

# Farm 550 / 1

## Daljosaphat

### Paarl



# CONSENT USE APPLICATION

Prepared for owners  
**Mr. & Mrs. Marc Pillaye**

By  
**John. C. Pfeiffer Architecture (Pty) Ltd**  
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**February 2021**

# MOTIVATION

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## 1. Introduction

This document supports the application for Consent Use and should enable the Authority to make an informed decision whether all requirements are met for approval. This application is made in terms of Drakenstein Municipal Zoning Scheme By-Law 2018 and addresses the following with regards to the proposed development:

- Whether the proposal will be keeping with the existing planning and surrounding use in the area
- The potential environmental impact
- The potential impact on the situation regarding traffic
- The potential impact of parking
- The potential impact of the proposal on the existing character of the area and people’s rights in regard to property values, privacy, views, sunlight, etc.
- Provision of services

## 2. Purpose

In terms of the Drakenstein Municipal Zoning Scheme By-Law 2018, the owner of Farm 550/1 wishes to obtain Consent use rights, to maximize the use of the Agricultural property, for

-  A Conference / Function Facility
-  Visitor’s Accommodation larger than the threshold

### 3. Property details

<u>Description</u>	Farm 550 / 1
<u>Locality</u>	off Kleinbosch Road, Daljosaphat, Paarl
<u>Current Zoning</u>	Agriculture Zone
<u>Extent</u>	6,9264 Ha
<u>Utilization</u>	The property is actively farmed with guavas and olives.

### 4. Location and current utilization

- Location and entry to site  
Gps coordinates: -33.693366, 19.023917  
Off Kleinbosch Road (±200m dirt road over Farm 571 to the entrance of the property)
- Current use  
The farm is currently being used as an agricultural property. There is an illegal wendy-house-type temporary structure on the property which was used as residence by the previous owner. This structure is proposed to be demolished.



Figure 1: Locality Map





*Figure 2: Temporary structures used as residence by previous owner*

## **5. Surrounding land use and character of the immediate area**

The property is located inside the Daljosaphat farming area around the Kleinbosch road route. Almost all the farms are actively being farmed with guavas, grapes and soft fruit, amongst others. The area is characterized by several mixed-use developments which include Guest Houses, Function Venues and. A large clay brick/paving manufacturing business (De Hoop Bricks) borders on the southern side.

## **6. Desired rights**

The owner wishes to obtain Consent use for a Conference / Function Facility and Visitor's Accommodation larger than the threshold over a portion of the Agriculture Zone in terms of Section 15 of the Drakenstein Municipal Zoning Scheme By-Law 2018.

This Consent Use application is to obtain the rights to:

- utilize the proposed Manor house as a Guest house with 12 Bedrooms/Suites for Visitor's accommodation
- utilised the proposed Manor house for a potential number of 24 people for Visitor's accommodation
- allow the proposed Manor house building to exceed the permissible floor area with 490m<sup>2</sup> from 500m<sup>2</sup> to 990m<sup>2</sup>
- allow the proposed total floor area for all buildings used for visitors' facilities and visitors' accommodation to be exceeded with 460m<sup>2</sup> from 1500m<sup>2</sup> to 1950m<sup>2</sup>.

## 7. Statutory requirements

The following statutory requirements are to be met prior to the final decision for approval of this application.

- **Drakenstein Municipal Zoning Scheme By-law of 2018.**

This application addresses the requirements in full for the application for Consent use in terms of section 15 and 16(2) and 157(8) of the Drakenstein Municipal Zoning Scheme By-law of 2018.

The conditions of approval of this application in terms of section 17 of the 2018 By-law, are to be adhered to until final approval is granted.

Section 157(8) requires: *“Where an owner wishes to conduct an additional use which exceeds the area limitation, or number of people specified in this section, the activity shall be a consent use”*. This application is to obtain approval for the Conference/Function Venue and the Manor House to be utilized for Visitor’s Accommodation larger than the threshold.

A site development plan, in terms of section 18 of the 2018 By-law is included in this application.

- **National Environmental Management Act, Act 107 of 1998.**

An Environmental Authorization, in terms of the regulations passed, in terms of the National Environmental Management Act, Act 107 of 1998 is required and a due diligence for the proposed development is being undertaken and shall be submitted when ready.

- **National Heritage resources Act, Act 25 of 1999.**

The development is to be undertaken on a site larger than 5000m<sup>2</sup> and requires heritage authority authorization in terms of Section 38 of the act for any development or activity that will change the character of the site.

- ✚ A Notice of Intend to Develop (NID) was submitted to HWC.

- ✚ A further requirement was to submit a Heritage Impact Assessment report (HIA) because the property is located inside

the approved Drakenstein Heritage Overlay Zone for Daljosaphat.

- ✚ Following local interested party consultation, the HIA was submitted to meet the requirements to enable HWC to approve the submitted NID.
- ✚ The final decision is pending as recommendations from HWC for amendments to the HIA is being attended to.
- ✚ The final approval shall be submitted when received.

