

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

Affected person's Name

Affected persons Physical Address

Affected person's Title:

Application Property Address	Dirkie Uys Street, Franschhoek
Application Property Number	Remainder Portion 1 Farm 1078, Division Paarl
Applicant	Emile van der Merwe Town Planning Consultants
Owner	Harmony Trust
Application Reference	TP1284/2025
Application Type	Rezoning and Subdivision

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

Application in terms of Section 15 of the Stellenbosch Municipality Land Use Planning By-Law on Farm 1078/1, Paarl Division for the following:

1. Rezoning in terms of Section 15 (2) (a) of the said By-Law from Agricultural and Rural Zone to Subdivisional Overlay Zone to accommodate the zonings of Conventional Residential Zone (6 portions) and Private Open Space (Remainder).
2. Subdivision in terms of Section 15 (2) (d) of the said By-Law of the farm into 7 portions, namely:
 - a. Portion 1078/17 = $\pm 6726\text{m}^2$ (Conventional Residential Zone)
 - b. Portion 1078/18 = $\pm 5000\text{m}^2$ (Conventional Residential Zone)
 - c. Portion 1078/19 = $\pm 1864\text{m}^2$ (Conventional Residential Zone)
 - d. Portion 1078/20 = $\pm 7230\text{m}^2$ (Conventional Residential Zone)
 - e. Portion 1078/21 = $\pm 14149^2$ (Conventional Residential Zone)
 - f. Portion 1078/22 = $\pm 6726\text{m}^2$ (Conventional Residential Zone)
 - g. Remainder Farm 1078/1 = $\pm 7501\text{m}^2$ (Private Open Space)
3. Registration of the following servitudes:
 - a. 5m right of way access and service servitudes, including a pumphouse
 - b. 2m wide water and sewerage servitudes
 - c. New Eskom and water line servitude

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

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

(Emile van der Merwe t/a Emile van der Merwe Town Planning Consultants (emilevdm@adept.co.za). By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date **of 20 October 2025.**

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 (Emile van der Merwe) for assistance at the e-mail address provided or telephonically at (0845566461/021-8865050) during normal office hours.

YOURS FAITHFULLY

**EMILE VAN DER MERWE
EMILE VAN DER MERWE TOWN PLANNING CONSULTANTS**

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

Naam van geaffekteerde persoon

Fisiese adres van geaffekteerde persoon

Titel van geaffekteerde persoon:

Adres van aansoek eiendom	Dirkie Uys Straat, Franschoek
Aansoek eiendom beskrywing	Restant Gedeelte 1 van Plaas 1078, Afdeling Paarl
Aansoeker	Emile van der Merwe Stadsbeplanningskonsultante
Eienaar	Harmony Trust
Aansoek Verwysing	TP1284/2025
Tipe Aansoek	Hersonering en Onderverdeling

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoek in terme van Artikel 15 van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning op Plaas 1078/1 Afdeling Paarl vir die volgende:

1. Hersonering in terme van Artikel 15 (2) (a) van genoemde Verordening vanaf Landbou/Landelike Sone na Onderverdelingsgebied ten einde die sonerings van Konvensionele Residensiële Sone en Privaat Oopruimte (6 gedeeltes) te akkommodeer.
2. Onderverdeling in terme van Artikel 15 (2) (d) van gendoemde Verordening in 7 Gedeeltes, naamlik :
 - a. Gedeelte 1078/17 = $\pm 6726\text{m}^2$ (Konvensionele Residensiële Sone)
 - b. Gedeelte 1078/18 = $\pm 5000\text{m}^2$ (Konvensionele Residensiële Sone)
 - c. Gedeelte 1078/19 = $\pm 1864\text{m}^2$ (Konvensionele Residensiële Sone)
 - d. Gedeelte 1078/20 = $\pm 7230\text{m}^2$ (Konvensionele Residensiële Sone)
 - e. Gedeelte 1078/21 = $\pm 14149^2$ (Konvensionele Residensiële Sone)
 - f. Gedeelte 1078/22 = $\pm 6726\text{m}^2$ (Konvensionele Residensiële Sone)
 - g. Restant Plaas 1078/1 = $\pm 7501\text{m}^2$ (Privaat Oop Ruimte)
3. Registrasie van die volgende servitute:
 - d. 5m wyd reg van weg toegang en dienste servitute insluitend 'n pomphuis
 - e. 2m wyd water en riool servitute
 - f. Nuwe Eskom en waterlyn servituut

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

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

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening. Skriftelike kommentaar, wat besonderhede ten opsigte van die verwysings nommer van de 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: **(Emile van der Merwe t/a Emile van der Merwe Town Planning Consultants (emilevdm@adept.co.za.)** Deur 'n beswaar, kommentaar of verhoë 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 **20 Oktober 2025**.

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

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

Die uwe

**EMILE VAN DER MERWE
EMILE VAN DER MERWE STADSBEPLANNINGS KONSULTANTE**

2025/07/16

My ref: Remainder Portion 1 of Farm 1078 Paarl

Stellenbosch Municipality

Department Planning and Development

PO Box 17

STELLENBOSCH

7599

For attention: Pedro April

Dear Sir

REMAINDER PORTION 1 OF FARM 1078 PAARL DIVISION: REZONING AND SUBDIVISION

Included hereby please find the required application in terms of the provisions of the Stellenbosch Municipal Land Use Planning By-Law. The application follows on the response received resulting from the Pre-Scrutiny application (refer to **Appendix 2**). In light hereof application is made for the following:

1. Application in terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law for the rezoning of the Remainder Portion 1 of Farm 1078 Paarl Division from Agricultural Rural Zone to Subdivision Overlay Zone to accommodate the zonings of Conventional Residential Zone and Remainder Private Open Space.
2. Application in terms of Section 15(2)(e) of the Stellenbosch Municipal Land Use Planning By-Law for the subdivision of Remainder Portion 1 of Farm 1078 Paarl Division into 6 Conventional Residential Erven and Remainder Private Open Space (Private Open Space and Private Road) as well as to allow for the registration of the private right of way and internal services servitudes.

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

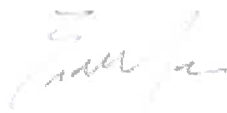
EvdM Town Planning Services CC Reg. No. 2005/162249/23
Emile van der Merwe URP(SA) B. Hon. M(URP) MSAPI

Included hereby please find the following:

Location Map	:	Appendix 1
Pre-Scrutiny feedback	:	Appendix 2
Title Deed	:	Appendix 3
Resolution and Power of Attorney	:	Appendix 4
SG Diagram	:	Appendix 5
Rezoning and subdivision approvals	:	Appendix 6
Zoning and subdivision plan	:	Appendix 7
Act 70 of 1970 exclusion	:	Appendix 8
Services Plan	:	Appendix 9
Completed application form	:	Appendix 10

Your assistance in this matter is appreciated.

Yours faithfully



EMILE VAN DER MERWE

EMILE VAN DER MERWE TOWN PLANNING CONSULTANTS

REMAINDER PORTION 1 OF FARM 1078, DIVISION PAARL

1. BRIEF

Emile van der Merwe Town Planning Consultants have been appointed by the registered owner of Remainder Portion 1 of Farm 1078, Division Paarl, to prepare and submit the required town planning application to the Stellenbosch Municipality for the following:

1. Application in terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law for the rezoning of the Remainder Portion 1 of Farm 1078 Paarl Division from Agricultural Rural Zone to Subdivision Overlay Zone to accommodate the zonings of Conventional Residential Zone and Remainder Private Open Space.
2. Application in terms of Section 15(2)(e) of the Stellenbosch Municipal Land Use Planning By-Law for the subdivision of Remainder Portion 1 of Farm 1078 Paarl Division into 6 Conventional Residential Erven and Remainder Private Open Space (Private Open Space and Private Road) as well as to allow for the registration of the private right of way and internal services servitudes.

2. LOCATION AND ACCESS – REFER TO APPENDIX 1 – LOCALITY PLAN

The property is located and abuts the north eastern residential extension area of Franschhoek. The property is on local level situated on the extension of Dirkie Uys Street north of Roux Street and to the immediate east of the Domain des Anges residential estate development. One central access to the farm is obtained from Dirkie Uys street.

LOCALITY PLAN



REMAINDER PORTION 1 OF FARM 1078, DIVISION PAARL

3. OWNERSHIP AND SIZE

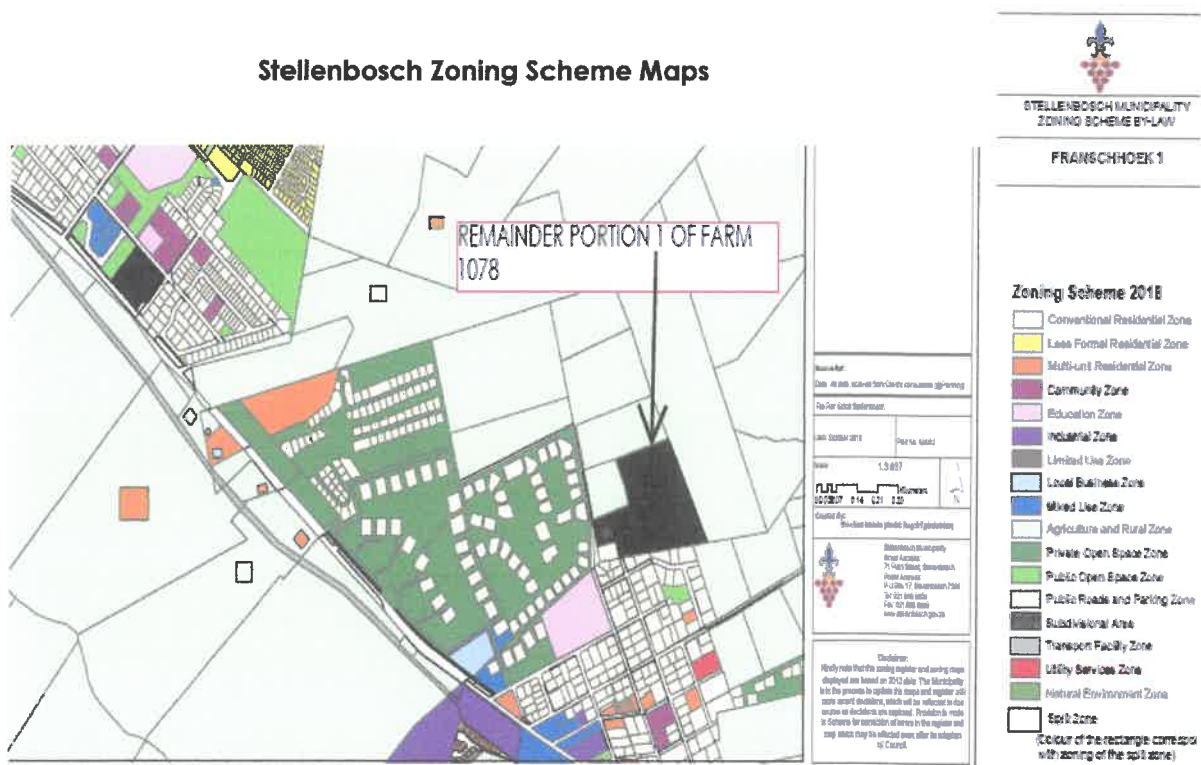
The property is owned by the Harmony Trust in accordance with the Title Deed attached as **Appendix 3**. The resolution and power of attorney is attached as **Appendix 3**. The Surveyor Diagram is attached as **Appendix 4**.

