



# STELLENBOSCH

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Application Number: LU/11346

Our File Reference Number: Farm 1545, Paarl

Your Reference Number: None

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 AND ADDITIONAL USE: FARM NO. 1545, PAARL DIVISION

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
  - 2.1 That the following Consent use application(s) in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015 on Farm No 1545, Paarl Division, in pursuance of the establishment of a country hotel as depicted in the proposed plan attached as **Annexure B**, Plan No 18091, Drafted by dhk Architects, dated: 11-12-19:
    - 2.1.1 The following specific land uses as depicted in **Precinct 4** of the proposed plan, (Attached as **Annexure B**, Plan No 18091, Drafted by dhk Architects, dated: 11-12-19):
      - a) Family suite (Family Suite 2) of 213,96m<sup>2</sup>,
      - b) Wellness centre with a total footprint area of 586,55m<sup>2</sup>
      - c) New three-bedroom owner's villa with a floor area of 438.58m<sup>2</sup>,
    - 2.1.2 All the land uses as depicted in **Precinct 6** of the subject proposed plan:

**BE REFUSED** in terms of Section 60 of the said Bylaw.

2.2 The reasons for the above decision are as follows:

- 2.2.1 The existing rural character of the area and on the subject property will be maintained as no new buildings will be constructed.
  - 2.2.2 The refusal of this portion of the application will ensure that the proposal is in line with the guidelines and prescriptions of the policies and plans mentioned in the report and applicable to the subject property.
  - 2.2.3 The refusal of this component will ensure that there is no additional visual impact on the surrounding properties as only the existing building located on the subject property with minimal additions and alterations are to be converted for the tourist related uses applied for.
3. That the following Consent use application(s) in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015 on Farm No 1545, Paarl Division, for a Tourist Accommodation Facility for the establishment of a country hotel:

3.1 The land uses as depicted in the proposed **Precinct 1** of the proposed plan (Attached as **Annexure B**, Plan No 18091, Drafted by dhk Architects, dated: 11-12-19), allowing for:

- a) The upgrading of the entrance to the property,
- b) A gate house,
- c) The upgrade of the internal access roads, with new parking area containing  
±42 bays,  
2 disabled parking bays, 8 golf cart parking bays,

3.2 The land uses as depicted in the proposed **Precinct 2** of the proposed plan (Attached as **Annexure B**, Plan No 18091, Drafted by dhk Architects, dated: 11-12-19) allowing for:

- a) The conversion and upgrading of the existing primary dwelling / Manor House for the purpose of guest accommodation in the form of 5 guest suites, with 2 family suites consisting of two-bedroom units to accommodate a maximum of 18 guest,
- b) A tourist facility in the form of a restaurant for 60 guests, with a dedicated kitchen, a hotel bar, a winery with tasting room,
- c) 5 parking bays and 4 golf cart parking bays,
- d) A pool and relaxation area with landscaped children's play area.

- e) A parking area with 13 staff vehicles and delivery area at the back of the house,
  - f) A maintenance shed, a greenhouse, management offices, a laundry and staff facilities.
- 3.3 The land uses as depicted in the proposed **Precinct 3** of the proposed plan (Attached as **Annexure B**, Plan No 18091, Drafted by dhk Architects, dated: 11-12-19), for the purpose of guest facilities in the form of a tennis court and terraced lawn with a small dam with drinks deck.
- 3.4 The conversion of the existing buildings for the purpose of guest accommodation in the proposed **Precinct 4** of the proposed plan (attached as **Annexure B**, Plan No 18091, Drafted by dhk Architects, dated: 11-12-19), to accommodate a total of 4 suits / bedrooms with accommodation for a maximum of 8 guests with a pool and deck.
- 3.5 The land uses as depicted in the proposed **Precinct 5** of the proposed plan (Attached as **Annexure B**, Plan No 18091, Drafted by dhk Architects, dated: 11-12-19) allowing:
- (a) The upgrading and extension of the existing second primary dwelling (Orchard House) for the purpose of guest accommodation (9 suites and a maximum of 18 guest), with a terrace,
  - (b) A studio flat for the manager of the Country Hotel.
  - (c) Storage area at the back of the house
  - (d) A wine cellar in the basement,
  - (e) A swimming pool surrounded by a covered terrace and open deck,
  - (f) The increasing of an existing agricultural store of 70m<sup>2</sup> to 140m<sup>2</sup>.

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

4. The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:
- 4.1 All facilities provided are to be used only by guests of the Tourist Accommodation facility and that only the restaurant be open to the public.
  - 4.2 No new land use rights will accrue for a main dwelling, second dwelling and any additional dwelling units.
  - 4.3 A detailed revised site development plan as contemplated in terms of Section 16 of the Zoning Scheme Bylaw, 2019 be submitted to the Municipality for approval prior to the

submission of any building plans, which site development plan must satisfactorily address, but are not necessarily limited to, all the conditions of this approval.

4.4 The Site Development Plan be approved by the Land Use Section of the Municipality prior to any building plans being submitted for approval.

4.5 Development contributions are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first property or submission of any building plans, whichever occurs first, or as may be agreed on in writing with the Director Infrastructure Services and are to be determined on submission of the revised Site Development Plan.

4.6 The conditions of approval as imposed by the Western Cape Government, Public Works Department, Road Network Management Branch, be complied with as noted in their letter, dated 29 September 2020 attached as **Annexure G** prior to an occupation certificate being issued by the Stellenbosch Municipalities Building Department for any building work done on the property to facilitate the approval granted.

5. Matters to be noted

5.1 The conditions of approval as imposed by **Heritage Western Cape**, be complied with as noted in their letter, dated 04/05/2021 attached as **Annexure G**.

5.2 The conditions of approval as imposed by Department of Environmental Affairs and Development Planning, be complied with as noted in their letter, dated 27/08/2021 attached as **Annexure G**

5.3 The conditions of approval as imposed by Cape Winelands District Municipality (Health Department), be complied with as noted in their letter, dated 28 July 2020 attached as **Annexure G**

6. The reasons for the above decision are as follows:

6.1 The approval granted will ensure that the existing infrastructure and buildings already located on the subject property are only utilized which is in line with the policies, guidelines and plans applicable to the area and subject property when non-agricultural related activities are considered and approved.

6.2 The existing rural character of the area and on the subject property will be maintained.



6.3 The proposed use will have minimal impact on the existing agricultural activities taking place on the subject property as the existing buildings are located in areas on the subject property where no agricultural activities take place.

6.4 The scale of the proposal will be in line with the area of the property used for agricultural related purposes.

6.5 The conversion of the existing buildings already located on the subject property for non-agricultural related activities is not seen to be out of character with the surrounding area where similar non-agricultural related activities have already been approved in existing buildings converted to accommodate the intended use.

6.6 The approval granted is in line with the guidelines and prescriptions of the policies and plans mentioned in the report and applicable to the subject property when non-agricultural related activities are considered and approved.

6.7 The proposal will ensure that there is no additional visual impact on the surrounding properties as only the existing building located on the subject property with minimal additions and alterations are to be converted for the Tourist related uses applied for.

7. 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.

8. 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:

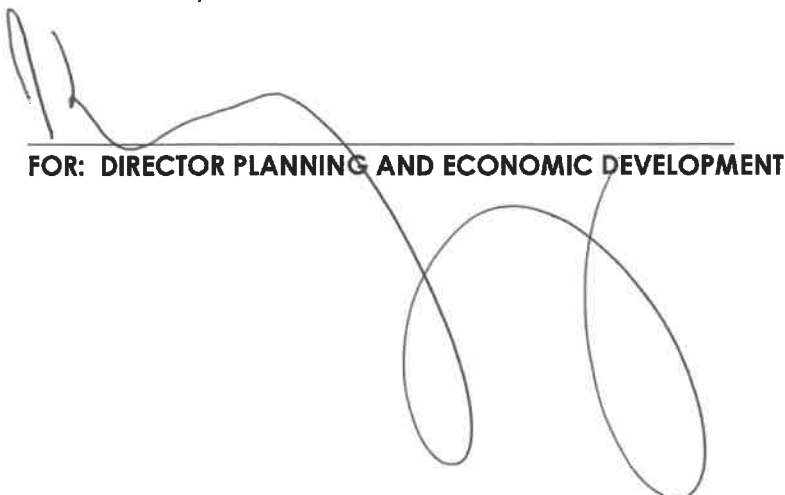
- (i) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
- (ii) That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers 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.

9. 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)

10. 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.

11. 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>).
12. 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.
13. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
14. 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

9/9/2022  
DATE:

COPIES TO:

[REDACTED]

Email: [REDACTED] / [REDACTED]

[REDACTED]  
Email: [REDACTED]



**STELLENBOSCH**  
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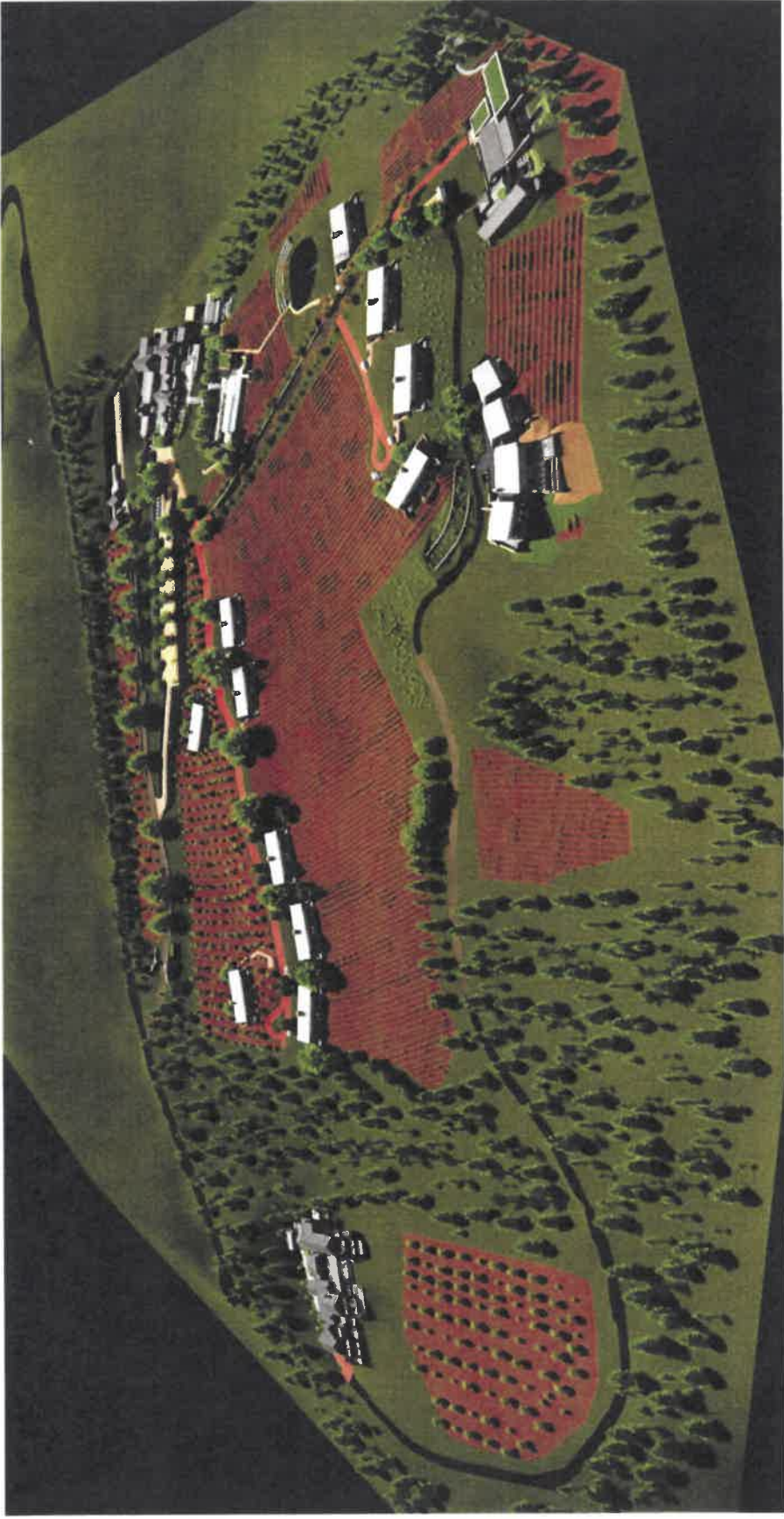
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## **ANNEXURE B**





MASTERPLAN  
site [3d view]



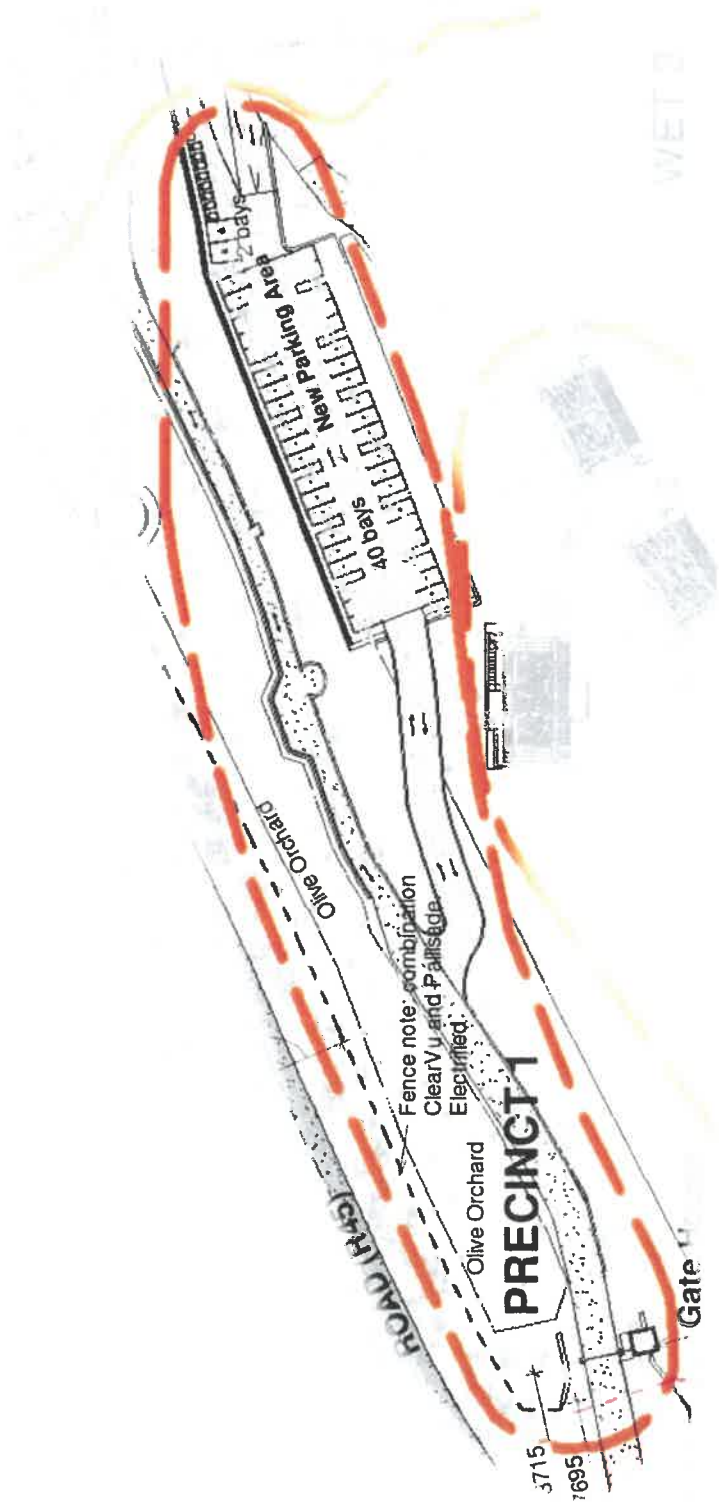
# Precinct 1

3





PRECINCT 1  
**precinct 1 - gate house + parking area**





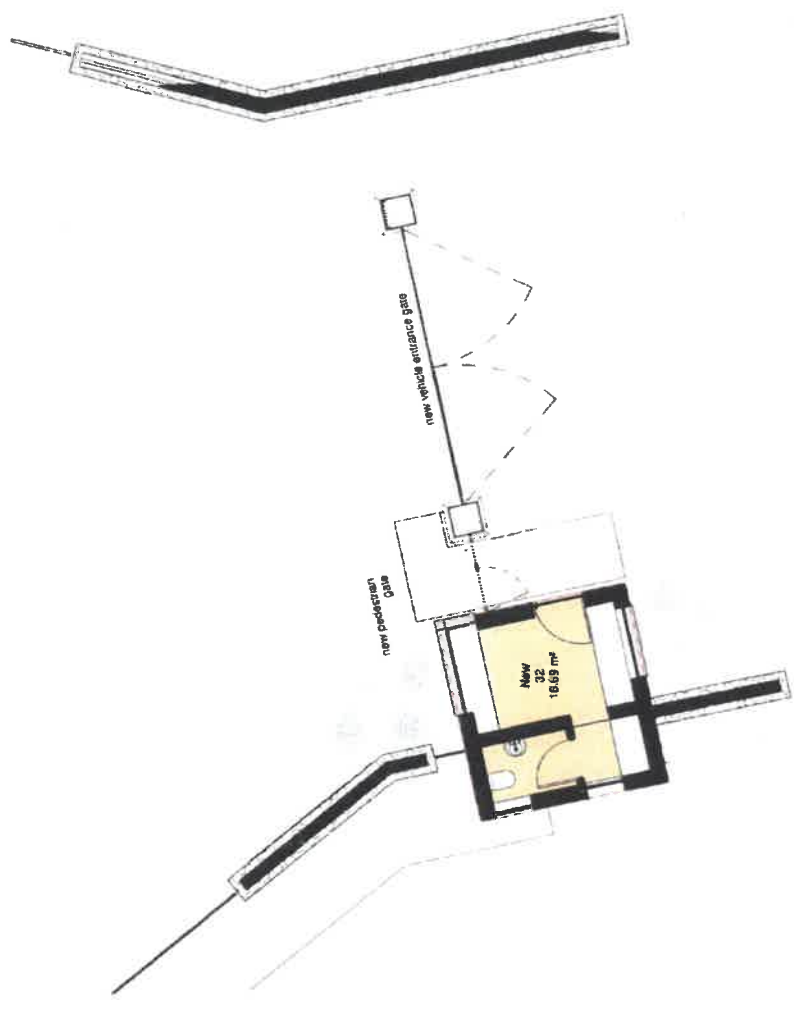


PRECINCT \*  
**gate house [ground floor area plan 1:100]**

AREAS MEASURED FROM THE OUTSIDE FACE OF THE EXTERIOR WALLS

Gate House Area Schedule

Name	Area
New	16.69 m <sup>2</sup>
Grand total: 1	16.69 m <sup>2</sup>



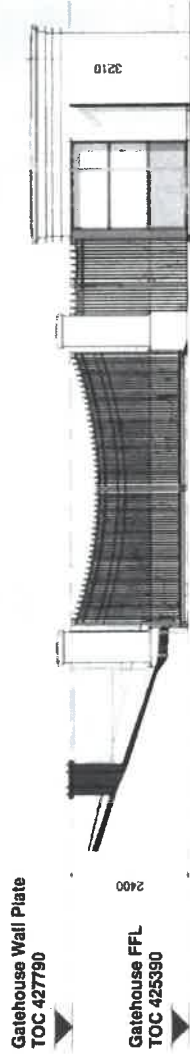
2

PRECINCT 1  
**gate house [3D views]**

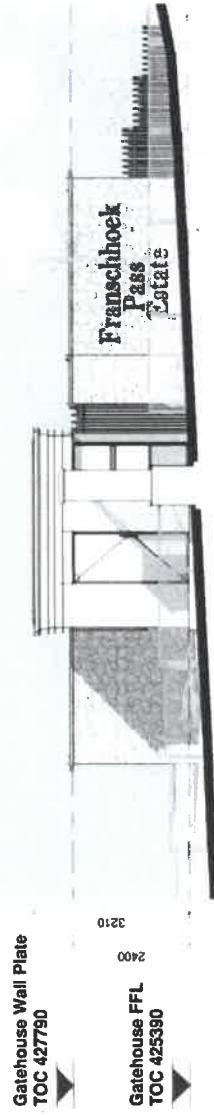


PRECINCT \*

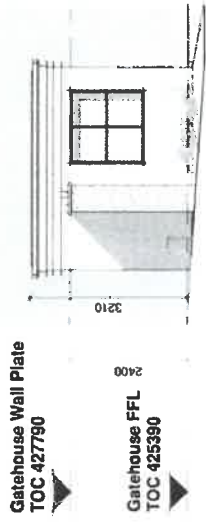
# gate house [elevations 1:100]



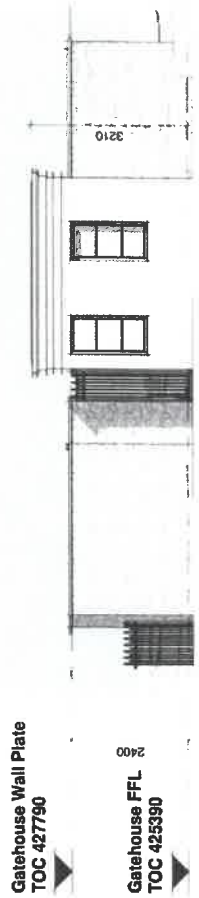
**NORTH ELEVATION**



**EAST ELEVATION**



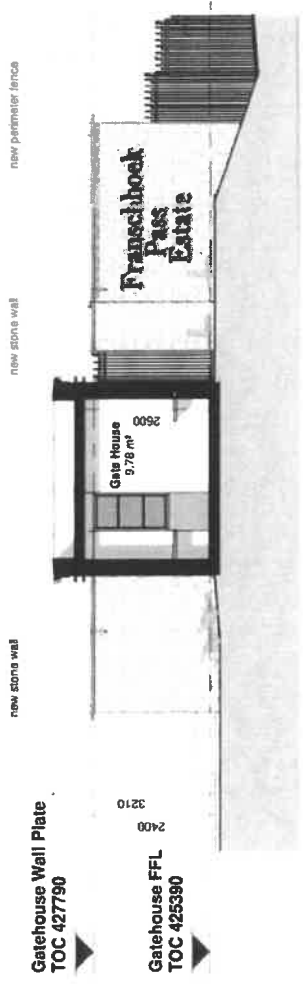
**SOUTH ELEVATION**



**WEST ELEVATION**

PRECINCT 1

# gate house [sections 1:100]



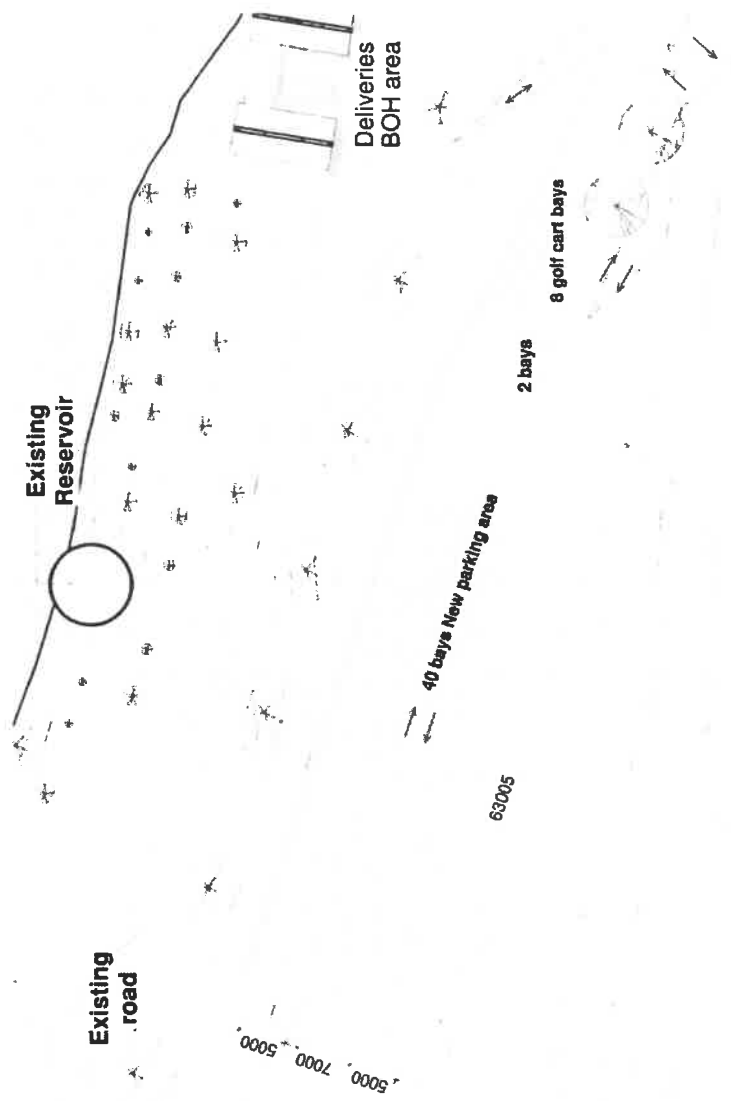
SECTION AA



SECTION BB



PRECINCT 1  
parking area [ground floor 1:500]



# precinct 2

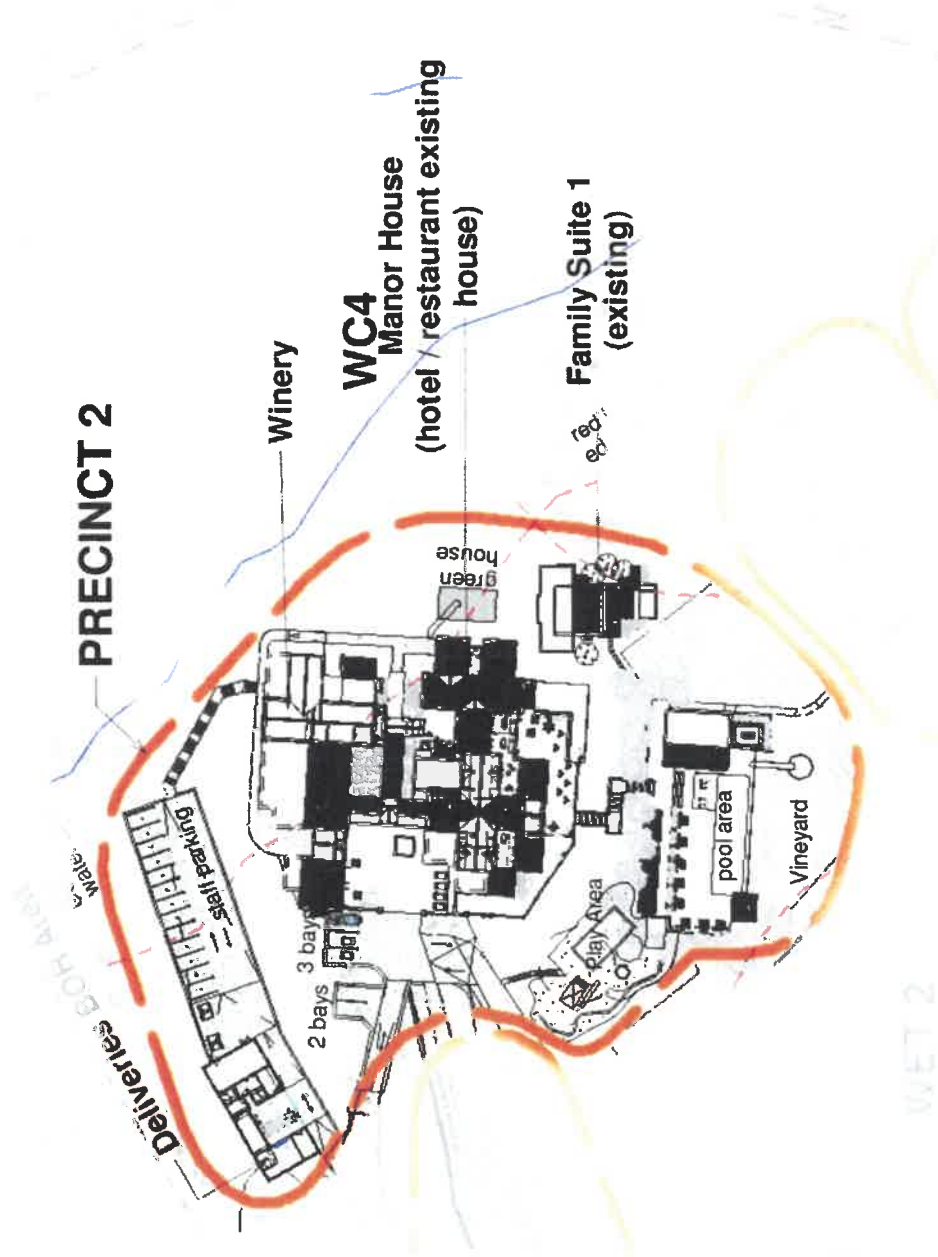
4





PRECINCT 2

precinct 2 - manor house + pool level + family suite 01 + delivery yard



DRAWING NTS

**precedent [ manor house + family suite 01]**





PRECINCT 2

manor house [first floor 1:250]

