

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

Affected person's Name

Affected persons Physical Address

Affected person's Title:

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

Application Property Address	Dirkie Uys Street, Franschhoek
Application Property Number	Portion 13 of Farm 1078, Division Paarl
Applicant	Emile van der Merwe Town Planning Consultants
Owner	Proud Heritage Properties 60 (Pty) Ltd
Application Reference	TP1457/2025
Application Type	Subdivision

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

Application in terms of Section 15 (2) (d) of the Stellenbosch Municipality Land Use Planning By-Law on Farm 1078/1, Paarl Division for the following:

1. The subdivision of Farm 1078/13 Paarl Division into two portions, namely Portion A ($\pm 5984\text{m}^2$) and Remainder ($\pm 2\text{ha}$).

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 31 March 2026**.

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:

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

Adres van aansoek eiendom	Dirkie Uys Straat, Franschhoek
Aansoek eiendom beskrywing	Gedeelte 13 van Plaas 1078, Afdeling Paarl
Aansoeker	Emile van der Merwe Stadsbeplanningskonsultante
Eienaar	Proud Heritage Properties 60 (Pty) Ltd
Aansoek Verwysing	TP1457/2025
Tipe Aansoek	Onderverdeling

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoek in terme van Artikel 15 (2) (d) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning op Plaas 1078/1 Afdeling Paarl vir die volgende:

1. Onderverdeling van Gedeelte 13 van Plaas 1078, Afdeling Paarl in twee gedeeltes naamlik Gedeelte A ($\pm 5984\text{m}^2$) en Restant ($\pm 2\text{ha}$)

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 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: **(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 **31 Maart 2026**.

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

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

Die uwe

EMILE VAN DER MERWE

EMILE VAN DER MERWE STADSBEPLANNINGS KONSULTANTE



EMILE VAN DER MERWE
town planning consultants

2025/11/13

My ref: Farm 1078/23 Paarl

Stellenbosch Municipality

Department Planning and Development

PO Box 17

STELLENBOSCH

7599

Attention: Pedro April

Dear Sir

APPLICATION FOR SUBDIVISION: PORTION 13 OF FARM 1078, DIVISION PAARL

Include hereby please find the following:

- Application is made in terms of Section 15 (2) (d) of the Stellenbosch Municipal Land Use Planning By-Law for the subdivision of the property into two portions, namely Remainder Portion 13 of Farm 1078 ($\pm 2\text{ha}$) and Portion A ($\pm 5894\text{m}^2$).

Included please find the following:

Appendix 1	:	Location Plan
Appendix 2	:	Title Deed
Appendix 3	:	Company resolution and power of attorney
Appendix 4	:	SG diagram
Appendix 5	:	Appeal Assessment report
Appendix 6	:	Middelplaas approval
Appendix 7	:	Subdivision Plan
Appendix 8	:	Previous internal department comment
Appendix 9	:	Previous external department comment

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

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

Appendix 1o : Application form

Your assistance in the matter is appreciated.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'Emile van der Merwe', written in a cursive style.

EMILE VAN DER MERWE

EMILE VAN DER MERWE TOWN PLANNING CONSULTANTS

1. BRIEF

Emile van der Merwe Town Planning Consultants have been appointed by the registered owner of Portion 13 of Farm 1078 Paarl Division, to prepare and submit the required town planning application to the Stellenbosch Municipality in respect of the following:

- Application is made in terms of Section 15 (2) (d) of the Stellenbosch Municipal Land Use Planning By-Law for the subdivision of the property into two portions, namely Remainder Portion 13 of Farm 1078 ($\pm 2\text{ha}$) and Portion A ($\pm 5894\text{m}^2$).

2. LOCATION

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 and to the immediate north east of the Domain des Anges residential estate development. Access is obtained from the 10m wide servitude road. A locality map is attached as Appendix 1.

3. OWNERSHIP

Ownership of the property vests with the Proud Heritage 60 Properties (Pty) Ltd (Reg. No. 2004/011248/07) as held by Deed of Transfer T 71753/2017. A copy of the Title deed is attached as **Appendix 2**. There are no restrictive title conditions that prohibit the proposed subdivision. The company resolution and power of attorney is attached as **Appendix 3**. A copy the Surveyor Diagram is attached as **Appendix 4**.

The property is in terms of the Title Deed defined as follows:

"Portion 13 (a portion of portion 2) of the Farm No. 1078 situated in the Stellenbosch Municipality, Division Paarl Western Cape Province"

4. BACKGROUND

This office during 2021 submitted the same application for the subdivision of the property. The application was refused on 18 July 2023 on the following grounds:

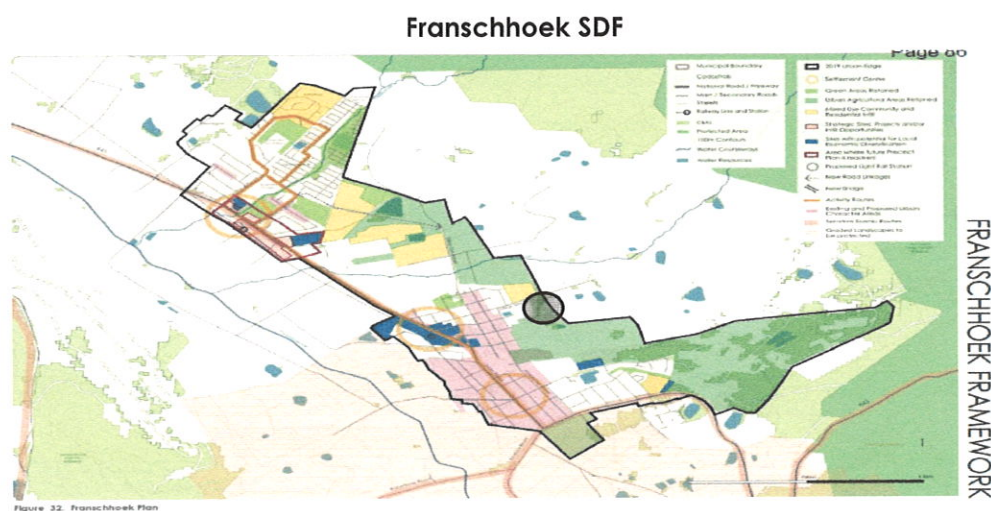
- The proposal will comprise the existing rural and agricultural character of the Franschhoek area.
- The subdivision of agricultural land will undermine the objective to protect, maintain and enhance viable agricultural units.

The owner submitted on appeal to the above decision during 2023. The appeal was dismissed by the appeal authority on 9 July 2024 for the reasons set out below:

- 4.1 The proposed subdivision will not create a viable self-sustaining productive agricultural unit and will result in the further unwarranted erosion of the agricultural potential and rural landscape.
- 4.2 The subdivision will result in associated new inherent primary rights for agricultural buildings which will contribute to the further erosion of the agricultural potential and rural landscape of the subject land.
- 4.3 Tourism activities are generally supported on agricultural zoned land but does not serve as justification to subdivide the subject land.
- 4.4 The proposal will compromise the existing rural and agricultural landscape of the urban-rural transition zone (urban agriculture area) of Franschhoek town and the surrounding rural area.
- 4.5 The subdivision of the subject agricultural land will undermine the objective of the Agricultural and Rural Zone to protect, maintain and enhance viable agricultural units.

5. RE-ASSESSMENT APPLICATION

The application property is located within the approved urban edge of Franschhoek in accordance with the Stellenbosch Municipal Spatial Development Framework (2023).



Stellenbosch Municipality / Spatial Development Framework / Final Draft for Council Submission / July 2019

The SDF advocates and supports the retainment of agricultural areas as per the proposals set out above. The proposed subdivision of the property will not comprise the overarching objectives of the SDF and it is line with the designated land uses put forward therein. This statement was confirmed as part of the Planning Assessment Report (**Appendix 5**) as per the criteria listed below:

Section 65 Criteria for decision-making

ASSESSMENT OF GROUNDS OF THE LAND USE AND LAND DEVELOPMENT APPLICATION				
	Section 65 Criteria	Yes	No	N/A
1.	The proposal is not inconsistent with the Stellenbosch Municipal Spatial Development Framework, 2019	X		
2.	The proposal is not inconsistent with the Cape Winelands District Municipal Spatial Development Framework, 2019	X		
3.	The proposal is not inconsistent with the Provincial Spatial Development Framework, 2015	X		
4.	The proposal is not inconsistent with the Greater Cape Metro Provincial Regional Spatial Development Framework, 2019	X		
5.	The proposal is not inconsistent with the Western Cape Land Use Planning Guidelines: Rural Areas, 2019	X		
6.	The proposal is guided by the development principles of SPLUMA	X		
7.	The proposal is not inconsistent with measures to protect and promote the sustainable use of agricultural land	X		
8.	The proposal is not inconsistent with national and provincial policies	X		
9.	The following matters as listed in SPLUMA has been taken into account: <ul style="list-style-type: none"> - public interest; - transformation imperatives; - relevant facts and circumstances; - rights and obligation of those affected; - state and impact of engineering services; - state and impact of social infrastructure; - open space requirements; - timeframes for making decisions 	X		
10.	The proposal is not in contravention of environmental legislation	X		
11.	The proposal is not inconsistent with the land use principles of LUPA namely spatial justice, spatial sustainability, efficiency, spatial resilience and good administration	X		
12.	The proposal is in line with the provisions of the Stellenbosch Municipal Zoning Scheme Bylaw, 2019	X		

From the above municipal assessment, it is clear the proposed subdivision conforms to and is consistent with approved provincial and municipal policy and frameworks.

