

**FARM 1477, PAARL**

**APPLICATION  
FOR  
REZONING**

COMPILED FOR

**BIODELTA PTY LTD**

BY

**PraktiPlan**  
LAND USE PLANNERS

1 FLAMBEAU STREET NORTH, PAARL, 7646  
TEL: 021-8632396  
E-MAIL: wjs1@telkomsa.net  
CONTACT PERSON: WILLIE STEYN

**JUNE 2017**

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## **SECTION 1**

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# **LAND USE APPLICATION FORM**



# DRAKENSTEIN

MUNISIPALITEIT • MUNICIPALITY • UMASIPALE WASE

## LAND USE PLANNING APPLICATION FORM

**KINDLY NOTE:** Please complete this form using BLOCK capitals and ticking the appropriate boxes.

### PART A: APPLICANT DETAILS

First name(s)	WILHELM JACOBUS		
Surname	STEYN		
South African Council for Planners (SACPLAN) registration number (if applicable)	TCH. PLN (B/8074/1998)		
Company name (if applicable)	PRAKTIPLAN		
Postal Address	1 FLAMBEAU STREET NORTH		
	PAARL	Postal Code	7646
Email	wjs1@telkomsa.net		
Tel	0218632396	Fax	-
Cell	0827572449		

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

Registered owner(s)	BIODELTA PTY LTD		
Physical address	PO BOX 100		
	SIMONDIUM	Postal code	7670
E-mail	joey@biodelta.net		
Tel	0218742936	Fax	-
Cell	0797102351		

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

Property description [Number(s) of Erf/Erven/Portion(s) or Farm(s), allotment area.]	FARM 1477, PAARL DIVISION		
Physical Address	MAIN ROAD 191		
Town/City	SIMONDIUM DISTRICT		
Current Zoning	AGRICULTURAL ZONE 1	Extent	18,924 ha
Are there existing buildings?	Yes X	No	
Applicable Zoning Scheme	PN 1048/1988		
Current Land Use	AGRICULTURE, 1 INTENSIVE DEED FARMING UNIT		
Title Deed number and date	T104005/2002	4/12/2002	



Any restrictive conditions?	Y	N X	If Yes, list condition(s)	
Are the restrictive conditions in favour of a third party(ies)?	Y	N	If Yes, list the party(ies)	
Is the property encumbered by a bond?	Y X	N	If Yes, list bondholder(s)	ABSA BANK LTD
Any existing unauthorized buildings and/or land use on the subject property(ies)?				Y X N
If yes, is this application to legalize the building / land use?				Y X N
Are there any pending court case(s) / order(s) relating to the subject property(ies)?				Y N X
Are there any land claim(s) registered on the subject property(ies)?				Y N X

#### PART D: PRE-APPLICATION CONSULTATION

Has there been any pre-application consultation?		Y X	N	If Yes, complete the information below and attach the minutes of the pre-application consultation.
Official's name	HAMISH LOUW	Reference Number	-	

#### PART E: LAND USE PLANNING APPLICATIONS IN TERMS OF SECTION 15(2) OF THE DRAKENSTEIN BY-LAW ON MUNICIPAL LAND USE PLANNING AND APPLICATION FEES PAYABLE

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

**\* Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany an application.**

**\*\* The applicant is liable for the cost of publishing and serving notice of an application.**

#### **BANKING DETAILS**

Name: DRAKENSTEIN MUNICIPALITY

Bank: NEDBANK

Branch no.: 149 821

Account no.: 149 812 1861

Account type.: CURRENT ACCOUNT

**Payment reference:** 145 & ERF NUMBER

#### **PART F: DETAILS OF PROPOSAL**

##### **Brief description of proposed development / intent of application:**

Application is being made for the rezoning of 1900 m<sup>2</sup> of Farm 1477 Paarl to Agricultural Zone 2 in order to establish an herbs processing plant in an existing building on the property.

#### **PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION [Section 15(2)(a) to (s) of the Drakenstein Municipality By-law on Municipal Land Use Planning]**

**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. It will not be considered complete until all required information and documentation have been submitted.**

Information and documentation required in terms of section 38(1) of said legislation

Y X	N	Power of attorney / Owner's consent if applicant is not owner	Y X	N	Bondholder's consent (if applicable)
Y X	N	Resolution or other proof that applicant is authorised to act on behalf of a juristic person	Y X	N	Proof of registered ownership or any other relevant right held in the land concerned
Y X	N	Written motivation	Y X	N	S.G. diagram / General plan extract
Y X	N	Locality plan	Y X	N	Site development plan or conceptual layout plan
Y	N/A X	Proposed subdivision plan	Y	N/A X	Proof of agreement or permission for required servitude
Y X	N	Proof of payment of application fees	Y X	N	Full copy of the title deed
Y X	N	Conveyancer's certificate	Y	N/A X	Minutes of pre-application consultation meeting (if applicable)

Supporting information and documentation:

Y	N	N/A X	Consolidation plan	Y	N	N/A X	Land use plan / Zoning plan
Y	N	N/A X	Street name and numbering plan	Y	N	N/A X	1: 50 / 1:100 Flood line determination (plan / report)
Y	N	N/A X	Landscaping / Tree plan	Y	N	N/A X	Home Owners' Association consent
Y	N	N/A X	Abutting owner's consent				

Y	N X	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) (strikethrough irrelevant)	Y	N	N/A X	Services Report or indication of all municipal services / registered servitudes
Y	N	N/A X	Copy of original approval and conditions of approval	Y	N	N/A X	Proof of failure of Home owner's association
Y	N	N/A X	Proof of lawful use right	Y	N	N/A X	Any additional documents or information required as listed in the pre-application consultation form / minutes
Y X	N	N/A	Required number of documentation copies	Y	N	N/A X	Other (specify)

#### PART H: AUTHORISATION(S) IN TERMS OF OTHER LEGISLATION

Y	N/A X	National Heritage Resources Act, 1999 (Act 25 of 1999)	Y X	N/A	Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989), National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004), National Environmental Integrated Coastal Management Act, 2008 (Act 24 of 2008), National Environmental Management: Waste Act, 2008 (Act 59 of 2008), National Water Act, 1998 (Act 36 of 1998) (strikethrough irrelevant)
Y	N/A X	National Environmental Management Act, 1998 (Act 107 of 1998)			
Y	N/A X	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)			
Y	N/A X	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)			
Y	N/A X	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations			
Y	N/A X	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)	Y	N/A X	Other (specify)
Y	N/A X	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.			
Y	N X	If required, do you want to follow an integrated application procedure in terms of Section 44(1) of the Drakenstein Municipality By-law on Municipal Land Use Planning? If yes, please attach motivation.			

#### SECTION I: DECLARATION

I hereby wish to confirm the following :

- That the information contained in this application form and accompanying documentation is complete and correct.
- I'm aware that it is an offense in terms of Section 86(1) (e) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.

3. I am properly authorized to make this application on behalf of the owner and (where applicable) that a copy of the relevant power of attorney or consent are 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. That this submission includes all necessary land use planning applications required to enable the development proposed herein.
6. 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.
7. I am aware that development charges to the Municipality in respect of the provision and installation of external engineering services are payable by the applicant as a result of the proposed development.

Applicant's signature:



Date:

12/6/20  
17

Full name:

WILHELM JACOBUS STEYN

Professional capacity:

TECHNICAL PLANNER

SACPLAN registration number:

B/8074/1998

**FOR OFFICE USE ONLY**

Date received:

\_\_\_\_\_

Received by:

\_\_\_\_\_

Municipal Stamp

**ANNEXURES**

The following Annexures are attached for your information, only if applicable:

Please **do not submit** these Annexures with the application form.

Annexure A: Minimum requirements matrix

Annexure B: Land use planning application submission and protocol

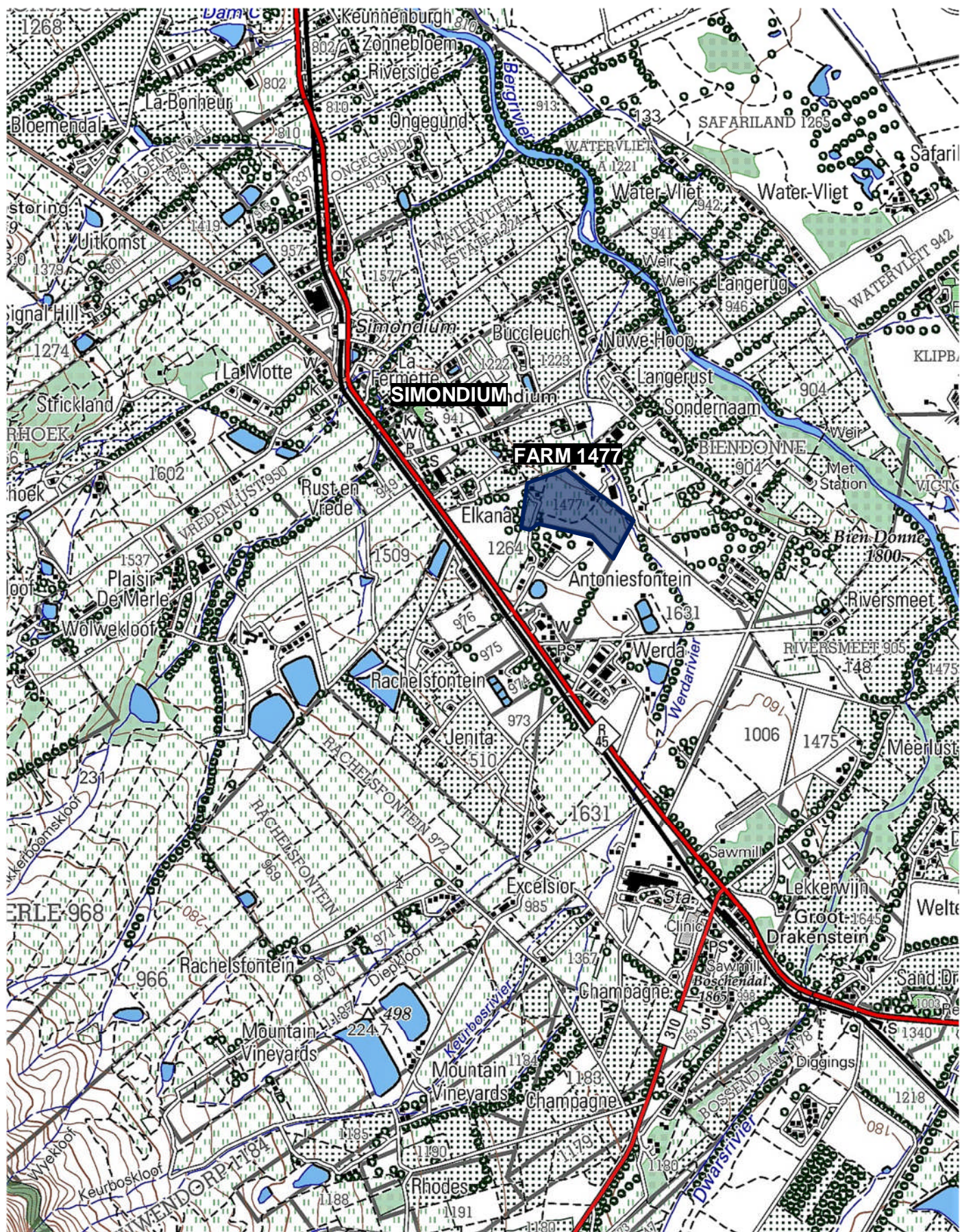
Annexure C: Land use planning application workflow

