



**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/12048

Our File Reference Number: Erf 284, Raithby

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 808 8682

Email address: [Ulrich.Vonmolendorff@stellenbosch.gov.za](mailto:Ulrich.Vonmolendorff@stellenbosch.gov.za)

**PER E-MAIL** [REDACTED]

Sir/Madam

**APPLICATION FOR CONSENT USE AND A DEPARTURE ON ERF 284, RAITHBY**

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
  - 2.1 That **APPROVAL BE GRANTED** in terms of 45(6) of SPLUMA to allow for the erection of new buildings or structures on Erf 284, Stellenbosch Division in terms of the relevant title deed no. T. 66153/2015, Condition C.(a) – (c).
  - 2.2 The following applications in terms of Section 15(2) of the Stellenbosch Municipality Land Use Planning By-Law as Promulgated by Notice No. 354/2015 dated 20 October, 2015 on Erf 284, Raithby:
    - 2.2.1 Consent Use in terms of Section 15(2)(o) of the said by-law for a tourist accommodation establishment to use the existing main dwelling (five approved guest rooms), two existing additional dwelling units (2x1 bedroom units) and five (5) to be constructed structures (13 bedrooms).
    - 2.2.2 Departure in terms of Section 15(2)(b) of the said by-law to relax the common building line (adjacent to Farm 1023) from 5m to 3,4m in order to accommodate the proposed new buildings.

**BE APPROVED** in terms of Section 60 of the said Bylaw and subject to the following conditions of approval in terms of Section 66 of the said Bylaw:

### 3. Conditions of approval

- 3.1 This approval applies only to the applications being applied for and shall not be construed as authority to depart from any legal prescriptions or other requirements.
- 3.2 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed land use.
- 3.3 The development must be undertaken generally in accordance with the site development plan drawing no: SK.00.01-02, SK.10.01 - 02, SK.11.01 – 02 & SK.12.01 dated 26 January 2021 and drawn by MLH Architects & Planners attached as Annexure C.
- 3.4 Sufficient on-site parking be provided in accordance with the Zoning Scheme Regulations (at 0,7 per bedroom).
- 3.5 The proposed development should be subservient or related to the dominant agricultural use of the property and/or surrounding farms.
- 3.6 The tourist accommodation establishment be limited to twenty (20) bedrooms and a maximum of forty (40) paying guests shall be permitted at any one time.
- 3.7 Water supply to be via borehole, which is the responsibility of the owner.
- 3.8 Water supplied to the new units must be according to SANS 241 standards.
- 3.9 The existing guest house and cottages are served by a septic tank and soak-away. The following method of sewer management, as proposed in the engineering report, will be applicable: The entire Vredenburg Guest Farm, existing and new cottages, will be serviced by one sewer system with conservancy tanks to ensure the system is environmentally friendly. The existing soak away will be demolished and the septic tank will act as a conservancy tank. The new cottages will be served by a new sewer that will drain to the additional conservancy tanks to be installed east of the existing tank.
- 3.10 The details of the sewer reticulation network must be indicated on the building plans for approval.
- 3.11 Development charges is payable by the developer in accordance with and as at the time of the annually approved tariffs of this Municipality, and is payable prior to the approval of any building plan application.

- 3.12 The sewerage system from the proposed development must be connected to the Municipal sewerage system according to Stellenbosch Municipality's specifications, conditions and approval.
  - 3.13 Sewage disposal on the premises must at all times take place in a nuisance-free manner and shall be the owner's responsibility.
  - 3.14 Facilities for the disabled must be provided.
  - 3.15 The quality of the potable water on the premises must at all times comply with the minimum bacteriological and chemical standards for potable water' as determined by SANS code 241.
  - 3.16 Refuse collection and storage must be done in a way that will not cause a health nuisance.
  - 3.17 All areas where food is handled must comply with the minimum requirements for food handling premises as determined in Regulation R638 of 23 November 2012: Regulations governing general hygiene requirements for food premises and the transport of food, promulgated in terms of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972).
  - 3.18 Said food handling areas may in no circumstances be operated without application being made to the Environmental Health Department of the Cape Winelands District Municipality for a Certificate of Acceptability. This certificate will only be issued after an inspection was conducted and if the premises meet the requirements of Regulation R638.
  - 3.19 Conditions from the Department of Transport and Public Works as imposed in their letter dated 26 May 2021, must be adhered to (See **Annexure G**).
  - 3.20 Building plans must be submitted for all new buildings and changes of use in the existing buildings and which building plan(s) must be approved and related occupancy certificates be issued prior to the vesting of any of the related approvals.
4. The reasons for the above decision are as follows:
    - 4.1 The development proposal will have no negative impact on the agricultural potential of the subject land unit as no viable agricultural land will be lost;
    - 4.2 The proposal is desirable and will not be out of character with the adjacent properties which are predominantly agricultural with secondary uses such as restaurants, winery and equestrian.

4.3 The proposal will not generate any additional traffic that will place undue pressure on the existing servitude road.

5. Matters to be noted

5.1 Conditions from the Department of Environmental Affairs and Development Planning as imposed in their letter dated 28 October 2021, must be adhered to (See **Annexure H**).

6. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

7. Appeals must be submitted with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law. The following prescribed information is accordingly required:

(a) The personal particulars of the Appellant, including:

- (I) First names and surname;
- (II) ID number;
- (III) Company of Legal person's name (if applicable)
- (IV) Physical Address;
- (V) Contact details, including a Cell number and E-Mail address;

(b) Reference to this correspondence and the relevant property details on which the appeal is submitted.

(c) The grounds of the appeal which may include the following grounds:

- (i) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000);
- (ii) grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.

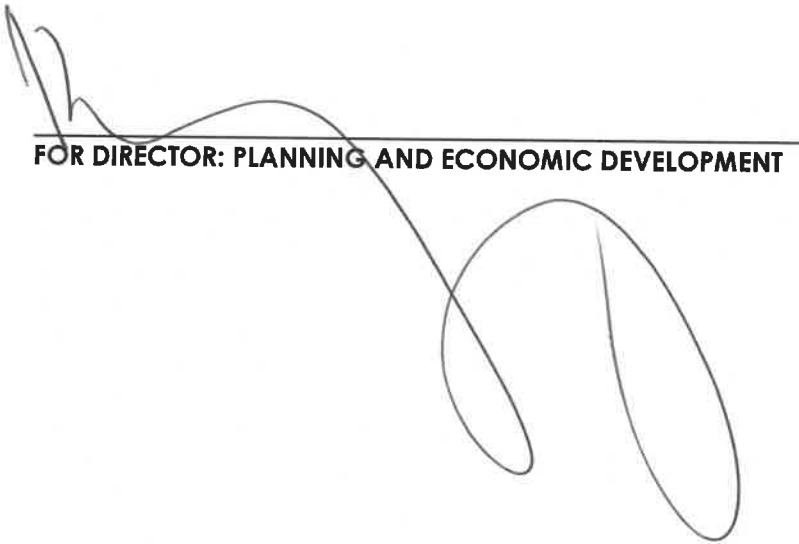
(d) whether the appeal is lodged against the whole decision or a part of the decision;

- (e) if the appeal is lodged against a part of the decision, a description of the part;
- (f) if the appeal is lodged against a condition of approval, a description of the condition;
- (g) the factual or legal findings that the appellant relies on;
- (h) the relief sought by the appellant; and
- (i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;
- (j) That the appeal includes the following declaration by the Appellant:
  - (i) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
  - (ii) That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.

8. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: [landuse.appeals@stellenbosch.gov.za](mailto:landuse.appeals@stellenbosch.gov.za)
9. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
10. The approved tariff structure may be accessed and viewed on the municipal website (<https://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs>) and the banking details for the General Account can also be accessed on the municipal website (<https://www.stellenbosch.gov.za/documents/general/8314-stellenbosch-municipality-banking-details-1/file>).
11. An applicant who lodge an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
  - (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.

- (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
  - (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
  - (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.
12. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
13. Kindly note the above decision is suspended, and in the case of any approval, may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully



FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

3/8/2022  
DATE:

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Cluver Markotter Inc  
Cluver Markotter Building  
Mill Street  
Stellenbosch  
7600

Prepared by me

Fee and/or amount		Office fee
/Amount		R.....
Purchase price/Value	R. 43 947 000.00	R. 4 000.00
Mortgage capital Amount	R.....	R.....
Reason for exemption	Exempt 1A.0 Cat..... section.....	