The subject property is not a viable agricultural land unit since it is only 2,5ha in extent. The proposed subdivision of the property will not have any impact and/or worsen the agricultural production capacity of the property. The properties will still be used for urban agricultural purposes as per the spatial proposals envisaged for this part of Franschhoek.

The subdivision of the property will not result in any change of land use or lead to urban sprawl that will compromise the rural character of the area in which the property is situated. It is not the intention to develop the property for any form of urban related development. The current Agricultura/Rural zoning will not be affected by the proposal.

MSDF COMPLIANCE

- The subdivision of the property fit the proposed role of the Franschhoek settlement outlined in the MSDF, its position in the settlement hierarchy and associated development/management approach.
- The subdivision will not impact on formally protected areas, critical Biodiversity Areas and Ecological corridors.
- The subdivision will not result in the loss of agricultural land or impede the viability of the agricultural land.
- The subject proposal is located within the urban edge
- The proposal with its new rights (agriculture) will not impact on the scenic landscape, scenic routes and special place of arrival.
- The proposal will not impact on historic or culturally significant precincts, places and structures.
- The subdivision will not compromise the value principles (conservation, historic, aesthetic, ecologic and economic contained in the La Cotte Heritage Study.

CHARACTER OF SURROUNDING AREA

The property sizes in the area range from $\pm 580\text{m}^2$ to $\pm 31\text{ha}$ therefore the proposed subdivision size is not out of character with the current surrounding property sizes. Access to both properties can be obtained from the 10m right of way servitude which runs along the northern boundary of the subject property.

It however is envisaged that the current rural character of the area will be greatly transformed with the development of the Le Luc Development that has been approved to the immediate north west of the subject property. The development makes inter-alia provision for 115 residential erven and other related urban facilities. The letter of approval is attached as

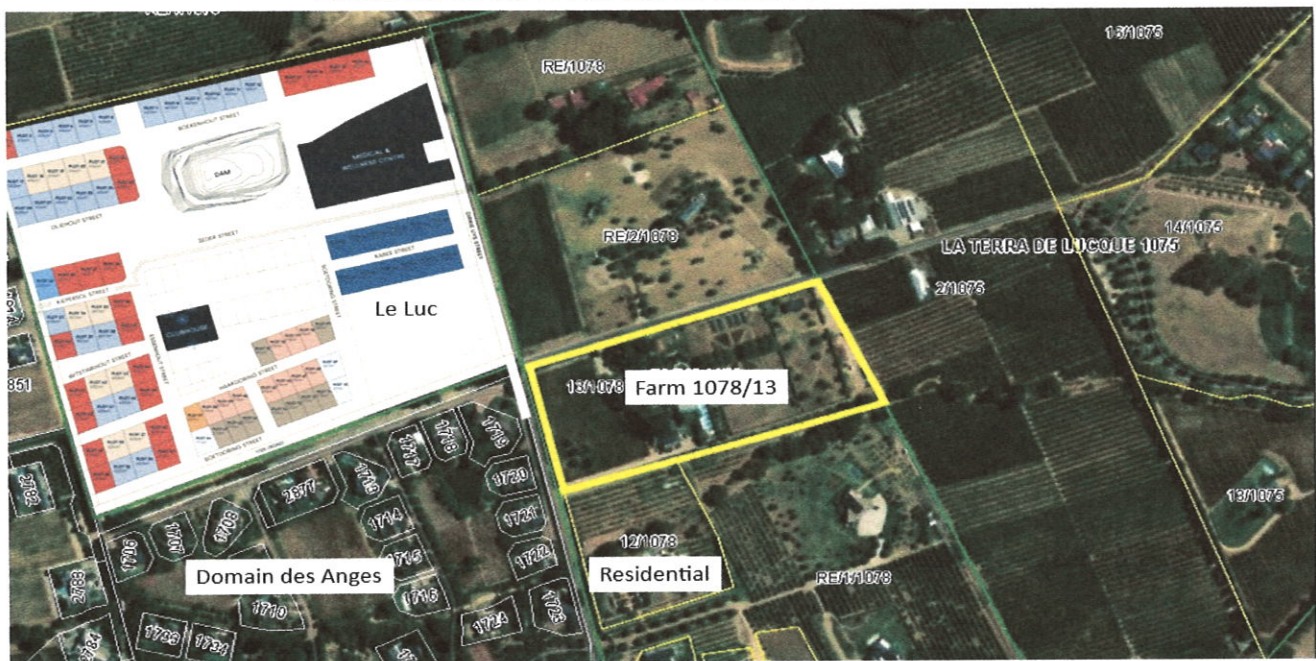
Appendix 6.

SUBDIVISION: PORTION 13 OF OF FARM 1078

Other residential forms of development are situated to the south and south west of subject property.

The proposed subdivision and proposed property sizes are therefore not out of character and it will not have a detrimental impact on the rural character of the area. The location of the property in context with its immediate environments is provided below.

CHARACTER AND LAND USE OF SURROUNDING AREA



The reasons for the above-mentioned approval as per Section 5 of the letter dated 14 February 2022 are:

- 5.1 The proposed development will comply with the vision of the Stellenbosch Municipal Spatial Development Framework.
- 5.2 The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape considering that it will in fact offer residential opportunities in the area.
- 5.3 The Middelplaas Retirement Village and Development will be developed in accordance with Urban Design Principles Framework (See Annexure T) which will ensure that the development responds positively to the spatial system within the site.
- 5.4 Due to these principles, the proposed development will not have any negative impact on the built form of the surrounding local area as well as the heritage resources on the site.
- 5.5 The development proposal will have limited impact on the agricultural potential of the subject land unit as only 6ha of viable agricultural land will be lost.
- 5.6 There will be no negative impact on heritage or the bio-physical environment.

5.7 There will be limited negative impact on existing infrastructure and additional traffic can be accommodated on the local road network.

5.8 Safe and easy pedestrian movement is addressed in the updated TIA.

The above-development was approved notwithstanding the fact that 6 ha of agricultural land will be lost. The proposed subdivision put forward in the application will not result in the loss of any agricultural land. The decision-maker therefore can not argue that the proposal will erode the agricultural potential and rural landscape of the property.

NEW PRIMARY RIGHTS AND RETAINMENT OF AGRICULTURE

The property is zoned Agricultural/Rural Zone that allows for certain primary rights. In order to mitigate the potential impact, the following is proposed:

1. Only one dwelling may be erected on the newly created portion
2. The balance of the newly created may only be utilised for agricultural purposes.

The above can be imposed as conditions of approval.

SERVICES

The proposed subdivision will not have any impact on the service level capacity of the municipality.

6 CONCLUSION

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 adopted by the Stellenbosch Municipality.

The applicant, from a planning point of view, is of the opinion that the application conforms to the criteria of desirability and criteria of decision-making set out in the Land Use Planning By-Law. In light of the above report it is trusted that the Municipality favourably will consider the application for subdivision on Portion 13 of Farm 1078, Paarl Division.