## **8. Description of the development for this application**

The proposal for this Consent Use application is to build the following buildings to enable our client to maximize the use of the Agricultural property.

- Main dwelling (Manor / Guest house) for primary residential purposes with 13 Bedrooms of which 12 Bedrooms (Suites) are to be utilized for Visitor's accommodation.
  - Conference Facility / Function Venue.

The farming activities which will be done on 97.5% of the property and the built structures planned, will have a minimal impact on farming activities. The built structures will, with the re-establishment of the neglected olive grove, not be visible from Kleinbosch road. The built structures of the development will cover 2,63% of the total area of the farm.

The development will mainly focus on the establishment of farm infrastructure which was absent since the subdivision took place in 1910. The development will be in material not foreign to the Boland area (white plastered walls, clay bricks with steep sloped corrugated roofing structures) to blend in with the landscape.

The Conference / Function building is envisaged to be a steel structure with corrugated steel cladding to create a contrast to the white masonry structures, although the pitch of the structure will complement the prevailing 30<sup>o</sup> pitch of the main house and built structures on farms in the area.

The development will be reasonable in scale as the built-up areas will be less than 5% of the total area of the site. Existing agricultural activities are to be continued with an emphasis of re-establishing the existing, neglected olive groves to the south of the existing dam.

## 9. Area of proposed buildings and its application

Item	Description of building	Floor Area (m <sup>2</sup> )
1	Manor house / Guest house	990,00
2	Conference / Function Venue	960,00
	<b>Total</b>	<b>1950,00</b>

Section 152(5) of the 2018 By-law states: *“A dwelling and second dwelling may not exceed a floor area, including outbuildings and garages, of 500m<sup>2</sup> each whilst any additional dwelling is limited to a floor area of 120m<sup>2</sup> each.”*

Section 157(5) of the 2018 By-law states: *“Visitors’ accommodation in the Agriculture Zone may not exceed 7 bedrooms or 14 people per land unit.”*

Section 157(6) of the 2018 By-law states: *“Notwithstanding the definition of visitors’ facilities, in this zone a function venue, conference facility or wellness centre shall require the Municipality’s consent.”*

Section 157(7) of the 2018 By-law states: *“The total floor area for all buildings used for visitors’ facilities, visitors’ accommodation and a plant nursery may not exceed 5% per hectare of the land unit up to a maximum of 1500m<sup>2</sup>.”*

Section 157(8) of the 2018 By-law states: *“Where an owner wishes to conduct an additional use which exceeds the area limitation, or number of people specified in this section, the activity shall be a consent use.”*

This Consent Use application is to obtain the rights to:

- utilize the Manor house as a Guest house with 12 Bedrooms/Suites for Visitor’s accommodation
- utilised the Manor house for a potential number of 24 people for Visitor’s accommodation
- allow the Manor house building to exceed the permissible floor area with 490m<sup>2</sup> from 500m<sup>2</sup> to 990m<sup>2</sup>
- allow the total floor area for all buildings used for visitors’ facilities and visitors’ accommodation to be exceeded with 460m<sup>2</sup> from 1500m<sup>2</sup> to 1950m<sup>2</sup>.

## 10. Site Development plan calculations

Item	Description of building	Coverage (m <sup>2</sup> )	Floor Area (m <sup>2</sup> )
1	Farm area		6.9264 Ha
2	Manor house / Guest house	588,00	990,00
3	Conference / Function Venue	960,00	960,00
4	Manager's (second) Dwelling	105,00	105,00
5	Parking		930,00
6	<b>Area Total</b>		<b>2 985,00</b>
7	<b>Building Coverage area</b>		<b>1 653,00</b>
8	Percentage of Farm area for proposed development	<b>2,38 %</b>	<b>4,30 %</b>

Section 151 of the 2018 By-law requires a site development plan for agricultural enterprises as it is stipulated in the following sub-sections.

*“(1) After the commencement of this Scheme, and prior to the erection of any new buildings or alterations to existing buildings or the conversion of any existing buildings to a new land use, or together with a planning application, a site development plan for the agricultural enterprise shall be submitted to the Municipality to indicate the existing legal land uses on the property and, if proposed, the intended new buildings or land use.”*

*“(2) A site development plan for an agricultural enterprise must identify primary, additional, consent uses and departures already approved, and also show new buildings or planning approvals for which an application is being made, as the case may be.”*

*“(3) A farm site development plan may indicate new envisaged permitted buildings which may be intended for future construction and a clear distinction shall be made between existing and future proposed buildings.”*

*“(4) When assessing a site development plan for an agricultural enterprise in terms of subsection (1) above, the Municipality may require amendments to the positioning and nature of proposed new buildings, structures and landscaping to address health, safety, environmental and visual impacts, but may not refuse primary permitted rights.”*



*“(5) Once a site development plan for an agricultural unit is approved, the Municipality shall record the approval in the zoning register and retain a copy of the plan in their records.”*

*“(6) A site development plan for an agricultural enterprise may only be refused if the land uses shown are not permitted or compliant with the Scheme or are not lawful.”*