The Remainder Portion 1 of Farm 1078 is approximately 4,6 ha as a result of the previous subdivisions and registrations of Portions 12, 14, 15 and 16 of Farm 1078.

4. ZONING AND LAND USE

The property is deemed to be zoned subdivisional overlay zone as result of the rezoning and subdivision approvals granted during 2010, 2014 and 2019, respectively. The said approvals allowed for the subdivision and registration of four (4) Conventional Residential zoned erven and Remainder Agriculture. The approvals are attached as **Appendix 6**.

The zoning (subdivisional area) is also indicated and confirmed as per the Stellenbosch Zoning Scheme Maps (2023) documentation. See extract below.



REMAINDER PORTION 1 OF FARM 1078, DIVISION PAARL

5. DEVELOPMENT PROPOSAL – APPENDIX 8

The proposal entails the rezoning of the Remainder of the property from Agricultural Rural Zone to Subdivision Overlay Zone to accommodate the zonings of Conventional Residential Zone and Remainder Private Open Space and to allow for the subdivision into 6 Conventional Residential Erven and Remainder Private Open Space (Private Open Space and Private Road) and for the registration of the private right of way and internal services servitudes. The zoning and subdivisional plan is attached as **Appendix 8**. The extent of the existing and proposed new erven is shown on the table below.

Existing and proposed new erven

Portion Number	Zoning	Extent	Land use
Existing 12	CR	1,5570 ha	Existing Dwelling
Existing 14	CR	2171m ²	Existing Dwelling
Existing 15	CR	2761m ²	Existing dwelling
Existing 16	CR	1250m ²	Existing dwelling
New 17	CR	6726m ²	Existing dwelling
New 18	CR	5000m ²	
New 19	CR	1864m ²	
New 20	CR	7230m ²	
New 21	CR	1,415ham ²	Existing dwelling
New 22	CR	3783m ²	Existing dwelling
Remainder	PrOS	7501m ²	

Access to the proposed new residential erven will be provided over the existing right of way servitudes (**Appendix 5**). The subdivisional plan indicates the proposed new access and service servitudes. The existing single gated entrance will provide access to the proposed new erven. No new accesses are required.

Development parameters:

Building lines: As per the Stellenbosch Zoning Scheme Regulations

Height: **Single Storey** in lieu of double storey

Coverage: Existing erven (40% as per zoning scheme regulations)

New portions 17, 18 and 20 (1000m² coverage excluding garages)

New portion 19 (40% as per zoning scheme regulations)

REMAINDER PORTION 1 OF FARM 1078, DIVISION PAARL

Apart from the approved (4 residential erven – Numbered 12, 14, 15 and 16 below)) there are three (3) other residential dwelling units on the property. Private right of way and service servitudes have also been registered as per attached **Appendix 5**.

Land Use



In light of the above and previous approvals granted by the Municipality it is clear that the predominant use of the property over the years have changed from agricultural use to residential use.

An important factor confirming the agricultural classification of the property relates to the Consent that was granted in terms of Section 4 of the Subdivision of Agricultural Land Act, Act 70 of 1970 by the National Department of Agriculture, Land Reform and Rural Development on 2020-08-25. In terms of the said Consent the property is excluded from the provisions of the Act and it 5 allowed for the enlargement of the development area of the Municipality. The consent granted applies to the total extent of Remainder Farm 1078, Paarl Division (**Appendix 9**).

In terms of the endorsement on the SG Diagram (1031/1863) it is evident that the property, in terms of Section 1 (a) of the Subdivision of Agricultural Land Act, 1970 is no longer as considered/classified as agricultural land.

REMAINDER PORTION 1 OF FARM 1078, DIVISION PAARL

Second dwellings: Will not be permitted and imposed as title deed conditions with registration of new erven.

6. LEGISLATIVE AND POLICY CONTEXT

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

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

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

In terms of Section 7 of the Spatial Planning and Land Use Management Act, 2013 (SPLUMA) and Section 59 of the Western Cape Land Use Planning Act, 2014 (LUPA), land development applications must promote the core development principles. The proposal complies with these principles as follows:

Spatial Justice: The property in terms of the Act 70 of 1970 Consent Exclusion is no longer agricultural land and has been included in the urban area of the municipality.

Spatial Sustainability: The proposal aligns with the principle of spatial sustainability. The property is located within the urban edge and will form part of an existing residential estate.

Spatial Efficiency: The development promotes the optimum use of resources and of the existing services infrastructure.

Spatial Resilience: The proposal will not impact negatively on the capacity (fiscal, infrastructure and land) of the Municipality and it will not affect the functional operations of

REMAINDER PORTION 1 OF FARM 1078, DIVISION PAARL

the local authority. The property in terms of its location and surrounding spatial configuration therefore will not have a detrimental impact on spatial resilience.

Good Administration: The application process will be undertaken in accordance with the procedural requirements of the Municipality and other applicable legislation.

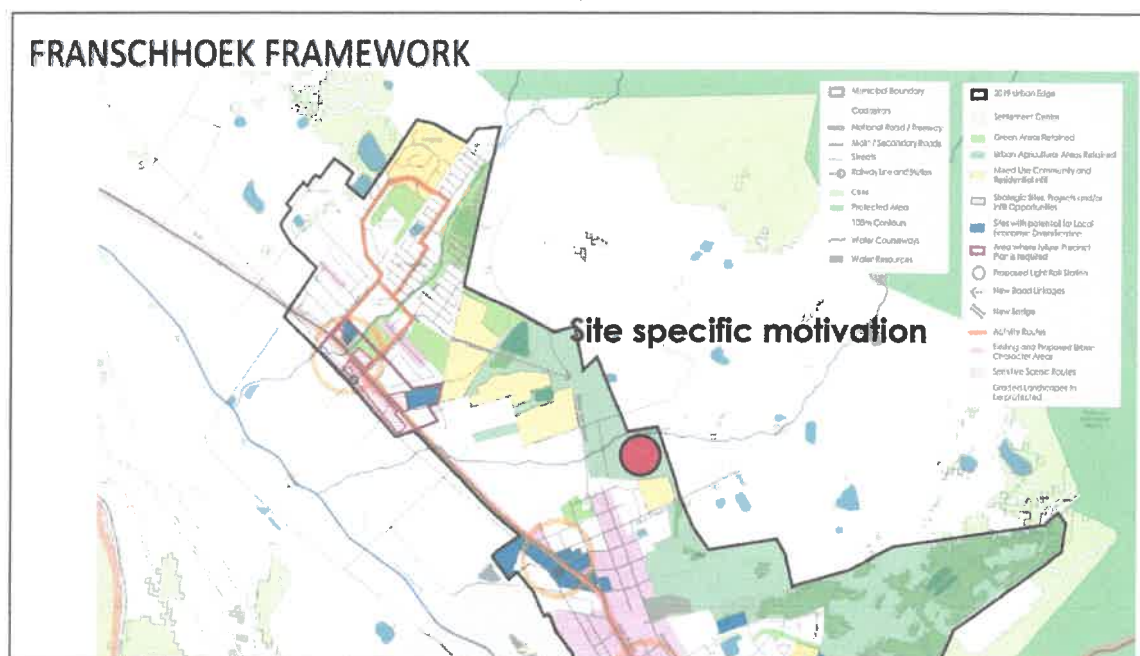
6.2 Stellenbosch Municipal Spatial Development Framework (SMSDF)

The Stellenbosch SDF has been approved by Council during November 2023 is founded on the principles of the Spatial Planning and Land Use Management Act and the Western Cape Land Use Planning Act as well other relevant legislation.

The Stellenbosch Municipality Spatial Development Framework (SSDF), approved by Council in 2023, identifies seven key principles for spatial development and management within the municipality, namely:

1. Maintain and grow natural assets;
2. Respect and grow our cultural heritage;
3. Direct growth to areas of lesser natural and cultural significance as well as movement opportunity;
4. Clarify and respect the different roles and functions of settlements;
5. Clarify and respect the roles and functions of different elements of movement structure;
6. Ensure balanced, sustainable communities;
7. Focus collective energy on critical lead projects;

Extract: Approved Stellenbosch Municipal Spatial Development Framework November 2023



REMAINDER PORTION 1 OF FARM 1078, DIVISION PAARL

In terms of the SDF, the property is located within an area and categorised as "Urban Agricultural Areas should be retained". This office is of the opinion that the said classification is not correct given the approved zoning rights and SALA consent whereby the municipal urban area was enlarged to accommodate Portion 1 of Farm 1078. Notwithstanding the above, the proposal warrants site specific motivation in terms of Section 22 of SPLUMA.

Site specific motivation for deviation from SDF.

- The property is located within the approved urban edge and abuts residential development to the immediate south and west
- The property is currently zoned as Subdivisional area and comprise 4 Residential Erven and three other residential dwellings.
- The subdivisional area zoning is reflected on the Stellenbosch Municipal Zoning Map.
- Access to the proposed new (6) erven will be obtained via existing single entrance position off Dirkie Uys Street.
- The 6 new erven will form part of an existing gated estate and will be incorporated in the Home Owners Association
- The approval will not set a precedent for similar developments given the Consent (exclusion) granted by the National Department of Agriculture Land Reform and Rural Development.
- The property in terms of the SALA consent and endorsement on the SG diagrams confirms the location thereof within the urban area of the Municipality.
- The said SALA consent differentiates the property and provides circumstances that do not apply for similar properties
- The proposal will not have any negative impact on biodiversity, ecological systems etc.
- The proposal will not lead to inefficient service delivery or unjustifiable extensions to the municipal reticulation network. The property is already serviced and the additional erven will not have a negative impact on the service level capacity of the municipality.
- The development will not impose any costs or risks to the municipality delivering on their mandate
- The development will not infringe on the scenic quality and rural landscape given the location and existing built environment (6 houses with road infrastructure that exists on the property).



REMAINDER PORTION 1 OF FARM 1078, DIVISION PAARL

- The density of the development will be in keeping with the urban/rural character of the area
- The proposal will not have an adverse effect on traffic volumes

7. SERVICES – APPENDIX 11

A services drawings prepared by BSI consulting Engineers are attached as **Appendix 10** depicting the new water and sewerage connections. The proposal can be accommodated within the existing level capacities of the Municipality.

8. CONCLUSION

The development proposal is considered desirable from a planning and land use management perspective with regard to the following:

- The property is located within the approved urban edge and abuts residential development to the immediate south and west
- The property is currently zoned as Subdivisional area and comprise 4 Residential Erven and three other residential dwellings.
- The subdivisional area zoning is reflected on the Stellenbosch Municipal Zoning Map.
- Access to the proposed new (6) erven will be obtained via existing single entrance position off Dirkie Uys Street.
- The approval will not set a precedent for similar developments given the Consent (exclusion) granted by the National Department of Agriculture Land Reform and Rural Development.
- The property in terms of the SALA consent and endorsement on the SG diagrams confirms the location thereof within the urban area of the Municipality.
- The said SALA consent differentiates the property and provides circumstances that do not apply for similar properties
- The proposal will not have any negative impact on biodiversity, ecological systems etc.
- The proposal will not lead to inefficient service delivery or unjustifiable extensions to the municipal reticulation network. The property is already serviced and the additional erven will not have a negative impact on the service level capacity of the municipality.

REMAINDER PORTION 1 OF FARM 1078, DIVISION PAARL

- The development will not impose any costs or risks to the municipality delivering on their mandate
- The development will not infringe on the scenic quality and rural landscape given the location and existing built environment (6 houses with road infrastructure that exists on the property).
- The development complies to and is consistent with the matters referred to in Section 42 of the Spatial Planning and Land Use Management Act (2013), the principles referred to in Chapter VI of the Land Use Management Act, (2014) and the provisions of the Stellenbosch Zoning Scheme By-Law (2019) and the Stellenbosch Municipal Land Use Planning By-Law (2015)

In light of the above report and supporting documentation it is trusted that the Stellenbosch Municipality favourably will consider the application for rezoning and subdivision of Remainder Portion 1 of Farm 1078 Division Paarl.