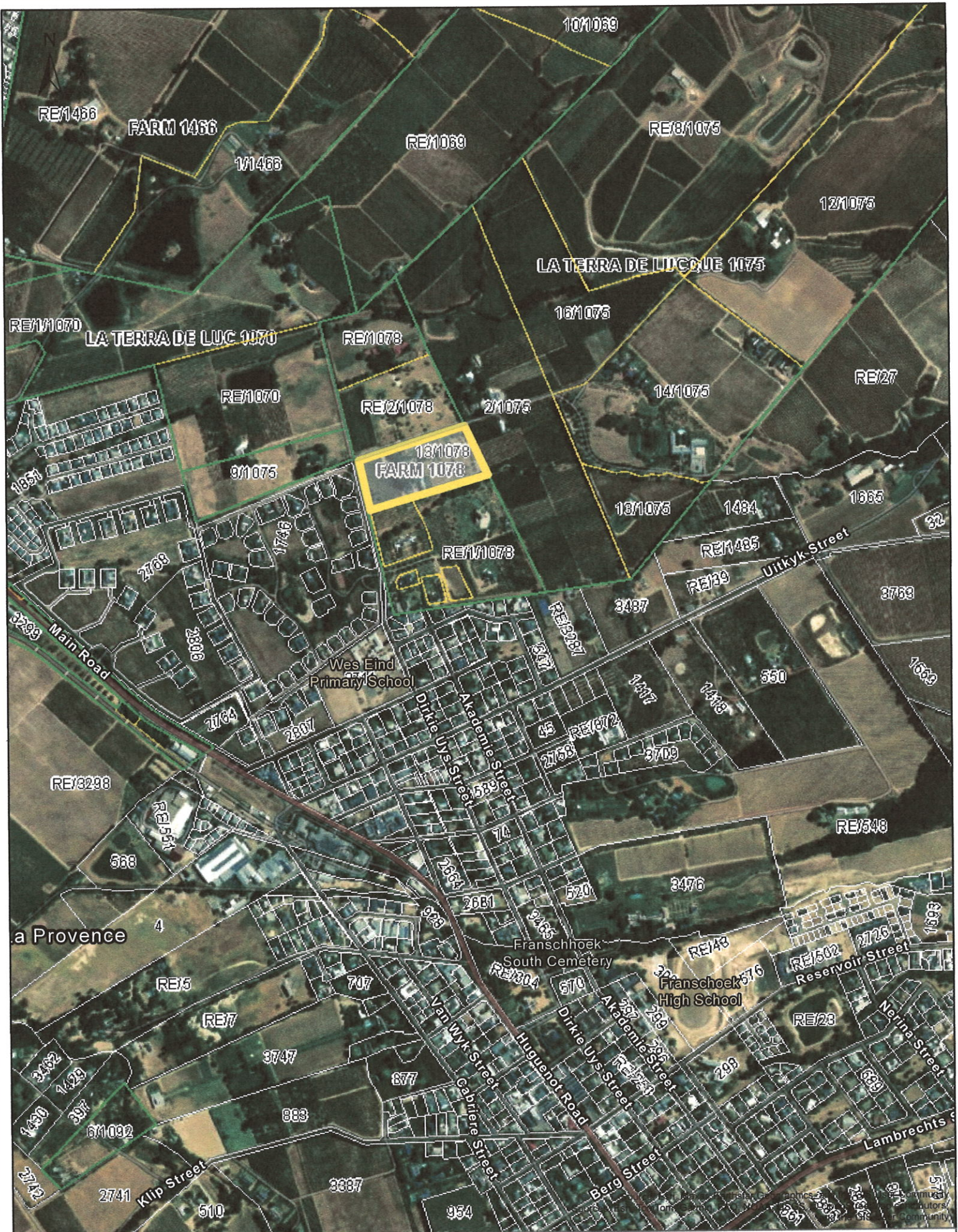
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APPENDIX 1

LOCATION PLAN

Location Map: Farm 1078/13



Date created: 2025/11/12

0.0 0.10 0.20 0.30 0.40 0.50 km



Western Cape
Government
FOR YOU

APPENDIX 2
TITLE DEED

Appendix 2.

147

Butler Blanckenberg Nielsen Safodien Inc
Tannery Park 21
Belmont Road
Rondebosch
7700

Prepared by me


CONVEYANCER
FARAHNAZ SAFODIEN

Fee endorsement		Office fee
	Amount	
Purchase price/Value	R.....	R. 305,00
Mortgage capital Amount	R.....	R.....
Reason for exemption	Exempt i.t.o Cat..... section..... Act.....	

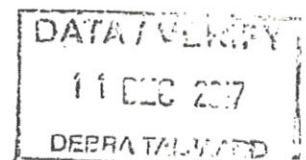
T 000071753 / 2017

CERTIFICATE OF REGISTERED TITLE

Issued under the provisions of Section 43 of the Deeds Registries Act No 47 of 1937

WHEREAS

PROUD HERITAGE PROPERTIES 60 PROPRIETARY LIMITED
REGISTRATION NUMBER 2004/011248/07



Have applied for the issue to them of a Certificate of Registered Title under Section 43 of the Deeds Registries Act, 1937, in respect of the undermentioned land, being portion of the land registered in its name by Deed of Transfer Number T9854/2015



NOW THEREFORE, in pursuance of the provisions of the said Act, I, the Registrar of Deeds at CAPE TOWN do hereby certify that the said

PROUD HERITAGE PROPERTIES 60 PROPRIETARY LIMITED
REGISTRATION NUMBER 2004/011248/07

Or its Successors in title or assigns, is the registered owner of:

PORTION 13 (A PORTION OF PORTION 2) OF THE FARM NO 1078
IN THE STELLENBOSCH MUNICIPALITY
DIVISION PAARL
WESTERN CAPE PROVINCE

IN EXTENT: 2,5894 (TWO COMMA FIVE EIGHT NINE FOUR) HECTARES

AS WILL APPEAR from Diagram SG Number 2799/2015 and held by Deed of Transfer Number T9854/2015

- A. **SUBJECT** to the conditions referred to in Deeds of Transfer Number T97 dated 11 October 1887 and Number T6910 dated 25 November 1895.
- B. By Deed of Transfer Number T8897/2005 subject to the following right, reserved by the Marvinic Trust in favour of the registered owner of Portion 8 of the Farm La Terra de Lucque Number 1075, situate in the Stellenbosch Municipality, Division Paarl, Western Cape Province, in extent 32,5896 (Thirty Two Comma Five Eight Nine Six) hectares (hereafter referred to as "the dominant tenement") and his successors-in-title namely:

"A servitude right of way six metres wide and the route of which shall be determined by the respective registered owners of the property hereby being transferred and the dominant tenement at a future date."

- C. **SUBJECT** to a sewer-pipeline servitude three metres wide, the centre line of which is depicted by the line ABCDEF on Diagram SG Number 1497/2012 in favour of the Remainder of Erf 27 Franschhoek, Erf 1531 Franschhoek and Portion 14 (of Portion 12) of the Farm La Terra De Lucque Number 1075 as created in Notarial Deed of Pipeline Servitude Number K182/2015

(which servitude is depicted by the broken line abcdef which represents the centre line of the Servitude Sewer Pipeline, 3m wide on Diagram SG Number 2799/2015).

- D. **SUBJECT FURTHER** to the following conditions imposed by the Stellenbosch Municipality in terms of Section 25 of the Land Use Planning Ordinance 15 of 1985 when approving the subdivision of Portion 2 of the Farm Number 1078:

1. After subdivision has been approved in terms of Section 25(1) of the Ordinance, the person who at any stage is the owner of any land unit which is directly involved with the subdivision, must without compensation:

- (a) Allow that main gas pipes, electrical, telephones and television cables and/or wires, main and/or other water pipes and sewers and stormwater pipes, channels and furrows of any other fundamental unit or units may be transported over the land, and that surface installations such as mini-substations, meter switchboxes and service pillars be erected thereon, if it is considered necessary by the Council, in the manner and place which from time to time will be reasonably expected, it includes the right of access to the land unit at any reasonable time with the purposes to erect any works in connection with the above-mentioned, to alter, remove or investigate; and
- (b) To receive such material or allow the excavations on the land unit which may be necessary to allow the use of the full width of an adjoining street and to provide the road embankment of a safe and proper slope which due to differences between the level of the street, as finally built, and the level of the land unit may be necessary, unless he prefers to build abutment piers to the satisfaction of the Council and within a period as determined by the Council.

2. In terms of Section 31(2) of the Land Use Planning Ordinance 15 of 1985 the Council may permit a building or structure to be erected on a land unit forming part of a subdivision which has not been confirmed.

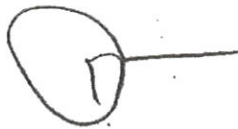
AND that by virtue of these presents the said

PROUD HERITAGE PROPERTIES 60 PROPRIETARY LIMITED
REGISTRATION NUMBERS 2004/011248/07

Its Successors in title or assigns, now is and henceforth shall be entitled thereto conformably to local custom, the state however reserving its rights.