## **SECTION 2**

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# **MAPS AND PLANS**





**PraktiPlan**

TEL: 021 863 2396

E-POS/MAIL: wjs1@telkomsa.net

Kopiereg voorbehoud / Copyright reserved

## FARM 1477, PAARL LOCATION

Verw./Ref.  
BD1

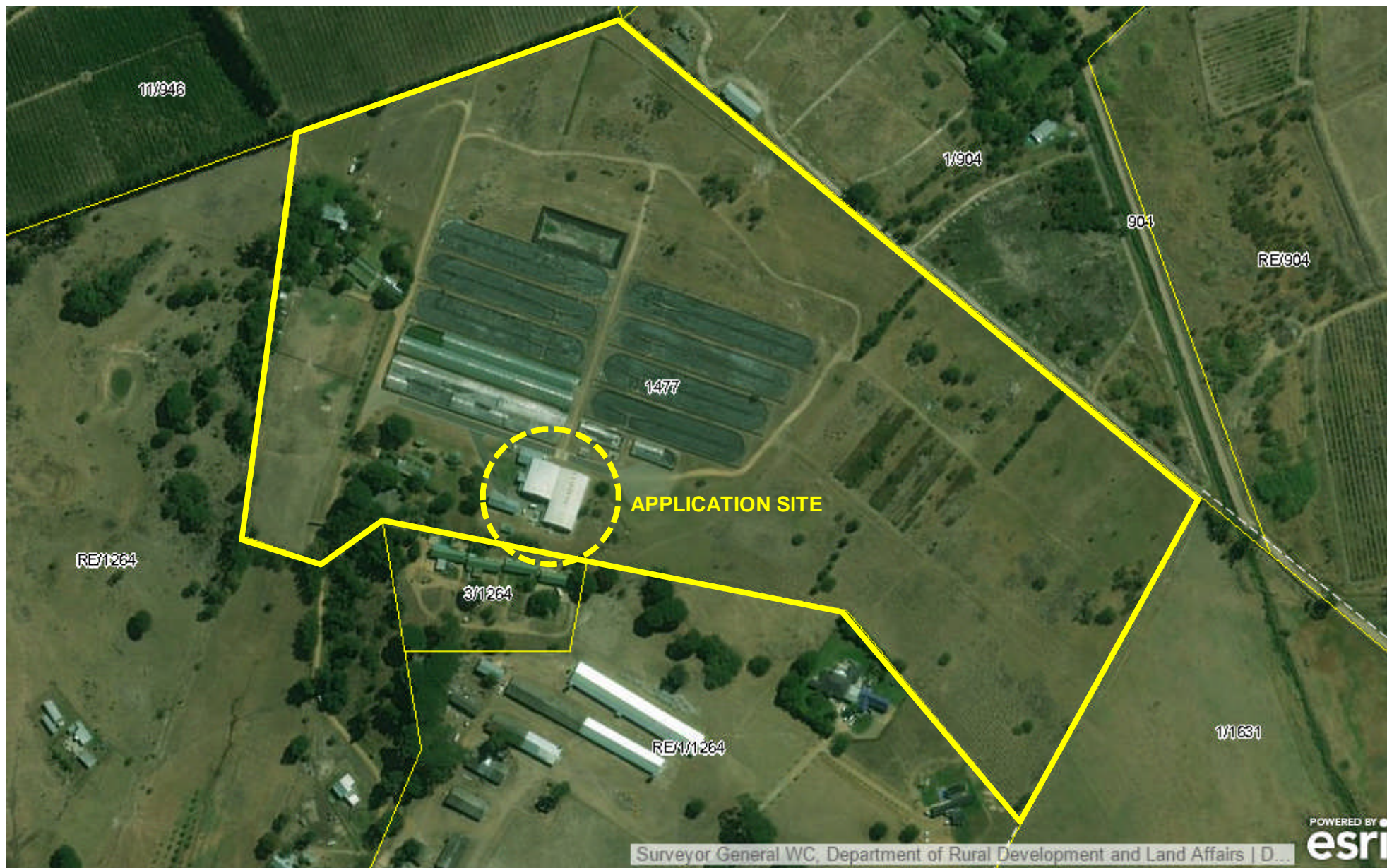
Datum/Date  
2/5/2017

Basis/Base Info  
3318DD

Skaal/Scale  
NVS/NTS







**PraktiPlan**

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E-POS/MAIL: wjs1@telkomsa.net  
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## FARM 1477 PAARL PHYSICAL ENVIRONMENT

Verw./Ref.  
BD1

Datum/Date  
1/5/2017

Basis/Base Info

Skaal/Scale  
NVS/NTS





SIDES Metres		ANGLES		CO ORDINATES Y System Lo19° X			SG No
		<u>Constant</u>		±	0.00	+3700 000.00	6990-91
AB	238 45	117 08 20	A				Approved
BC	297 58	121 27 40	B				<i>M/R C...</i>
CD	226,48	179 57 50	C	+	2 665 37	+ 45 967 43	Surveyor General
DE	257,23	100 15 00	D	+	2 490 33	+ 46 111,14	1991 10 - 23
EF	190 63	69 17 30	E	+	2 615,57	+ 46 335,82	Sheet 1 of 2 sheets
FG	331 26	218 53 20	F	+	2 738 50	+ 46 190 12	
GH	49 91	226 30 20	G	+	3 063 72	+ 46 127 16	
HJ	58 75	125 47 00	H				
JA	282 88	100 43 00	J				
		495 Hutch	△	+	375 36	+ 53 845 40	
		95 La Paris	△		2 019 67	+ 44 210 94	

### Beacon Description

- C D 35mm hole in granite monolith  
E F 20mm iron peg in stone cairn  
G iron standard proj 0 40m

### Components

- 1) The figure ABCGHJ represents the Farm Vrede en Rust No 981 vide Dgm No 366/1864 D/T 1864 34 486
- 2) The figure GCDEF represents Portion 2 (a ptn of Ptn 1) of the Farm Antonisfontein No 1264 vide Dgm 6989 /1991 D/T 21 613/91

The figure **ABCDEFGHIJ**

represents **18,9240 hectares**

of land being

situate **The Farm No 1477 and comprising 1)-2) as enumerated above**  
**in the**

Administrative District of **Paarl**

Province of Cape of Good Hope

Compiled in **August 1991**

by me

*D S Helling*  
**D S Helling**  
Land Surveyor

This diagram is annexed to		The original diagrams are as enumerated above	File No Paarl 1477
No dated if o	781614/91		
Registrar of Deeds			SR No Compiled Comp BH 8BD/X4(6285) Bns C G established B,D and Bdys BC,CD established

The Farm No 1477  
Administrative District Paarl

S G No

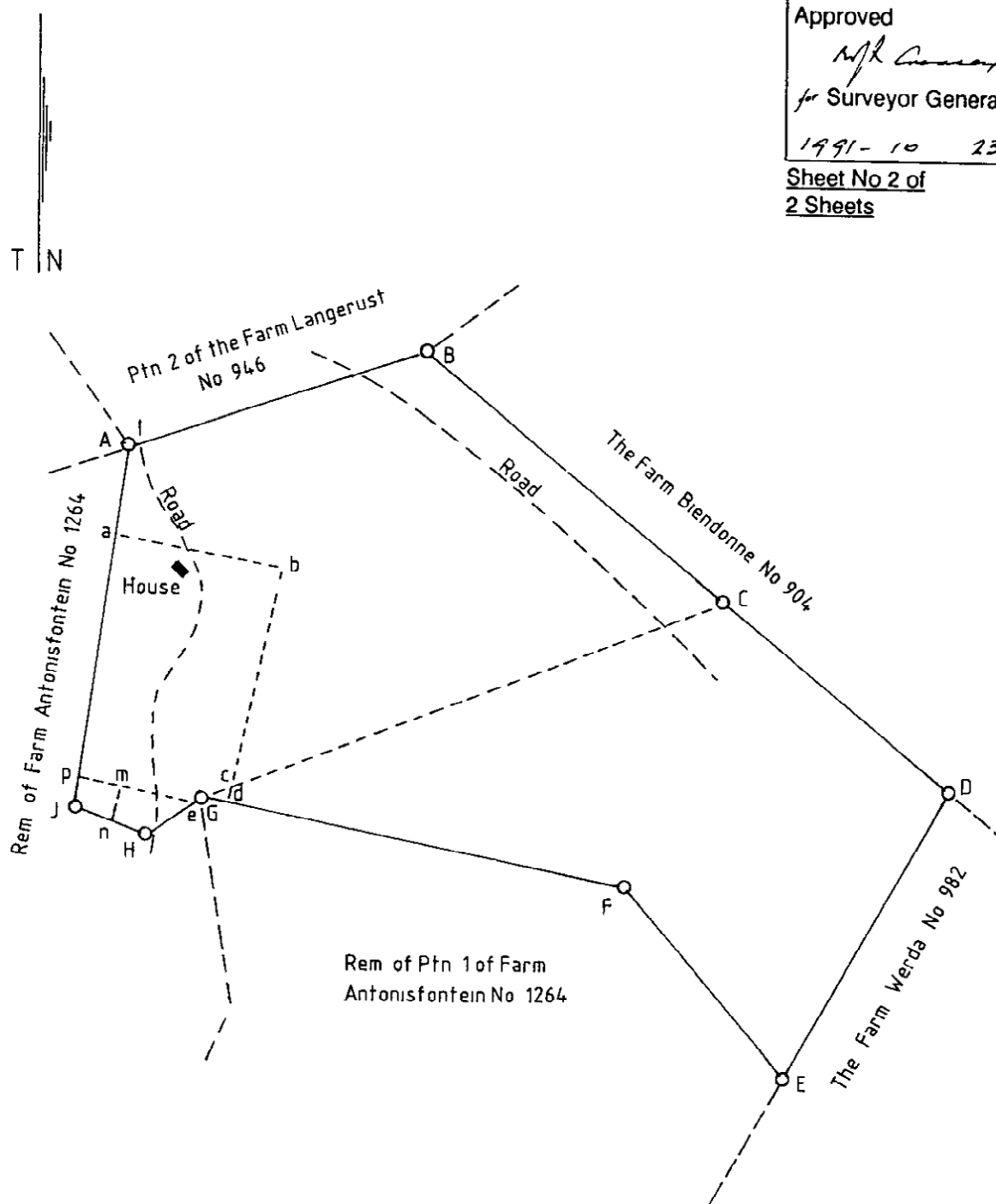
6990-11

Approved

*M. J. C. C. C.*  
for Surveyor General

1991-10 23

Sheet No 2 of  
2 Sheets



Compiled  
Surveyed in August 1991 by me.