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APPENDIX 1
LOCATION PLAN

Farm 1078/1: Location Plan



Date created: 2025/05/22



APPENDIX 2
PRE SCRUTINY FEEDBACK

Emile

From: Pedro April <Pedro.April@ Stellenbosch.gov.za>
Sent: Monday, 14 July 2025 15:12
To: emilevdm@adept.co.za
Cc: 'Chris Thompson'; Chrizelle Kriel; Landuse Enquiries; Bulelwa Mdoda
Subject: RE: [EX] PRE SCRUTINY APPLICATION: REZONING AND SUBDIVISION - REMAINDER PORTION 1 OF FARM 1078 PAARL DIVISION

Dear Mr Van der Merwe

Our previous discussion and your preliminary discussions with our Spatial Planning Section in his regards, refers.

The application for the rezoning of Farm No 1078/1, Paarl Division to Subdivisional Area Overlay Zone, with subsequent subdivision into 6 Conventional Residential Zone portions and a Remainder Private Open Space (Private Road and Open Space) is deemed to be the correct corresponding applications and zoning categories for the intended uses, with the following addition;

- The subdivision for the registration of all the required new servitudes must also be included in your final corresponding application to the municipality to deal with all relevant applications simultaneously.



Yours faithfully

Pedro April
Senior Town Planner
Department:
Land Use Management
Directorate:
Planning & Economic Development
Stellenbosch Municipality
Departmental Email Addresses:
Landuse.enquiries@stellenbosch.gov.za
Landuse.applications@stellenbosch.gov.za
Landuse.appeals@stellenbosch.gov.za

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Stellenbosch, 7600
www.stellenbosch.gov.za



Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions published at the following link:
http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm

APPENDIX 3

TITLE DEED

F MARVINIC TRUST

And the appearer declared that his said principal had, on 29 January 2005, 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

**The Trustees for the time being of THE HARMONY TRUST
No. IT4182/2004**

her Heirs, Executors, Administrators or Assigns,

PORTION 1 OF THE FARM NO. 1078
SITUATE IN THE MUNICIPALITY OF STELLENBOSCH
DIVISION OF PAARL
WESTERN CAPE PROVINCE

IN EXTENT 6,8006 (SIX COMMA EIGHT NOUGHT NOUGHT SIX)
HECTARES

FIRST TRANSFERRED by Deed of Transfer No. T487 dated 30 December 1863
with diagram relating thereto and held by Deed of Transfer No. T23785/1995.

SUBJECT to the conditions referred to in Deeds of Transfer Nos. 97 dated 11
October 1887 and T6910 dated 25 November 1895

A handwritten signature or mark, possibly a stylized 'A' or 'V', located at the bottom center of the page.

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

The Trustees for the time being of MARVINIC TRUST
No. IT1872/1994

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

The Trustees for the time being of THE HARMONY TRUST
No. IT4182/2004

her Heirs, Executors, Administrators 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 R7 000 000,00 (SEVEN 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 2nd DECEMBER 2005

In my presence

REGISTRAR OF DEEDS

(Mabey)
q.q

✓

APPENDIX 4
RESOLUTION AND POWER OF ATTORNEY

TRUST RESOLUTION

**HARMONY TRUST
REG NO IT 4182/2004**

RESOLUTION:

It was resolved that:

Mr CHRIS THOMPSON in his capacity as Trustee be mandated to sign and act on behalf of the trust pertaining to the application for rezoning and subdivision of a portion of Portion 1 of Farm 1078 Paarl Division.

Date: 2025/07/16

A handwritten signature in cursive script that reads "Chris Thompson".

TRUSTEE

POWER OF ATTORNEY

HARMONY TRUST, the registered owner of Remainder Portion 1 of Farm 1078, Division Paarl

Do hereby nominate, constitute and appoint

Emile van der Merwe Town Planning Consultants

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

- ☐ Application in terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning By-Law for the rezoning of the Remainder Portion 1 of Farm 1078 Paarl Division from Agricultural Rural Zone to Subdivision Overlay Zone to accommodate the zonings of Conventional Residential Zone and Remainder Private Open Space.
- ☐ Application in terms of Section 15(2)(e) of the Stellenbosch Municipal Land Use Planning By-Law for the subdivision of Remainder Portion 1 of Farm 1078 Paarl Division into 6 Conventional Residential Erven and Remainder Private Open Space (Private Open Space and Private Road) as well as to allow for the registration of the private right of way and internal services servitudes.

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

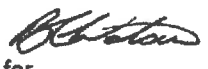
SIGNED AT STELLENBOSCH ON THIS 16TH DAY OF JULY 2025.



Chris Thompson
TRUSTEE

APPENDIX 5

SG DIAGRAMS

Sides metres		Angles of Direction	Co-ordinates Y System WG19 X			S.G.No 1494/2022 Approved  for Surveyor General Date: 05-08-2022
		Constant:		+0,00	+3700000,00	
AB	5,32	302 46 30	A	- 10 840,31	+ 52 702,27	Sheet 1 of 2 sheets
BC	35,50	338 44 50	B	- 10 844,78	+ 52 705,15	
CD	59,60	344 35 30	C	- 10 857,65	+ 52 738,24	
DE	7,00	81 57 00	D	- 10 873,49	+ 52 795,70	
EF	57,99	164 34 10	E	- 10 866,56	+ 52 796,68	
FG	35,50	158 44 50	F	- 10 851,13	+ 52 740,78	
GA	5,79	200 42 20	G	- 10 838,26	+ 52 707,69	
HJ	15,07	282 19 10	H	- 10 752,39	+ 52 742,83	
JK	6,22	27 40 40	J	- 10 767,11	+ 52 746,05	
KL	12,13	102 19 10	K	- 10 764,22	+ 52 751,56	
LH	6,14	180 10 40	L	- 10 752,37	+ 52 748,97	
MN	54,48	163 13 50	M	- 10 813,52	+ 52 815,22	
			N	- 10 797,80	+ 52 763,05	
PQ	22,76	165 27 10	P	- 10 790,00	+ 52 735,68	
			Q	- 10 784,28	+ 52 713,64	
<u>Connections</u>						
JS	3,75	207 41 00				
KT	4,58	27 41 00	T	- 10 762,09	+ 52 755,61	
MV	2,16	81 55 30	V	- 10 811,38	+ 52 815,52	
NU	13,59	255 30 00	U	- 10 810,96	+ 52 759,65	
PS	22,29	71 34 30	S	- 10 768,85	+ 52 742,72	
QR	29,76	63 06 30	R	- 10 757,74	+ 52 727,10	
		(272) Du Toitskop	△	- 13 868,02	+ 50 664,68	
		(49) Middenberg	△	- 6 818,33	+ 53 264,23	

Servitude Notes

1. The figure A B C D E F G represents a
Servitude Right of Way Area, in extent 671 square metres, as shown
2. The lines M N and P Q represent the centre line of a
Servitude for water and Sewerage, 2.00 metres wide, as shown
3. The figure H J K L represents a
Servitude Right of Way Area, in extent 82 square metres, as shown

Servitudes over the Remainder of Portion 1 of Farm No. 1078

Situate in the Municipality of Stellenbosch
Administrative District Paarl
Province Western Cape

Surveyed in June 2021 to June 2022

By me



RD Duncan (PLS 0893)
Pr. Land Surveyor

This Diagram is annexed to

No.

Dated:

i.f.o

Registrar of Deeds

The original Diagram is:

S.G.No. 1301/1863

annexed to Transfer

No. 1863-62-487

File Parl.1078 V2

S.R. 910/2022

Comp. BI-7CA/X52 (1600)

LPI C0550000

Serv. Dgm. 1494/2022

EXEMPT FROM PROVISIONS OF ACT
70 OF 1970

SECTION 1(a)

Exempt i.t.o. Section 24
of Municipal Land Use Planning Bylaw
Ref: Farm 1078/1, Paarl
Date: 03-05-2022

S.G.No
1494/2022
Approved

[Signature]

for Surveyor General

Date: 05 - 08 - 2022

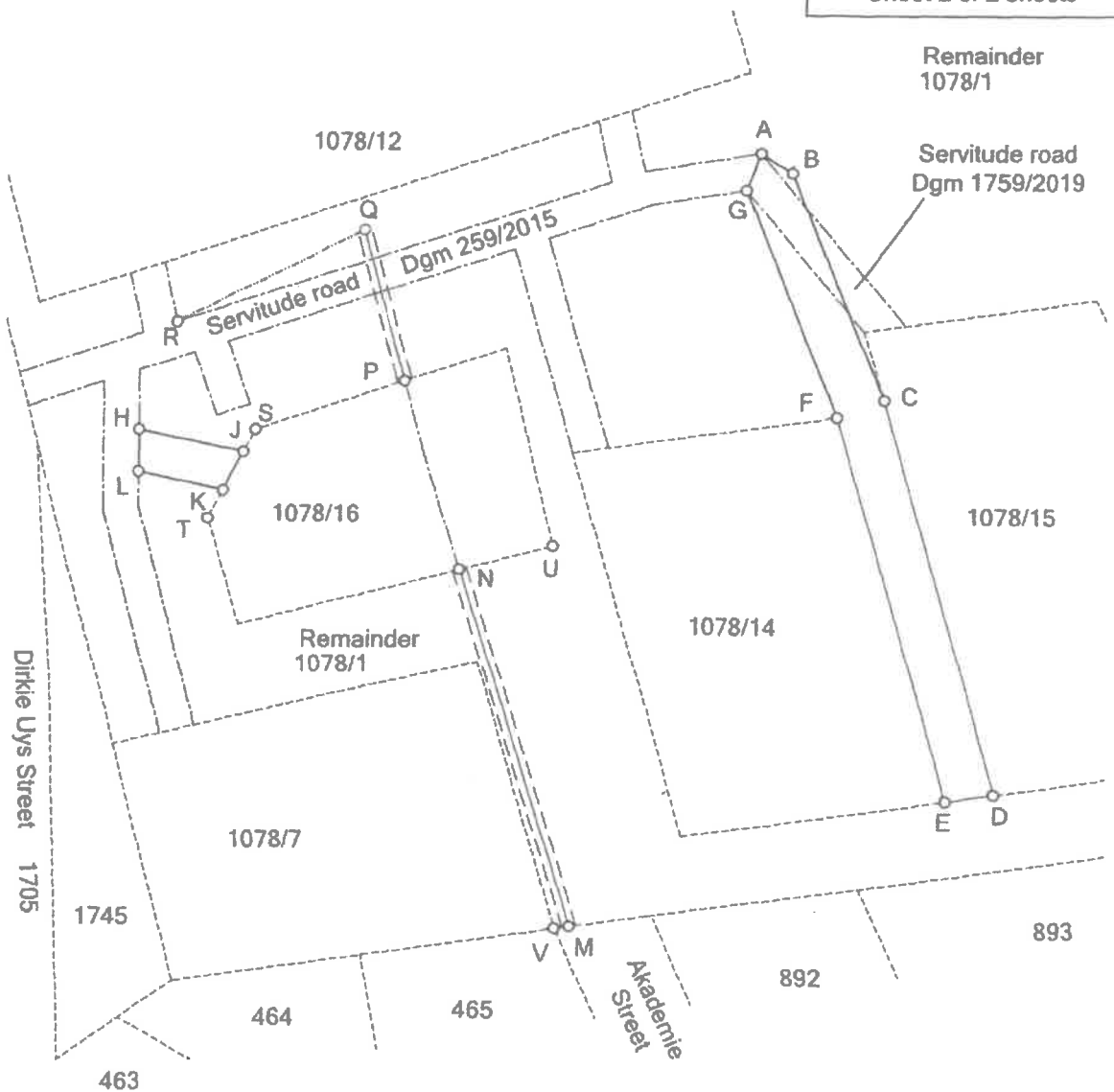
Sheet 2 of 2 sheets

Beacon Descriptions

V, R - not beacons
E - 20mm iron peg
F, S, U, T - 16mm iron peg
Q - centre of manhole cover
all others are 12mm iron pegs

T N

Scale 1:1000



Servitudes over the Remainder of Portion 1 of Farm No. 1078

Situate in the Municipality of Stellenbosch
Administrative District Paarl
Province Western Cape

Surveyed in June 2021 to June 2022
By me

[Signature]

RD Duncan (PLS 0893)
Pr. Land Surveyor

SIDES		ANGLES	
ab	57.05	a	92°31'10"
bc	83.6	b	95°55'00"
cd	70.15	c	72°26'30"
da	69.066	d	99°07'20"

Portion 1
of the farm 1078
PAARL

The annexed diagram bordered green represents a piece of ground in extent 7 morgen 563 Square Roods & 123 do. Feet, situated at Franchhoek division of the Paarl, Being there part of that portion of the place "La terra de Luc" transferred on the 20th April 1859 to Carel Johannes van der Merwe (W.A. Son).

