/Transfer Details

Succession/Transfer Type: SUCCESSION IN TITLE  
Source Part2 Details: Register No. WUN  
22105482 2

### Water Use Details

Water Use Sector(s)(i.e. Purpose(s) of Water Use): AGRICULTURE: IRRIGATION  
Source Type: BOREHOLE  
Water Resource Name: GROUNDWATER (PORTION 1119, BOREHOLE 2)  
Point of Abstraction: Latitude Longitude  
33.928604° south 19.11895° east  
Datum Type: WGS-84  
Quaternary Drainage Region: G10A

### Registered Volumes

| Start Date | End Date   | Registered Volume (m³) | Time Interval |
|------------|------------|------------------------|---------------|
| 2016/08/01 | 2021/12/31 | 11000                  | PER YEAR      |



## National Register of Water Use Registration Record 22159753

Taking water from a water resource in terms of Section 21(a) of the National Water Act

### Water Use Identification

Register Number: 22159753  
Water Use Number: 2  
Water Use Start Date: 2016/08/01  
Water Use Status Date: 2023/05/29  
Water Use Status: CLOSED  
Water Use Close Date: 2021/12/31  
Water Use Close Reason: VERIFICATION

### Property Where Water Use Occurs

Property Name: LA DAUPHINE  
Property Number: 1119  
Portion of Property: 2  
SG Cadastral Code: C05500000000111900002  
Deeds Office: CAPE TOWN  
Registration Division: PAARL  
Registration Division Province: WESTERN CAPE  
Surveyor General Office: CAPE TOWN

### WUN/Property Relationship Details

| Relationship Start Date | Relationship End Date |
|-------------------------|-----------------------|
| 2016/08/01              |                       |

## National Register of Water Use Registration Record 22159753

Taking water from a water resource in terms of Section 21(a) of the National Water Act

### Water Use Identification

|                         |              |
|-------------------------|--------------|
| Register Number:        | 22159753     |
| Water Use Number:       | 2            |
| Water Use Start Date:   | 2016/08/01   |
| Water Use Status Date:  | 2023/05/29   |
| Water Use Status:       | CLOSED       |
| Water Use Close Date:   | 2021/12/31   |
| Water Use Close Reason: | VERIFICATION |

#### DISCLAIMER :

This Registration Record:

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- 2.3 a general authorisation as published in the Gazette; or
- 2.4 Schedule 1 of the National Water Act.

#### Notes:

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  - If the responsible authority has dispensed with the requirement for a licence for a specific water use, no water use entitlement is needed for that use under the National Water Act.
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## National Register of Water Use Registration Record 22159753

Taking water from a water resource in terms of Section 21(a) of the National Water Act

### Water Use Identification

Register Number: 22159753  
Water Use Number: 3  
Water Use Start Date: 2016/08/01  
Water Use Status Date: 2023/05/29  
Water Use Status: REGISTERED

### Validation

Validation Status: FINALISED  
Validation Status - Date Allocated: 2023/03/16 12:09:39

### Verification

Verification Status: FINALISED  
Verification Status - Date Allocated: 2023/03/16 12:09:39

### Lawfulness Authentication

Finding: LAWFUL  
Finding Date: 2021/12/15  
Finding Reason: EXISTING LAWFUL WATER USE UNDER SECTION 35(4) OF THE NWA (ACT NO 36 OF 1998)  
Finding Confirmed: YES

### Late Registration

Late Registration: YES  
Late Registration Confirmation Date: 2021/12/15

### Water Use Details

Water Use Sector(s)(i.e. Purpose(s) of Water Use): AGRICULTURE: IRRIGATION  
Source Type: RIVER/STREAM  
Water Resource Name: TRIBUTARY OF FRANSCHHOEK RIVER  
Point of Abstraction: Latitude 33.928603° south Longitude 19.118957° east  
Datum Type: WGS-84  
Quaternary Drainage Region: G10A

### Registered Volumes

| Start Date | End Date   | Registered Volume (m³) | Time Interval |
|------------|------------|------------------------|---------------|
| 2016/08/01 | 2021/12/31 | 31000                  | PER YEAR      |
| 2022/01/01 |            | 39000                  | PER YEAR      |

## National Register of Water Use Registration Record 22159753

Taking water from a water resource in terms of Section 21(a) of the National Water Act

### Water Use Identification

Register Number: 22159753  
Water Use Number: 3  
Water Use Start Date: 2016/08/01  
Water Use Status Date: 2023/05/29  
Water Use Status: REGISTERED

### Property Where Water Use Occurs

Property Name: LA DAUPHINE  
Property Number: 1119  
Portion of Property: 2  
SG Cadastral Code: C05500000000111900002  
Deeds Office: CAPE TOWN  
Registration Division: PAARL  
Registration Division Province: WESTERN CAPE  
Surveyor General Office: CAPE TOWN

### WUN/Property Relationship Details

| Relationship Start Date | Relationship End Date |
|-------------------------|-----------------------|
| 2016/08/01              |                       |



## National Register of Water Use Registration Record 22159753

Taking water from a water resource in terms of Section 21(a) of the National Water Act

### Water Use Identification

|                        |            |
|------------------------|------------|
| Register Number:       | 22159753   |
| Water Use Number:      | 3          |
| Water Use Start Date:  | 2016/08/01 |
| Water Use Status Date: | 2023/05/29 |
| Water Use Status:      | REGISTERED |

#### DISCLAIMER :

This Registration Record:

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- 2 may NOT be used to create the impression that it is proof of a water use entitlement. By virtue of section 22(1) of the National Water Act, the only documents that may be used as proof of a water use entitlement, are:
  - 2.1 a licence;
  - 2.2 an official document stating the extent of existing lawful water use pursuant to sections 33 or 35 of the National Water Act;
  - 2.3 a general authorisation as published in the Gazette; or
  - 2.4 Schedule 1 of the National Water Act.

#### Notes:

- If an entitlement for the specific water use referred to in this Registration Record has been confirmed by the Department, it may be indicated as such in this Registration Record.
  - If the responsible authority has dispensed with the requirement for a licence for a specific water use, no water use entitlement is needed for that use under the National Water Act.
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## National Register of Water Use Registration Record 22159753

Taking water from a water resource in terms of Section 21(a) of the National Water Act

### Water Use Identification

Register Number: 22159753  
Water Use Number: 4  
Water Use Start Date: 2016/08/01  
Water Use Status Date: 2023/05/29  
Water Use Status: REGISTERED

### Validation

Validation Status: FINALISED  
Validation Status - Date Allocated: 2023/05/29 14:04:23

### Verification

Verification Status: FINALISED  
Verification Status - Date Allocated: 2023/05/29 14:04:23

### Lawfulness Authentication

Finding: LAWFUL  
Finding Date: 2021/12/15  
Finding Reason: EXISTING LAWFUL WATER USE UNDER SECTION 35(4) OF THE NWA (ACT NO 36 OF 1998)  
Finding Confirmed: YES

### Late Registration

Late Registration: YES  
Late Registration Confirmation Date: 2021/12/15

### Water Use Details

Water Use Sector(s)(i.e. Purpose(s) of Water Use): INDUSTRY (NON-URBAN)  
Source Type: RIVER/STREAM  
Water Resource Name: SURFACE WATER  
Point of Abstraction: Latitude 33.928604° south Longitude 19.118956° east  
Datum Type: WGS-84  
Quaternary Drainage Region: G10A

### Registered Volumes

| Start Date | End Date | Registered Volume (m³) | Time Interval |
|------------|----------|------------------------|---------------|
| 2016/08/01 |          | 5000                   | PER YEAR      |



## National Register of Water Use Registration Record 22159753

Taking water from a water resource in terms of Section 21(a) of the National Water Act

### Water Use Identification

Register Number: 22159753  
Water Use Number: 4  
Water Use Start Date: 2016/08/01  
Water Use Status Date: 2023/05/29  
Water Use Status: REGISTERED

### Property Where Water Use Occurs

Property Name: LA DAUPHINE  
Property Number: 1119  
Portion of Property: 2  
SG Cadastral Code: C05500000000111900002  
Deeds Office: CAPE TOWN  
Registration Division: PAARL  
Registration Division Province: WESTERN CAPE  
Surveyor General Office: CAPE TOWN

### WUN/Property Relationship Details

| Relationship Start Date | Relationship End Date |
|-------------------------|-----------------------|
| 2016/08/01              |                       |

## National Register of Water Use Registration Record 22159753

Taking water from a water resource in terms of Section 21(a) of the National Water Act

### Water Use Identification

|                        |            |
|------------------------|------------|
| Register Number:       | 22159753   |
| Water Use Number:      | 4          |
| Water Use Start Date:  | 2016/08/01 |
| Water Use Status Date: | 2023/05/29 |
| Water Use Status:      | REGISTERED |

#### DISCLAIMER :

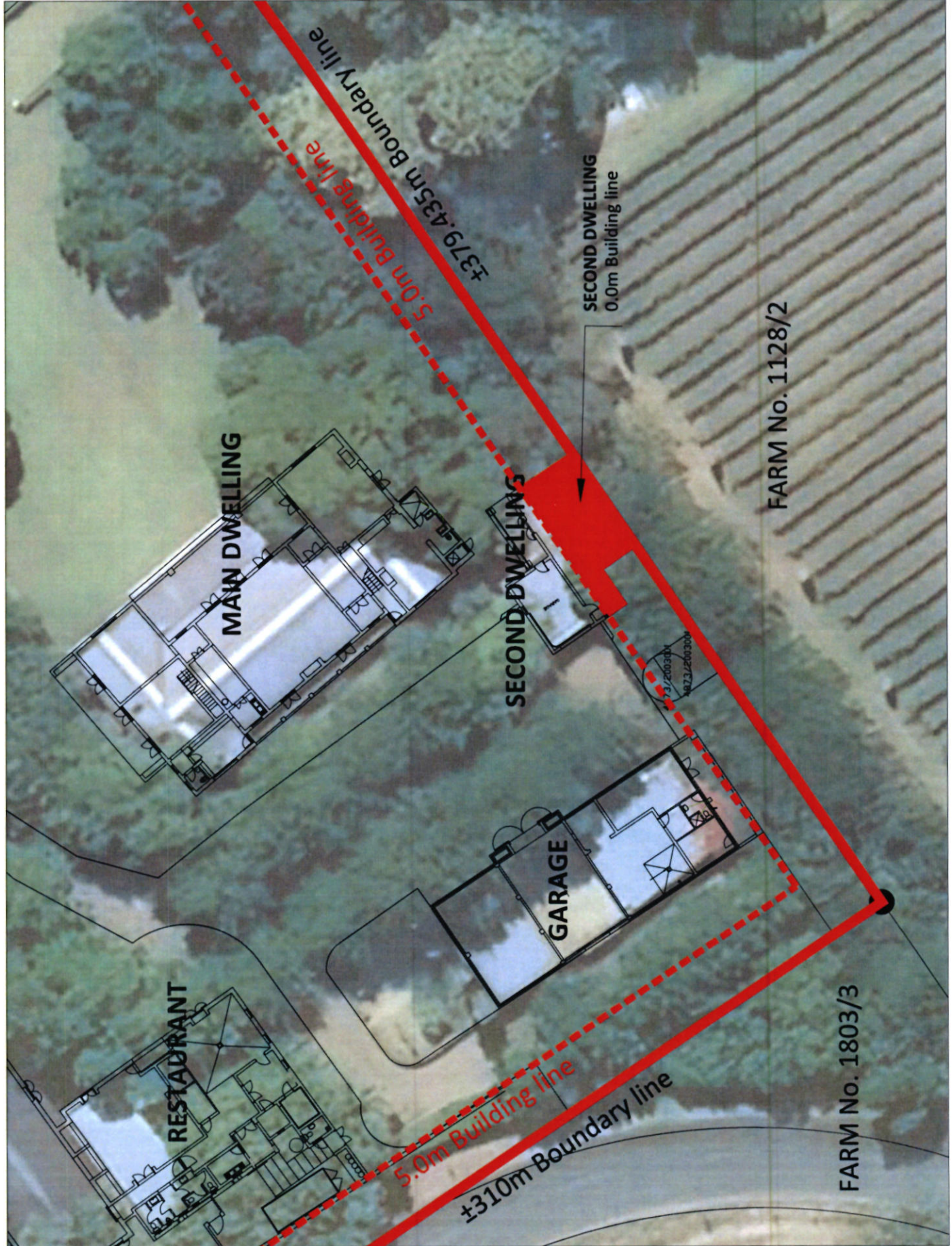
##### This Registration Record:

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  - 2.1 a licence;
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|                    |
|--------------------|
| MORONGWANE PTY LTD |
|--------------------|

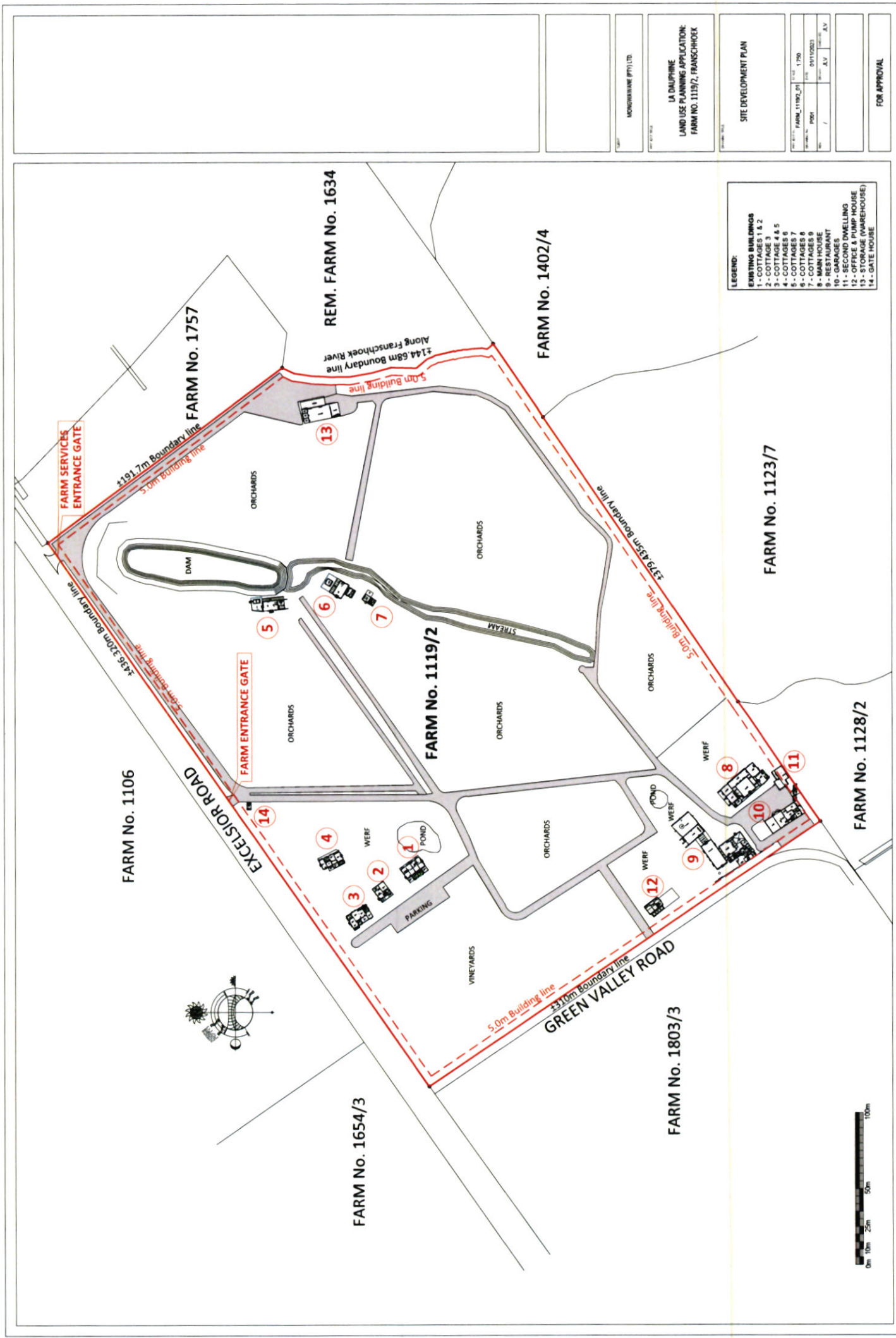
|                                                                               |
|-------------------------------------------------------------------------------|
| LA DAUPHINE<br>LAND USE PLANNING APPLICATION:<br>FARM NO. 1119/2, FRANSCHHOEK |
|-------------------------------------------------------------------------------|

|                |
|----------------|
| DEPARTURE PLAN |
|----------------|

|               |            |
|---------------|------------|
| FARM_11192_01 | 1:100      |
| DATE          | 01/11/2023 |
| BY            | A.U        |
| CHECKED       | A.U        |

|              |
|--------------|
| FOR APPROVAL |
|--------------|





- LEGEND:**
- EXISTING BUILDINGS
  - 1 - COTTAGE 1 & 2
  - 2 - COTTAGE 3
  - 3 - COTTAGE 4 & 5
  - 4 - COTTAGES 6
  - 5 - COTTAGES 7
  - 6 - COTTAGES 8
  - 7 - COTTAGES 9
  - 8 - MAIN HOUSE
  - 9 - RESTAURANT
  - 10 - GARAGES
  - 11 - SECOND DWELLING
  - 12 - OFFICE & PUMP HOUSE
  - 13 - STORAGE (WAREHOUSE)
  - 14 - GATE HOUSE



FARM No. 1803/3

FARM No. 1128/2

FARM No. 1123/7

FARM No. 1402/4

REM. FARM No. 1634

FARM No. 1757

FARM No. 1106

FARM No. 1654/3

|                                                                               |          |
|-------------------------------------------------------------------------------|----------|
| MONTAGNARD (Pty) Ltd                                                          |          |
| LA DAUPHINE<br>LAND USE PLANNING APPLICATION:<br>FARM NO. 1119/2, FRANSCHHOEK |          |
| SITE DEVELOPMENT PLAN                                                         |          |
| FARM: 1119/2_01                                                               | 1:750    |
| DATE: 01/11/2023                                                              | BY: A.U. |
| FOR APPROVAL                                                                  |          |





# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Jacques Volschenk  
Jacques.volschenk10@gmail.com  
082 8216363

05 September 2023

**SUBJECT: PRE-APPLICATION SCRUTINY FEEDBACK, FARM 1119/2 PAARL DIVISION**

1. Your pre-application scrutiny submission on the above property dated **14 August 2023**, refers.
2. Your submission has been duly scrutinized for your intended land use application.
3. Your intended land use application as depicted in the submission represents on face value an accurate approach to the prevailing provisions in the Stellenbosch Land Use Planning Bylaw (2015) [SLUPB] and Stellenbosch Zoning Scheme Bylaw (2019) [SZSB].
4. The intended land use and/ or land development application also needs to fulfil the requirements as stipulated in Section 38 of the SLUPB. The required application documents and related information on any applicable Bylaws, Policies and Spatial Plans are available on the Planning Portal of the Municipal Website. (<https://www.stellenbosch.gov.za/documents/planning-and-building-plans/planning-portal>).
5. Please note that the sole purpose of this pre-application scrutiny feedback is to facilitate an accurate approach for the intended land use and/ or land development application. The feedback should consequently not be interpreted to represent any position on the merit nor desirability of such intended land use and/ or land development application, which can only be determined once a complete application has been received and duly processed and decided on by the authorised decision maker.
6. It should also be noted that the complete application should first be submitted without the payment of any applicable application fees. Only when satisfied that a complete and accurate application has been submitted, will a proforma invoice be submitted to the applicant with payment instructions. Once proof of payment is received, the application will be regarded as duly submitted in accordance with a notice as contemplated in terms of Section 41(1)(c)(i) of the SLUPB.
7. For any enquiries on this correspondence please respond by e-mail to the writer hereof.

Kind regards

Bongiwe Zondo  
[bongiwe.zondo@stellenbosch.gov.za](mailto:bongiwe.zondo@stellenbosch.gov.za)



# STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Our Ref : 1119/2 P  
Contact per : A Gwintsa  
Contact no : (021) 808 8681  
Date : 31 May 2021

## **ZONING CERTIFICATE –FARM No. 1119/2, PAARL DIVISION**

It is hereby certified that the zoning of Farm No. 1119/2 Paarl Division, in terms of the Stellenbosch Municipality Zoning Scheme By-Law 2019 is:

### **Agriculture and Rural Zone**

- With deemed consent for a tourist accommodation establishment (conversion of 4 existing labourer's cottages into 5 guest suites).
- Consent Use for a tourist facility to utilize an outbuilding, with a total foot print of  $\pm 511m^2$ , for an interior decorating studio and a breakfast room /coffee shop purpose.

| Primary Uses                                                                                                                                                                                                                                       | Additional Uses (technical approval)                                                                                                                                                                                                                                                                                                                                                                  | Consent Uses (application required)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Agricultural building ( $\leq 2000m^2$ )<br>Agriculture<br>Dwelling house<br>Forestry<br>Natural Environment<br>Occasional use (one event/year)<br>Private road<br>Polytunnel ( $\leq 2000m^2$ )<br>Second dwelling<br>Employee housing (one unit) | Agricultural building ( $\geq 2000m^2$ )<br>Agricultural Industry ( $\leq 2000m^2$ )<br>Bed and Breakfast establishment<br>Employee housing (exceeding one unit)<br>Guest house<br>Home day care center<br>Home occupation practice<br>Polytunnel ( $\geq 2001m^2$ and $\leq 5000m^2$ )<br>Rooftop base telecommunication station<br>Tourist dwelling units<br>Tourists facility (existing buildings) | Abattoir<br>Additional dwelling units (max 4)<br>Airfield<br>Airstrip<br>Agricultural Industry ( $\geq 2000m^2$ )<br>Camping Site<br>Day care center<br>Freestanding base telecommunication station<br>Helicopter landing pad<br>Intensive feed farming<br>Kennel<br>Market<br>Occasional Use ( $\geq$ one event /year)<br>Plant nursery<br>Polytunnel ( $\geq 5000m^2$ )<br>Renewable energy structure<br>Service Trade<br>Tourist accommodation establishment<br>Tourist facility (new buildings or exceeding threshold)<br>Any additional use exceeding the threshold set out in this chapter |

  
**Director: Planning and Economic Development**

**Please Note:** Where discrepancies exist between the zoning information contained in this certificate and any Council decision, Council's decision override the contents of this zoning certificate.