IN WITNESS whereof I the said Registrar, have subscribed to these presents, and have caused the seal of office to be affixed hereto.

THUS DONE AND EXECUTED at the office of the REGISTRAR OF DEEDS at CAPE TOWN ON THIS 30th DAY OF November IN THE YEAR OF OUR LORD, TWO THOUSAND AND SEVENTEEN.



REGISTRAR OF DEEDS



APPENDIX 3
RESOLUTION AND POWER OF ATTORNEY

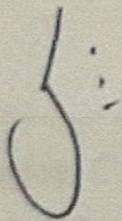
**PROUD HERITAGE PROPERTIES 60 (PTY) LTD
(REG NO: 2004/011248/07)**

RESOLUTION PASSED: 7 NOVEMBER 2025

PROPERTY: REMAINDER PORTION 13 OF FARM 1078, DIVISION PAARL

That Douglas Craigie Stevenson (ID 6905115089082) in his capacity as Director be mandated to sign on behalf of the Company in respect of the subdivision application to be made in terms of Section 15 of the Stellenbosch Land Use Planning By-Law (2023).

DOUGLAS CRAIGIE STEVENSON

A handwritten signature in black ink, appearing to be 'D. Stevenson', written over a faint circular stamp.

DIRECTOR

POWER OF ATTORNEY

Proud Heritage Properties 60 (Pty) Ltd, the registered owner of Portion 13 of Farm 1078
Paarl

Do hereby nominate, constitute and appoint

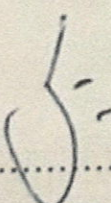
EMILE VAN DER MERWE TOWN PLANNING CONSULTANTS

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

- ☐ **APPLICATION FOR SUBDIVISION IN TERMS OF SECTION 15 (2) (D) OF
STELLENBOSCH MUNICIPAL PLANNING BY-LAW 2023**

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 FRANSCHHOEK ON THIS 7TH DAY OF NOVEMBER

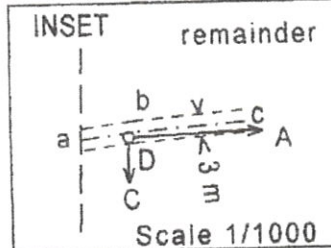
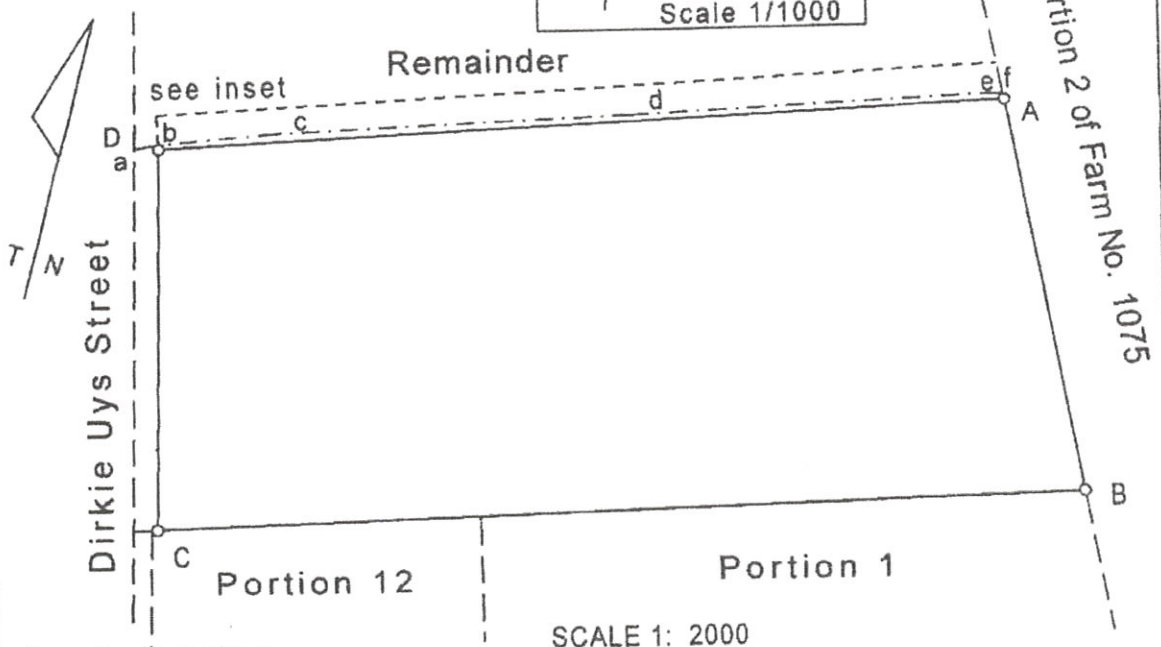

.....
Douglas Craigie Stevenson (ID 6905115089082)

DIRECTOR

SIDES Metres		ANGLES OF DIRECTION		CO-ORDINATES Y System WG 19 X		S.G. No. 2799/20125 Approved <i>Nellen</i> for Surveyor General 07.12.2015
		CONSTANTS		+0,00	+3 700 000,00	
AB	110,60	334 23 10	A	-10 906,15	+52 438,14	
BC	252,83	73 28 40	B	-10 953,96	+52 537,87	
CD	105,17	166 12 40	C	-10 711,57	+52 609,78	
DA	230,38	252 26 30	D	-10 686,51	+52 507,64	
(272) du Toitskop			Δ	-13 868,02	+50 664,68	
(49) Middenberg			Δ	-6 818,33	+53 264,23	

Beacon descriptions

A,B,C,D - 16mm Iron peg



Servitude note :

1. The line DA represents the south eastern boundary of a Servitude Right of way 10m wide over the remainder of Portion 2 of the Farm No. 1078
2. The broken line abcdef represents the centre line of a Servitude Sewer pipeline, 3m wide
See diagram 1497/2012 S/D K182/2015^s

The figure A B C D
represents 2,5894 hectares

of land, being

Portion 13, a portion of portion 2 of the FARM No. 1078

Situated in the Stellenbosch Municipality

Administrative District Paarl

Province Western Cape

Surveyed in November 2015
by me

N. Loubser
N. Loubser (PLS 0892) Pr. Land Surveyor

This diagram is annexed to
No: 171753/2011
dated
i.f.o.

The original diagram is
No. 817/1875
annexed to Transfer
No. 1875-41-10

File No. Parl. 1078
S.R. No. E1394/2015
Comp. BI-7CA/X52 (1600)
BI-7CAB (3894)

Registrar of Deeds

LPI C0550000

FARM 1078/13 Paarl

Act 70/1970
NOT APPLICABLE

Approved in terms of
sect. 25 of Ord. 15/1985
REF: Portion 2 of Farm 1078 Paarl Division
DATE: 19-02-2014

APPENDIX 5
APPEAL ASSESSMENT REPORT



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PLANNING REPORT: LAND USE AND LAND DEVELOPMENT APPLICATION: APPLICATION FOR SUBDIVISION ON FARM 1078/13, PAARL FARMS, DIRKIE UYS ROAD, FRANSCHHOEK

Application Reference	File Ref: LU/10189	Application Date	2019/10/14
		Last day for comments or additional information	2022/10/20

PART A: APPLICANT DETAILS

First name(s) & Surname	Emile Van Der Merwe		
Company name	Emile Van Der Merwe Town Planning Consultants		
SACPLAN registration number			
Registered owner(s)	Proud Heritage Properties 60 (Pty) Ltd	Is the applicant properly authorised to submit the application	Yes

PART B: PROPERTY DETAILS

Property description	Farm 1078/13	Administrative District	Paarl Division
Physical address	Dirkie Uys Road (See Annexure A)		
Extent (m ² /ha)	2, 589 ha	Nearest Town	Stellenbosch
Existing Development and Current land use	Manor house, Vineyard, Agriculture Shed, Distillery and Outbuildings		
Any unauthorised land use/building work	None		
Title Deed Nr.	T.71753/2017		
Current zoning and approved land use rights as per Zoning Scheme Bylaw 2019	Agriculture and Rural Zone		

Mgck
12/7/22

PART C: APPLICATION DETAILS

Applications(s)	<p>1. An application is made in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated October 2015, on Erf 1078/13, Paarl Farms for the following:</p> <p>1.2. Subdivision in terms of Section 15(2)(d) of the said By-Law, 2015 into two portions namely, portion A measuring $\pm 5894\text{m}^2$ and Remainder measuring $\pm 2\text{ha}$.</p>
Purpose of Application: Background and motivation of Applicant	<p>1. <u>Purpose of the Application:</u> The application entails the subdivision of the property into two portions namely, portion A measuring $\pm 5894\text{m}^2$ and Remainder measuring $\pm 2\text{ha}$.</p> <p>2. <u>Background:</u> None.</p> <p>3. <u>Motivation:</u> The subdivision is to enable the usage of portion A for primary agricultural purposes (organic vegetables) that will be sold at the farm shop on farm 1078/2. The agricultural component on both properties will be maintained.</p>
Pre-consultation	None.
Public participation, comments and response	The application was circulated to the relevant internal departments, community organisations as well as the adjacent affected property owner(s), <u>no objections</u> were received.
Comments from internal and external service departments	The application was circulated to the relevant internal and external departments, and they all support the application.