*M. J. C. C. C.*

Land Surveyor

Scale 1 5000

SYE METERS		RISTINGS- HOEKE		KOÖRDINATE STELSEL tot 10°	
				Y	X
ab	282,88	a	62 51 40		
bc	58,75	b	259 17 00		
cd	49,91	c	234 13 00		
de	429,02	d	166 18 00		
ef	229,87	e	118 48 00		
fg	821,33				
gh	275,88	g	64 21 30		
hj	148,71	h	270 00 00		
jk	184,95	j	270 00 00		
km	160,72	k	101 15 20		
mn	41,61	m	114 23 10		
nd'	1172,52	n	63 33 40		
d'a	566,65	d'	74 53 40		

- 1) die figuur a p r q b c' b' a' z y x w v c s t u e f g h j k m n d'  
stel die Restant van die plaas Tonis Fontyn Nr 978 voor  
Kaart Nr 265/1817 Stel. Q. 5 - 27
- 2) die figuur v w x y z a' b' c' stel die Restant van die plaas  
Antonisfontein Nr 980 voor  
Kaart Nr 28/1754 Grondbrief.Stel. F. 2 - 269
- 3) die figure p q r e n d u t s stel die Restant van die plaas  
Antonisfontein Nr 979 voor  
Kaart Nr 26/1778 Grondbrief Stel. F. 2 - 309

BEACON h;k.....

1152182

Die figuur      a b c d e f g h j k m n d'

stel voor 58,3687 hektaar

grond, synde

die plaas Antonisfontein Nr 1264, en bevat 1) - 3) hierbo

geleë in die

Administratiewe Distrik

Paarl

Provinsie Kaap die Goeie Hoop.

Saamgestel

~~Opgevoet~~ in September 1977

deur my,

*R. H. Wood*  
Landmeter

Hierdie kaart is geheg aan S.V.T No. 18275 / 80 gedateer t.g.v.  Registrateur van Aktes	Die oorspronklike kaarte is soos hierbo aangehaal  No. <span style="float: right;">geheg aan</span>  Trenport/Grondbrief No.	Lêer No. PARL 1264  M.S. No. Saamgestel  Komp. BH - 8BDD (3765) BH - 8BDD (3767)  BH-8BD/X4 (6285) Beacons d'Angle, and Boundary of the Establish
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VIR ENDOSSEMENTE  
SIEN KEERSY VAN KAAST

**KANTOORAFSKRIF**

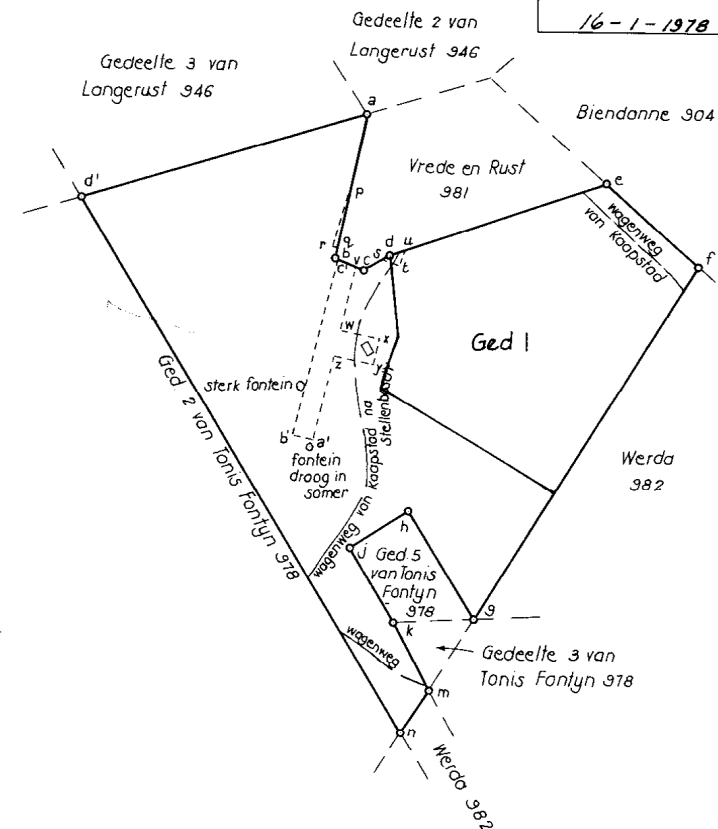
L.G. No.

8 1 8 3 7 7

Goedgekeur

*J. J. van Ledingh.*  
Landmeter-generaal

16-1-1978



Die figure  $duts$ ,  $vwx yz a'b'c'$  en  $pqr$  stel eiendomsgrond voor.  
Die restant is erfpaaggrond.

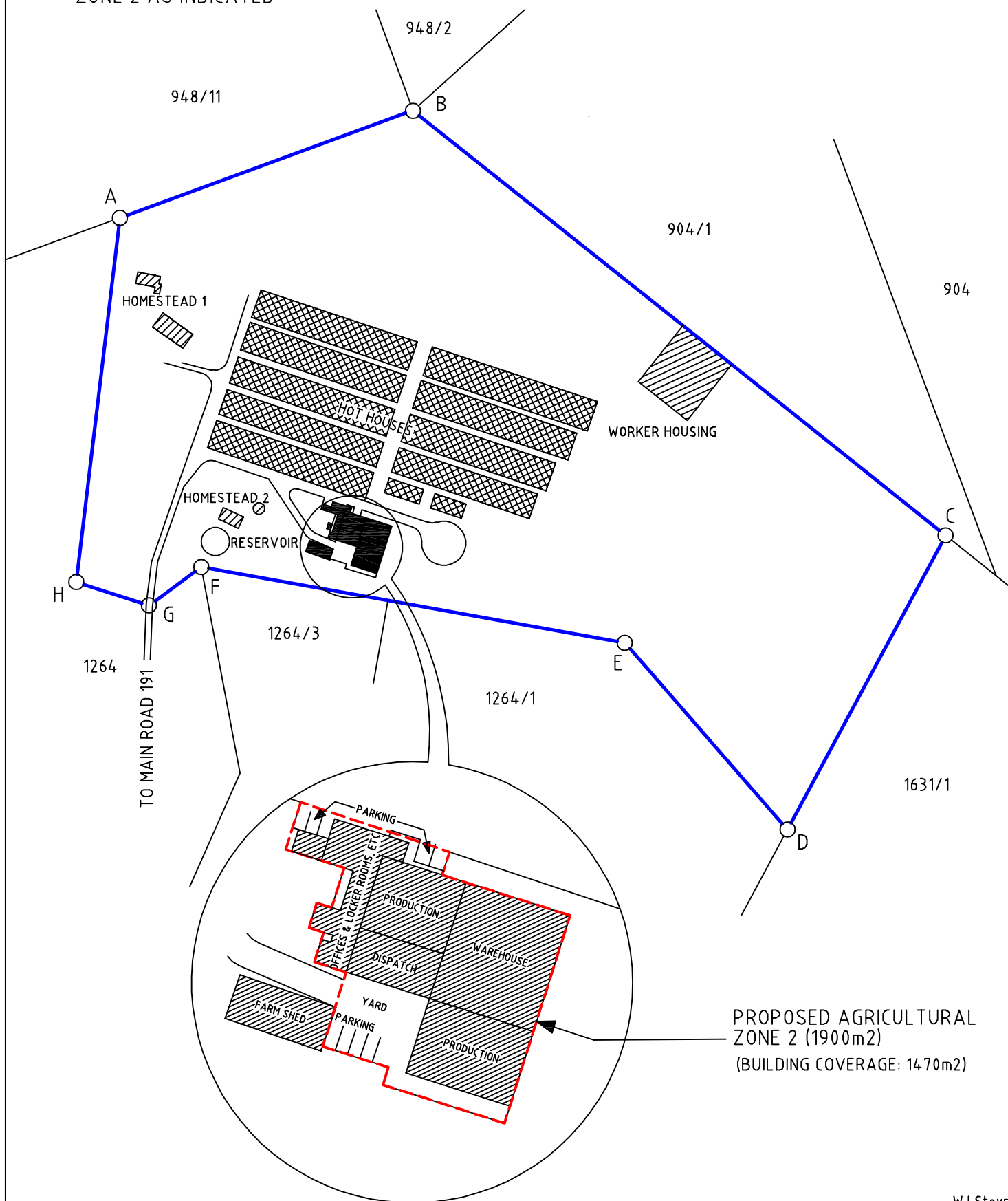
Skaal : 1 / 10000

# **SECTION 3**

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## **DEVELOPMENT PROPOSAL**

- A) FIGURE ABCDEFGH REPRESENTS FARM 1477 PAARL, IN EXTENT 18,92 HA AND ZONED AGRICULTURAL ZONE 1 (PN 1048/1998 SCHEME)
- B) 1900 m<sup>2</sup> OF FARM 1477 IS TO BE ZONED TO AGRICULTURAL ZONE 2 AS INDICATED



WJ Steyn  
(Tch. Pln B/8074/1998)

**PraktiPlan**

TEL: 021 863 2396  
E-POS/MAIL: wjs1@telkomsa.net  
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## FARM 1477 PAARL SITE DEVELOPMENT PLAN