Bounded North by Remainder,
South by the Place La Cotte,
East by the land of W.A. van der Merwe &
West by part of La terra de Luc sold to H.L. Pepler.

Surveyed and Divided Octbr 1862 by me
(Sgd.) G.vd B. Aling
Sw. Surveyor

Note:
The present an future proprietors of this land described shall be entitled to one twelfth share in the commonage Marked ABCD measuring 110 Morgen & 513 Sq. Rds.
(Sgd.) G.vd B. Aling

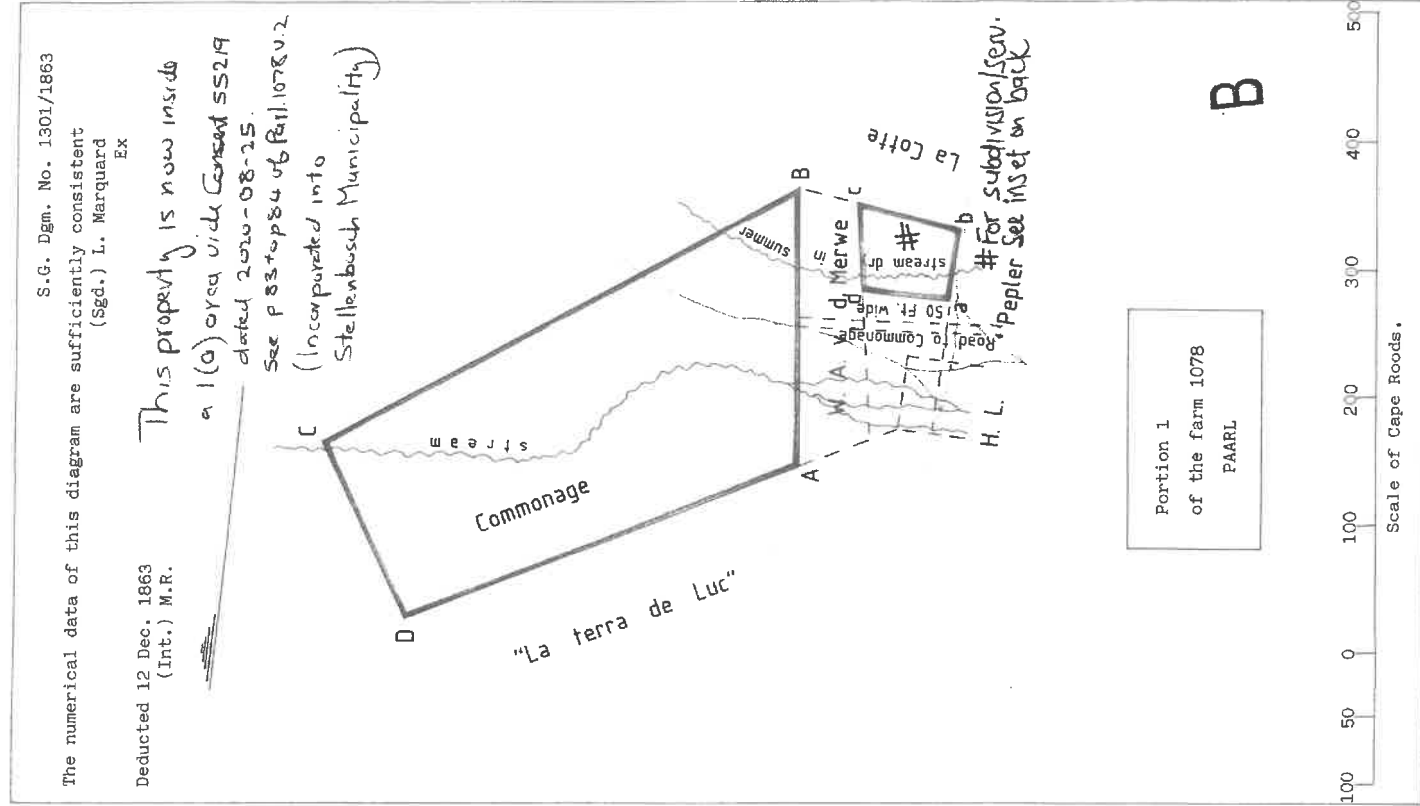
Copied from diagram relating to
D/T 1863 - 62 - 487

WTF

for Surveyor-General
Date: 1913.04.30

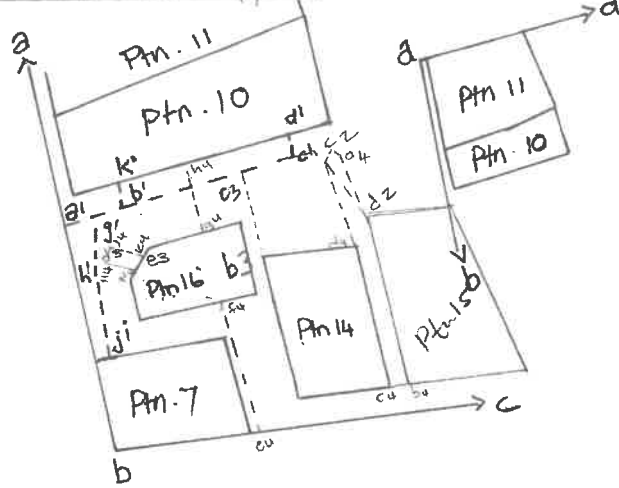
BI-7CAB (3894)
BI-7CA (1600)

CK



Inset: Scale 1/500

Not to Scale:



THE FOLLOWING DEDUCTIONS HAVE BEEN MADE FROM THIS DIAGRAM					
SURVEY RECORD	DIAGRAM NO.	SUBDIVISION	AREA m ²	TRANSFER NO.	INITIALED
E1993/10	4501/10	Ptn. 3		Withdrawn	
"	4502/10	" 4		Withdrawn	
"	4503/10	" 5		Withdrawn	
"	4504/10	" 6	1257 m ²	Withdrawn	
"	4505/10	" 7	2031 m ²	Withdrawn	
E114/13	257/13	Ptn. 8		WITHDRAWN	
E114/13	258/13	Ptn. 9		WITHDRAWN	
E114/13	357/204	Ptn. 10	4010 m ²		6,070 m ²
E633/15	1264/15	Ptn. 11	7547 m ²		
E114/13	1708/2019	Ptn. 14	2171 m ²	46315/2021	NA
"	1709/2019	Ptn. 15	2761 m ²		
E114/13	1708/2021	Ptn. 16	1280 m ²	19972/2022	NA

SERVITUDES/LEASEHOLD AREAS				
SURVEY RECORD	DIAGRAM NO.	DESCRIPTION	DEED	INITIALED
E1993/10	4500/10	The lines a'd' represents the north-western boundary b'd', c'm', d'e', f'g' represents the north-eastern boundary h'j' represents the western boundary and j'k' represents the south-western boundary of a servitude right of way, 5m wide.	Withdrawn	
E114/13	259/13	The line a'b' represents the north-western boundary b'c' represents the north-eastern boundary c'd' represents the western boundary and d'e' represents the south-western boundary of a servitude right of way 5m wide.	Withdrawn	NA
E114/13	1758/2019	The line b'c' represents the western boundary of a servitude right of way, 5m wide.	46315/2021	NA
"	1709/2019	The line d'a' c'a' & c'a' represents the south-western & southern boundary respectively of a serv. r.o. w. 5m wide.		

SERVITUDES/LEASEHOLD AREAS				
SURVEY RECORD	DIAGRAM NO.	DESCRIPTION	DEED	INITIALED
E1993/10	4495/2021	The figure a'b'c'd'e'f'g'h'j'k' represents the north-western boundary b'c' represents the north-eastern boundary c'd' represents the western boundary and d'e' represents the south-western boundary of a servitude right of way 5m wide.		
"	1709/2022	The figure a'b'c'd'e'f'g'h'j'k' represents the north-western boundary b'c' represents the north-eastern boundary c'd' represents the western boundary and d'e' represents the south-western boundary of a servitude right of way 5m wide.		

APPENDIX 6

PREVIOUS APPROVALS



STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Navrae / Enquiries
U verwysing / Your ref.
Ons verwysing / Our Ref.
Application No
Datum / Date
Telefoon / Telephone
Faks / Fax

R Fooy / U Von Molendorff
-
Farm 1078/1, Paarl
LU/467
2010-11-01
021-808 8680 / 8690
021-808 8651

REGISTERED MAIL

Emile Van Der Merwe Town Planning
PO Box 204
Stellenbosch
7599

Sir

APPLICATION FOR REZONING AND SUBDIVISION ON PORTION 1 OF FARM 1078, PAARL

Your application in the above regard, refers.

The Director: Planning and Development Services at a recent meeting resolved as follows:

1. That **approval be granted** in terms of Section 16 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), for the **Rezoning** of Portions 1-5 from **Agricultural Zone I to sub-divisional area for Residential Zone I** purposes, attached as **Appendix C** of the attached Council report, dated 02-02-2010, subject to conditions contained in **Appendix A**.
2. That **approval be granted** in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), for the **Subdivision** of Portion 1 of Farm 1078, Franschoek into five portions and a remainder, Portion 1-4 ($\pm 1300\text{m}^2$ to $\pm 1400\text{m}^2$), Portion 5 ($\pm 2029\text{m}^2$) and Remainder ($\pm 60600\text{m}^2$), attached as **Appendix C** of the attached Council report, dated 02-02-2010, subject to conditions contained in **Appendix A**.

In terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000, you may appeal to the Municipal Manager against the above Council decision (including any conditions imposed in case of approval) by giving written notice of such appeal, in which case you may upon request be given the opportunity to appear in person before the Appeal authority to state your case. A detailed motivated appeal with reasons therefore (and not only the intention to appeal), clearly stating in terms of which legislation it is made, as well as payment of the appeal fee to the amount of R311,00, should be directed to and received by the Municipal Manager, Stellenbosch Municipality, P O Box 17, Stellenbosch, 7599, or if hand delivered, to Town Planning, ground floor, municipal building, Plein Street, Stellenbosch, within 21 days of the date of registration at the Post office of this notification letter (with such registration day not included in the appeal period), provided where the last day for lodging an appeal falls either on a Sunday or public holiday, it shall be deemed to be the next working day thereafter.