  
CONVEYANCER  
LIZE PECORARO

DATA / CAPTURE  
23 NOV 2015  
MADAMAL

T000066153 / 2015

## DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

ANTON LUTHER POSTHUMUS

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 2 October 2015 and 6 October 2015 granted to him by

**BAHARI PROPERTIES C C**  
Registration number 1986/019687/23

DATA / VERIFY  
26 NOV 2015  
BARLOW MARLYN

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And the appearer declared that his said principal had, on 21 August 2015, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

**THE MILNERTON ESTATES LIMITED**  
**Registration Number 1897/000196/06**

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

**ERF 284 RAITHBY, IN THE MUNICIPALITY AND DIVISION OF  
STELLENBOSCH, WESTERN CAPE PROVINCE**

**IN EXTENT 47,1522 (FORTY SEVEN COMMA ONE FIVE TWO TWO)  
HECTARES**

**FIRST registered and still held by Certificate of Consolidated Title T60604/2003  
with Diagram SG No. 3637/2002 annexed**

**1. AS REGARDS figure ABCDEFGH middle of stream jKLMNPQx1B1C and  
1D1E1F1G on Diagram SG No 3637/2002:**

**I. IN RESPECT of the figure marked VqH middle of the stream jKkrRSTU on  
Diagram SG No. 5376/1999 annexed to Certificate of Consolidated Title No  
T.2794/2000 (being the figure 1BqH middle of stream jKkrMNPQx on Diagram  
SG No 3637/2002 annexed hereto), subject to the conditions referred to in  
Deed of Transfer No T.7216 dated 2<sup>nd</sup> November 1896.**

**II. IN RESPECT of the figure KNtsQR and ABCDEqVW on Diagram SG No  
5376/1999 annexed to Certificate of Consolidated Title No T.2794/2000 (being  
the figure KLr and ABCDEFq1B1C on Diagram SG No 3637/2002 annexed  
hereto), subject to the conditions referred to in Deeds of Transfer Nos  
T.3341/1928, T.3343/1928, T.3344/1928 and T.3342/1928 all dated 13<sup>th</sup> April  
1928.**

**III. IN RESPECT of the whole property, the said land is:**

**1. SUBJECT to and entitled the benefit of the Servitude referred to in the  
Endorsement dated 30<sup>th</sup> September 1931 on Deeds of Transfer Nos.  
T.3341/1928, T.3343/1928, T.3344/1928 and T.3342/1928 dated 13<sup>th</sup>  
April 1928 which reads as thus:**

**"By Notarial Deed dated 15<sup>th</sup> and 20<sup>th</sup> July 1931 on agreement regarding  
the distribution of certain water rights, and maintenance and repair of  
certain furrow has been entered into between the owner of the property  
held under Paras. 1 and 2 hereof and the owner of the properties held  
by Transfer Nos 3018/1927, 10070/1919, Paras 1 and 2 of 3341, 3342,  
3343 3344/1928, 9581/1918, 8192/1916, 181/1901 – Para 2, certain  
other parties joining merely as owners of portions of the land as  
originally granted and not claiming any share in the use or enjoyment of  
the water subject to conditions as will more fully appear on reference to  
the copy annexed hereto."**



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2. SUBJECT to the terms and conditions of an Order of the Water Court dated 27<sup>th</sup> February 1947, referred to in a Servitude Endorsement dated 7<sup>th</sup> March 1947 on the said Transfer Deed No T.310/1935 which said endorsement reads thus:

"The within described land is subject to a Servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District No 1 dated 27<sup>th</sup> February 1947) as will more fully appear on reference to the copy of the said Order annexed hereto."

3. SUBJECT FURTHER to the endorsement dated 19 December 1989 on Deed of Transfer No. T8499/1988, which endorsement reads as follows:

"ENDORSEMENT IN TERMS OF SECTION 31 (6) OF ACT 47 OF 1937 (AS AMENDED)

A portion of the herein mentioned property measuring  $\pm 0.3286$  ha has been expropriated by Western Cape Regional Services Council in terms of Section 27 of the Roads Ordinance No. 19 of 1976. Vide notice of expropriation No. 9/1/2/1/4/1/1/6-TH/CCS dated 8 December 1989 filed as Exprop Caveat EXP 769/89 plans in duplicate filed EXP769/89."

4. SUBJECT FURTHER to the endorsement dated 8 March 1990 on Deed of Transfer No. T8499/1988, which endorsement reads as follows:

"ENDORSEMENT IN TERMS OF SECTION 31(6) OF ACT 47 OF 1937 (AS AMENDED)

A portion of the herein mentioned property measuring  $\pm 1.0874$  ha has been expropriated by Western Cape Regional Service Council in terms of Section 27 of the Roads Ordinance No 19 of 1976. Vide notice of expropriation No. 9/1/2/1/4/1/1/6-TH/CCS dated 1 March 1990 as filed Exprop Caveat EXP 90/1990 plans in duplicate filed EXP90/1990."

5. SUBJECT to a Servitude Right of Way 6 (SIX) metres wide in favour of Erf 283 (Portion of Erf 279) Raithby, Measuring: 12,000 Hectares, Held by Certificate of Registered Title No T60602/2003 which servitude right of way is depicted by the figure J,K,L,M,N,P,Q,R,S,A,U,V,W,X,Y,Z,1A,1B on Diagram SG No 3636/2002 annexed thereto, as contained in Certificate of Consolidated Title No. T60604/2003.

2. AS REGARDS the figure 1A1BxRSTUVWXYZ on Diagram SG No. 3637/2002:

- A. Insofar as concerns the land represented by the figure lettered B C D E F o n Diagram No. 95/1964 annexed to Deed of Transfer No T.20458/1964 (being the figure 1BxRSTst on Diagram SG No 3637/2002 annexed hereto):

SUBJECT to the conditions referred to in Deed of Transfer No T.7216 dated 2<sup>nd</sup> November 1896.

SUBJECT FURTHER to and entitled to the benefit of the Servitude referred to in the Endorsement dated 30<sup>th</sup> September 1931 on Deeds of Transfer Nos. T.3341/1928, T.3343/1928, T.3344/1928 and T.3342/1928 dated 13<sup>th</sup> April 1928 which endorsement reads as thus:

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"By Notarial Deed dated 15<sup>th</sup> and 20<sup>th</sup> July 1931 on agreement regarding the distribution of certain water rights, and maintenance and repair of certain furrow has been entered into between the owner of the property held under Paras. 1 and 2 hereof and the owner of the properties held by Transfers Nos 3018/1927, 10070/1919, Paras 1 and 2 of 3341-2,3,4/1928, 9581/1918, 8192/1916, 181/1901 – Para 2, certain other parties joining merely as owners of portions of the land as originally granted and not claiming any share in the use or enjoyment of the water subject to conditions as will more fully appear on reference to the copy annexed hereto."

save to the extent that the rights and obligations referred to therein shall have been varied by the conditions imposed and contained in Clause D hereof.

SUBJECT FURTHER to the terms and conditions of an Order of the Water Court dated 27<sup>th</sup> February 1947, referred to in a Servitude Endorsement dated 7<sup>th</sup> March 1947 on the said Transfer Deed No T.310/1935, which said endorsement reads as follows:

"The within described land is subject to a Servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District No 1 dated 27<sup>th</sup> February 1947) as will more fully appear on reference to the copy of the said Order annexed hereto."

save to the extent that the rights and obligations referred to therein shall have been varied by the conditions imposed and contained in Clause D hereof.

- B. Insofar as concerns the land represented by the figure lettered n o G H J P on Diagram No 95/1964 annexed to Deed of Transfer No T.20458/1964 (being the figure tsUVWu on Diagram SG No 3637/2002 annexed thereto):

SUBJECT to the conditions referred to in Deeds of Transfer Nos T.3341/1928, T.3343/1928, T.3344/1928 and T.3342/1928 all dated 13<sup>th</sup> April 1928.

SUBJECT FURTHER to and entitled to the benefit of the Servitude referred to in the Endorsement dated 30<sup>th</sup> September 1931 on Deeds of Transfer Nos. T.3341/1928, T.3343/1928, T.3344/1928 and T.3342/1928 dated 13<sup>th</sup> April 1928 which endorsement reads as follows:

"By Notarial Deed dated 15<sup>th</sup> and 20<sup>th</sup> July 1931 an agreement regarding the distribution of certain water rights, and maintenance and repair of certain furrow has been entered into between the owner of the property held under Paras. 1 and 2 hereof and the owners of the properties held by Transfers Nos 3018/1927, 10070/1919, Paras 1 and 2 of 3341-2,3,4/1928, 9581/1918, 8192/1916, 181/1901 – Para 2, certain other parties joining merely as owners of portions of the land as originally granted and not claiming any share in the use or enjoyment of the water subject to conditions as will more fully appear on reference to the copy annexed hereto."

save to the extent that the rights and obligations referred to therein shall have been varied by the conditions imposed and contained in Clause D hereof.

**SUBJECT FURTHER** to the terms and conditions of an Order of Water Court dated 27<sup>th</sup> February 1947, referred to in a Servitude Endorsement dated 7<sup>th</sup> March 1947 on the said Transfer Deed No T.310/1935, which said endorsement reads as follows:

"The within described land is subject to a Servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District No 1 dated 27<sup>th</sup> February 1947) as will more fully appear on reference to the copy of the said Order annexed hereto."

save to the extent that the rights and obligations referred to therein shall have been varied by the conditions imposed and contained in Clause D hereof.