Verw./Ref.  
BD1

Datum/Date  
1/5/2017

Basis/Base Info

Skaal/Scale  
1 : 1000









# **SECTION 4**

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## **MOTIVATION REPORT**



# **MOTIVATION REPORT**

## **PROPOSED REZONING**

### **FARM 1477 PAARL**

B2

JUNE 2017



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8. ENGINEERING SERVICES PROVISION
9. ACCESS AND TRAFFIC CONDITIONS
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11. SPATIAL FRAMEWORKS
12. DEVELOPMENT PRINCIPLES
13. DESIRABILITY
14. CONCLUSION

## SUMMARY

Summary	Section
Application is being made for the rezoning of 1900 m <sup>2</sup> of Farm 1477 Paarl to Agricultural Zone 2 in order to establish an herbs processing plant in an existing building on the property.	1
For information on the applicant, property detail, development proposal and background to the application, see Sections 2 – 6.	2 - 6
No other approvals relevant to the proposed rezoning will be required.	7
All the required engineering services can be provided in an environmentally friendly manner.	8
Sufficient access can be obtained from the public road network without any noticeable impact on traffic conditions.	9
The parameters of the applicable zoning scheme can be complied with.	10
The proposed development is aligned/compliant/consistent with the PSDF, the Drakenstein SDF, the Simondium Precinct Plan and the Rural Land Use Planning and Management Guidelines.	11
The proposed development is compliant with development principles set out in SPLUMA and LUPA.	12
The proposed development is a desirable as: <ul style="list-style-type: none"> <li>▪ The plant will form an integrated activity with farming operations on the property</li> <li>▪ Physical site conditions will therefore not be altered or affected</li> <li>▪ The impact on transportation systems and traffic conditions will be negligible</li> <li>▪ The natural and manmade environment will be unaffected</li> <li>▪ Cultural and heritage resources will not be affected</li> <li>▪ Safety and welfare of community will not be compromised</li> <li>▪ Sosio-economic benefits will be accrued from the development</li> </ul>	13

## 1. APPLICATION DETAIL



The report has reference to the following application:

<b>Application Property</b>	Farm 1477 Paarl
<b>Description</b>	<b>Legislative Reference</b>
Application for the rezoning of 1900 m <sup>2</sup> of the application property to Agricultural Zone 2 in order to establish an herb processing plant in an existing building on the property.	Section 15(2) of the Drakenstein Municipal Land Use Planning Bylaw 2015, read with Section 41(1) of the Spatial Planning and Land Use Management Act, No. 16 of 2013 and Section 35(1) of the Western Cape Land Use Planning Act, No. 3 of 2014

## 2. PROPERTY OWNER / APPLICANT

<b>Name</b>	Biodelta Pty Ltd		
<b>Postal Address</b>	PO Box 100, Simondium, 7670		
<b>Phone Number</b>	0218742936	<b>E-mail</b>	joey.bruwer@biodelta.net
<b>Contact Person</b>	Joey Bruwer		

## 3. PROPERTY INFORMATION

Property Number	Farm 1477		
Allotment Area	Paarl Division		
Street Address	R45		
Coordinates	Latitude (S)	33d50'40"	
	Longitude (E)	18d58'03.27"	
Municipality	Drakenstein Municipality, PO Box 1, Paarl, 7620		
Magisterial District	Paarl		
Existing Utilisation	2 Farmsteads, worker housing, 11 hot houses, agricultural sheds		
	<div></div>		
Zoning Scheme	PN 1048/1988		
Existing Zoning	Category	Agricultural Zone 1	

	<b>Primary Use</b>	Agriculture	
	<b>Secondary Uses</b>	None approved	
<b>Extent</b>	18,924 ha		
<b>Existing Access</b>	From Main Road 191 (R45) via Farm 1264 Paarl (The access road over Farm 1264 has according to the SG records been in existence since at least 1817 and is accordingly a right-of-way by a statute of limitations)		
<b>Existing Services</b>	<b>Water Provision</b>	Boreholes	
	<b>Sewage Disposal</b>	Soakaways	
	<b>Storm Water</b>	On site	
	<b>Refuse Removal</b>	By municipal removal service	
	<b>Electricity Provision</b>	From municipal reticulation system (3-Phase)	
<b>S-G Diagram</b>	6990/91		
<b>Deed of Transfer</b>	T104005/2002		
<b>Restrictive Title Deed Conditions</b>	None		
<b>Servitudes</b>	None affecting the application site		
<b>Bond Holder</b>	Absa Bank Ltd and Industrial Development Corporation of South Africa Ltd		
<b>Heritage Status</b>	<b>Grade 1 Heritage Resource</b>	Yes	The application property is located in the Cape Winelands Cultural Landscape, but the application building was erected prior to the proclamation of the CWCL in 2005
	<b>Grade 2 Heritage Resource</b>	No	
	<b>Grade 3 Heritage Resource</b>	No	
	<b>Special Conservation Area</b>	No	
	<b>Structures older than 60 years</b>	No	

## 4. APPLICATION AREA




The application area contains the following major spatial and physical elements:

Elements	Description
Land uses	Agriculture
Transportation systems	Main Road 191 (R45), located 400 metres to the west of the application property

Rivers and streams	The Werda River, a non-perennial tributary of the Berg River, runs past the eastern corner of the application property
Ridges, hills and mountains	None
Vegetation	Vineyards, orchards and pastures

## 5. DEVELOPMENT PROPOSAL

The application is aimed at permitting the following development:

Proposed Land Use	Establishment of an herbs processing plant in an existing building on the application property			
Application Building	Footprint Area	1470 m <sup>2</sup>		
	Total Floor Area	1530 m <sup>2</sup>		
				
	<div></div>			
Proposed Signage	None			
Proposed Zoning	Category	Agricultural Zone 2		
	Primary use	Agricultural industry		
	Secondary uses	None proposed		
Proposed Land Use Parameters	Coverage	0,8%	Street Building Line	N/a
	Bulk	0,8	Lateral Building Line	18 m +

	<b>Parking</b>	8 bays	<b>Height</b>	2 Storeys
<b>Proposed Services</b>	<b>Water Provision</b>	From existing boreholes		
	<b>Sewage Disposal</b>	Conservancy tank		
	<b>Storm Water Disposal</b>	On site		
	<b>Electricity Provision</b>	From existing municipal reticulation system		
<b>Proposed Access</b>	Existing access from Main Road 191			

Also see the enclosed Site Development Plan and Architectural Sketch Plan.

## 6. BACKGROUND

The background to the development proposal is as follows:

- a) The application property was acquired by Bodelta Pty Ltd in 2002.
- b) On 31/10/2002 the company received building plan approval for the erection of 11 hothouses over shallow dams on the property for the cultivation of Spirulina, an immune stimulating micro algae.
- c) On 30/4/2003 building plans were also approved for the erection of a harvesting building for the Spirulina. The building was approved as a bona-fide agricultural shed, i.e. no rezoning application was called for by the municipality.
- d) Later, before 15/2/2005 according to Google Earth imagery, the harvesting building was extended.
- e) The Spirulina was initially sold as an antibiotic for chickens, but was later developed as a natural immunity product for human consumption as well.
- f) The long, wet winter months in the Western Cape unfortunately proved not to be conducive for the growing of Spirulina. Production was therefore ceased in 2010 and the dams were drained.
- g) In 2011 the Bodelta Pty Ltd merged with Own Brand Pty Ltd, who at the time produced Healthprops, a range of immune boosting lollipops for children.
- h) The company is now under full directorship of the former Own Brand directors and is now producing a wide range of healthy food products under the Good Food brand from a facility in a Cape Town industrial area.
- i) With the growing demand for natural medicines, the opportunity has now arisen to fill in the shallow dams and reinstate the hot houses for the production of herbal plants such as Hemp, Boegoe, Sceletium ("kougoed"), Surtherlandia ("kankerbossie") and Pelargonium in a

controlled environment and utilisation the existing Spirulina harvesting building for the extraction of CBC oil from these plants for medicinal use.

- j) Biodelta Pty Ltd has furthermore teamed up an organisation who trains emerging farmers in agricultural techniques and who will produce herbs in the hot houses as a training facility and an empowerment project for these farmers.

## 7. OTHER LEGISLATIVE REQUIREMENTS

In terms of Section 65(1) of the Municipal Land Use Planning Bylaw, the municipality must have regard to comments by commenting bodies and responses thereto as well as investigations relevant to the application in terms of other laws. In terms of Section 42(1) of the Spatial Planning and Land Use Management Act 2013, read with Section 35(4), a Municipal Planning Tribunal / authorised official must ensure compliance with environmental legislation when the environment is affected.

No other approvals relevant to the proposed rezoning will be required.

- a) The proposed herbs processing plant and its associated infrastructure cover an area of less than 2000 m<sup>2</sup> and is accordingly not listed as an activity requiring Environmental Authorisation in terms of the National Environmental Management Act 1998.
- b) The area of rezoning is less than 1 ha and the herbs processing plant will also not change the character of the farm, as the plant will be established in existing building and the farm will still be used for agricultural purposes. Section 38 of the National Heritage Resources Act 1999 is therefore also not applicable to the use of the existing building as an herbs processing plant.
- c) The extraction of CBD oil from herbal plants is a dry process and no industrial effluent will be generated. No approval in terms of the National Water Act 1998 for the disposal of effluent would therefore be required.

## 8. ENGINEERING SERVICES PROVISION

In terms of Section 65(1) of the Municipal Land Use Planning Bylaw and Section 42(1) of the Spatial Planning and Land Use Management Act 2013, read with Section 35(4), the municipality must have regard to the impact of the application on the provision of municipal engineering services.

Engineering services will be provided in the following manner to the proposed development:

	Volume required / generated	Available services	Comments
--	-----------------------------	--------------------	----------

<b>Water Provision</b>	90 l/staff member/day <sup>1</sup> x 80 staff = 7 200 l/day (7,2 m <sup>3</sup> /day)	Existing boreholes	The application property is located in the Berg River catchment area and may accordingly take 150 m <sup>3</sup> x 18,9 ha = 2835 m <sup>3</sup> water per annum (on average 11,5 m <sup>3</sup> /working day) from underground water under the General Authorisation for small industrial usage.
<b>Sewage Disposal</b>	7,2 m <sup>3</sup> /day	Conservancy tank	The proposed herb processing plant will not generate any industrial effluent. Only domestic sewage will be generated from staff ablution facilities. The conservancy tank will be serviced by a private contractor.
<b>Storm Water</b>	Existing	On site	As an existing building will be utilised for the proposed plant, there will be no change in storm water run-off.
<b>Electricity Provision</b>	3-Phase	Municipal reticulation network	Electricity is already being supplied to the existing building. Electricity will be taken from this existing supply network for the proposed development.
<b>Refuse Removal</b>		On site and by contractor	Remaining leaves and stems will be used as compost for the herb production. Any other waste products will be removed by Wastetech.