PART D: ASSESSMENT OF LAND USE AND LAND DEVELOPMENT APPLICATION

When the decision maker considers a land use and land development application, it must have regard to the general criteria for consideration in terms of Section 65(1) of said Bylaw, as it would relate to the subject land use and land development application.

It is noted that the subject land use and land development application was submitted and processed in accordance with and in compliance with the prescripts of the said Bylaw.

The legislative/ principles/ policies/ guidelines/ plans which are considered as relevant to the subject land use and land development application, are as follows:

ASSESSMENT OF GROUNDS OF THE LAND USE AND LAND DEVELOPMENT APPLICATION				
	Section 65 Criteria	Yes	No	N/A
1.	The proposal is not inconsistent with the Stellenbosch Municipal Spatial Development Framework, 2019	X		
2.	The proposal is not inconsistent with the Cape Winelands District Municipal Spatial Development Framework, 2019	X		
3.	The proposal is not inconsistent with the Provincial Spatial Development Framework, 2015	X		
4.	The proposal is not inconsistent with the Greater Cape Metro Provincial Regional Spatial Development Framework, 2019	X		
5.	The proposal is not inconsistent with the Western Cape Land Use Planning Guidelines: Rural Areas, 2019	X		
6.	The proposal is guided by the development principles of SPLUMA	X		
7.	The proposal is not inconsistent with measures to protect and promote the sustainable use of agricultural land	X		
8.	The proposal is not inconsistent with national and provincial policies	X		
9.	The following matters as listed in SPLUMA has been taken into account: <ul style="list-style-type: none"> - public interest; - transformation imperatives; - relevant facts and circumstances; - rights and obligation of those affected; - state and impact of engineering services; - state and impact of social infrastructure; - open space requirements; - timeframes for making decisions 	X		
10.	The proposal is not in contravention of environmental legislation	X		
11.	The proposal is not inconsistent with the land use principles of LUPA namely spatial justice, spatial sustainability, efficiency, spatial resilience and good administration	X		
12.	The proposal is in line with the provisions of the Stellenbosch Municipal Zoning Scheme Bylaw, 2019	X		

PART E: SUMMARY OF KEY FINDINGS OF ASSESSMENT

The proposed application is for the subdivision into two portions measuring $\pm 5894\text{m}^2$ in extent (Portion A) and $\pm 2\text{ha}$ in extent (Remainder) respectively. The property sizes in the area range from $\pm 580\text{m}^2$ to $\pm 31.91\text{ha}$ therefore the proposed subdivision size is not out of character with the current surrounding properties sizes. Access to both portions will be obtained from the 10m wide right of way servitude which runs along the subject property's northern boundary. The proposed subdivision will not have a

negative impact on the surrounding properties as no change to the land is proposed and the agricultural component on both properties will be maintained.

Even though the proposed property sizes may be considered a minimal size for this area, the property falls within the urban edge of Franschhoek and in terms of the SDF the property is earmarked for Urban Agricultural Areas to be retained. The proposed subdivided portion will be used for agricultural purposes (organic vegetables) that will be sold at the farm shop on farm 1078/2. The proposal complies with the objectives of the SDF with regards to the expansion and diversification of sustainable agriculture production and food security. Therefore, the proposed subdivision is not foreseen to have a detrimental impact on the character of the area and what the SDF seeks to achieve in the area.

It is foreseen that the high potential agricultural land will be productively formed. Although MSDF and Western Cape Land Use Planning Guidelines Rural Areas is not in support of the fragmentation of agricultural land in smaller portions which makes it economically not viable, it should be noted that the subject property is within the urban edge.

PART F: RECOMMENDATION

1. That the application in terms of section 15(2)(d) of the Stellenbosch Municipality Land Use Planning Regulations as Promulgated in 2015 on Farm 1078/13, Paarl Division, for the **Subdivision** into:

- i. Portion A of Farm 1078/13, measuring $\pm 5894\text{m}^2$
- ii. Remainder of Farm 1078/13, measuring $\pm 2\text{ha}$

BE APPROVED in terms of Section 60 of the said bylaw, subject to conditions in terms of Section 66 of the said Bylaw.

2. Conditions of approval:

- 2.1 That the approval applies only to the subdivision under consideration as indicated on Plan Number A100/08/12, drawn by EVDM Town Planning Consultants, (See **Annexure D**); and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.

- 2.2 That the approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.

- 2.3 That the Surveyor General approved diagrams of the newly created erven be submitted to the Stellenbosch Municipality for clearance and records purposes.
- 2.4 That the conditions imposed by the Director Engineering Services as contained in their memo 05/07/2021 attached as Annexure G be complied with.
- 2.5 That Development Contributions are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the property or submission of any building plans, which ever occurs first, or so may be agreed on in writing with the Director Infrastructure Services.
- 2.6 That the applicant ensures that access to both subdivided portion via the adjacent 10m servitude is clearly specified in the title deeds of the two new properties.
3. The reasons for the above decision are as follows:
- 3.1 The proposal will not compromise the existing character of the surrounding landscape considering that no change in land use is proposed.
- 3.2 The application will not undermine the application area's agricultural potential or lead to any loss of agricultural land or amenities.
- 3.3 The subject property is within the urban edge and acts as a transition area between larger agricultural properties in the rural area and smaller area diversly populated urban area.

PART G: ANNEXURES

- ANNEXURE A:** Locality Plan
- ANNEXURE B:** Title Deeds
- ANNEXURE C:** Applicants motivation
- ANNEXURE D:** Proposed Subdivision Plan
- ANNEXURE E:** Portfolio of Evidence (Public Participation)
- ANNEXURE F:** Comment from Spatial Planning Department
- ANNEXURE G:** Comments from the Engineering Services Department
- ANNEXURE H:** Comment from the Western Cape Government: Agriculture
- ANNEXURE I:** Comment from the Western Cape Government: Transport and Public Works

PART H: COMPILATION OF PLANNING APPLICATION ASSESSMENT REPORT

APPLICATION FOR SUBDIVISION ON FARM 1078/13, PAARL FARMS, DIRKIE UYS ROAD, FRANSCHHOEK

Author of Planning Assessment Report

Recommended Categorisation of the Application for Authorised Decision Maker:

Name: T. Mazana

Capacity: Town Planner

SACPLAN Registration: A/2875

Signature: 

Date: 28/06/2022

PART I : REVIEW OF PLANNING APPLICATION ASSESSMENT REPORT

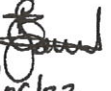
APPLICATION FOR SUBDIVISION ON FARM 1078/13, PAARL FARMS, DIRKIE UYS ROAD, FRANSCHHOEK

Review of Planning Assessment Report:

Name: B. Zondo

Capacity: Senior Town Planner

SACPLAN Registration: C/8589/2017

Signature: 

Date: 28/06/23

PART K: SUBMISSION OF PLANNING APPLICATION ASSESSMENT REPORT

APPLICATION FOR SUBDIVISION ON FARM 1078/13, PAARL FARMS, DIRKIE UYS ROAD, FRANSCHHOEK

Authorised Employee to assess and make a recommendation on a land use and land development application for consideration by the authorised decision maker:

As the duly authorised official in terms of Section 56 of the Stellenbosch Municipal Land Use Planning Bylaw (2015) to assess the above application, the subject planning report is hereby submitted for consideration to the duly authorised decision maker in accordance with the Categorisation Model for Land Use and Land Development Applications as approved by the Stellenbosch Municipality in accordance with Section 69(1) of the said Bylaw.