Please note, appellants are not permitted to canvass the Municipal Manager or members of Council's Appeals Committee before or after the matter is heard. Should no appeal be received within such appeal period, or upon conclusion of this appeal process, you (as well as

any objectors, if any) will be advised of a further right of appeal in terms of Section 44 of Land Use Planning Ordinance, No 15 of 1985 in due course.

Kindly note the above Council decision is suspended and may therefore not be acted on until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully



for **DIRECTOR: PLANNING AND DEVELOPMENT SERVICES**

Annex C

CLIENT: LIAISONWITJUS
PROJECT: LA RIVIERE TRANQUILLITE
PORTION 1 FARM 1070
FRANCOISLOK

Scale: Page: Date:



STELLENBOSCH MUNICIPALITY

LAND USE MANAGEMENT

THIS SUBDIVISION HAS BEEN APPROVED IN TERMS OF SECTION 25 OF ORDINANCE 15 OF 1995, SUBJECT TO THE CONDITIONS AS PER ANNEXURE

PORTION 2 OF FARM 1076

24/11/10
DATE

DIRECTOR: PLANNING & ENVIRONMENT



3.1



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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

INNOVATION CAPITAL • ISIXEKO ESIZA NENGUQU • INNOVASIESTAD

Enquiries	S Zangqa / J Stassen
Our ref	Portion 1 of Farm No 1078, Paarl
Application No	LU/3578
Date	2015-03-18
Telephone	021-808 8667 / 8660
Fax	021-886 6899

REGISTERED MAIL

Emile van der Merwe Town Planning
P O Box 204
STELLENBOSCH
7599

Sir / Madam

APPLICATION FOR SUBDIVISION, CONSOLIDATION AND REZONING: PORTION 1 OF FARM NO 1078, PAARL DIVISION

Your application in the above regard, refers.

The Director : Planning and Economic Development at a recent meeting resolved as follows :

That approval be granted for:

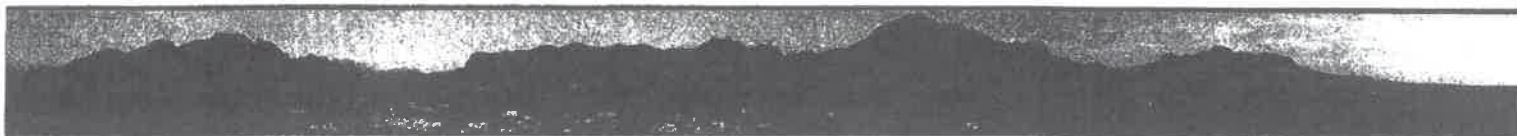
- i) The **subdivision** of Farm 1078/1, Paarl Division into 2 portions, namely Portion 11 which is 7547m² in extent and the Remainder Portion 1 of Farm 1078 in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985). Portion 11 will be **consolidated** with unregistered Portion 10, Paarl Division in order to form one residential unit measuring 1.557ha in extent;
- ii) The **rezoning** of unregistered Portion 11 measuring 7457m² in extent on Farm 1078/1, Paarl Division from Agricultural Zone I to Residential Zone I in terms of Section 16 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985); as indicated on **APPENDIX 3**.

As indicated on **APPENDIX 3**, subject to the conditions as per attached **ANNEXURE 1**.

Kindly note that this **rezoning** approval will lapse unless all conditions of approval have been complied with and the property is utilised in accordance with the rezoning hereby granted within 2 years of the date of Council's final notification letter, which is to follow in due course. Should it be required, any application for extension of validity of the rezoning approval should be lodged well in advance of lapsing of this approval.

Kindly note that this **subdivision** approval will lapse unless all conditions of approval have been complied with and separate registration of at least one erf therein is effected in the Deeds Registry within 5 years of Council's final notification letter, which is to follow in due course. Should it be required, any application for extension of validity of the subdivision approval should be lodged well in advance of lapsing of this approval.

Kindly note that the above approval does not guarantee approval of any related building plan application in terms of the National Building Regulations and Building Standards Act, No 103 of 1977 and that building work may therefore only commence once such plans are formally passed.



Tel: +27 21 808 8025 | Fax: +27 21 886 6749

Physical Address: Plein Street, Stellenbosch, 7600 | Postal Address: PO Box 17, Stellenbosch, 7599 | Website: www.stellenbosch.gov.za

Kindly also note, you are advised in terms of Section 5 of the Promotion of Administrative Justice Act, No 3 of 2000 that you are entitled to request in writing reasons for the above decision.

Kindly be advised that you may appeal to the Municipal Manager against the above Council decision (including any conditions imposed in case of approval) by giving written notice of such appeal in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000 ("MSA"), and/or the internal appeal process approved by Council at its meeting held on 29 October 2014. In terms of the aforesaid Council decision, an applicant or objector aggrieved by a decision of Council in respect of an application in terms of the Ordinance, Zoning Scheme Regulations or applicable By-Law, may appeal against such decision to the Municipal Manager, by giving written notice of such appeal.

A detailed motivated appeal with reasons therefore (and not only the intention to appeal), clearly stating in terms of which legislation it is made, as well as payment of the appeal fee to the amount of R 737,00, should be directed to and received by the Municipal Manager, Stellenbosch Municipality, P O Box 17, Stellenbosch, 7599, or if hand delivered, to the Advice office, Land Use Management, Ground floor, municipal building, Plein Street, Stellenbosch, or faxed to fax number 021 886 6899 within 21 days of the date of registration at the Post Office of this notification letter (with such registration day not included in the appeal period), provided where the last day for lodging an appeal falls either on a Saturday, Sunday or public holiday, it shall be deemed to be the next working day thereafter. Where this letter is collected by hand, the above appeal period will be similarly calculated from the next day after collection. Failure to comply with the above requirements may result in the appeal being ruled invalid by the Appeal Authority. **Kindly be advised that no appeal will be accepted via email.**

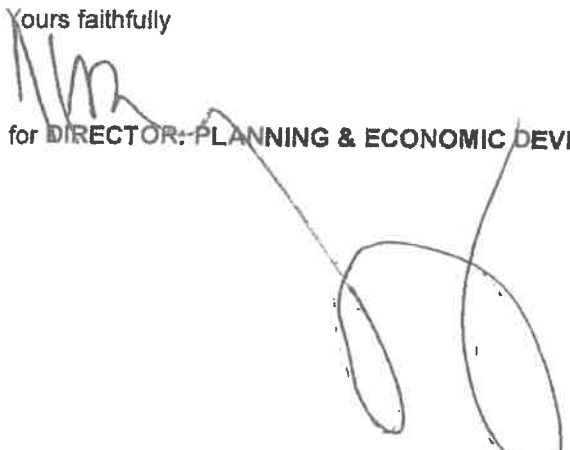
Notwithstanding the above, kindly note, you are not permitted to submit a revised proposal as part of such an appeal. Should this be the case, your submission will not be regarded as an appeal, but rather a new application which should be submitted in the normal manner, as only the above decision can be appealed at this stage.

Kindly be advised that objectors (if any) are granted a simultaneous right of appeal in terms of the internal appeal process approved by Council at its meeting held on 29 October 2014. Please note, appellants are not permitted to canvass the Municipal Manager or members of Council before or after the matter is heard.

Important note: Rights of appeal in terms of Section 44(1)(a), (b), (c) or (d) of the Land Use Planning Ordinance, No 15 of 1985 no longer exist, as such an appeal to the Minister of Local Government, Environmental Affairs and Development Planning, Western Cape has been declared unconstitutional by the Constitutional Court in its unanimous judgment* on 4 April 2014, as such matters fall within the exclusive functions of a municipality in terms of the Constitution.

Kindly note the above Council decision is suspended and may therefore not be acted on until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully


for DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT

* In Minister of Local Government, Environmental Affairs and Development Planning, Western Cape v The Habitat Council and Others; Minister of Local Government, Environmental Affairs and Development Planning, Western Cape v City of Cape Town and Others [2014] ZACC 9 (Case No. CC117/13).



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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Department: Planning and Economic Development

Department: Beplanning en Ekonomiese Ontwikkeling

ANNEXURE 1 FILE NO: PL 1078/1 P.

In this approval document:

"Council" means the Stellenbosch Municipality.

"the owner" means the registered owner of the property.

"the site" means FARM 1078/1, PAARL DIVISION.

"scheme regulation" has the meaning assigned thereto by the Land Use Planning Ordinance (15 of 1985).

- i) **EXTENT OF APPROVAL:**
- i) The subdivision of Farm 1078/1, Paarl Division into 2 portions, namely Portion 11 which is 7547m² in extent and the Remainder Portion 1 of Farm 1078 in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985). Portion 11 will be consolidated with the unregistered Portion 10, Paarl Division in order to form one residential unit measuring 1.557ha in extent;
 - ii) The rezoning of Portion 11 measuring 7457m² in extent on Farm 1078/1, Paarl Division from Agricultural Zone 1 to Residential Zone I in terms of Section 16 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);

as indicated on **APPENDIX 3.**

VALIDITY OF APPROVAL: That the approval for the subdivision shall lapse if not exercised within 5 years and the rezoning within 2 years from date of final notification.

CONDITIONS IMPOSED IN TERMS OF SECTION 42(1) OF THE LAND USE PLANNING ORDINANCE NO 15 OF 1985:

1. That the approval applies only to the subdivision and rezoning as indicated on **APPENDIX 3** and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
2. That erf diagrams or general plans of the newly created units are submitted to this Council for clearance and record purposes;
3. That a consolidation diagram be submitted to this Council for record purposes;
4. That the conditions of approval from the Director: Engineering Services as indicated in **APPENDIX 4** at all times be adhered to;
5. That this Council reserves the right to impose further conditions if deemed necessary.



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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

Department: Planning and Economic Development

Department: Beplanning en Ekonomiese Ontwikkeling

APPLICATION FOR REZONING, SUBDIVISION AND CONSOLIDATION:
FARM 1078/1, PAARL DIVISION.