- (A) 6135
- (B) 5300
- (C) 7310
- (D) 5990
- (E) 970
- (F) 6005
- (G) 5570
- (H) 525
- (I) 5080
- (J) 5000

03-03-002a  
 W  
 C

DWG No. 02-03-002a DWG No. 02-03-002a

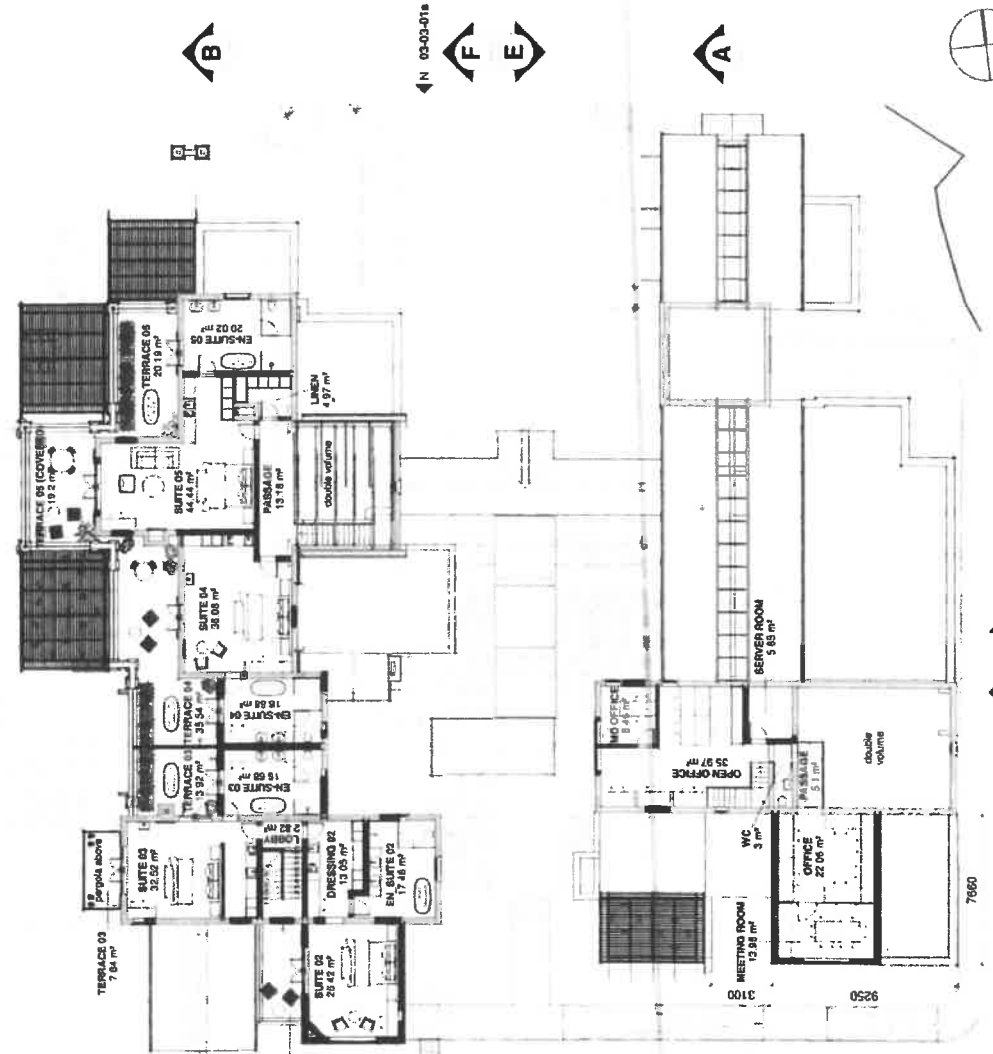
- (1) 1955
- (2) 2940
- (3) 4020
- (4) 2300
- (5) 4730
- (6) 720
- (7) 2030
- (8) 7425
- (9) 1565
- (10) 6550
- (11) 7785
- (12) 7860

DWG No. 02-03-001b

DWG No. 02-03-003b  
 DWG No. 02-03-003b

03-03-002a S  
 DWG No. 02-03-001c

DWG No. 02-03-011b



FIRST FLOOR PLAN

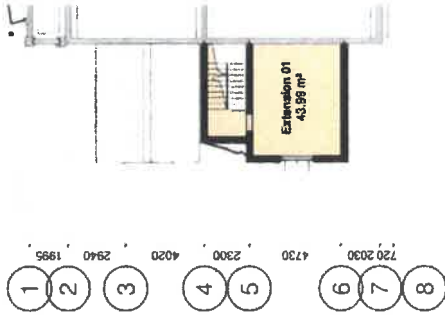




PRECINCT 2

# manor house [ground floor + basement level area plan 1:250]

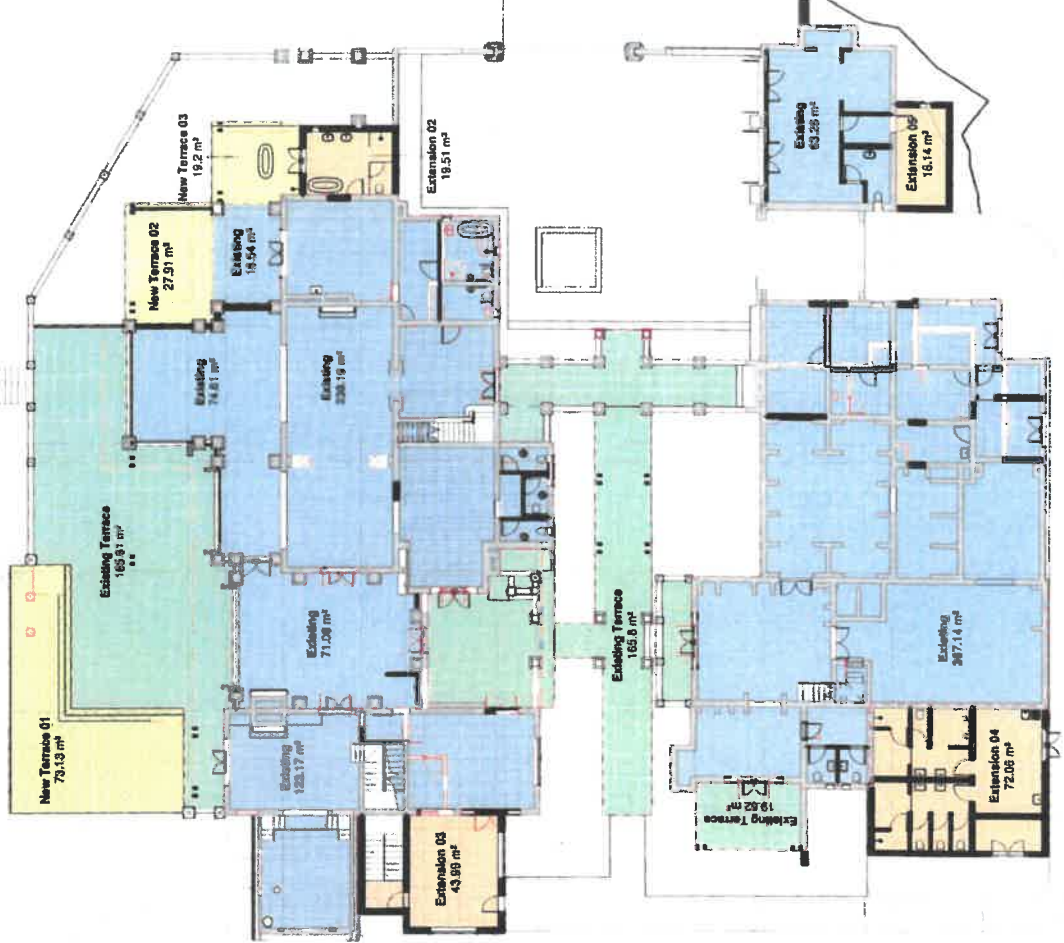
AREAS MEASURED FROM THE OUTSIDE FACE OF THE EXTERIOR WALLS



## BASEMENT AREA PLAN

Manor House\_Basement Level Area Schedule

Name	Area	Level
Extension 01	43.99 m²	Basement FFL
Grand total	43.99 m²	



## GROUND FLOOR AREA PLAN

Manor House\_Ground Floor Area Schedule

Name	Area	Level
Existing	956 m²	Winery FFL
Existing Terrace	351.02 m²	Winery FFL
Extension 02	19.51 m²	Winery FFL
Extension 03	43.99 m²	Winery FFL
Extension 04	72.06 m²	Winery FFL
Extension 05	16.14 m²	Winery FFL
New Terrace 01	73.13 m²	Winery FFL
New Terrace 02	27.91 m²	Winery FFL
New Terrace 03	19.2 m²	Winery FFL
Grand total	1578.96 m²	



**manor house [first floor area plan 1:250]**

AREAS MEASURED FROM THE OUTSIDE FACE OF THE EXTERIOR WALLS



Manor House\_First Floor Area Schedule

Name	Area	Level
Existing	337.62 m <sup>2</sup>	First Floor
Existing Terrace	98.41 m <sup>2</sup>	First Floor
Extension 06	32.04 m <sup>2</sup>	First Floor
Extension 07	20.02 m <sup>2</sup>	First Floor
Extension 08	47 m <sup>2</sup>	First Floor
New Terrace 04	7.96 m <sup>2</sup>	First Floor
New Terrace 05	11.94 m <sup>2</sup>	First Floor
Grand total	545 m <sup>2</sup>	



FIRST FLOOR AREA PLAN

**manor house [3D view]**



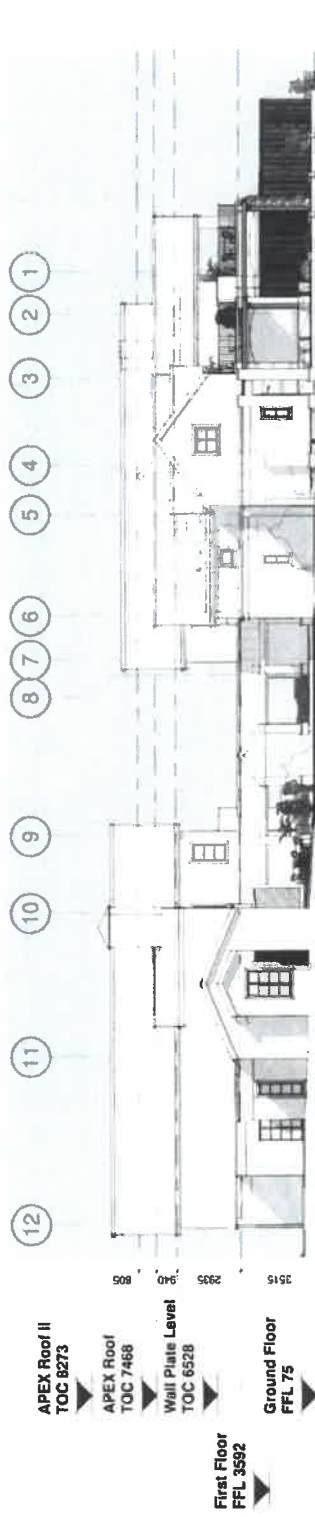


**manor house [3D views]**

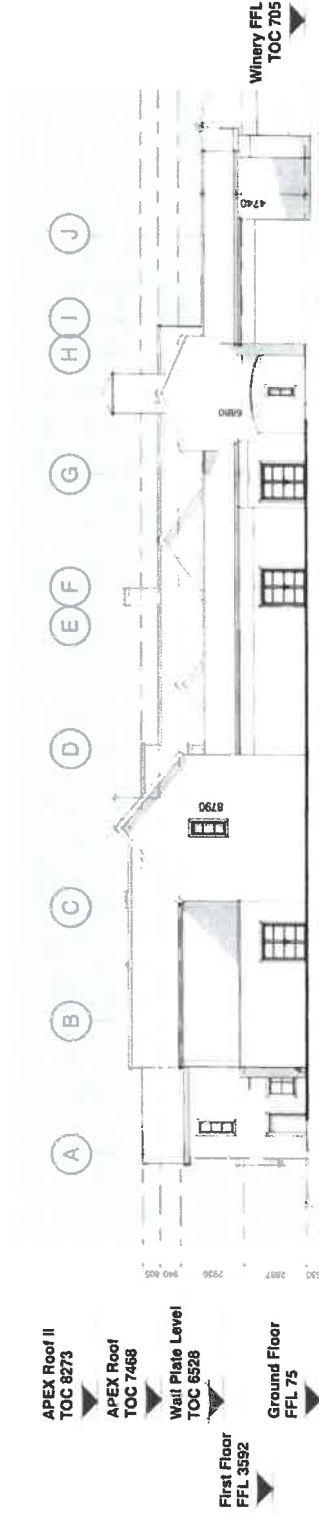




# manor house [elevations 1:200]

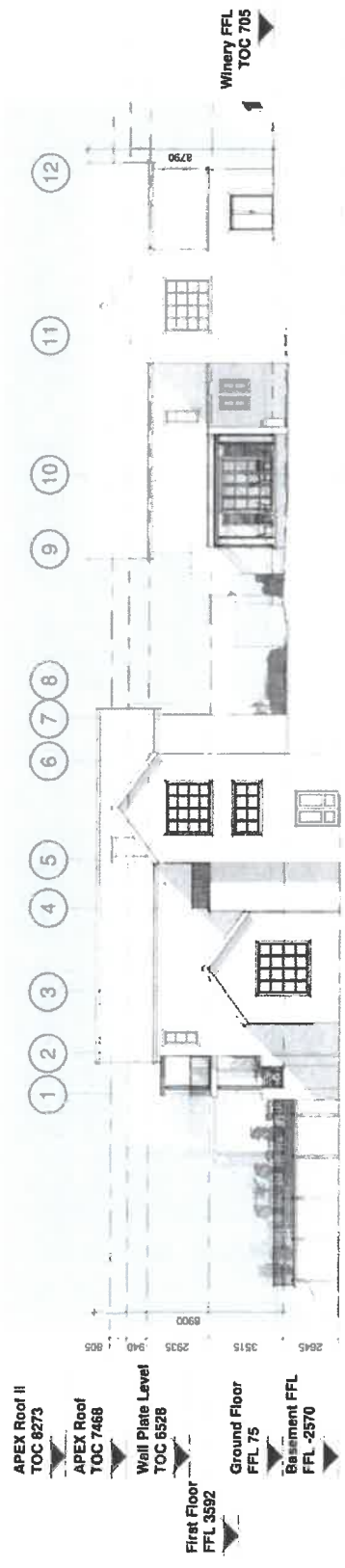


NORTH ELEVATION

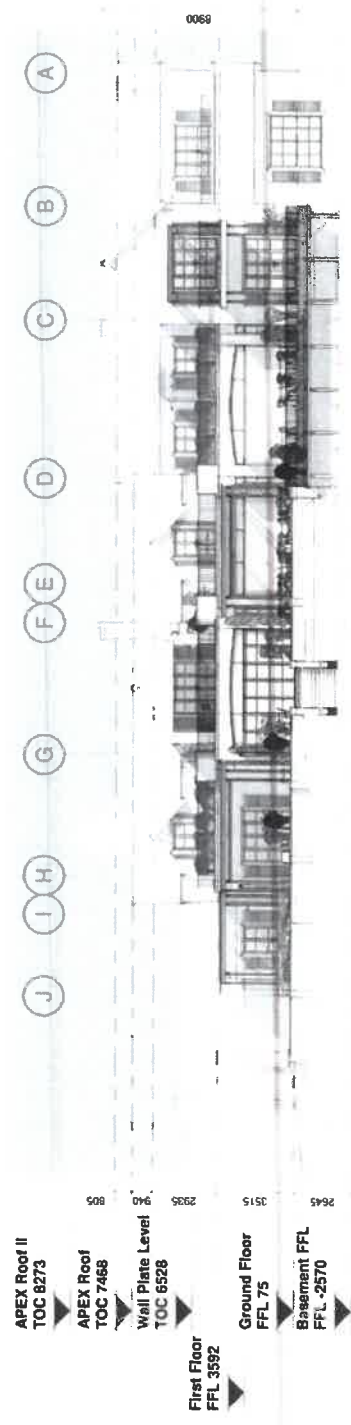


EAST ELEVATION

PRECINCT 2  
manor house [elevations 1:200]

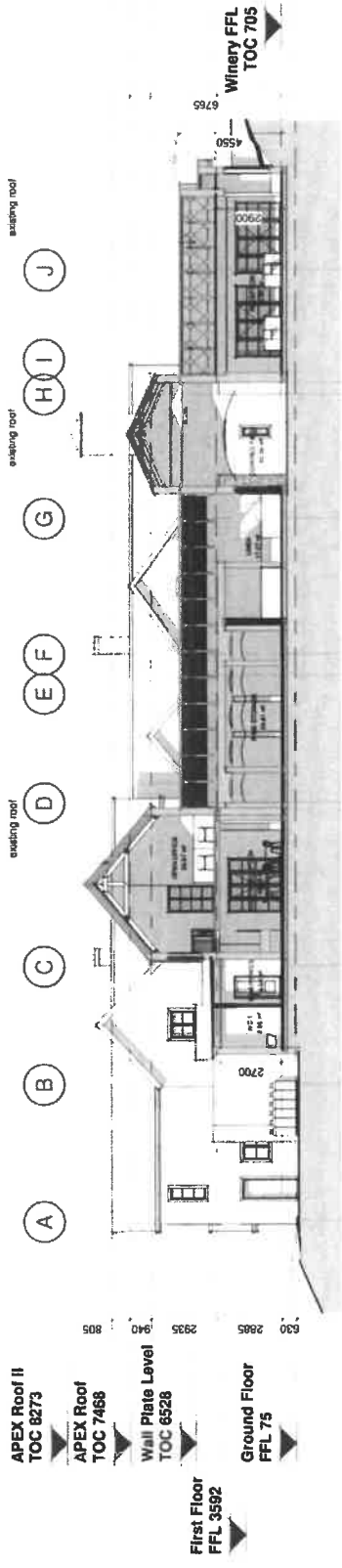


SOUTH ELEVATION

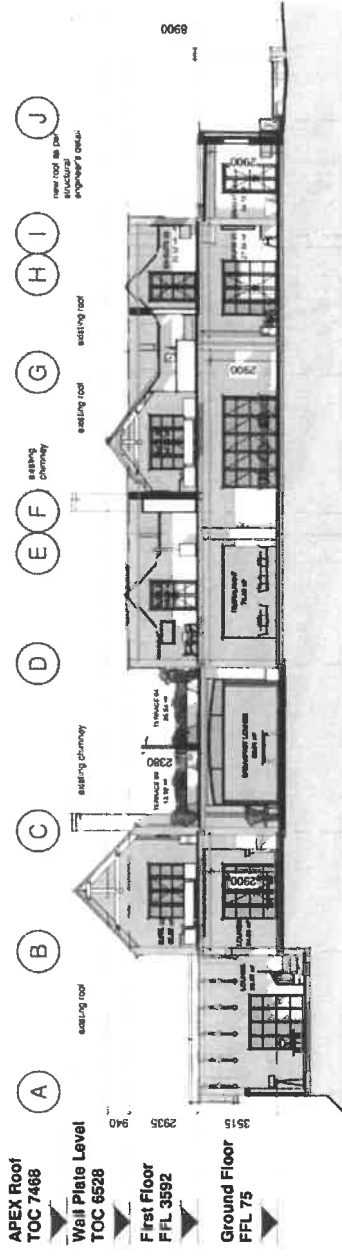


WEST ELEVATION

PRECINCT 2  
**manor house [sections 1:200]**



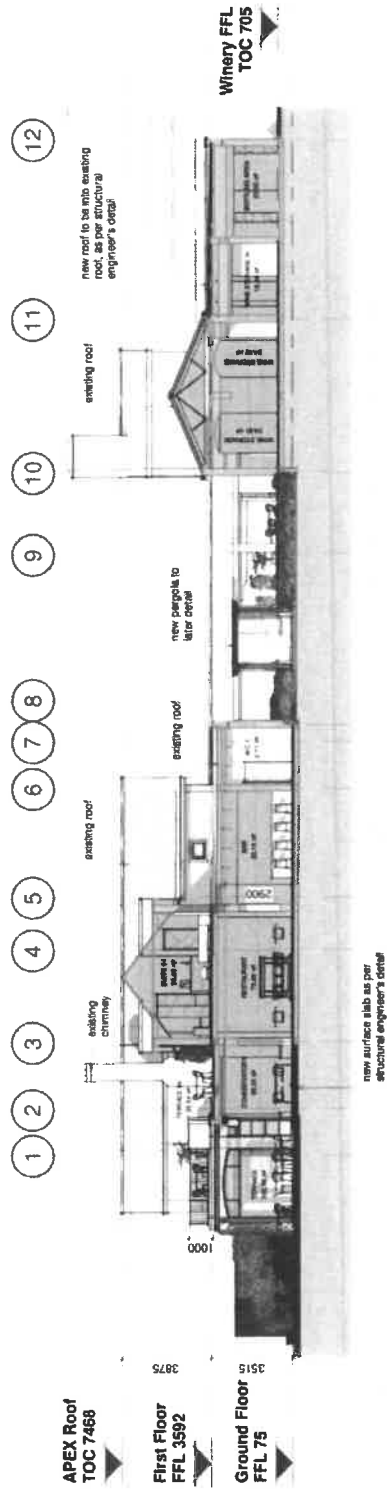
**SECTION AA**



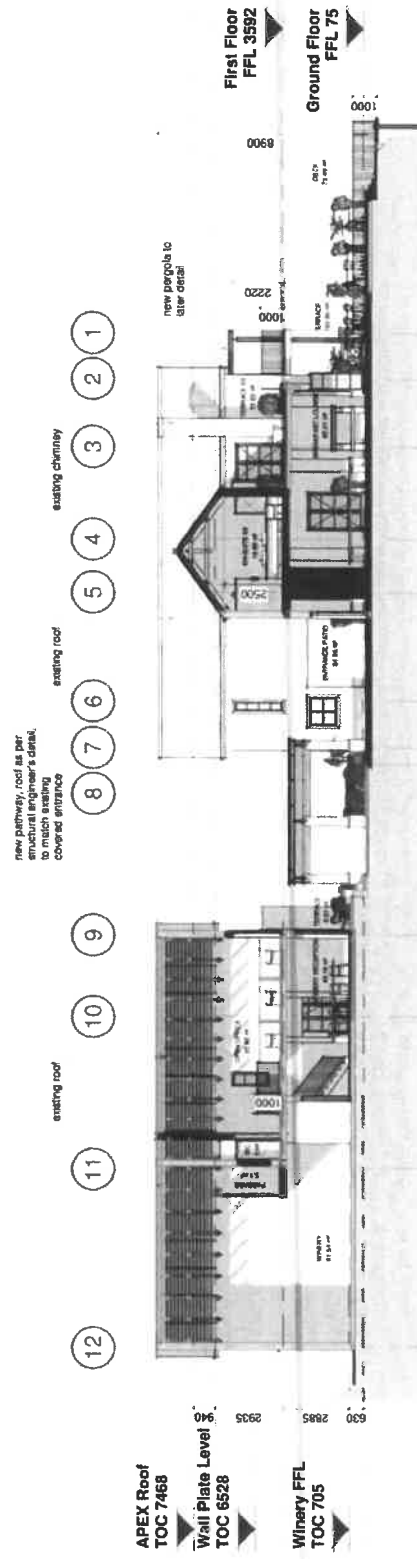
**SECTION BB**

PRECINCT 2

# manor house [sections 1:200]

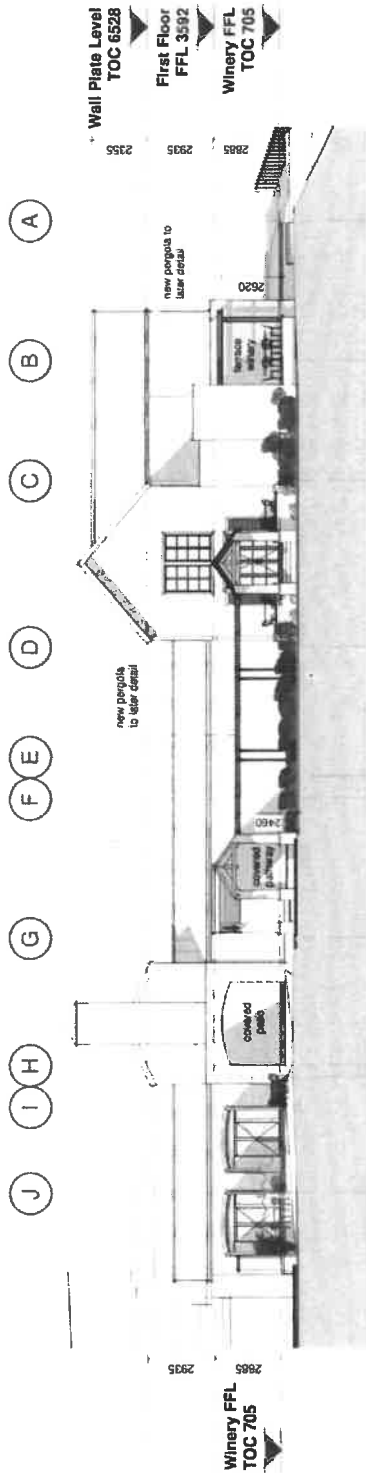


SECTION CC

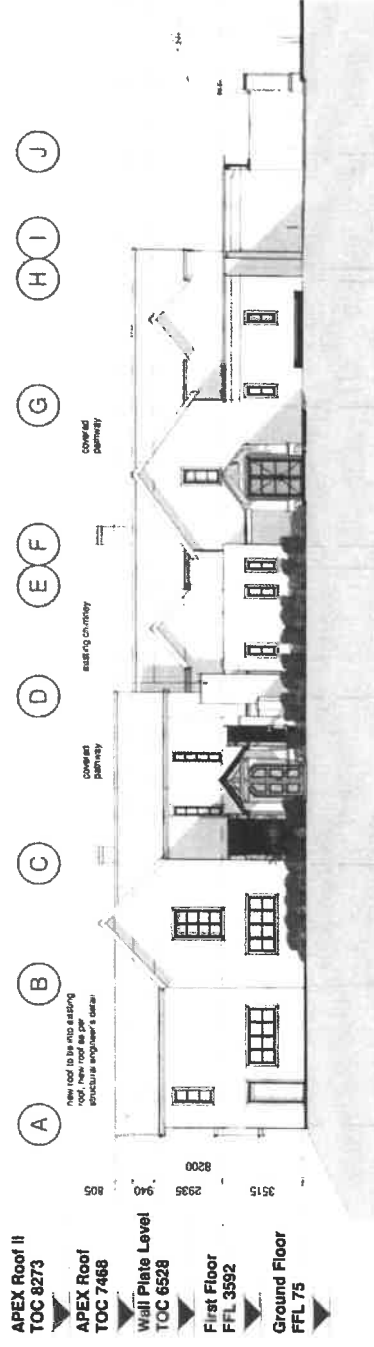


SECTION DD

manor house [sections 1:200]