In terms of the Categorisation Model duly approved in terms of Section 69(1) of the said Bylaw vide Item 7.7.1 and dated 8 April 2020, the subject application is categorised as follows:

Category: D.b.1

Decision Making Authority: SMDM, DPED

Rational: Subdivision of land (Application property larger than 2000m² but less than 10 000m² and more than two resulting erven/units)

Name: Chrizelle Kriel

Capacity: MLWM

SACPLAN Registration: A212/10

Signature: 

Date: 28-06-2023

Refer to Assessment and
Recommendation on
inserted pages 7A + 7B

PART K: SUBMISSION OF PLANNING APPLICATION ASSESSMENT REPORT

APPLICATION FOR SUBDIVISION ON FARM 1078/13, PAARL FARMS, DIRKIE UYS ROAD, FRANSCHHOEK

Assessment:

The proposed application is for the subdivision into two portions measuring $\pm 5894\text{m}^2$ in extent (Portion A) and $\pm 2\text{ha}$ in extent (Remainder) respectively. Access to both portions will be obtained from the 10m wide right of way servitude which runs along the subject property's northern boundary. The property falls within the urban edge of Franschhoek and in terms of the SDF the property is earmarked for Urban Agricultural Areas to be retained. The proposed subdivided portion will be used for agricultural purposes (organic vegetables) that will be sold at the farm shop on Farm 1078/2.

The property sizes in the area range from $\pm 580\text{m}^2$ to $\pm 31.91\text{ha}$ and it is noted that not all the properties are zoned Agriculture and Rural Zone but that the smaller properties, although in the urban fringe and surrounded by agricultural land are zoned as Conventional Residential Zone.

The grounds for an application for the subdivision of agricultural land, if not for the specific purpose of urban expansion or the veiled intent of urban use, must be supported by bona fide agricultural related grounds in support of such application. The subdivision of agricultural land into units as proposed by this application will result in the fragmentation of agricultural land into non-viable agricultural units, with the increased sterilization of productive agricultural land due to the potential to erect more structures which most probably has no association with the agricultural use. This all will eventually erode any agricultural potential and use. Subdivision into non-viable agricultural units does result in an incremental approach to eventual urbanisation and consequently and ultimately does impact on the agricultural space economy.

The objectives of the Western Cape Land Use Planning Guidelines: Rural Areas and the SDF are to protect agriculture as a primary land use in the rural landscape and to encourage sustainable farming practices. It also promotes consolidation of land units and restricts the fragmentation of agricultural landscapes, except small-scale farming enterprises for land reform purposes.

The subdivision of agricultural land to create small non-viable agricultural units in the rural and cultural landscape of Franschhoek is not consistent with policy objectives, not desirable and is not supported.

Recommendation:

1. That the application in terms of section 15(2)(d) of the Stellenbosch Municipality Land Use Planning Bylaw 2015 on Farm 1078/13, Paarl Division, for the **Subdivision** into:
 - i. Portion A of Farm 1078/13, measuring $\pm 5894\text{m}^2$
 - ii. Remainder of Farm 1078/13, measuring $\pm 2\text{ha}$

BE REFUSED in terms of Section 60 of the said bylaw.

2. The reasons for the above decision are as follows:
 - 2.1. The proposal will compromise the existing rural and agricultural landscape of the Franschhoek area.
 - 2.2. The subdivision of agricultural land will undermine the objective to protect, maintain and enhance viable agricultural units.



PART I: DECISION ON PLANNING APPLICATION	
APPLICATION FOR SUBDIVISION ON FARM 1078/13, PAARL FARMS, DIRKIE UYS ROAD, FRANSCHHOEK	
As the duly authorised official in terms of Section 68(a) of the Stellenbosch Municipal Land Use Planning Bylaw, (2015) to decide on the above application, it is confirmed that said authority had access to and has considered all the relevant information pertaining to the subject land use and land development application, and accordingly decides as follows:	Mark appropriate decision with "X"
Recommendation as contained in the subject Planning Report endorsed without amendments or additions as the decision on the subject land use and land development application.	X
Recommendation as contained in the Planning Report endorsed as the decision on the subject land use and land development application, with amendments and/ or with additions as set out in the attached amended decision.	
Recommendation as contained in the Planning Report not endorsed and accordingly the subject land use and land development application is decided on with such reason(s) for the decision, as in the attached decision.	
Authorised Official: <i>Stiaan Carter</i> Capacity: <i>Sen. Mem. Dev. Plan.</i> Signature: <i>[Signature]</i> Date: <i>29/6/2023</i>	

To note: With reference to the recommendation of the authorised employee re: TB

APPENDIX 6
MIDDELPLAAS APPROVAL



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Application Number: LU/4731

Our File Reference Number: Farm 1075/9, Paarl Division

Your Reference Number:

Enquiries: Lenacia Kamineth / Bongiwe Zondo

Contact No: 021 – 808 8697

Email address: Landuse.Appeals@stellenbosch.gov.za/

Bongiwe.zondo@stellenbosch.gov.za

PER E-MAIL: pj@pjlroux.co.za

Dear Sir

APPLICATION FOR SUBDIVISION: FARM 1075/9 & FARM 1070, PAARL DIVISION

1. This Municipality's decision letter dated 1 December 2020, refers. This letter is the final letter after the appeal process.
2. The Appeal Authority resolved on 7 February 2022 that the appeal submitted against the approval of the subject application by the Municipal Planning Tribunal on 27 November 2020, BE UPHELD and that the subject decision BE VARIED in terms of section 81 (7)(b) of the Stellenbosch Municipal Land Use Planning By-law, 2015.
3. The application for:
 - 3.1 **Consolidation** of Portion 9 of Farm 1075 and Farm 1070 in terms of Section 15(2)(e) of the said bylaw, to create one large unit of 10.92 ha in extent.

FARM 1075/9 AND FARM 1070 PAARL DIVISION

T: +27 21 808 8111 • F: +27 21 886 6899

Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599

www.stellenbosch.gov.za

3.2 **Rezoning** of consolidated land unit from Agricultural Zone 1 to Subdivisional Area in terms of Section 15(2)(a) of the said bylaw in order to facilitate the proposed following land uses:

- a) 115 Residential Zone II (Group housing) (5.47 ha)
- b) 1 Residential Zone I (Dwelling House) (0.98 ha)
- c) 1 Open Space Zone II (Private Open Space) (4.24 ha)
- d) 1 Authority Zone (Electrical Substation) (0.02 ha)
- e) 1 Transport Zone II (Public Road) (0.21 ha)

3.3 **Consent Use** in terms of Section 15(2)(o) of the said bylaw, to use the group housing development as a retirement village.

3.4 **Subdivision** of the sub-divisional zoned consolidated properties of Portion 9 of Farm 1075 and Farm 1070 in terms of Section 15(2)(d) of the said bylaw, into 119 units in order to accommodate a group housing development as shown on Plan Number PA1075-9/04/12, drawn by EB (Albert Geiger Professional Land Surveyor), dated 27 October 2020

BE APPROVED

4. The approval above **BE SUBJECT** to the following conditions in terms of Section 66 of the said Bylaw:

- a) The approval applies only to the proposed development under consideration as indicated on Plan Number PA1075-9/04/12, drawn by EB (Albert Geiger Professional Land Surveyor), dated 27 October 2020 and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.
- b) The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.

- c) A Home Owners Association be established and approved in terms of Section 29(1) of the said bylaw and that the constitution of the owners association be drafted and submitted for approval to the Directorate Planning and Economic Services for approval in terms of Section 29(3) of the said Bylaw.
- d) The common property/s to be formally transferred in favour of the Home Owners' Association.
- e) A service agreement be entered into with the municipality prior to the construction of any services or infrastructure in terms of Section 66(3) and Section 82(4) of the said bylaw.
- f) Development contributions are payable before the transfer of the first property and which amount will be calculated in accordance with the council tariffs in force at the time of payment.
- g) The extent of the proposed land uses be limited to the following:
- 115 Residential Zone II (Group housing) (5.47 ha)
 - 1 Residential Zone I (Dwelling House) (0.98 ha)
 - 1 Open Space Zone II (Private Open Space) (4.24 ha)
 - 1 Authority Zone (Electrical Substation) (0.02 ha)
 - 1 Transport Zone II (Public Road) (0.21 ha)
- h) A formal application be submitted for the erection of advertising signs and that all signage be in line with the signage policy of the municipality and be approved by the Municipality prior to any signage being erected.
- i) Building plans be submitted for approval by the Municipality for the entrance gates and boundary walls and that these structures are to be completed prior to the first property being transferred, or alternatively that the developer put in place the necessary financial securities for the completion of such structures to the satisfaction of the Municipality prior to the first property being transferred.