- C. Insofar as concerns the land represented by the figure lettered A B n p K L M on Diagram No 95/1964 annexed to Deed of Transfer No T.20458/1964 (being the figure 1A1BtuXYZ on Diagram SG No 3637/2003 annexed hereto):

**SUBJECT** to the conditions referred to in Deed of Transfer No T.7216 dated 2<sup>nd</sup> November 1896.

**SUBJECT FURTHER** to the terms and conditions of an Order of the Water Court dated 27<sup>th</sup> February 1947, referred to in a Servitude Endorsement dated 7<sup>th</sup> March 1947 on Transfer Deed No T.310/1935, which said endorsement reads as follows:

"The within described land is subject to a Servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District No 1 dated 27<sup>th</sup> February 1947) as will more fully appear on reference to the copy of the said Order annexed hereto."

save to the extent that the rights and obligations referred to therein shall have been varied by the conditions imposed and contained in Clause D hereof.

**SUBJECT FURTHER** to the conditions imposed by the Divisional Council of Stellenbosch by virtue of Section 11(4) of Act No 21 of 1940, contained in Deed of Transfer No. T.11212/1947 as more fully set hereunder:

- (a) Not more than one dwelling house together with such outbuildings as are ordinarily required to be used in connection therewith shall be erected by the Transferee or the Transferor or their successors in title except with the approval of the Controlling Authority as defined in Act No 21 of 1940.
- (b) The land shall be used for residential and agricultural purposes and with the exception of a General Dealer's Shop no other store or place of business or industry whatsoever may be opened or conducted on the land without the written approval of the Controlling Authority as defined in Act No 21 of 1940.

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(c) No building or any structure whatsoever shall be erected on the land, a share wherein is held hereunder, within a distance of 94,46 metres from the centre of Divisional Road No 12, commonly known as the Winery Divisional Road, without the written approval of the Controlling Authority as defined in Act No 21 of 1940.

3. **INSOFAR AS CONCERNS THE WHOLE PROPERTY:**

A. SUBJECT to, or as the case may be, entitled to the benefits of the reservation of water rights and other matters relating thereto contained in Deed of Transfer No T.20458/1964, which reads as follows:

B. NOT ENTITLED to the benefits of the endorsement dated 31<sup>st</sup> March 1960 on Deed of Transfer No T.11212/1947, reading:

"Para 4 - Portion 3 measuring 1526 square metres transferred by Deed of Transfer No 4710 dated 31<sup>st</sup> March 1960 to D.R. Morris transferred without water rights in the stream flowing through to Lot 2."

C. SUBJECT to, or as the case may be, entitled to the benefits of the following conditions imposed by Hillary Francis Champion and Dorothy Augusta Champion (born Mangold), married out of community of property to Hillary Francis Champion, contained in Deed of Transfer No T. 20458/1964, namely:

"That all water rights appertaining to paras 1 and 2 herein are reserved to the said Hillary Francis Champion and Dorothy Augusta Champion (born Mangold) , married out of community of property to Hillary Francis Champion, for themselves and their successors in title as owners of the remaining extent of Farm 1023, Stellenbosch, measuring as such 49,6376 Hectares, held by Certificate of Consolidated Title dated 5<sup>th</sup> October 1964, No 20457 save that the rights which the said Farm 1023 Stellenbosch has in and to water in Bakkerskloof River (however such rights may arise) shall be shared between the said remaining extent of Farm 1023 Stellenbosch, as to a one-half share, and paras 1 and 2 transferred hereby as to the other one-half share."

D. SUBJECT to Expropriation Number 135/2011, as endorsed on page 11 of Certificate of Consolidated Title Number 60604/2003 on 11 April 2012, whereby a portion of the within property, measuring approximately 0,9180 hectares was expropriated by the Department of Transport & Public Works (WCP).

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

**BAHARI PROPERTIES C C**  
Registration number 1986/019687/23

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

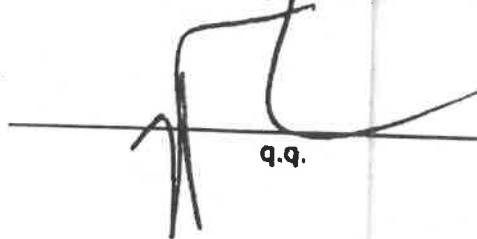
**THE MILNERTON ESTATES LIMITED**  
Registration Number 1897/000196/06

or its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R43 947 000,00 (FORTY THREE MILLION NINE HUNDRED AND FORTY SEVEN THOUSAND RAND).

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


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

13 NOV 2015



q.q.

In my presence



REGISTRAR OF DEEDS



**STELLENBOSCH**

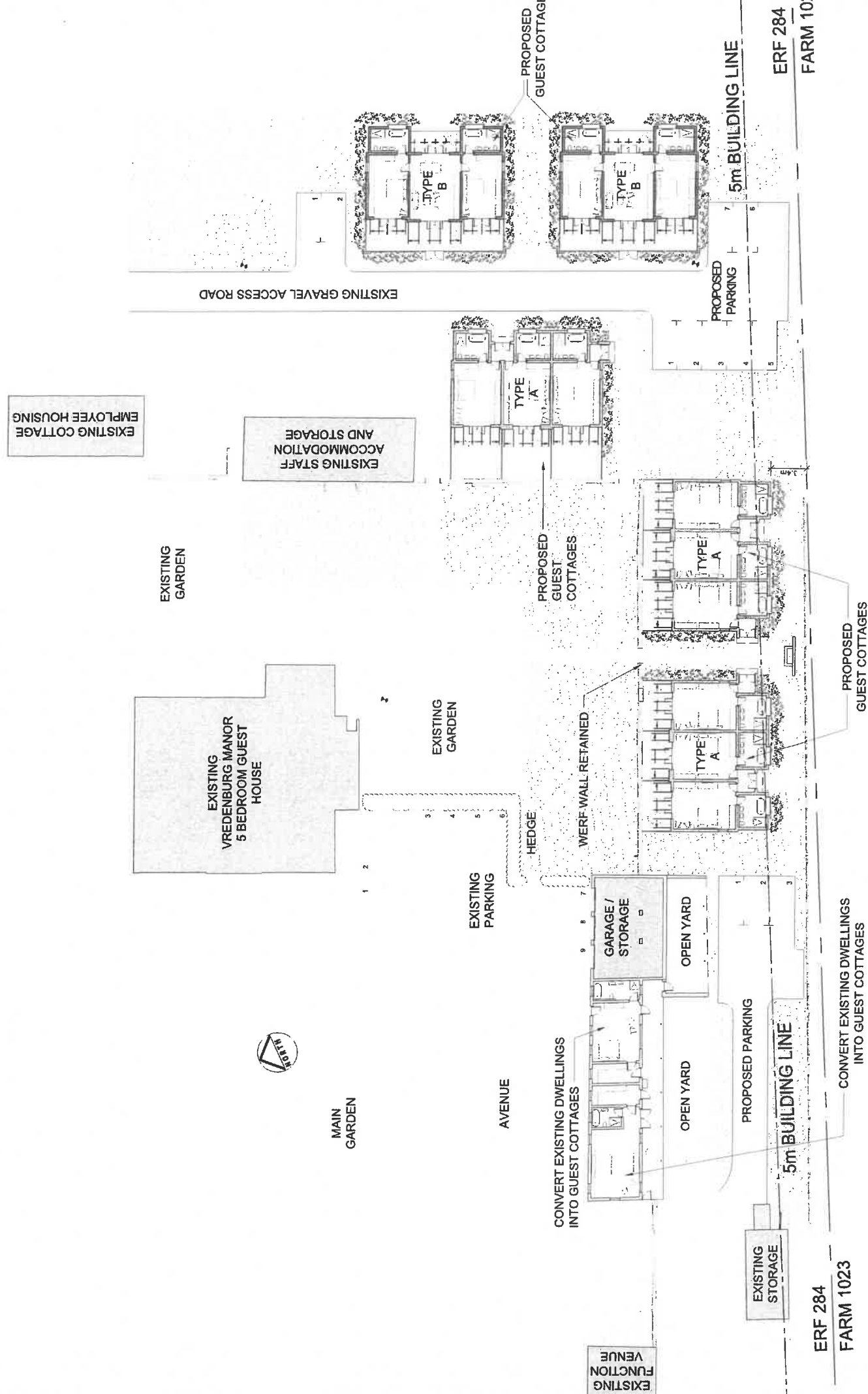
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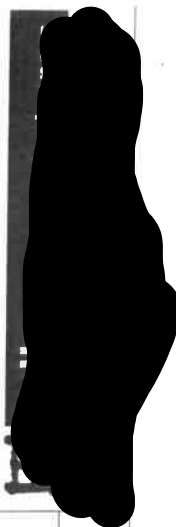
# ANNEXURE C