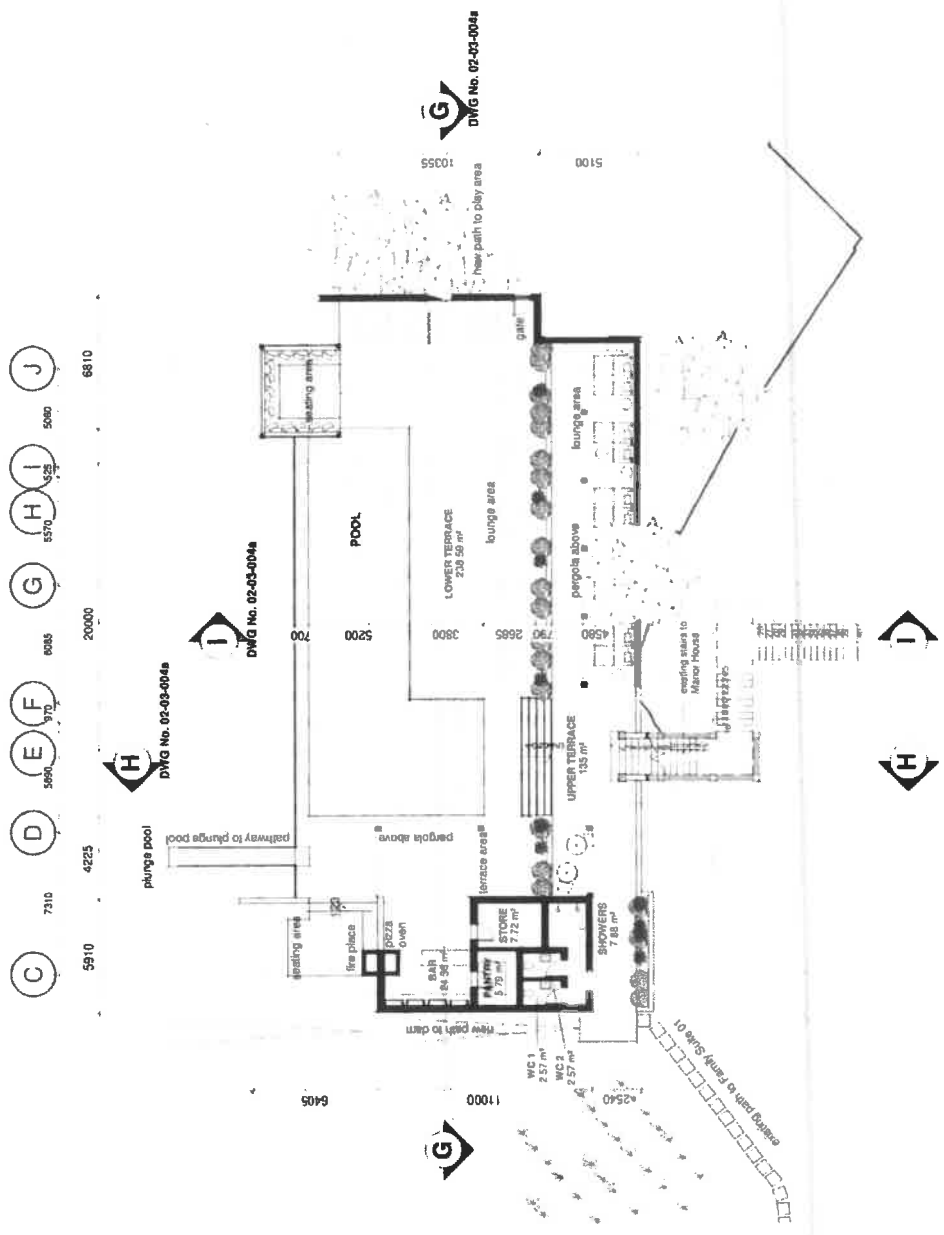
SECTION EE



SECTION FF



PRECINCT 2  
manor house [pool level 1:250]





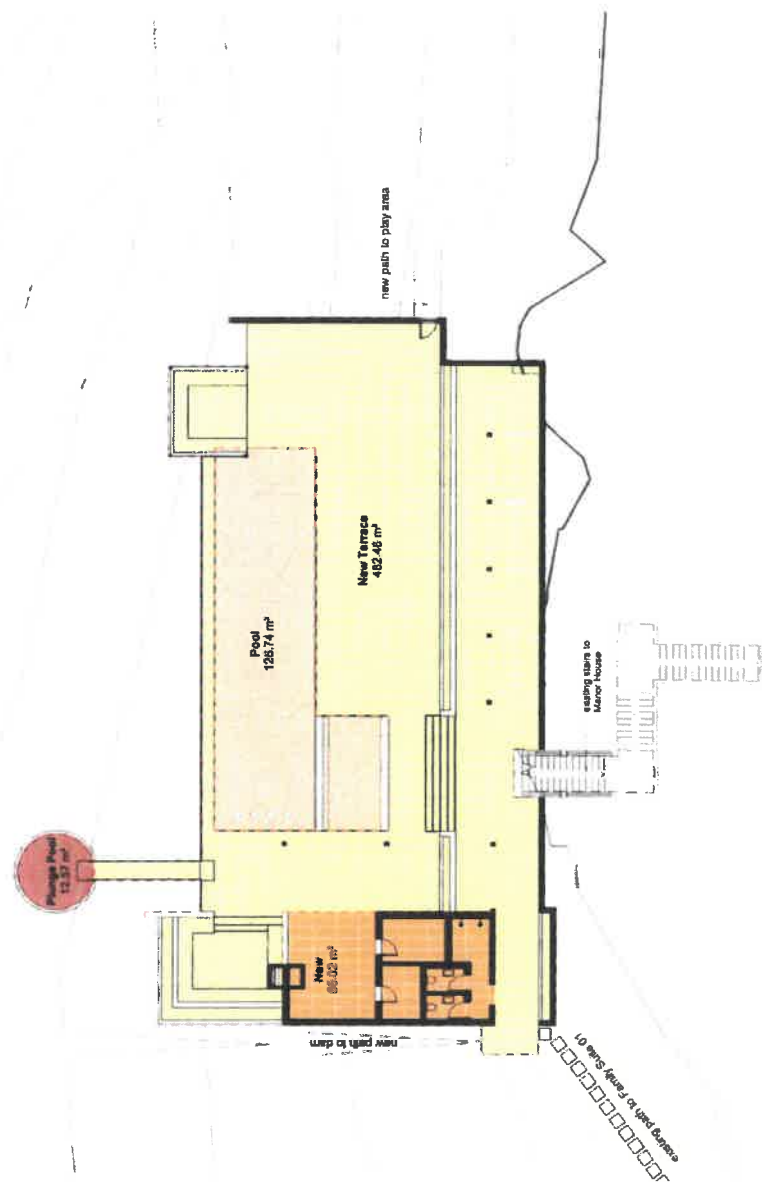
PRECINCT 2  
**manor house [pool level area plan 1:250]**

AREAS MEASURED FROM THE OUTSIDE FACE OF THE EXTERIOR WALLS



Manor House\_Pool Level Area Schedule

Name	Area	Level
New	65.02 m <sup>2</sup>	Pool Level
Pool	126.74 m <sup>2</sup>	Pool Level
Plunge Pool	12.57 m <sup>2</sup>	Pool Level
New Terrace	482.46 m <sup>2</sup>	Pool Level
Grand total	686.79 m <sup>2</sup>	



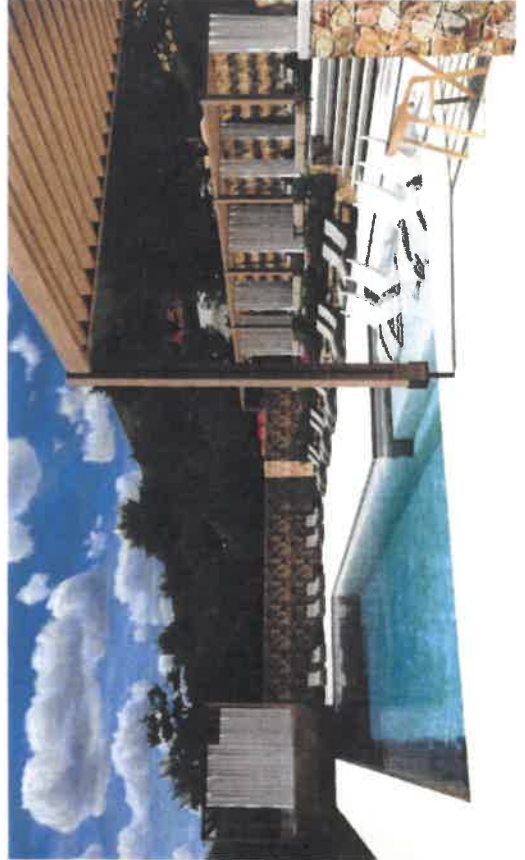


PRECINCT 2  
**manor house pool level [3D view]**

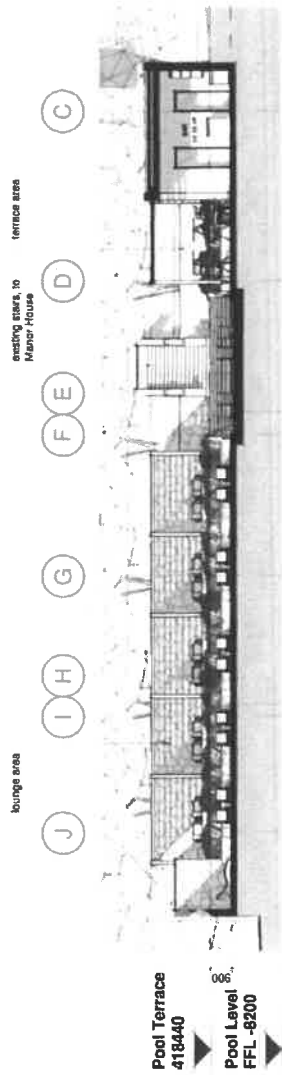




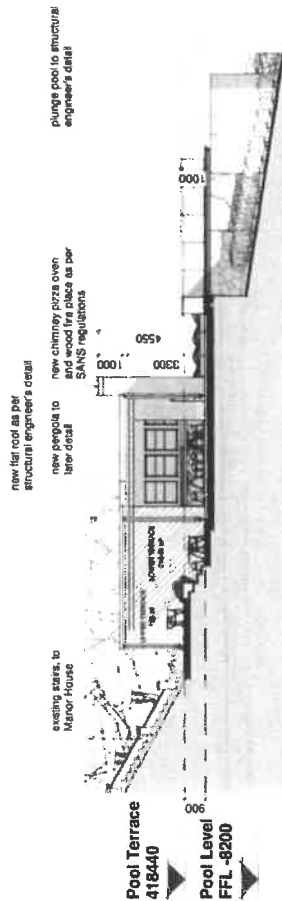
**manor house pool level [3D views]**



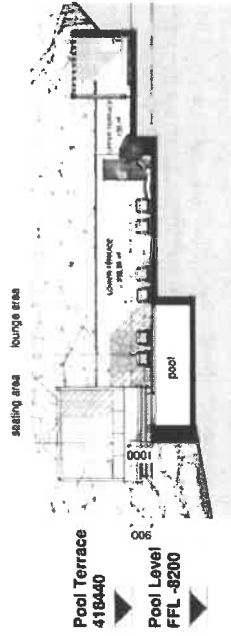
# manor house [pool elevations and sections 1:200]



SECTION GG

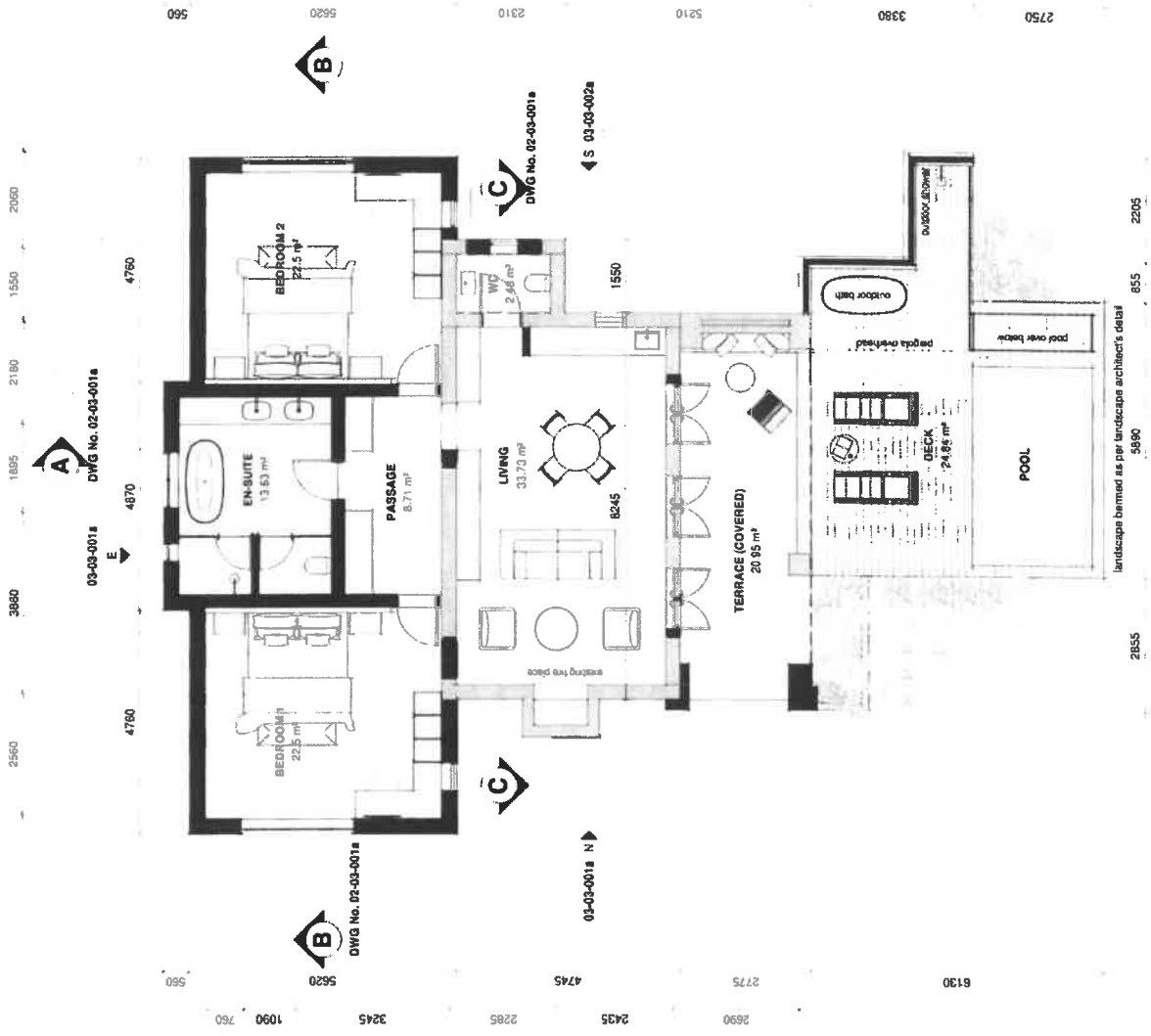


SECTION HH



SECTION II

family suite 01 [ground floor 1:100]



PRECINCT 2  
**family suite 01 [ground floor area plan 1:100]**

AREAS MEASURED FROM THE OUTSIDE FACE OF THE EXTERIOR WALLS

Family Suite 01 Area Schedule

Name	Area
Existing	70.58 m <sup>2</sup>
Extension	80.56 m <sup>2</sup>
New Pool	10.63 m <sup>2</sup>
New Terrace	32.2 m <sup>2</sup>
Grand total	193.96 m <sup>2</sup>

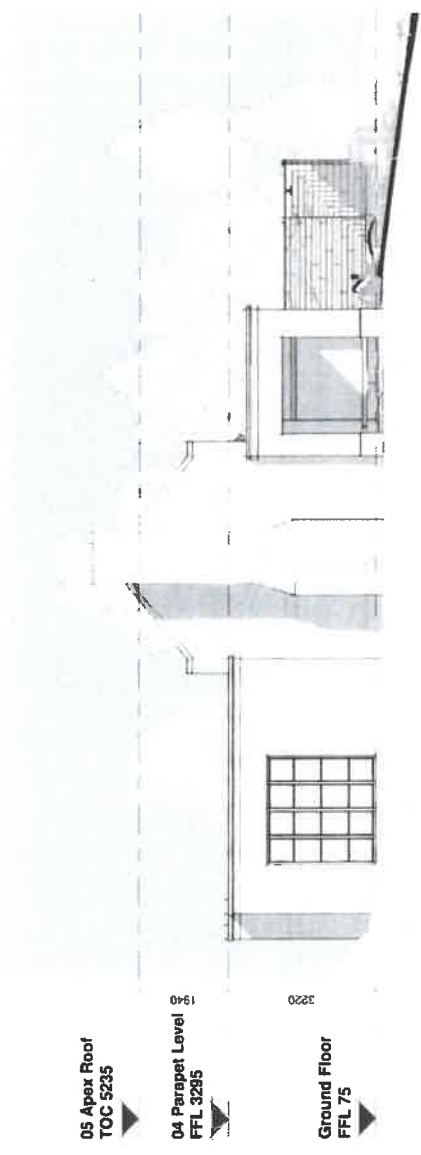




PRECINCT 2  
**family suite [3D view]**



PRECINCT 2  
family suite 01 [elevations 1:100]

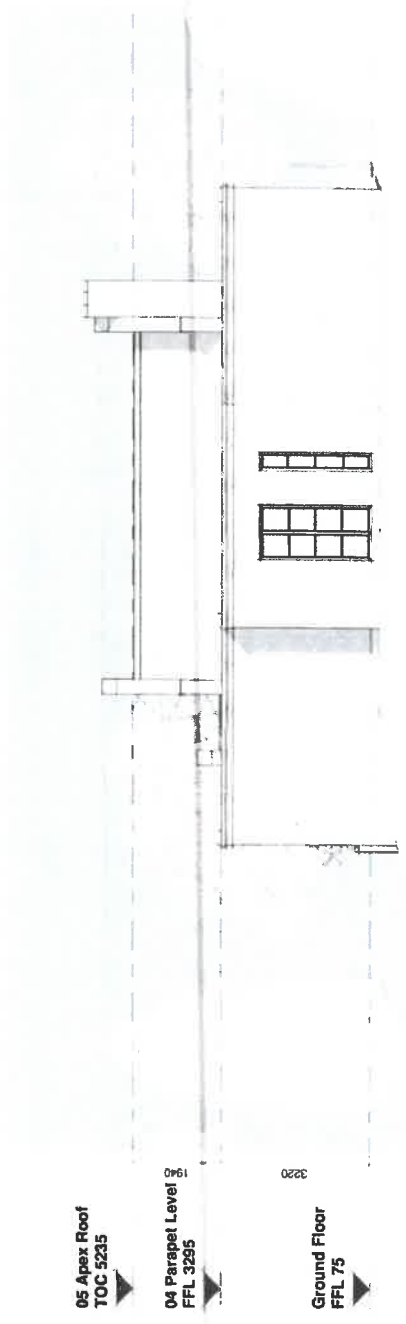


05 Apex Roof  
TOC 5235

04 Parapet Level  
FFL 3295

Ground Floor  
FFL 75

NORTH ELEVATION



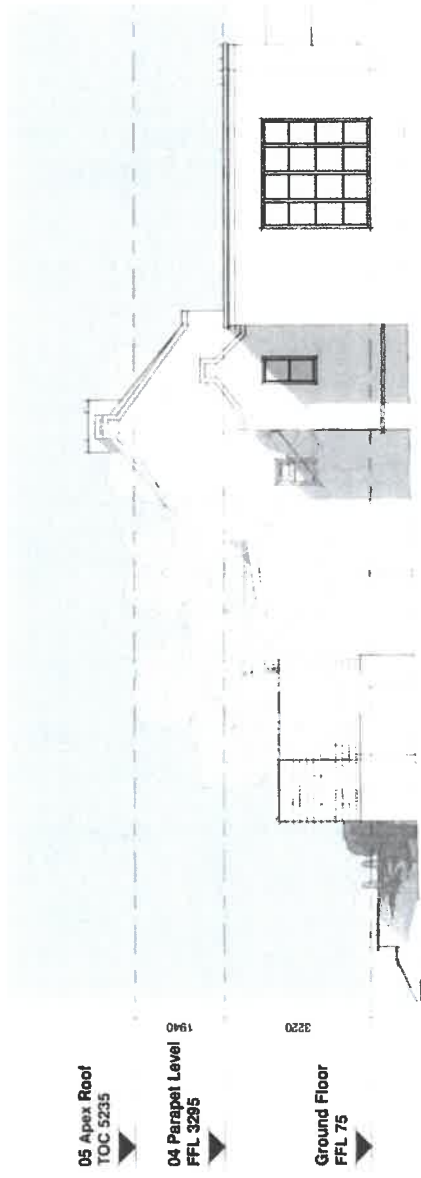
05 Apex Roof  
TOC 5235

04 Parapet Level  
FFL 3295

Ground Floor  
FFL 75

EAST ELEVATION

PRECINCT 2  
family suite 01 [elevations 1:100]

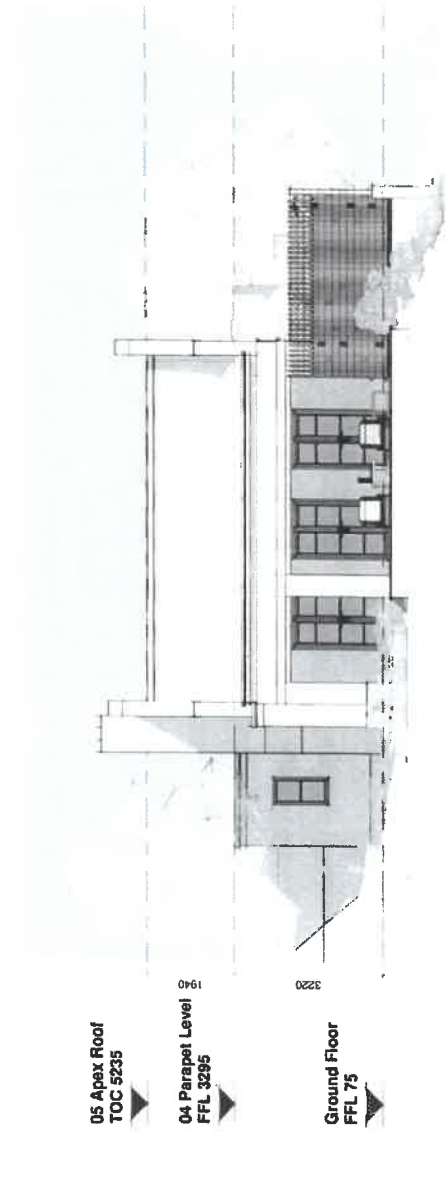


05 Apex Roof  
TOC 5235

04 Parapet Level  
FFL 3295

Ground Floor  
FFL 75

SOUTH ELEVATION



05 Apex Roof  
TOC 5235

04 Parapet Level  
FFL 3295

Ground Floor  
FFL 75

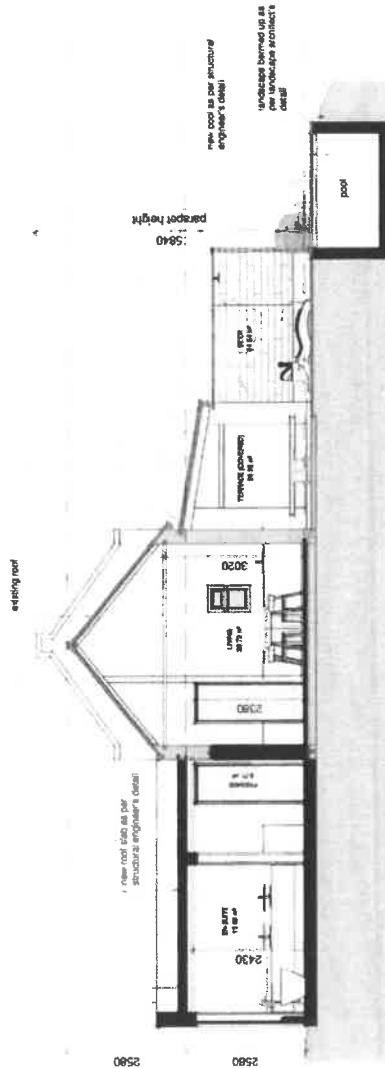
WEST ELEVATION

PRECINCT 2  
family suite 01 [sections 1:100]