Page 1 of 1



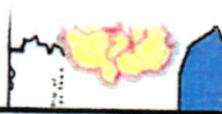
# Stellenbosch GIS Map



SCALE  
1:9 027,98

## Legend

- Street Address
- Erven
- Sectional Schemes
- Airfields
- High Way
- Provincial
- Arterial
- Main
- Street
- Street
- Railway



Stellenbosch Municipality  
Planning & Economic Development  
Created by: Corporate GIS

Date: 2021/03/31



Author: Stellenbosch Municipality



Stellenbosch Municipality  
Street Address  
71 Peka Street, Stellenbosch, 7600  
Tel: 021 881 9631

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# Stellenbosch GIS Map



**SCALE**

**1:9 027,98**

## Legend

Street/Address

Even

Sectional Schemes

Airfields

High Way

Provincial

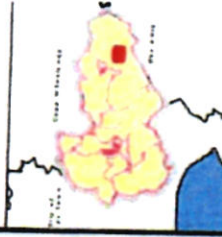
Arterial

Main

Street

Street

Railway



Stellenbosch Municipality  
Planning & Economic Development  
Created by: Corporate GIS

Date: 2021/05/31



Author: Stellenbosch Municipality

Stellenbosch Municipality

Street Address:  
71 Plain Street, Stellenbosch, 7600

Tel: 021 885 8038

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# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

27

Navrae / Enquiries: B Mdoda  
U verwysing / Your ref. -  
Ons verwysing / Our Ref: Farm 1119/2, Paarl  
Datum / Date: 2007-02-14  
Telefoon / Telephone: 021-808 8690  
Faks / Fax: 021-808 8651

## REGISTERED POST

Praktiplan  
P O Box 90  
PAARL  
7622

Sir

## APPLICATION FOR REZONING AND CONSENT USE: FARM 1119/2, PAARL

Your application in the abovementioned regard, refers:

The Acting Executive Director : Economic Facilitation Services at a recent meeting resolved as follows:

- 1.1 That **approval be granted** in terms of Section 16 of the Land Use Planning Ordinance No. 15 of 1985, for the **rezoning** of  $\pm 625\text{m}^2$  from Agricultural Zone I to Residential Zone V, in order to convert 4 existing labourer cottages into 5 guest suites.
- 1.2 That **approval be granted for a Consent Use** (tourist facilities) in terms of Regulation 4.6 of the Scheme Regulations made in terms of Section 8 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) and promulgated under P.N. 1048/1988 in order to convert existing outbuildings of  $\pm 511\text{m}^2$  for a interior decorating studio and a breakfast room/coffee shop purposes. See **Annexure B**.
- 1.3 The approval will be subject to the following conditions in terms of Section 42(1) of Ordinance 15 of 1985.
  - (1.3.1) That the approval only applies to the rezoning and consent use in question and shall not be construed as authority to depart from any other legal prescriptions or requirements.
  - (1.3.2) Section 16(2) of Ordinance 15 of 1985, whereby this approval for the rezoning shall lapse if it is not exercised within two years from the date of this approval.

- (1.3) That this approval for the consent uses shall lapse if it is not exercised within two years from the date of this approval.
- (1.3.4) The owner of the property must apply for the applicable business licenses in terms of the Business Act, No 71 of 1991.
- (1.3.5) The necessary licenses must be obtained in terms of the Liquor Act, 1989 (Act 27 of 1989) if liquor is going to be served.
- (1.3.6) That only the proposed floor areas may be utilized for all rezoning and consent use approvals.
- (1.3.7) That refuse removal must be done to the satisfaction of the Director: Engineering- & Technical Services.
- (1.3.8) Council reserves the right to request any further landscaping proposals, if deemed necessary if insufficient landscaping has been implemented in order to screen or soften the visual impact of the existing structures from all possible lookout points, roads and surrounding properties.
- (1.3.9) That all new outside lighting, if needed should be done in such a way that it will have the minimum impact on the environment and the views from the surrounding properties and roads.
- (1.3.10) That the colour of every wall, door, window, roof, etc. needs to be sympathetic to the character of the area and blend in with the surrounding landscape and structures.
- (1.3.11) That all materials used in the renovation of all buildings on the properties should complement the architecture characterizing the property and district.
- (1.3.12) That the utilization of the property and buildings must at all times be within the parameters determined by the Section 8 Scheme Regulations for the applicable zonings.
- (1.3.13) The main house and associated outbuildings may only be occupied and used by a person(s) that is/are directly involved in the agricultural activities on the property, and may not be rented out or operated for formal business purposes (i.e bed & breakfast, etc) without prior approval from this Council.
- (1.3.14) That no pollution, including noise pollution, may take place on the property and that all other health regulations must be complied with. Where noise is concerned the applicant comply with the Noise Control Regulations made in terms of Section 25 of the Environmental Conservation Act, 1989 (Act 73 of 1989) and promulgated at P.N. 627/1998. The SABS code of conduct 0103-1994, must be used as a guideline and will be the owner's responsibility.
- (1.3.15) That the applicant be responsible for all costs necessary to comply with all the conditions unless otherwise specified.
- (1.3.16) That the conditions as set out in **Annexure F** by the Chief: Health Officer (Cape Winelands District Municipality), be complied with.



- Yours faithfully,

/bm  
F1119/2



## Helping You PLAN For The Future

**JOHN. C. PHEIFFER**

**ARCHITECTURA CC**

**STALLS OR OWN APPROVED  
ON / APPROVED / OWN**

14 Lady Green Street  
Barnes 22, Mid Essex, United Kingdom  
Tel: 0181-871-1111

18 Lady Grey Street  
Pond, 14-15  
Tel: 017 21 822 000 - 0115

TEL: 0197 311 072 1010 • FAX:  
0197 311 072 1010 • E-mail: info@bbsi.co.uk

Page 2 (continued) (page 1 of 2)

Veruska BelBon Farm Pty (Ltd)

Green Mountain Family (LHO)

1271

**DEPARTMENT OF THE ARMY**

## REDEVELOPMENT

**OF FARM 1119 / 2**

FRANSCHHOEK

100

—

### SITE LAYOUT

| DATE    | TIME     | LOCATION | REMARKS |
|---------|----------|----------|---------|
| 11/1/80 | 11:00 AM | 10000    | 10000   |

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**VOORGESTELDE RESIDENSIELE SONE 5 (625 m²)  
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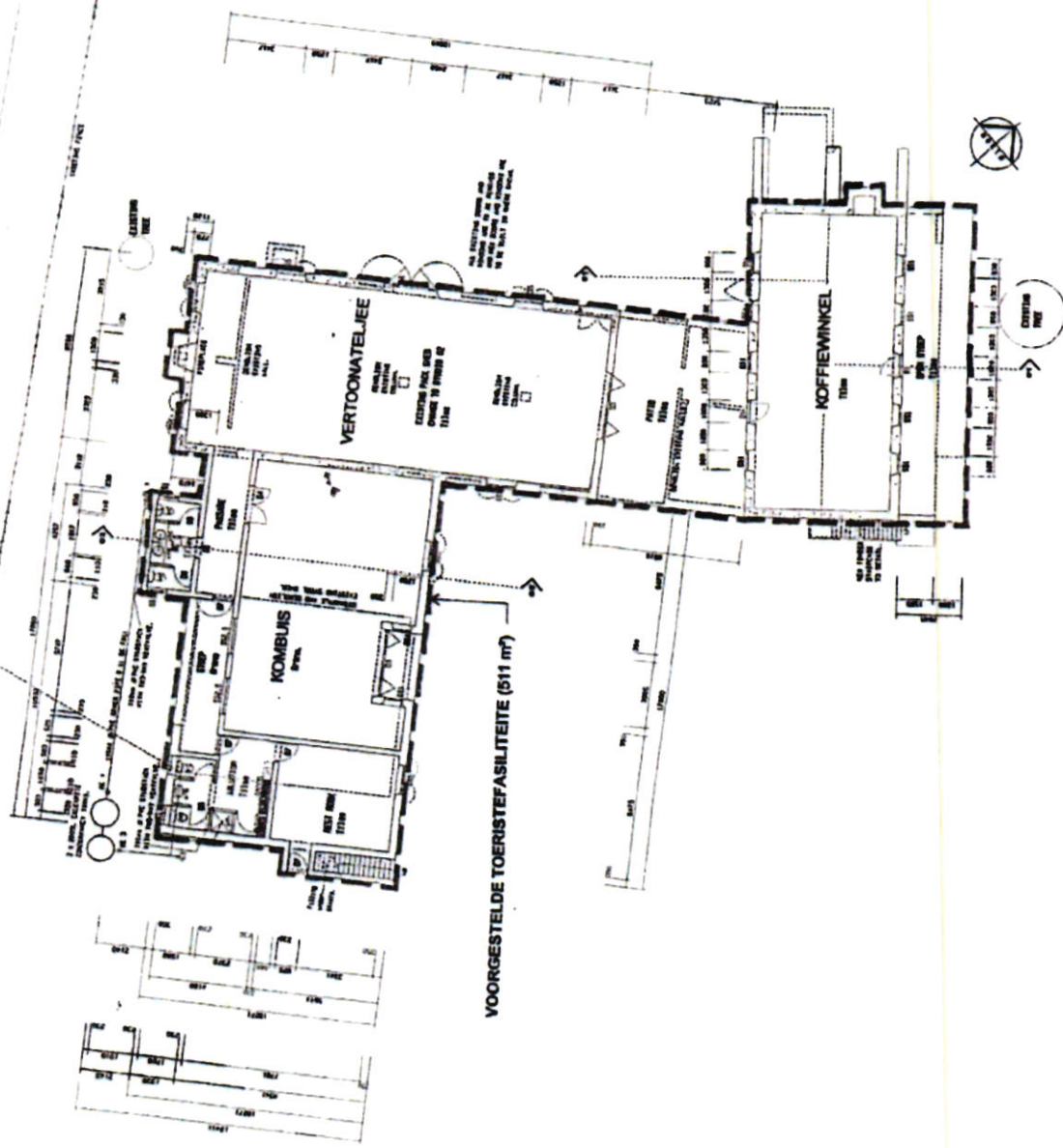
**VOORGESTELDE PARKEERAREA  
(14 VOERTUIG)**

**VOORGESTELDE  
TOERISTEFASILITEIT (511 m<sup>2</sup>)**

TOERISTIEFASILITEIT (511 m<sup>2</sup>)  
VERTOONATELJEE EN KOFFIEWINKEL

**SITE LAYOUT**  
**1:1-000**  
**2000**





VOORGESTELDE TOERISTEFASILITEITE (511 m²)

PLAN LAYOUTS  
STORES AND OFFICES

STUDIO'S AND WORKSHOP  
REDEVELOPMENT  
OF FARM 1119/2  
FRANSCHPOEK

Verusia Beilen Farm Pty (Ltd)

John C. Pheiffer  
ARCHITECTURE CC

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STUDIO'S AND WORKSHOP

REDEVELOPMENT  
OF FARM 1119/2  
FRANSCHPOEK

Verusia Beilen Farm Pty (Ltd)

John C. Pheiffer  
ARCHITECTURE CC

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STUDIO'S AND WORKSHOP

REDEVELOPMENT  
OF FARM 1119/2  
FRANSCHPOEK

Verusia Beilen Farm Pty (Ltd)





THE  
NATIONAL BOARD OF  
THE YOUNG MEN  
OF CHRISTIANITY  
AND THE YOUNG  
WOMEN OF CHRISTIANITY  
OF AMERICA

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REPORT: OAS STAFF STAYED AWAY FROM MEXICO CITY, SAYING THEY WERE NOT WELCOME. THE STAFF STAYED IN THE MEXICAN COUNTRY OF GUATEMALA, SAYING THEY WERE NOT WELCOME. THE STAFF STAYED IN THE MEXICAN COUNTRY OF GUATEMALA, SAYING THEY WERE NOT WELCOME.

S.E. ELEVATION  
1 : 100

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**M.E. ELEVATION**  
1189

W. ELEVATION  
: 100

LOCALITY PLAN  
1 : 1 000

**PLAN LAYOUT  
COTTAGE 1  
4-1-88**

Helping You PLAN For The Future  
**JOHN. C. PHEIFFER**

**ARCHITECTURE CC**  
 800 / 570-2717 / 55  
 54500 MIDLAND-170000  
 Avenue 15, 1st Floor, Graham Building  
 50 Lady Gray Street  
 Perth, 7040  
 Tel: +61 81-872 1019 / Fax:  
 800, +1 800 720 0435 / Mobile  
 Email: [info@architecturecc.com.au](mailto:info@architecturecc.com.au) / [enquiries@architecturecc.com.au](mailto:enquiries@architecturecc.com.au)

**VERUSHKA SELBON FARMS PTY (Ltd)**

REDEVELOPMENT  
OF FARM 1119 / 2  
FRANSCHHOEK

### ABOURNER'S COTTAGES

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WILSON / WILSON

ATTENTION: Our paper finds it impossible to accept.

WILLIAM A. MONTGOMERY JR. is senior, 100 West 100th St., New York 25, N.Y. He is a member of the New York City Bar Association and the New York City Chamber of Commerce.

understand how to be successful in 2000 as being  
related to a good marketing effort, a factor  
that had a higher value than doing otherwise.

[illegible][illegible]

Helping You PLAN For The Future

**JOHN. C. PHEIFFER**  
ARCHITECTURE CC

00023 / 070327 / 23  
NAME: 000100 970010  
Room 107, 3rd Floor, United Building  
201 Lady Gray street  
Freetown, Sierra Leone  
TEL: + 002 21-073 19700 + 0022  
0001 1 000 700 00000 + 00010  
Name: Japheth Japheth + 0001

VERUSHKA BELBON FARMS PTY(LTD)

REDEVELOPMENT  
OF FARM 1119 / 2  
FRANSCHHOEK

LABOURER'S COTTAGES

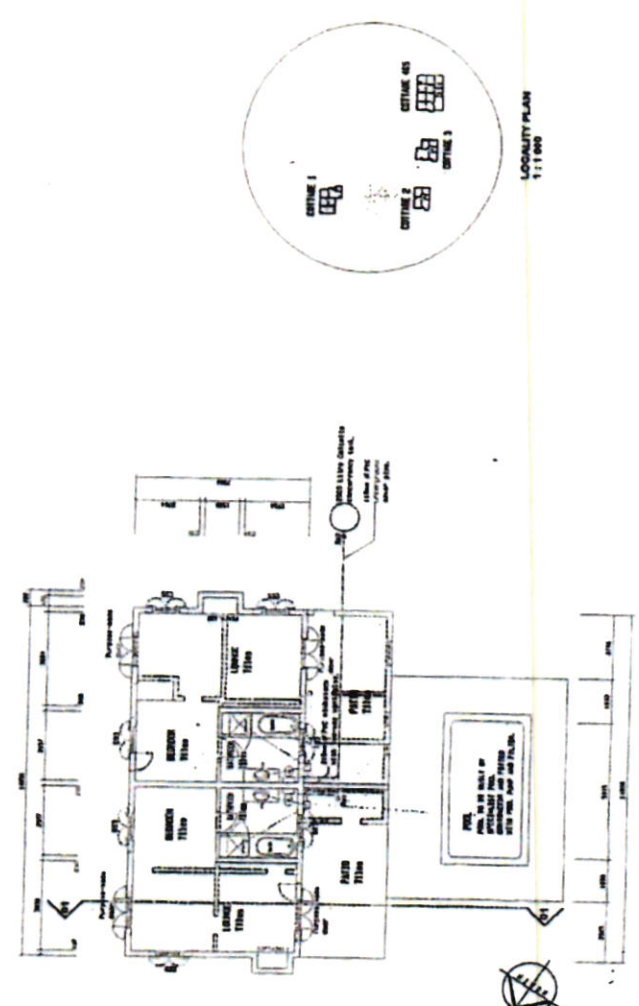
[illegible]

FRONT ELEVATION  
1:50

SIDE ELEVATION  
1:50

N.E. ELEVATION  
1:100

WEST ELEVATION  
1900



**PLAN LAYOUT  
COTTAGE 4 & 5  
1 : 100**

B



CLIENT: MONGWAWANE (PTY) LTD.

LAND USE PLANNING APPLICATION:  
FARM NO. 11119/2, PAARL

LOCALITY MAP

|                               |                    |
|-------------------------------|--------------------|
| PROJECT NO.<br>Form 1119/2_01 | SCALE<br>1:10000   |
| DRAWING NO.<br>/              | DATE<br>2023-08-14 |
| REV.<br>/                     | DRAWN<br>CHECKED   |

FOR INFORMATION



# JV Planning Consultants

---

18 Mountain Fern Crescent  
SOMERSET WEST 7130

Cell: 082 821 6365  
Email: [Jacques.volschenk10@gmail.com](mailto:Jacques.volschenk10@gmail.com)

8 November 2023

The Director:  
Department of Planning and Economic Development  
Stellenbosch Municipality  
PO Box 17  
STELLENBOSCH 7599

Dear Sir,

**APPLICATION FOR A CONSENT USE FOR A TOURIST ACCOMMODATION ESTABLISHMENT AND DEPARTURE:  
PORTION 2 OF THE FARM NO. 1119, PAARL (LA DAUPHINE)**

The pre-application scrutiny process, as it relates to the land use planning application on the abovementioned property, refer.

## **1 INTRODUCTION AND APPLICATION DETAILS**

The undersigned has been appointed by the owner of Portion 2 of the Farm La Dauphine No. 1119, Paarl (hereinafter referred to as the property) to prepare and submit, on its behalf, an application which would enable an expanded tourist accommodation establishment on the property.

In particular, application is made for the following:

- a) In terms of Section 15(2)(o) of the Stellenbosch Municipality: Land Use Planning By-Law, 2023 (hereinafter referred to as the By-Law) for a consent use to make provision for a tourist accommodation establishment.
- b) In terms of Section 15(2)(b) of the By-Law for a permanent departure to permit the position of an existing building within the building lines.
- c) In terms of Section 15(2)(g) of the By-Law for the approval of a site development plan for the property.

The application described in this report is illustrated by the drawings included under Annexure 1.

## **2 LOCATION AND CONTEXT**

The property is situated approximately 1.8km southwest of the town of Franschhoek along Excelsior Road. The farm, previously referred to as La Petit Dauphine, is a picturesque estate set among vineyards, olive groves and fruit orchards. The working farm is bordered by Excelsior Road to the north, from where access is provided to the property, and Green Valley Road to the west. The Franschhoek River presents the southern and eastern boundary of the property.



The property is set amongst an agricultural landscape where several accommodation facilities are provided on the surrounding properties. Despite this additional land use, agriculture remains the dominant land use in the area.

The property comprises some 12.9ha of which a total of 7.1ha is under a combination of vineyards and orchards (i.e. grapes, plums and olives). The remaining area comprises fallow land, riverine corridors and dams and areas of physical infrastructure (i.e. tourist accommodation and facilities, dwellings units and roads).

The buildings and infrastructure on the property is concentrated in three distinct nodes/clusters. The primary cluster in the southern corner of the property includes the manor house, outbuilding, garage, coffee shop and farm manager's office. A secondary cluster is located next to the entrance and includes the former labourers cottages. These have been converted into guest accommodation (refer to section 3.2 below). A third cluster comprises three newly constructed guest suites. These are located in the centre of the property, immediately south of an irrigation dam and along the local drainage line.

A farm shed for farm implements and storage purposes is located along the eastern boundary.

Up until approximately 2 years ago, Le Petite Dauphine provided tourist accommodation and tourist facilities in the form of a coffee shop/restaurant called Café Bon Bon. All tourist activities and accommodation has however since ceased whilst only the farming enterprise is still operational.



Figure 1: Entrance to the Manor House (source: Google Earth Streetview, 2023).





**Figure 2:** Two of the guest suites located in the cluster next to the irrigation dam (source: Mongwawane (Pty) Ltd.).



**Figure 3:** The restaurant in the period whilst operational (source: Mongwawane (Pty) Ltd.).





**Figure 4:** Present state of one of the cottages on site.

The property is relatively flat but slopes downward from the south to the north along the flow of the Franschhoek River. The property slopes some 15m between 292m amsl. at its highest point to approximately 277m amsl. at its lowest point in the northern corner.

As further described in the chapters below, Stellenbosch Municipality, during 2007, granted approval for the conversion of the four (4) existing labourer's cottages into 5 guest suites. These cottages are located in the secondary cluster is located next to the entrance.

Following the conversion of the same, one of the labourer's cottages were further divided to create an additional guest suite. Three additional guest suites were also constructed next to the irrigation dam. These conversions/constructions were undertaken without the required land use approval, hence this application. A separate application for environmental authorization of the same is also currently being undertaken as described in the chapters below.

### **3 SITE DESCRIPTION**

The property is referred to in the title deed as the Remainder Portion 2 of the Farm La Dauphine No. 1119, situated in the Stellenbosch Municipality, Division Paarl, Western Cape Province.

The property details, as per the title deed and municipal records, are summarised in the table below:

**Table 1:** Property Details.

| PROPERTY DESCRIPTION                                   | SIZE      | TITLE DEED  | ZONING                     | OWNER                 |
|--------------------------------------------------------|-----------|-------------|----------------------------|-----------------------|
| Rem. Portion 2 of the Farm La Dauphine No. 1119, Paarl | 12.9319ha | T42060/2016 | Agriculture and Rural Zone | Mongwawane (Pty) Ltd. |





Figure 5: Site context of the property.

### 3.1 RESTRICTIVE TITLE CONDITIONS

The property is held under Title Deed No. T42060/2016. In terms of same there are no restrictive title conditions which would prevent the items described in this application.

The title deed and conveyancer certificate, attached herewith, does however note a Notarial Deed of Servitude No. K1147/2005S, dated 7 October 2005 as it relates to a borehole servitude and related infrastructure. The title deed notes as follows:

- C.(a) *A servitude borehole with a 2 meter radius, the centre of which is represented by the Point A on diagram No. SG 4873/2003, and a perpetual right to draw such amount of water from such borehole as may be allocated in terms of a licence of use of water which has been applied for and to be issued by the Department of Water Affairs and Forestry;*
- (b) *a servitude in perpetuity of a pump station at Point A on the said Diagram SG 4873/2003;*
- (c) *A pipeline and power servitude, 4 meters wide, the centre line of which is indicated by Figure A B on Diagram SG 4873/2003.*

*With ancillary rights in favour of Portion 2 of the Farm Bosplaats No. 1128, Paarl in the Stellenbosch Municipality, Division of Paarl, Province of the Western Cape.*

The title deed is included under Annexure 3.

The SG Diagram is included under Annexure 4.