## 9. ACCESS AND TRAFFIC CONDITIONS

The access and traffic conditions associated with the proposed development are as follows:

		Comments
<b>Status and number of access road</b>	Main Road 191	The road is a proclaimed provincial road.

<sup>1</sup> SABS Code 0800



<b>Condition of access road</b>	Tarred surface with gravel shoulders in a reasonably good condition		The road is scheduled for upgrading in the near future and is expected to become a first class road.
<b>Access road hierarchy</b>	Primary distributor road		The road connects Paarl with Franschhoek and Stellenbosch and serves as a main distributor road between these towns.
<b>Roadside environment</b>	Rural		Although the roadside environment is currently rural, the area will in future be suburbanised when the urbanisation proposals in terms of the MSDF are realised.
<b>Road operating speed</b>	100 km/h		-
<b>Sight distances</b>	<b>Required</b>	375 m for trucks	<p>Entering vehicles will be private cars and light delivery trucks.</p> 
	<b>Available</b>	375 m +	
<b>Traffic generation</b>	15 in/out trips per day		Most staff are transported in by mini-bus taxi. Traffic should not exceed 5 delivery and 10 staff vehicles per day. The proposed development can therefore be classified as a low traffic generator.
<b>Access point</b>	Existing on Main Road 191		<p>Due to the limited existing agricultural and proposed herbs processing plant related traffic generation, the access point can be classified as a driveway access, which is ordinarily permitted on rural roads.</p> 

## 10. FORM AND LAYOUT OF THE DEVELOPMENT PROPOSAL

In terms of Section 65(1) of the Drakenstein Municipal Land Use Planning Bylaw 2015, the municipality must have regard to the applicable provisions of the zoning scheme in evaluating the application.

The proposed development complies as follows with the Agricultural Zone 2 of the zoning scheme applicable to the area, i.e. the zoning scheme promulgated at PN 1048/1988:

	Required/ Prescribed	Proposed	Comments
Road building line	5 m	N/a	All the prescribed land use parameters can be complied with.
Lateral building lines	3 m	18 m +	
Coverage	Not prescribed	0,8%	
Floor factor	Not prescribed	1	
Parking	1 bay/200 m <sup>2</sup> floor space = 8	1 bay/200 m <sup>2</sup> floor space = 8	

## 11. NATIONAL AND PROVINCIAL POLICIES, PRINCIPLES AND PLANNING AND DEVELOPMENT NORMS AND CRITERIA

In terms of Section 65(1) of the Drakenstein Municipal Land Use Planning Bylaw 2015, Section 49 of the Western Cape Land Use Planning Act 2014 and Section 42(1) of the Spatial Planning and Land Use Management Act 2013 the municipality must have regard to applicable municipal, district, regional and provincial IDP's, SDP's or structure plans when considering a land use application and may not make a decision which is consistent with norms, standards and measures designed to protect and promote the sustainable use of agricultural land, national and provincial government policies and the municipal spatial development framework.

In terms of Section 22 of the of the Spatial Planning and Land Use Management Act 2013 a Municipal Planning Tribunal (MPT) or any other authority mandated to make a decision i.t.o. the Act or any other law relating to land development, may not make a decision which is inconsistent with a municipal spatial development framework (MSDF), provided that such a MPT or other authority may depart from the provisions of a MSDF if site-specific circumstances justify such departure and provided that Section 42 of the Act is being complied with. Consistent is understood to mean that although the MSDF may not specifically provide for the utilisation of the land as proposed, the proposal is neither in conflict with the MSDF.

The application is regarded aligned/compliant/consistent with the structure plans and spatial planning frameworks relevant to the application for the following reasons (to be read with Section 14):

### 12.1 Provincial Spatial Development Framework & Structure Plan (PSDF)

(Western Cape Department of Environmental Affairs and Development Planning, March 2014)

The proposed rezoning is regarded compliant with the following objectives of the PSDF:

- a) The cultural and scenic assets as well as the sense of place of the application site and surrounding landscape will remain unaffected as no new buildings will be erected.
- b) The rural economy will be strengthened and diversified by providing an additional source of revenue for the application property to support its continued viability as a farming unit.

Relevant sections of the PSDF 2014: Objective R5 (pg. 55); Objective E2 (pg. 66); Objective S1 (pg. 78)

### 12.2 Municipal Spatial Development Framework (MSDF)

(Drakenstein Municipality, 2015)

The application property is located outside the delineated urban edge for Simondium and has been identified for peri-urban farming by the MSDF. The proposed herbs processing plant is regarded as compliant with the objectives of the MSDF for the following reasons:

- a) The Drakenstein region will be further promoted as an agricultural production centre for a variety of products.
- b) Existing agricultural infrastructure will be capitalised on and agrarian reform will be promoted through the connection with the emerging farmer training project (see Section 8 above).
- c) Tunnel farming is identified as one of the suitable farming practices for peri-urban farming and the proposed plant is directly linked to the existing tunnel farming infrastructure on the application property.

Relevant sections of the MSDF: Pg. 20 and 21

As spatial development frameworks are the spatial implementation tool of integrated development plans and municipal development plans are to be aligned with provincial development plans<sup>2</sup>, the municipal spatial development framework is regarded as the most applicable planning policy to guide decision making in respect of this application.

### 12.3 Simondium Rural Settlement Precinct Plan

(Drakenstein Municipality, 2014)

The application property is located inside the study area of the Simondium Precinct Plan and although the property and its surrounds are identified as fallow land which is a tourism/heritage/agricultural asset, no land use development proposal has been made for the property. The application is therefore regarded as not inconsistent with the Simondium Rural Settlement Precinct Plan.

<sup>2</sup> Section 10(3) of the Western Cape Land Use Planning Act of 2014

## 12.4 Rural Land Use Planning and Management Guidelines

(Western Cape Department of Environmental Affairs and Development Planning, May 2009)

- a) Ancillary rural activities of appropriate scale that do not detract from farming production, that diversify farm income and add value to local produce, such as local product processing, are identified as land uses to be permitted in agricultural areas. The proposed herbs processing plant will be directly related to the cultivation of herbs on the application property and it is therefore appropriate that the facility should be established on the farm.
- b) The herbs processing plant will be located in an existing building where it will not be in conflict with farming activities and where it will form a unit with the existing built infrastructure.

Relevant sections of the guidelines: Table 2.3 (pg. 39); Section 7 (pg. 43); Table 3.7 (pg. 58)

## 12. DEVELOPMENT PRINCIPLES

In terms of Section 42(1) of the Spatial Planning and Land Use Management Act of 2013, Section 58 of the Western Cape Land Use Planning Act of 2014 and Section 65(1) of the Drakenstein Municipal Land Use Planning Bylaw 2015, decisions maker must, in considering and deciding any application that impacts on the utilisation and development of land, be guided by the development principles set out in respectively Chapter 2 and Section 59 of the Acts.

The application complies as follows the development principles set out in Chapter 2 of the Spatial Planning and Land Use Management Act of 2013 and Section 59 of the Western Cape Land Use Planning Act of 2014 (to be read with Section 13 below):

### a) Spatial Justice

The proposed herbs processing plant will recognise the applicant's constitutional right to further improve the application property as an agricultural land unit. The proposed plant is considered as an ideal option to add value to the existing tunnel farming infrastructure on the property.

### b) Spatial Sustainability

The economic viability of the land unit will be strengthened and diversified by providing an additional source of revenue for the farm and increasing the economic viability of the farming operation.

The proposed development will have long term socio-economic benefits through the provision of permanent employment opportunities and the strengthening of the local agricultural based economy.

No high diversity areas, ecological corridors, natural habitats, flood plains, steep slopes, wetlands or areas with high water tables are being developed or impacted upon.

The cultural and heritage significance of the larger landscape will be unaffected as the application is for the reutilisation of an existing building.

The application will have no impact on the continued agricultural utilisation of the farm.

The establishment of the proposed herbs processing plant will not constitute an isolated industrial activity in a rural setting as the plant will be supported by on-site herbs production.

c) Efficiency

The application property will be more efficiently utilised by also processing the herbs to be grown on the farm on the farming unit itself.

From an operational point of view it is also advantageous to locate the proposed herbs processing plant at to the source of supply as time delays between the harvesting and processing of the herbs could affect the quality of the oils to be extracted from the herbs.

### 13. DESIRABILITY

In terms of Section 55 of the Western Cape Land Use Planning Act 2014 and Section 65(1) of the Drakenstein Municipal Land Use Planning Bylaw 2015, a municipality must have regard to the desirability of a proposed land use and any guidelines issued by the Provincial Minister regarding the desirability of the proposed land use when considering a land use application.

From a land use management perspective, the proposed utilisation of the application property is considered to be desirable for the following reasons:

a) Land Usage

As the proposed herbs processing plant is intended for the processing of herbs to be grown on the application property, the plant will form an integrated activity with the farming operations on the property. The herbs processing plant will therefore not be operated as a separate industrial or unconnected undertaking from the farming operation and will as such fit in with the peri-urban farming demarcation for the area in terms of the Drakenstein Spatial Development Framework. The plant will therefore also contribute towards the alignment of the future settlement pattern of the municipal area with the economic potential of the area.

The proposed herbs processing plant is considered to be a good option to add value to the farming operation and to create additional employment opportunities for the local population and revenue for the municipality.

From an operational point of view it is also advantageous to locate the proposed herbs processing plant at to the source of supply as time delays between the harvesting and processing of the herbs could affect the quality of the oils to be extracted from the herbs.

As an existing building will be utilised for the proposed herbs processing plant, the application will have no impact on the continued agricultural utilisation of the farm.

b) Physical Site Conditions

The proposed herbs processing plant will be established in an existing building and no expansion of the buildings will be required. The site characteristics will therefore not be altered as a result of the application and the application will therefore have no impact on the physical site conditions on or surrounding the application site.

c) Transportation and Traffic Conditions

Accessibility to the site is sufficient for the intended usage, both on a local as well as a regional level.

Traffic generated by the proposed herbs processing plant will be of a very limited nature and should not exceed 5 delivery and service vehicles per day in addition to the in and out movement of 10 employee transporters in the morning and afternoon.