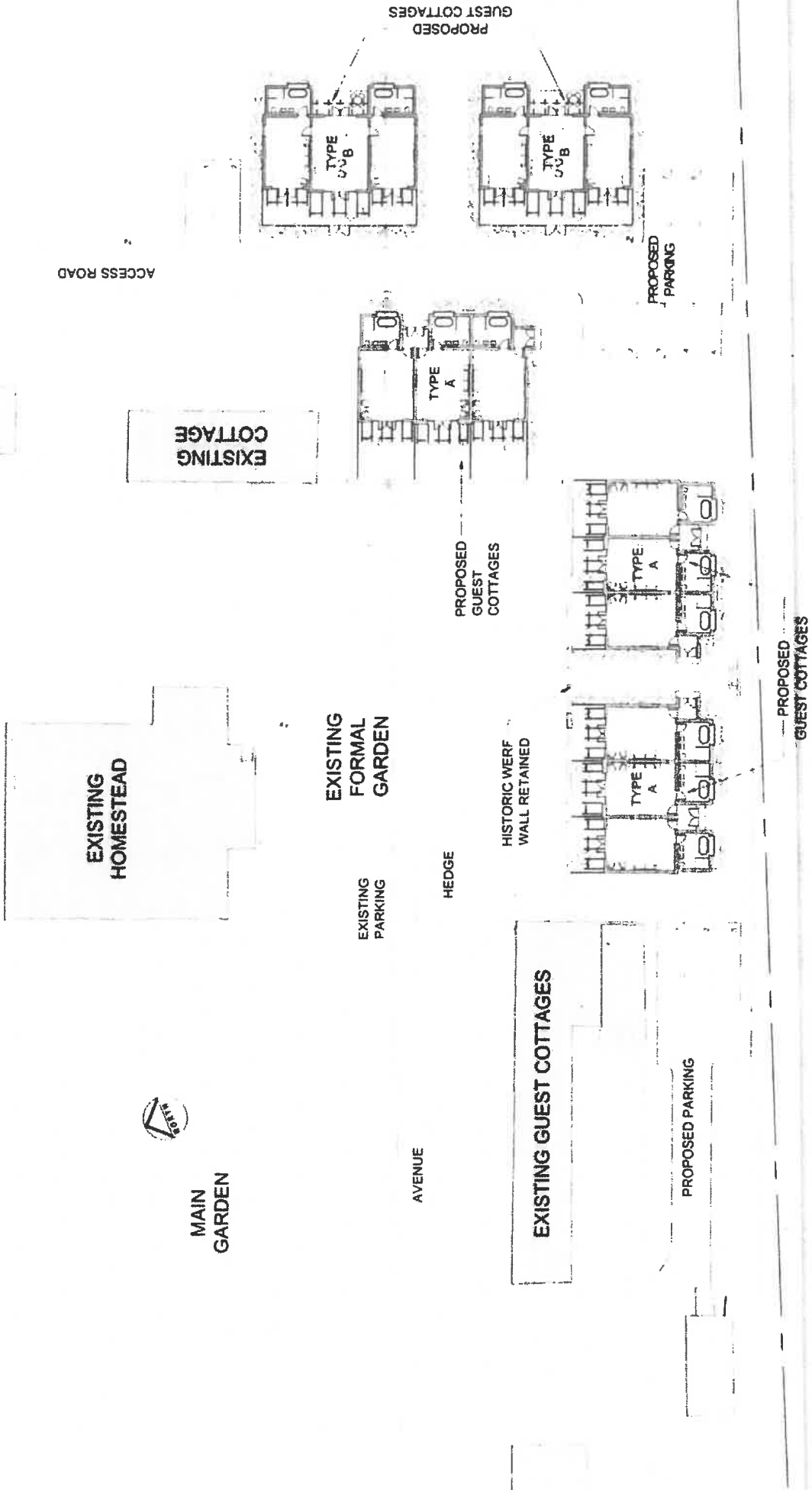
**(CONSENT USE AND A DEPARTURE FOR TOURIST ACCOMMODATION ESTABLISHMENT  
ON ERF 284, RAITHBY)**

**SITE & FLOOR PLAN**



Client	MILNERTON ESTATES	Drawing		Issue Status	FOR INFORMATION		
Project	VREDENBURG NEW TOURIST ACCOMMODATION	Project Number	2020 121	Drawing Scale	1:250 @ A2	Issue Date	2021.01.26
		Drawing Number	SK.00.01	Revision	3	Save Date	2021-01-28





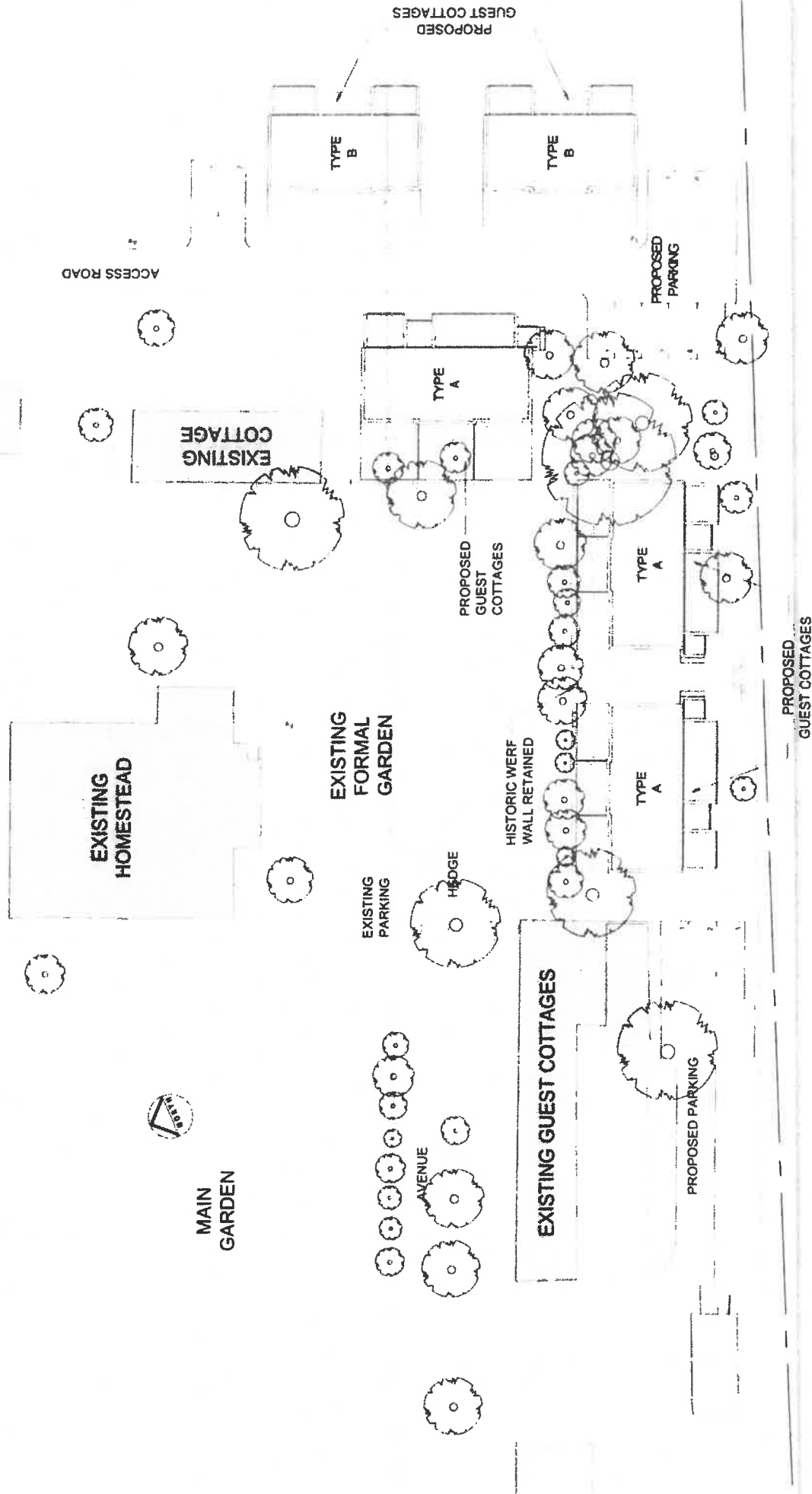
**Client:** MILNERTON ESTATES  
**Project:** VREDENBURG FARM COTTAGES

**Drawing:** SITE PLAN  
**Drawing Number:** SK.00.01  
**Revision:** 2  
**Revision Date:** 2020.10.13

**Scale:** 1:250 @ A2  
**Issue Status:** FOR INFORMATION

**Author:** mlh architects & planners  
**Issue Date:** 2020-10-13





**FOR INFORMATION**  
 Issue Date: 2020.10.13  
 Site Date: 2020.10.13

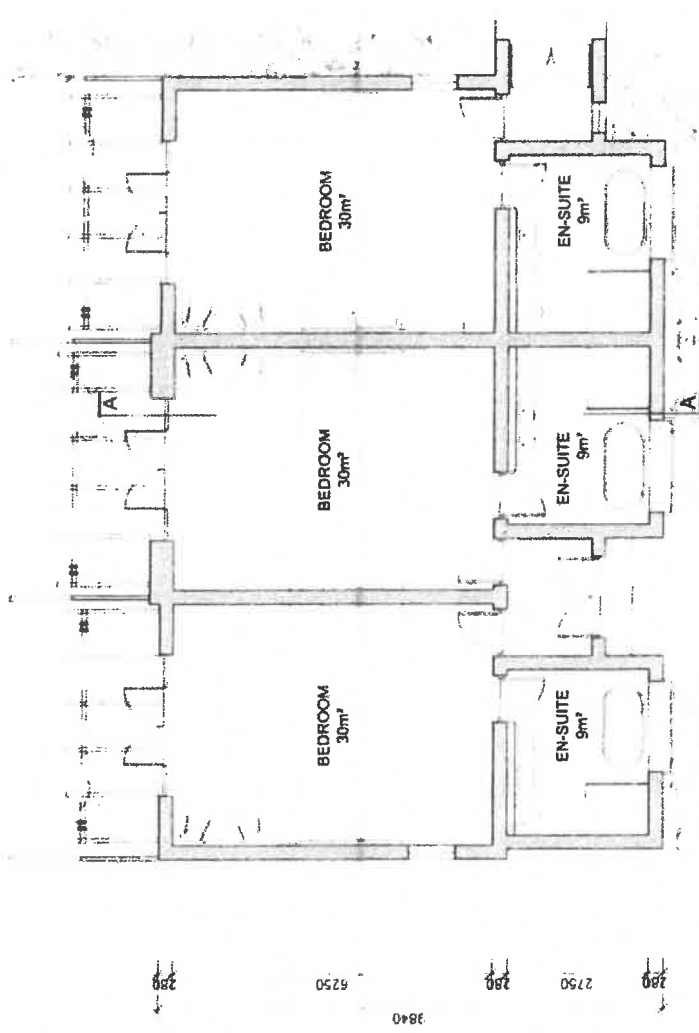
Sheet Scale: 1:250 @ A2  
 Drawing Scale: 1:250 @ A2  
 Revision: 2