05 Apex Roof  
TOC 5235

Flat Roof  
TOC 2655

Ground Floor  
FFL 75

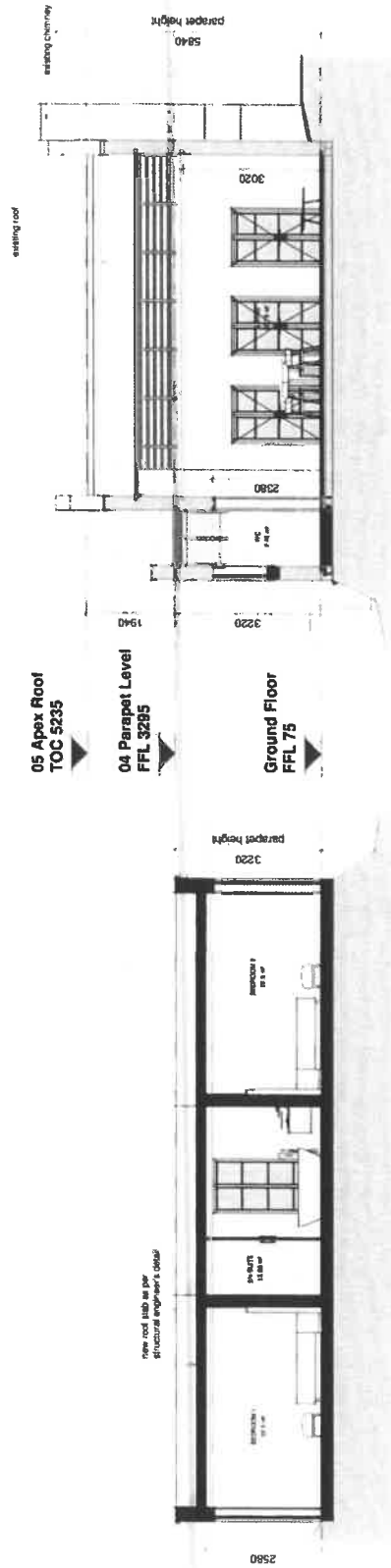


SECTION AA

05 Apex Roof  
TOC 5235

04 Parapet Level  
FFL 3285

Ground Floor  
FFL 75



SECTION BB

SECTION CC

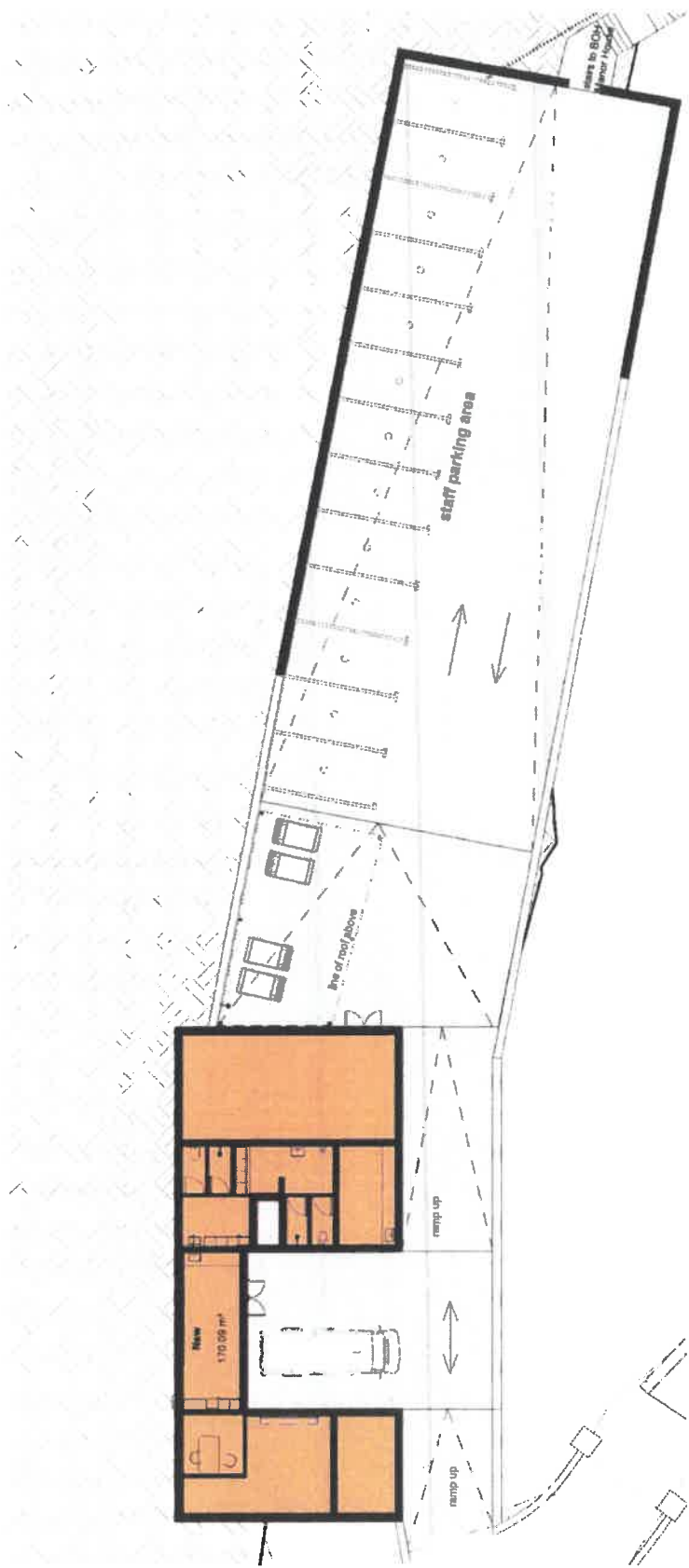




PRECINCT 2

# delivery yard [area plan 1:200]

AREAS MEASURED FROM THE OUTSIDE FACE OF THE EXTERIOR WALLS



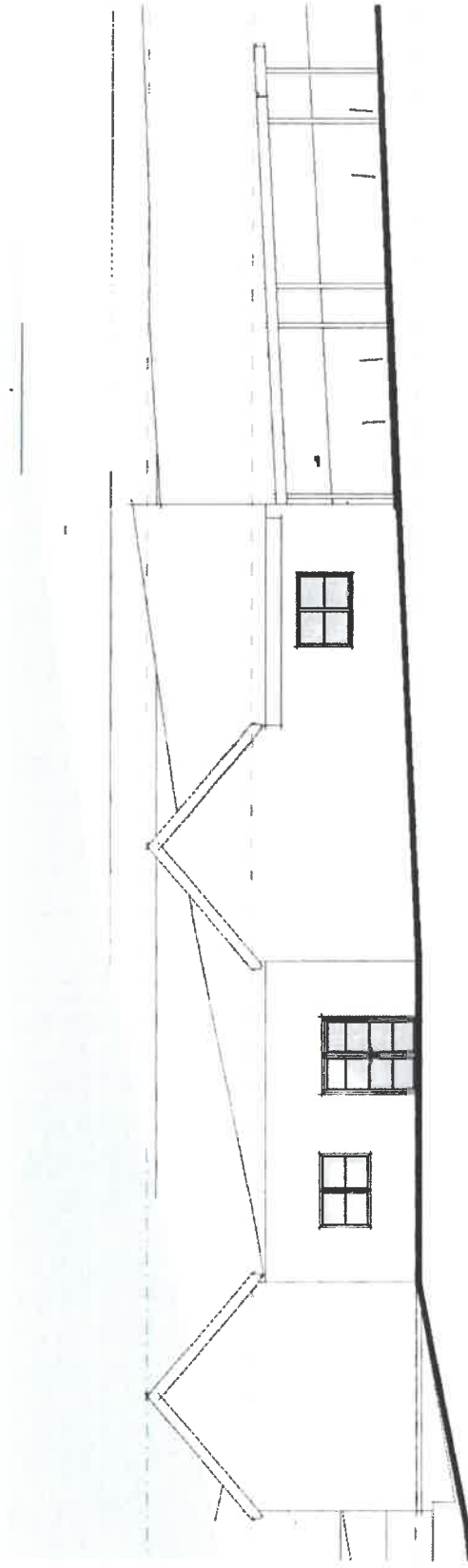
Area Schedule (incl future store)

Name	Area
New	170.09 m <sup>2</sup>
Grand total	170.09 m <sup>2</sup>



PRECINCT 2

deliveries yard [elevations 1:100]



Deliveries Roof  
TOC 439200

Eave Level  
TOC 436925

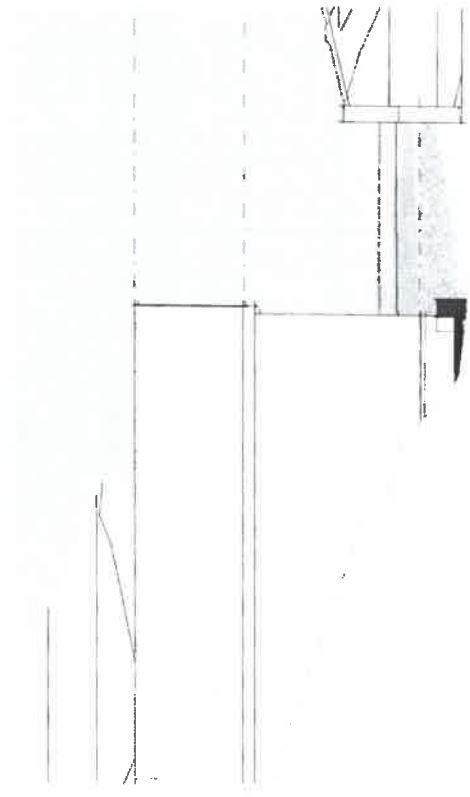
Deliveries  
TOC 433350

2275

5850

3575

WEST ELEVATION



Deliveries Roof  
TOC 439200

Eave Level  
TOC 436925

Deliveries  
TOC 433350

2275

5850

3575

NORTH ELEVATION

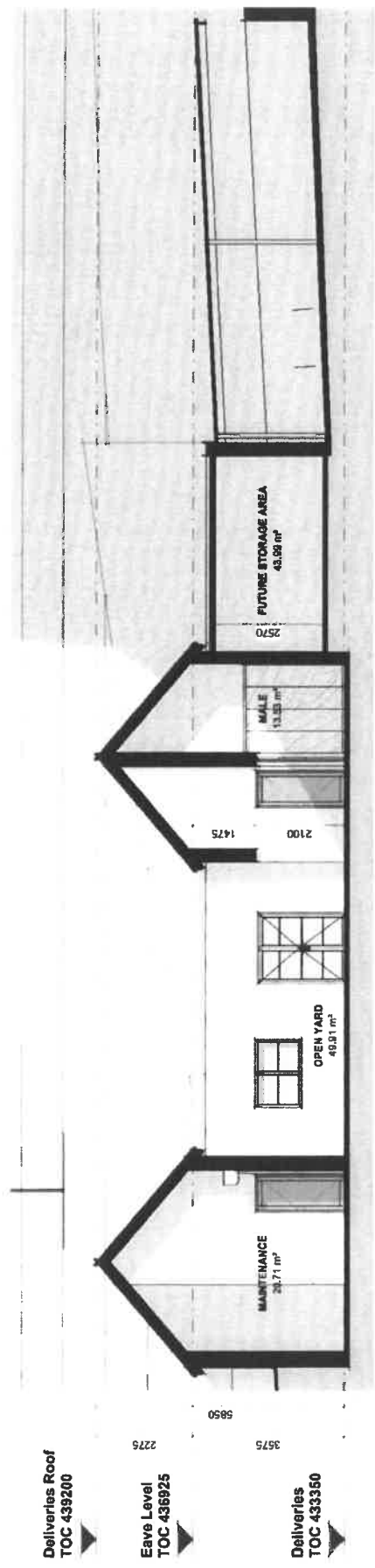
**deliveries yard [elevations 1:100]**



**SOUTH ELEVATION**

PRECINCT 2

deliveries yard [sections 1:100]

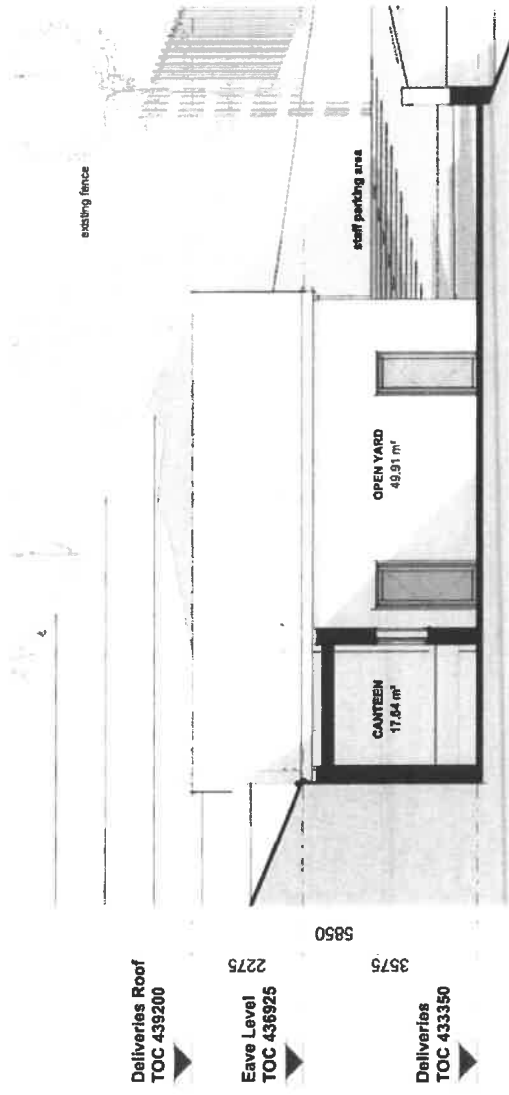


SECTION AA



SECTION BB

**deliveries yard [sections 1:100]**



**SECTION CC**

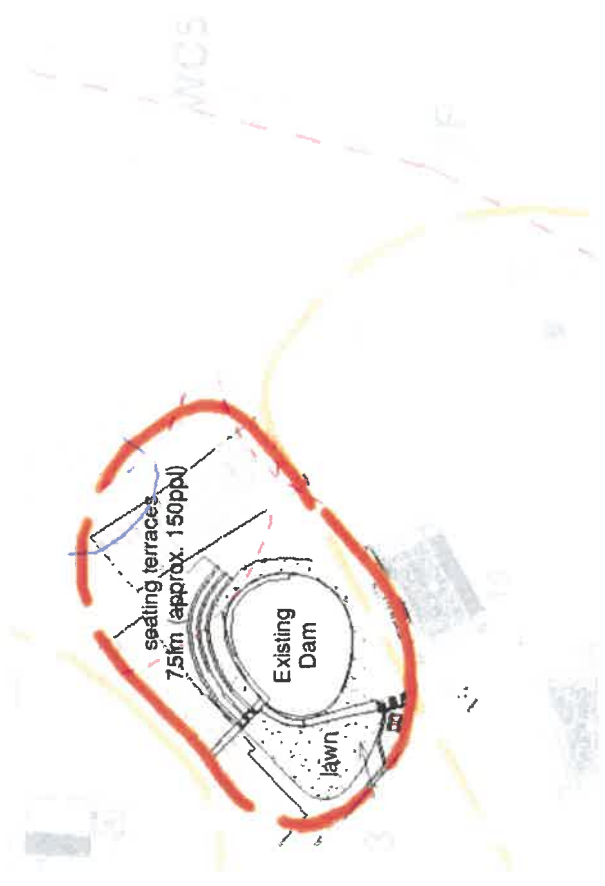
# precinct 3

5





PRECINCT 3  
**precinct 3 - refer to landscape masterplan**



# precinct 4

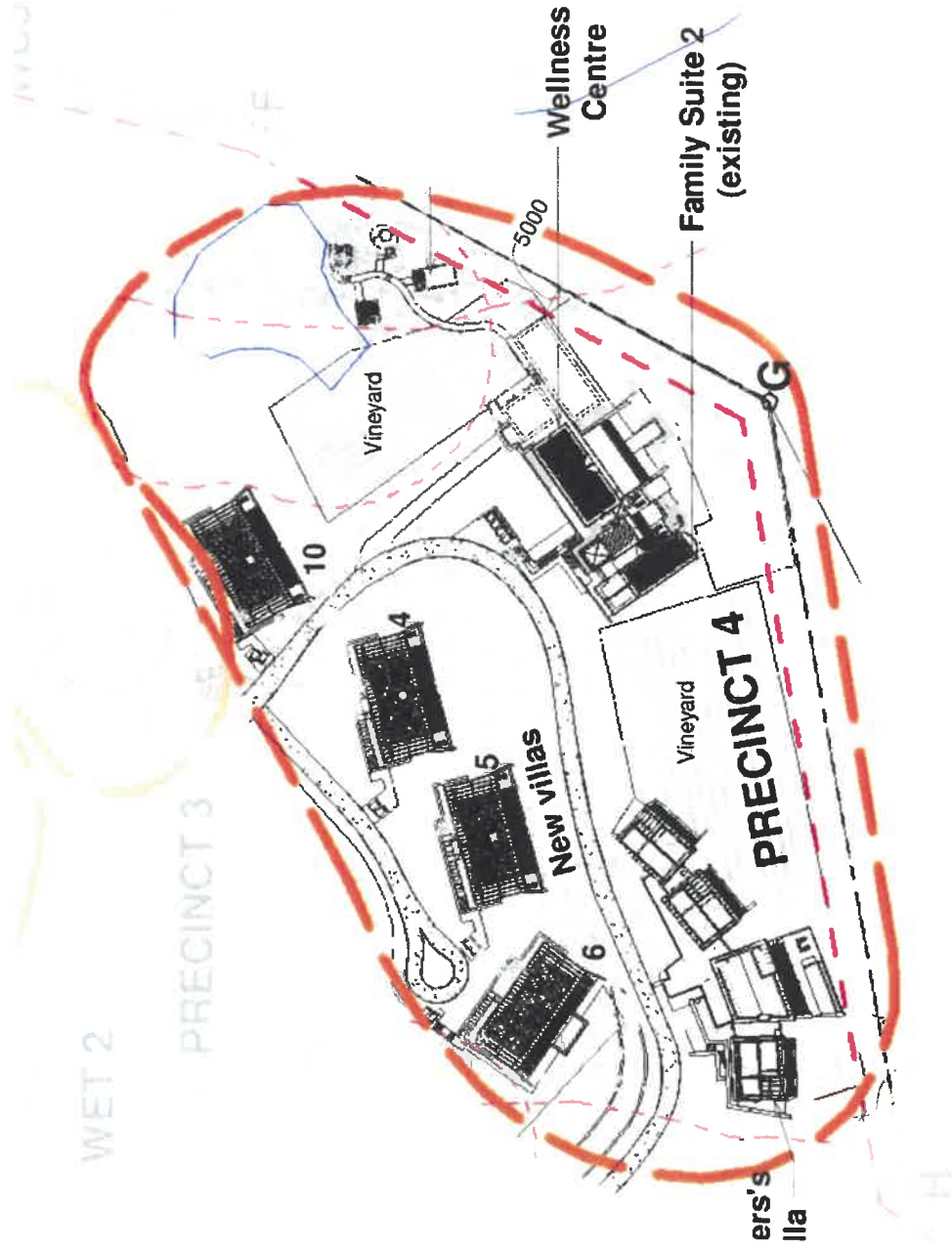
6



PRECINCT 4

**precinct 4 - wellness center + family suite 02 + owners villa**

REFER TO CHAPTER 8 - PRECINCT 6 FOR DOCUMENTATION VILLAS

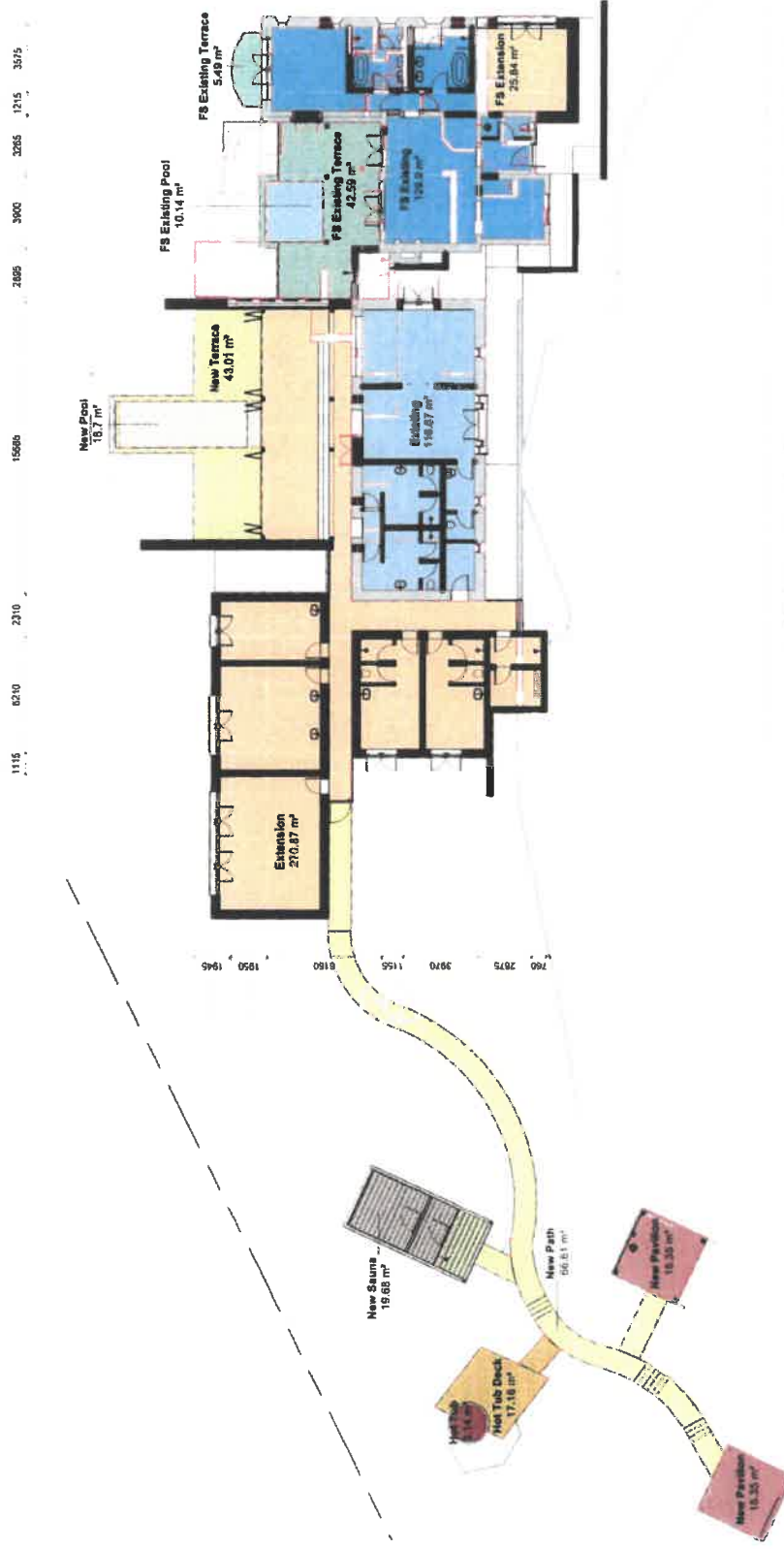




PRECINCT 4

**wellness centre + family suite 02 [ground floor area plan 1:250]**

AREAS MEASURED FROM THE OUTSIDE FACE OF THE EXTERIOR WALLS



Wellness Centre Area Schedule

Name	Area
Existing	116.67 m <sup>2</sup>
Extension	270.87 m <sup>2</sup>
Hot Tub	3.14 m <sup>2</sup>
Hot Tub Deck	17.16 m <sup>2</sup>
New Path	86.61 m <sup>2</sup>
New Pavilion	15.35 m <sup>2</sup>
New Pavilion	15.35 m <sup>2</sup>
New Pool	18.7 m <sup>2</sup>
New Sauna	19.68 m <sup>2</sup>
New Terrace	43.01 m <sup>2</sup>
Grand total	586.55 m <sup>2</sup>

Family Suite 02 Area Schedule

Name	Area
FS Existing	129.9 m <sup>2</sup>
FS Existing Pool	10.14 m <sup>2</sup>
FS Existing Terrace	42.59 m <sup>2</sup>
FS Existing Terrace	5.49 m <sup>2</sup>
FS Extension	25.84 m <sup>2</sup>
Grand total	213.96 m <sup>2</sup>





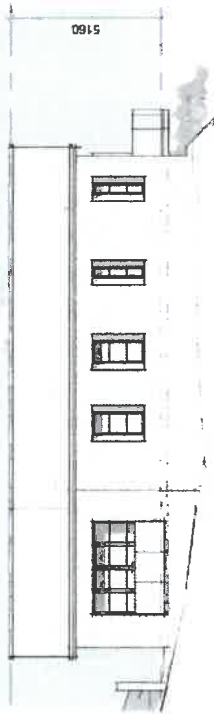
PRECINCT 4  
**wellness centre + family suite 02 [3D views]**



PRECINCT 4

wellness centre + family suite 02 [elevations 1:200]

Apex Roof  
TOC 5233



5160

Ground Floor  
FFL 75

220

Spa & Gym FFL  
FFL -145

NORTH WEST ELEVATION

Apex Roof  
TOC 5233



5380

Spa & Gym FFL  
FFL -145

3175

2470

4375

5160

Apex Roof  
TOC 5233

Ground Floor  
FFL 75

NORTH EAST ELEVATION



PRECINCT 4

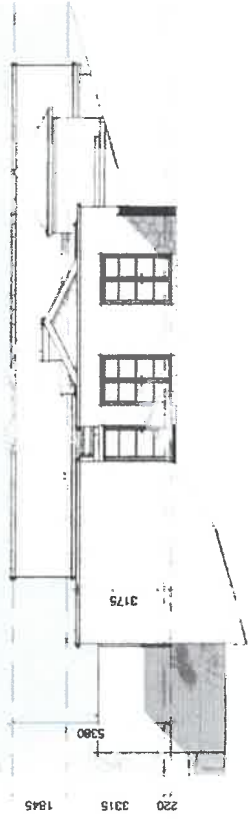
**wellness centre + family suite 02 [elevations 1:200]**

Apex Roof  
TOC 5233

04 Wall Plate Level  
FFL 3390

Ground Floor  
FFL 75

Spa & Gym FFL  
FFL -145

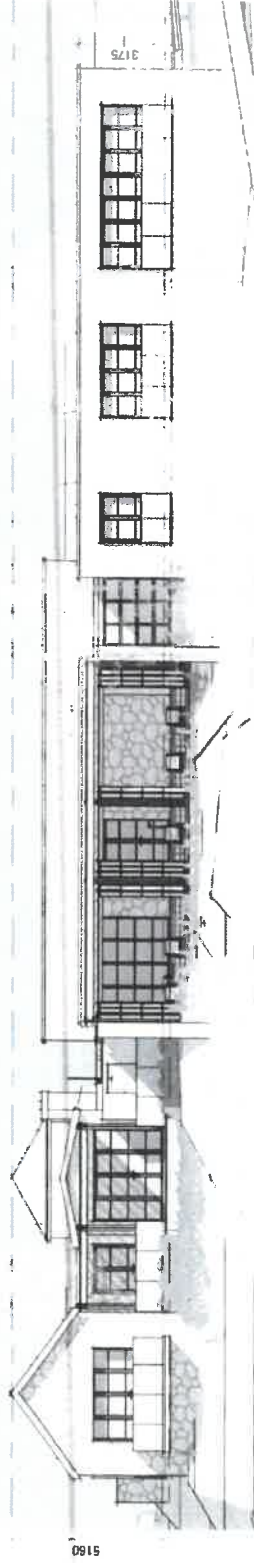


**SOUTH EAST ELEVATION**

Apex Roof  
TOC 5233

Ground Floor  
FFL 75

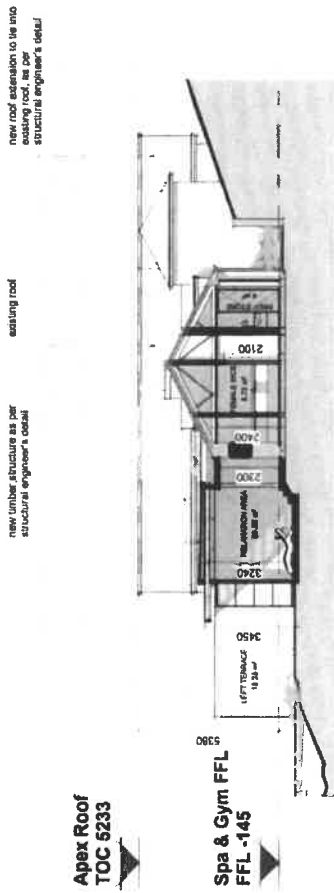
Spa & Gym FFL  
FFL -145



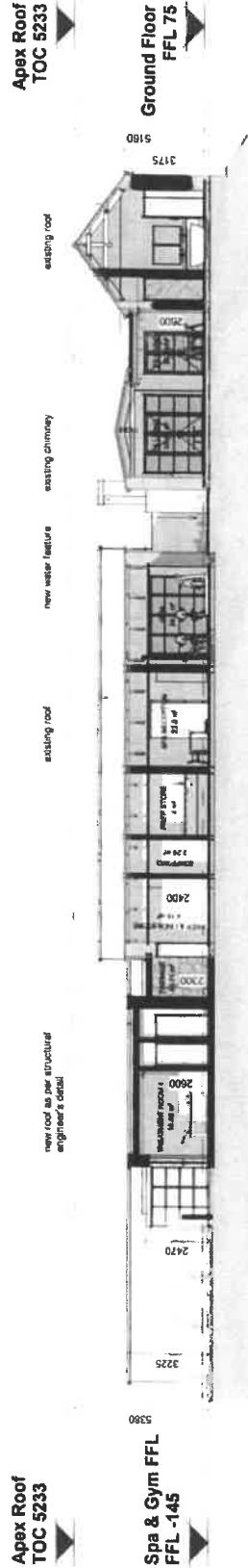
**SOUTH WEST ELEVATION**

PRECINCT 4

# wellness centre + family suite 02 [sections 1:200]



SECTION AA

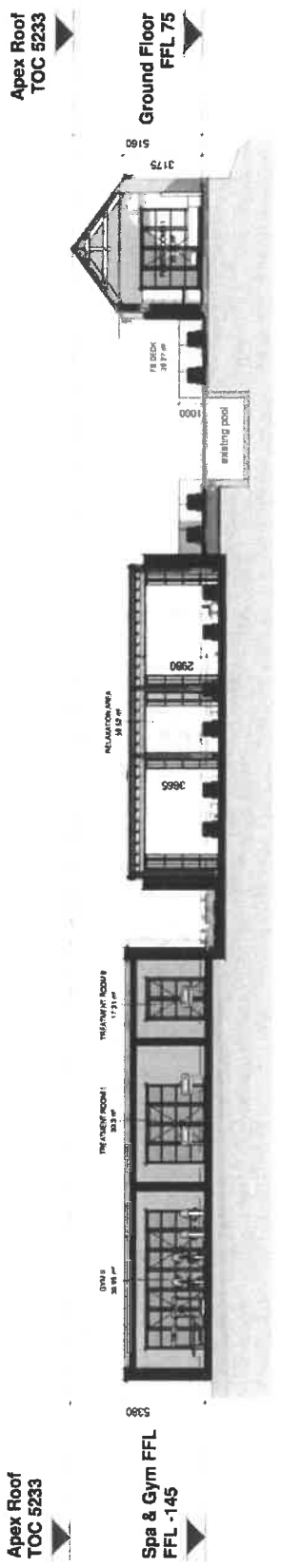


SECTION BB

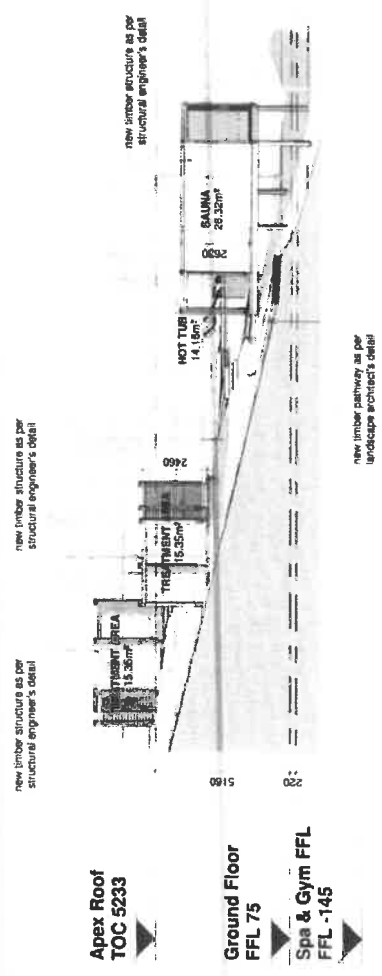


PRECINCT 4

wellness centre + family suite 02 [sections 1:200]