*“(7) If the site development plan contains any aspect for which technical approval, permission or consent use is required, the necessary application shall be made in accordance with this Scheme and/or the Planning By-law prior to approval of the said plan.”*

	<b>PERMITTED</b>	<b>CONSENT</b>	<b>COMMENTS</b>
<b>Primary</b>	Dwelling House	Visitor’s accommodation > than threshold	<i>Consent use application for a Guest house of 12 guest suites. See section 9 of this application as it exceeds the area limitation and number of people specified in Section 157(8) of the 2018 By-law</i>
	Second Dwelling (Manager’s dwelling)		<i>New building under building control scrutiny. Primary use and not included in this Consent use application</i>
		Conference Facility	<i>Consent use application. See section 9 of this application</i>
<b>Additional</b>		Function Venue	<i>Consent use application. See section 9 of this application</i>

Section 162 requires a site development plan for the following reasons:

- “(1) requires a site development plan for an agricultural enterprise shall be required before any new buildings may be approved on a building plan.”
- “(2) All technical approval applications shall require a site development plan.”
- “(3) A site development plan shall be required for a consent use application and once approved, shall become the development parameters for such use once approved.”

It is proposed that this site information and the attached development plans be regarded as the development parameters.

## 11. Parking requirements

Chapter 3 of the 2018 By-law gives requirements for parking in relation to applicable buildings and its uses.

- **Methodology of measuring and rounding off**  
Section 11(6) of the 2018 By-law states: “If a calculation of a requirement results in a fraction, and where such a fraction applies to a number of whole units which cannot be provided in fractions (e.g. dwelling units, parking bays, bedrooms and so forth) then the result of the calculation will be rounded up or down as follows: when the calculation results in a fraction which is less than 0,5 the number shall be rounded down, and where the fraction is 0,5 or more, the number shall be rounded up.”

The following table and the calculations with results complies to above methodology.

BUILDING TYPE	PARKING REQUIREMENTS	DEVELOPMENT PROVISION
12 BEDROOM/SUITE GUEST HOUSE	1 bay/2 persons accommodated (or alternatively, 1 bay/2 single beds and 1 bay/double bed) plus 1 bay/employee <b>13 BAYS REQUIRED</b>	13 Bays for visitors 4 Bays for owner  <b>17 BAYS PROVIDED</b>
200 SEAT/DINING CONFERENCE FACILITY FUNCTION VENUE	0,25 bay / seat (2,4x5,5m) x 0.25 = 13.2m <sup>2</sup> x 0,25 = 3.3 m <sup>2</sup> x 200 = 660 m <sup>2</sup> Parking area = 50 BAYS REQUIRED	<b>54 BAYS PROVIDED</b>

## 12. Visual impact and sightlines

The development is not visible from the Kleinbosch Road as can be seen from the illustration below.

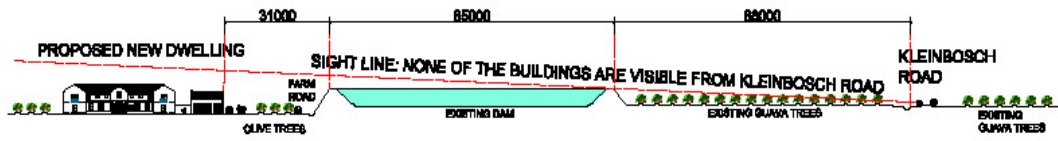


Figure 3: Entrance to the property from Kleinbosch Road. Distance of  $\pm 200\text{m}$  to the entrance gate of the property

### **13. Desirability**

Desirability is defined, amongst other, and in particular, related to this application and proposed development, as the degree of acceptability of the specific land use on the said property within an existing natural and man-made environment. Desirability should further also be advisable or recommendable.

Section 153(4) of the 2018 By-law states: *“When considering an application for consent use, the Municipality shall only approve consent uses which are related to or serve the surrounding agricultural or rural community. Any consent use which does not serve the surrounding agricultural or rural community (such as for example certain types of service depots) shall not be approved. The Municipality shall also consider imposing conditions linking the activity to specific operations to ensure ongoing adherence to these objectives.”*)

Therefore, this application shall be refused solely on the basis of a lack of desirability or on the basis of its effects on existing rights concerned on the area. Where an application is not refused, regard shall only be made in considering the relevant particulars, to only the safety and welfare of the members of the community concerned, the preservation of the natural and developed environment or the effect of the application on existing rights concerned.

The desirability of this application is illustrated by the current use of the surrounding properties which include Guest houses, Restaurants and Conference facilities and many other activities on agricultural properties which can be regarded as set precedents for further development within the rural setting of the area.

### **14. Compatibility with surrounding land uses**

- The application focusses on the establishment of farm building infrastructure.
- None of these uses are unwelcome and are in fact enjoyed and needed by the local community.
- The proposed development will not detract from the current use of the surrounding properties.
- The development will complement existing properties as the activities will render a much-needed service to the greater Drakenstein area and surrounding communities.

### **15. Economic benefits**

- The development will generate several work opportunities, most of which are filled by members of the local community.