**SITE ROOF PLAN**  
 Drawing Number: SK.00.02

Client: MILNERTON ESTATES  
 Project: 2020 121

Project: VREDENBURG FARM COTTAGES

1:5445  
 389 4775 389 4775 477A 389 389



166 3275 166  
 1835

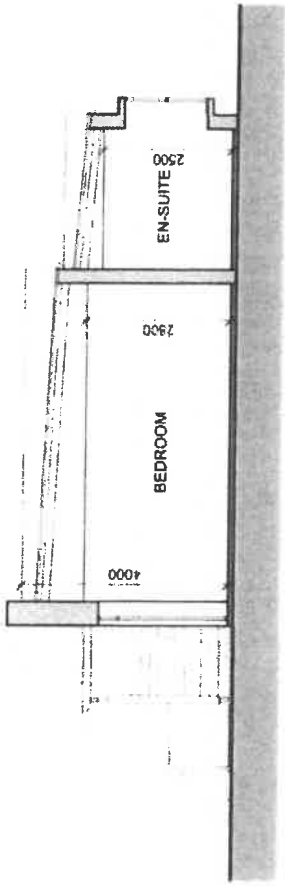
**FLOOR PLAN**  
**SCALE 1:100**

**TYPICAL 1-BEDROOM SUITE**

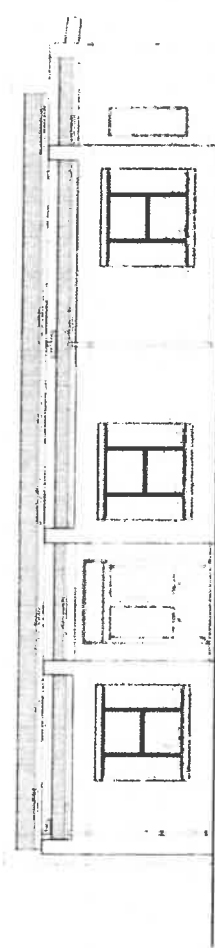
BEDROOM	30m <sup>2</sup> (internal)
EN-SUITE	9m <sup>2</sup> (internal)
<b>TOTAL</b>	<b>39m<sup>2</sup> (internal)</b>

Client <b>MILNERTON ESTATES</b>	Drawing <b>COTTAGE TYPE A - FLOOR PLAN 1 BEDROOM SUITES</b>	Issue Status <b>FOR INFORMATION</b>	FOR INFORMATION	
			Issue Date <b>2020.10.13</b>	Save Date <b>2020-10-13</b>
Project <b>VREDENBURG FARM COTTAGES</b>	Project No. <b>2020 121</b>	Revision <b>2</b>	Issue Date <b>2020.10.13</b>	Save Date <b>2020-10-13</b>
	Drawing Number <b>SK.10.01</b>	Drawing Scale <b>1:100 @ A3</b>		

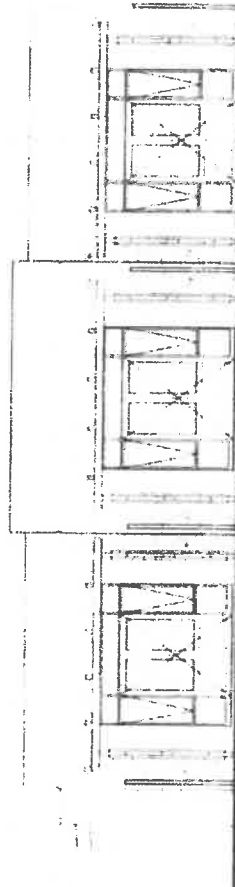




**SECTION A-A**  
SCALE 1:100

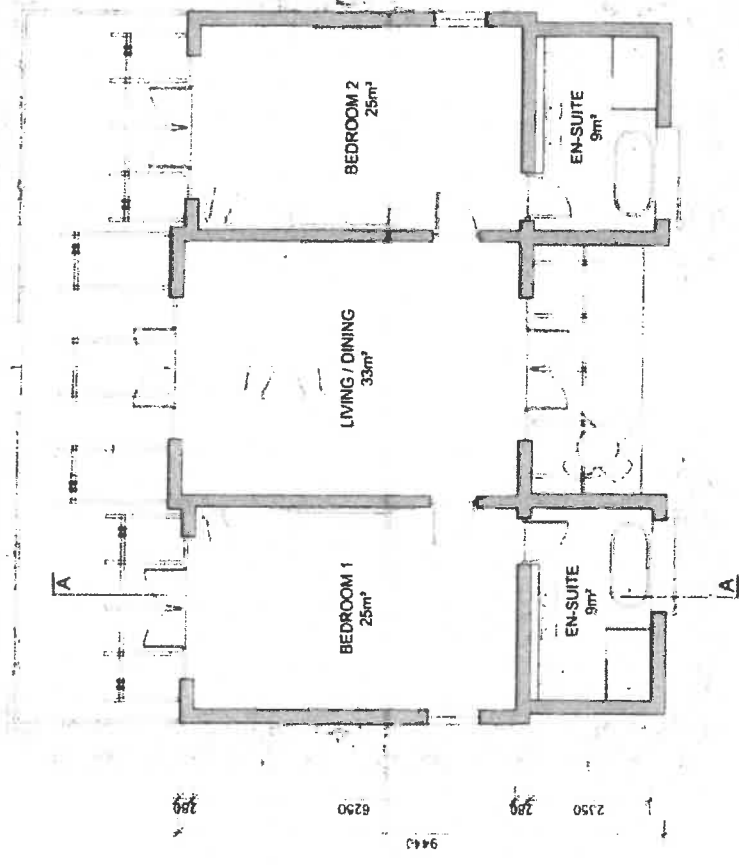
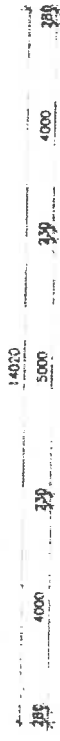


**FRONT ELEVATION**  
SCALE 1:100



**REAR ELEVATION (WERF WALL)**  
SCALE 1:100

Client MILNERTON ESTATES VREDENBURG FARM COTTAGES	Drawing COTTAGE TYPE A - SECTIONS AND ELEVATIONS 1 BEDROOM SUITES	Project Number 2020 121	Drawing Number SK.10.02	Revision 2	Human Station 1:100 @ A3	FOR INFORMATION	
						Issue Date 2020.10.13	Issue Date 2020.10.13

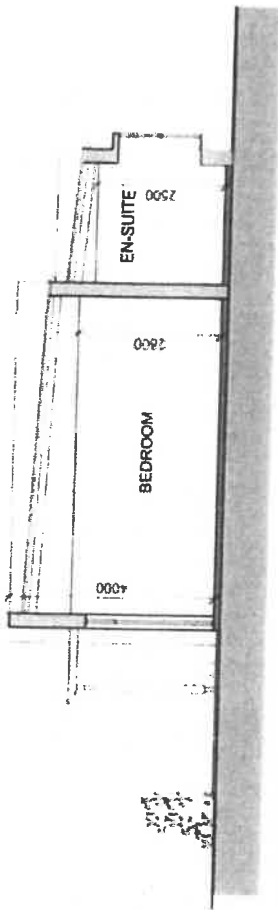


**FLOOR PLAN  
SCALE 1:100**

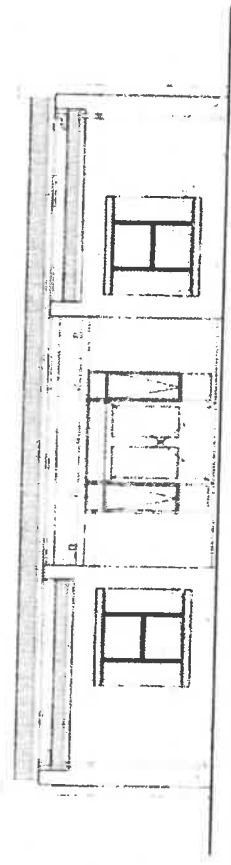
**TYPICAL 2-BEDROOM SUITE**

2 x BEDROOMS	25m <sup>2</sup> (internal)
2 x EN-SUITE	9m <sup>2</sup> (internal)
LIVINGROOM	33m <sup>2</sup> (internal)
<b>TOTAL</b>	<b>101m<sup>2</sup> (internal)</b>