SECTION CC

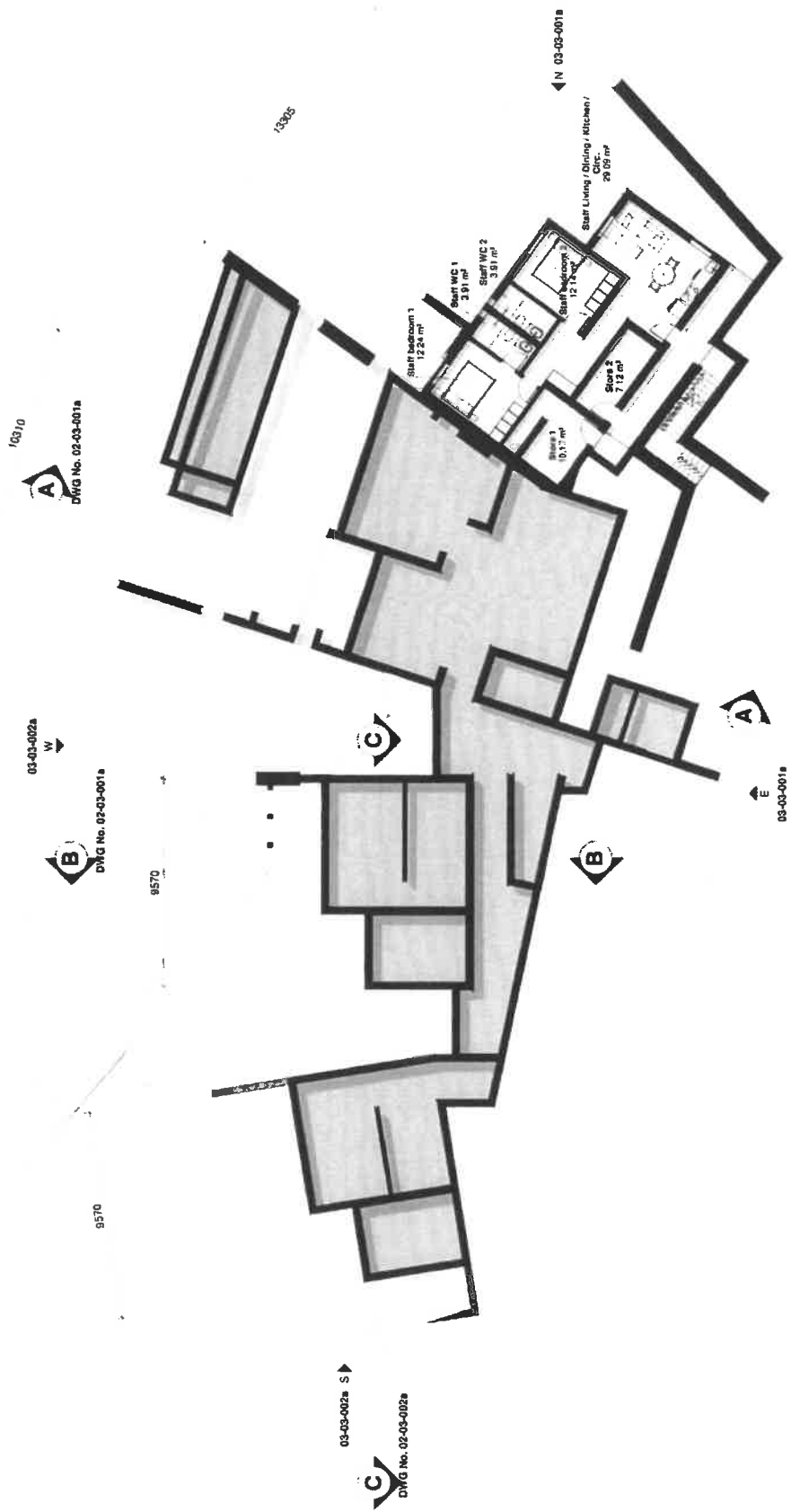


SECTION DD





PRECINCT 4  
owners villa [lower ground floor 1:200]



03-03-001a  
DWG No. 02-03-001a

03-03-001a  
DWG No. 02-03-001a

03-03-001a  
DWG No. 02-03-001a

03-03-001a  
DWG No. 02-03-001a

9570

9570

13305

03-03-001a  
DWG No. 02-03-001a

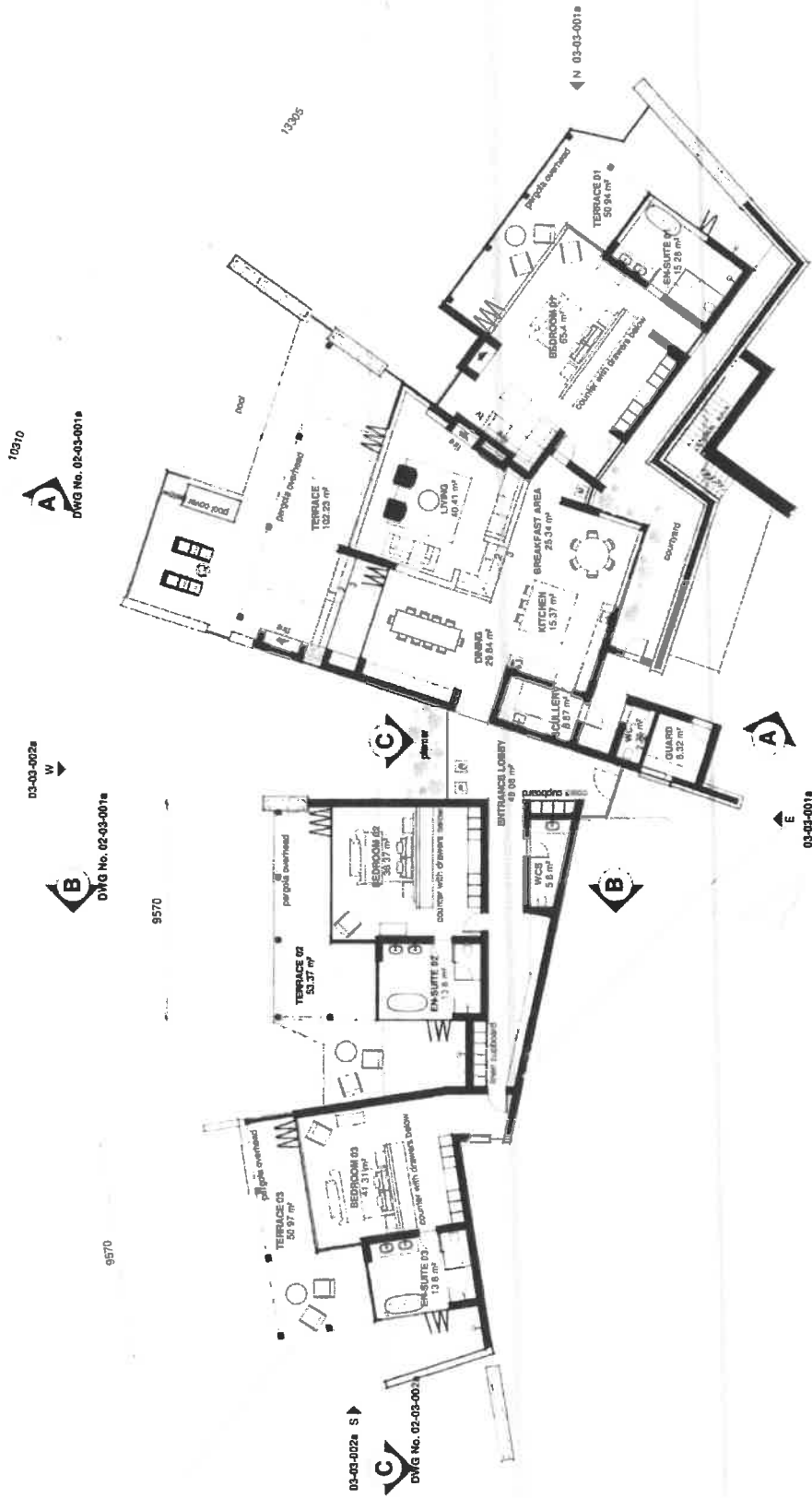


03-03-001a  
DWG No. 02-03-001a

03-03-001a  
DWG No. 02-03-001a



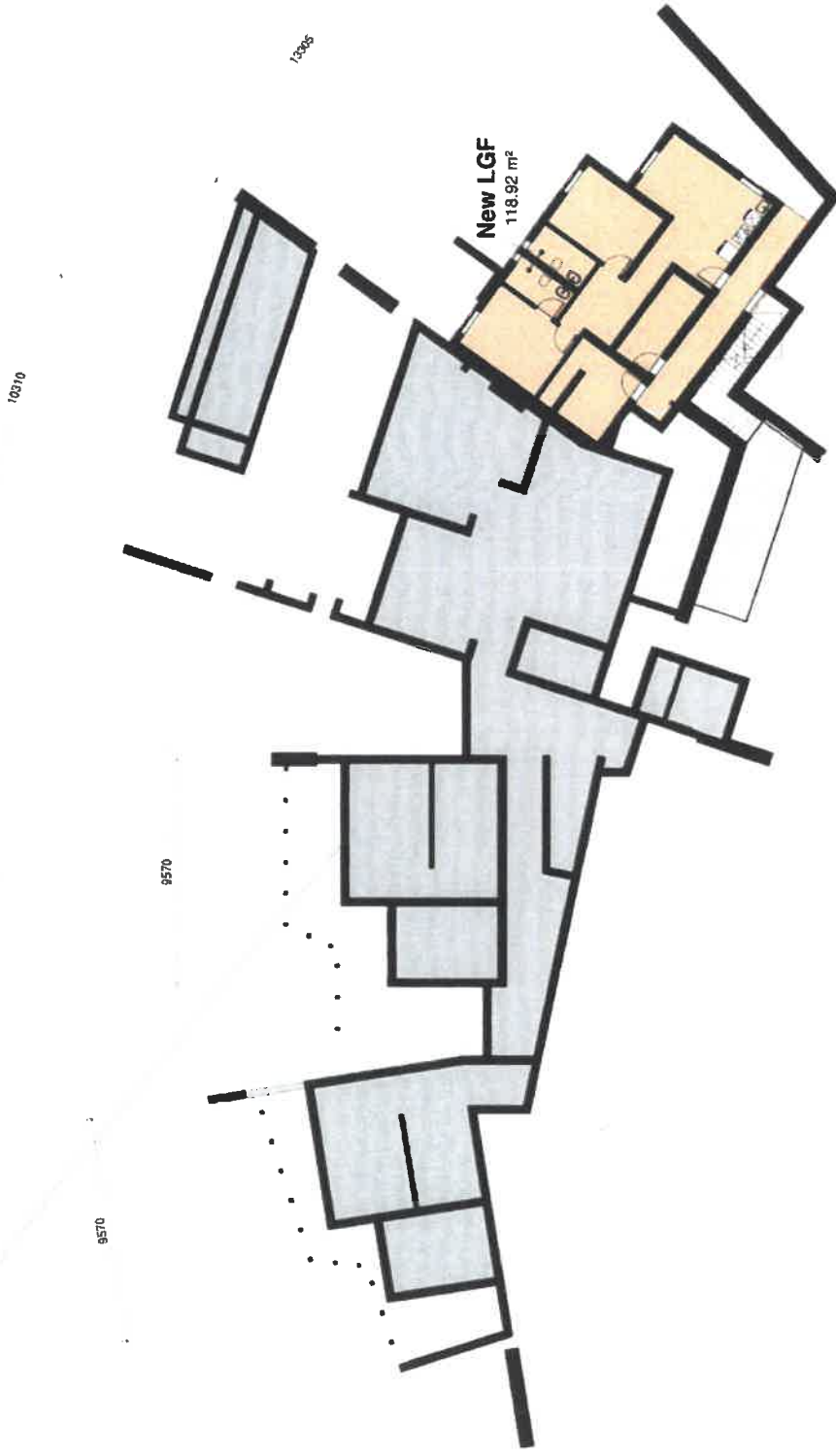
# owners villa [ground floor 1:200]



PRECINCT 4

### owners villa [lower ground floor area plan 1:200]

AREAS MEASURED FROM THE OUTSIDE FACE OF THE EXTERIOR WALLS



Owner's Villa, Lower Ground Floor Area Schedule

Name	Area
New LGF	118.92 m <sup>2</sup>
Grand total	118.92 m <sup>2</sup>





PRECINCT 4

**owners villa [ground floor area plan 1:200]**

AREAS MEASURED FROM THE OUTSIDE FACE OF THE EXTERIOR WALLS



Owner's Villa\_Ground Floor Area Schedule

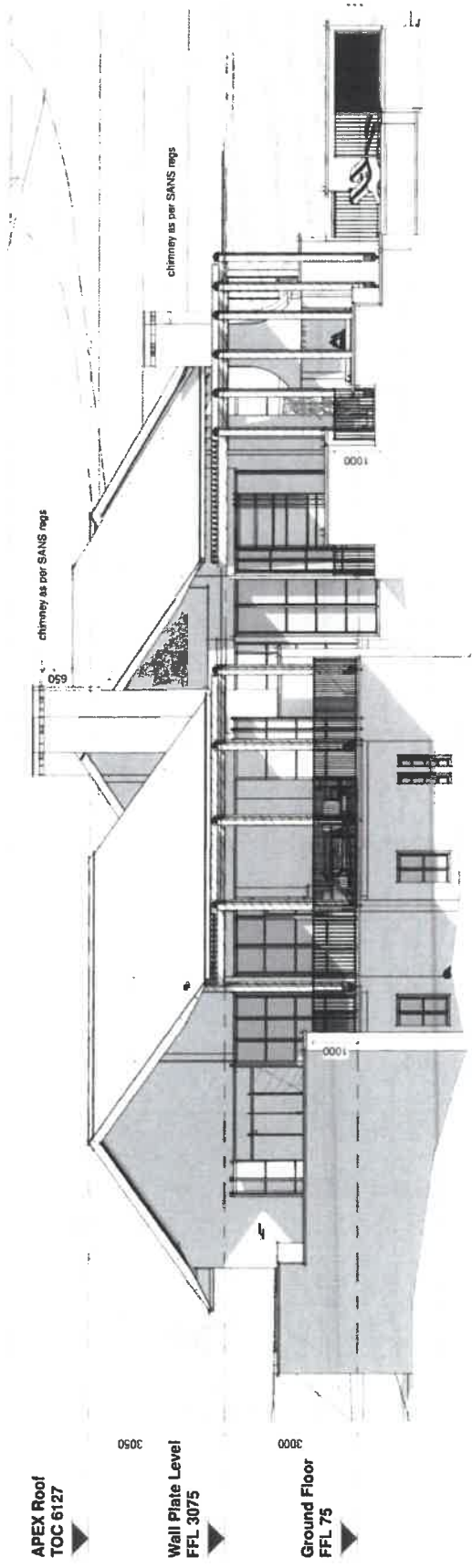
Name	Area
New	438.58 m²
New Terrace 04	55.83 m²
New Terrace 03	106.83 m²
New Terrace 02	54.16 m²
New Terrace 01	53.03 m²
New Pool	33.54 m²
<b>Grand Total</b>	<b>741.57 m²</b>



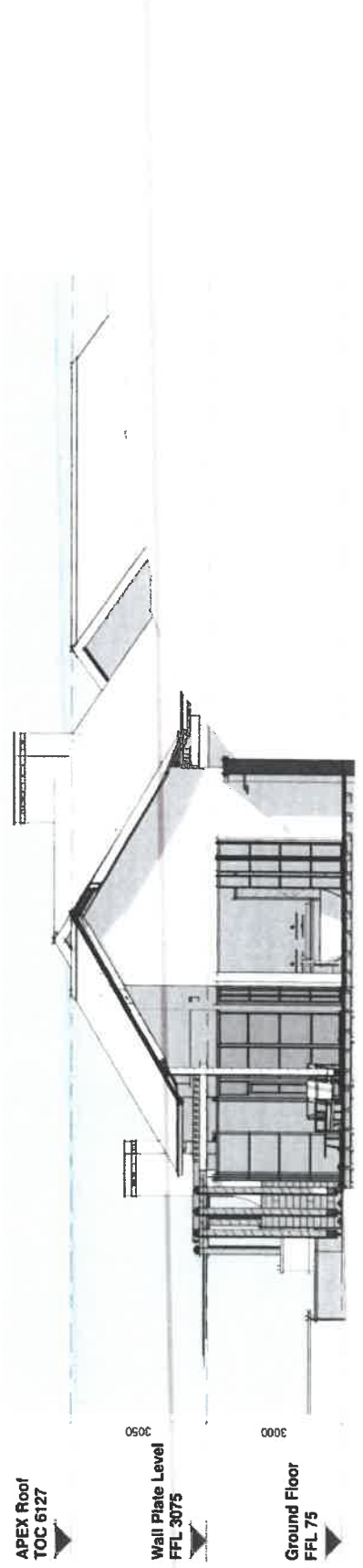
PRECINCT 4  
**owners villa [3D views]**



PRECINCT 4  
owners villa [elevations 1:100]



NORTH ELEVATION

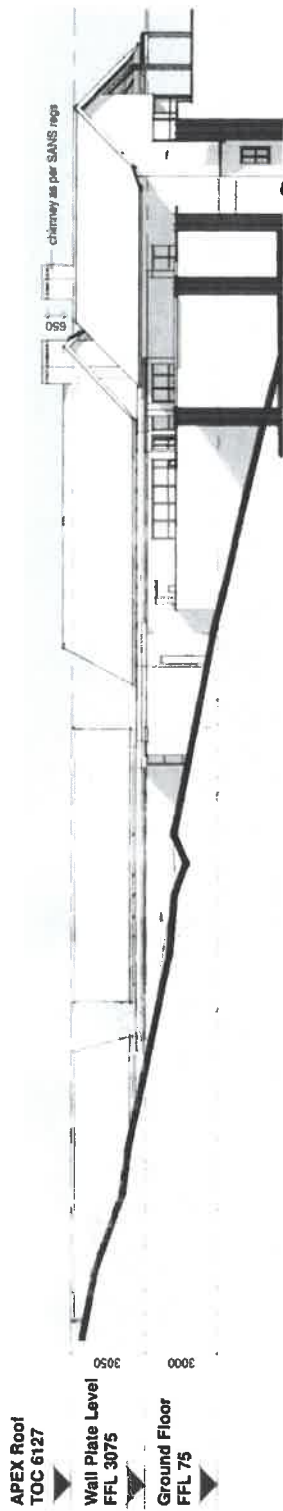


SOUTH ELEVATION

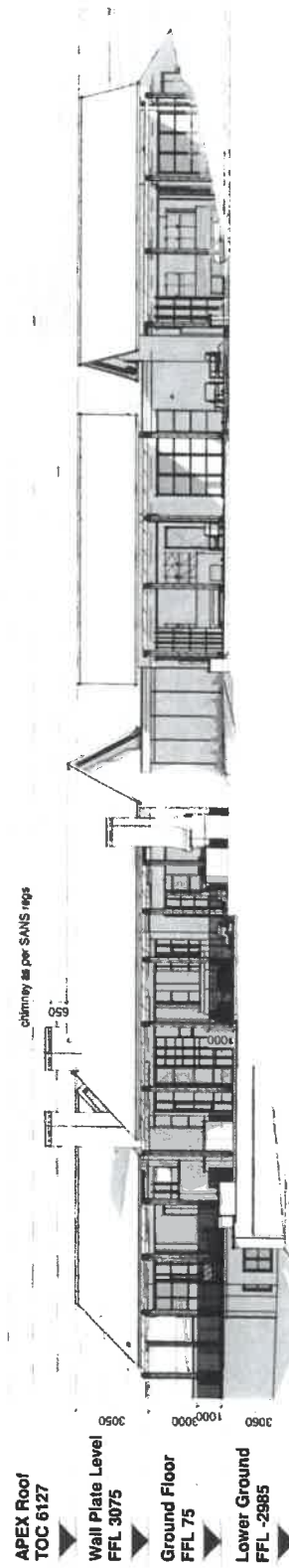


PRECINCT 4

owners vila [elevations 1:100]

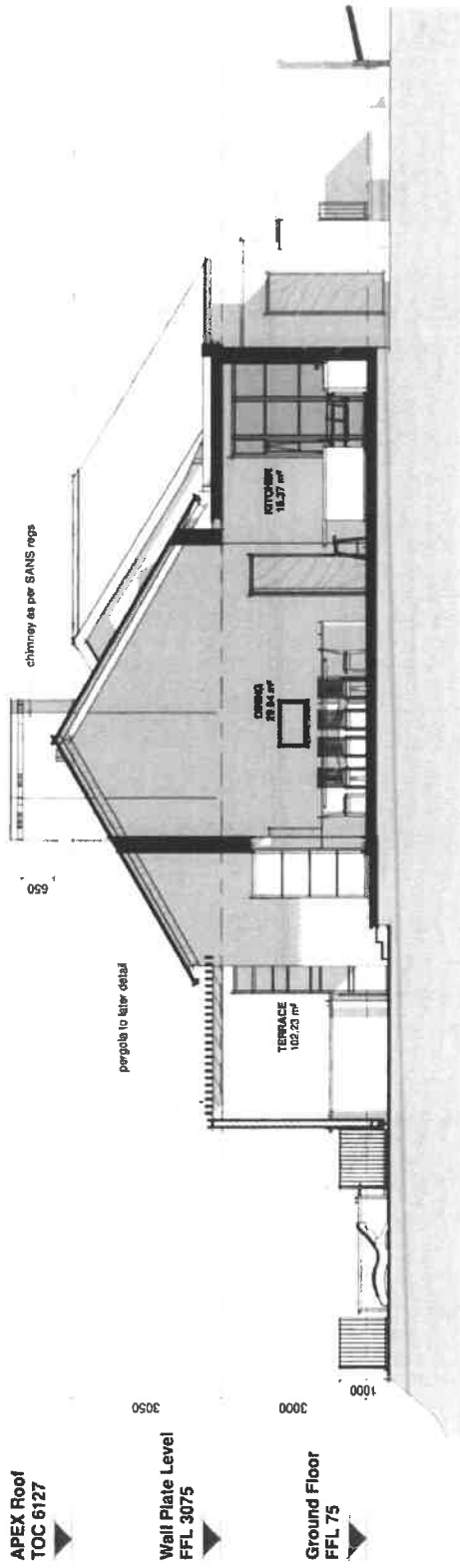


EAST ELEVATION

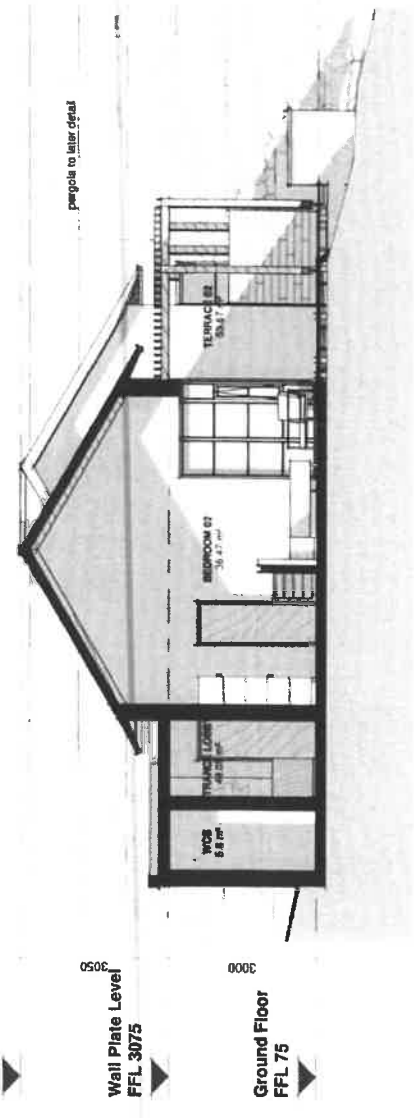


WEST ELEVATION

# owners villa [sections 1:100]



SECTION AA



SECTION BB

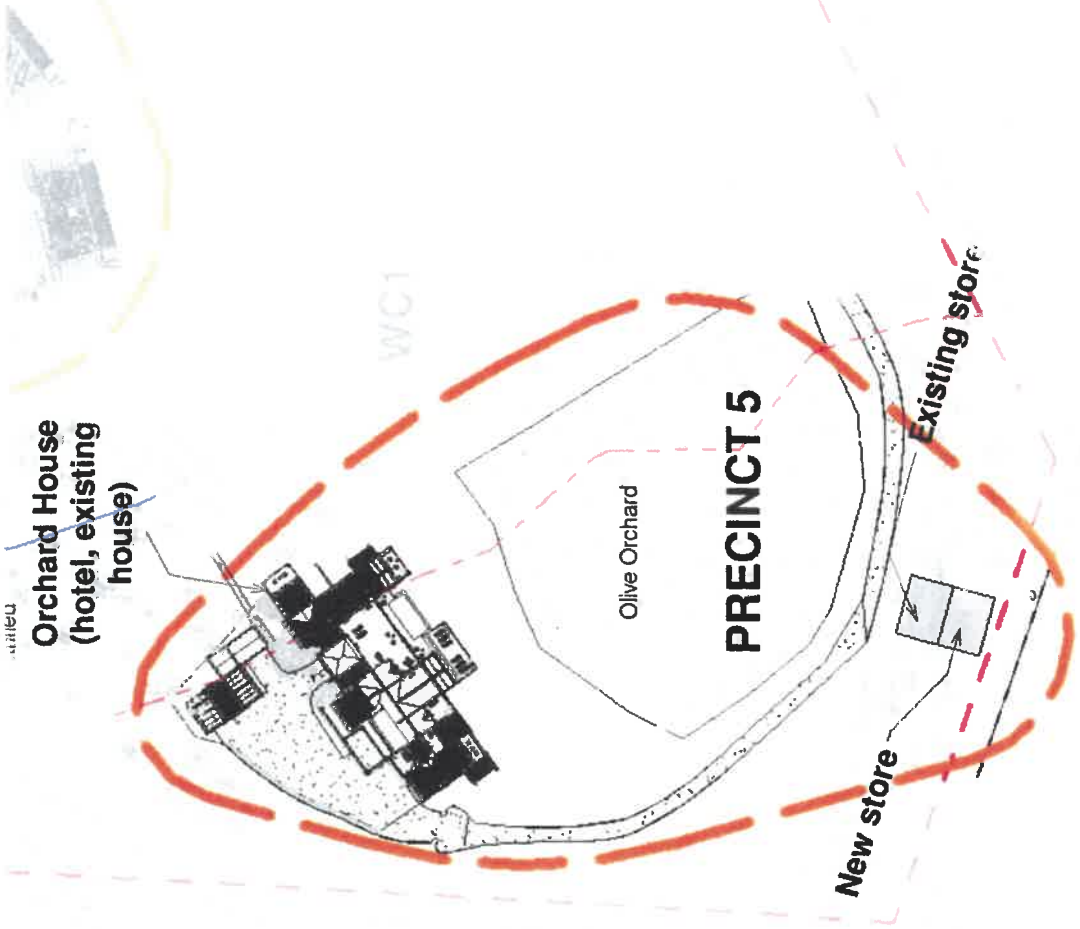




# precinct 5



PRECINCT 5  
precinct 5 - orchard house







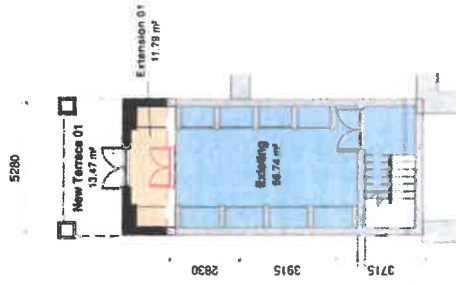
PRECINCT 5

# orchard house [basement area plan 1:200]

AREAS MEASURED FROM THE OUTSIDE FACE OF THE EXTERIOR WALLS

Orchard House\_Basement Area Schedule

Name	Area	Level
Existing	56.74 m <sup>2</sup>	-02 Basement Floor
Extension 01	11.79 m <sup>2</sup>	-02 Basement Floor
New Terrace 01	13.47 m <sup>2</sup>	-02 Basement Floor
Grand total	82.01 m <sup>2</sup>	