The impact on traffic conditions will accordingly be negligible.

d) Natural and Manmade Environment

The application building is an existing structure of relative limited extent, located away from the major tourism routes and highly visible crest lines. The application will accordingly not affect the aesthetic qualities of the area.

As the development will be contained to an existing building, there will also be no impact on the natural landscape.

The application site is located about 390 metres away from the closest stream. Activities at the proposed herbs processing plant, which will be a dry process, will therefore have no impact on the drainage systems in the area.

Use will be made of existing roads to gain access to the proposed winery.

No industrial effluent will be disposed of on site.

Use will be made of existing engineering infrastructure to obtain water and electricity for the herbs processing plant and sewage will be removed by tanker truck to the municipal wastewater treatment works.

e) Cultural and Heritage Resources

The application building is a contemporary industrial building and not a protected structure.

There are no known sites of archaeological or any other heritage interest on the farm.

The application property is not associated with important events, activities, persons or groups.

The application site is not located in a prominent position visually, nor in close proximity or visible from any main tourist route and hence not considered as visually sensitive site.

The heritage and cultural landscape will therefore be unaffected by the application.

f) Safety and Welfare of the Community

The very nature of the products to be produced in the proposed herbs processing plant require good hygienic conditions. In this regard it is to be noted that the existing building is an efficiently designed facility, will be housing modern equipment and activities will conform to all the relevant legal and health requirements, particularly those required by the Medicines Control Council. There is therefore no reason to believe that the plant would inevitable cause a nuisance and be offensive in nature.

No effluent will be disposed of on site as the extraction of oil from the herbal plants will be a dry process.

The agricultural sector is a well-established economic activity in the Drakenstein municipal area which provides 27% of the employment opportunities in the local economy. The beneficiation of this sector is therefore vital for the economic well-being of a significant proportion of the population. The proposed herbs processing plant will add value to local economic activities, both in terms of creating additional employment opportunities (it is estimated that the plant could provide about 69 semi-skilled employment opportunities for local people), supporting the agricultural support industries and the generation of additional rates and taxes for the Drakenstein Municipality.

Staff will not be housed on the site, but will be transported in from nearby towns and settlements. There will therefore be no increase in the resident population of the farm and after hour activities on the property as a result of the proposed plant.

## 14. CONCLUSION

The proposed establishment of an herbal processing plant on Farm 1477 Paarl:

- a) Do not require approval i.t.o. other laws;
- b) Can be provided with all the required engineering services in an environmentally friendly manner;
- c) Can obtain sufficient access from the public road network without any noticeable impact on traffic conditions;
- d) Complies with the parameters of the applicable zoning scheme;
- e) Is compliant with the PSDF, the Drakenstein SDF, the Simondium Precinct Plan and the Rural Land Use Planning and Management Guidelines;
- f) Is compliant with development principles set out in SPLUMA and LUPA; and
- g) Is a desirable land use as:
  - The plant will form an integrated activity with farming operations on the property
  - Physical site conditions will therefore not be altered or affected
  - The impact on transportation systems and traffic conditions will be negligible
  - The natural and manmade environment will be unaffected
  - Cultural and heritage resources will not be affected
  - Safety and welfare of community will not be compromised
  - Sosio-economic benefits will be accrued from the development



**W J STEYN**

Tch. Pln (B/8074/1998)

12/6/2017

## **SECTION 5**

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# **SUPPORTING DOCUMENTS**



## WinDeed Database Property Report

**windeed**  
A LexisNexis® Product

FARM 1477, 1477, 0 (CAPE TOWN)

## GENERAL INFORMATION

**Date Requested** 2017/04/11 12:19  
**Deeds Office** CAPE TOWN  
**Information Source** WINDEED DATABASE  
**Reference** BD1



## PROPERTY INFORMATION

**Property Type** FARM  
**Farm Name** FARM 1477  
**Farm Number** 1477  
**Portion Number** 0  
**Local Authority** WINELANDS DC  
**Registration Division** PAARL RD  
**Province** WESTERN CAPE  
**Diagram Deed** T81614/1991  
**Extent** 18.9240H  
**Previous Description** -  
**LPI Code** C05500000000147700000

## OWNER INFORMATION

## Owner 1 of 1

**Type** COMPANY  
**Name** BIODelta PTY LTD  
**ID / Reg. Number** 200200484707  
**Title Deed** T104005/2002  
**Registration Date** 2002/12/04  
**Purchase Price (R)** 2,000,000  
**Purchase Date** 2002/10/08  
**Share** 0.00  
**Microfilm** 2006 1591 0183  
**Multiple Properties** NO  
**Multiple Owners** NO

## ENDORSEMENTS (5)

#	Document	Institution	Amount (R)	Microfilm
1	K619/2006S	-	UNKNOWN	2006 1591 0188
2	FROM PL RD 981,1264/	2	UNKNOWN	-
3	B32020/2010	A B S A BANK LTD	10,000,000	-
4	B7602/2013	INDUSTRIAL DEVELOPMENT CORP OF SOUTH AFRICA LTD	4,000,000	-
5	B3992/2015	INDUSTRIAL DEVELOPMENT CORP OF SOUTH AFRICA LTD	14,000,000	-

## HISTORIC DOCUMENTS (7)

#	Document	Owner	Amount (R)	Microfilm
1	T81614/1991	REDHILL SUPERPLANT NURSERY PTY LTD	CCT	2003 0175 5444
2	B14836/1991	CAPE OF GOOD HOPE BANK	250,000	2003 0175 5462
3	B43929/2003	A B S A BANK LTD	2,200,000	2006 1591 0178
4	B92010/1991	CAPE OF GOOD HOPE BANK	600,000	2003 0175 5465
5	B9280/2001	NEDCOR BANK LTD	UNKNOWN	2002 0649 4058
6	B100882/2004	A B S A BANK LTD	2,000,000	2006 1591 0182
7	B32021/2010	ATLANTIC NOMINEES PTY LTD	5,000,000	-

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**Certificate issued by the Commissioner of Companies & Intellectual  
Property Commission on Tuesday, May 2, 2017 at 7:50**



**Free Disclosure Certificate: Companies and Close Corporations**

Registration Number: 2002 / 004847 / 07  
Enterprise Name: BIODELTA

**ENTERPRISE INFORMATION**

Registration Number: 2002 / 004847 / 07  
Enterprise Name: BIODELTA (PTY) LTD  
Registration Date: 01/03/2002  
Business Start Date: 01/03/2002  
Enterprise Type: Private Company  
Enterprise Status: In Business  
Compliance Status: Compliant  
Financial Year End: February  
TAX Number: 9099410145  
Addresses: **POSTAL ADDRESS**

PO BOX 1467  
STELLENBOSCH

7599

**ADDRESS OF REGISTERED OFFICE**

HAPPY VALLEY FARM  
AREA 1447  
SIMONDIUM

7670

**ACTIVE MEMBERS / DIRECTORS**

Surname and First Names	Type	ID Number / Date of Birth	Contrib. (R)	Interest (%)	Appoint. Date	Address
GIESE, LEON IVAN	Director	741030XXXX 08 X	0.00	0.00	01/11/2010	Postal: PO BOX 100, SIMONDIUM, 7670  Residential: UNIT 2, 147 OCEANVIEW DRIVE, GREENPOINT, 8005
SWART, NEL-MARIE	Director	750911XXXX 08 X	0.00	0.00	01/06/2011	Postal: PO BOX 43763, FISH HOEK, 7974  Residential: 53 GLEN BEACH WAY, GLENCAIRN, 7975
BRUWER, JOHANNES WILLEM	Director	750705XXXX 08 X	0.00	0.00	01/06/2011	Postal: PO BOX 100, SIMONDIUM, 7670  Residential: 54 TRILL ROAD, OBSERVATORY, CAPE TOWN, 7925

**AUDITOR DETAILS**

Auditor Name	Type	Status	Appointment Date	Resignation Date	Email Address
--------------	------	--------	---------------------	---------------------	---------------



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Property Commission on Tuesday, May 2, 2017 at 7:50**



**Free Disclosure Certificate: Companies and Close Corporations**

Registration Number: 2002 / 004847 / 07

Enterprise Name: BIODELTA

LOUBSER DU PLESSIS	ACC	Resign		
<b>Profession Number:</b> 944270				
APBCO AUDITORS	Auditor	Current	2010-11-01	ACTIVE
<b>Profession Number:</b> 900410				

**CHANGE SUMMARY**

2002-03-01 1 Registration of CC/CO on 01/03/2002.

2002-05-31 1 Name Change on 31/05/2002.  
EAGLESRING TRADERS 6

2002-05-31 1 Principle Business Change on 31/05/2002.  
62

2002-06-21 1 Postal Address Change on 25/06/2002.  
P O BOX 781907  
SANDTON

2146

2002-06-21 1 Registered Address Change on 25/06/2002.  
11B ROLEY ROAD 1ST FLOOR CIIB HOUSE  
EASTWOOD OFFICE PARK  
BEDFORDVIEW

2007

2002-07-19 1 Member Change on 29/05/2002.  
Change Record  
Surname = WIGGETT  
First Names = FREDERICK JOHANNES  
Status = Resigned

2002-07-19 1 Member Change on 29/05/2002.  
Add Record  
Surname = DEKKER  
First Names = LEENDERT GIDEON  
Status = Active

2002-07-19 1 Member Change on 29/05/2002.  
Add Record  
Surname = SENEKAL  
First Names = BARTEL WILHELM  
Status = Active

2002-09-17 1 Accounting Officer Change on 29/05/2002.  
Change Record  
Name : = ALDRIGHETTI AND ASSOCIATES  
Status : = Resign

2002-09-17 1 Accounting Officer Change on 29/05/2002.  
Add Record  
Name : = LOUBSER DU PLESSIS  
Status : = Current

2004-01-30 1 Member Change on 14/01/2004.  
Change Record  
Surname = SENEKAL  
First Names = BARTEL WILHELM  
Status = Resigned

2004-01-30 1 Member Change on 14/01/2004.

**Physical Address**

the dti Campus - Block F  
77 Meintjies Street  
Sunnyside 0001

**Postal Address: Companies**

P O Box 429  
Pretoria  
0001

Docex: 256

Web: [www.cipc.co.za](http://www.cipc.co.za)

Contact Centre: 086 100 2472 (CIPC)

Contact Centre (International): +27 12 394 9500



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Property Commission on Tuesday, May 2, 2017 at 7:50**

**Free Disclosure Certificate: Companies and Close Corporations**

Registration Number: **2002 / 004847 / 07**

Enterprise Name: **BIODELTA**

2004-01-30 ' Add Record  
Surname = FUCHS  
First Names = HANS DIETER  
Status = Active  
Member Change on 14/01/2004.