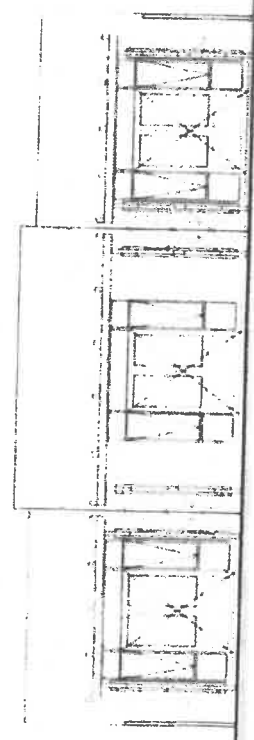
Client <b>MILNERTON ESTATES</b>	Drawing <b>COTTAGE TYPE B - FLOOR PLAN 2 BEDROOM SUITES</b>	Issue Sheet <b>FOR INFORMATION</b>	FOR INFORMATION	
			Issue Date <b>2020.10.13</b>	Rev. Date <b>2020.10.13</b>
Project <b>VREDENBURG FARM COTTAGES</b>	Project Number <b>2020 121</b>	Drawing Number <b>SK.11.01</b>	Revision <b>2</b>	Drawing Scale <b>1:100 @ A3</b>



**SECTION A-A**  
SCALE 1:100



**REAR ELEVATION**  
SCALE 1:100



**FRONT (INTERNAL ROAD)**  
SCALE 1:100

Client	MILNERTON ESTATES	Drawing Title	COTTAGE TYPE B - SECTIONS AND ELEVATIONS	Project Status	FOR INFORMATION	Issue Date	2020.10.13
Project	VREDENBURG FARM COTTAGES	Drawing Number	2020 121	Revision	2	Issue Date	2020.10.13
Drawing Title	COTTAGE TYPE B - SECTIONS AND ELEVATIONS	Drawing Scale	1:100 @ A3	Revision	2	Issue Date	2020.10.13
Project	VREDENBURG FARM COTTAGES	Drawing Number	SK.11.02	Revision	2	Issue Date	2020.10.13





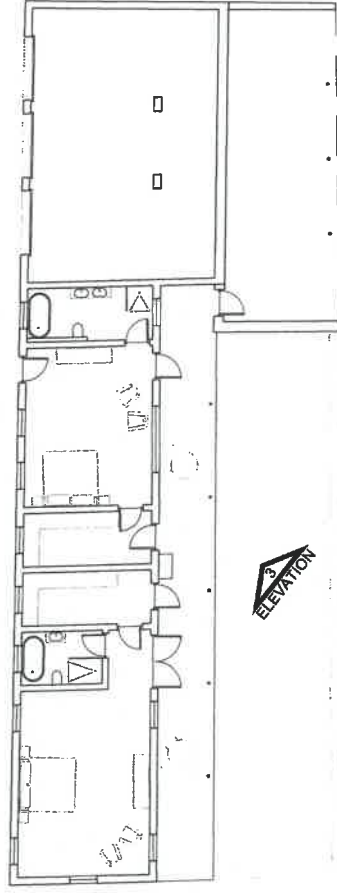
ELEVATION 1



ELEVATION 2



ELEVATION 3



FLOOR PLAN  
SCALE 1:200

Client

MILNERTON ESTATES

Project  
VREDENBURG NEW TOURIST ACCOMMODATION

Drawing  
EXISTING DWELLING TO GUEST COTTAGE CONVERSION

Project Number  
2020 121

Issue Status

FOR INFORMATION

Drawing Scale  
1:200 @ A3

Revision  
3

Drawing Number  
SK.12.01

Issue Date  
2021.01.26

Save Date  
2021-01-26



**STELLENBOSCH**

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

# ANNEXURE G

**(CONSENT USE AND A DEPARTURE FOR TOURIST ACCOMMODATION ESTABLISHMENT  
ON ERF 284, RAITHBY)**

**COMMENTS FROM THE DEPARTMENT: TRANSPORT & PUBLIC WORKS**



**REFERENCE:** 16/9/6/1-25/161 (Job 18946)  
**ENQUIRIES:** Ms G Swanepoel  
**DATE:** 26 May 2021

Director: Planning & Economic Development  
Stellenbosch Municipality  
PO Box 17  
**STELLENBOSCH**  
7599

Attention: Mr Ulrich von Molendorff

Dear Sir

**REMAINDER ERF 284 RAITHBY: MAIN ROAD 166 (WINERY ROAD): APPLICATION FOR CONSENT USE AND DEPARTURE**


1. Letter to this Branch from Mr Allen Goosen of MLH Architects and Planners, ref. 2020 628, Stellenbosch Municipality land use application no. LU/12048, dated 17 March 2021 refers.
2. Erf Re/284 Raithby is located to the east of Main Road 166 (Winery Road), ±1.5km south of the village of Raithby and ±15km south of the town of Stellenbosch. It lies within the Stellenbosch Municipal area.
3. The Application is for:
  - 3.1 Consent use for Tourist Accommodation to provide seven self-catering guest accommodation units accommodating up to 30 additional guests to supplement the existing guesthouse (capacity: 10 guests) on the property and
  - 3.2 Departure from the 5m building line with the adjacent Farm 1023 Stellenbosch.
4. The additional volume of traffic generated by the proposed additional units will be low, and will likely be dispersed in time, so will not have a significant impact on traffic using Main Road 166 (Winery Road) in terms of capacity or congestion.
5. Concern has been expressed by local residents, including the owners of the subject property, about the safety of vehicle turning movements on this section of MR166 (Winery Road). The staggered accesses to Erf 284 and Farm 1256/4 (which provides servitude access to several additional properties) may exacerbate this problem and it is desirable that the accesses be realigned to be directly, or nearly directly opposite one another.



While the existing manhole south of the entrance to Erf 284 is a constraint, the existing exit could be widened somewhat to minimise the stagger.

6. This Branch offers no objection to the proposed land use application for Erf 284 Raithby, subject to the following:
  - 6.1 Widening of the access to Erf 284 southwards, in accordance with this Branch's design guidelines and requirements and taking into account in the access road markings and signage, the need to align the access to Erf 284 Raithby with the opposite access road;
  - 6.2 The applicant shall ensure security clearance procedures at the entrance to the property do not cause delays to entering vehicles resulting in tailbacks into Main Road (166 Winery Road). This is applicable not only to the guest accommodation, but also to the established function venue, which it is understood has previous town planning approval. If necessary to achieve this requirement, the gate and access security controls shall be set back further from the edge of Main Road 166, or left open to allow the free flow of vehicles into the property when numerous vehicles are expected to arrive within a relatively brief time period;
  - 6.3 Detailed drawings of the access road geometry, pavement design, drainage, road markings, and utilities/services potentially affected shall be submitted to the Chief Directorate: Design of this Branch (Ms MK Hofmeyr, [melanie.hofmeyr@westerncape.gov.za](mailto:melanie.hofmeyr@westerncape.gov.za)) for approval prior to the commencement of construction;
  - 6.4 Detailed construction drawings and proposals for traffic accommodation during construction shall be submitted for approval to the District Roads Engineer, Paarl (for attention Mr E Smith, e-mail: [Elroy.Smith@westerncape.gov.za](mailto:Elroy.Smith@westerncape.gov.za)) prior to construction;
  - 6.5 The Applicant's consultant or contractor shall accept the handing over of the site in writing from the Road Authority prior to construction;
  - 6.6 After completion of the construction phases to the satisfaction of the District Roads Engineer, the Road Authority shall accept in writing the handing over of the site from the Applicant's consultant or contractor;
  - 6.7 As built drawings shall be sent to this Branch (Ms GD Swanepoel), the District Roads Engineer (Mr E Smith, e-mail: [Elroy.Smith@westerncape.gov.za](mailto:Elroy.Smith@westerncape.gov.za)) and the Roads Department of Cape Winelands District Municipality (Mr ACA Stevens, e-mail: [Aubrey@capewinelands.gov.za](mailto:Aubrey@capewinelands.gov.za)).

Yours Sincerely



**SW CARSTENS**

**For DEPUTY DIRECTOR-GENERAL: ROADS**



**STELLENBOSCH**

STELLENBOSCH • PNIEL • FRANSCHHOEK

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# ANNEXURE H

**(CONSENT USE AND A DEPARTURE FOR TOURIST ACCOMMODATION ESTABLISHMENT  
ON ERF 284, RAITHBY)**

**COMMENTS FROM DEADP**



**REFERENCE:** 16/3/3/1/B4/45/1019/21  
**NEAS REFERENCE:** WCP/EIA/0000894/2021  
**DATE OF ISSUE:** 28 October 2021

The Board of Directors  
The Milnerton Estates Limited  
P. O. Box 1609  
**CAPE TOWN**  
8000

**Attention: Mr. B. Moore**

Cell: 083 264 2208  
Email: [info@me-group.co.za](mailto:info@me-group.co.za)

Dear Sir

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014, (AS AMENDED): PROPOSED ESTABLISHMENT OF TOURIST ACCOMMODATION FACILITIES ON THE REMAINDER OF FARM NO. 284, STELLENBOSCH**

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014, (as amended), you are instructed to ensure, within 14 days of the date of the Environmental Authorisation, that all registered Interested and Affected Parties ("I&APs") are provided with access to and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarized in the attached Environmental Authorisation.