- In addition, numerous service providers such as laundry, catering, cleaning, gardening and general maintenance services will benefit from the proposed development.

## **16. Access requirements to the property**

Section 24(1) of the 2018 By-law states: *“Vehicular and pedestrian access to a property shall be to the satisfaction of the Municipality and, where applicable, to the satisfaction of the Provincial Roads Engineer.”*

- The site is accessed from Kleinbosch road and will use the existing entrance.
- Any conditions for approval imposed on this application shall be adhered to.

## **17. Water services**

The property has potable water and the test results for the water is available on request.

## **18. Sewerage services**

- The property is not connected to the Municipal sewer system.
- All the buildings will be fitted with a conservancy sewerage tank for each building and shall comply to Sans 10400-2011 and SABS regulations.

## **19. Electricity services**

Electricity infrastructure is already in existence and no upgrades are required

## **20. Refuse services**

Refuse removal is done on a weekly basis by the owner and the development do not envisage any external service provider to render this service.

## **21. Conclusion**

- ✚ The proposed development is in line with the development policy of the area.
- ✚ The development is located on an existing actively farmed land and will not negatively affect the environment.
- ✚ All services required for the development already exist.
- ✚ The development will not have a negative effect on the abutting owners.
- ✚ The development will generate numerous job opportunities for local members of the community



- ✚ The development contributes towards reduction of the high level of unemployment in the Drakenstein municipal area.
- ✚ Similar applications are approved on a regular basis by the Municipality which indicates that this application should be supported.

From the above motivation report and summary of applicable regulations for Agricultural zones and other related parameters of the Drakenstein Municipal Zoning Scheme By-Law 2018, it is clear that the development will make a positive contribution towards job creation and service provision in the area and also have a positive influence on the economy of the region without compromising the atmosphere and character of this Daljosaphat agricultural area.

## 22. Property information

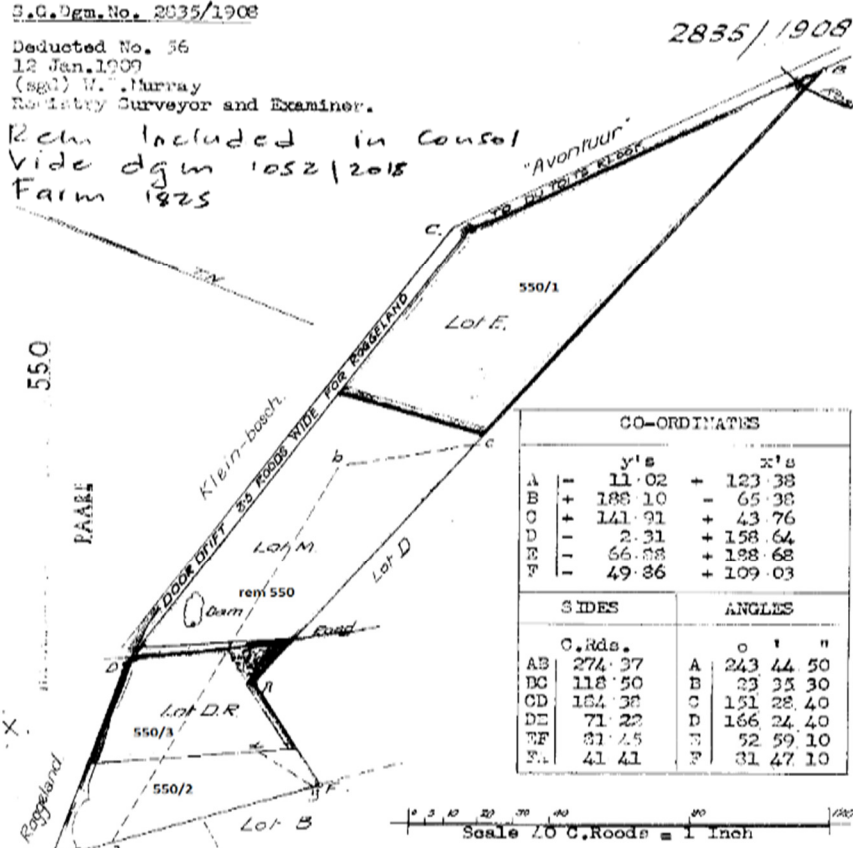
<b>Applicant</b>	John. C. Pheiffer Architecture (Pty) Ltd
<b>Farm Nr</b>	550 / 1
<b>District</b>	Paarl Rd
<b>Registered Owner</b>	Mr. & Mrs. Marc Pillaye
<b>Title Deed</b>	T 59697 - 2018
<b>Extent</b>	6,9264 ha
<b>Municipal Jurisdiction</b>	Drakenstein Municipality
<b>Zoning</b>	Agriculture zone
<b>Zoning Scheme</b>	Drakenstein Municipality Zoning Scheme By-law (2018)
<b>Existing use</b>	Actively farmed with guavas and olives



**Applicant:** **John. C. Pheiffer Architecture (Pty) Ltd**  
John Pheiffer  
(Pr. S. Arch.T)

# Annexures

## 23. Surveyor diagram



The above diagram ABCDEF represents 20 Morgen 438 sq.roods of Freehold Land situate at Klein Drakenstein Division of the Faarl being Lot C a portion of "Schoongezicht" comprising- (1st) The figure abcAF in extent 5 Morgen 360 sq.roods a portion of the Freehold Land granted to Abr. Vivie on the 22 February, 1694.  
 (2nd) The figure abcDE in extent 14 Morgen 528 sq.roods, a portion of the Redeemed Quitrent (now Freehold) "Schoongezicht" Granted to Daniel du Teit (Francois son) on the 15th February, 1833.