COMPILED BY:

C. Charles
SENIOR TOWN PLANNER

25/02/2015
Date

RECOMMENDED BY:

H. Dednam
MANAGER: LAND USE MANAGEMENT

5/03/2015
Date

THE DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT HEREBY APPROVES THE
ABOVE RECOMMENDATION UNDER DELEGATED AUTHORITY:

D. Lombaard
DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT

09/08/2015
Date

ANNEXURE A

APPENDIX 2

LOCALITY PLAN



KEY

The Site: 

STELLENBOSCH MUNICIPALITY

LAND USE MANAGEMENT

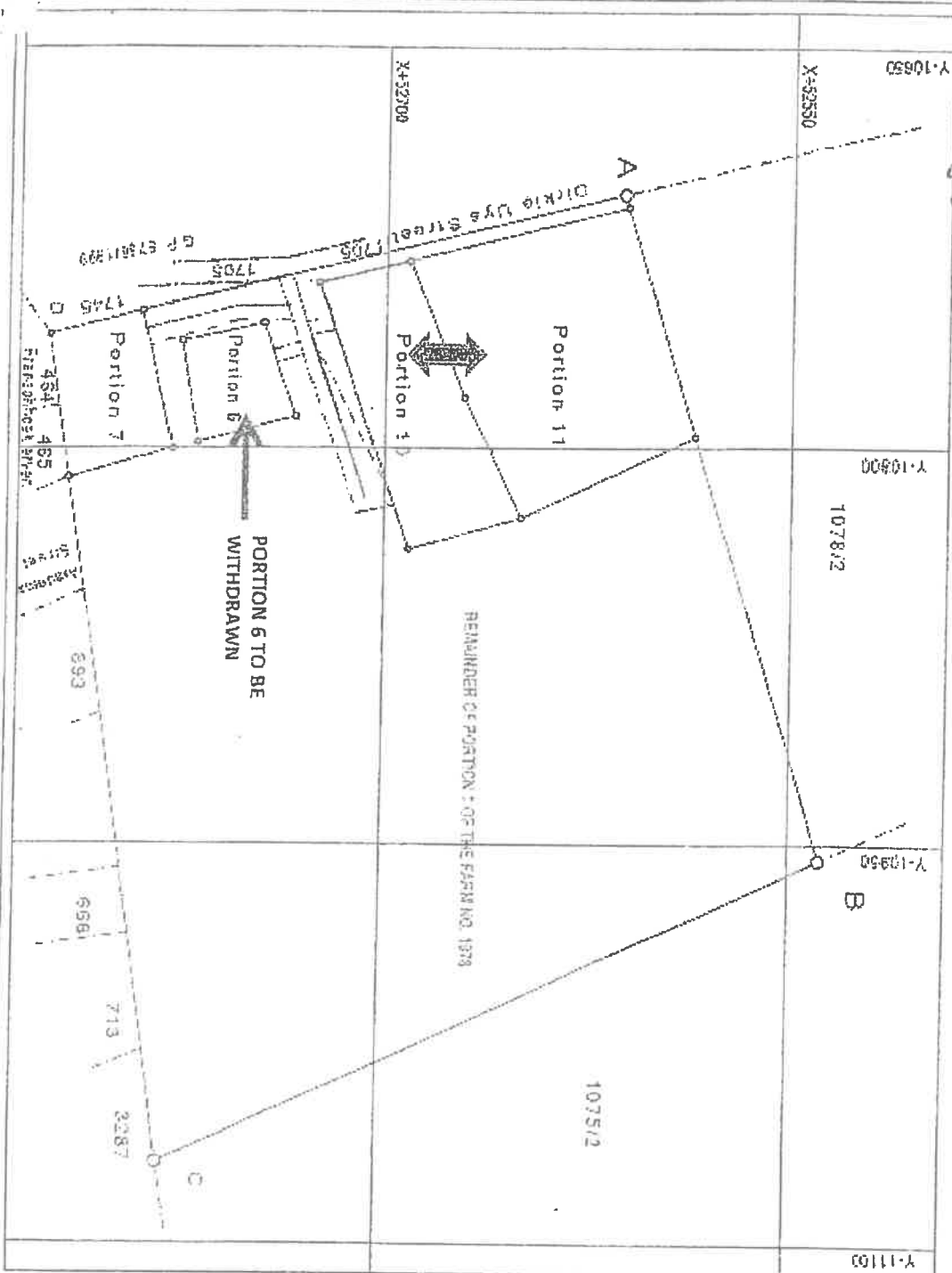
THIS SUBDIVISION HAS BEEN APPROVED IN TERMS OF SECTION 25 OF ORDINANCE 15 OF 1985, SUBJECT TO THE CONDITIONS AS PER ANNEXURE

DIRECTOR: PLANNING & ENVIRONMENT

2-13/15
DATE

PORTION 1 OF THE FARM NO. 1078 : PAARL
SITUATED IN THE MUNICIPALITY OF STELLENBOSCH
ADMINISTRATIVE DISTRICT PAARL PROVINCE WESTERN CAPE

SUBDIVISIONAL PLAN 1



NOTES:

REZONING OF PORTION 11 FROM AGRICULTURAL ZONE 1 TO RESIDENTIAL ZONE 1

SUBDIVISION OF PORTION 11 (7547M²) FOR CONSOLIDATION WITH PORTION 10 TO FORM ONE (1) RESIDENTIAL UNIT MEASURING 1,1557 HA IN EXTENT

WITHDRAWAL OF PORTION 6 - AREA TO REMAIN AGRICULTURE ZONE 1

TOTAL NUMBER OF UNITS /ERVEN= 2

SCALE 1: 1 500

Drawn by: ms m April 2014

M. Loubaer (21/04/2014)

Land Surveyor

Appendix



STELLENBOSCH MUNICIPALITY

STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INGENIEURSDIENSTE
DIRECTORATE: ENGINEERING SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag	Ms. J Stassen
From ▫ Van:	JJ. Fourie (Development Services)
Date ▫ Datum:	26/11/2014
Our Ref ▫ Ons Verw:	Lupo 833
Re ▫ Insake:	Farm 1078/1 Paarl: Application for a rezoning and a subdivision

The application for the rezoning of a portion of Portion 1 of Farm 1078 from Agricultural Zone 1 to Residential Zone 1 as well as a subdivision refers.

Comments from the Directorate Engineering Services i.e Roads + Stormwater, Water Services, Traffic Engineering and Development Services will be reflected in this memo.

1. The application for the rezoning of a portion of Portion 1 of Farm 1078 Paarl from Agricultural Zone1 to Residential Zone1 is recommended for approval.
2. The application for the subdivision of a portion of Portion 1 of Farm 1078 into two portions as well as a consolidation with portion 11 is recommended for approval.

The following conditions will be applicable to the subdivided and rezoned erven namely:

- a) Bulk Infrastructure Contribution Levies (BICL's) are payable before any building plans will be approved. BICL's will be calculated on request.

b) Water Supply

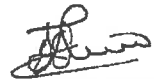
A technical report has to be submitted drawn up by a registered professional person indicating the water connection and distribution of the water to the subdivided erven.

c) Waste Water and Sewage

A technical report has to be submitted for approval before any building plans will be approved. The report should indicate the route of the sewer and where it will be connected to the Municipal Main Sewer.

d) Roads

- d.1.) The proposed internal gravel roads will only be acceptable when the Home Owners Association takes responsibility for the maintenance.
- d.2.) In future the Road Reserve of Dirkie Uys Street will be widened to a 13,00m width. The owner has to take this into consideration when planning the services to the properties.
- d.3.) The first 10m of the Private Road has to be constructed with a solid wearing coarse to prevent gravel and stormwater entering Dirkie Uys Street from the development.



JJ. FOURIE

HEAD: DEVELOPMENT SERVICES (ENGINEERING SERVICES)



STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/13728
Our Reference Number: Farm 1078/1, Paarl.
Your Reference Number:
Enquiries: R P Fooy
Date: 3 May 2022

REGISTERED MAIL

Emile van der Merwe Town Planning
P O BOX 17
Stellenbosch
7599

Dear Sir/ Ma'am

EXEMPTION CERTIFICATE IN TERMS OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW

Details of the proposal:

The registration of a 6m and 7m wide private right of way servitude over the remainder Portion 1 Farm 1078 and the registration of a 2m wide water and sewage servitude over the remainder Portion 1 of Farm 1078 and Portion 16 of Farm 1078, Paarl Division, as illustrated on drawing no. 1078/1-PAARL-2022-1 and 1078/1-PAARL-2022-2, attached as **Annexure A** of this letter.

It is herewith certified that the above servitudes are exempted in terms of Sections 15, and Sections 20 to 23 as contemplated in terms of Section 24 (1)(g) of the Stellenbosch Municipal Land Use Planning By-Law (2015) as illustrated on drawing no. 1078/1-PAARL-2022-1 and 1078/1-PAARL-2022-2, attached as **Annexure A** of this letter.

Attached please find the relevant diagrams duly endorsed.

Yours faithfully

FOR DIRECTOR PLANNING & ECONOMIC DEVELOPMENT

Page 1 of 2



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Our Reference Number: Farm 1078/1, Paarl Division

Application Number: LU/6464

Your Reference Number:

Enquiries: P Molele / U Von Molendorff

Contact No. 021 808 8951 / 8682

Email: Pheeha.Molele@stellenbosch.gov.za / Ulrich.Vonmolendorff@stellenbosch.gov.za

Date: 4 March 2019

REGISTERED MAIL

Emile Van Der Merwe Town Planning
PO Box 204
STELLENBOSCH
7599

Sir

APPLICATION FOR SUBDIVISION AND REZONING: PORTION 1 OF FARM NO. 1078, PAARL DIVISION

1. The application in the above regard, refers.
2. The Authorised Employee, on 27 February 2019, **approved in whole**, in terms of Section 60 of the Stellenbosch Municipal Land Use Planning By-law, promulgated by Notice no 354/2015 dated 20 October 2015, the following applications for:
 - (i) **Subdivision** of Portion 1 of Farm No.1078, Paarl Division into Portion A ($\pm 2000\text{m}^2$) and Portion B ($\pm 2950\text{m}^2$); and
 - (ii) **Rezoning** of subdivided portions, namely Portion A and Portion B from Agricultural Zone I to Residential Zone I.

3. That the above approvals granted are subject to the following conditions in terms of Section 66 of the above-mentioned by-law;

- 1.1 The approval applies only to the subdivision and rezoning in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
- 1.2 The approval granted does not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed subdivision and rezoning;
- 1.3 The Surveyor General approved diagrams of the newly created erven be submitted to this Local Authority (Stellenbosch Municipality) for clearance and record purposes;
- 1.4 Building plans be submitted to this Municipality for approval;
- 1.5 The approval shall lapse if not exercised within 5 years from date of final notification; and
- 1.6 The conditions imposed by the Director: Engineering Services as contained in their memo dated 19 March 2018 be complied with.

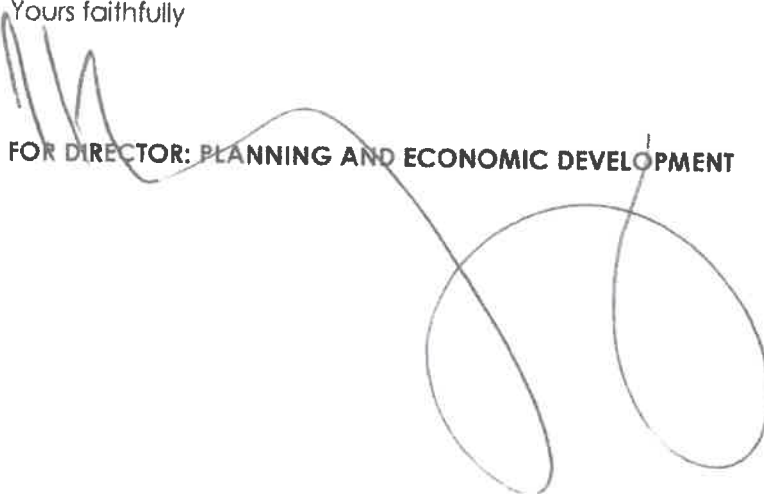
4. REASONS FOR THE DECISION

The application is supported from a land use management perspective for the following reasons:

- (i) The proposed development to establish two residential units on the subject property will not impact negatively on the character of the surrounding area, as the property is surrounded by several enclosed residential developments;
- (ii) The proposal will not have a detrimental impact on the historic character and architectural attributes of Franschhoek Valley and it is consistent with the broader planning policies and frameworks as adopted by the Stellenbosch Municipality;
- (iii) Densification and infill development inside the urban edge is encouraged, in order to prevent urban sprawl and protect natural environments and farmland. The proposed residential development is located inside the urban edge and constitutes infill development;