### 3.2 APPLICABLE ZONING AND DEVELOPMENT PARAMETERS

The Stellenbosch Municipality, on 14 February 2007, granted approval for the rezoning of a portion of the property ( $\pm 625\text{m}^2$ ) from Agricultural Zone I to Residential Zone V<sup>1</sup>, in terms of the former Land Use Planning Ordinance, No. 15 of 1985 (LUPO) in order to convert 4 existing labourer's cottages into 5 guest suites.

At the same time, approval was also granted for a consent use (tourist facilities) in order to convert existing outbuildings of  $\pm 511\text{m}^2$  for an interior decorating studio and a breakfast room/coffee shop purposes.

These approvals were noted by the Stellenbosch Municipality which, on 31 May 2021, issued a zoning certificate, in terms of the Stellenbosch Municipality Zoning Scheme By-Law, 2019 for the property. In said zoning certificate, the zoning of 'Agriculture and Rural Zone' was confirmed for the property.

The zoning certificate also confirmed the following additional use rights which stems from the land use planning approval of 14 February 2007:

- *Consent for a tourist accommodation establishment (conversion of 4 existing labourer's cottages into 5 guest suites).*
- *Consent use for a tourist facility to utilize an outbuilding, with a total footprint of  $\pm 511\text{m}^2$ , for an interior decorating studio and a breakfast room/coffee shop purposes.*

The development parameters, which apply to Agriculture and Rural Zone, are described in the table below.

Table 2: Development parameters for Agriculture and Rural Zone.

| BUILDING TYPE                                                                             | STREET BUILDING LINE (street & common boundaries) | HEIGHT    | PRIMARY USE (coverage) | ADDITIONAL USE (coverage) | CONSENT USE (coverage)      |
|-------------------------------------------------------------------------------------------|---------------------------------------------------|-----------|------------------------|---------------------------|-----------------------------|
| <b>ACCOMMODATION AND DWELLINGS</b>                                                        |                                                   |           |                        |                           |                             |
| Dwelling house and second dwelling house (excluding outbuildings, carport or garage)      | 5.0m                                              | 2 storeys | 600m <sup>2</sup> each |                           |                             |
| Guest house, bed & breakfast & tourist dwelling units: in existing approved dwellings     | In existing approved dwelling house               |           |                        | Max. 7 bedrooms           | As approved by municipality |
| <b>TOURIST FACILITIES</b>                                                                 |                                                   |           |                        |                           |                             |
| Tourist facilities: overall max. limit including outdoor areas used but excluding parking | 5.0m                                              | 1 storey  |                        | 250m <sup>2</sup>         | As approved by municipality |
| - Shop in tourist facility sub-limit                                                      |                                                   |           |                        | 120m <sup>2</sup>         |                             |
| - Manufacture and craft workshop sublimit                                                 |                                                   |           |                        | 50m <sup>2</sup>          |                             |

<sup>1</sup> In terms of Schedule 2 – Conversion of zoning on repealed zoning maps – of the Stellenbosch Municipality Zoning Scheme By-Law, 2019 Residential Zone V, as per the former Land Use Planning Ordinance Section 8 Scheme, has been converted to Agriculture and Rural Zone + "deemed consent for tourist accommodation/guest house/hotel (based on lawful land use)" (outside urban edge) in the new zoning scheme By-Law.

| OTHER AGRICULTURAL BUILDINGS                                      |      |           |                               |                                      |  |
|-------------------------------------------------------------------|------|-----------|-------------------------------|--------------------------------------|--|
| Employee housing unit (excluding outbuildings, carport or garage) | 5.0m | 1 storey  | 120m <sup>2</sup>             | As approved by municipality          |  |
| Agricultural buildings                                            | 5.0m | 3 storeys | No overall limit on land unit | Any one building >2000m <sup>2</sup> |  |

#### 4 APPLICABILITY OF OTHER LEGISLATION

##### 4.1 NATIONAL ENVIRONMENTAL MANAGEMENT ACT

The Minister of Environmental Affairs and Tourism has in terms of Section 24(5) read with Section 44 of the National Environmental Management Act (NEMA) 107 of 1998, listed activities in terms of Section 24 and 24D of NEMA in a schedule, which may not commence without environmental authorization.

The EIA Regulations, which govern the implementation of the above sections of NEMA, outline the activities for which EIAs should apply.

The activities and land uses on site were assessed in terms of the applicable listing notices at the time of construction, as issued in terms of NEMA. It was found that some of these activities were undertaken without the required environmental authorizations and, as such, an application for rectification, in terms of section 24G of NEMA is currently being undertaken by Landscape Dynamics, the appointed Environmental Assessment Practitioner (refer to Annexure 9).

##### 4.2 NATIONAL HERITAGE RESOURCES ACT

The restaurant/coffee shop building on site has been identified in the Municipality's Heritage Inventory as being of heritage significance. The inventory notes that *although the original H-plan homestead was demolished and a new structure was erected in its place, the complex retains two altered barns that have some limited architectural significance. However, the site has considerable scenic and landscape significance.*

The restaurant/coffee shop building is not the subject of this application.

Section 38(1) of the National Heritage Resources Act 25 of 1999 lists several activities which require approval from the responsible heritage resources authority (i.e. Heritage Western Cape) before construction may commence.

The tourist accommodation establishment was measured against these activities. Again, it was found that none of these activities would be 'triggered' or would result in the approval of Heritage Western Cape being sought. The National Heritage Resources Act 25 of 1999 is therefore not applicable.

##### 3.3 SUBDIVISION OF AGRICULTURAL LAND ACT

The purpose of the Subdivision of Agricultural Land Act, No. 70 of 1970 is to control the subdivision and the use of agricultural land. The act is also concerned with the long-term lease of agricultural properties.

Whilst it is recognized that the subject property is zoned for agricultural purposes it is confirmed that the property will not be subdivided.

As such, whilst it is accepted that the comment of the Western Cape: Department of Agriculture might be sought, the provisions of the SALA is not applicable.



### 3.4 NATIONAL WATER ACT

In an effort to ensure the equitable allocation and beneficial use of water, the National Water Act No. 36 of 1998 put forward regulations with regard to the use of water. Under Part 1 of Chapter 4 of the Act it is stated that *a person can only be entitled to use water if the use is permissible under the Act*. Such permission may take various forms of licensed and unlicensed entitlements to use water.

Water use is broadly defined and includes a number of items listed under Section 21 of the Act.

Any activity within the 1:100-year flood line or within 100m of a watercourse (river, spring, natural channel, a lake or dam) or within a 500m radius from the delineated boundary (extent) of any wetland or pan triggers a water use activity in terms of Section 21 (c) & (i) of the Act.

- Section 21 (c) - impeding or diverting the flow of water in a watercourse;
- Section 21 (i) - altering the bed, banks, course or characteristics of a watercourse.

Should any activities of Section 21 of the Act be 'triggered' by a potential development/construction, an application to obtain a license (General Authorisation or Water Use Authorisation) in terms of Section 21 of the Act must be prepared and submitted to the Department of Water and Sanitation (DWAS). This process will be undertaken simultaneously with the NEMA application.

## 5 PROJECT CONTEXT

The property operates as an active farming enterprise producing a variety of grapes, plums and olives. In terms of physical infrastructure and buildings, it includes a manor house and associated cottage in southern corner of the property as well as a garage and farm manager's office. A farm shed for farm implements and storage purposes are also presents along the eastern boundary.

Up until approximately 2 years ago, the property provided tourist accommodation and tourist facilities in the form of a coffee shop called Café Bon Bon.

All tourist activities and accommodation has since ceased whilst only the farming enterprise is still operational.

### 5.1 FARMING OPERATIONS

The farming activity on the property creates a special ambience with structured blocks of vineyards and orchards whilst access roads are lined with trees.

According to data from the Western Cape Department of Agriculture, the farm comprises 4 blocks of grapes of approximately 2.5ha in total, 5 blocks of plums with a total area of approximately 3ha and 2 blocks of olives with a total of approximately 1.6ha. The remaining area comprise fallow land (0.67ha), riverine corridors and dams and areas of physical infrastructure (i.e. tourist accommodation and facilities, dwellings units and roads).

The farm employs 7 farmworkers to tend the grounds, lawn, trees, olive grove and vineyards and harvest the grapes. Seasonal contractors are employed to support with the larger harvests, mainly the olives and plums, and to do specialized tasks such as pruning. The workers do not live on the farm.

## **5.2 TOURIST ACCOMMODATION AND FACILITIES**

The tourist accommodation offering on the property is confined to two distinct clusters – one cluster at the entrance to the property and another cluster to the east, immediately south of an irrigation dam (see Figure 5 above). In total, the accommodation units comprise of 7 cottages (9 guest suites) – 7 x one-bedroom units and 2 x two-room units. In total, provision is made for the accommodation of 22 people.

Several of the guest suites have covered terraces with a private or communal pool.

The guest suites are well appointed but does not offer any self-catering options. Whilst operational, breakfast was served at Cafe BonBon. The café was also open to the public.

## **6 APPLICATION ITEMS**

### **6.1 CONSENT USE**

Application is herewith made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 for a consent use to make provision for a tourist accommodation establishment on the property.

The expanded tourist accommodation establishment is to include the 5 guest suites which operated from the original 4 labourers' cottages as lawful use rights as well as the additional guest suite which has been created inside one of the cottages. The establishment also includes the additional three guest suites/cottages which has been established as a second cluster of units south of the irrigation dam.

Whilst the footprint of the original approved labourers' cottages remains roughly the same, the three new guest suites/cottages cover a combined area of approximately 330m<sup>2</sup>.

The building plans of the cottages are included herewith under Annexure 1.

### **6.2 PERMANENT DEPARTURE**

As mentioned above, the original farm La Dauphine dates back to 1710. From this time, the original property was improved with several structures. In the following years, the original farm was subdivided and re-subdivided up to the current extent.

Section 14(2) of the Zoning Scheme By-Law, 2019 states that *when the Municipality grants an approval for subdivision of a land unit containing one or more existing approved buildings or structures, the Municipality's approval is deemed to have been granted for any departure which may arise out of the subdivision, without having to identify each departure individually, provided that all structures are adequately shown on a plan and any new structures or buildings constructed after the confirmation of said subdivision, shall comply with the parameters of the Scheme.*

Due to a lack of municipal records, it is unclear when several of the structures on the property were erected and if any of these structures were approved. As a result, it is also the purpose of this application to apply for an encroachment of the following building line in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 to permit the position of existing structures on the property within the allocated building lines:

- Common boundary (south – adjacent to Farm No. 1128/2) from 5.0m to 0.0m to allow for the existing second dwelling.

The proposed building line departure is illustrated by the Departure Plan included under Annexure 1.



### 6.3 SITE DEVELOPMENT PLAN

Application is herewith made in terms of Section 15(2)(g) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 for the approval of a site development plan for the property.

The Zoning Scheme By-Law, 2019, in terms of Section 216, require that a site development plan be submitted to the Municipality for any new development or change of land use in existing buildings in this zone.

The purpose of the site development plan is to indicate all existing buildings and their land uses, cultivated areas, grazing areas, uncultivated areas, dams, rivers, natural veld and critical biodiversity areas on a plan to provide an overview of the extent of land use activities on the land unit, and to enable the Municipality to evaluate the compliance of any new land use or building proposals.

The Site Development Plan is included under Annexure 1

### 6.4 PREMISE OF THE APPLICATION

The Zoning Scheme By-Law, 2019 described a 'tourist accommodation establishment' as *an enterprise which provides the accommodation for transient guests which exceeds the scale and extent of tourist dwelling unit or guest house, and which is also not a hotel with its ancillary public facilities, and:*

- i) may have an informal, clustered layout which takes cognizance of the natural features of the site and where internal road standards do not necessarily comply with formal township standards;*
- ii) may consist of self-catering units;*
- iii) and where enabled by the Scheme, may include tourist facilities subject to the development parameters of the particular zone;*
- iv) where the following land uses may only be undertaken only with the specific further consent use approval of the Municipality regardless of whether tourist accommodation or tourist facilities is a primary right in that zone or not:*
  - a) additional facilities for day visitors;*
  - b) wellness centres and meeting rooms which serve resident guests;*
  - c) camping sites with ancillary facilities;*
  - d) tented accommodation, tree houses, mobile accommodation or the use of any construction materials and methodologies that are not ordinarily used;*

It is therefore submitted that the guest suites applied for in this application is consistent with the definition of a tourist accommodation establishment as the latter takes the form of two accommodation clusters with an additional tourist facility (the approved coffee shop).

Section 208 of the Stellenbosch Municipality Zoning Scheme By-Law, 2019 specifically deals with tourist accommodation in this zone and states as follows:

- (1) When the number or scale of buildings, in which accommodation for transient guests is provided, exceed the maximum number or scale of dwelling houses and additional dwelling houses permitted on a land unit, or if other buildings, which are not the approved main dwelling house, second dwelling house or additional dwellings units, are converted to transient guest accommodation, the activity shall be classified either as a tourist accommodation establishment or a hotel, depending on the type of accommodation and the ancillary uses.*

The threshold referred to in Section 208 refers to the total number of guest bedrooms or number of people (refer to table 2) that may not be exceeded on a land unit. Section 207 notes *the total number of guest bedrooms in a bed and breakfast, guest house and tourist dwelling unit as a combined additional use on a land unit may not exceed 7 bedrooms or 14 people in total per land unit.*

As mentioned above, the facility has the potential to accommodate 22 people in 11 bedrooms.

Section 213 of the Stellenbosch Municipality Zoning Scheme By-Law, 2019 lays down specific assessment criteria and requirements for consent uses on *Agriculture and Rural*-zoned properties. The most important of which is that the objectives of this zone, namely the *preservation of agricultural land and the continued use of farm land for agriculture* be adhered to.

From the above description of the property and intended land uses, it is clear that the primary use of the property is bona fide agriculture and that the tourist accommodation and facilities were subservient to the primary use of the property.

## **7 ENGINEERING SERVICES**

The property is currently serviced in the following manner (refer to Annexure 5):

### **7.1 WATER**

The property is currently serviced with potable water from boreholes on the property as no bulk water infrastructure of the Stellenbosch Municipality exists near the property. Potable water is treated on-site to meet SANS 241 Drinking Water Quality Standards.

The total potable water daily demand is estimated at approximately 4.4 kl/day.

The Civil Engineering service report notes that the demand for potable water is calculated for the following components/land uses on site:

|                               |                                                   |                     |
|-------------------------------|---------------------------------------------------|---------------------|
| Manor House:                  | 600 m <sup>2</sup>                                | = 1.0 kl/day        |
| Coffee shop:                  | 250 m <sup>2</sup> @ 400 l/day/100 m <sup>2</sup> | = 1.0 kl/day        |
| Guest cottages (one bedroom): | 7 units @ 220 l/unit/day                          | = 1.5 kl/day        |
| Guest cottages (two bedroom): | 2 units @ 400 l/unit/day                          | = 0.8 kl/day        |
| Farm shed:                    | 200 m <sup>2</sup>                                | = <u>0.1 kl/day</u> |
|                               |                                                   | 4.4 kl/day          |

### **7.2 SEWAGE AND EFFLUENT MANAGEMENT**

Similar to water, there is currently no existing bulk sewer infrastructure from the Stellenbosch Municipality in the vicinity. The existing facilities on the property utilize conservancy tanks.

The services report note that drainage of existing facilities is serviced by a private provider, and that the conservancy tanks have a capacity of 4 x 5 kiloliters, sufficient for once-a-week servicing.

The estimated daily sewer run-off is calculated for the following components/land uses, resulting in a total of 4.2 kl/day:

|                               |                                                   |                     |
|-------------------------------|---------------------------------------------------|---------------------|
| Manor House:                  | 600 m <sup>2</sup>                                | = 0.8 kl/day        |
| Coffee shop:                  | 250 m <sup>2</sup> @ 400 l/day/100 m <sup>2</sup> | = 1.0 kl/day        |
| Guest cottages (one bedroom): | 7 units @ 220 l/unit/day                          | = 1.5 kl/day        |
| Guest cottages (two bedroom): | 2 units @ 400 l/unit/day                          | = 0.8 kl/day        |
| Farm shed:                    | 200 m <sup>2</sup>                                | = <u>0.1 kl/day</u> |
|                               |                                                   | 4.2 kl/day          |

### **7.3 SOLID WASTE**

The estimated solid waste generated by the development is approximately 1.0 cubic meter per week. Currently the Stellenbosch Municipality provides waste removal services, but private waste collection is also considered as an alternative.



## 7.4 TRAFFIC AND PARKING

Section 44 of the Stellenbosch Municipality Zoning Scheme By-Law, 2019 states that:

- (1) *The Municipality may require that the following traffic studies accompany an application in terms of Planning Law or this Scheme:*
- (a) ***When less than 50 additional peak hour single direction trips travelling in the peak direction are generated, no study is required;***
  - (b) *Then between 50 and 150 additional peak hour single direction trips traveling in the peak direction are generated, then a traffic impact statement may be required by the Municipality;*
  - (c) *when 150 or more additional peak hour single direction trips traveling in the peak direction are generated, then a traffic impact assessment may be required by the Municipality.*

*The Municipality may waive the need for a traffic study or may demand such a study to be undertaken notwithstanding that a development may generate less trips, based on the sensitivity of the receiving environment with regards to traffic.*

(own emphasis added)

It is contended that the traffic generated by the 4 additional guest suites (additional to the 5 guest suites previously approved) will be negligible and, as such, no traffic study is required.

Furthermore, the Zoning Scheme requires that parking be provided to the municipality's satisfaction. To this end it is submitted that sufficient parking facilities are in place to accommodate the additional guest suites. A formal parking area with overflow facilities are located in the centre of the property next to the manager's office and restaurant.

## 8 COMPLIANCE WITH RELEVANT POLICIES AND LEGISLATION

### 8.1 NATIONAL DEVELOPMENT PLAN

During November 2011, the National Planning Commission published a document titled; The National Development Plan 2030: Our Future – Make it Work, as a broad strategic framework which sets out a coherent and holistic approach to confronting poverty and inequality.

As its main goals, the National Development Plan (NDP) focuses of the following:

- Eliminate income poverty – Reduce the proportion of households with a monthly income below R419 per person (in 2009 prices) from 39% to zero.
- Reduce inequality – The Gini coefficient should fall from 0.69 to 0.6.

The NDP identifies 15 themes that as objectives and actions that will give effect to the overarching goal. These themes include the following:

- a) Economy and Employment
- b) Economic infrastructure
- c) Environmental sustainability and resilience
- d) Inclusive rural economy
- e) South Africa in the region and the world
- f) Transforming Human Settlements
- g) Improving education, training and innovation
- h) Health care for all
- i) Social protection

- j) Building Safer Communities
- k) Building a capable and developmental state
- l) Fighting corruption
- m) National building and social cohesion

In as far as the activities applied for in this document is concerned, the themes concerning *Economy and Employment*, *Environmental Sustainability and Resilience*, and *Inclusive Rural Economy* will be given effect to in the following manner.

**(i) *Economy and Employment***

The proposed accommodation establishment will make a contribution to the local economy.

The development will contribute to the GGP. The GGP measures the value of all final goods and services produced/provided within one year of the area's economy. The generation of additional business sales and employment opportunities will initiate an on-going ripple effect through the local area, resulting in an increase in product and service value (measured in GGP).

During operation, the accommodation establishment may also result in direct jobs being created on site such as gardeners, concierge services, general workers, etc. Indirect jobs might also be created due to the multiplier effect in the economy in industries that provide goods, materials and services.

**(ii) *Environmental Sustainability and Resilience***

The tourist accommodation establishment will comply with the specific actions listed under this heading by a manner of various direct responses. These primarily include the retention of mature vegetation on the property. Whilst positioned near water sources, the guest suites do not impact any ecological processes.

Efficient water and energy saving measures will also be implemented as part of the operations in order to minimize the consumption of scarce environmental resources. A sustainable waste management strategy will also be implemented whereby general waste will be separated from recycled material.

**(iii) *Inclusive Rural Economy***

The NDP aims to create an additional 643 000 direct and 326 000 indirect jobs in the agriculture, agro-processing and related sectors by 2030. The Government aims to achieve this by, *inter alia*, activating rural economies through service to small and micro farmers and tourism.

In this regard, the tourist accommodation establishment will contribute to the creation of direct and indirect jobs in the rural areas of Stellenbosch.

## **8.2 WESTERN CAPE SPATIAL DEVELOPMENT FRAMEWORK**

The Western Cape Provincial Spatial Development Framework (hereinafter referred to as the PSDF) was approved by the Minister of Local Government, Environmental Affairs and Development Planning and submitted to the Provincial Cabinet for endorsement in April 2014.

The PSDF sets out to put in place a coherent framework for the Province's urban and rural areas that: gives spatial expression to the National and Provincial development agendas;

- a) serves as basis for coordinating, integrating and aligning 'on the ground' delivery of national and Provincial departmental programmes;
- b) supports municipalities fulfil their municipal planning mandate in line with the national and Provincial agendas; and
- c) communicates government's spatial development intentions to the private sector and civil society.



The PSDF seeks to improve the effectiveness of public investment in the Western Cape's built and natural environments by:

- adopting credible spatial planning principles to underpin all capital investment programmes,
- spatially targeting and aligning the various investment programmes, and
- opening-up opportunities for community and business development in targeted areas.

In fulfilment of the mandate ascribed to it in SPLUMA and to take forward the Province's spatial development agenda, the PSDF sets out a policy framework within which the Western Cape Government will carry out its spatial planning responsibilities. The policy framework covers Provincial spatial planning's three interrelated themes, namely:

- Sustainable use of the Western Cape's spatial assets,
- Opening-up opportunities in the Provincial space-economy, and
- Developing integrated and sustainable settlements.

For each theme key challenges as distilled from the Provincial spatial profile and their spatial implications are noted and Provincial policies for dealing with them are presented. The table below put forward the respective themes, PSDF policies applicable to the development proposal and the manner in which the project will comply with the same.