- j) A detailed site development plan which includes a landscaping plan and architectural guidelines be submitted with the building plans for approval and that the Open Space areas within the development be landscaped in accordance with the landscaping plan prior to the first residential property being transferred.
- k) The external sidewalk be landscaped and maintained by the developer during the development phase of the development and that non-motorised forms of transport be accommodated on the sidewalk in terms of the landscaping plan for this area.
- l) The approval on the name of the development and the naming and number of streets as per proposed subdivision plan, with reference to Annexure F, be obtained from the Executive Mayor of Stellenbosch as the duly authorised decision maker on such matters.
- m) Phasing plan be submitted before building plan approval.
- n) The conditions imposed by the Director: Engineering Services as contained in their memo dated 30 September 2019, attached as Annexure P, be complied with.
- o) The conditions imposed by the Manager: Electrical Services as contained in their memo dated 30 September 2019, attached as Annexure O, be complied with.
- p) Building plans be approved when all conditions of subdivision have been complied with.
- q) The approval to lapse if not acted upon within a period of as prescribed in terms of the said By-Law.
- r) Engineering drawings which indicates the structural road design be submitted to the satisfaction of the Engineering Services Department.

- s) A design and management plan for the watercourse that traverses the property be developed and submitted to the satisfaction of the Engineering Services Directorate.
 - t) Provision be made in the Constitution of the Owners Association to take on the responsibility for the on-going implementation and maintenance of the Management Plan for the water course that traverses the property.
 - u) The rezoned land may only be used for the purposes of a Housing Development Scheme for Retired Persons as contemplated in Act 65 of 1988, as amended.
5. The above decision was made for the following reason(s) in terms of section 81(7)(c) of the said By-law:
- 5.1 The proposed development will comply with the vision of the Stellenbosch Municipal Spatial Development Framework.
 - 5.2 The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape considering that it will in fact offer residential opportunities in the area.
 - 5.3 The Middelpaas Retirement Village and Development will be developed in accordance with Urban Design Principles Framework (See Annexure T) which will ensure that the development responds positively to the spatial system within the site.
 - 5.4 Due to these principles, the proposed development will not have any negative impact on the built form of the surrounding local area as well as the heritage resources on the site.
 - 5.5 The development proposal will have limited impact on the agricultural potential of the subject land unit as only 6ha of viable agricultural land will be lost.
 - 5.6 There will be no negative impact on heritage or the bio-physical environment.

5.7 There will be limited negative impact on existing infrastructure and additional traffic can be accommodated on the local road network.

5.8 Safe and easy pedestrian movement is addressed in the updated TIA.

6. Accordingly, the decision detailed in this letter may be implemented, subject to compliance with the conditions of approval.

Yours faithfully



FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

DATE: 14/02/2022

23 MONTE ROSA BUILDING

276 MAIN ROAD

HOOFSTRAAT 276

PAARL 7846

☎ (021) 8721427 ☎ 086 6846041

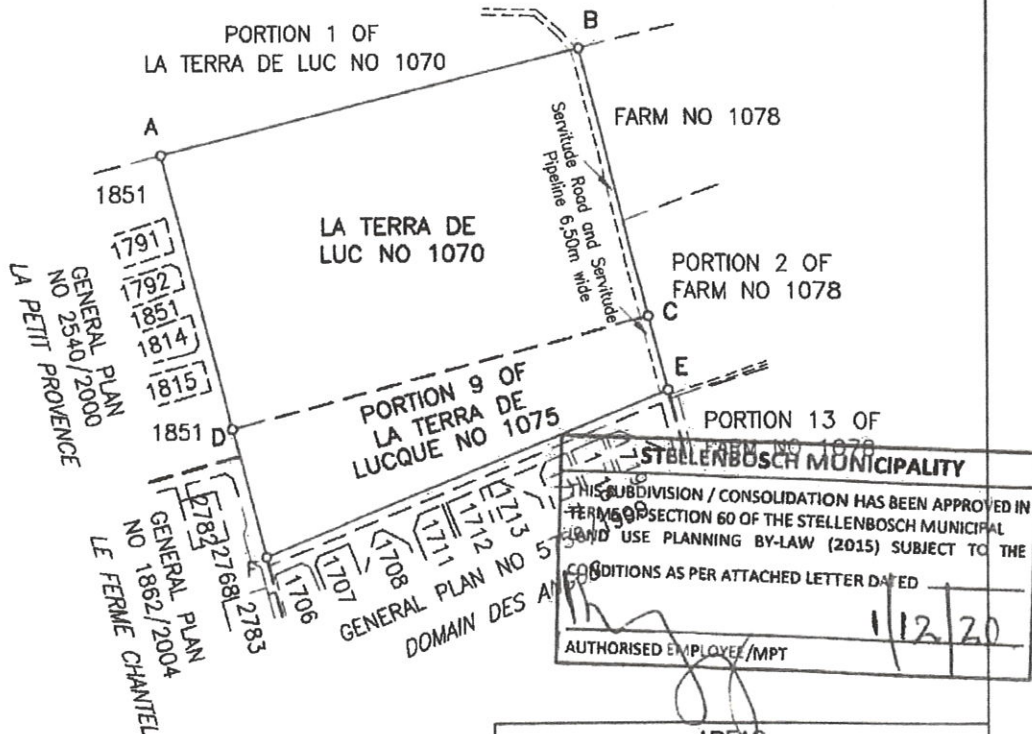
e-mail : info@geigergeo.co.za

Albert Geiger

Professional Land Surveyor

DIE KOPIEREG IN HIERDIE TEKENING, INSLUITEND
DIE ONTWERP EN BESONDERHEDE SOOS AANGEDUI
WORD DEUR ALBERT GEIGER VOORBEHOU

THE COPYRIGHT IN THIS DRAWING, INCLUDING
THE DESIGN AND DETAILS SHOWN HEREON, IS
RESERVED BY ALBERT GEIGER



Notes:

1. The figure A B C D represents the Remainder of the farm La Terra De Luc No 1070
2. The figure D C E F represents Portion 9 of the farm La Terra De Lucque No 1075
3. Consolidation to be done by survey.

AREAS		
FARM NAME	Title Deed area	Area derived from adjoining cadastral data
1070/Rem.	9,1306ha	7,9548ha
1075/9	3,1549ha	2,9676ha

REVISIONS WYSIGINGS	DATE/DATUM		DESCRIPTION/BESKRYWING	
NORTH NOORD 	SUBJECT ONDERWERP		DATE DATUM	
	PROPOSED CONSOLIDATION OF FARM NO 1070 AND PORTION 9 OF FARM NO 1075		20 MAY 2018	
DRAWN GETEKEN EB	AREA GEBIED		SCALE SKAAL	
	PAARL FARMS		1/5000	
FILE NO LÊER NR PA1075/9	DESCRIPTION BESKRYWING		DRAWING NO TEKENING NR	
	1070/1075-9		PA1075-9/04/03-A	

APPENDIX 7

PLAN OF SUBDIVISION

The Figure ABCD represents 2,5894 ha – Portion 13 (a portion of portion 2) of the Farm 1078, in the Stellenbosch Municipality, Division Paarl, Western Cape Province



EMILE VAN DER MERWE
town planning consultants

Subdivision Plan: Drawing A100/08/12

- Remainder Portion 13 a portion of portion 2 of Farm 1078 - ± 2ha
- Portion A - ± 5894 m²

APPENDIX 8

**PREVIOUS INTERNAL DEPARTMENTAL
COMMENT**



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Spatial Planning

To : Manager: Land Use Management
From : Manager: Spatial Planning
Reference : Farm 1078/13, Paarl
LU No : LU/10189
Date : 4 March 2022
Re : Application for subdivision on Farm 1078/13, Paarl

I refer to your request for comment on the above application.

Please take note that this comment (dated 4 March 2022) replaces the previous comment (dated 17 February 2020) from this department.

Application is made for the following:

- Subdivision of the property into 2 portions

1) Opinion/reasoning:

The new approved Municipal Spatial Development Framework for the WC024 area was approved by Council in November 2019 and recognises that the spatial decisions and actions of many make what settlements are.

In terms of this approved document, seven principles need to be considered:

1. Maintain and grow the assets of Stellenbosch Municipality's natural environment and farming areas;
2. Respect and grow 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 potentials of existing 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 a few catalytic lead projects.

With the enactment of the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA), a new planning regime was introduced in South Africa. It replaced

disparate apartheid era laws with a coherent legislative system as the foundation for all spatial planning and land use management activities in South Africa. It seeks to promote consistency and uniformity in procedures and decision-making. Other objectives include addressing historical spatial imbalances and the integration of the principles of sustainable development into land use and planning regulatory tools and legislative instruments.