- (iv) The proposed development complies with all the development principles applicable to the area and is thus supported by the Town Planning Department.
5. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.
6. If you intend to appeal, the appeal form, which can be obtained from our Advice Centre; Land Use Management, Ground floor, Plein Street, Stellenbosch or the municipal website at www.stellenbosch.gov.za/planning_portal, must be completed and should be directed to the Appeal Authority and received by the Municipal Manager at P O Box 17, Stellenbosch, 7599 or faxed to 021 886 6749, or hand delivered to the Office of the Municipal Manager, third floor, Plein Street, Stellenbosch within 21 days of registration of this decision letter together with proof of payment of the appeal fee (*only applicable to applicant appeals*). See the approved tariff structure on the municipal website.
7. In the event of an applicant appeal, you as applicant are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine. Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.
8. The notice must be served in accordance with section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
9. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
10. Kindly note the above decision is suspended and may therefore not be acted on until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully


FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT
Annexure B: Proposed Site Development Plan/Sketch plan

[Handwritten signature]

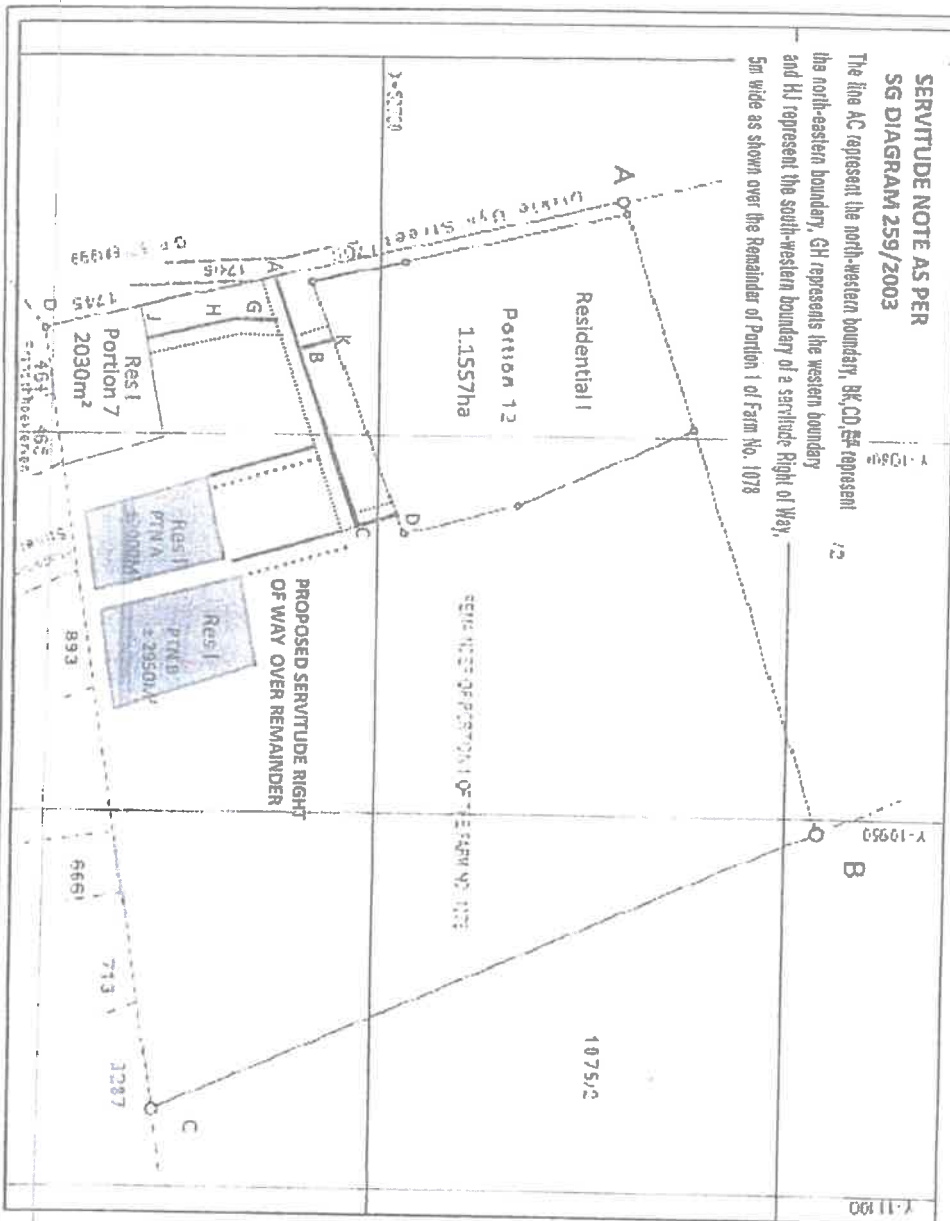


PORTION 1 OF THE FARM NO. 1078 : PAARL
SITUATED IN THE MUNICIPALITY OF STELLENBOSCH
ADMINISTRATIVE DISTRICT PAARL PROVINCE WESTERN CAPE

SUBDIVISIONAL PLAN

SERVITUDE NOTE AS PER
SG DIAGRAM 259/2003

The line AC represent the north-western boundary, BK, CD, EF represent the north-eastern boundary, GH represents the western boundary and HJ represent the south-western boundary of a servitude Right of Way, 5m wide as shown over the Remainder of Portion 1 of Farm No. 1078



NOTES:

SUBDIVISION OF
PORTION A (±2000M²)
AND REZONING OF
SUBDIVIDED PORTION A
FROM AGRICULTURAL
ZONE 1 TO RESIDENTIAL
ZONE 1

SUBDIVISION OF
PORTION B (±2950M²)
AND REZONING OF
SUBDIVIDED PORTION B
FROM AGRICULTURAL
ZONE 1 TO RESIDENTIAL
ZONE 1

PORTION 12 REGISTERED
AS PER SG DIAGRAM
1265/2015 HELD BY
DEED OF TRANSFER T
55449/2015

EMILE VAN DER MERWE

STELLENBOSCH MUNICIPALITY
THIS SUBDIVISION / CONSOLIDATION HAS BEEN APPROVED IN
TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL
LAND USE PLANNING BY-LAW (2015) SUBJECT TO THE
CONDITIONS AS PER ATTACHED LETTER DATED 22/10/2014
AUTHORISED EMPLOYEE/MPT

APPENDIX 7

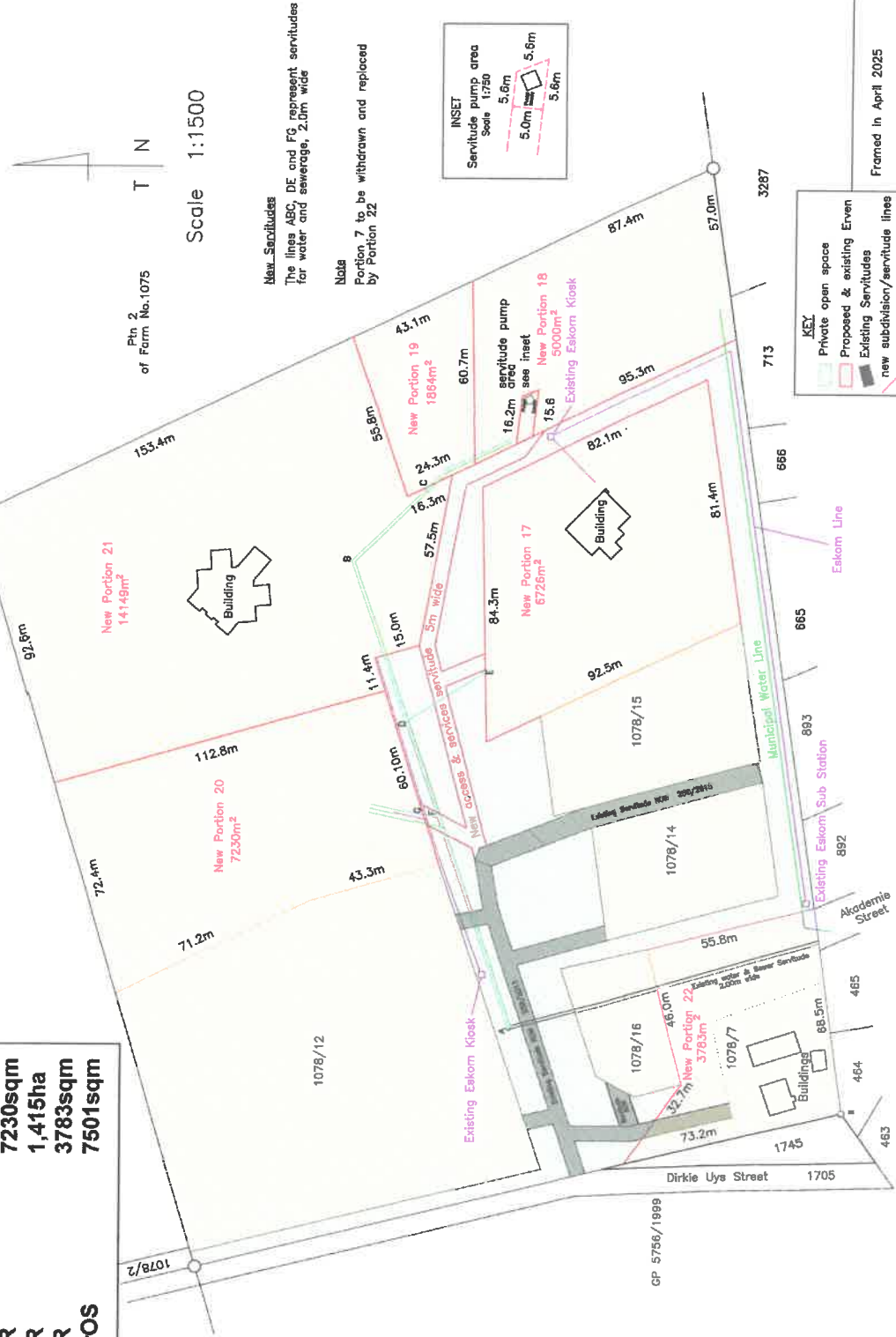
ZONING AND SUBDIVISIONAL PLAN

REZONING AND SUBDIVISION TABLE

Portion Number	Zoning	Extent
Existing 12	CR	1,557ha
Existing 14	CR	2171sqm
Existing 15	CR	2761sqm
Existing 16	CR	1250sqm
New 17	CR	6726sqm
New 18	CR	5000sqm
New 19	CR	1864sqm
New 20	CR	7230sqm
New 21	CR	1,415ha
New 22	CR	3783sqm
Remainder	PROS	7501sqm

Plan of Proposed Subdivision
Remainder of Portion 1 of the Farm No. 1078
Situatue in the Stellenbosch Municipality
Admin. District Paarl

Portion 13
of Farm 1078



Framed in April 2025

RD Duncan (PLS0893)
Professional Land Surveyor
26 Laurier Street
Heldeville 7130
Tel: 0836550791

rev6

APPENDIX 8
ACT 70 OF 1970 EXCLUSION



agriculture, land reform
& rural development

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

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

From: Directorate Soil and Land Management
Tel: 012-319-7634 Fax: 012-329-5938 E-mail: constancen@dird.gov.za
Enquiries: Helpdesk Ref: 2019_11_0112

Emile Van der Merwe Town Planning Consultants
P.O. Box 204
STELLENBOSCH
7599

Attention: E Van der Merwe

**APPLICATION IN TERMS OF THE SUBDIVISION OF AGRICULTURAL LAND ACT, 1970:
APPLICATION FOR EXCLUSION: PORTION 1 OF HARMONY NO 1078, DIVISION PAARL,
WESTERN CAPE PROVINCE**

Your e-mail dated 19 December 2019 refers.