Table 3: The three interrelated themes and applicable policies.

| THEME AND POLICY |                                                                                                                     | RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|------------------|---------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a)               | <b>SUSTAINABLE USE OF PROVINCIAL ASSETS</b>                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                  | <i>Policy R1: Protect biodiversity and ecosystem services</i>                                                       | Whilst three of the guest suites are located in an area classified as an Ecological Support Area (BSP ESA: Restore), these guest suites do not negatively impact on the functioning of the ecological area. The activity will also be addressed in the S24G application to be submitted to the DEA&DP.                                                                                                                                          |
|                  | <i>Policy R2: Safeguard inland and coastal water recourse, and manage the sustainable use of water</i>              | A water-wise approach will be adopted in the operation of the accommodation establishment. The approach is aimed at maximising efficiencies and optimising storage capacity.                                                                                                                                                                                                                                                                    |
|                  | <i>Policy R3: Safeguard the Western Cape's agricultural and mineral resources, and manage their sustainable use</i> | As mentioned above, according to data from the Western Cape Department of Agriculture, the farm comprises blocks of grapes, plums and olives which are actively farmed. The tourist accommodation establishment does not impact on these agricultural resources.                                                                                                                                                                                |
|                  | <i>Policy R5: Safeguard cultural and scenic assets</i>                                                              | Excelsior Road is classified as a scenic route in terms of the Municipal Spatial Development Framework. Whilst it is not regarded as a scenic route with associated overlay parameters in terms of the zoning scheme, the area is regarded as a graded Landscape which needs to be protected. As mentioned above, the architectural design of the guest suites has been treated carefully and does not present a foreign form to the landscape. |

|           |                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------|----------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>b)</b> | <b>OPENING-UP OPPORTUNITIES IN THE SPACE ECONOMY</b>                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|           | <i>Policy E2: Diversify and strengthen the rural economy</i>                                 | It is contended that the project presents a sustainable rural activity (i.e. an activity that is appropriate in the rural setting, generates positive socio-economic returns and do not compromise the environment) of an appropriate scale and form.                                                                                                                                                                                                                                                                                                                           |
| <b>c)</b> | <b>DEVELOPING INTEGRATED AND SUSTAINABLE SETTLEMENTS</b>                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|           | <i>Policy S1: Protect, manage and enhance sense of place, cultural and scenic landscapes</i> | Refer to Policy R5 above.<br><br>In accordance with the development criteria for the specific land use as identified in the Stellenbosch Conservation Management Plan, the tourist accommodation establishment will ensure that the view-lines are retained and focused on prominent natural features. As such the guest suites does not represent over-scaled structures on visually-exposed landscapes. The suites are rather 'tucked into' the landscape. As such the integrity of the landscape character will be retained as the activity will not cause visual intrusion. |

### 8.2.1 RURAL LAND USE PLANNING AND MANAGEMENT GUIDELINES

During 2019, the Provincial Government of the Western Cape prepared a spatial planning guideline document to provide guidance on land use planning and management outside the urban edge. The Western Cape Land Use Planning Guidelines: Rural Areas (March 2019) was implemented to support the roll-out of the Provincial Spatial Development Framework (PSDF) and its call to open up opportunities in the rural space-economy. The Rural Land Use Planning and Management Guideline primarily intends to achieve the objectives which are as follows:

- *To promote sustainable development in appropriate rural locations throughout the Western Cape and ensure that the poor share in the growth of the rural economy.*
- *To safeguard the functionality of the province's life supporting ecosystem services (i.e. environmental goods and services).*
- *To maintain the integrity, authenticity and accessibility of the Western Cape's significant farming, ecological, cultural and scenic rural landscapes, and natural resources.*
- *To assist Western Cape municipalities to plan and manage their rural areas more effectively.*
- *To provide clarity to the provincial government's social partners on what kind of development is appropriate beyond the urban edge, suitable locations where it could take place, and the desirable form and scale of such development.*

The principles underpinning the rural land use management guidelines, that are of relevance to this application are:

- Decisions on rural development applications should be based on the following spatial principles of the PSDF:
  - Spatial justice,
  - Sustainability and Resilience
  - Spatial efficiency
  - Accessibility, and
  - Quality and Liveability.
- Good quality and carefully sited development should be encouraged and located as far as possibly in existing settlements.
- Accessibility should be a key consideration in all development decisions.
- New building development in the open countryside away from existing settlements should be strictly controlled regarding scale, height, colour, roof profile, etc.



- e) Priority should be given to the re-use of previously developed sites in preference to greenfield sites.
- f) All development in rural areas should be well developed and inclusive, in keeping and scale with its location, and sensitive to the character of the rural landscape and local distinctiveness.

The document provides detailed guidelines for a full spectrum of rural land uses. The management guidelines that apply to rural accommodation include:

Table 4: Management guidelines for rural land uses.

| TOURIST ACCOMMODATION                                                                                                                                                                                                     |                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| GUIDELINE                                                                                                                                                                                                                 | COMPLIANCE                                                                                                                                                                |
| Large scale tourist accommodation should preferably be provided in or close to urban areas.                                                                                                                               | The tourist accommodation establishment applied for comprise a mere 9 guest suites of which 5 has already been approved.                                                  |
| Tourist accommodation in the rural landscape could be allowed if, of an appropriate scale and form.                                                                                                                       | Most of the units are located in converted former labourers cottages whilst the three new units are single bedroom units designed and built to be aesthetically coherent. |
| Tourist accommodation in the rural landscape should be clustered in visually discreet nodes                                                                                                                               | The tourist accommodation establishment comprise two distinct clusters in the agricultural landscape.                                                                     |
| Only activities that are appropriate in a rural context, generate positive socio-economic returns, and do not compromise the environment or ability of the municipality to deliver on its mandate should be accommodated. | The activity is a consent use in terms of the permitted land uses under the <i>Agriculture and Rural</i> zoning of the property.                                          |
| Tourist accommodation in the rural landscape should cater exclusively for the temporary accommodation for in transit visitors.                                                                                            | As per the definition of tourist accommodation establishment, the guest suites only provide accommodation for transient guests.                                           |
| The cumulative effect of all ancillary and non-agricultural land uses should not detract from the rural character of the landscape and the primary agricultural activities.                                               | The tourist accommodation establishment is of an insignificant nature and will not negatively impact the primary agricultural nature of the property.                     |
| Tourist accommodation should preferably make use of existing buildings or new buildings on disturbed footprints, and these should take the natural and heritage significance of the site into consideration.              | The approved guest suites are accommodated in former labourers cottages.                                                                                                  |
| Tourist accommodation facilities where appropriate, should be located within or peripheral to the farmstead. Their buildings should complement the farm's vernacular.                                                     | The architectural vernacular of the guest suites is consistent with that of the manor house and other structures on the property.                                         |
| The establishment of all types of accommodation in rural areas must avoid negative impacts on river systems and should therefore not be permitted below the 1:100 flood line or within 100m of a river bank.              | A S24G application in terms of NEMA is currently underway to obtain approval for the guest suites next to the dam.                                                        |
| Dispersed rental units should be adjacent to existing farm roads, in visually unobtrusive locations, and be self-sufficient in terms of servicing.                                                                        | The guest suites are located in an agricultural landscape and is unobtrusive from neighbouring roads. The units are also self-sufficient in terms of servicing.           |
| A site development plan must be submitted to the municipality for consideration.                                                                                                                                          | Application is herewith also made for the approval of the site development plan, as per the requirements of the Zoning Schem By-Law.                                      |

From the above, it is clear that the proposed activities are consistent with the provisions of the Rural Land Use Planning and Management Guidelines.

### 8.3 STELLENBOSCH SPATIAL DEVELOPMENT FRAMEWORK

The Stellenbosch Municipal Spatial Development Framework (MSDF) was approved by the Council of the Stellenbosch Municipality on 27 June 2023. The MSDF aims to:

- Enable a vision for the future of the municipal area based on evidence, local distinctiveness, and community derived objectives.
- Translate this vision into a set of policies, priorities, programmes, and land allocations together with the public sector resources to deliver them.
- Create a framework for private investment and regeneration that promotes economic, environmental, and social well-being.
- Coordinate and deliver the public-sector components of this vision with other agencies and processes to ensure implementation.

The MSDF outlines plans and written proposals for the municipality as a whole, but also for the major towns and smaller settlements. Broadly – and aligned to the SPLUMA MSDF guidelines – the settlement plans entail three types of actions or initiatives:

- *Protective actions* – things to be protected and maintained to achieve the vision and spatial concept.
- *Change actions* – things that need to be changed, transformed, or enhanced to achieve the vision and spatial concept.
- *New development actions* – new development or initiatives to be undertaken to achieve the vision and spatial concept.

Under these broad types of actions, strategic focus areas and settlement elements are dealt with. The SDF elements and associated spatial proposals as it relates to the tourist accommodation establishment are as follows:

Table 5: Plan elements and proposals for Franschhoek.

| TYPE OF ACTION     | SDF ELEMENT                                                         | SPATIAL PROPOSAL                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------|---------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Protective actions | <i>CBAs, ESA's, Protected areas</i>                                 | Whilst located in an ESA, the tourist accommodation establishment still maintains and improves the nature areas found on the property.                                                                                                                                                                                                                                                                                                          |
|                    | <i>Agricultural land</i>                                            | The additional uses applied for will all be undertaken on areas which is not utilized for agriculture. As such, the productive agricultural lands will be retained and not be negative impacted in any way.                                                                                                                                                                                                                                     |
|                    | <i>Scenic landscapes, scenic routes, special places</i>             | The strong sense of transition between agriculture and human settlement will be retained at the entrance to the town. The tourist accommodation establishment is set back from the scenic route and is partly on the existing development footprint of previous uses.                                                                                                                                                                           |
|                    | <i>Historically and culturally significant precincts and places</i> | <p>The Stellenbosch Conservation Management Plan (2018) notes that <i>La Petite Dauphine has significance for its landscape more than the structures within it, and La Dauphine is well-sited within its context with grand views.</i></p> <p>The tourist accommodation establishment will maintain the integrity of the property. The guest suites will furthermore place this precinct in daily use and make it accessible to the public.</p> |



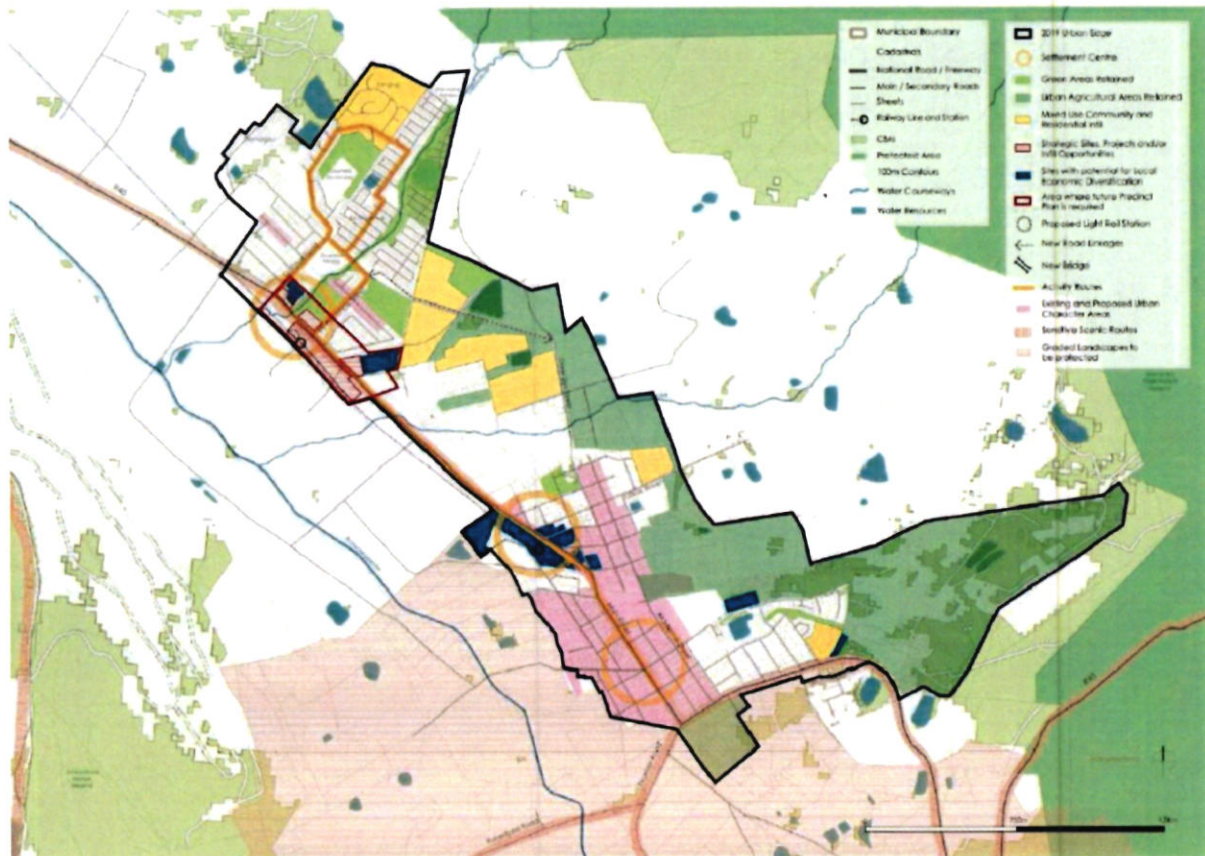


**Figure 6:** Franschhoek spatial plan. Subject property is south of the town amongst the area designated as 'Graded landscapes to be protected'.

From the above, it is contended that the proposed land use activities are consistent with the provisions of the Stellenbosch Municipality SDF.

### 8.3.1 POLICIES THAT GUIDE DECISION-MAKING

Stellenbosch Municipality, in partnership with other organisations, has completed a number of investigations and surveys to gather information in support of decision-making. One such example is the work undertaken with regards to historically and culturally significant precincts and places, scenic landscapes and routes.

Heritage resources in Stellenbosch Municipality are outlined in a series of reports under the title Heritage Inventory of the Tangible Heritage Resources in the Stellenbosch Municipality (2018).

In terms of the latter, townscape character units are identified for the major towns in the municipality as well as key urban elements and primary townscape character units.

As far as the Franschhoek valley is concerned, the study classifies the land unit within which the property is situated as the Franschhoek Cul-de Sac. The main structure of this land unit is formed by the Franschhoek mountains which creates a sense of enclosure. The study continues; *The pattern of this landscape is made up of smaller rectangular blocks with intermittent farm complexes that are woven together by natural fingers leading from the mountain, creating a well-balanced and fine texture. The main land use consists of pasture land, vineyards and orchards with strong windbreak edges.*

With regards to labourers' cottages, the study notes: *Clusters of workers' houses are found within this unit, and although the buildings are mostly in a poor condition, these clusters are well absorbed within the landscape as a unified whole.*

The development criteria of the Franschhoek Cul-de-Sac which is applicable to the subject property is listed below.

Table 6: Development criteria for Franschhoek Cul-de-Sac applicable to subject property.

| FRANSCHHOEK CUL-DE-SAC LAND UNIT                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><i>The main aim of the unit is to CONSERVE (maintain) the existing character. This may require both protection and maintenance of the significant elements and features as well as appropriate development thereof. It includes the promotion of these landscapes and places for the appreciation and continuity of their cultural significance.</i></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                             | DEVELOPMENT CRITERIA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Ecological                                                                                                                                                                                                                                                                                                                                                  | <ul style="list-style-type: none"> <li>Only permit development that responds to the heritage sensitivity of the site, and that will not dominate, or irreparably damage the environments adjacent to these heritage sites. Optimize the scenic and recreational opportunities provided by water courses and larger water bodies, especially where they were enjoyed through historic right of way.</li> <li>Respect development setbacks from water resources to provide protection from flooding as well as creating scenic and ecological corridors.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Aesthetic                                                                                                                                                                                                                                                                                                                                                   | <p><b><u>Land use and development</u></b></p> <ul style="list-style-type: none"> <li>Retain view-lines and vistas focused on prominent natural features such as mountain peaks, as these are important place-making and orientating elements for experiencing the cultural landscape.</li> <li>The construction of over-scaled private dwellings and other structures in locations of high visual significance, and on visually-exposed promontories, ridges and ridgelines, should be discouraged. Preferred locations are sites that have already been settled, or sites 'tucked into' the landscape, using the same criteria for site-location as the adjacent, older farmsteads.</li> <li>Visual permeability should be maintained towards mountains, valleys and across open, and cultivated fields. (a) Discourage the use of solid walls around vineyards and agricultural areas in public view and along scenic routes. (b) Views should be framed and enhanced by development wherever possible.</li> </ul> <p><b><u>Planting pattern</u></b></p> <ul style="list-style-type: none"> <li>Traditional planting patterns should be protected by ensuring that existing tree alignments and copses are not needlessly destroyed, but reinforced or replaced, thereby enhancing traditional patterns with appropriate species.</li> <li>Significant avenues should be protected as a heritage component.</li> <li>In some cases, remnant planting patterns (even single trees) uphold the historic character of an area. Interpretation of these landscape features as historic remnants should occur.</li> </ul> |
| Historic                                                                                                                                                                                                                                                                                                                                                    | <p><b><u>18<sup>th</sup> Century Werf</u></b></p> <ul style="list-style-type: none"> <li>Respect traditional werf settlement patterns by considering the entire werf as the component of significance. Any development that impacts the inherent character of the werf component should be discouraged.</li> <li>Interventions on the werf must respect the layout, scale, massing, hierarchy, alignments, access, landscaping and setting.</li> <li>Encourage development that prolongs the longevity of historic family farms as an increasingly rare typology.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |



|                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Social</b>   | <b><u>Settlement pattern</u></b> <ul style="list-style-type: none"> <li>• Respect existing patterns, typologies and traditions of settlement-making by promoting the continuity of these heritage features.</li> <li>• The relocation of farm labour to housing settlements should be discouraged. Where structures are still used for workers housing, the historic use thereof has value, and should be protected as far as possible.</li> </ul>                                                                                                                                                                     |
| <b>Economic</b> | <ul style="list-style-type: none"> <li>• Care should be taken that vineyards are not needlessly destroyed, and replaced by non-agricultural development.</li> <li>• Fruit orchards are associated with windbreak trees which form distinctive strong lines on the landscape. In cases where the orchard has lost its function, to retain its heritage values the windbreak trees should be kept and new development could be included within existing blocks.</li> <li>• Developments that promote the continuity of the core function of agriculture within the Stellenbosch winelands should be promoted.</li> </ul> |

It is submitted that the proposed tourist accommodation establishment will adhere to the above development criteria for the area.

## 9 LEGISLATIVE CONTEXT

This application is submitted and will be considered in terms of the Stellenbosch Municipality: Land Use Planning By-Law, 2023. As such, the planning principles as advocated in the Spatial Planning and Land Use Management Act, No. 16 of 2013 (SPLUMA) and the Western Cape Land Use Planning Act, No. 3 of 2014 (LUPA) is also applicable.

Chapter 2 of SPLUMA, and Section 59 of LUPA, lists development principles and norms and standards that shall apply to spatial planning, land development and land use management. These principles are as follows:

### 9.1 SPATIAL JUSTICE

Spatial justice is primarily concerned with the commitment to redress past spatial and other development imbalances. This is to be achieved by the incorporation of provisions that enable redress in Land Use Management Schemes, by Spatial Development Frameworks that allow for inclusion and integration of disadvantaged communities and general land development procedures that aim to improve the access to and use of land.

Whilst the tourist accommodation establishment does not aim to directly redress spatial justice, it is submitted that the activity will result in economic growth and job creation at a local scale. It will also result in the diversification of land uses on the property.

### 9.2 SPATIAL SUSTAINABILITY

Spatial sustainability requires land development to be aligned with fiscal and institutional means. The aim is further to promote land development that is spatially compact, resource frugal and within fiscal, institutional and administrative means of the competent authority.

This translates on the ground to development in locations that are sustainable and that limit urban sprawl, that uphold environmental and cultural considerations such as the protection of natural vegetation on site or historically significant vistas, and that ensures that development is feasible and financially viable.

The proposed consent use will allow for the activity to be undertaken partly within existing buildings and fallow land, thereby preventing an adverse impact on agricultural land and practices. No historical buildings

or conservation-worthy trees, vistas or critical infrastructure will be negatively impacted by the issuing of the approval as applied for.

### **9.3 EFFICIENCY**

Efficiency requires land development to optimally use existing resources and infrastructure.

The property is self-sufficient as it relates to most of its infrastructural needs. The tourist accommodation establishment will therefore not put any strain on existing municipal infrastructure.

### **9.4 SPATIAL RESILIENCE**

Spatial resilience provides for flexibility in spatial plans, policies and land use management systems to be accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.

The property has proven to be resilient in terms of its land use. Even though a number of additional land uses have been introduced over the years, the underlying zoning still allows for agriculture as its primary use. It is therefore contended that the consent use applied for in this application will not have any detrimental or negative impact on the farming practices or surrounding land uses.

### **9.5 GOOD ADMINISTRATION**

This principle primarily places an onus on decision-making authorities to ensure that due process is followed. It also requires that legislative and development requirements be met timeously by both applicants and authorities and that public consultation is undertaken, as required.

The principle also refers to application documents and requires of applicants to comply with all the necessary application procedures and requirements to ensure the speedy processing of applications. It is contended that this application complies with all the stated requirements.

## **10 PRE-APPLICATION CONSULTATION**

Chapter IV of the Stellenbosch Municipality Land Use Planning By-Law, 2023 prescribe the general procedures for all applications. In particular, Section 37 refers to the pre-application consultation which the Municipality may require prior to the submission of an application. The purpose of such consultation is to identify any/all potential aspects to be addressed in the application.

In the latter regard, a pre-application scrutiny form was submitted to the Stellenbosch Municipality. In response, the municipality, on 5 September 2023, noted that *Your intended land use application as depicted in the submission represents on face value an accurate approach to the prevailing provisions in the Stellenbosch Land Use Planning Bylaw (2015) [SLUPB] and Stellenbosch Zoning Scheme Bylaw (2019) [SZSB].*

The response document is included herewith under Annexure 7.

## **11 CONCLUSION**

Section 65 of the Stellenbosch Municipality: Land Use Planning By-Law, 2023 lists the criteria to be taken into consideration on land use applications. The criteria and the section of this report in which those criteria are addressed, is provided in the table below.