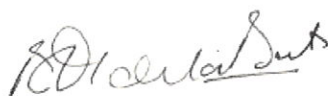
Chapter 2 of SPLUMA sets out the development principles that must guide the preparation, adoption and implementation of any SDF, policy or by-law concerning spatial planning and the development or use of land. These principles are the following:

- Spatial Justice
- Spatial Efficiency
- Spatial Sustainability
- Spatial Resilience
- Good Administration

The subject property is located inside the urban edge of the Franschhoek node. The portion to be subdivided accommodates an existing cottage and remainder agriculture.

2) Supported / not supported:

As the property is located within the urban edge, this department supports the application.



BJG de la Bat
MANAGER: SPATIAL PLANNING



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MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag	Nicole Katts
From ▫ Van:	Manager: Development (Infrastructure Services)
Author ▫ Skrywer:	Tyrone King
Date ▫ Datum:	5 July 2021
Our Ref ▫ Ons Verw:	Civil LU 1936
Your Ref:	LU/10185
Re ▫ Insake:	Farm 1078-13: Subdivision

The application is recommended for approval, subject to the following:

- 1. Civil Engineering Services**
 - 1.1 The new erf remains agricultural and does not become residential.
 - 1.2 No new connections to municipal services are proposed. The Owner is to continue with the current arrangements, namely water via borehole and sewer collection and disposal via a conservancy tank.
 - 1.3 The newly created erf must have its own borehole and conservancy tank and cannot be dependent on the mother erf's borehole and tank. This must be confirmed and indicated on any building plans submitted for approval.
 - 1.4 It is the intention of the municipality to widen and formalize Dirkie Uys Street to a 13m road reserve with a formal road surface in the near future. In order to create this 13m road reserve, a portion of Farm 1078-13, abutting Dirkie Uys Street will have to be subdivided and transferred to the Municipality. It is acknowledged that this application does not affect the piece land described above, and at this stage this information serves to sensitize the Owner to this matter, so that the Owner does not

undertake any developmental activities in the area for which the future road is earmarked.

2. Development Charges (DCs)

- 2.1 The newly created erf remains agricultural and the the application does not entail an approval for any building structures. Therefore no DCs are charged at this stage.
- 2.2 DCs will be however be applicable for any future building work done on the new erf and will be calculated when building plans are received.
- 2.3 The appropriate DC's will be payable before building plan approval.

Tyrone King Pr Tech Eng
MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)

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APPENDIX 9

PREVIOUS EXTERNAL DEPARTMENTAL COMMENT

OUR REFERENCE : 20/9/2/5/4/1171
YOUR REFERENCE : LU/10189
ENQUIRIES : Cor van der Walt

Emile Van Der Merwe Town Planning Consultants
PO Box 204
STELLENBOSCH
7599

Att: Emile Van Der Merwe

APPLICATION FOR SUBDIVISION: DIVISION PAARL
PORTION 13 OF THE FARM NO 1078

Your email of 11 August 2022 has reference.

From a purely agricultural perspective, there is no objection to the proposed subdivision, however due to the absence of guidelines on minimum subdivision sizes for this area; the proposal may be inconsistent with the objective of the Spatial Development Framework to retain the agricultural character of the area.

Please note:

- That this is comment to the relevant deciding authorities in terms of the Subdivision of Agricultural Land Act 70 of 1970.
- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.

- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely



Mr. CJ van der Walt

LANDUSE MANAGER: LANDUSE MANAGEMENT

2022-10-13

Copy:

Stellenbosch Municipality

PO Box 17

STELLENBOSCH

7599

Directorate Land Use and Sustainable Resource Management

National Department of Agriculture

Private Bag X 120

PRETORIA

0001



ROAD NETWORK MANAGEMENT
Email: Grace.Swanepoel@westerncape.gov.za
tel: +27 21 483 4669
Rm 335, 9 Dorp Street, Cape Town, 8001
PO Box 2603, Cape Town, 8000

REFERENCE: TPW/CFS/RP/LUD/REZ/SUB-10/368 (Job 27545)

ENQUIRIES: Ms GD Swanepoel

DATE: 27 January 2020

Emile van der Merwe Town Planning Consultants
PO Box 204
STELLENBOSCH
7599

Attention: Emile van der Merwe

Dear Sir

APPLICATION FOR SUBDIVISION: PORTION 13 OF FARM 1078, PAARL

1. Your letter ref. Farm 1078 Paarl, Municipal ref: Farm 1078 Paarl, LU/10189, dated 11 December 2019, with attached application, refers.
2. Farm 1078/13 is located on the north side of the town centre of Franschhoek, immediately north-east of Domain des Anges residential estate, on the fringe of the urban area, and is 2.59ha in extent. The subject property is accessed via Dirkie Uys Street, which lies adjacent to the property's western boundary, with direct access being from a 10m servitude within Rem. Portion 2 of Farm 1078, which runs along the subject property's northern boundary.
3. This application is for the subdivision of Portion 13 of Farm 1078 into two portions, the Remainder (western) portion of Farm 1078/13 being ± 2 ha in extent and the eastern Portion 1 being $\pm 5894 \text{ m}^2$. The existing agricultural uses (vineyards) on the Remainder will remain and organic vegetables will be grown on Portion 1 and sold at the existing approved farm shop on Portion 2 of Farm 1078 (the adjacent property).
4. Traffic generation will be minimal and will be served mostly by municipal streets. The impact on Main Road 191, the only nearby Provincial road, is therefore not a concern to this Branch.
5. It is noted that the SG diagram for the property shows a 10m wide servitude right of way running adjacent to the north side (ie. the long boundary) of the property along this entire side of Farm 1078/13, within Portion 2 of Farm 1078, but Servitude Note 1

describing it does not specifically state that the subject property benefits from this servitude, although it is reasonable to assume that this is the case. Access to the Remainder of Farm 1078/13 after subdivision could be obtained directly off Dirkie Uys Street if servitude access is not provided, but Portion 1 would need access either through the Remainder or via the 10m servitude adjacent. It is recommended that the applicant ensure that access to both subdivided portion via the servitude is clearly specified in the title deeds of the two new properties,

6. In terms of Act 21 of 1940 this Branch approves the subdivision of Portion 13 of Farm 1708, Paarl as detailed above.

Yours faithfully



SW CARSTENS

For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT

APPENDIX 10

APPLICATION FORM



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

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	Proud Heritage Properties 60 (Pty) Ltd
Street or Postal Address	Farm 1078/13, Dirkie Uys Road, Franschhoek, 7690
E-mail Address	director@farmsanctuary.co.za
Contact Number	0614995006

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

Erf No		Suburb		Town	
Farm no	1078	Farm Portion	13	Nearest Town	Franschhoek
Physical or Street Address	Dirkie Uys Road		Property / Business / Farm known as		
Current Zoning	Agricultural Rural Zone				
Additional or Consent Uses	Consent Uses (agricultural industry and tasting)				
Current activities	Agriculture				
Property Size / Extent	2,589ha			Are there existing buildings?	Y N
Title Deed number	T71753/2007				
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, <u>attach a power of attorney</u> 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.
A pre-application consultation with the Municipality is <u>compulsory</u> for a rezoning to subdivisonal area and any proposal that triggers the Inclusionary Zoning Policy. It is <u>advised</u> 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 <u>may</u> be requested for any type of application by either the applicant or by the Municipality as deemed necessary.			

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		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	x	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		R5450	
DETAILS FOR INVOICE			
Name & Surname (party responsible for payment)		EVDm Town Planning Services	
Street or Postal Address		PO Box 204, Stellenbosch, 7599	
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:		STANDARD BANK	
Branch no.:		051001	
Account no.:		242637280	
Payment reference:		TP_____ and ERF/FARM _____	
		Please use both the TP reference number and the Erf/Farm number indicated in Section C as a reference when making EFT payment	

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.)

- Application is made in terms of Section 15 (2) (d) of the Stellenbosch Municipal Land Use Planning By-Law for the subdivision of the property into two portions, namely Remainder Portion 13 of Farm 1078 (±2ha) and Portion A (±5894m²).

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

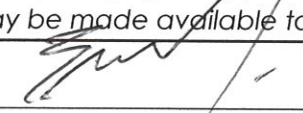
Y	N	Power of attorney / Owner's consent if applicant is not owner		Y	N	Proof of any other relevant right held in the land concerned	
Y	N	Resolution or other proof that applicant is authorised to act on behalf of a juristic person		Y	N	S.G. diagram / General plan extract (A4 or A3 only)	
Y	N	Written motivation 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	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: 2025/11/12

Full name: Emile van der Merwe

Professional capacity: Pr. Planner (A1146/1999)