PRECINCT 5

# orchard house [ground floor area plan 1:200]

AREAS MEASURED FROM THE OUTSIDE FACE OF THE EXTERIOR WALLS

Orchard House\_Ground Floor Area Schedule

Name	Area	Level
Existing	545.86 m <sup>2</sup>	Ground Floor
Existing Terrace	41.9 m <sup>2</sup>	Ground Floor
Extension 02	11.04 m <sup>2</sup>	Ground Floor
Extension 03	34.89 m <sup>2</sup>	Ground Floor
Extension 04	42.01 m <sup>2</sup>	Ground Floor
Extension 05	25.43 m <sup>2</sup>	Ground Floor
Extension 06	12.3 m <sup>2</sup>	Ground Floor
Extension 07	9.79 m <sup>2</sup>	Ground Floor
Extension 08	11.23 m <sup>2</sup>	Ground Floor
Extension 09	19.94 m <sup>2</sup>	Ground Floor
Extension 10	14.24 m <sup>2</sup>	Ground Floor
New Terrace 02	14.07 m <sup>2</sup>	Ground Floor
New Terrace 03	9.22 m <sup>2</sup>	Ground Floor
New Terrace 04	35.49 m <sup>2</sup>	Ground Floor
New Terrace 05	41.89 m <sup>2</sup>	Ground Floor
Pool	27.69 m <sup>2</sup>	Ground Floor
Grand total	896.99 m <sup>2</sup>	





# orchard house [first floor area plan 1:200]

AREAS MEASURED FROM THE OUTSIDE FACE OF THE EXTERIOR WALLS

Orchard House\_First Floor Area Schedule

Name	Area	Level
Existing	299.99 m <sup>2</sup>	First Floor
Existing Terrace	113.46 m <sup>2</sup>	First Floor
Extension 11	11.05 m <sup>2</sup>	First Floor
Extension 12	30.02 m <sup>2</sup>	First Floor
Extension 13	25.21 m <sup>2</sup>	First Floor
Extension 14	12.38 m <sup>2</sup>	First Floor
Extension 15	12.02 m <sup>2</sup>	First Floor
New Terrace 06	11.07 m <sup>2</sup>	First Floor
New Terrace 07	9.22 m <sup>2</sup>	First Floor
New Terrace 08	16.77 m <sup>2</sup>	First Floor
New Terrace 09	12.79 m <sup>2</sup>	First Floor
New Terrace 10	9.46 m <sup>2</sup>	First Floor
New Terrace 11	11.19 m <sup>2</sup>	First Floor
Grand total	574.63 m <sup>2</sup>	



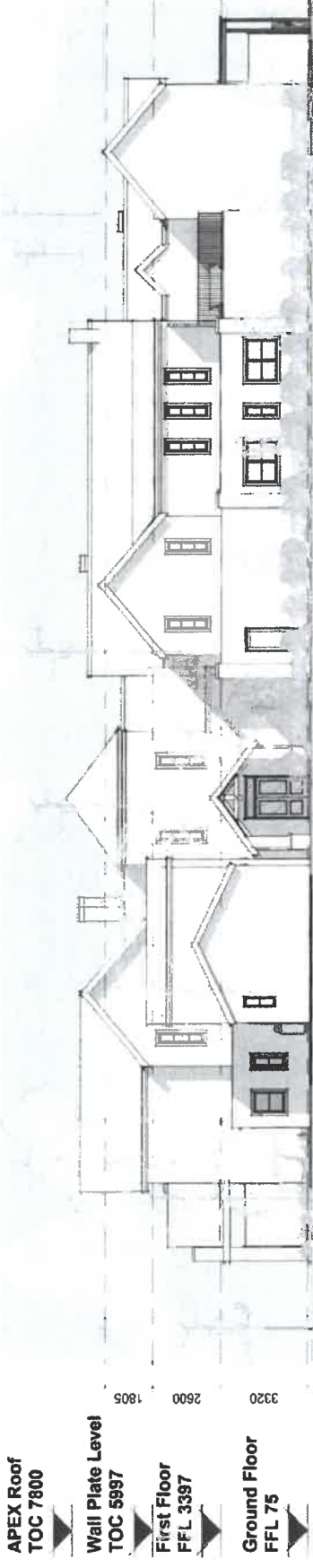
PRECINCT 5

**orchard house [3D views]**



PRECINCT 5

orchard house [elevations 1:200]



NORTH EAST ELEVATION

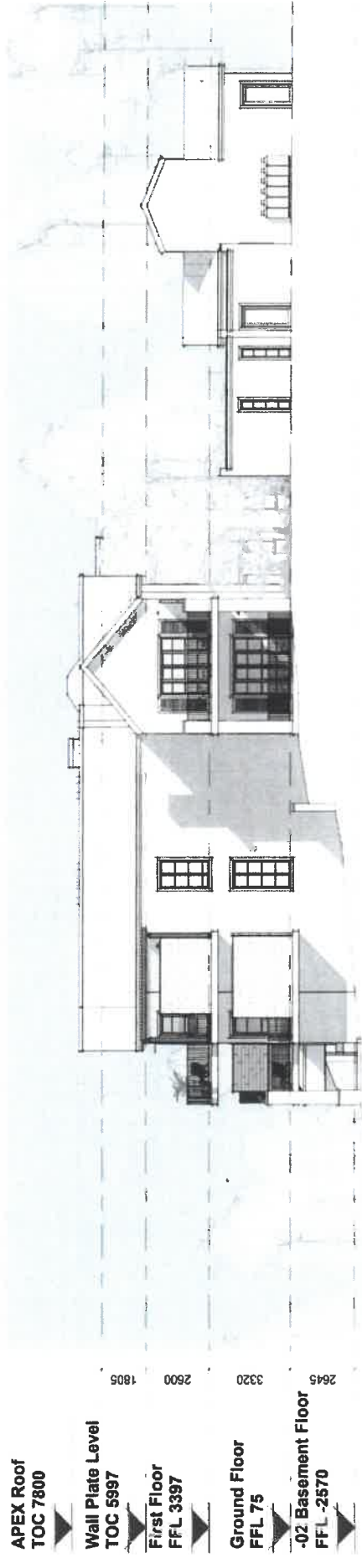


NORTH WEST ELEVATION

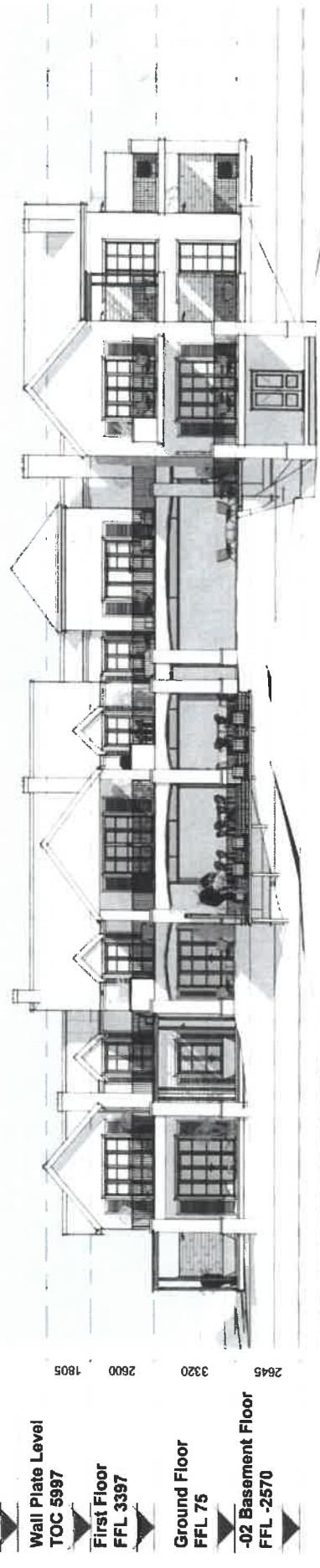


PRECINCT 5

orchard house [elevations 1:200]



SOUTH EAST ELEVATION



SOUTH WEST ELEVATION

PRECINCT 5

# orchard house [sections 1:200]

new chimney, as per SANS regulations, matching existing chimneys, as per specialist's detail

existing chimney

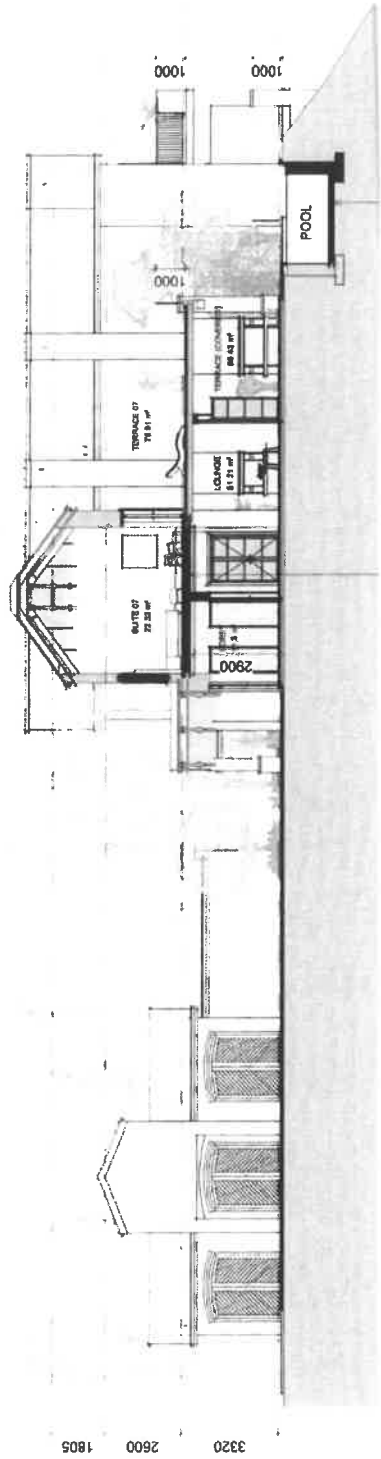
new roof to tie into existing roof, as per structural engineer's detail

APEX Roof  
TOC 7800

Wall Plate Level  
TOC 5997

First Floor  
FFL 3397

Ground Floor  
FFL 75



existing pool slab to be extended as per structural engineer's detail

new floor slab as per structural engineer's detail

## SECTION AA

existing roof

new roof to tie into existing roof, as per structural engineer's detail

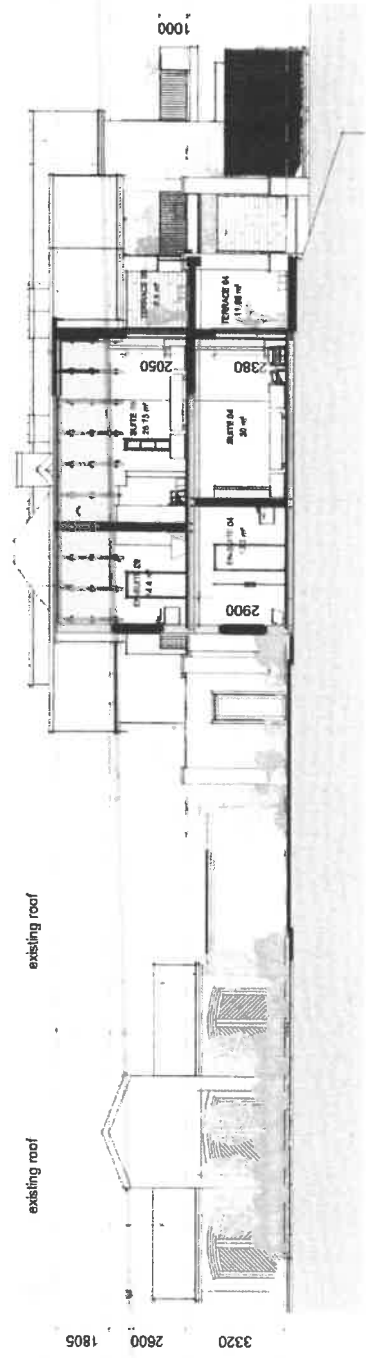
new roof to tie into existing roof, as per structural engineer's detail

APEX Roof  
TOC 7800

Wall Plate Level  
TOC 5997

First Floor  
FFL 3397

Ground Floor  
FFL 75



existing roof

## SECTION BB





PRECINCT 5

# orchard house [sections 1:200]

new roof to tie into existing roof, as per structural engineer's detail

existing roof

existing roof

existing roof

existing roof

existing roof

new roof over new stairs, as per structural engineer's detail

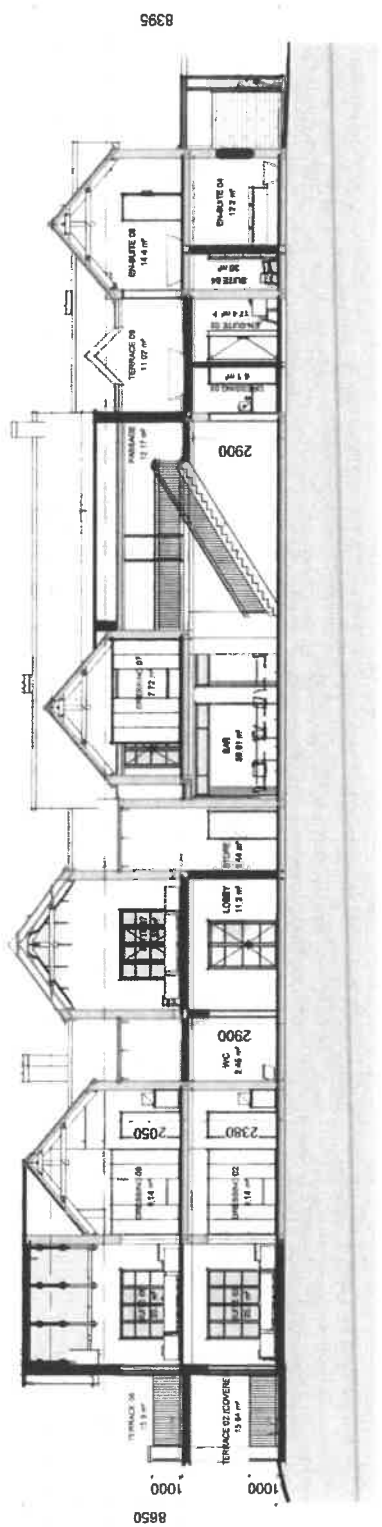
existing roof

**APEX Roof**  
TOC 7800

**Wall Plate Level**  
TOC 5997

**First Floor**  
FFL 3397

**Ground Floor**  
FFL 75



SECTION EE

# precinct 6

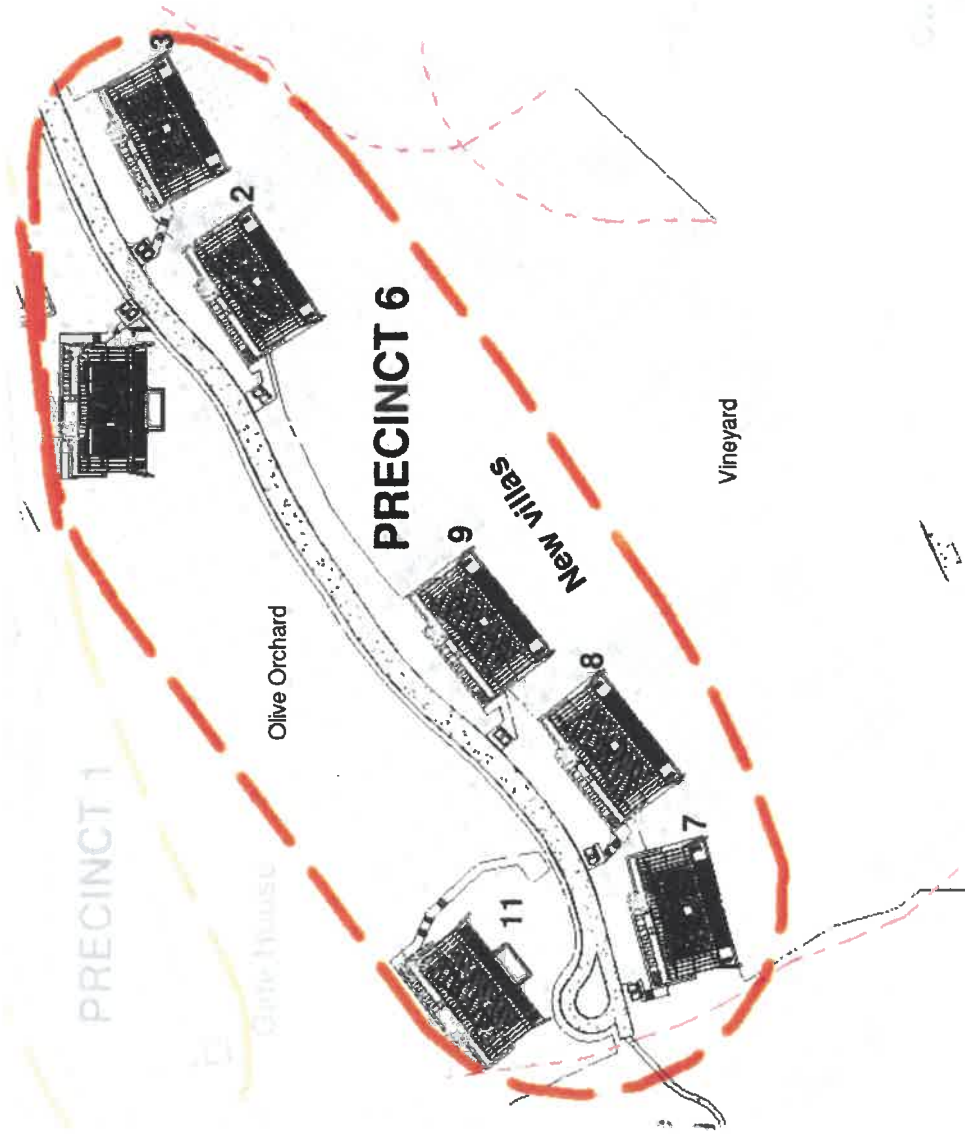
8



PRECINCT 4 & 6

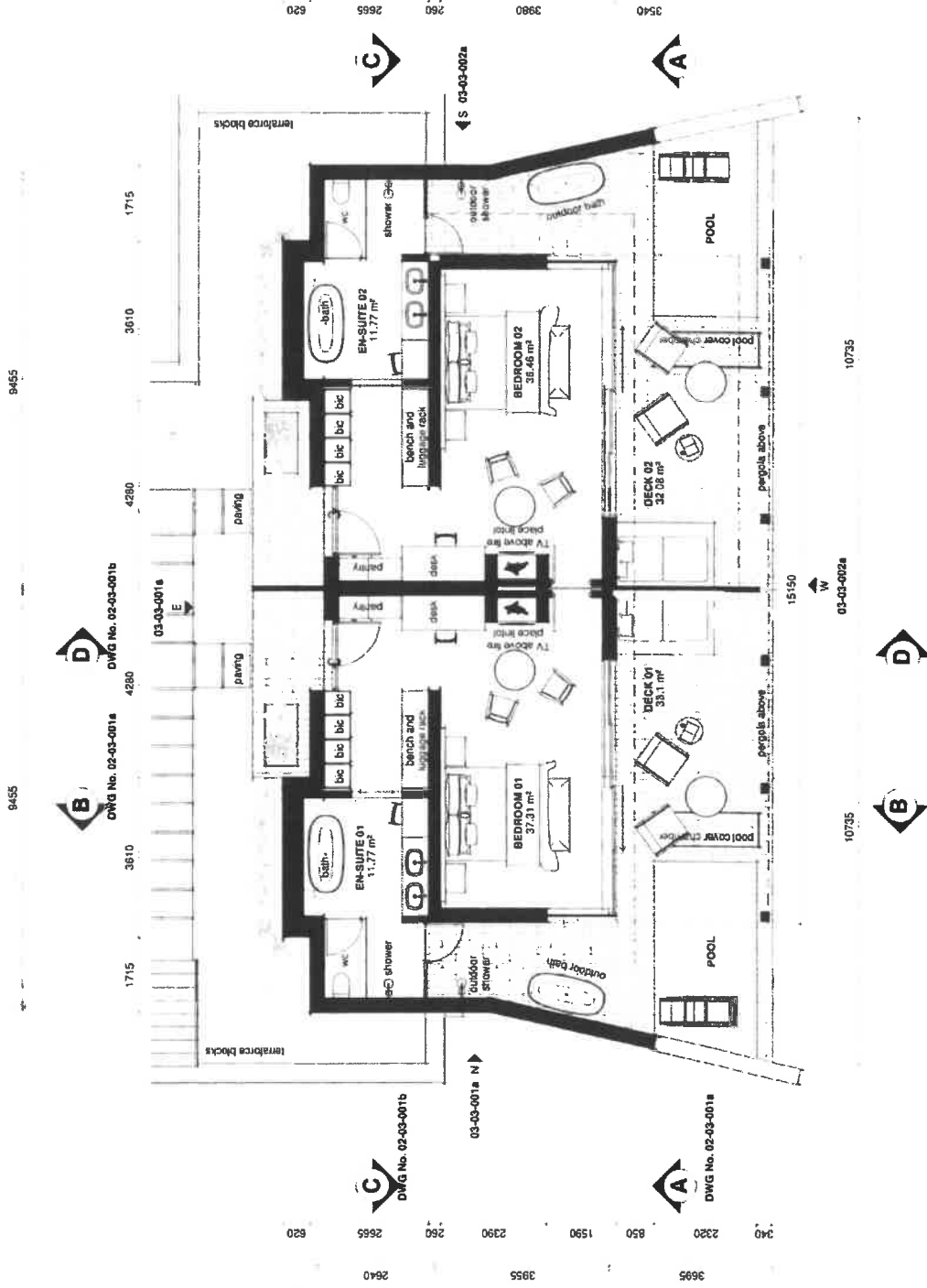
**precinct 6 - villa + family villa**

DOCUMENTATION VILLA + FAMILY VILLA ALSO APPLIES TO VILLAS IN PRECINCT 4



PRECINCT 4 & 6

villa [ground floor 1:100]



PRECINCT 4 & 6

**villa [area plan 1:100]**

AREAS MEASURED FROM THE OUTSIDE FACE OF THE EXTERIOR WALLS

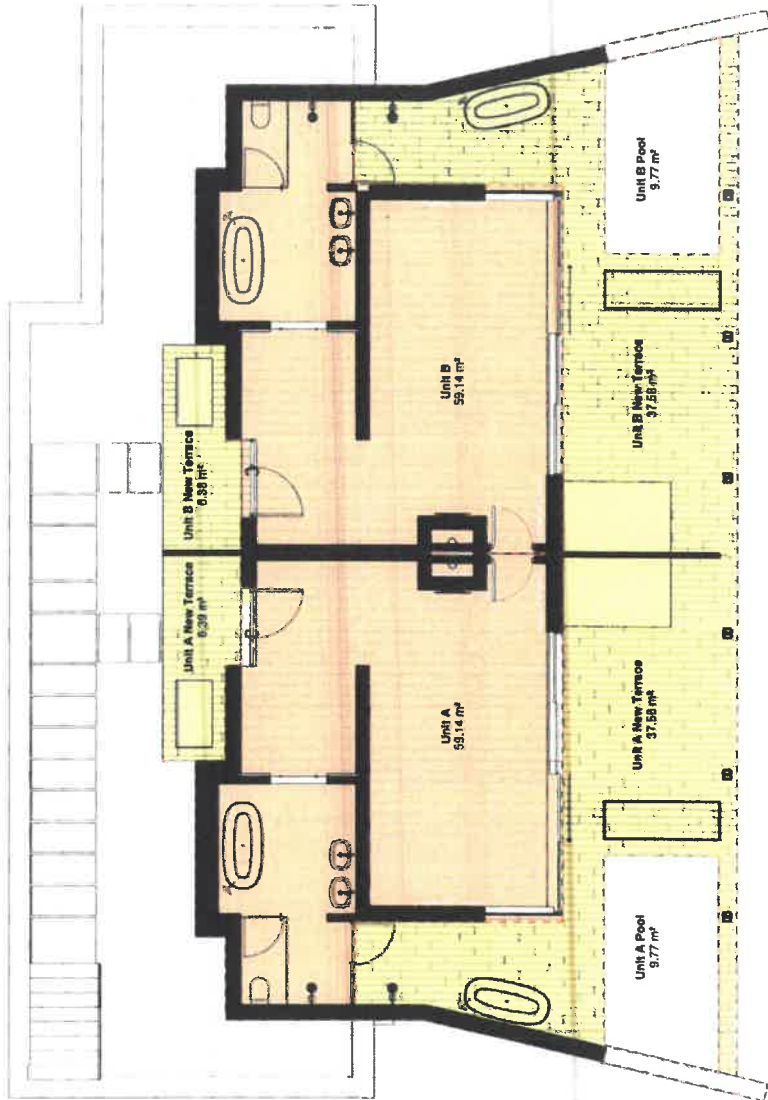
Villa, Unit A, Area Schedule

Name	Area
Unit A	59.14 m <sup>2</sup>
Unit A New Terrace	37.56 m <sup>2</sup>
Unit A New Terrace	6.38 m <sup>2</sup>
Unit A Pool	9.77 m <sup>2</sup>
Grand total	112.86 m <sup>2</sup>

Villa, Unit B, Area Schedule

Name	Area
Unit B	59.14 m <sup>2</sup>
Unit B New Terrace	37.56 m <sup>2</sup>
Unit B New Terrace	6.38 m <sup>2</sup>
Unit B Pool	9.77 m <sup>2</sup>
Grand total	112.87 m <sup>2</sup>