Table 7: Criteria taken into consideration.

| CRITERIA (65) |                                                                                                                                                            | SECTION<br>ADDRESSED |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| a)            | the application submitted in terms of this By-law                                                                                                          | 7                    |
| b)            | the procedure followed in processing the application                                                                                                       | Municipality         |
| c)            | the desirability of the proposed utilisation of land and any guidelines issued by the Provincial Minister regarding the desirability of proposed land uses | 5, 6 & 8             |
| d)            | the comments received                                                                                                                                      | N/A                  |
| e)            | the response by the applicant, if any, to the comments referred to in paragraph (d)                                                                        | N/A                  |
| f)            | investigations carried out in terms of other laws that are relevant to the consideration of the application                                                | 4                    |
| g)            | a registered planner's written assessment                                                                                                                  | Municipality         |
| h)            | the impact of the proposed land development on municipal engineering services                                                                              | 7                    |
| i)            | the integrated development plan, including the municipal spatial development framework                                                                     | 9.3                  |
| j)            | the integrated development plan and spatial development framework of the district municipality, where applicable                                           | N/A                  |
| k)            | the applicable local spatial development frameworks adopted by the Municipality                                                                            | 8.3                  |
| l)            | the applicable structure plans                                                                                                                             | N/A                  |
| m)            | the applicable policies of the Municipality that guide decision-making                                                                                     | 8.3.1                |
| n)            | the provincial spatial development framework                                                                                                               | 8.2                  |
| o)            | where applicable, a regional spatial development framework                                                                                                 | N/A                  |
| p)            | the policies, principles and the planning and development norms and criteria set by the national and provincial government                                 | 9                    |
| q)            | the matters referred to in section 42 of the Spatial Planning and Land Use Management Act                                                                  | Municipality         |
| r)            | the principles referred to in Chapter VI of the Land Use Planning Act                                                                                      | 9                    |
| s)            | the applicable provisions of the zoning scheme                                                                                                             | 3.2                  |
| t)            | any restrictive condition applicable to the land concerned                                                                                                 | 3.1                  |
| u)            | the impact on heritage resources.                                                                                                                          | 2 & 4.2              |

In conclusion, the following motivating factors should be considered during the adjudication of the application:

- a) Section 213(2) of the Zoning Scheme By-Law states that *when approving new consent uses the Municipality shall have regard for the objectives of the zone namely the preservation of agricultural land and the continued use of farmland for agriculture*. The tourist accommodation establishment complies with this parameter as it is established partly within existing buildings and on fallow land.
- b) The scale of the buildings used for the consent use is in keeping with the character of buildings on the land unit and the character of the area.
- c) As required in terms of Section 213(5), the primary use of the land unit will remain bona fide agriculture and the tourist accommodation establishment will remain subservient to the primary land use activities on the property.
- d) There are no restrictive conditions listed in the respective title deed that would prohibit the nature of this application.
- e) The Stellenbosch Spatial Development Framework (SDF) recognises the importance of the tourism industry and calls for the protection and expansion of tourism assets. The SDF also recognises the importance of the agricultural sector especially in relation to supporting tourism and employment.
- f) The consent use will also contribute to creating employment opportunities and minimise the poverty gap.

- g) The farm has proven that the land uses can be accommodated on site without it negatively impacting on surrounding properties.

We trust that you find the above and the attached in order.

Yours sincerely

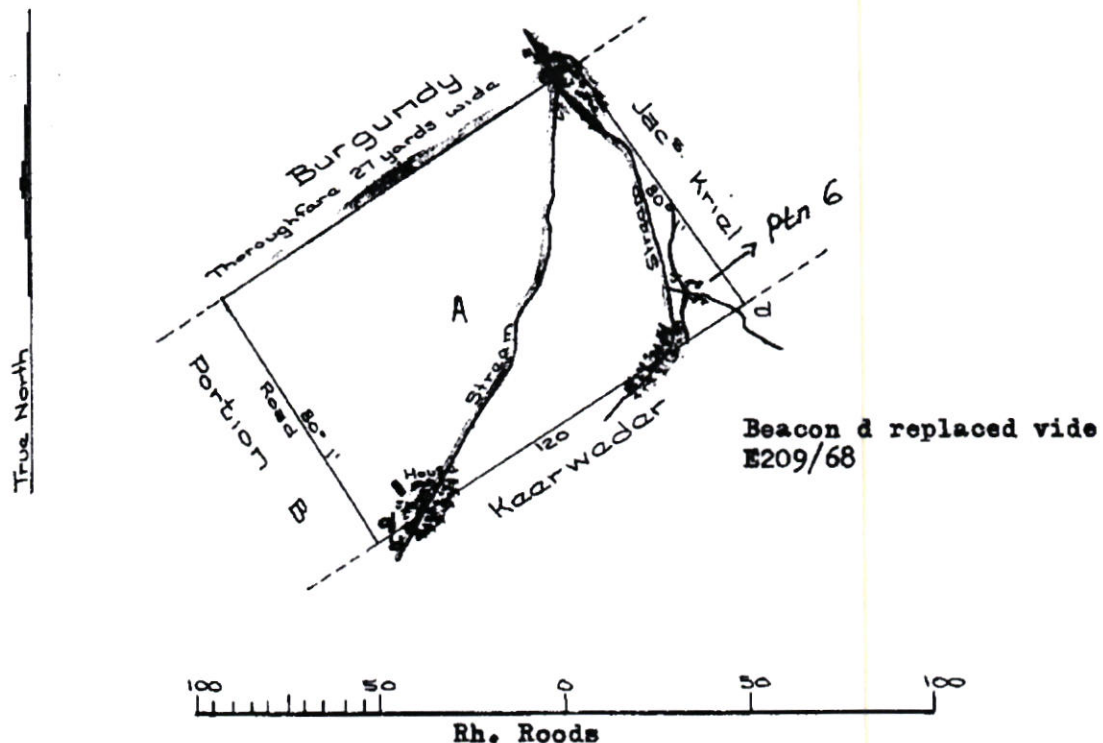
A handwritten signature in black ink, appearing to read 'JL Volschenk', with a stylized, cursive script.

JL VOLSCHENK  
Pr Pln A/208/2010



Portion.....<sup>2</sup>.....(.....)  
 (a portion of Portion.....) of the farm  
**LE DAUPHINE** No. 1119

PAARL



The above Diagram letd. A represents 15 Morgen and 420 Square Roods of Freehold land situate at French Hoek, Division of the Paarl, forming there part of the Place called LA DAUPHINE.

|               |    |    |                               |
|---------------|----|----|-------------------------------|
| It is bounded | N. | by | the place Burgundy            |
|               | S. | by | the place Keerweder           |
|               | E. | by | the property of Jacs. Kriel & |
|               | W. | by | portion B                     |

This diagram was framed from an actual survey by me  
 (Sgd.) R.J. Moll  
 Govt. Surveyor.

Copied from diagram relating  
 to...**Transfer**...Deed No. **161**  
 dated...**15.4.1857**.....

*R.J. Moll*  
 for Surveyor-General

**25-3-1970**

SHEET BI-7CAD  
 N/S 3895

FOR ENDORSEMENTS  
 SEE BACK OF DIAGRAM

GS

| THE FOLLOWING DEDUCTIONS HAVE BEEN MADE FROM THIS DIAGRAM |             |             |                    |                 |           |       |
|-----------------------------------------------------------|-------------|-------------|--------------------|-----------------|-----------|-------|
| SURVEY RECORD                                             | DIAGRAM NO. | SUBDIVISION | AREA<br>NO./SQ. M. | TRANSFER<br>NO. | INITIALED | REMR. |
| E1312/2000                                                | 3039/2000   | PLN 6       | 5157               | 98404/00        | G.T.C     |       |

| SERVITUDES/LEASEHOLD AREAS |             |                                                                                                                                                                      |        |           |
|----------------------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|-----------|
| SURVEY RECORD              | DIAGRAM NO. | DESCRIPTION                                                                                                                                                          | DEED   | INITIALED |
| E2213/2003                 | 4873/2003   | 1. The line a/b represents the center line of a 4m wide pipeline and paved line servitude<br>2. The point a represents the center of the circular servitude borehole | 447/05 | n.m       |

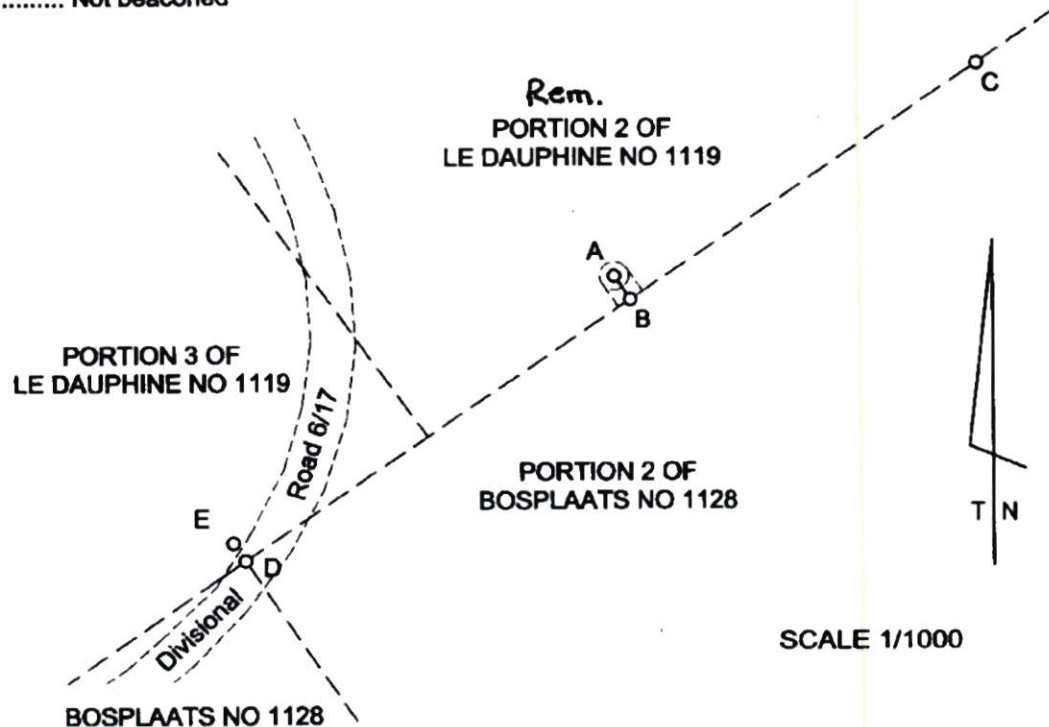




| SIDES<br>Metres |       | ANGLES OF<br>DIRECTION | CO-ORDINATES<br>Y System WG 19X |   |          | S.G. No.    |           |                                                                    |
|-----------------|-------|------------------------|---------------------------------|---|----------|-------------|-----------|--------------------------------------------------------------------|
|                 |       | Constants              |                                 | ± | 0,00     | +3700000,00 | 4873/2003 |                                                                    |
| AB              | 3,98  | 325.41.30              | A                               | - | 10929,52 | +           | 55986,76  | Approved<br><i>T. Swaan.</i><br>for Surveyor-General<br>2003.11.14 |
|                 |       |                        | B                               | - | 10931,76 | +           | 55990,05  |                                                                    |
| Connections     |       |                        |                                 |   |          |             |           |                                                                    |
| BC              | 58,15 | 235.41.30              | C                               | - | 10979,80 | +           | 55957,27  |                                                                    |
| BD              | 64,46 | 55.41.30               | D                               | - | 10878,52 | +           | 56026,38  |                                                                    |
| DE              | 3,00  | 146.04.20              | E                               | - | 10876,85 | +           | 56023,89  |                                                                    |
| 3318/545        |       | BANGHK                 | Δ                               | + | 61,49    | +           | 55849,94  |                                                                    |
| 3319/272        |       | DUTKOP                 | Δ                               | - | 13868,02 | +           | 50664,68  |                                                                    |

BEACON DESCRIPTIONS :

- A ..... Borehole
- B, E ..... 20mm iron peg
- C ..... Iron dropper 0,3m underground
- D ..... Not beacons



The line A B represents the centre line of a 4m wide Pipeline and Powerline Servitude as shown and the point A represents the centre of a 2m radius Servitude Borehole as shown over

REMAINDER PORTION 2 of the farm LE DAUPHINE NO 1119

situate in the Stellenbosch Municipality

Administrative District Paarl

Surveyed in September 1999 and October 2003  
by me,

Province Western Cape

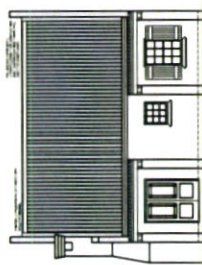
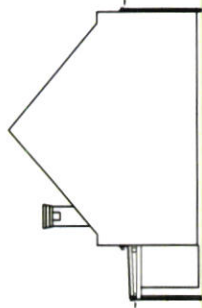
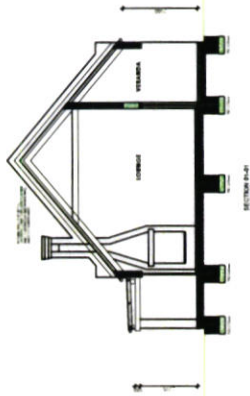
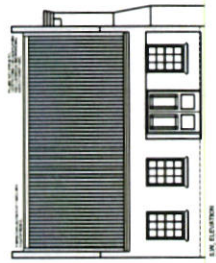
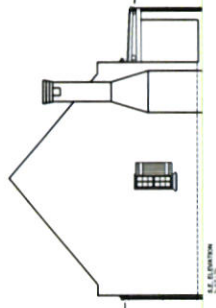
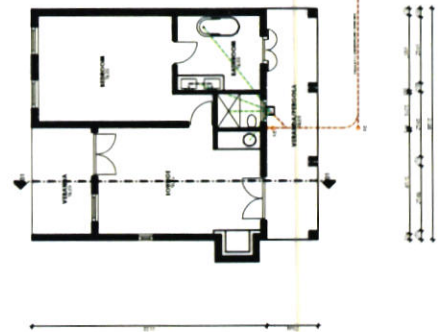
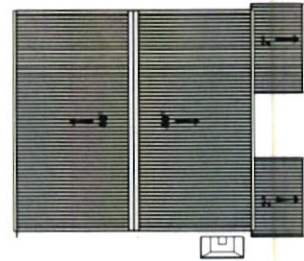
*G E BLOWS*  
G E BLOWS

Professional Land Surveyor No 0921

|                                                                           |                         |            |                                                                            |
|---------------------------------------------------------------------------|-------------------------|------------|----------------------------------------------------------------------------|
| This diagram is annexed to<br><br>No. <i>K1147/2005</i><br>dated<br>i.f.o | The original diagram is |            | File No. Parl.1119                                                         |
|                                                                           | No.806/1857<br>Transfer | annexed to | S.R. No E2275/1999;<br>E 2213/2003<br>Comp. BI-7CAD (3895)<br>LPI C0550000 |
|                                                                           | No. 1857.13.161         |            |                                                                            |







MONG HIA WANG (PTY) LTD.

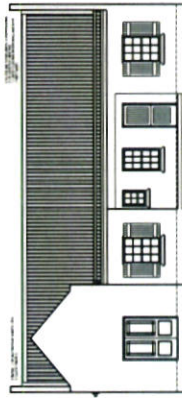
LA DAUPHINE  
LAND USE PLANNING APPLICATION:  
FARM NO. 1119/2, FRANSCHHOEK

**COTTAGE 3  
BUILDING PLAN**

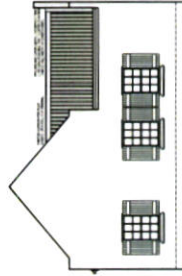
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| Contract No. | FARM_11192_01 | Lot No.      | 1 190      |
| Contract No. | P003          | Contract No. | 01/11/2023 |
|              | /             | Contract No. | AV AV AV   |

IV PLANNING CONSULTANTS

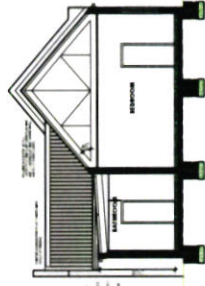
FOR APPROVAL



FRONT ELEVATION

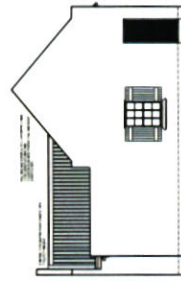


SIDE ELEVATION

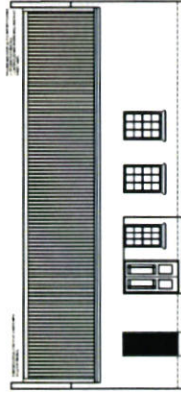


REAR ELEVATION

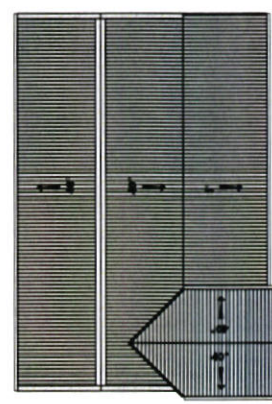
NOTES:  
1. ALL DIMENSIONS ARE IN METERS.  
2. THE BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SOUTH AFRICAN NATIONAL BUILDING REGULATIONS (SABR) 1010:2019.  
3. THE BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SOUTH AFRICAN NATIONAL BUILDING REGULATIONS (SABR) 1010:2019.  
4. THE BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SOUTH AFRICAN NATIONAL BUILDING REGULATIONS (SABR) 1010:2019.  
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10. THE BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SOUTH AFRICAN NATIONAL BUILDING REGULATIONS (SABR) 1010:2019.



SIDE ELEVATION

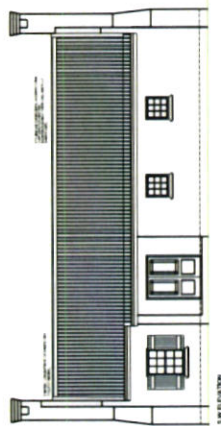


SIDE ELEVATION

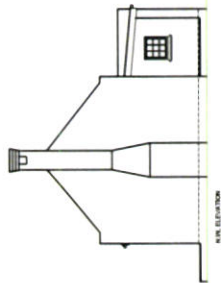


|                                                                               |                   |
|-------------------------------------------------------------------------------|-------------------|
| MONGWANE (PTY) LTD                                                            |                   |
| LA DAUPHINE<br>LAND USE PLANNING APPLICATION:<br>FARM NO. 1113/2, FRANSCHHOEK |                   |
| COTTAGE 4 & 5<br>BUILDING PLAN                                                |                   |
| DATE: 11/01/2023                                                              | SCALE: 1:100      |
| DRAWN BY: P. M. M.                                                            | CHECKED BY: J. V. |
| J.V. PLANNING CONSULTANTS                                                     |                   |
| FOR APPROVAL                                                                  |                   |

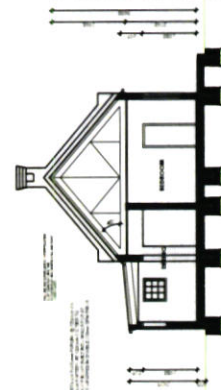




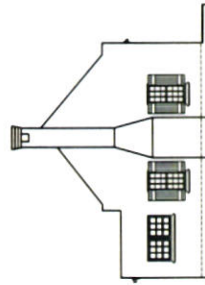
Front Elevation



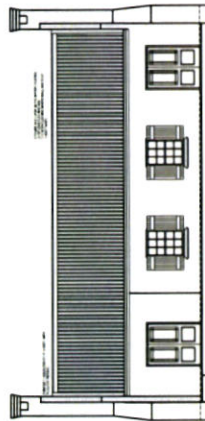
Side Elevation



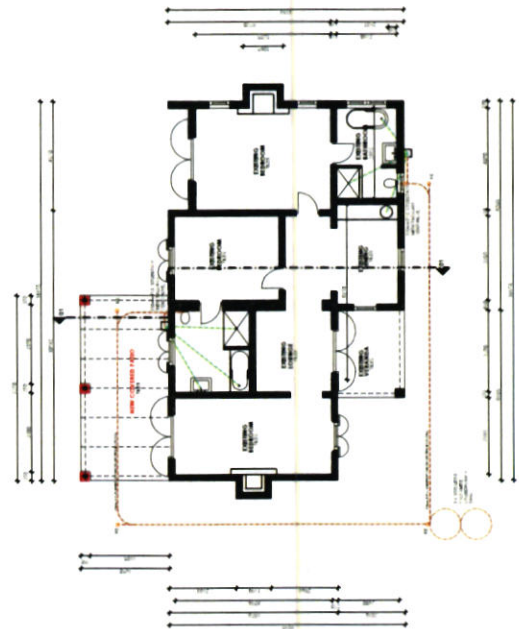
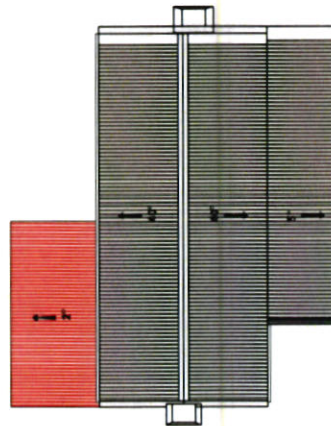
Rear Elevation



Front Elevation



Side Elevation



MONGWANE PTY LTD

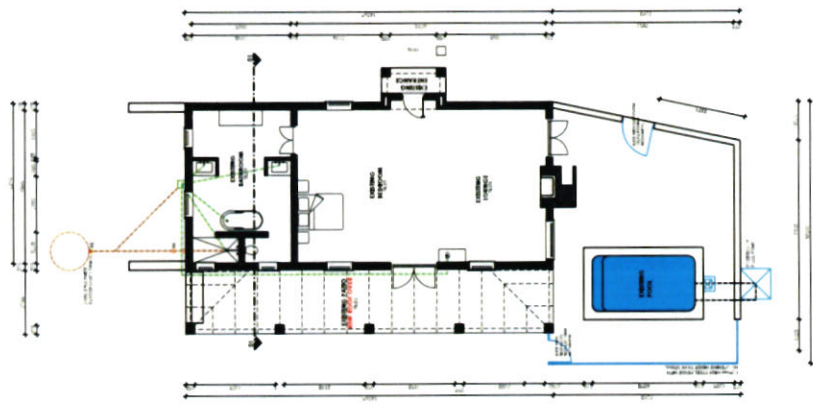
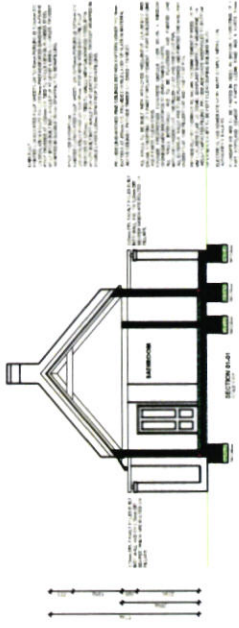
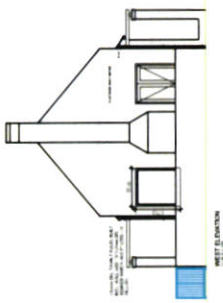
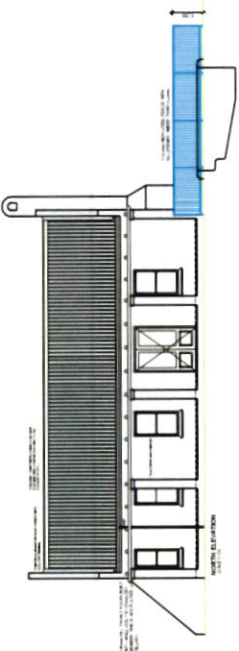
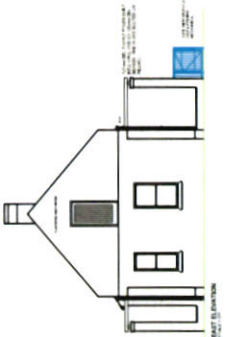
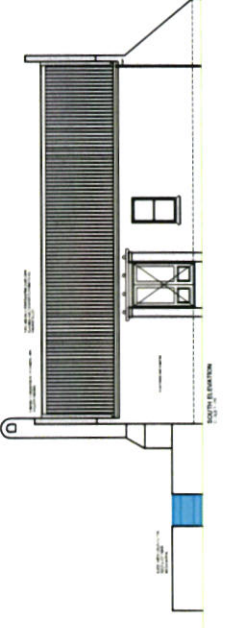
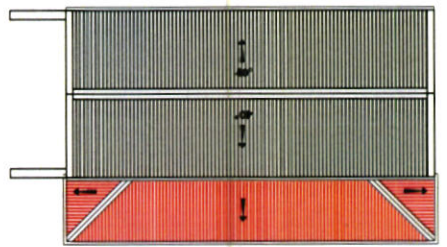
LA DAUPHINE  
LAND USE PLANNING APPLICATION:  
FARM NO. 1115/2, FRANSCHÖEK