Bounded: N. by Roggeland and Doordrift for Roggeland  
 S. " Lot D and  
 SW. " Lots A and B

Framed from actual Survey by me,  
 (sgd) A.A.D. Malherbe,  
 Government Land Surveyor  
 May, 1902

Copied from the diagram relating to  
 Transfer—Deed No. 4286  
 23rd June, 1910  
 in favour of  
 Johannes P.J. Rossouw  
 A.S. Harcourt  
 10.5.1951

B  
 27-6-60 PMS  
 C  
 550 RMcG.

24. Power of attorney

**POWER OF ATTORNEY**

We, the undersigned, duly appointed and authorized to sign on behalf of

**Mr. M. C. PILLAYE**

being the registered owner/s of

**FARM 550/1, DALJOSAPHAT, PAARL**

do hereby nominate, constitute and appoint

**JCP Architecture, with Mr. John. C. Pheiffer as principal, with power of substitution, to be my / our lawful representative and agent in my / our name, place and stead to**

1. Apply for : copies of plans at municipality, building plan approval for building/s on the property, rezoning, consent use, including parking requirements, - floor factor, departure, building line and coverage encroachment, - extension of approval time period and/or any other regulation and applications as described in this application with regards to the built environment pertaining to the property
2. Sign all documentation necessary for the application/s
3. Accept any conditions imposed by the local authority in connection with the approval of such application
4. Generally for effecting the purpose aforesaid, to do, or cause to be done, whatsoever shall be requisite as fully and effectually to all intent and purposes, as I / we might or could do if personally present and acting herein, and I / we hereby ratify, allow and confirm, and also agree to ratify, allow and confirm, all my / our said **JCP Architecture** shall do so or cause to be done lawfully by virtue of this document.

Signed at Paarl, on this 15 day of FEB, 2019

Owner / Authorized agent

Print name : M. C. Pillaye

Signature 

# 25. Title deed

**A. VIR AKTESOERGER SE GEBRUIK / FOR CONVEYANCER'S USE:**  
 (a) Gelyktydiges met ander registrasiekantore/deelthals: Simuls with other registries /sectional titles:

Kode	Firma/Firm	Eiendom/Property	Kantoor/Office
1			
2			
3			
4			

(b) Klient afskryf van aktes permanent in Aktekantoor gelêsseser: Client copies of deed filed permanently in Deeds Office:

Aard en nommer van akte Nature and number of deed	Cover No. Omslag Nr.	Perse van ondersoekers Initials of Examiners

(c) Notas/Notes:

**B. VIR AKTEKANTOOR GEBRUIK / FOR DEEDS OFFICE USE:**

Opmerkinge Remarks	Formas Plans
(1) Dorp goedgekeur (geproklameer) Township approved (proclaimed)	
(2) Begintingsaktes Endowment aktes	
(3) Begintings Endowment	
(4) Bepoorders Conditions	
(5) Mikro Micro	
(6) Reguleer Plan Regulatee Plan	
(7) Tiplaats Title Deeds	
(8) Verbonde teen dorpselle Bonds against township site	
(9) Return registrasie Date checked	

Interdite registrasie deur Interdite checked by: **LATGEVAH LABREY**  
 Datum Date: **19 DEC 2018**

Interdite registrasie deur Interdite checked by: **LATGEVAH LABREY**  
 Datum Date: **19 DEC 2018**

Kantoor instruksies / Office Instructions:  
 Seksie / Section:

CTN 01368  
**SHARING BOX 285**  
**MAGNUS STEENKAMP ATTORNEYS**  
 TEL: 021 913 1420

UITVOERING / EXECUTION

**LODGED**  
 08 DEC 2018  
**INGEDIEN**  
 14 DEC 2018

A. VIR AKTEKANTOOR GEBRUIK / FOR DEEDS OFFICE USE

Ondersoekers / Examiners	Kamers Rooms	Skakeling / Linking	Verwys Refer	Passer/Pass
1. CLASSEN ROOM 1172				
A. BUYS 1312H				

B. VIR AKTESOERGER SE GEBRUIK FOR CONVEYANCER'S USE

Aard van Akte / Nature of Deed: **Versterking**  
**Taljeard**  
**Pillage**

Verw. No./Ref. No.: **T 00059697/2018**

Skakeling / Linking: **T 5945/2018**

Titelsaktes, ens. binne/Tite deeds, etc. within:

GELYKTYDIGES / SIMULS

No. in Inscription	Kode/ Code	Naam van Partye / names of parties	Registrasie deur / Registered by	Formas Plan No.
1	T	Taljeard / Pillage	Magnus Steenkamp	285
2				
3				
4				
5				
6				
7				
8				
9		JACOBUS PETRUS VAN ZYL		
10				

REGISTRASIE VERBOEK DEUR: 19 DEC 2018  
 REGISTRATION REQUESTED BY: 19 DEC 2018  
 DATUM: 08000577041  
 DATE:

Plek behouwing van aktes (para 1 in Aard / Site deposit of property deeds) para 1 in Deed  
 Komende ligan 2 of the form 550  
 ligan 4 of the form 550  
 ligan 1 of the form 587

1) WARRAW (Cond. D @ Para 1) title not required ✓ done.

2) Readable, Cond. D @ Para 1. Lodge consents by owners of farms 571 & 550 (See Jacobus) (b) Comply with Cond. D(b) to be created. Do necessary. 13/12/2018 A. BUYS 1312H

285

MAGNUS STEENKAMP  
PROKUREURS  
Gebou 1  
Oude Westhof Village Square  
Van Riebeeckshofweg  
Bellville  
7530  
Suid-Afrika

Opgestel deur my  
*[Handwritten Signature]*  
TRANSPORTBESORGER  
MAGNUS DANIEL STEENKAMP

Purchase Price/Value	R. 2000000,00	101800
Mortgage capital Amount		
Reason for exemption		

T000059697 / 2018

TRANSPORTAKTE

DATA / CAPTURE  
09 JAN 2019  
DIPONTRENS LEEUW

HIERBY WORD BEKEND GEMAAK DAT

JACOBUS PETRUS VAN ZYL

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

MIRANDA TALJARD  
Identiteitsnommer 640302 0005 08 8  
Ongetroud

geteken te Shelley Beach op 04 Desember 2018

DATA / VERIFY  
11 JAN 2019  
NANDIPHA KETILE

Lexis® Convey 17.0.5.5

20



En genoemde Komparant het verklaar dat sy prinsipaal, op 13 November 2018, waarlik en wettiglik verkoop by Privaat ooreenkoms, en dat hy, in sy voorgenoemde hoedanigheid hierby sedeer en transporteer aan en ten gunste van

**MARC CRAIG PILLAYE**  
**Identiteitsnommer 641209 5240 08 2**  
**en**  
**MATILDA MAUREEN PILLAYE**  
**Identiteitsnommer 621123 0128 08 1**  
**Getroud binne gemeenskap van goed met mekaar**

hulle Erfgename, Eksekuteurs, Administrateurs of Regverkrygendes, in volkome en vrye eiendom

1. **RESTANT VAN GEDEELTE 1 VAN DIE PLAAS NR. 550  
IN DIE DRAKENSTEIN MUNISIPALITEIT  
AFDELING PAARL  
PROVINSIE WES-KAAP**

**GROOT : 6,9264 (SES KOMMA NEGE TWEE SES VIER) Hektaar**

**AANVANKLIK OORGEDRA** kragtens Transportakte Nommer T 234/1911 met Kaart wat daarop betrekking het en gehou kragtens Transportakte Nommer T5945/2018

**A. ONDERHEWIG** aan die voorwaardes waarna verwys word in Transportakte Nr T234/1911.

**B. ONDERHEWIG VERDER** aan die volgende voorwaarde opgelê, kragtens Artikel 4(2) van Wet 70 van 1970, deur die Minister kragtens Toestemming Nr 16736 gedateer 1 Desember 1989, naamlik dat die ondergemelde eiendomme:

- a) Restant van Gedeelte 1 van die Plaas Nr 550, Afdeling Paarl, Provinsie Wes-Kaap;

Groot: 6,9264 (SES KOMMA NEGE TWEE SES VIER) Hektaar

en

- b) Gedeelte 1 van die Plaas Nr 567, Afdeling Paarl, Provinsie Wes-Kaap;

Groot: 1242 (EENDUISEND TWEE HONDERD TWEE EN VEERTIG) Vierkante Meter

nie afsonderlik getransporteer, afsonderlik met 'n verband beswaar of op enige ander wyse afsonderlik mee gehandel word sonder die Toestemming van die Minister soos meer volledig blyk uit Minister se goedkeuring geliasseer by T77125/1990.

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C. **ONDERHEWIG VERDER** kragtens Akte van Transport Nr T77125/1990 aan 'n serwitoutpad 3 (DRIE) meter wyd, ten gunste van Gedeelte 5, Groot 6543 (SESDUISEND VYF HONDERD DRIE EN VEERTIG) Vierkante meter, GEHOU kragtens Transportakte Nr T77125/1990, die middellyn waarvan aangedui word deur die geboë lyn a b op Kaart Nr SG8392/89 daarby aangeheg.