9455 9455



2640

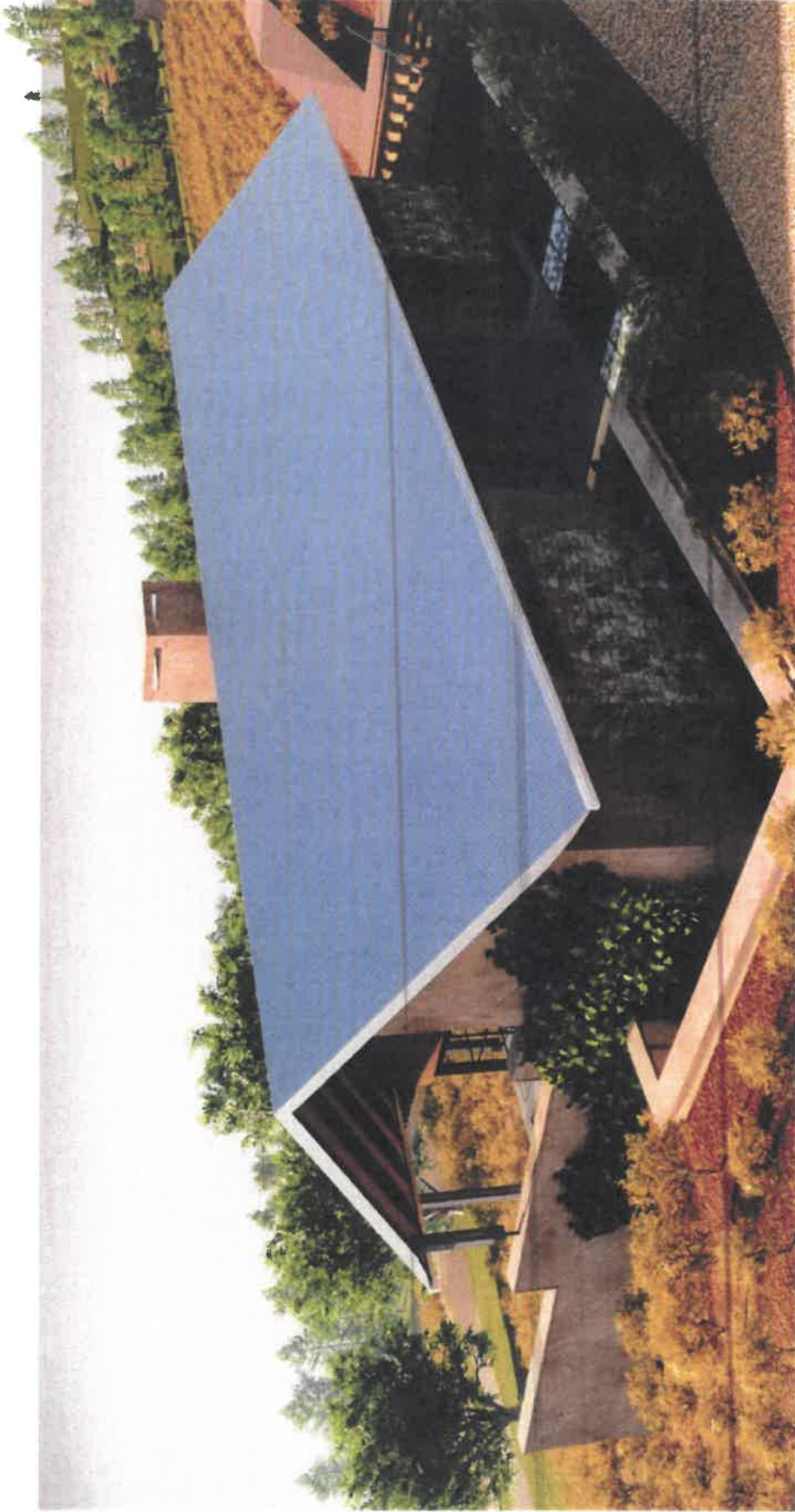
3956

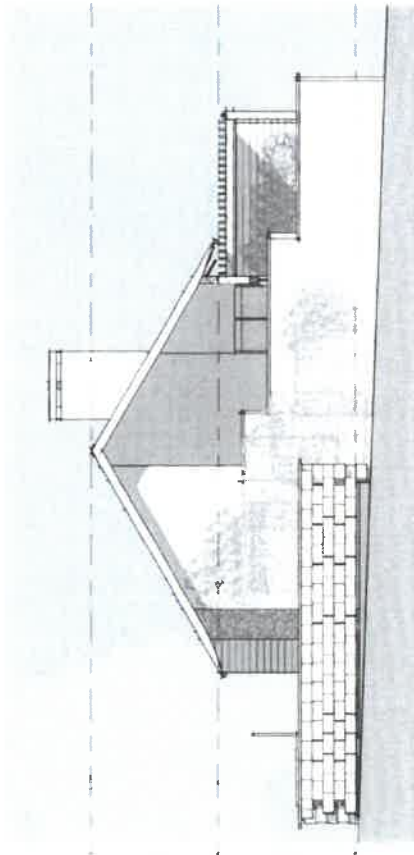
3896





PRECINCT 4 & 6  
**villa [3D view]**





05 Apex Roof  
TOC 5525

04 Wall Plate Level  
FFL 2900

01 FFL GF  
FFL 75

**NORTH ELEVATION**



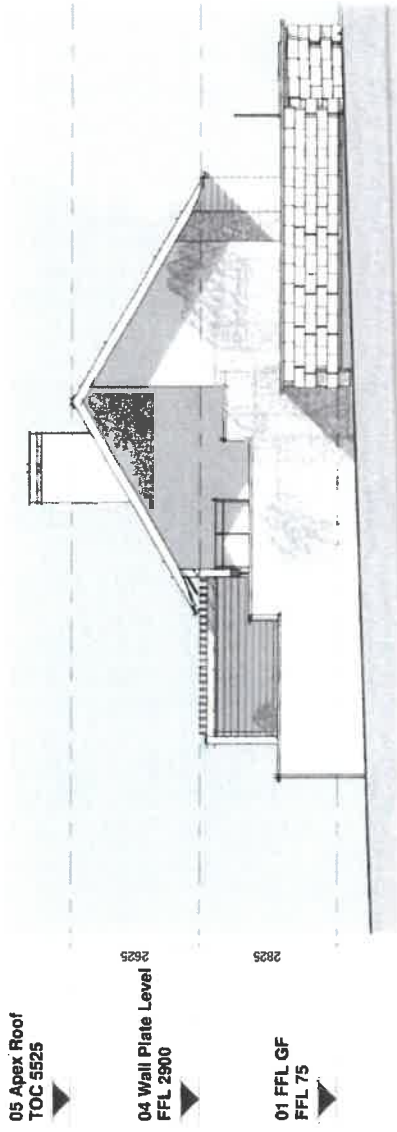
05 Apex Roof  
TOC 5525

04 Wall Plate Level  
FFL 2900

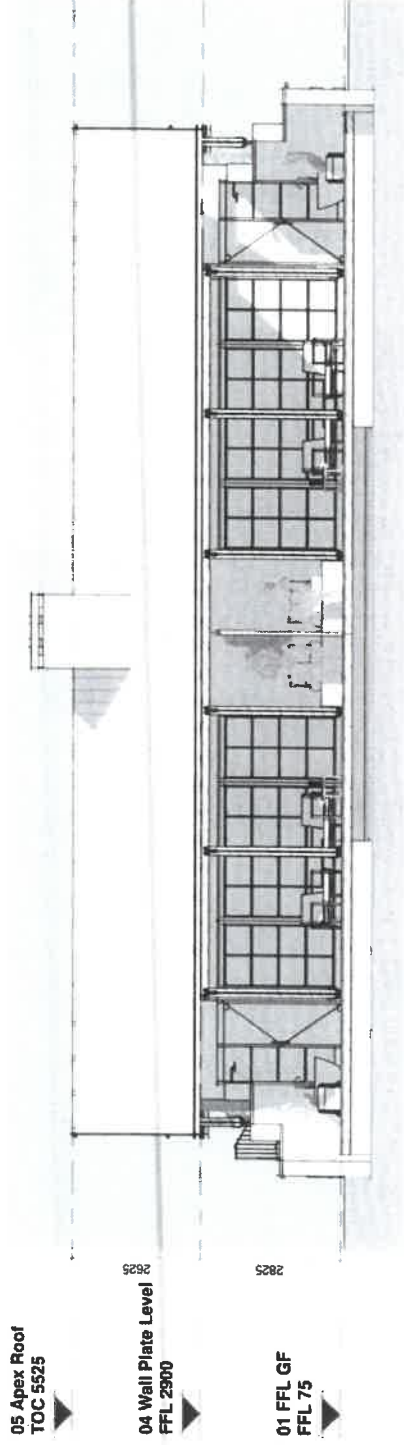
01 FFL GF  
FFL 75

**EAST ELEVATION**

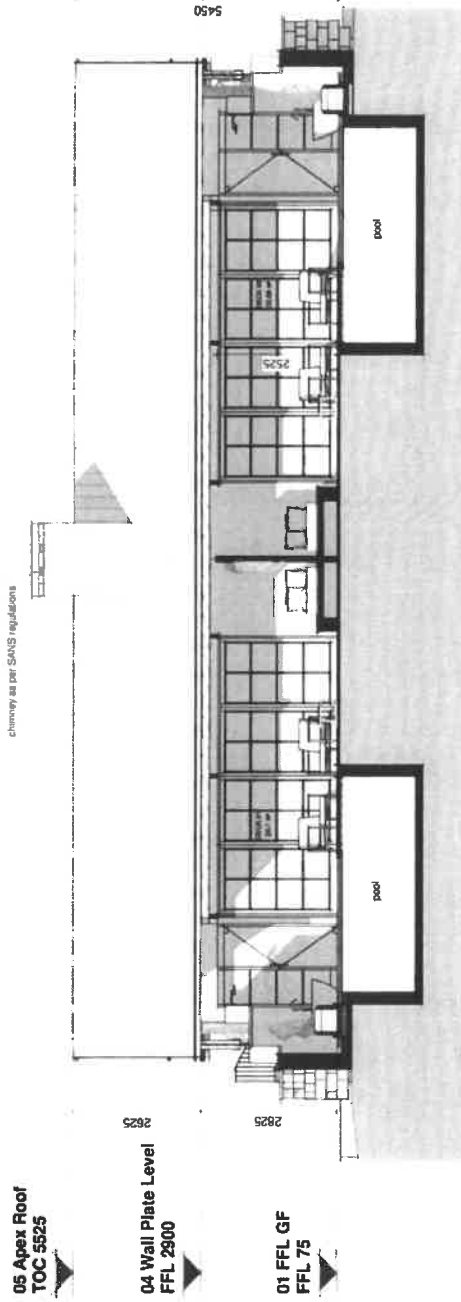
**villa [elevations 1:100]**



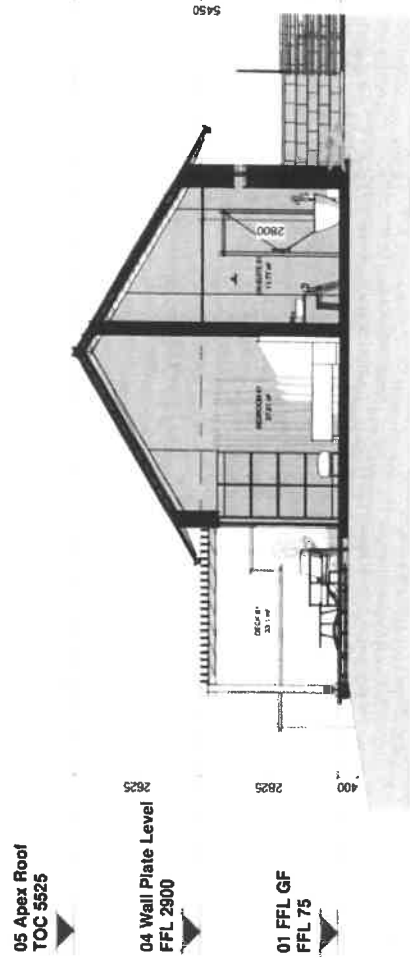
**SOUTH ELEVATION**



**WEST ELEVATION**



SECTION AA



SECTION BB

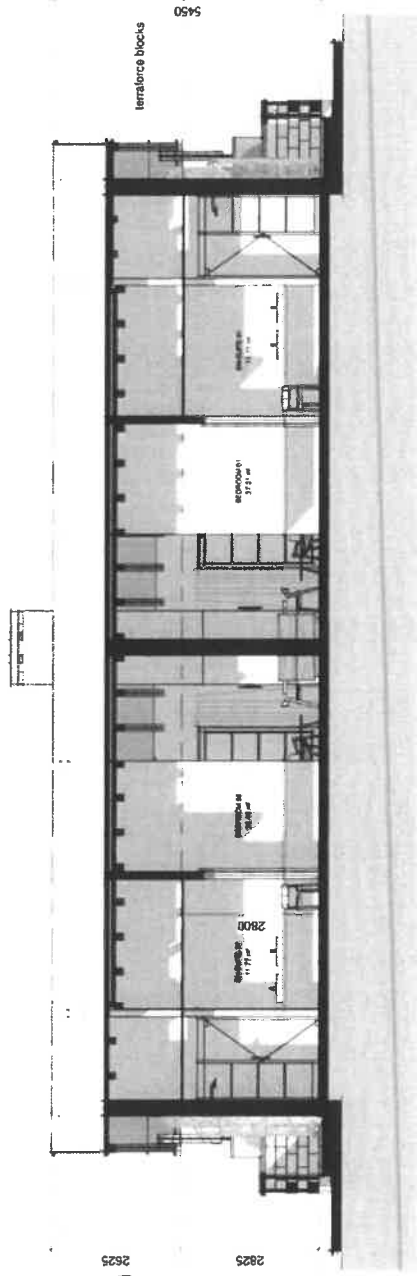
PRECINCT 4 & 6

villa [sections 1:100]

05 Apex Roof  
TOC 5525

04 Wall Plate Level  
FFL 2900

01 FFL GF  
FFL 75

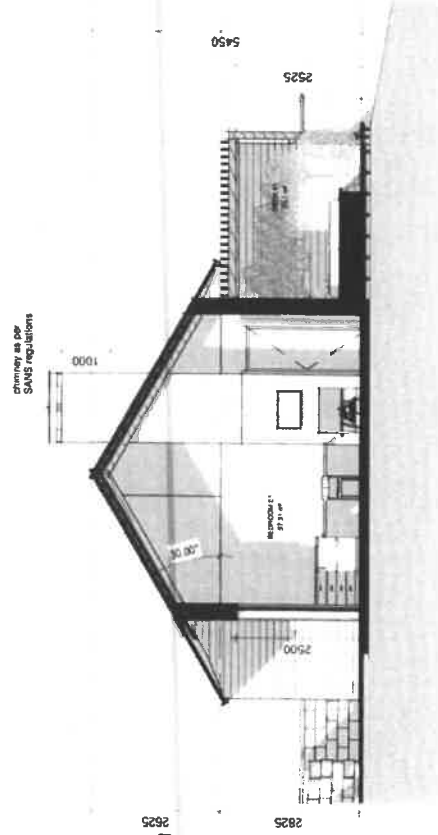


SECTION CC

05 Apex Roof  
TOC 5525

04 Wall Plate Level  
FFL 2900

01 FFL GF  
FFL 75



SECTION DD





PRECINCT 4 & 6

### family villa [area plan 1:100]

AREAS MEASURED FROM THE OUTSIDE FACE OF THE EXTERIOR WALLS

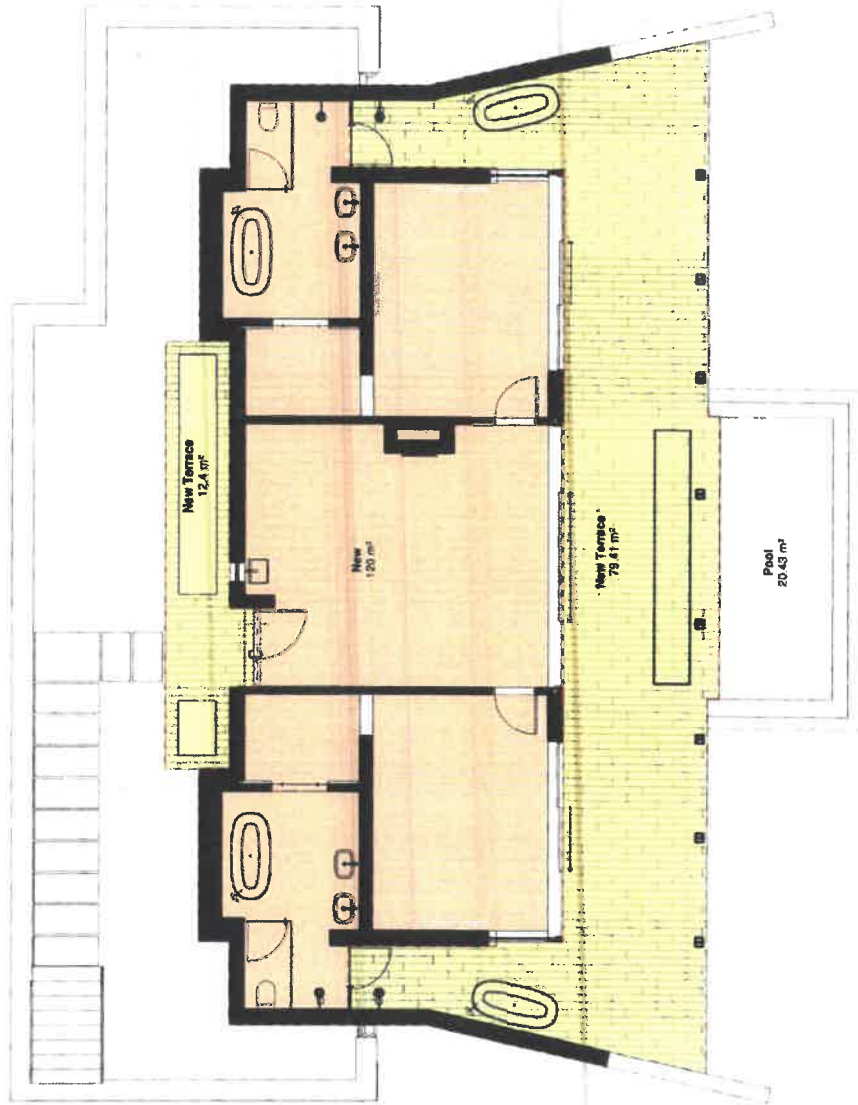
Family Villa\_Area Schedule

Name	Area
New	120 m <sup>2</sup>
New Terrace	12.4 m <sup>2</sup>
New Terrace	79.41 m <sup>2</sup>
Pool	20.43 m <sup>2</sup>
Grand total	232.24 m <sup>2</sup>

6700

5550

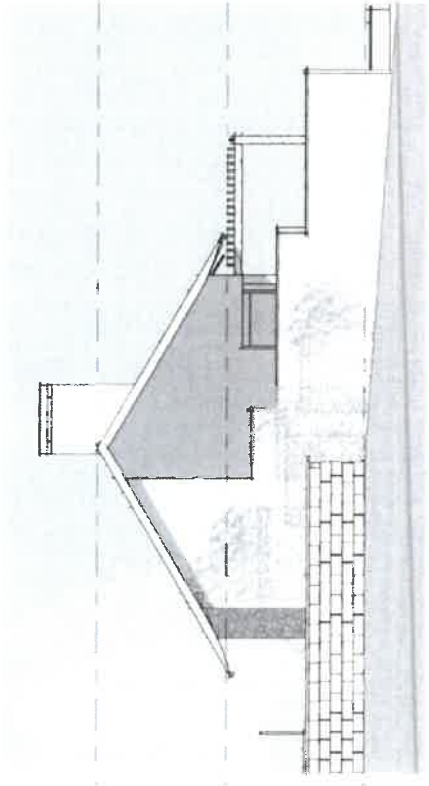
6700



PRECINCT 4 & 6  
**family villa [3D views]**



PRECINCT 6 & 6  
family villa [elevations 1:100]

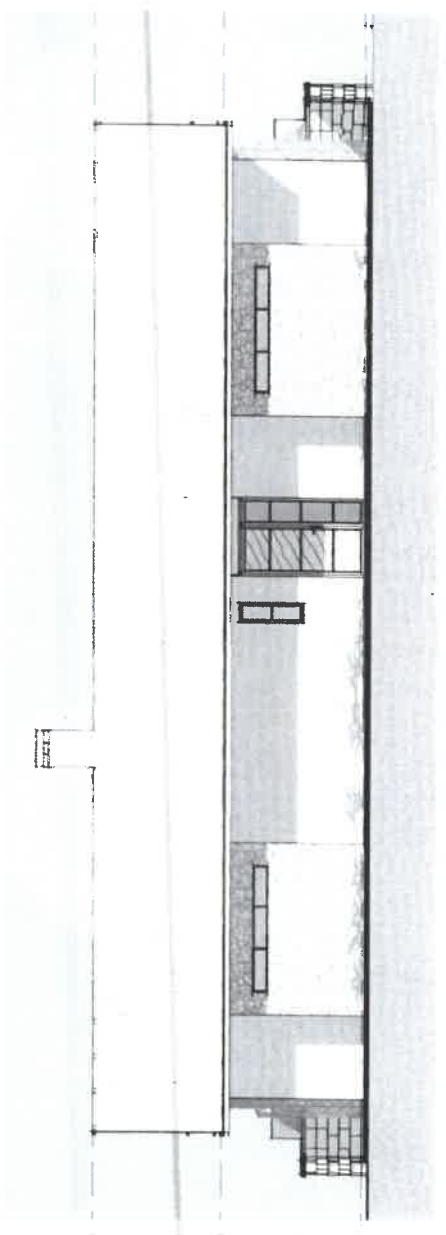


05 Apex Roof  
TOC 5525

2625  
04 Wall Plate Level  
FFL 2900

2625  
01 FFL GF  
FFL 75

NORTH ELEVATION



05 Apex Roof  
TOC 5525

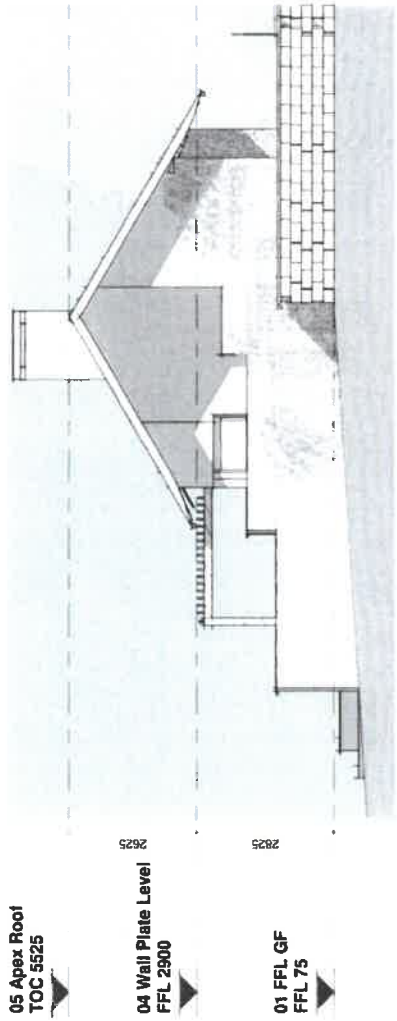
2625  
04 Wall Plate Level  
FFL 2900

2625  
01 FFL GF  
FFL 75

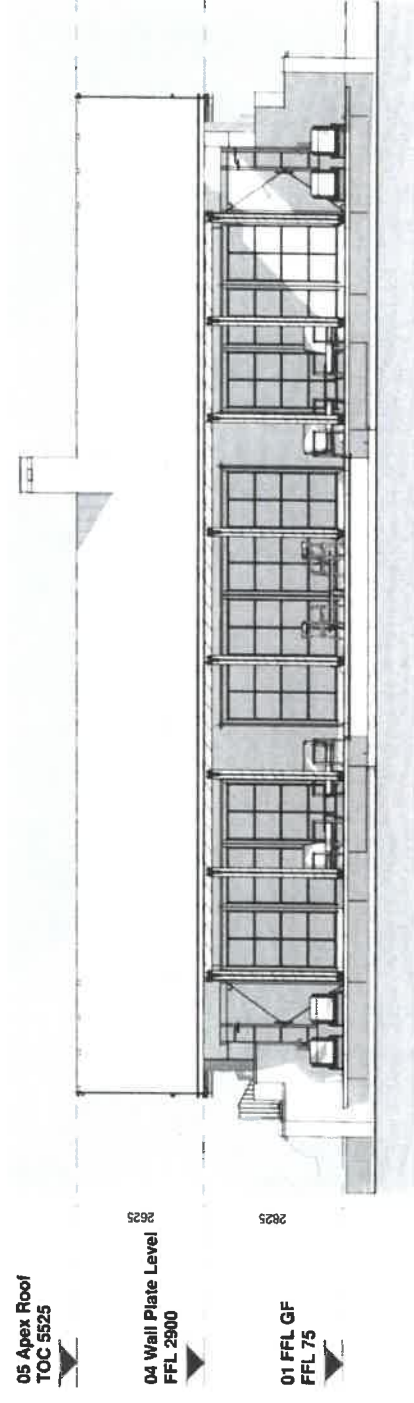
EAST ELEVATION

PRECINCT 6 & 6

family villa [elevations 1:100]



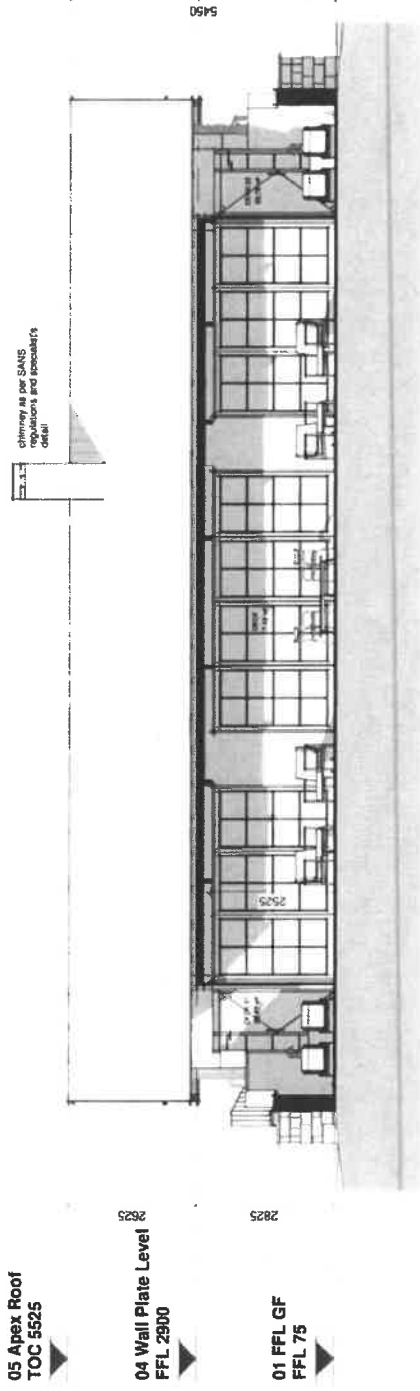
SOUTH ELEVATION



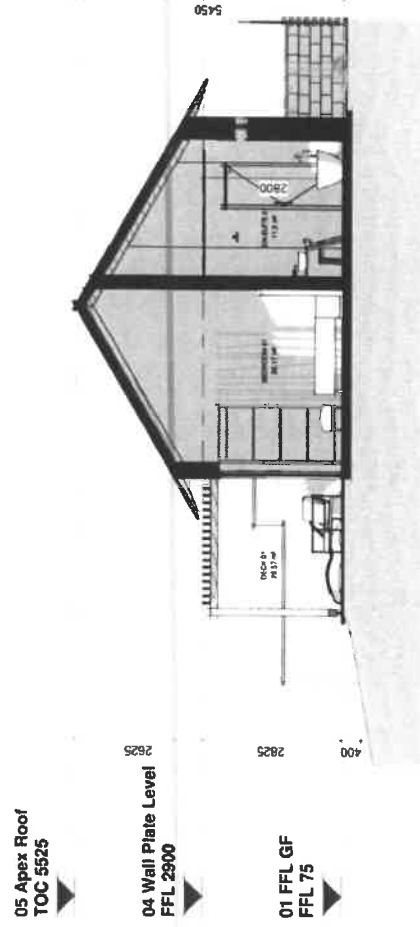
WEST ELEVATION

PRECINCT 4 & 6

family villa [sections 1:100]