COTTAGE 6  
BUILDING PLAN

|             |           |       |            |
|-------------|-----------|-------|------------|
| PROJECT NO. | 1115/2_21 | DATE  | 01/11/2023 |
| DESIGNER    | PM005     | SCALE | A.V.       |
| DATE        | /         | BY    | A.V.       |

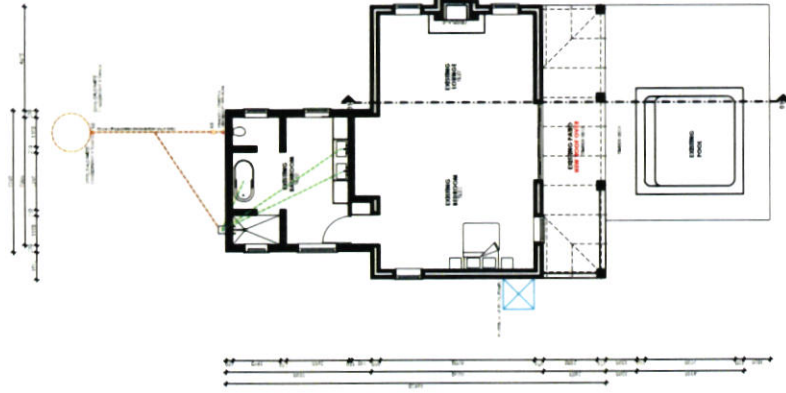
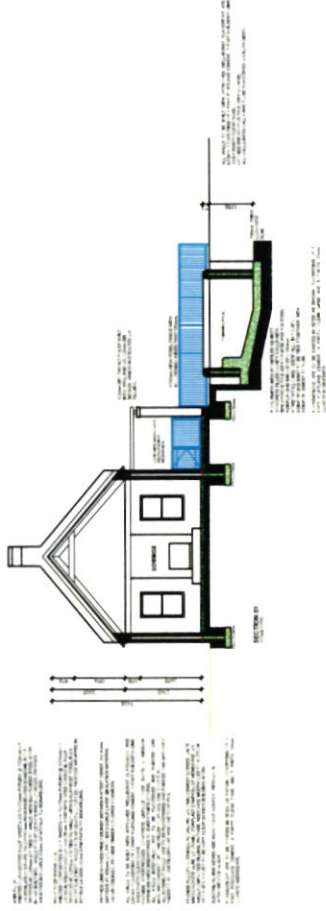
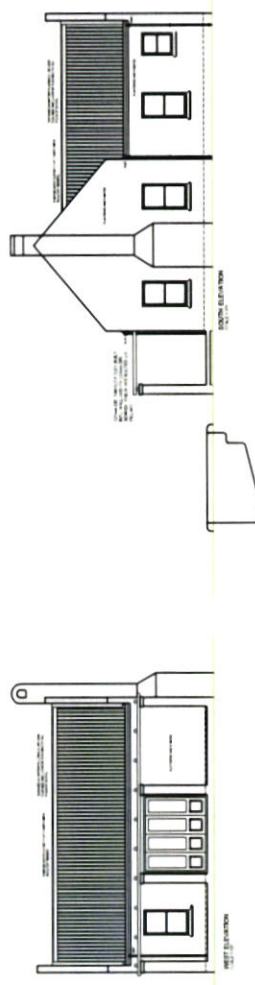
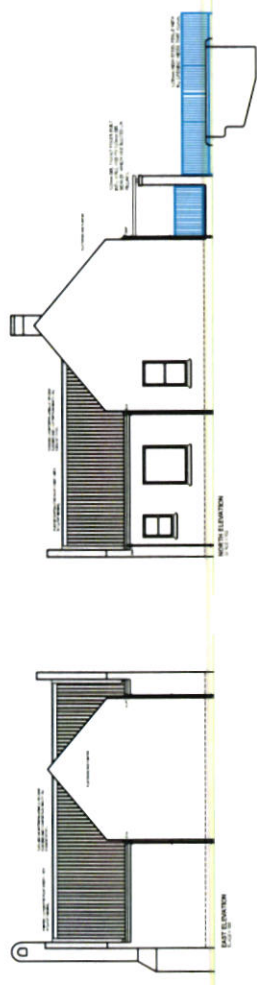
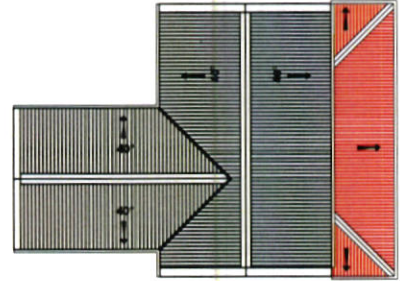
IN PLANNING CONSULTANTS

FOR APPROVAL

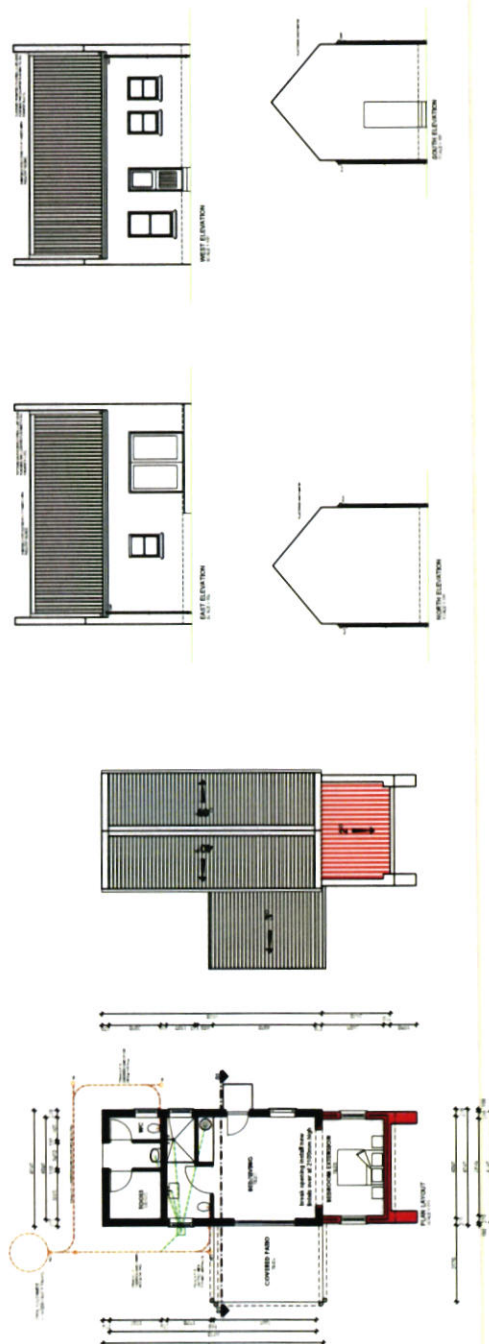


|                                                                               |            |
|-------------------------------------------------------------------------------|------------|
| MONGWANA (PTY) LTD                                                            |            |
| LA DAUPHINE<br>LAND USE PLANNING APPLICATION:<br>FARM NO. 1119/2, FRANSCHHOEK |            |
| COTTAGE 7<br>BUILDING PLAN                                                    |            |
| PROJECT NO.                                                                   | 1119/2     |
| DATE                                                                          | 01/11/2023 |
| BY                                                                            | J.V.       |
| FOR                                                                           | J.V.       |
| FOR APPROVAL                                                                  |            |





|                                                                                       |                                                                 |                     |
|---------------------------------------------------------------------------------------|-----------------------------------------------------------------|---------------------|
| <p>LA DAUPHINE<br/>LAND USE PLANNING APPLICATION:<br/>FARM NO. 1119/2, FRANCHHOEK</p> |                                                                 | <p>FOR APPROVAL</p> |
| <p>PROJECT: COTTAGE 8<br/>BUILDING PLAN</p>                                           | <p>DATE: 01/11/2023<br/>DRAWN BY: J.V.<br/>CHECKED BY: J.V.</p> | <p>FOR APPROVAL</p> |
| <p>PROJECT: COTTAGE 8<br/>BUILDING PLAN</p>                                           | <p>DATE: 01/11/2023<br/>DRAWN BY: J.V.<br/>CHECKED BY: J.V.</p> | <p>FOR APPROVAL</p> |



FOR APPROVAL

JONGHAWANG (PTY) LTD.

LA DAUPHINE  
LAND USE PLANNING APPLICATION:  
FARM NO. 1119/2, FRANSCHHOEK

COTTAGE 9  
BUILDING PLAN

|                |      |            |
|----------------|------|------------|
| PARM_1119/2_01 | 1100 | 01/11/2023 |
| POOL           |      |            |

IV PLANNING CONSULTANTS



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## CONVEYANCER'S CERTIFICATE

I, the undersigned,

**KRISTEN ELLIOTT**

Conveyancer, practising as such at Werksmans Attorneys, Cape Town do hereby certify that I have conducted a Deeds Office search at the Cape Town Deeds Office in relation to the herein mentioned property, with specific regard to all the registered conditions, encumbrances, restrictions and servitudes applicable to the property.

**This certificate is qualified as many of the former title deeds filed in the archives at the Deeds Office are either completely missing or the books in which they are filed are no longer properly bound, with pages missing, and therefore no longer 100% accurate and reliable, or the relevant title deeds are illegible and/or damaged.**

Please find hereunder my report on the registered conditions, encumbrances, restrictions and/or servitudes applicable to the Property.

### 1 THE PROPERTY

REMAINDER OF PORTION 2 OF THE FARM LA DAUPHINE NUMBER 1119  
STELLENBOSCH MUNICIPALITY  
DIVISION PAARL  
WESTERN CAPE PROVINCE  
IN EXTENT 12, 9319 (TWELVE COMMA NINE THREE ONE NINE) HECTARES

HELD BY DEED OF TRANSFER NUMBER T42060/2016

(the "Property")

Registered in the name of:

MONGWAWANE PROPRIETARY LIMITED  
REGISTRATION NUMBER: 1981/007519/07





## 2 REVIEW

2.1 The following deeds and/or documents were reviewed in relation to the Property:

- 2.1.1 Deed of Transfer T42060/2016 (annexed hereto marked "A")
- 2.1.2 Deed of Transfer T47301/2004 (annexed hereto marked "B")
- 2.1.3 Deed of Transfer T21871/1995 (annexed hereto marked "C")
- 2.1.4 Deed of Transfer T1017/1976 (annexed hereto marked "D")
- 2.1.5 Deed of Transfer T9023/1924
- 2.1.6 Deed of Transfer T965/1904
- 2.1.7 Deed of Transfer T161/1857
- 2.1.8 Deed of Transfer T10257/1907 (the pivot deed)
- 2.1.9 Notarial Deed of Servitude dated 6 December 1909
- 2.1.10 Notarial Deed of Servitude K1147/2005S (annexed hereto marked "E")
- 2.1.11 Windeed Property Search (annexed hereto marked "F")
- 2.1.12 Surveyor General Diagram Number 11/1710 (annexed hereto marked "G")
- 2.1.13 Surveyor General Diagram SG Number 4873/2003 (annexed hereto marked "H")

## 3 REGISTERED CONDITIONS AND/OR SERVITUDES

3.1 All the registered title deed conditions applicable to the Property appear in holding Title Deed, Deed of Transfer Number 42060/2016, namely:

- 3.1.1 By virtue of Notarial Deed of Servitude dated 6 December 1909 attached to Deed of Transfer T10257/1907, the Property is subject to a right of roadway 16 feet wide in favour of the properties described in the said Notarial Deed of Servitude.
- 3.1.2 By virtue of the servitude endorsement on Deed of Transfer T9023/1924, the Property is subject to a servitude with regard to the apportionment of water in terms of an Order of the Water Court (Water Court District No. 1) dated 18, 19, 20 & 24th March 1930 as will more fully appear on reference to the copy of the said Order annexed to the said Deed of Transfer.
- 3.1.3 By virtue of Notarial Deed of Servitude No. K1147/2005S dated 7 October 2005 the Property is subject to:
  - a) a servitude borehole with a 2 meter radius, the center of which is represented by the Point A on diagram No. SG 4873/2003, and the perpetual right to draw such amount of water from such borehole as may be allocated in terms of a licence of use of water which has been applied for and to be issued by the Department of Water Affairs and Forestry;
  - b) a servitude in perpetuity of a pump station at Point A on the said Diagram SG 4873/2003





- c) A pipeline and powerline servitude, 4 metres wide, the center line of which is indicated by the Figure A B on Diagram SG 4873/2003.

With ancillary rights in favour of Portion 2 of the Farm Bosplaats Number 1128, in the Stellenbosch Municipality, Division of Paarl, Province of the Western Cape.

As will more fully appear from said Notarial Deed of Servitude

- 3.2 In terms of condition C contained in Deed of Transfer T1017/1976, the Property was made subject to the condition contained in section 35(1)(b) of the Agricultural Credit Act Number 28 of 1966 (the "Agricultural Credit Act").

This condition was not brought forward into the subsequent title deeds as the Agricultural Credit Act has since been repealed and the condition is no longer applicable to the property.

#### 4 MORTGAGE BONDS

There are no mortgage bonds registered against the Property.

#### 5 LAND CLAIMS

The Office of the Regional Land Claims Commissioner: Western Cape has confirmed that there exists no land claims recorded against the Property.

The Letter from the Office of the Regional Land Claims Commissioner: Western Cape dated 19 June 2023 is annexed hereto marked "I"

SIGNED AT CAPE TOWN ON 22 JUNE 2023.

CONVEYANCER  
KRISTEN ELLIOTT

21

CLIFFE DEKKER HOFMEYER INC  
1 PROTEA PLACE  
SANDOWN  
SANDTON, 2196  
(011) 562 1000

| Fee endorsement         |         |            |
|-------------------------|---------|------------|
| Purchase price/Value    | Amount  | Office fee |
| R. 96900 00-00          |         | R. 4400-00 |
| Mortgage capital Amount |         |            |
| Reason for exemption    |         |            |
| Cat.                    | section | Act        |

"A"

Prepared by me

*Sub*  
CONVEYANCER  
NAYNA PARBHOO

T000042060 / 2016

## DEED OF TRANSFER

DATA / VERIFY

26 JUL 2016

NCAPAI LINDA

BE IT HEREBY MADE KNOWN THAT  
RAYMOND FRANCIS SCOTT

appeared before me, REGISTRAR OF DEEDS at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at CAPE TOWN on 2 JUNE 2016 granted to him by

VERUSKA BELBON FARMS CC

Registration Number 2007/044360/23

DATA / CAPTURE

21 JUL 2016

BARLOW MARLYN



And the appearer declared that his said principal had, on 26 April 2016, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

**MONGWAWANE PROPRIETARY LIMITED**

**Registration Number 1981/007519/07**

or its Successors in Title or assigns, in full and free property

**REMAINDER OF PORTION 2 OF THE FARM LA DAUPHINE NO. 1119  
IN THE STELLENBOSCH MUNICIPALITY  
DIVISION PAARL, PROVINCE OF THE WESTERN CAPE**

**IN EXTENT : 12,9319 (TWELVE COMMA NINE THREE ONE NINE) Hectares**

**FIRST TRANSFERRED by Deed of Transfer Number T161 dated  
15 April 1857 with diagram annexed thereto and held by Deed of Transfer  
Number T47301/2004**

- I. SUBJECT to the conditions as referred to Deed of Transfer No. T10257/1907.
- II. SUBJECT FURTHER :
  - A. Aan 'n serwituut van reg van weg genome in 'n sekere Noariële Akte geheg aan Transportakte Nr. T10257/1907 waarna verwys word in the Serwituut aantekening daarop gedateer 6 Desember 1909.
  - B. Aan die serwituut waarna verwys word in die Endossement gedateer 29 Julie 1930 op Transportakte Nr. T9023/1924, welke as volg lees :

"The within described land is subject to a servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District No. 1) dated 18, 19, 20 & 24th March 1930 as will more fully appear on reference to the copy of the said Order annexed hereto.

C. By virtue of Notarial Deed of Servitude No. K1147/2005S dated 7 October 2005 the within property is subject to :

- (a) a servitude borehole with a 2 meter radius, the center of which is represented by the Point A point A on diagram No. SG 4873/2003, and the perpetual right to draw such amount of water from such borehole as may be allocated in terms of a licence of use of water which has been applied for and to be issued by the Department of Water Affairs and Forestry ;
- (b) a servitude in perpetuity of a Pump station at Point A on the said Diagram SG 4873/2003 ;
- (c) A pipeline and Power Servitude, 4 metres wide, the center line of which is indicated by the Figure A B on Diagram SG 4873/2003.

With ancillary rights in favour of Portion 2 of the Farm Bosplaats No. 1128 in the Stellenbosch Municipality Division of Paarl, Province of the Western Cape

As will more fully appear from said Notarial Deed of Servitude.

α

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WHEREFORE the said Appearer, renouncing all right and title which the said

**VERUSKA BELBON FARMS CC**

**Registration Number 2007/044360/23**

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

**MONGWAWANE PROPRIETARY LIMITED**

**Registration Number 1981/007519/07**

or its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R85 000 000,00 (EIGHTY FIVE MILLION RAND) excluding VAT in the sum of R11 900 000,00 (ELEVEN MILLION NINE HUNDRED THOUSAND RAND), total consideration paid by the transferee to the transferor being the amount of R96 900 000,00 (NINETY SIX MILLION NINE HUNDRED THOUSAND RAND).

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto. THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on

13 JUL 2016

In my presence

\_\_\_\_\_  
REGISTRAR OF DEEDS

\_\_\_\_\_  
q.q.

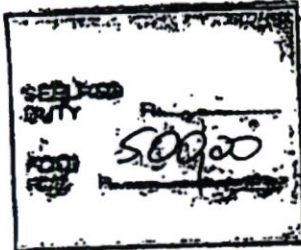
"B"

171

Van Wyk Fouchee Ingelyf  
Lady Greystraat 45  
Standard Bank Gebou  
Paarl  
7646

Opgestel deur my

TRANSPORTEESORGER  
VAN WYK WJ



DIE NAAM VAN DIE *Transporee*. The name of the  
IS VERREKENAAR *Veruska Belbon Farms CC* Has Been Charged to  
000038034 / 2016 (1)  
13 JUL 2016  
REGISTRATEUR/REGISTRAR

GETRANSPORTEER AAN *Monquawane Proprietary Limited*  
TRANSFERRED TO  
000042060 / 2016 (2)  
13 JUL 2016  
REGISTRATEUR/REGISTRAR

000047301 / 2004

2273

## TRANSPORTAKTE

HIERBY WORD BEKEND GEMAAK DAT

ANNECKE LOUW

voor my verskyn het, REGISTRATEUR VAN AKTES, te KAAPSTAD, hy die genoemde komparant synde behoorlik daartoe gemagtig deur 'n Volmag aan hom verleen deur

| REKÊNAAR: IN 'N VERBODENINGSDOM | WETTERLIKKE OORTEKENING |
|---------------------------------|-------------------------|
| OPGEHEWENTHEID                  | OPERATEUR/OPERATOR      |

Die Trustees indertyd van die LA DAUPHINE TRUST  
Nr. IT362/1994

geteken te PAARL op 29 MAART 2004

VIR ENDOSSEMENTE KYK BLADSY  
FOR ENDORSEMENTS SEE PAGE

4

6



En genoemde Komparant het verklaar dat sy prinsipaal, op 20 Maart 2004, waarlik en wettiglik verkoop by Privaat ooreenkoms, en dat hy, in sy voorgenoemde hoedanigheid hierby sedeer en transporteer aan en ten gunste van

**VERUSKA BELBON FARMS (PROPRIETARY) LIMITED**  
**Nr. 2000/027235/07**

diese Opvolgers in titel of Regverkrygendes,

~~RESTANT~~ VAN GEDEELTE 2 VAN DIE PLAAS LA DAUPHINE NR. 1119, in die Stellenbosch Munisipaliteit, Afdeling Paarl, Wes-Kaap Provinsie;

GROOT 12,9319 (TWAALF KOMMA NEGE DRIE EEN NEGE) Hektaar

AANVANKLIK OORGEDRA kragtens Transportakte Nr. T 161/ gedateer 15 April 1857 met Kaart wat daarop betrekking het en gehou kragtens Transportakte Nr. T21871/1995

I. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte Nr. T10257/1907.

II. ONDERHEWIG VERDER:

- A. Aan 'n servituut van reg van weg genoem in 'n sekere Notariële Akte geheg aan Transportakte Nr. T10257/1907 waarna verwys word in die Servituut aantekening daarop gedateer 6 Desember 1909.
- B. Aan die servituut waarna verwys word in die Endossement gedateer 29 Julie 1930 op Transportakte Nr. T9023/1924, welke as volg lees:

"The within described land is subject to a servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District No. 1) dated 18, 19, 20 & 24th March 1930 as will more fully appear on reference to the copy of said Order annexed hereto."