Yours faithfully

**Zaahir Toefy**

Digitally signed by  
Zaahir Toefy  
Date: 2021.10.28  
14:00:06 +02'00'

**MR. ZAAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**  
**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) Mr. S. Ranger (FOOTPRINT Environmental Services)  
(2) Mr. C. du Plessis (FOOTPRINT Environmental Services)  
(3) Mr. S. van der Merwe (Stellenbosch Municipality)  
(4) Ms. A. Duffell-Canham (CapeNature)  
(5) Mr. C. van der Walt (Department of Agriculture)

Email: [Sean.ranger1@gmail.com](mailto:Sean.ranger1@gmail.com)  
Email: [charlduplessis2@afrihost.co.za](mailto:charlduplessis2@afrihost.co.za)  
Email: [Schalk.VanderMerwe@stellenbosch.gov.za](mailto:Schalk.VanderMerwe@stellenbosch.gov.za)  
Email: [aduffell-canham@capenature.co.za](mailto:aduffell-canham@capenature.co.za)  
Email: [LandUse.Elsenburg@elsenburg.com](mailto:LandUse.Elsenburg@elsenburg.com)



**REFERENCE:** 16/3/3/1/B4/45/1019/21  
**NEAS REFERENCE:** WCP/EIA/0000894/2021  
**DATE OF ISSUE:** 28 October 2021

## ENVIRONMENTAL AUTHORISATION

### APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014, (AS AMENDED): PROPOSED ESTABLISHMENT OF TOURIST ACCOMMODATION FACILITIES ON THE REMAINDER OF FARM NO. 284, STELLENBOSCH

With reference to your application for the abovementioned, find below the outcome with respect to this application.

#### A. DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activity specified in Section B below with respect to Alternative 1, described in the Basic Assessment Report ("BAR"), dated July 2021.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in Section E below.

#### A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Milnerton Estates Limited  
% Mr. B. Moore  
P. O. Box 1609  
**CAPE TOWN**  
8000

Cell: 083 264 2208  
Email: [info@me-group.co.za](mailto:info@me-group.co.za)

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "**the holder**".

## B. ACTIVITY AUTHORISED

Listed activity	Activity/Project Description
<p>EIA Regulations Listing Notice 3 of 2014: Activity Number 17: The expansion of a resort, lodge, hotel, tourism or hospitality facilities where the development footprint will be expanded and the expanded facility can accommodate an additional 15 people or more.</p> <p><b>i. Western Cape</b></p> <p>i. Inside a protected area identified in terms of NEM:PAA;</p> <p>ii. Outside urban areas:</p> <p>(aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or</p> <p>(bb) Within 5km from national parks, world heritage sites, areas identified in terms of NEM:PAA or from the core area of a biosphere reserve; -</p> <p>excluding the conversion of existing buildings where the development footprint will not be increased.</p>	<p>The proposed additional accommodation units will be located within 5 km of the Helderberg Nature Reserve, an area identified in terms of NEM:PAA and will accommodate 26 additional people.</p>

The abovementioned list is hereinafter referred to as "**the listed activity**".

The holder is herein authorised to undertake the development in respect of the following alternative:

The proposal entails:

- The establishment of additional accommodation units, comprising of two different types of units, namely Type A and B, to allow for additional tourist to be accommodated. The units will comprise of the following:
  - Type A: Double room units accommodating two guests each, with on-suite bathroom facilities. Nine units of 39m<sup>2</sup> in extent are proposed.
  - Type B: Units accommodating four guests in two double rooms, with on-suite bathroom facilities. Two units of 101m<sup>2</sup> in extent, including a dining and living area, are proposed.
- The conversion of two existing dwellings to additional tourist accommodation providing for four (4) additional beds.
- The installation of two new 8m<sup>3</sup> conservancy tanks to the east of the existing septic tank with a capacity of 12m<sup>3</sup>. The existing guest house and cottages on the farm are served by a septic tank and soak-away. To provide for an environmentally friendly sewer system, the existing soak-away will be demolished and the existing septic tank will act as a conservancy tank.
- The modification of the entrance road to the farm to provide for a 90-degree intersection with Winery Road and a 30 m stacking distance to prevent tailbacks into Winery Roads.

The maximum number of tourists that can be accommodated in the additional, converted, and existing units at one time will be 48.

### C. SITE DESCRIPTION AND LOCATION

The listed activity will be undertaken on the Remainder of Farm No. 284, Stellenbosch, at the following co-ordinates:

Latitude (S)	Longitude (E)
34° 02' 11.80"	18° 48' 07.05"

The SG digit code is: C06700180000028400000

Refer to Annexure 1: Locality Map and Annexure 2: Site Development Plan.

The above is hereinafter referred to as: "**the site**".

### D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

FOOTPRINT Environmental Services  
% Mr. S. Ranger  
P.O. Box 454  
**PORTERVILLE**  
6810

Cell: 083 294 8776  
Email: Sean.ranger1@gmail.com

### E. Conditions of authorisation

#### Scope of authorisation

1. The holder is authorised to undertake the listed activity specified in Section B above in accordance with, and restricted to, Alternative 1, described in the BAR, dated July 2021, at the site as described in Section C above.
2. The holder must commence with the listed activity on site within a period of **five (5) years** from the date of issue of this Environmental Authorisation.
3. The development must be concluded within **5 years** from the date of commencement of the listed activity.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
5. Any changes to, or deviations from the scope of the alternative described in Section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information, in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

### **en notice to the Competent Authority**

Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activities. The notice must:

- 6.1 make clear reference to the site details and EIA Reference number given above; and
- 6.2 include proof of compliance with the following conditions described herein:

Conditions: 7, 8 and 11

### **ication and administration of appeal**

The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–

- 7.1 notify all registered Interested and Affected Parties ("I&APs") of –
  - 7.1.1 the outcome of the application;
  - 7.1.2 the reasons for the decision as included in Annexure 3;
  - 7.1.3 the date of the decision; and
  - 7.1.4 the date when the decision was issued.
- 7.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 (as amended) detailed in Section G below;
- 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision; and
- 7.4 provide the registered I&APs with:
  - 7.4.1 the name of the holder (entity) of this Environmental Authorisation;
  - 7.4.2 name of the responsible person for this Environmental Authorisation;
  - 7.4.3 postal address of the holder;
  - 7.4.4 telephonic and fax details of the holder;
  - 7.4.5 e-mail address, if any, of the holder; and
  - 7.4.6 contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations (as amended).

The listed activity, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notifies the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activity, including site preparation, must not commence until the appeal is decided.

### **gement of activity**

The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.

The EMPr must be included in all contract documentation for all phases of implementation.



## Monitoring

11. The holder must appoint a suitably experienced environmental control officer ("ECO"), before commencement of any construction activities to ensure compliance with the EMPr and the conditions contained herein.
12. The ECO must conduct fortnightly compliance monitoring inspections during the construction phase. Monthly Environmental Compliance Reports must be compiled and quarterly Environmental Compliance Reports must be submitted to the Competent Authority for the duration of the construction phase. The final Environmental Compliance Report must be submitted to the Competent Authority within six months after construction has been complete.
13. A copy of the Environmental Authorisation, EMPr and compliance monitoring reports must be kept at the site of the authorised activity.
14. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

## Auditing

15. The holder must ensure that environmental auditing is undertaken in accordance with Regulation 34 in terms of the NEMA EIA Regulations, 2014 (as amended) to determine compliance with the conditions of the Environmental Authorisation and the EMPr. The Environmental Audit Report must be prepared by an independent person (not the EAP or ECO) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).

The Environmental Audit Report must be submitted to the Competent Authority within six months after operation commenced.

The holder must, within 7 days of the submission of an environmental audit report to the Competent Authority, notify all potential and registered I&APs of the submission and make the report immediately available to anyone on request and on a publicly accessible website (where the holder has such a website).

## Specific Conditions

16. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artefacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.



17. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.

## **F. GENERAL MATTERS**

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activity.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the Competent Authority must only be notified of such changes.

5. The manner and frequency for updating the EMPr is as follows:  
Amendments to the EMPr must be done in accordance with Regulations 35 to 37 of the EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.

## **G. APPEALS**

Appeals must comply with the provisions contained in the National Appeal Regulations 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
  - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
  - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs –
  - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and

- 2.2 Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

By post:                      Western Cape Ministry of Local Government, Environmental Affairs and  
Development Planning  
Private Bag X9186  
CAPE TOWN  
8000; or

By facsimile:              (021) 483 4174; or

By hand:                     Attention: Mr Marius Venter (Tel: 021 483 2659)  
Room 809  
8<sup>th</sup> Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

**Note:** For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za).

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 2659, E-mail [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za) or URL <http://www.westerncape.gov.za/eadp>.