2004-01-30 ' Add Record  
Surname = RABIE  
First Names = MELCHIOR  
Status = Active  
Member Change on 14/01/2004.

2005-03-22 ' Add Record  
Company Name = LDP SEKRETARIELE-EN ADMINISTRATIEWE DIENSTE  
First Names =  
Status = Active  
Member Change on 28/02/2005.

2005-03-22 ' Change Record  
Surname = DEKKER  
First Names = LEENDERT GIDEON  
Status = Active  
Member Change on 28/02/2005.

2005-03-22 ' Change Record  
Surname = FUCHS  
First Names = HANS DIETER  
Status = Active  
Member Change on 28/02/2005.

2005-03-22 ' Change Record  
Surname = RABIE  
First Names = MELCHIOR  
Status = Active  
Member Change on 28/02/2005.

2005-03-22 ' Change Record  
Company Name = LDP SEKRETARIELE-EN ADMINISTRATIEWE DIENSTE  
First Names =  
Status = Active  
Member Change on 28/02/2005.

2005-05-31 ' Add Record  
Surname = MOLEFI  
First Names = LYNETTE MORETLO  
Status = Active  
Member Change on 22/04/2005.

2005-05-31 ' Change Record  
Surname = DEKKER  
First Names = LEENDERT GIDEON  
Status = Active  
Member Change on 22/04/2005.

2005-05-31 ' Change Record  
Surname = FUCHS  
First Names = HANS DIETER  
Status = Active  
Member Change on 22/04/2005.

2005-05-31 ' Change Record  
Surname = RABIE  
First Names = MELCHIOR  
Status = Active  
Member Change on 22/04/2005.

Change Record  
Company Name = LDP SEKRETARIELE-EN ADMINISTRATIEWE DIENSTE  
First Names =  
Status = Active

**Physical Address**

**the dti** Campus - Block F  
77 Meintjies Street  
Sunnyside 0001

**Postal Address: Companies**

P O Box 429  
Pretoria  
0001

**Docex:** 256

**Web:** [www.cipc.co.za](http://www.cipc.co.za)

**Contact Centre:** 086 100 2472 (CIPC)

**Contact Centre (International):** +27 12 394 9500



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**Free Disclosure Certificate: Companies and Close Corporations**

Registration Number: **2002 / 004847 / 07**

Enterprise Name: **BIODELTA**

2005-05-31 1 Member Change on 22/04/2005.  
Change Record  
Surname = MOLEFI  
First Names = LYNETTE MORETLO  
Status = Resigned

2005-05-31 1 Member Change on 22/04/2005.  
Add Record  
Surname = KUNENE  
First Names = LUCIA THEMBEKILE  
Status = Active

2005-08-10 1 Member Change on 29/07/2005.  
Surname=DEKKER  
Full ForeNames=LEENDERT GIDEON  
Id No=7107065270080  
Status :ACTIVENature of Change=NO CHANGE

2005-08-10 1 Member Change on 29/07/2005.  
Surname=FUCHS  
Full ForeNames=HANS DIETER  
Id No=5105245613089  
Status :ACTIVENature of Change=NO CHANGE

2005-08-10 1 Member Change on 29/07/2005.  
Surname=RABIE  
Full ForeNames=MELCHIOR  
Id No=6005145149087  
Status :ACTIVENature of Change=NO CHANGE

2005-08-10 1 Member Change on 29/07/2005.  
Surname=KUNENE  
Full ForeNames=LUCIA THEMBEKILE  
Id No=6612090293081  
Status :RESIGNEDNature of Change=RESIGNATION: 29 JULY 2005

2007-09-11 1 Registered Address Change on 02/10/2007.  
DE WATERKANT BUILDING  
HELDERBERG STREET  
STELLENBOSCH  
7600

2007-09-11 1 Postal Address Change on 02/10/2007.  
P O BOX 920  
STELLENBOSCH  
7599

2002-03-01 1 Registration of CC/CO on 01/03/2002.

2008-04-15 1 Accounting Officer Change on 15/04/2008.  
Change Record  
Name: = LOUBSER DU PLESSIS  
Status: = Current

2008-04-15 1 Member Change on 15/04/2008.  
Change Record  
Surname: = DEKKER  
First Names: = LEENDERT GIDEON  
Status: = Active

2008-04-15 1 Member Change on 15/04/2008.  
Change Record  
Surname: = RABIE  
First Names: = MELCHIOR  
Status: = Active

**Physical Address**

the dti Campus - Block F  
77 Meintjies Street  
Sunnyside 0001

**Postal Address: Companies**

P O Box 429  
Pretoria  
0001

**Docex:** 256

**Web:** [www.cipc.co.za](http://www.cipc.co.za)

**Contact Centre:** 086 100 2472 (CIPC)

**Contact Centre (International):** +27 12 394 9500



**Certificate issued by the Commissioner of Companies & Intellectual  
Property Commission on Tuesday, May 2, 2017 at 7:50**

**Free Disclosure Certificate: Companies and Close Corporations**

Registration Number: 2002 / 004847 / 07

Enterprise Name: BIODELTA

2008-04-15 1 Member Change on 15/04/2008.  
Change Record  
Surname: = FUCHS  
First Names: = HANS DIETER  
Status: = Active

2008-04-15 1 Member Change on 15/04/2008.  
Change Record  
Institution: = LDP SEKRETARIELE-EN ADMINISTRATIEWE DIENSTE  
Status: = Active

2010-04-06 1 Member Change on 15/04/2009.  
Surname=DEKKER  
Full ForeNames=LEENDERT GIDEON  
Id No=7107065270080  
Status :RESIGNEDNature of Change=DIRECTOR RESIGNED 05/02/2007

2010-04-06 1 Member Change on 15/04/2009.  
Surname=RABIE  
Full ForeNames=MELCHIOR  
Id No=6005145149087  
Status :RESIGNEDNature of Change=DIRECTOR RESIGNED 03/09/2007

2011-02-15 1 Registered Address Change on 08/03/2011.  
LES CHENES FARM  
UITKYK STREET  
FRANSCHHOEK  
7690

2011-02-15 1 Postal Address Change on 08/03/2011.  
PO BOX 1467  
STELLENBOSCH  
7599

2011-02-15 1 Accounting Officer Change on 01/11/2010.  
APBCO AUDITORS19A ELECTRON STREET  
CAP DU MONT  
TECHNO PARK  
STELLENBOSCH  
7600  
PO BOX 1467  
STELLENBOSCH  
7599  
STATUS : ADDRESS CHANGE

2011-02-15 1 Accounting Officer Change on 01/11/2010.

2011-04-19 1 Member Change on 10/03/2011.  
Change Record  
Surname = FUCHS  
First Names = HANS DIETER  
Status = Resigned

2011-04-19 1 Member Change on 10/03/2011.  
Add Record  
Surname = GIESE  
First Names = LEON IVAN  
Status = Active

2011-08-05 1 Member Change on 01/11/2010.

**Physical Address**

the dti Campus - Block F  
77 Meintjies Street  
Sunnyside 0001

**Postal Address: Companies**

P O Box 429  
Pretoria  
0001

**Docex:** 256

**Web:** [www.cipc.co.za](http://www.cipc.co.za)

**Contact Centre:** 086 100 2472 (CIPC)

**Contact Centre (International):** +27 12 394 9500





**Certificate issued by the Commissioner of Companies & Intellectual  
Property Commission on Tuesday, May 2, 2017 at 7:50**

**Free Disclosure Certificate: Companies and Close Corporations**

Registration Number: **2002 / 004847 / 07**

Enterprise Name: **BIODELTA**

Full ForeNames=LEON IVAN  
Surname=GIESE  
AppointmentDate=11/1/2010 12:00:00 AM  
Status=A  
Nature of Change=NO CHANGE  
2011-08-05 1 Member Change on 01/06/2011.  
Full ForeNames=NEL-MARIE  
Surname=SWART  
AppointmentDate=6/1/2011 12:00:00 AM  
Status=A  
2011-08-05 1 Member Change on 01/06/2011.  
Full ForeNames=JOHANNES WILLEM  
Surname=BRUWER  
AppointmentDate=6/1/2011 12:00:00 AM  
Status=A  
2012-10-12 1 Postal Address Change on 03/10/2012.  
PO BOX 1467  
STELLENBOSCH  
7599  
2012-10-12 1 Registered Address Change on 03/10/2012.  
LES CHENES FARM  
UITKYK STREET  
FRANSCHHOEK  
7690  
2012-10-16 1 Member Change on 01/11/2010.  
Change Record  
Company Name = LDP SEKRETARIELE-EN ADMINISTRATIEWE DIENSTE  
First Names =  
Status = Resigned  
2013-08-05 1 Annual Return completed on 05/08/2013.  
Company / Close Corporation AR Filing - Web Services : Ref No. : 51754250  
2014-06-26 1 Annual Return completed on 26/06/2014.  
Company / Close Corporation AR Filing - Web Services : Ref No. : 52875520  
2015-03-05 1 Status changed to Unknown.  
No Valid SMS or Email Address for enterprise M2002004847  
2015-03-31 1 Annual Return completed on 31/03/2015.  
Company / Close Corporation AR Filing - Web Services : Ref No. : 525434182  
2016-03-07 1 Status changed to Unknown.  
No Valid SMS or Email Address for enterprise M2002004847  
2016-04-26 1 Annual Return completed on 26/04/2016.  
Company / Close Corporation AR Filing - Web Services : Ref No. : 534166574  
2017-03-03 1 Status changed to Unknown.  
No Valid SMS or Email Address for enterprise M2002004847  
2017-03-29 1 Annual Return completed on 29/03/2017.  
Company / Close Corporation AR Filing - Web Services : Ref No. : 567350248

**Physical Address**

the dti Campus - Block F  
77 Meintjies Street  
Sunnyside 0001

**Postal Address: Companies**

P O Box 429  
Pretoria  
0001

**Docex:** 256

**Web:** [www.cipc.co.za](http://www.cipc.co.za)

**Contact Centre:** 086 100 2472 (CIPC)

**Contact Centre (International):** +27 12 394 9500



## CONVEYANCER'S CERTIFICATE

I / we, GERRIT JOHAN MÖLLER  
(conveyancer's name)

hereby wish to certify that a search was conducted in the Deeds Registry, Cape Town regarding the following property(ies) (including both current and earlier title deeds / pivot deeds / deeds of transfer) :

FARM 1477 PAARL

(property description(s))

in respect of which it was found that there ~~are~~ / are no restrictive conditions registered against such property(ies) prohibiting it from being utilised / developed for the following purposes (as elaborated on in more detail in the accompanying application) :

conducting of a herbal processing plant

(proposed use / development / zoning of property)

(\* please delete whichever not applicable)

### LIST OF RESTRICTIVE TITLE CONDITIONS (if applicable)

Deed no	Clause no	Description

### PROCESS BY WHICH RELEVANT CONDITIONS WILL BE ADDRESSED

(please tick appropriate box)

Removal / suspension /  
amendment of  
restrictions in terms of  
Act 84/1967  
(Submit separate application)

Notarial Deed of  
Cancellation  
(Submit copy of signed  
agreement)

Consent  
(Submit copy of signed consent)

Expungement by means  
of 'rule nisi' application to  
High Court  
(Submit copy of Court order)

Signed at Bellville on this 5<sup>th</sup> day of June 20 17

Signature

Kindly endorse certificate by  
affixing firm's official stamp  
here and initialling it.