WESHALWE die komparant afstand doen van al die regte en titel wat

**Die Trustees indertyd van die LA DAUPHINE TRUST**  
**Nr. IT362/1994**

voorheen op genoemde eiendom gehad het, en gevolglik ook erken het dat hulle geheel en al van die besit daarvan onthef en nie meer daartoe geregtig is nie en dat, kragtens hierdie akte, bogenoemde

**VERUSKA BELBON FARMS (PROPRIETARY) LIMITED**  
**Nr. 2000/027235/07**

h -

diese Opvolgers in titel of Regverkrygendes, tans en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik, behoudens die regte van die Staat en ten slotte erken dit dat die verkoopprijs die bedrag van R7 650 000,00 (Sewe Miljoen Ses Honderd en Vyftig Duisend Rand) beloop.

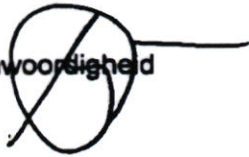
TEN BEWYSE WAARVAN ek, genoemde Registrateur, tesame met die Komparant hierdie Akte onderteken en dit met die ampseël bekragtig het.

Onderteken, verly en met die ampseël bekragtig op die kantoor van die Registrateur van Aktes te Kaapstad op 25 Mei 2004



q.q.

In my teenwoordigheid



REGISTRATEUR VAN AKTES

For Information

u



By virtue of Notarial Deed of Servitude No. K 1147/2005 s

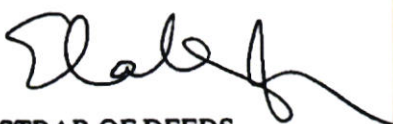
Dated 7 October 2005 the within property is subject to :

- a) a servitude borehole with a 2 meter radius, the center of which is represented by the Point A point A on diagram No. SG 4873/2003, and the perpetual right to draw such amount of water from such borehole as may be allocated in terms of a licence of use of water which has been applied for and to be issued by die Department of Water Affairs and Forestry;
- b) a servitude in perpetuity of a Pump station at Point A on the said Diagram SG 4873/2003;
- c) A pipeline and Power Servitude, 4 metres wide, the center line of which is indicated by the Figure A B on Diagram SG 4873/2003

With ancillary rights in favour of Portion 2 of the Farm Bosplaats No. 1128 in the Stellenbosch Municipality Division of Paarl, Province of the Western Cape

As will more fully appear from said Notarial Deed of Servitude

2005-11-15  
Deeds Office  
Cape Town

  
REGISTRAR OF DEEDS

171

**VAN WYK GAUM FOUCHÉE ING**

Permgebou, Hoofstraat 345, PAARL, 7620

Posbus 362, PAARL, 7620

Tel 02211-611050

Fax 02211-24165

Opgestel deur my

"C"

**TRANSPORTBESORGER  
VAN WYK, W J**

|                |           |
|----------------|-----------|
| SEELER<br>DUIT | .....     |
| FOOI<br>FEE    | n. 100,00 |

VIR ENDOSSEMENTE KYK BLADSY  
FOR ENDORSEMENTS SEE PAGE

6

T 21871-95

## TRANSPORTAKTE

Hierby word bekendgemaak:

**DAT**

**ANNECKE LOUW**

voor my, Registrateur van Aktes,

verskyn het te KAAPSTAD

hy, die genoemde Komparant synde behoorlik daartoe gemagtig deur 'n volmag uitgevoer te PAARL

op die 20ste dag van April 1994 deur

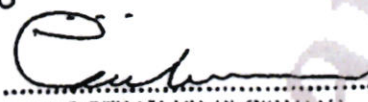
**SIMON PETRUS VAN BLERK MALHERBE**

Identiteitsnommer 340728 5027 00 3

Getroud huite gemeenskap van goedere



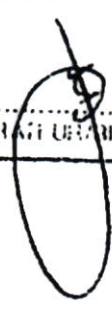
Para 2

|                                                         |  |                                                                                                          |  |
|---------------------------------------------------------|--|----------------------------------------------------------------------------------------------------------|--|
| ENDOSSEMENT KRACHTENS<br>ARTIKEL 44 VAN WET 47 VAN 1937 |  | ENDOSSEMENT BY NATURE OF<br>SECTION 44 OF ACT 47 OF 1937                                                 |  |
| HEHOFGEMEET<br>DIAGRAMNUMMER <u>L.S. No. 5318-199A</u>  |  | RESURVEYED<br>DIAGRAM NUMBER                                                                             |  |
| NOU/NOV <u>1, 9615</u> HA                               |  | HA/M <sup>2</sup>                                                                                        |  |
| EC 100901 2000                                          |  | <br>REGISTRAR/REGISTRAR |  |
| 00-02-28                                                |  |                                                                                                          |  |

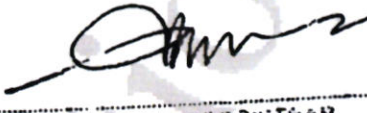
Para 2

|                                                          |  |                                                                                                            |  |
|----------------------------------------------------------|--|------------------------------------------------------------------------------------------------------------|--|
| GETRANSPORTEER AAN<br><u>B. P. Y. J. De Meulemeester</u> |  | TRANSFERRED TO                                                                                             |  |
| RESTANT/REMAINDER<br><u>T 13877 2000</u>                 |  | <br>REGISTRAR/REGISTRAR |  |
| 2000-02-28                                               |  |                                                                                                            |  |

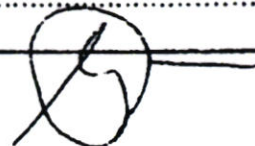
POM 6 = 5157 m Para 1

|                                           |  |                                                                                                            |  |
|-------------------------------------------|--|------------------------------------------------------------------------------------------------------------|--|
| GETRANSPORTEER AAN<br><u>R. Steinmetz</u> |  | TRANSFERRED TO                                                                                             |  |
| DIAGRAM NUMMER <u>12,9319 ha</u>          |  |                                                                                                            |  |
| T 098404 * 2000                           |  | <br>REGISTRAR/REGISTRAR |  |
| 000002311 * 2000                          |  |                                                                                                            |  |

PARA 3 + PARA 6

|                                                                                                                                                                |                                                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| SERTIFIKAAT VAN VERENIGDE TITEL UITGEREIK<br>CERTIFICATE OF CONSOLIDATED TITLE ISSUED                                                                          |                                                                                    |
| NOU BEKEND AS <u>PORTION 7 OF THE FARM LE GAUPHINE</u> NR 1119<br>NOW KNOWN AS <u>SITUATIE IN THE MUNICIPALITY OF STELLENBOSCH EXTENT</u><br><u>21,2380 ha</u> |                                                                                    |
| T 046437/2002                                                                                                                                                  |  |
| 2002-06-00                                                                                                                                                     | REGISTRATEUR/REGISTRAR                                                             |

Restant Para 1

|                                                                           |                                                                                     |
|---------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| GE-TRANSPORTEERD AAN <u>Vr M Ska Beben Farms (Pty) Ltd</u> TRANSFERRED TO |                                                                                     |
| RESTANT/REMAINDER                                                         |                                                                                     |
| T 000047301/2004                                                          |  |
| 25 MAY 2004                                                               | REGISTRATEUR/REGISTRAR                                                              |

 VIR ENDOSSEMENTE KYK BLADSY  
 FOR ENDORSEMENTS SEE PAGE 8



En die Komparant het verklaar dat sy voorsegde Prinsipaal werklik en wettiglik verkoop het op 23 Maart 1994 en dat hy, in sy voornoemde hoedanigheid hierby in volkome en vrye eiendom sedeer en transporteer aan en ten gunste van

**DIE TRUSTEES INDERTYD VAN DIE LA DAUPHINE TRUST, NR. T362/94**

Hul Opvolgers in Titel of Gemagtigdes;

1. Gedeelte 2 van die Plaas La Dauphine Nr. 1119, in die Afdeling PAARL, in die Wes-Kaap Provinsie;

GROOT: 13,4476 (DERTIEN komma VIER VIER SEWE SES) Hektaar;

AANVANKLIK OORGEDRA kragtens Transportakte Nr. T 161/gedateer 15 April 1857 met Kaart wat daarop betrekking het en gehou kragtens Transportakte Nr. T 1017/1976.

I. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte Nr. T 10257/1907.

II. ONDERHEWIG VERDER:

A. Aan 'n serwituut van reg van weg genoem in 'n sekere Notariele Akte geheg aan Transportakte Nr. T 10257/1907 waarna verwys word in die Serwituut aantekening daarop gedateer 6 Desember 1909.

B. Aan die serwituut waarna verwys word in die Endossement gedateer 29 Julie 1930 op Transportakte Nr. T 9023/1924, welke as volg lees:

"The within described land is subject to a servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District No. 1) dated 18, 19, 20 & 24th March 1930 as will more fully appear on reference to the copy of said Order annexed hereto."

2. Gedeelte 2 van die Plaas Bos Plaats Nr. 1128, in die Afdeling PAARL, in die Wes-Kaap Provinsie;

GROOT: 2,1271 (TWEE komma EEN TWEE SEWE EEN) Hektaar;

AANVANKLIK OORGEDRA kragtens Transportakte Nr. T 6098/1926 met Kaart wat daarop betrekking het en gehou kragtens Transportakte Nr. T 1017/1976.

I. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte Nr. T 3380/1920.

h

II. ONDERHEWIG VERDER:

- A. aan die terme van paragrawe 1, 3 & 4 van die Notariele Akte daaraan geheg en verwys na in die Endossement gedateer 1 Junie 1920 daarop, wat as volg lees:

"By Deed dated 6 December 1919 the right of use of certain road over this land has been granted to and in favour of the property held under para 3 and remdr of properties under paras 2 and 5 of Tfr No. 1416 dated 3 February 1903 subject to conditions as will more fully appear on reference to the copy annexed to transfer No. 1416 February 1903."

- B. aan die voorwaardes genoem in die Endossement gedateer 13 Maart 1925 op Transportakte Nr. T 5835/1923, naamlik:

"By Deed of Transfer No. 2288 dated 13 March 1925 present and future properties of property held thereunder shall have the right to: a right of way 8,82 metres wide along Western Boundary of property held hereunder and shown on Diagram annexed thereto."

- C. aan die serwituut waarna verwys word in die Endossement gedateer 29 Julie 1930 op Transportakte Nr. T 6098/1926, welke aantekening meer volledig uiteengesit is in paragraaf 1. II. B. hierbo.

- X 3. Restant van die Plaas Le Dauphine Nr. 1119, in die Afdeling PAARL, in die Wes-Kaap Provinsie;  
GROOT: 15,6332 (VYFTIEN komma SES DRIE DRIE TWEE) Hektaar;

AANVANKLIK GEREgistreER kragtens Grondbrief Ou Stellenbosch Eiendomsbriewe Boekdeel 2, Nr 12/gedateer 19 Augustus 1710, met Kaart Nr. 11/1710 wat daarop betrekking het en gehou kragtens Transportakte Nr. T 26324/1974.

- A. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte Nr. T 66/gedateer 5 Oktober 1872.  
B. ONDERHEWIG VERDER aan die bepalings van die endossement gedateer 29 Julie 1930 aangebring op Transportakte Nr. T 11287/1921 welke endossement as volg lui:

"REGISTRATION OF SERVITUDE

The within described land is subject to a servitude with regard to apportionment of water in terms of an Order of the Water Court, Water Court District No. 1 dated 18, 19, 20 & 24 Mar 1930, as will more fully appear on reference to a copy of said Order annexed hereto."

h



4. Die Plaas Le Dauphine Nr. 1125, in die Afdeling PAARL, in die Wes-Kaap Provinsie;  
GROOT: 37,6632 (SEWE EN DERTIG komma SES SES DRIE TWEE) Hektaar;

AANVANKLIK GEREISTREER kragtens Grondbrief Stellenbosch Erfpagbriewe Boekdeel. 10 (ii), Nr 62/1833, met Kaart Nr. 292/1831 wat daarop betrekking het en gehou kragtens Transportakte Nr. T 26324/1974.

- A. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte Nr. T 11287/1921.  
B. ONDERHEWIG VERDER aan die bepalings van die endossement gedateer 29 Julie 1930 aangebring op Transportakte Nr. T 11287/1921 welke endossement meer volledige uiteengesit word in paragraaf 3. B hierbo.

5. Restant van Gedeelte 3 van die Plaas Le Dauphine Nr. 1119, in die Afdeling PAARL, in die Wes-Kaap Provinsie;  
GROOT: 5,0050 (VYF komma NUL NUL VYF NUL) Hektaar;

AANVANKLIK OORGEDRA kragtens Transportakte Nr. T 383/gedateer 23 Mei 1857 met Kaart Nr. 887/1857 wat daarop betrekking het en gehou kragtens Transportakte Nr. T 26324/1974.

- A. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte Nr. T 66/gedateer 5 Oktober 1872.  
B. ONDERHEWIG VERDER aan die bepalings van die endossement gedateer 29 Julie 1930 aangebring op Transportakte Nr. T 11287/1921 welke endossement meer volledige uiteengesit word in paragraaf 3. B hierbo.

6. Gedeelte 4 (Gedeelte van Gedeelte 3) van die Plaas Le Dauphine Nr. 1119, in die Afdeling PAARL, in die Wes-Kaap Provinsie;  
GROOT: 4,0171 (VIER komma NUL EEN SEWE EEN) Hektaar;

AANVANKLIK OORGEDRA kragtens Transportakte Nr. T 398/gedateer 22 Augustus 1860 met Kaart Nr. 2281/1860 wat daarop betrekking het en gehou kragtens Transportakte Nr. T 26324/1974.

- A. ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte Nr. T 596/gedateer 26 Oktober 1880.  
B. ONDERHEWIG VERDER aan die bepalings van die endossement gedateer 29 Julie 1930 aangebring op Transportakte Nr. T 11287/1921 welke endossement meer volledige uiteengesit word in paragraaf 3. B hierbo.

WESHALE die Komparant afstand doen van al die regte en titel wat bogenoemde Transportgewer voorheen op genoemde eiendom gehad het, en gevolglik ook erken dat bogenoemde Transportgewer geheel en al van die besit daarvan onthef en nie meer daarop geregtig is nie en dat, kragtens hierdie akte, bogenoemde Transportnemer Trust, Hul Opvolgers in Titel of Gemagtigdes tans en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik, behoudens die Regte van die Staat; en ten slotte erken hy dat die hele Koopsom ten bedrae R732 000,00 (SEWEHONDERD TWEE EN DERTIGDUISEND RAND) behoorlik betaal of verseker is.

TEN LEWYSE waarvan ek, die genoemde Registrateur, tesame met die Komparant, hierdie Akte onderteken en dit met die Ampseël bekragtig het.

ALDUS GEDOEN en verly op die Kantoor van die Registrateur van Aktes, te KAAPSTAD op hede die 30<sup>ste</sup> dag van

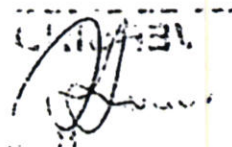
Maart

in die jaar van ons Heer, Eenduisend Negehonderd Vyf en Negentig (1995)

In my teenwoordigheid,



Registrateur van Aktes



q.q.

h



8 -  
VA 000651 / Y1

T 21841 / 1995

Certified a true copy of the duplicate original filed of record in this Registry, issued to serve in place of the original thereof under the provisions of Deeds Regulation No. 60 (c)  
Deeds Registry  
Cape Town  
08 FEB 2011  
Assl. Registrar of Deeds

*[Handwritten signature]*

Para 5

|                                 |                                                          |
|---------------------------------|----------------------------------------------------------|
| <b>VERBIND</b> <b>MORTGAGED</b> |                                                          |
| VIR FOR R 1 500 000.00          |                                                          |
| <b>B</b> 005898 / 11            | <i>[Handwritten signature]</i><br>REGISTRATEUR/REGISTRAR |
| 07 MAR 2011                     |                                                          |

Para 4

|                                 |                                                          |
|---------------------------------|----------------------------------------------------------|
| <b>VERBIND</b> <b>MORTGAGED</b> |                                                          |
| VIR FOR R 1 500 000.00          |                                                          |
| <b>B</b> 000027941 / 2013       | <i>[Handwritten signature]</i><br>REGISTRATEUR/REGISTRAR |
| 2013 - 10 - 03                  |                                                          |

"D"

11 0 -12- 1975

R106500,00

|                                               |
|-----------------------------------------------|
| ORIGINAL<br>OORSPRONKLIKE<br>STAMPED<br>GESEË |
| DUTY<br>SEKURED R.....                        |
| TRANSFER DUTY<br>HEREGOTE R2795,00            |

|         |      |
|---------|------|
| T. 1017 | 1976 |
|---------|------|

# Transportakte

(Uit krag van 'n Prokurasie)

Opgestel deur my:

*Letty Zouma*  
Transportbesorger.

## Hierby word bekendgemaak

DAT DANIEL PETRUS DE KLERK VAN GEND  
WILLEM PETRUS MALHERBE  
voor my, Registrateur van Aktes,  
verskyn het, te K A A P S T A D hy, die genoemde  
Komparant synde behoorlik daartoe gemagtig deur 'n volmag aan  
hom verleen deur

DANIEL JACOBUS ROUX  
(gebore op 7 September 1936)

-BLANKE GROEP-

| IND. | NO. | INITIAL |
|------|-----|---------|
| R    | 1   | AM      |
| S    |     |         |
| J    |     |         |
|      |     |         |

gedateer die 15de dag van OKTOBER 1975  
en geteken te BELLVILLE

EN / ....



BLADSY/PAGE

6

ENDOSSEMENT OP  
ENDORSEMENT ON

T

1976

EIENDOM/PROPERTY

Perselk Ave

die plass genaem La Dauphine

En Amstel

B

1290

1976

M.A.E.

VERBIND  
MORTGAGED

26-01-1976

vir 10500,00 (met preferensie  
for R 10500,00 (with preference)

vir 'n verder bedrag nie te bogaande  
for an additional amount not exceeding

R 10500,00

P.R. Bk.  
P.R. Bk.

Aktekantoor,  
Deeds Office,  
Kaapstad,  
Cape Town.

*[Signature]*  
Hof Registrateur/Asst. Registrar.

DIE GROND HIERIN BESKRYWE  
THE LAND DESCRIBED HEREIN

Para 1-2

IS GEREISTREER EN MOET IN DIE TOEKOMS BESKRYWE WORD AS  
IS REGISTERED AS, AND MUST IN FUTURE BE DESCRIBED AS

P. 1. Ged. 2 van die plass La  
Dauphine Nr. 1119.

P. 2. Ged. 2 van die plass  
Bos Plaats Nr. 1128

AKTEKANTOOR,  
DEEDS REGISTRY,  
KAAPSTAD,  
CAPE TOWN.

26/1/1976

*[Signature]*  
HOOF REGISTRASIEAMPTENAAR.  
CHIEF REGISTRATION OFFICER.

M.A.E

B 2366/1977

Net 28/66

Be 22447/82

VERBIND  
MORTGAGED

16-2-1977

vir R 6500,00 (met preferensie  
for R 6500,00 (with preference)

vir 'n verder bedrag nie te bogaande  
for an additional amount not exceeding

R 400,00 P.R. Bk.  
P.R. Bk.

Aktekantoor,  
Deeds Office,  
Kaapstad,  
Cape Town.

M. L. EDWARDS

Asst.-Registrateur/Asst. Registrar.

CANCELLED  
GEKANSELLEER

T. H. BEINCKER

REGISTRATEUR  
REGISTRAR

EN die Komparant het verklaar dat sy Prinsipaál

voormeld die hiernavermelde eiendom verkoop het aan die hiernavermelde transportnemer op 21 APRIL 1975

NOU DUS sedeer en transporteer die Komparant in sy voornoemde hoedanigheid hiermee in volkome en vrye eiendom aan en ten gunste van :

SIMON PETRUS VAN BLERK MALHERBE

(gebore op 28 JULIE 1934)

- BLANKE GROEP -

sy Erfgename, Eksekuteurs, Administrateurs of Regverkrygendes:

1. SEKER / .....



1. SEKER stuk eiendomsgrond, gelee te Fransch Hoek, in die Afdeling Paarl, synde Perseel La A van die Plaas genoem LA DAUPHINE;

GROOT: Dertien komma Vier Vier Sewe Ses (13,4476) Hektaar.

UITSTREKKENDE soos meer volledig aangetoon deur Transportakte met n Kaart daarby aangeheg, gemaak ten gunste van D Kriel nr 161 gedateer 15 April 1857 en daaropvolgende transportaktes, die laaste waarvan gemaak ten gunste van Komparant se Prinsipaal nr 1387 gedateer 30 Januarie 1968.

ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte nr 10257 gedateer 28 Desember 1907.

ONDERHEWIG VERDER:

- A. Aan n Serwituut van reg van weg genoem in n sekere Notariële Akte gehe aan Transportakte nr 10257 gedateer 28 Desember 1907 waarna verwys word in die Serwituut Aantekening daarop gedateer 6 Desember 1909.
- B. Aan die Serwituut waarna verwys word in die Endossement gedateer 29 Julie 1930 op Transportakte gedateer 3 Oktober 1924, nr 9023 wat as volg lees:

"The within described land is subject to a servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District No 1) dated 18, 19, 20, & 24th March 1930 as will more fully appear on reference to the copy of said Order annexed hereto."

- C. Aan die beperkings van Sub-Artikel 1 (b) van Artikel 35 van Wet Nr. 28 van 1966

2. SEKER stuk eiendomsgrond, gelee naby Fransch Hoek in die Afdeling Paarl, synde Perseel C C gedeelte van BOS PLAATS;

GROOT: Twee komma Een Twee Sewe Een (2,1271)  
Hektaar;

UITSTREKKENDE soos meer volledig aangetoon deur Transport-akte met n Kaart daarby aangeheg, gemaak ten gunste van John Carruthers nr 6098 gedateer 25 Junie 1926 en daaropvolgende transportaktes, die laaste waarvan gemaak ten gunste van Komparant se Prinsipaal nr 1387 gedateer 30 Januarie 1968.

ONDERHEWIG aan die voorwaardes waarna verwys word in Transportakte nr 3380 gedateer 13 Maart 1920.