D. **ONDERHEWIG VERDER** aan die terme van die endossement gedateer 16 Februarie 2018 op Transportakte Nommer T5945/2018, wat lees soos volg:

**“PARA 1**

By virtue of a Notarial Deed No **K 115/2018S** dated 29 January 2018, the registered owner of the within mentioned property has entered into an agreement with **SOLUKEM CC Registration Number 1990/006961/23** that

1. The Remainder of Portion 1 of the Farm No 550 measuring 6,9264 hectares held by Deed of Transfer No T5945/2018, shall not be transferred without the written consent of the owner/s of the Remainder of Portion 1 of the Farm Kleinebosch No 571 and the Remainder of Portion 2 of the Farm No 550 first being obtained;

2. That the abovementioned condition shall automatically lapse upon the registration of a servitude of aqueduct and water pipeline over the Remainder of Portion 1 of the Farm No 550 and in favour of the Remainder of Portion 1 of the Farm Kleinebosch No 571 and the Remainder of Portion 2 of the Farm No 550.

As will more fully appear from said notarial deed.”

2. **GEDEELTE 1 VAN DIE PLAAS NR. 567  
IN DIE DRAKENSTEIN MUNISIPALITEIT  
AFDELING PAARL  
PROVINSIE WES-KAAP**

**GROOT : 1 242 (EEN DUISEND TWEE HONDERD TWEE EN VEERTIG)  
Vierkante meter**

**AANVANKLIK OORGEDRA** kragtens Transportakte Nommer T 33/1911 met Kaart wat daarop betrekking het en gehou kragtens Transportakte Nommer T5945/2018

A. **ONDERHEWIG** aan die voorwaardes waarna verwys word in Transportakte Nr T33/1911.

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**B. ONDERHEWIG VERDER** aan die volgende voorwaarde opgelê, kragtens Artikel 4(2) van Wet 70 van 1970, deur die Minister kragtens Toestemming Nr 16736 gedateer 1 Desember 1989, naamlik dat die ondergemelde eiendomme:

a) Restant van Gedeelte 1 van die Plaas Nr 550, Afdeling Paarl, Provinsie Wes-Kaap;

Groot: 6,9264 (SES KOMMA NEGE TWEE SES VIER) Hektaar

en

b) Gedeelte 1 van die Plaas Nr 567, Afdeling Paarl, Provinsie Wes-Kaap;

Groot: 1242 (EENDUISEND TWEE HONDERD TWEE EN VEERTIG) Vierkante Meter

nie afsonderlik getranspoteer, afsonderlik met 'n verband beswaar of op enige ander wyse afsonderlik mee gehandel word sonder die Toestemming van die Minister soos meer volledig blyk uit Minister se goedkeuring geliasseer by T77125/1990.

3. **GEDEELTE 4 VAN DIE PLAAS NR. 550  
IN DIE DRAKENSTEIN MUNISIPALITEIT  
AFDELING PAARL  
PROVINSIE WES-KAAP**

**GROOT : 712 (SEWE HONDERD EN TWAALF) Vierkante meter**

**AANVANKLIK OORGEDRA** kragtens Transportakte Nommer T 8616/1929 met Kaart wat daarop betrekking het en gehou kragtens Transportakte Nommer T5945/2018

**ONDERHEWIG** aan die voorwaardes waarna verwys word in Transportakte Nr T8616/1929.



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

**MIRANDA TALJARD, Ongetroud**

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

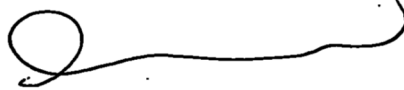
**MARC CRAIG PILLAYE en MATILDA MAUREEN PILLAYE, Getroud soos vermeld**

hulle Erfgename, Eksekuteurs, Administrateurs of Regverkrygendes, tans en voortaan daartoe geregtig is, ooreenkomstig plaaslike gebruik, behoudens die regte van die Staat en ten slotte erken hulle dat die verkoopprijs die bedrag van **R2 000 000,00 (TWEË MILJOEN RAND)** beloop.

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

ALDUS GEDOEN EN VERLY op die Kantoor van die REGISTRATEUR VAN AKTES te KAAPSTAD op hede die

19 DEC 2018



q.q.

In my teenwoordigheid



REGISTRATEUR VAN AKTES



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2. GEDEELTE 1 VAN DIE PLAAS NR. 567  
IN DIE DRAKENSTEIN MUNISIPALITEIT  
AFDELING PAARL  
PROVINSIE WES-KAAP ✓

GROOT 1242 (EEN DUISEND TWEE HONDERD TWEE EN VEERTIG)  
Vierkante meter

GEHOU KRAGTENS Transportakte Nommer T5945/2018

3. GEDEELTE 4 VAN DIE PLAAS NR. 550  
IN DIE DRAKENSTEIN MUNISIPALITEIT  
AFDELING PAARL  
PROVINSIE WES-KAAP ✓

GROOT 712 (SEWE HONDERD EN TWAALF) Vierkante meter

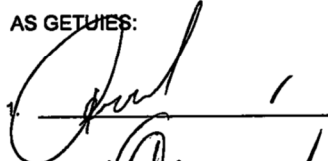
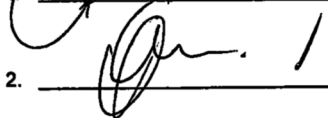
GEHOU KRAGTENS Transportakte Nommer T5945/2018