## H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this EA shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

**Zaahir  
Toefy**

Digitally signed by  
Zaahir Toefy

Date: 2021.10.28  
14:00:43 +02'00'

**MR. ZAAHIR TOEFY**

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)  
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING  
DATE OF DECISION: 28 OCTOBER 2021**

CC: (1) Mr. S. Ranger (FOOTPRINT Environmental Services)  
(2) Mr. C. du Plessis (FOOTPRINT Environmental Services)  
(3) Mr. S. van der Merwe (Stellenbosch Municipality)  
(4) Ms. A. Duffell-Canham (CapeNature)  
(5) Mr. C. van der Walt (Department of Agriculture)

Email: Sean.ranger1@gmail.com  
Email: chariduplessis2@afrihost.co.za  
Email: Schaalk.VanderMerwe@stellenbosch.gov.za  
Email: aduffell-canham@capenature.co.za  
Email: LandUse.Eisenburg@elsenburg.com



**STELLENBOSCH**

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# ANNEXURE I

**(CONSENT USE AND A DEPARTURE FOR TOURIST ACCOMMODATION ESTABLISHMENT  
ON ERF 284, RATHBY)**

**COMMENTS FROM THE ENGINEERING SERVICES**



**STELLENBOSCH MUNICIPALITY**  
STELLENBOSCH · PNIEL · FRANSCHHOEK

# **MEMORANDUM**

**DIREKTEUR: INFRASTRUKTUURDIENSTE**  
**DIRECTORATE: INFRASTRUCTURE SERVICES**

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**To ▫ Aan:** Director: Planning + Economic Development  
**Att Aandag** Nicole Katts  
**From ▫ Van:** Manager: Development (Infrastructure Services)  
**Author ▫ Skrywer:** Tyrone King  
**Date ▫ Datum:** 11 May 2021  
**Our Ref ▫ Ons Verw:** Civil LU 2155  
**Your Ref:** LU/12048  
**Re ▫ Insake:** Erf 284, Raithby, Consent use for 5 additional tourist dwellings

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

- 1. Civil Engineering Services**
  - 1.1 Water supply to be via borehole, which is the responsibility of the owner.
  - 1.2 Water supplied to the new units must be according to SANS 241 standards.
  - 1.3 The existing guest house and cottages are served by a septic tank and soak-away. The following method of sewer management, as proposed in the engineering report, will be applicable: The entire Vredenburg Guest Farm, existing and new cottages, will be serviced by one sewer system with conservancy tanks to ensure the system is environmentally friendly. The existing soak away will be demolished and the septic tank will act as a conservancy tank. The new cottages will be served by a new sewer that will drain to the additional conservancy tanks to be installed east of the existing tank.
  - 1.4 The details of the sewer reticulation network must be indicated on the building plans for approval.

**2. Roads**

**2.1 There is no objection from a roads/traffic engineering perspective, however - the access is from a provincial road (Winery Road) – please obtain approval from Provincial Roads Engineer.**

**3. Development Charges (DCs)**

**3.1 The following DC's are payable: See Development Charge Calculation attached.**

**3.2 The DC's were calculated by using the 2020/2021 tariff structure. If DC's are paid after 30 June 2021 it will have to be recalculated by using the tariff structure applicable at date of payment.**

**3.3 The appropriate DC's are payable before building plan approval (consent use/sectional title).**

**4. Electrical Engineering**

**4.1 Refer to Annexure: Electrical**



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

**APPLICATION INFORMATION**

2155 (TK) Erf 284 Raithby (LU-12048)

Wednesday, 06/May/2020

2020/21

Stellenbosch Town

284

Site Plan SK.00.01 Rev 2 dated 2020-10-13 by MLH architects (Also see 2.1 of motivation report indicating 5 units with 13 bedrooms in total)

**SUMMARY OF DC CALCULATION**

	Water		Sewer		Storm-water		Solid-Waste		Roads		Community Facilities	
	kl/day	kl/day	kl/day	ha°C	t/week	t/week	trips/day	trips/day	person	person		
before Deductions	0.900	0.750	0.020		0.075	6.25	6.25					
					R 3 871.66	R 39 723.47					R 16 298.34	
AT)					R 3 871.66	R 39 723.47					R 16 298.34	
					R 580.75	R 5 958.52					R 2 444.75	
IT)					R 4 452.41	R 45 681.98					R 18 743.09	

**APPLICANT INFORMATION**

Tyrone King

Water - borehole (non-munic)  
Sewer - consersancy tank

As above

Land Use Category	Unit Type	Existing Usage		Proposed New Usage		Increased Usage		Water	Brewer	Storm-water	Septic/Waste	Roads	Community Facilities	Total
		area (m2)	du/ha	area (m2)	du/ha	du	m2 GLA							
Residential	Single Residential >1000m2	du	0	du	0	0	0	R	-	-	R	-	-	R
	Single Residential >500m2	du	0	du	0	0	0	R	-	-	R	-	-	R
	Single Residential >250m2	du	0	du	0	0	0	R	-	-	R	-	-	R
	Single Residential <250m2	du	0	du	0	0	0	R	-	-	R	-	-	R
	Less Formal Residential >250m2	du	0	du	0	0	0	R	-	-	R	-	-	R
	Less Formal Residential <250m2	du	0	du	0	0	0	R	-	-	R	-	-	R
	Group Residential >250m2	du	0	du	0	0	0	R	-	-	R	-	-	R
	Group Residential <250m2	du	0	du	0	0	0	R	-	-	R	-	-	R
	Medium Density Residential >250m2	du	0	du	0	0	0	R	-	-	R	-	-	R
	Medium Density Residential <250m2	du	0	du	0	0	0	R	-	-	R	-	-	R
Commercial	High Density Residential - flats	du	0	du	0	0	0	R	-	-	R	-	-	R
	High Density Residential - student rooms	du	0	du	0	0	0	R	-	-	R	-	-	R
	Local Business - office	m2 GLA	0%	m2 GLA	5	0%	5	R	-	-	R	3871.66	16 298.34	R 59 893.47
	Local Business - retail	m2 GLA	0%	m2 GLA	0	0%	0	R	-	-	R	-	-	R
	General Business - office	m2 GLA	0%	m2 GLA	0	0%	0	R	-	-	R	-	-	R
	General Business - retail	m2 GLA	0%	m2 GLA	0	0%	0	R	-	-	R	-	-	R
	Community	m2 GLA	0%	m2 GLA	0	0%	0	R	-	-	R	-	-	R
	Education	m2 GLA	0%	m2 GLA	0	0%	0	R	-	-	R	-	-	R
	Light Industrial	m2 GLA	0%	m2 GLA	0	0%	0	R	-	-	R	-	-	R
	Central Industrial - light	m2 GLA	0%	m2 GLA	0	0%	0	R	-	-	R	-	-	R
Industrial	Central Industrial - heavy	m2 GLA	0%	m2 GLA	0	0%	0	R	-	-	R	-	-	R
	Neighbour Industrial - heavy	m2 GLA	0%	m2 GLA	0	0%	0	R	-	-	R	-	-	R
	Report	m2 GLA	0%	m2 GLA	0	0%	0	R	-	-	R	-	-	R
	Public Open Space	m2	0%	m2	0	0%	0	R	-	-	R	-	-	R
	Private Open Space	m2	0%	m2	0	0%	0	R	-	-	R	-	-	R
	Natural Environment	m2	0%	m2	0	0%	0	R	-	-	R	-	-	R
	Utility Services	m2	0%	m2	0	0%	0	R	-	-	R	-	-	R
	Public Roads and Parking	m2	0%	m2	0	0%	0	R	-	-	R	-	-	R
	Transport Facility	m2	0%	m2	0	0%	0	R	-	-	R	-	-	R
	limited Use	m2	0%	m2	0	0%	0	R	-	-	R	-	-	R
Special	To be calculated													
	based on equivalent demands													
		0		0										

\* Complete yellow/green cells.  
 \*\* du = dwelling unit, GLA=gross leasable area.  
 \*\*\* displays red if not equal to existing area.

Development Charges before Deductions	Water	Brewer	Storm-water	Septic/Waste	Roads	Community Facilities	Total
R0.00	R0.00	R0.00	R0.00	R3 871.66	R39 723.47	16 298.34	R59 893.47
0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	R0.00
R0.00	R0.00	R0.00	R0.00	R0.00	R0.00	R0.00	R0.00
R0.00	R0.00	R0.00	R0.00	R3 871.66	R39 723.47	16 298.34	R59 893.47
R0.00	R0.00	R0.00	R0.00	R580.75	R5 984.02	2 444.75	R8 984.02
R0.00	R0.00	R0.00	R0.00	R4 472.41	R45 681.98	16 743.09	R68 877.49



Raith 284

**GENERAL COMMENT:**

1. Outside Stellenbosch area of supply.
2. All Electrical requirements should be directed to Eskom.

**CONDITIONS**

3. No conditions.



SIGNATURE

DATE 5/5/21