ONDERHEWIG VERDER:

- A. aan die terme van paragrawe 1,3 & 4 van die Notariële Akte daaraan geheg en verwys na in die Endossement gedateer 1 Junie 1920 daarop, wat as volg lees:
- "By Deed dated 6 December 1919 the right of use of certain road over this land has been granted to and in favour of the property held under para 3 and remdr of properties under paras 2 and 5 of Tfr No 1416 dated 3 February 1903 subject to conditions as will more fully appear on reference to the copy annexed to transfer No 1416 February 1903."
- B. aan die voorwaardes genoem in die Endossement gedateer 13 Maart 1925 op Transportakte nr 5835 gedateer 21 Julie 1923 naamlik:-
- "By Deed of Transfer no 2288 dated 13 March 1925 present and future proprietors of property held thereunder shall have the right to: a right of way 8,82 metres wide along Western Boundary of property held hereunder and shown on Diagram annexed thereto."
- C. aan die Serwituut waarna verwys word in die Endossement gedateer 29 Julie 1930 op gesegde Transportakte nr 6098 gedateer 25 Junie 1926, welke Aantekening meer volledig uiteengesit is aan die einde van Paragraaf 1(B) hierbo.
- D. Aan die beperkings van Sub-Artikel 1 (b) van Artikel 35 van Wet Nr. 28 van 1966



DIE Komparant doen dus hiermee afstand van al die regte,  
aanspraak en titel wat **TRANSPORTGEWER**

voorheen op genoemde eiendom gehad het, en gevolglik erken die  
Komparant ook dat **TRANSPORTGEWER**  
geheel en al van die besit daarvan onthef en nie meer daarop geregtig  
is nie, en dat kragtens hierdie akte, bogenoemde

**TRANSPORTNEMER**

Sy Erfgename, Eksekuteurs, Administrateurs of Regverkrygendes  
tans en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik,  
behoudens die Regte van die Staat; en ten slotte erken hy dat die  
hele Koopsom ten bedrae R106 500,00 (EENHONDERD EN SES  
DUISEND VYFHONDERD RAND)

behoorlik betaal of verseker is.

TEN BEWYSE waarvan ek, die genoemde Registrateur, tesame  
met die Komparant, hierdie Akte onderteken en dit met die Ampseël  
bekragtig het.

ALDUS GEDOEN en verly op die Kantoor van die Registrateur  
van Aktes, te **KAAPSTAD**  
op hede die **26<sup>de</sup>** dag van **Januarie** in  
die jaar van ons Heer, Eenduisend Negchonderd en **SES**  
Sewentig (197**8**) **6**.

*[Handwritten signature]*  
g.g. sy Prinsipaal/ale.

In my teenwoordigheid

*[Handwritten signature]*  
REGISTRATEUR VAN AKTES.

GEREGISTREER IN DE

Plaas ☒ **REGISTER VAN** **Paul** ☒

BOEK

FOLIO

P1

1119/2/1 ✓

P2

1128/2/1 ✓

VERANTWOORDE LIKE KLERK.

*[Handwritten signature]*

HV

1-6-7  
①

"E"

SEËLS  
STAMPS

SEËLREG  
DUTY R

FOOI  
FEE R 95.00

GEREGISTEREER  
REGISTERED

*[Signature]*

REGISTRATEUR/REGISTRAR

15 NOV 2005

NOTARY PUBLIC

07 DEC 2005

UAT

Protocol No:

962,1051 L MURI

NOTARIAL DEED OF SERVITUDE

KNOW ALL MEN WHOM IT MAY CONCERN:

That on the 7 day of OCTOBER 2005 before me

SUSANNA VIVIER

Notary Public, by lawful authority, duly admitted and practising as such at Cape Town, in the Western Cape Province, and in the presence of the subscribing competent witnesses, came and appeared- ANNECKE JOUBERT-LOUW

In his capacity as duly authorised agent of

VERUSKA BELBON FARMS (PTY) LTD  
Number 2000/027235/07

(hereinafter referred to as the "Servient Owner")

00001147-2005 S

*[Handwritten signatures]*



and being the registered owner of

**Remainder of Portion 2 of the Farm La Dauphine No. 1119  
In the Stellenbosch Municipality  
Division of Paarl Province of the Western Cape**

**IN EXTENT: 12.9319 hectares**

**HELD BY Deed of Transfer No T 47301 / 2004**

(hereinafter referred to as the "Servient Property")

by virtue of a Special Power of Attorney granted to the said Appearer at Paarl on **31 JULY 2005.**

AND

In her capacity as duly authorised agent of

**JAMES MICHAEL CALDERWOOD**

Identity Number: 670530 5145 08 6

Married out of community of property

(hereinafter referred to as the "Dominant Owner")

and being the registered owner of

**Portion 2 of the Farm Bosplaats No 1128  
In the Stellenbosch Municipality  
Division of Paarl Province of the Western Cape**

**In extent: 1,9615 Hectares**

**HELD BY Deed of Transfer No T 85467 / 2004**

(hereinafter described as the "Dominant Property")

By virtue of a Special Power of Attorney granted to the said Appearer at Paarl on **21 JULY 2005.**

Which said powers of attorney remain filed in my protocol;

**AND THE APPEARER DECLARED THAT**

- 1.1 There is a borehole as more fully described hereinafter on the Servient property, with an electric pump thereon and a pipeline and power line unto the Dominant Property, which aforesaid fixtures belong to the Servient Owner;

5 9 2

- 1.2 The Servient Owner and the Dominant Owner have agreed that the Servient Owner will supply water from the borehole to the Dominant Property;
- 1.3 Such supply of water shall be in accordance with such allocation of water which may be granted to the Dominant Property in accordance with a licence of use to be issued by the Department of Water Affairs which licence application has been submitted;
- 1.4 The parties wish to register a predial servitude over the Servient Property in favour of the Dominant Property to enable the Dominant Owner to exercise its rights in terms hereof;

**NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:**

**Servitude**

2. The Servient Owner hereby grants to the Dominant Owner and his successors in title:
  - 2.1 A Servitude Borehole with a 2 meter radius, the centre of which is represented by the Point A on annexed diagram No. SG 4873/2003, and the perpetual right to draw such amount of water from such borehole as may be allocated to the Dominant Property in terms of a licence of use of water which has been applied for and to be issued by the Department of Water Affairs and Forestry ("the Licence");
  - 2.2 A Servitude in perpetuity of a Pump station at Point A on the said annexed diagram to enable the Dominant Owner to pump the water;
  - 2.3 A Pipeline and Power line Servitude, 4 metres wide, the centre line of which is indicated by the Figure A B on the annexed Diagram No S.G. 4873/2003;
  - 2.4 To convey such water and electricity across the Servient Property, underground only, by means of pipes, wires and/or cables or other appliances.

CS  
e



- 1.2 The Servient Owner and the Dominant Owner have agreed that the Servient Owner will supply water from the borehole to the Dominant Property;
- 1.3 Such supply of water shall be in accordance with such allocation of water which may be granted to the Dominant Property in accordance with a licence of use to be issued by the Department of Water Affairs which licence application has been submitted;
- 1.4 The parties wish to register a predial servitude over the Servient Property in favour of the Dominant Property to enable the Dominant Owner to exercise its rights in terms hereof;

**NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:**

**Servitude**

2. The Servient Owner hereby grants to the Dominant Owner and his successors in title:
  - 2.1 A Servitude Borehole with a 2 meter radius, the centre of which is represented by the Point A on annexed diagram No. SG 4873/2003, and the perpetual right to draw such amount of water from such borehole as may be allocated to the Dominant Property in terms of a licence of use of water which has been applied for and to be issued by the Department of Water Affairs and Forestry ("the Licence");
  - 2.2 A Servitude in perpetuity of a Pump station at Point A on the said annexed diagram to enable the Dominant Owner to pump the water;
  - 2.3 A Pipeline and Power line Servitude, 4 metres wide, the centre line of which is indicated by the Figure A B on the annexed Diagram No S.G. 4873/2003;
  - 2.4 To convey such water and electricity across the Servient Property, underground only, by means of pipes, wires and/or cables or other appliances.

*[Handwritten signature and initials]*

### Water and Electricity Metering

- 3.1 Each of the parties shall install, at its own cost, a separate electricity and water meter so as to meter the consumption of electricity and the volume of water pumped by each party.
- 3.2 The Dominant Owner shall only pump the volume of water allocated to it in terms of the Licence and the remainder of the water in the bore hole shall be dealt with similarly in accordance with the Licence.

### Maintenance

- 4.1 Any replacement of existing equipment, such as the electric motor, pump, cables, pipelines, etc. and / or the maintenance of the existing equipment or any new equipment shall be carried out by the parties jointly, and they shall be liable for the cost thereof in proportion to the volume of water withdrawn by them respectively from the said borehole, which volume shall be measured over a calendar year period.
- 4.2 All such work shall be mutually agreed upon by the parties, except in case of emergency.
- 4.3 The Dominant Owner is entitled to a right of entry upon the Servient Property to carry out thereon such maintenance and / or replacement work as may be necessary or convenient, and to ensure the safe and efficient operation of the equipment.
- 4.4 The Dominant Owner is not entitled to erect any overhead wires, towers or poles, nor any above ground structures on the servitude area to convey the water and or electricity. All such cables and pipelines shall be subsurface.

### Preference of use

5. The Dominant Owner shall at all times have preferent pumping rights on the bore hole.

### Damage

- 6.1 The Dominant Owner is liable for any damage which may be caused as a result of the bursting and / or leakage of pipes, electric faults, or any other damage caused by the operation of the Servitude.
- 6.2 Whenever it is necessary to disturb the soil surface, dig holes or the like, the Dominant Owner shall carry out such works with as little interference as possible to the Servient Owner and immediately repair any such disturbances and/or holes or the like.

### Value

7. No consideration is payable for the granting of the Servitude.

SW 9 10



**Registration**

8. This Notarial Deed will be registered against the Title Deeds of the Servient and Dominant Property in the office of the Registrar of Deeds.

**Costs**

9. The costs for drawing and registering this Notarial Deed, as well as all costs related directly thereto, including transfer duty if applicable, will be payable by the La Dauphine Trust.

**THUS DONE AND EXECUTED** on the day, month and year first aforewritten in the presence of the undersigned witnesses.

**WITNESSES:**

1. *Rigelbach*
2. *Deen Cecchi*

*[Signature]*

qq FIRST PARTY

*[Signature]*

qq SECOND PARTY

QUOD ATTESTOR

*S. J. J. J.*

NOTARY

# Deeds Office Property

PAARL RD, LA DAUPHINE, 1119, 2, CAPE TOWN

Lexis® WinDeed



This report is compiled exclusively from the very latest data directly supplied to WinDeed by the Deeds Office.

Any personal information obtained from this search will only be used as per the Terms and Conditions agreed to and in accordance with applicable data protection laws including the Protection of Personal Information Act, 2013 (POPI), and shall not be used for marketing purposes.

\*\* ASTERISKS INDICATE THE INFORMATION IS ENRICHED FROM THE WINDEED DATABASE.

## SEARCH CRITERIA

|                   |                  |                       |              |
|-------------------|------------------|-----------------------|--------------|
| Search Date       | 2023/06/13 12:23 | Farm Number           | 1119         |
| Reference         | -                | Registration Division | PAARL RD     |
| Report Print Date | 2023/06/13 12:24 | Portion Number        | -            |
| Farm Name         | LA DAUPHINE      | Remaining Extent      | NO           |
| Deeds Office      | Cape Town        | Search Source         | Deeds Office |

## PROPERTY INFORMATION

|                       |                          |                           |                        |
|-----------------------|--------------------------|---------------------------|------------------------|
| Property Type         | FARM                     | Diagram Deed Number       | T161/4/1857            |
| Farm Name             | LA DAUPHINE              | Local Authority           | WINELANDS DC           |
| Farm Number           | 1119                     | Province                  | WESTERN CAPE           |
| Registration Division | PAARL RD                 | Remaining Extent          | YES                    |
| Portion Number        | 2 (REMAINING EXTENT)     | Extent                    | 12.9319H               |
| Previous Description  | -                        | LPI Code                  | C05500000000111900002  |
| Suburb / Town**       | 3KM NORTH OF FRANSCHHOEK | Co-ordinates (Lat/Long)** | -33.928578 / 19.120891 |

## OWNER INFORMATION (1)

|                       |                    |                          |             |
|-----------------------|--------------------|--------------------------|-------------|
| MONGWAWANE PTY LTD    |                    | Owner 1 of 1             |             |
| Company Type**        | COMPANY            | Document                 | T42060/2016 |
| Registration Number   | 198100751907       | Microfilm / Scanned Date | -           |
| Name                  | MONGWAWANE PTY LTD | Purchase Price (R)       | 85 000 000  |
| Multiple Owners**     | NO                 | Purchase Date            | 2016/04/26  |
| Multiple Properties** | NO                 | Registration Date        | 2016/07/13  |
| Share (%)             | -                  |                          |             |

### DISCLAIMER

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**ENDORSEMENTS (2)**

| # | Document       | Institution | Amount (R) | Microfilm / Scanned Date |
|---|----------------|-------------|------------|--------------------------|
| 1 | K1147/2005S    | -           | -          | 2006 015 4 :22:81        |
| 2 | FARM PL 1119/2 | -           | -          | 1985 006 0 :17:74        |

**HISTORIC DOCUMENTS (4)**

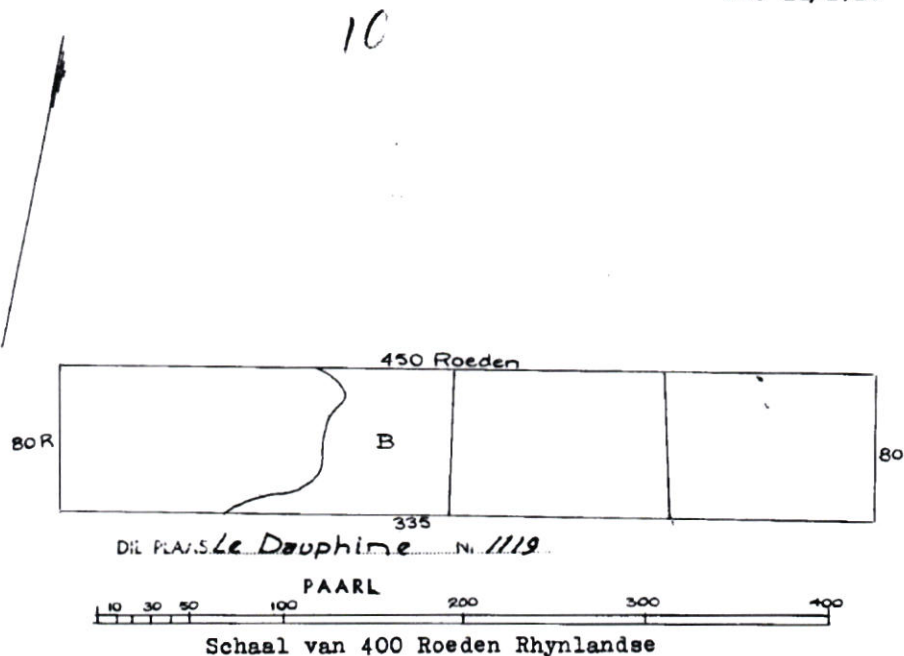
| # | Document    | Institution                     | Amount (R) | Microfilm / Scanned Date |
|---|-------------|---------------------------------|------------|--------------------------|
| 1 | T1017/1976  | MALHERBE SIMON PETRUS VAN BLERK | Unknown    | 1995 032 7 :02:75        |
| 2 | T21871/1995 | LA DAUPHINE TRUST               | 732 000    | -                        |
| 3 | T47301/2004 | VERUSKA BELBON FARMS PTY LTD    | 7 650 000  | -                        |
| 4 | T47301/2004 | VERUSKA BELBON FARMS C C        | 7 650 000  | -                        |

**DISCLAIMER**

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"G"

No. 11/1710

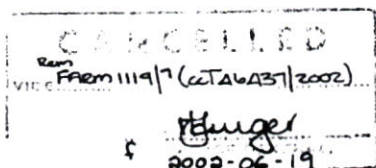


"le Dauphine"

Groot 60 Morgen netto gemeeten door  
Hendrig Barend Oldenland

Dit is door myn gecarteerd den 19 Aug 1710

(Get.) K.J.Slotsboo



Afskrif van kaart waarna verwyd word  
G/B O.S.F. 2<sup>o</sup> 12  
In... Nr...  
gedateer... 19-8-1710  
nrs Landmeter-Generaal.  
23-9-1966

Sht. BI-7CBC

yr. afrekkings  
ten keerey.

GR

1119



| DIE VOLGENDE AFTREKKINGEN VAN HIE DIE KAART GEDOEN. |           |                  |          |     |      |             |
|-----------------------------------------------------|-----------|------------------|----------|-----|------|-------------|
| Opmerking-<br>stukke.                               | Kaart no. | Ondervinding.    | Groette. |     |      | Akte.       |
|                                                     |           |                  | Mor.     | Vk. | R Vk |             |
|                                                     |           | Ged in pink only | 15       | 309 | 0    | 1822-2-191  |
|                                                     |           | " " geel         | 15       | 420 | 0    | 1857-13-161 |
|                                                     |           | " " groen        | 10       | 320 | 0    | 1857-23-383 |

Ptn. 1 16/1822 1406  
 Ptn. 2 806/1857  
 Ptn. 3 827/1857

"H"



survey partnership LAND SURVEYORS PA1128/2

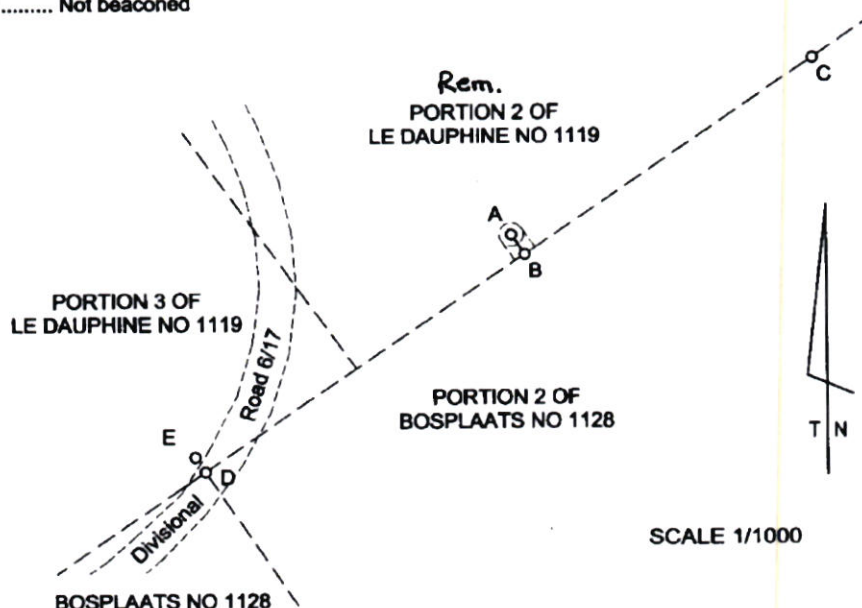
SERVITUDE DOM.

OFFICE COPY

| SIDES<br>Metres | ANGLES OF<br>DIRECTION | CO-ORDINATES   |             |  | S.G. No.                                                                     |
|-----------------|------------------------|----------------|-------------|--|------------------------------------------------------------------------------|
|                 |                        | Y System WG 19 | X           |  |                                                                              |
|                 | Constants              | ± 0,00         | +3700000,00 |  | 4873/2003                                                                    |
| AB 3,98         | 325.41.30              | A - 10929,52   | + 55986,76  |  | Approved<br><i>T. J. van der Merwe</i><br>for Surveyor-General<br>2003.11.14 |
|                 |                        | B - 10931,76   | + 55990,05  |  |                                                                              |
| Connections     |                        |                |             |  |                                                                              |
| BC 58,15        | 235.41.30              | C - 10979,80   | + 55957,27  |  |                                                                              |
| BD 64,46        | 55.41.30               | D - 10878,52   | + 56026,38  |  |                                                                              |
| DE 3,00         | 146.04.20              | E - 10876,85   | + 56023,89  |  |                                                                              |
| 3318/545        | BANGHK                 | Δ + 61,49      | + 55849,94  |  |                                                                              |
| 3319/272        | DUTKOP                 | Δ - 13868,02   | + 50664,68  |  |                                                                              |

BEACON DESCRIPTIONS :

- A ..... Borehole
- B, E ..... 20mm iron peg
- C ..... Iron dropper 0,3m underground
- D ..... Not beacons



The line A B represents the centre line of a 4m wide Pipeline and Powerline Servitude as shown and the point A represents the centre of a 2m radius Servitude Borehole as shown over

REMAINDER PORTION 2 of the farm LE DAUPHINE NO 1119

situate in the Stellenbosch Municipality

Administrative District Paarl

Surveyed in September 1999 and October 2003  
by me,

Province Western Cape

*G E BLOWS*

G E BLOWS

Professional Land Surveyor No 0921

This diagram is annexed to

No. *K1147/2005*  
dated  
i.f.o

The original diagram is

No.806/1857 annexed to  
Transfer

No. 1857.13.161

File No. Parl.1119

S.R. No E2275/1999;  
E 2213/2003

Comp. BI-7CAD (3895)  
LPI C0550000

SERVITUDE DOM.

4873/2003





"I"

**OFFICE OF THE REGIONAL LAND CLAIMS COMMISSIONER: WESTERN CAPE**

1<sup>st</sup> and 2<sup>nd</sup> floors, 14 Long Street, Cape Town, 8000 | Private Bag X9163, Cape Town, 8000  
Tel: (021) 409 0300 | Fax: (021) 418 0205

Your Ref: Kelliott  
Ref: 12/1/R  
Enquiries: Maroeda Johnson

19<sup>th</sup> June 2023

WERKSMANS Attorneys  
Po Box 1474  
Cape Town  
8000

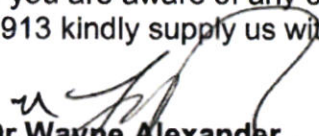
**LAND CLAIM ENQUIRIES: REMAINDER OF PORTION 2 OF THE FARM LA DAUPHINE NO. 1119 DIVISION PAARL**

Thank you for your letter dated 13<sup>th</sup> June 2023

We confirm that as at the date of this letter no land claims appear on our database in respect of **REMAINDER OF PORTION 2 OF THE FARM LA DAUPHINE NO. 1119 DIVISION PAARL**. This includes the database for claims lodged 31 December 1998 and those lodge between 1 July 2014 and 28 July 2016. Whilst the Commission takes reasonable care to ensure the accuracy of the information it provides, there are various factors that may be beyond the Commission's control, particularly relating to claims that have lodged but not yet been gazette.

- Some Claimants referred to properties they claim dispossession of rights in land against using historical property descriptions which may not match the current property description; and
- Some Claimants provided the geographic descriptions of the land they claim without mentioning the particular property they claim dispossession of rights in land against.
- The Commission can therefore not accept any liability whatsoever if through the process of further investigation of claims it is found that there is in fact a land claim in respect of the above property.

If you are aware of any change in the description of the above property after 19 June 1913 kindly supply us with such description as to enable us to do a further search.

  
**Dr Wayne Alexander**  
Chief Director: Restitution Support: RLCC (Western Cape)