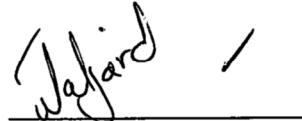
wat verkoop is aan die koper/s deur die verkoper/s op 13 November 2018, vir die bedrag van R2 000 000,00 (Twee Miljoen Rand), in volle en vrye eiendom. ✓

Wat behoorlik betaal of verseker is, en in die algemeen, ten einde voorgenoemde doeleindes uit te voer of te laat doen as wat nodig is, net so volmaak en doeltreffend asof ekself teenwoordig was en hierin gehandel het, en hiermee word bekragtig en toegestaan en word belowe en ooreengekom om te bekragtig en toe te staan, alles en wat ook genoemde Prokureur en Agent kragtens hierdie akte wettiglik doen en laat doen. ✓

GETEKEN TE Shelly Beach op 4 Desember 2018  
in die teenwoordigheid van die ondergetekende getuies.

AS GETUIES:

1.   
2. 

  
MIRANDA TALJARD ✓





















### 33. Photos



**Photo 1:** View on Guava orchard from dam wall  
Buildings in background is on neighboring farm, close to common boundary





**Photo 2: View on neglected olive grove from dam wall**





**Photo 3: View on entrance from dam wall and entrance gate**



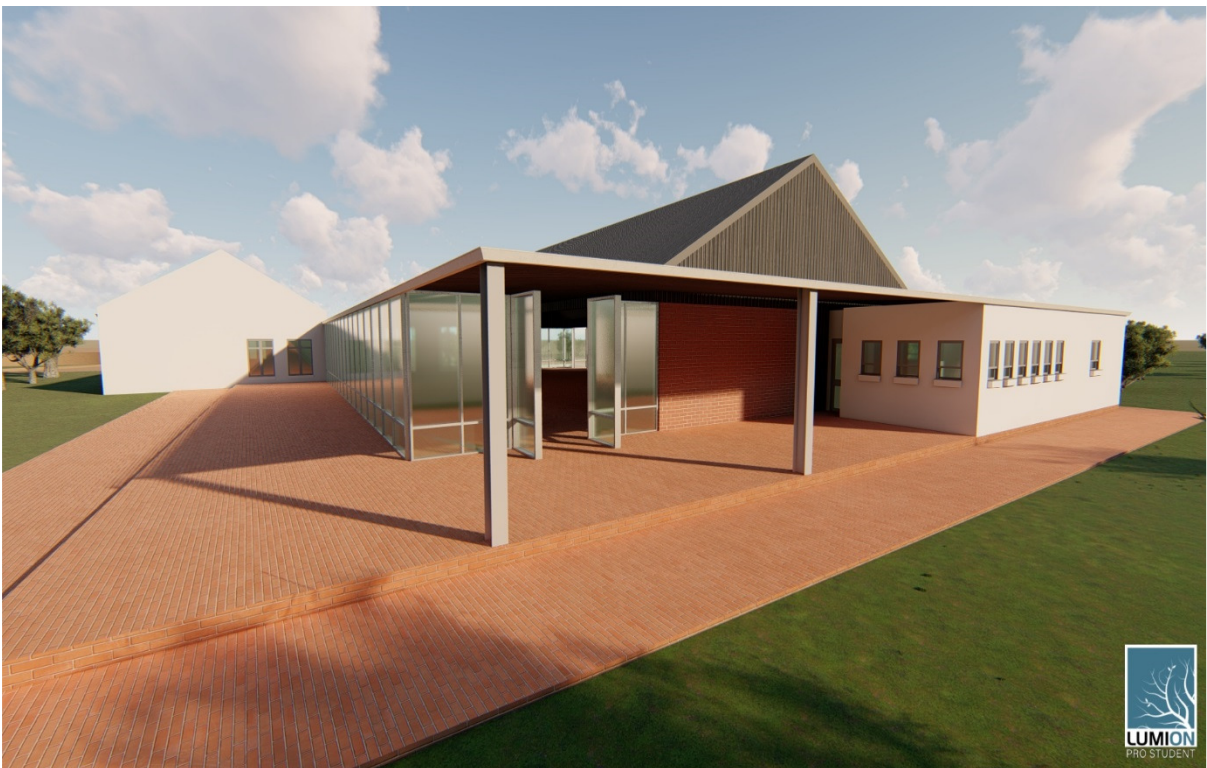


**Photo 4:** View across from dam wall where Conference building is to be built  
Brickfields in background

## 34. Perspective Views



*North / Entrance Perspective – Conference venue*



*South / Back Perspective – Conference venue*





*East Perspective – Conference venue*



*North-east Perspective – Main Dwelling*





*South-east Perspective – Main Dwelling*



*South-west Perspectives – Main Dwelling*



*South-west Perspectives – Main Dwelling*