GERRIT MÖLLER ATTORNEYS  
P.O. BOX 6637  
WELGEMOED, 7538

## POWER OF ATTORNEY AND DECLARATION

I, the undersigned

JOHANNES WILLEM BRUWER

from

54 TRILL ROAD *Gate House*  
OBSERVATORY *Area 1477*  
CAPE TOWN *Happy Valley Farm*  
(Domicilium citandi et executandi) *Simachium*

Managing Director of

*7670*

BIODELTA PTY LTD

registered owner of

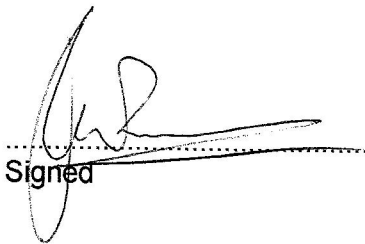
FARM 1477 PAARL DIVISION

by virtue of Deed of Transfer No T104005/2002

authorise hereby **WILHELM JACOBUS STEYN** Technical Planner - B/8074/1998,  
practising as **PRAKTIPLAN** from 1 Flambeau Street North, Paarl

to apply on behalf of Biodelta Pty Ltd for the rezoning of above-mentioned property to  
Agricultural Zone 2 and to attend to any matter in connection thereto on behalf of the  
company

and declare that I am not aware of a) any pending court case(s) / order(s) relating to the  
property and b) any land claim(s) registered against the property.

  
Signed

*12/05/2017*  
Date

.....  
Witness

## COMPANY RESOLUTION

**COMPANY NAME:** BIODELTA PTY LTD (The company)

**COMPANY NUMBER:** 2002/004847/07

**COMPANY ADDRESS:** HAPPY VALLEY FARM, SIMONDIUM

RESOLUTION TAKEN ON THIS 31<sup>st</sup> DAY OF MAY 2017

It was resolved that JOHANNES WILLEM BRUWER be authorised to sign documents on behalf of the company in regard to the rezoning of above-mentioned property to Agricultural Zone 2 and to attend to any matter in connection thereto on behalf of the company.

### DIRECTORS

  
.....  
**LEON IVAN GIESE**  
.....  
**NEL-MARIE SWART**  
.....  
**JOHANNES WILLEM BRUWER**

12  
Jan S de Villiers  
STELLENBOSCH

Prepared by me

SEALS STAMPS	
SEELREG DUTY R.	
FOOI FEE R.	500.00

BC	000048581 / 2006
GEKANSELLEER CANCELLED	
REGISTRATEUR/REGISTRAR	

CONVEYANCER  
OFFENSTRÄ RJ

BUKEMAAR: DATAVERLENING/COMPUTER DATA CAPTURE	
OPREKANTRETERED	STATUS
REGISTRATIEVERIFIEERD	OPERATOR

VERBIND		MORTGAGED	
VIR FOR R. 220000.00			
B	000043929 / 2003		
05 AUG 2003		REGISTRATEUR/REGISTRAR	

T	104005 / 2002
---	---------------

## DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

JOHANNES GERHARDUS LOURENS VISAGIE

appeared before me, REGISTRAR OF DEEDS, at CAPE TOWN, the said  
appearer being duly authorised thereto by a Power of Attorney which said Power  
of Attorney was signed at STELLENBOSCH on 4 NOVEMBER 2002 granted to  
him by

REDHILL SUPERPLANT NURSERY (PROPRIETARY) LIMITED  
No. 1981/008217/07

VIR ENDOSSSEMENTE KYK BLADSY  
FOR ENDORSEMENTS SEE PAGE

- 4 -

BC
000048582 / 2006
GEKANSLEER CANCELLED
<i>[Signature]</i> REGISTRATEUR/REGISTRAR
22 JUN 2006

VERBIND	MORTGAGED
VIR FOR R 2000 000,00	
B 000100882 / 2004	<i>[Signature]</i> REGISTRATEUR/REGISTRAR
01 DEC 2004	

VIR ENDOSSEMENTE KYK BLADSY  
FOR ENDORSEMENTS SEE PAGE

5



And the appearer declared that his said principal had, on 8 October 2002, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by these presents, cede and transfer to and on behalf of:

**BIODELTA (PROPRIETARY) LIMITED**  
**No. 2002/004847/07**

or its Assigns, in full and free property

FARM NO 1477 SITUATED IN THE MUNICIPALITY OF DRAKENSTEIN  
DIVISION OF PAARL PROVINCE WESTERN CAPE;

IN EXTENT 18,9240 (EIGHTEEN COMMA NINE TWO FOUR ZERO)  
Hectares

FIRST REGISTERED AND STILL HELD BY CERTIFICATE OF  
CONSOLIDATED TITEL T81614/1991 WITH PLAN S.G. NO.6990/1991  
ATTACHED THERETO

I. IN RESPECT of the figure marked ABCGHJ on diagram S.G. No.  
6990/91:-

A. SUBJECT to the conditions referred to in Deed of Transfer  
T9632/1921.

B. ENTITLED TO the benefit of the servitude dated the 9<sup>th</sup> October  
1947 on Deed of Transfer T9632/1921 dated the 29<sup>th</sup> January  
1948 namely;

**REGISTRATION OF SERVITUDE**

By Notarial Deed No. 18/1948 dated 9.10.1947 the owner of the  
land held hereunder has acquired a servitude of drainage furrow 4  
feet wide over the land held by para. 2 of Transfer No. 5961/1943,  
as indicated on the Servitude Diagram No. 2653/1947 annexed to  
the said Notarial Deed. Subject to conditions as will more fully  
appear on reference to the said Notarial Deed, vide copy annexed  
hereto."

II. IN RESPECT of the figure marked GCDEF on diagram S.G. No  
6990/1991;

SUBJECT to the conditions referred to in Deed of Transfer T707/1912.

For Information Only

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

**REDHILL SUPERPLANT NURSERY (PROPRIETARY) LIMITED**  
No. 1981/008217/07

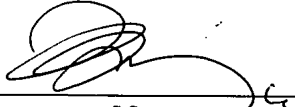
heretofore had to the premises, did in consequence also acknowledge it to be entirely dispossessed of, and disentitled to the same, and that by these presents, the said

**BIODELTA (PROPRIETARY) LIMITED**  
No. 2002/004847/07

or its Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of **R2 000 000,00 (TWO MILLION RAND)**.

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

THUS DONE and EXECUTED at the Office of the Registrar of Deeds at CAPE TOWN on 4 December 2002

  
q.q.

In my presence

  
REGISTRAR OF DEEDS





By virtue of Notarial Deed no. K 000000619 / 2006 S,  
dated 31 May 2006 the following condition were imposed  
in terms of Consent no. 39814 dated 3 June 2005 granted  
by the Minister of Agriculture :

the within property together with Portion 3 ( a portion of  
portion 1 ) of the Farm Antonisfontein no. 1264 meas. 1  
Hectare held by Deed of Transfer no. T00004755 / 2006  
may, except in the case of the expansion of existing  
mortgage bonds to include the incoming portion, not be  
mortgage separately, transferred separately or otherwise  
dealt with separately without the written consent of the  
Minister of Agriculture.

As will more fully appear from the said Notarial Deed.

22 JUN 2006  
Deeds Registry  
Cape Town

Registrar  
of Deeds

VERBIND MORTGAGED

VIR FOR R 1 000 000.00

B 032020 / 10

01 NOV 2010

REGISTRATEUR/REGISTRAR

VIR ENDOSSEMENTE KYK BLADSY  
FOR ENDORSEMENTS SEE PAGE 6

BC 000006659 / 2015

GEKANSELLEER  
CANCELLED

REGISTRATEUR/REGISTRAR

2015-02-17

VERBIND MORTGAGED

VIR FOR R 5 000 000.00

B 032021 / 10

01 NOV 2010

REGISTRATEUR/REGISTRAR

Wap.

W.D.F.

For Information

## Willie Steyn

---

**From:** Hamish Louw <HamishL@drakenstein.gov.za>  
**Sent:** Thursday, 25 May 2017 07:45  
**To:** Willie Steyn  
**Subject:** RE: Farm 1477 Paarl

Hi Willie

Since this department had various discussions with the developer and architect, I am of the opinion that pre-application consultation is not necessary at this stage. The municipality however reserve the right to request additional documentation/information if

Kind Regards,

**Mr Hamish Louw (Pr.Pl A/2239/2015)**

Senior Town Planner: Land Use Planning

---

Telephone : +27 21 807 6227  
1 Market Street, Paarl, 7646  
[hamishl@drakenstein.gov.za](mailto:hamishl@drakenstein.gov.za)  
<http://www.drakenstein.gov.za>



necessary.

---

**From:** Willie Steyn [mailto:wjs1@telkomsa.net]  
**Sent:** 24 May 2017 08:59 AM  
**To:** Hamish Louw  
**Subject:** Farm 1477 Paarl

Hello Hamish

I have been appointed to submit an application for the rezoning of 1900 m<sup>2</sup> of Farm 1477 Paarl to Agricultural Zone 2 in order to establish an herbs processing plant in an existing building on the property. The herbs will be grown in existing hot houses on the property and the plant will be used to extract CBC oil from the herbs for medicinal use. No new infrastructure will be established.

Kindly indicate if a pre-application consultation will be required for the application.

Regards/Groete

**Willie Steyn**

Tch. Pln (B/8074/1998), NHD(TRP)  
Practising/Praktiserend as:

**PRAKTIPLAN**



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