With reference to the above-mentioned subject I wish to inform you that the application has been granted.

55219

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

The Conveyancer must lodge the signed copy of the Consent with the Registrar of Deeds together with the documents for registration.

Yours faithfully

MR RM RAMASODI

**DEPUTY DIRECTOR-GENERAL: AGRICULTURAL PRODUCTION, HEALTH AND FOOD
SAFETY, NATURAL RESOURCES AND DISASTER MANAGEMENT**

DATE: 2020-08-25

CC: The Surveyor-General Private Bag X 9028 CAPE TOWN 8000

CC: Mr Brandon Layman Landuse Management Department of Agriculture: Western Cape Private Bag x 1 ELSENBURG 7607

CC: Stellenbosch Municipality P.O. Box 17 STELLENBOSCH 7599. Your letter LU/ 6464 refers.

CC: Director: Development Management Private Bag x 9086 CAPE TOWN 8000 Your 15/3/2/12/BS2 refers.



agriculture, land reform
& rural development

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

VERW/REF.

2019_11_0112

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

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

55219

By virtue of the powers delegated to me by the Minister of Agriculture, Land Reform & Rural Development, consent is hereby granted in terms of section 4(2) of the Subdivision of Agricultural Land Act, 1970, to utilize the agricultural land described in paragraph 1 to enlarge the development area of a local authority, as indicated in paragraph 2, subject to the conditions set out in paragraph 3.

PARAGRAPH 1: THE AGRICULTURAL LAND TO WHICH THIS CONSENT APPLIES

PORTION 1 OF THE FARM HARMONY NO 1078, IN EXTENT 6,8006 HECTARES, DIVISION PAARL, WESTERN CAPE PROVINCE

PARAGRAPH 2: CONSENT GRANTED

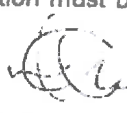
To enlarge the development area of Stellenbosch Municipality by incorporating therein the agricultural land mentioned in paragraph 1

PARAGRAPH 3: CONDITIONS PERTAINING TO THIS CONSENT

- 3.1 Simultaneously with registration of transfer, written proof must be submitted that all the conditions imposed by the Stellenbosch Municipality: Planning and Economic Development have been complied with.
- 3.2 This consent does not imply that the above-mentioned subdivisions are assured of a permanent water supply.
- 3.3 This consent does not exempt the property from the provisions of any other law and does not purport to interfere with the rights of any person who may have an interest in the agricultural land.
- 3.4 This consent is valid for 5 years from date of this grant. Should it not be registered within the time frame, a new complete application must be lodged which will be considered on its own merits.

2020-08-25

DATE


MR RM RAMASODI
DEPUTY DIRECTOR-GENERAL: AGRICULTURAL
PRODUCTION, HEALTH AND FOOD SAFETY,
NATURAL RESOURCES AND DISASTER MANAGEMENT

ANNEXURE 10

APPLICATION FORM



STELLENBOSCH

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DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

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

FOR ENQUIRIES CONTACT 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: *Land Use Application Form A* is the main application form for all types of land use activities. *Land Use Application Form B* can be used if the application comprises ONLY an application for a departure or for permission either in terms of the zoning scheme or in terms of a condition of approval or in terms of the title deed. If any other type of application is also required, *Land Use Application Form A* must be completed.

LAND USE APPLICATION FORM A

Section 15 of the Land Use Planning Bylaw (LUPB) and other relevant legislation

Complete form using BLOCK letters and ticking the appropriate boxes

PART A: APPLICANT DETAILS

First name(s)	Emile
Surname	Van der Merwe
Company name (if applicable)	Emile van der Merwe Town Planning Consultants
Street or Postal Address	PO Box 204, Stellenbosch, 7599
Email Address	emilevdm@adept.co.za
Contact Number(s)	0845566461

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

Registered owner(s) Name	Harmony Trust
Street or Postal Address	Dirkie Uys Street, Franschhoek
E-mail Address	cwthom@mweb.co.za
Contact Number	0833212798

PART C: PROPERTY DETAILS (in accordance with title deed)						
Erf No		Suburb		Town		
Farm no	1078	Farm Portion	1	Nearest Town	Franschhoek	
Physical or Street Address	Dirkie Uys Street		Property / Business / Farm known as			
Current Zoning	Subdivisional Overlay Zone: Agriculture and Conventional Residential Zone					
Additional or Consent Uses	None					
Current activities	Residential and Agriculture					
Property Size / Extent	6,8 ha			Are there existing buildings?	Y	N
Title Deed number	T98459/2005					
Any restrictions ito Conveyance's Certificate?	Y	N	If yes, list condition(s) in motivation report.			
Are the restrictive conditions in favour of a third party?	Y	N	If yes, list the party(ies) in motivation report.			
Is the property owned by Council?	Y	N	If yes, attach a power of attorney signed by the Municipal Manager or delegated authority.			
Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹	Y	N	If yes, indicate which section are triggered in motivation report and attach relevant permit.			
Is the property or building located within the historical core or contains any heritage significant features?	Y	N	Is the building older than 60 years?		Y	N
Does the property fall inside the urban edge?	Y	N	Does the property fall within a Local Overlay Zone, i.e. Technopark or ATC?		Y	N
Does the property fall within the Urban or Rural Conservation Overlay Zone?	Y	N	Does the property fall within the Scenic Route Overlay Zone?		Y	N
Any existing unauthorized buildings and/or land use on the subject property(ies)?	Y	N	If yes, is this application to legalise the building / land use ² ?		Y	N
<i>Note: A contravention penalty is payable as condition of approval as per the approved Council Tariffs.</i>						
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	Y	N	Are there any land claim(s) registered on the subject property(ies)?		Y	N

PART D: PRE-APPLICATION CONSULTATION			
Has there been any pre-application consultation ito Section 37 of the Land Use Planning Bylaw (LUPB)?	Y	N	If yes, attach the minutes / written feedback received.
Has there been any pre-application consultation ito Section 53 of the Land Use Planning Act (LUPA)?	Y	N	If yes, attach the minutes / written feedback received.
<p><i>A pre-application consultation with the Municipality is compulsory for a rezoning to subdivisional area and any proposal that triggers the Inclusionary Zoning Policy. It is advised for any other land use application that involves enhanced land use rights in the Multi-Unit Residential, Mixed-Use and Agricultural & Rural zones. A pre-application consultation may be requested for any type of application by either the applicant or by the Municipality as deemed necessary.</i></p>			

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

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

PART E: LAND USE APPLICATIONS AND PAYMENT OF FEES

APPLICATIONS IN TERMS OF SECTION 15 OF THE LAND USE PLANNING BYLAW		Number	Fee
15(2)(a)	rezoning of land	1	R10 800.00
15(2)(b)	a permanent departure from the development parameters of the zoning scheme		R2 700.00
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		R2 700.00
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	1	R5 450.00
15(2)(e)	a consolidation of land that is not exempted in terms of section 24		R5 450.00
15(2)(f)	a removal, suspension or amendment of restrictive conditions in respect of a land unit		R2 700.00
15(2)(g)	a permission required in terms of the zoning scheme		R2 700.00
15(2)(h)	an amendment, deletion or imposition of conditions in respect of an existing approval		R5 450.00
15(2)(i)	an extension of the validity period of an approval (50% of current application fee)		R.....
15(2)(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram		R5 450.00
15(2)(l)	a permission required in terms of a condition of approval		R2 700.00
15(2)(m)	a determination of a zoning		R10 800.00
15(2)(n)	a closure of a public place or part thereof		R5 450.00
15(2)(o)	a consent use contemplated in the zoning scheme		R2 700.00
15(2)(o)	a consent use for a house shop, home day care centre, day care centre		R 220.00
15(2)(p)	to disestablish a homeowners' association		R2 700.00
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		R2 700.00
15(2)(r)	a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged		R5 450.00
OTHER APPLICATIONS		Number	Fee
Approval required in terms of the bylaw for street naming and numbering			R2 700.00
Consent / Permission required in terms of a title deed (includes planning permission in terms of the Advertising on Roads and Ribbon Development Act, Act 21 of 1940)			R2 700.00
Complexity fee – Per study / assessment			R4 520.00
TOTAL APPLICATION FEE PAYABLE		R16250	
DETAILS FOR INVOICE			
Name & Surname (party responsible for payment)		EVDM Town Planning Services	
Street or Postal Address		PO Box 204, Stellenbosch	
Vat Number (where applicable)		4740239944	
<p>1. Application fees are per the approved Council Tariffs. Application fees that are paid to the Municipality are non-refundable as per the Tariff Rules. Once an invoice is issued, the application is regarded as duly submitted.</p> <p>2. All indigent residents who are registered as such with the Municipality and with proof submitted together with application will be exempted from applicable as per the Tariff Rules. Contact: Indigent.office@stellenbosch.gov.za or 021 808 8501 or 021 808 8579.</p> <p>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.</p>			
BANKING DETAILS			
Account Holder Name:		Stellenbosch Municipality	
Bank:		FIRST NATIONAL BANK (FNB)	
Branch no.:		210554	
Account no.:		62869253684	
Payment reference:		TP _____ and ERF/FARM _____	
		<p>Please use both the TP reference number and the Erf/Farm number indicated in Section C as a reference when making EFT payment</p>	

PART F: DETAILS OF PROPOSAL (Brief description of intent of development listing proposed land use activities. Full motivation report must be attached, addressing the desirability of the proposal, the criteria listed in Section 65 of the LUPB and, if applicable, motivation for site specific justification.)

See Motivation document

Is the proposal consistent / compliant with municipal plans, policies and guidelines , or any national or provincial policies (e.g., Western Cape Land Use Planning Guidelines: Rural Areas), restrictive title conditions, other legislation / authorisations?						Y	N
Is the proposal consistent with the Municipal Spatial Development Framework (MSDF)?						Y	N
Does the proposal require additional infrastructure / civil engineering services e.g., electricity; water; sewerage; road network etc.?						Y	N
Does the development proposal include the provision of residential units ? The target market re: range in income bracket/ selling price or rental must be addressed in the motivation report.						Y	N
Does the proposal fall within a priority development area as defined in the MSDF where the provision of inclusionary housing is mandatory in terms of the Inclusionary Zoning Policy ?						Y	N
HOA Constitution – Name & Date of approval						N/A	
Design Guidelines – Name & Date of approval						N/A	
Departure / Relaxation / Suspension	Zoning Scheme Development Parameter		Design Guideline Development Parameter		Restrictive Title Condition		
Building line encroachment		Adjoining erf number		ZS / DG / RTC		Proposal	
	Street		From	m	To	m	
	Street		From	m	To	m	
	Side / Common		From	m	To	m	
	Side / Common		From	m	To	m	
	Aggregate side		From	m	To	m	
	Rear		From	m	To	m	
Exceeding permissible 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	
Exceeding maximum boundary wall height	Street		From	m	To	m	
	Side / Rear		From	m	To	m	
Relaxation of on-site parking / loading requirements			From	bays	To	bays	

PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE 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 in terms of Section 38 of the LUPB

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

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

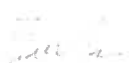
Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.	Specific Environmental Management Act(s) (SEMA) (e.g., Environmental Conservation Act, 1989 (Act 73 of 1989):		
			Y	N/A	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)	Y	N/A	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)	Y	N/A	National Water Act, 1998 (Act 36 of 1998)
Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations	Y	N/A	Other (specify)
Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)			
Y	N	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, 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 2025/07/16**



Full name: Emile van der Merwe

Professional capacity: Pr Planner (A1146/1999)