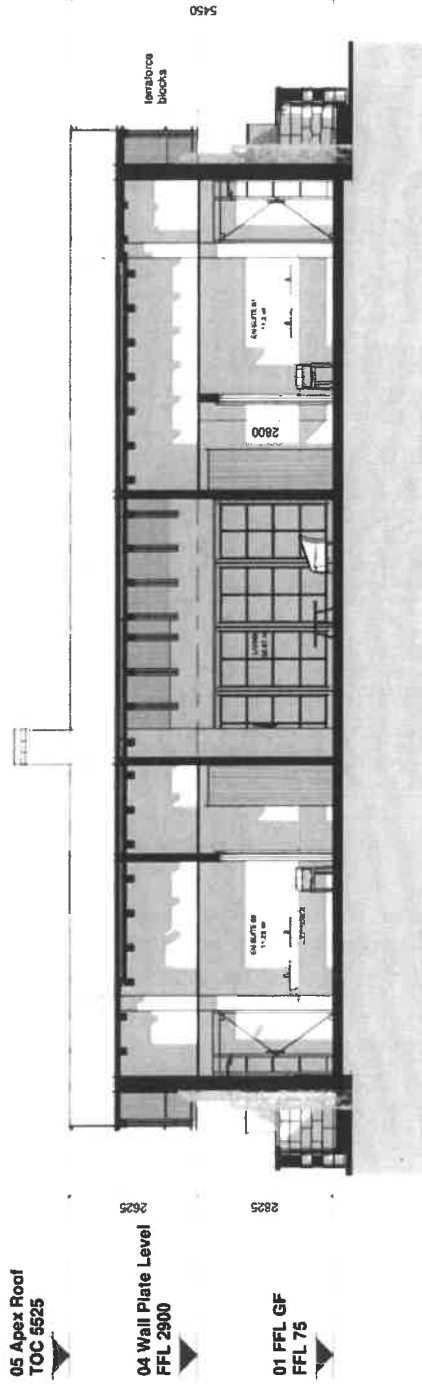


SECTION AA

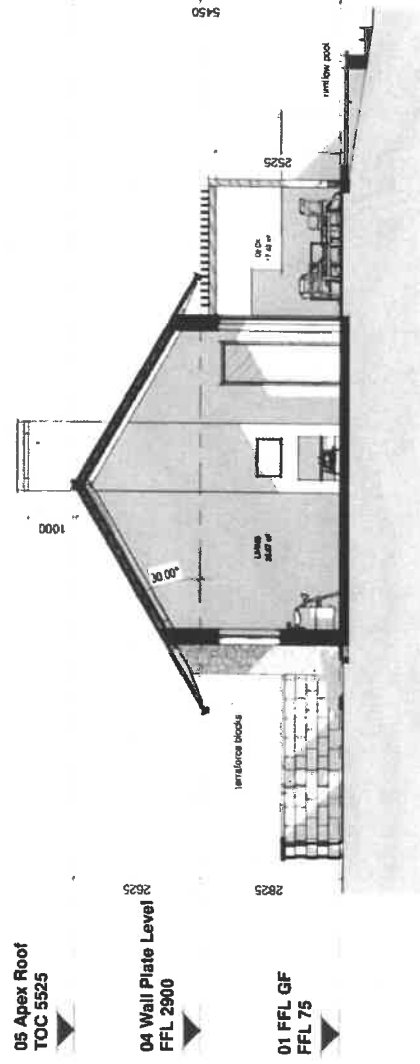


SECTION BB

family villa [sections 1:100]



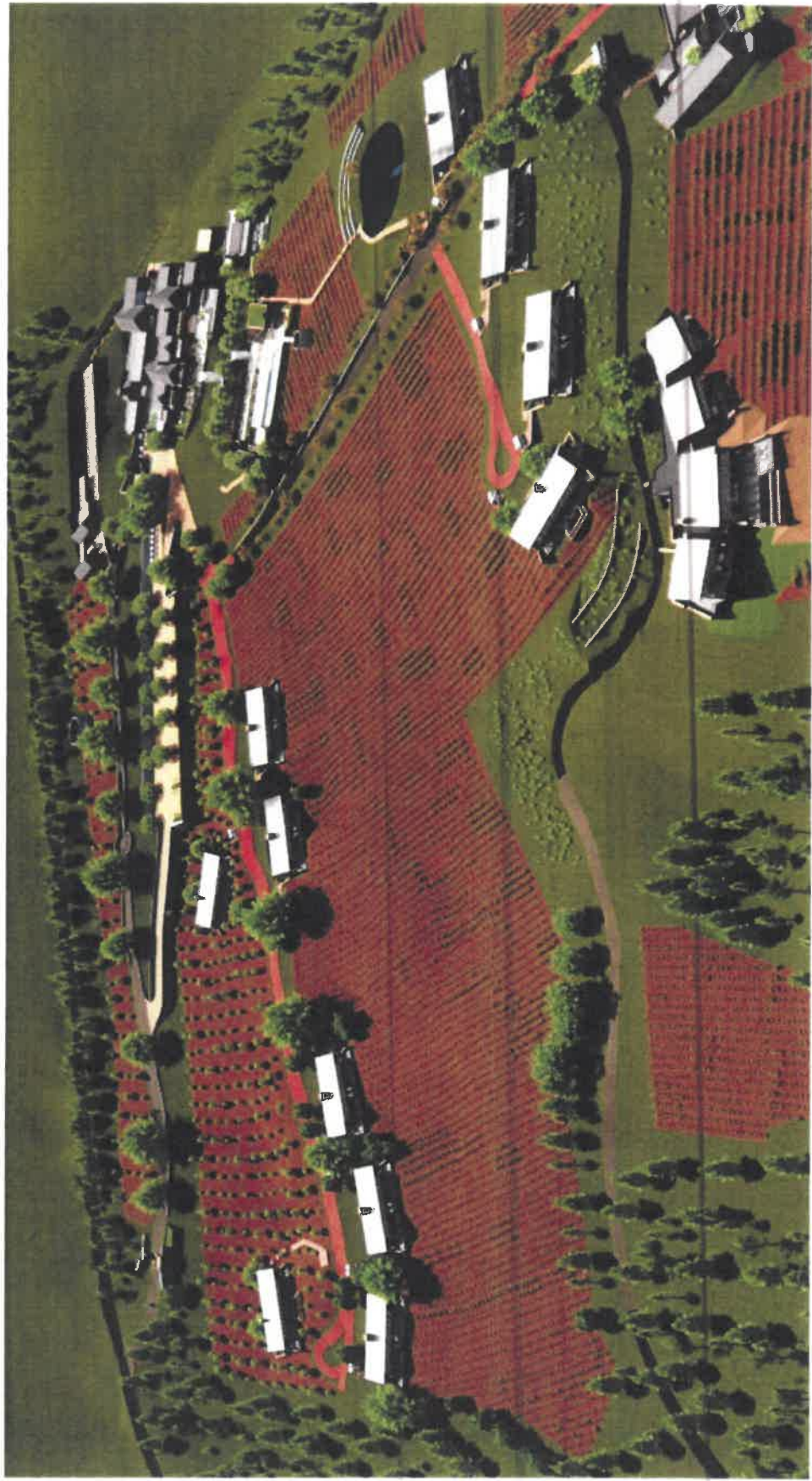
chimney as per SANS  
regulations and specialist's  
detail



SECTION DD



PRECINCT 4 & 6  
**villas [3D view]**





**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

## **ANNEXURE C**



## CONVEYANCER CERTIFICATE

I/We... NIKKI MALAN

Practising at:

BU PLESSIS HOEMINYR MALAN INC

15 MEC 2ND FLOOR, 8 CAROLINE WILLIAMS

AVENUE, SOMERSET WEST

In respect of:

FARM NO 1545

in the Matieland Municipality, Division Point,

Western Cape Province

to extent 24,1041 HA

Hereby certify that a search was conducted in the Deeds Registry, regarding the said property (ies) (including both current and earlier title deeds/pivot deeds/deeds of transfer):

1. T 3600972001 (current Deed)

2. T 2014011927 (previous Deed)

3. T 107/1439 (previous Deed)

4. T 221011229 (previous Deed)

5. T 709711211 (previous Deed)

6. ....

7. ....

8. ....



A. IDENTIFY RESTRICTIVE TITLE CONDITIONS (if any)

Categories		Are there deed restrictions (indicate below)		Title Deed and Clause number if restrictive conditions are found
1.	Use of land	Y	<input checked="" type="radio"/> N	
2.	Building lines	Y	<input checked="" type="radio"/> N	
3.	Height	Y	<input checked="" type="radio"/> N	
4.	Number of Dwellings	Y	<input checked="" type="radio"/> N	
5.	Bulk floor area	Y	<input checked="" type="radio"/> N	
6.	Coverage/built upon area	Y	<input checked="" type="radio"/> N	
7.	Subdivision	Y	<input checked="" type="radio"/> N	
8.	Servitudes that may be registered over or in favour of the property	Y	<input checked="" type="radio"/> N	
9.	Other Restrictive Conditions	Y	<input checked="" type="radio"/> N	

*Handwritten signature or initials*



**B. INDICATE AFFECTED PARTIES AS PER TITLE DEED (if any)**

a.	Organ(s) of State that might have an interest in the restrictive condition	
b.	A person whose rights or legitimate expectations will be affected by the removal/suspension/amendment of a restriction condition	
c.	All persons mentioned in the deed for whose benefit the restrictive condition applies	

**C. PROCESS BY WHICH RELEVANT CONDITIONS WILL BE ADDRESSED**

Application in terms of Section 15 of the Stellenbosch Municipal Land Use Planning By Law (2015)	Notarial Deed of Cancellation (Submit Copy of Signed Agreement)	Action by way of court order (Submit Copy of the Court Order)	If Other, Please Specify <i>n/a</i>
--	---	---	--

Signed at Somerset West (Place) on this.. 27<sup>th</sup> (Day) November (Month) of 20 19

Full names and Surname: NIKKI MALAN

Signature: *[Handwritten Signature]*

*[Handwritten Address: PHASE 1, BOX 70, SOMERSET WEST, 7821]*

**NIKKI MALAN**  
**ATTORNEY / CONVEYANCER**  
**DU PLESSIS HOFMEYR MALAN INC**  
 2<sup>nd</sup> Floor, Paardevlei Specialist Medical Centre  
 18 Gardner Williams Avenue, De Beers Precinct  
 Somerset West  
 nikki@dhmlaw.co.za  
 Tel (021) 8510359  
 www.dhmlaw.co.za

Tel: 021 8510359

Email: nikki@dhmlaw.co.za

Cell:

**DEED OF TRANSFER**

**Number : T 34008/2001**

**passed in favour of**

**INTERTRADE FIFTEEN (PTY) LTD**

**GETZ HYAMS SURDUT & HOOLE**  
**ATTORNEYS - NOTARIES - CONVEYANCERS**  
*2nd Floor, 62 Strand Street*  
**8001 CAPE TOWN**  
*Tel: 419-0846*



GETZ HYAL 3 SURDUT (mirrored)

20

TEL. 4190816  
CTN 020

Prepared by me,

CONVEYANCER  
SURDUT, B-Z.

STAMP: STAMPED, FROM FEE, 500.00

18/15 [Signature]

T 034008 \* 2001

**DEED OF TRANSFER**  
Be it hereby made known:

**THAT BEN-ZION SURDUT**

appeared before me, Registrar of Deeds at CAPE TOWN he, the said Appearer, being duly authorised thereto by a Power of Attorney granted to him by

**SPOOKY MOUNTAIN VINEYARDS (PROPRIETARY) LIMITED**  
No. 1997/011698/07

dated the **12th** day of **APRIL** 2001, and signed at **CAPE TOWN.**

And/...

18

2.

And the said Appearer declared that on the **6th day of MARCH 2001** his Principal aforesaid sold the following property to the undermentioned Transferee by Private Treaty and that he in his capacity aforesaid did, by these presents, cede and transfer, to and on behalf of

**INTERTRADE FIFTEEN (PROPRIETARY) LIMITED**  
**No. 2001/006378/07**

**or its Assigns, in full and free property**

**FARM NO. 1545**, in the Stellenbosch Municipality, Division of Paarl, Western Cape Province;

**IN EXTENT:** twenty-four comma nine nought four one (24,9041) hectares;

**FIRST REGISTERED** by Certificate of Registered Title No. T65265/1997 with Diagram SG No. 11112/94 relating thereto;

**HELD** by Deed of Transfer No. T118098/1997.

I. **AS FAR AS** the figure ABcFxUJKL indicated on the said Diagram SG No. 11112/94 is concerned:-

A. **SUBJECT** to the conditions referred to in Deed of Transfer Nos. T25370/1967 and T757/1938.

B. **SUBJECT FURTHER** to the following special conditions contained in Deed of Transfer No. T7207/1917, which conditions read as follows:-

"That the said Mattheus Gerhardus Lotter and his Successors in ownership of Lot B3 La Motte and Lot L La Motte shall be entitled to the use of the dam shown on Lot

L La /

L La Motte hereby transferred to the said Pieter Willem Eksteen for the purpose of storing water flowing from Lot A by means of a furrow into said dam to which water he is entitled by virtue of his ownership of Lot B3. He shall have the sole use of the said dam and furrow and he shall at all times have the right of access to same for the purpose of clearing and repairing same."

- C. **SUBJECT FURTHER** to the conditions referred to in terms of Deed of Grant dated 30 April 1839 in favour of J.C. Lotter and Others (Stellenbosch Quitrent Volume 12 No. 25) of all rates and regulations established or to be established in favour of land held thereby, which include the reservation in favour of the State of all rights on mines of gold, silver and precious stones as set out in Section 4 of the Proclamation of Sir John Cradock dated 6 August 1813 and referred to in Article 19 of Act No. 47 of 1937.
- II. **AS FAR AS** the figure xFG indicated on the said Diagram No. SG 11112/94 is concerned:-
- A. **SUBJECT** to the conditions referred to in Deed of Transfer No. T12290/1929.
- B. **SUBJECT** to terms of the endorsement dated 20th October 1905 on Deed of Transfer No. T5016/1900 reading:-
- "By Deed of Trfr. 9739 Octr. 1905 certain water rights attaching to this property are concerned to the land thereby conveyed as will more fully appear on reference to the said transfer."
- C. **SUBJECT** to the terms of the endorsement dated 17th January 1935 on Deed of Transfer No. T12290/1929 reading:

4.

"Registrasie van Serwituut.

Kragtens Not. Akte gedateer 22/12/34 is seker water regte toegeken aan die eiendom van die grond onder paragrawe 1 & 2 van Transport 151/1910, zoals meer ten volle zal blyke op hierdie van de hieraan gehecte kopie van gesegde Not. Akte."

III. **AS FAR AS** the figure FDE indicated on the said Diagram No. SG 11112/94 is concerned:-

- A. **SUBJECT** to the conditions referred to in Deed of Transfer No. T7199/1917.
- B. **SUBJECT** to the terms of the endorsement dated 17th January 1935 on Deed of Transfer No. T12290/1929 reading:

"Registrasie van Serwituut.

Kragtens Not. Akte gedateer 22/12/34 is seker water regte toegeken aan die eiendom van die grond onder paragrawe 1 & 2 van Transport 151/1910, zoals meer ten volle zal blyke op hieraan gehecte kopie van gesegde Not. Akte."

WHEREFORE / ...

**WHEREFORE** the Appearer, renouncing all the Right and Title which the **TRANSFEROR** heretofore had to the premises, did, in consequence also acknowledge the **TRANSFEROR** to be entirely dispossessed of, and disentitled to, the same; and that, by virtue of these Presents, the said **TRANSFEEE**, 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 **TRANSFEROR** to be satisfactorily paid the whole of the purchase money amounting to the sum of Seven Million Six Hundred Thousand Rand (R7 600 000,00).

In witness whereof, I, the said Registrar of Deeds, together with the Appearer, q.q., 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 the 11 day of MAY in the Year of our Lord, Two Thousand and One(2001).

q.q.

In my presence

Registrar of Deeds



**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

## **ANNEXURE G**





Cor Van Der Walt  
LandUse Management  
Email: LandUse.Elsenburg@elsenburg.com  
tel: +27 21 808 5099 fax: +27 21 808 5092

**OUR REFERENCE** : 20/9/2/5/4/239  
**YOUR REFERENCE** : LU/11346  
**ENQUIRIES** : Cor van der Walt

Peter G Mons  
PO Box 851  
PAARL  
6705

Att: Peter Mons

**PROPOSED CONSENT USE AND ADDITIONAL USE: PAARL  
FARM NO 1545**

Your email of 30 July 2020 has reference.

The Western Cape Department of Agriculture: Land Use Management has no objection against the proposed application.

Please note:

- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.
- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely

  
Mr. C.J. van der Walt

**LANDUSE MANAGER: LANDUSE MANAGEMENT**  
**2020-09-16**

Copy:

Stellenbosch Municipality  
PO Box 17  
STELLENBOSCH  
7599



---

**OUR REFERENCE** : 20/9/2/5/4/239  
**YOUR REFERENCE** : -  
**ENQUIRIES** : Cor van der Walt

Peter G. Mons Professional Town Planning Consultant  
PO Box 851  
ROBERTSON  
6705

Att: Peter Mons

**PROPOSED DEVELOPMENT: DIVISION PAARL  
REMINDER OF THE FARM NO 1545**

With reference, our previous letter dated 2020-09-16 of no objection and the site visit on Tuesday 8 June 2022, the Western Cape Department of Agriculture (WCDoA) has the following comment:

- a) The farming area is smaller than originally realised. The scattered distribution of the buildings, comprising the hotel development, is problematic from an agricultural perspective in that it creates competing rights and leads to the loss of potential arable land.
- b) The scale of the development in relation to the size of the property is not aligned with the intention of the farming enterprises in the rural area, relevant policies and guidelines as developed in cooperation with DEA&DP, and municipalities with the WCDoA.
- c) In principle the concept of a boutique hotel (max 12 rooms), clustered in one building is considered more appropriate in this context.

Please note:

- That this is comment to the relevant deciding authorities in terms of the Subdivision of Agricultural Land Act 70 of 1970.



Western Cape  
Government

Transport and Public Works



**ROAD NETWORK MANAGEMENT**

Email: Grace.Swanepoel@westerncape.gov.za

tel: +27 21 483 4669

Rm 335, 9 Dorp Street, Cape Town, 8001

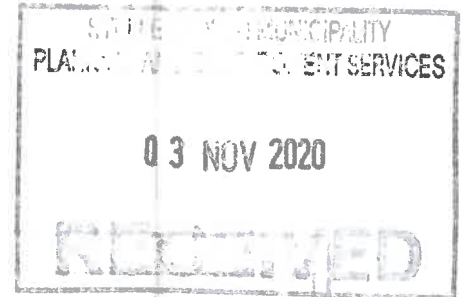
PO Box 2603, Cape Town, 8000

**REFERENCE: TPW/CFS/RP/LUD/REZ/SUB-25/371 (Job 27887)**

**ENQUIRIES: Ms GD Swanepoel**

**DATE: 29 September 2020**

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



F 1545 P

Attention: Mr U von Molendorff

Dear Sir,

**FARM 1545 PAARL: MAIN ROAD 191 (THE R45) FRANSCHHOEK PASS: APPLICATION FOR CONSENT USES AND ADDITIONAL USE**

1. E-mail to this Branch from Mr Peter Mons, Professional Planning Consultant, with attached Land Use Planning Application, Stellenbosch Municipal Reference No. LU/11346, dated 30 July 2020, refers.
2. Farm 1545, Paarl, is located on the south-east outskirts of Franschhoek. The farm extends on either side of Main Road 191 on the Franschhoek Pass, with access on the south side (ie. downslope) at ±km 27.62, and the opposite side forested or undeveloped.
3. This application is for the following:
  - 3.1 Consent Use to develop a country hotel with 45 guest rooms in existing and new buildings;
  - 3.2 Consent Use for a Tourist Facility consisting of a restaurant with a GLA of 268m<sup>2</sup>, a function venue for 150 guests, spa, wellness centre and other facilities supporting the country hotel;
  - 3.3 Additional Use (Agricultural Industry) to develop a winery and tasting room.
4. The application indicates that sufficient parking will be provided for the hotel, restaurant and staff, but additional guests at functions will be transported in minibuses from Franschhoek town.

5. The Traffic likely to be generated by the proposed land uses is not expected to result in any significant traffic impacts, provided that the intention of providing shuttles to serve the function venue is adhered to. No turn lanes will be required.
6. The current access is of concern for a number of reasons:
  - It intersects at an acute angle with Main Road 191
  - Shoulder sight distance to the right is substandard due to trees in the verge, which puts entering vehicles at risk from approaching vehicles on MR191, which are travelling downhill and therefore require greater stopping distance than on the level
  - While shoulder sight distance to the left is borderline acceptable, foliage in the verge requires some cutting back to ensure unobstructed visibility
  - The gradient of the driveway is steep and curved, requiring slow speeds when entering, but encouraging exiting vehicles to speed up in order to get to the top, whilst not having a clear view of just how close the edge of the main road is
  - The security gate is positioned on the steep driveway slope and cannot accommodate two-way traffic
- 6.1 Some but not all of these concerns are addressed in the application and appropriate improvements will be needed and an upgraded driveway design and access security system will need to be approved by this Branch and implemented prior to the issue of a completion certificate.
7. This Branch offers no objection to the land use application for Farm 1545, Paarl, as detailed above and in the application, subject to the following conditions:
  - 7.1 The access driveway shall be realigned to provide a 90° intersection with Main Road 191 (the R45). This shall include a level "landing area" at least 6m long to allow for easy entry into the main road. The access bellmouth shall be surfaced at least to the road reserve boundary.
  - 7.2 As part of the access upgrading, trees in the verge which are obstructing visibility to the right shall be removed and the stumps treated to prevent regrowth; foliage partially impeding visibility to the left shall be removed or cut back as required.
  - 7.3 Any access control system for the property shall be positioned at least 20m from the road edge of Main Road 191. Any security clearance system adopted shall ensure that the processing of entering vehicles is sufficiently speedy to avoid any tailback of vehicles onto Main Road 191. The driveway shall be designed to avoid entering vehicles being delayed by departing vehicles.
  - 7.4 The design of the access road upgrades shall be carried out by an appropriately registered person in accordance with this Department's design guidelines and requirements. Detailed drawings of the road geometry, pavement/materials,

drainage and road markings shall be submitted to the Design Chief Directorate (Mr Michael Hendrickse - e-mail: [Michael.Hendrickse2@westerncape.gov.za](mailto:Michael.Hendrickse2@westerncape.gov.za)) of this Branch for approval prior to the commencement of construction.

- 7.5 Detailed construction drawings and proposals for traffic accommodation during construction shall be submitted for approval to the District Roads Engineer, Paarl prior to construction. Clearance of foliage in sight lines shall be included in these works.
- 7.6 The Applicant's consultant or contractor shall accept the handing over of the site in writing from the Road Authority prior to construction.
- 7.7 After completion of the construction phases to the satisfaction of the District Roads Engineer, Paarl, the Road Authority shall accept in writing the handing over of the site from the Applicant's consultant or contractor.
- 7.8 As built drawings shall be sent to this Branch (Ms GD Swanepoel), the District Roads Engineer, Paarl (Mr S Bain - e-mail: [Stewart.Bain@westerncape.gov.za](mailto:Stewart.Bain@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 faithfully



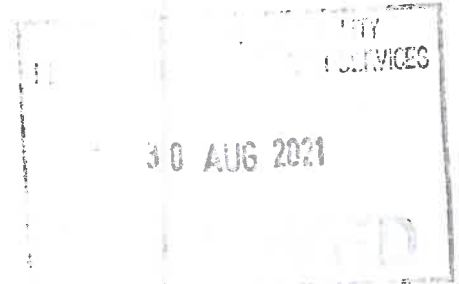
**SW CARSTENS**  
For **CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT**



Western Cape  
Government

Department of Environmental Affairs and Development Planning  
**Bernadette Osborne**  
Development Management: Region 1  
[Bernadette.Osborne@westerncape.gov.za](mailto:Bernadette.Osborne@westerncape.gov.za) | Tel: 021 483 3679

**REFERENCE:** 16/3/3/1/B3/28/1068/20  
**ENQUIRIES:** BERNADETTE OSBORNE  
**DATE OF ISSUE:** 27 AUGUST 2021



The Board of Directors  
Fivefold Investments 1 (Pty) Ltd  
PO Box 742  
**VAALWATER**  
0530

**Attention: Mr Jasper Bruinsma**

F 1545 P

Cell: 060 504 2930  
E-mail: [jasper@mhondoro.com](mailto:jasper@mhondoro.com)

Dear Sir

**APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014: THE DEVELOPMENT OF A COUNTRY HOTEL WITH ASSOCIATED FACILITIES AND SERVICE INFRASTRUCTURE ON A PORTION OF FARM NO. 1545, PAARL.**

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, together with the reasons for the decision.
2. In terms of Regulation 4 of the EIA Regulations, 2014, 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 Appeal Regulations, 2014, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached Environmental Authorisation.

Yours faithfully

**Zaahir Toefy**

Digitally signed by Zaahir Toefy  
Date: 2021.08.27 09:50:19  
+02'00'

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)  
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

Cc: (1) Ms Adél Groenewald (Doug Jeffery Environmental Consultants Pty Ltd) E-mail: [Adel@dougjeff.co.za](mailto:Adel@dougjeff.co.za)  
(2) Mr Schalk van der Merwe (Stellenbosch Municipality) E-mail: [Schalk.VanderMerwe@stellenbosch.gov.za](mailto:Schalk.VanderMerwe@stellenbosch.gov.za)





**REFERENCE:** 16/3/3/1/B3/28/1068/20  
**NEAS REFERENCE:** WCP/EIA/0000843/2020  
**ENQUIRIES:** Bernadette Osborne  
**DATE OF ISSUE:** 27 August 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: THE DEVELOPMENT OF A COUNTRY HOTEL WITH ASSOCIATED FACILITIES AND SERVICE INFRASTRUCTURE ON A PORTION OF FARM NO. 1545, PAARL.**

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

### 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, the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the Preferred Layout Alternative D described in the Basic Assessment Report ("BAR"), dated 11 May 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

Fivefold Investments 1 (Pty) Ltd  
c/o Mr Jasper Bruinsma  
PO Box 742  
**VAALWATER**  
0530  
Cell: 060 504 2930  
E-mail: [jasper@Mhondoro.com](mailto:jasper@Mhondoro.com)

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

## B. ACTIVITY AUTHORISED

Listed Activity	Project Description
<p><b>Listing Notice 1 –</b>  <b>Activity Number: 12</b>  <i>The development of—</i></p> <p>(i) <i>dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</i></p> <p><b>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</b></p> <p><i>where such development occurs—</i></p> <p><b>(a) within a watercourse;</b>  <b>(b) in front of a development setback; or</b>  <b>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —</b></p> <p><i>excluding—</i></p> <p>(aa) <i>the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</i></p> <p>(bb) <i>where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</i></p> <p>(cc) <i>activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</i></p> <p>(dd) <i>where such development occurs within an urban area;</i></p> <p>(ee) <i>where such development occurs within existing roads, road reserves or railway lines; or</i></p> <p>(ff) <i>the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.</i></p>	<p>Sections of the hotel and restaurant will extend into the 32-metre buffer area of the watercourses. The infrastructure will have a physical footprint of more than 100 square meters.</p>
<p><b>Listing Notice 1 –</b>  <b>Activity Number: 19</b>  <b>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand,</b></p>	<p>The development of a bridge crossing a watercourse and the upgrading of an existing road crossing a watercourse will collectively require</p>

<p><b>shells, shell grit, pebbles or rock or more than 10 cubic metres from a watercourse;</b></p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving-</p> <p>(a) Will occur behind a development setback;</p> <p>(b) Is for maintenance purposes undertaken in accordance with a maintenance management plan;</p> <p>(c) Falls within the ambit of activity 21 in this Notice, in which case that activity applies.</p> <p>(d) Occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>(e) Where such development is related to the development of a port or harbor, in which case activity 26 in Listing Notice 2 of 2014 applies.</p>	<p>the infilling and removal of more than 10 cubic meters of material into or from the respective watercourses.</p>
<p><b>Listing Notice 1 –</b>  <b>Activity Number: 48</b>  <b>The expansion of-</b></p> <p>(i) <b>infrastructure or structures where the physical footprint is expanded by 100 square metres or more; or</b></p> <p>(ii) dams or weirs, where the dam or weir, including infrastructure and water surface area, is expanded by 100 square metres or more;</p> <p>where such expansion occurs –</p> <p>(a) within a watercourse;</p> <p>(b) in front of a development setback; or</p> <p>(c) <b>if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse</b></p> <p>excluding-</p> <p>(aa) the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</p> <p>(bb) where such expansion activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies; (cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 23 in</p>	<p>The expansion of existing buildings that will extend into the 32-metre buffer area of the watercourses.</p>

<p><i>Listing Notice 3 of 2014, in which case that activity applies;</i></p> <p><i>(dd) where such expansion occurs within an urban area; or</i></p> <p><i>(ee) where such expansion occurs within existing roads, road reserves or railway line reserves.</i></p>	
<p><b>Listing Notice 3 –</b></p> <p><b>Activity Number: 6</b></p> <p><b>The development of resorts, lodges, hotels, tourism or hospitality facilities that sleeps 15 people or more.</b></p> <p><b>i. Western Cape</b></p> <p><i>i. Inside a protected area identified in terms of NEMPAA;</i></p> <p><b>ii. Outside urban areas;</b></p> <p><i>(aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or</i></p> <p><b>(bb) Within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve; -</b></p> <p><i>excluding the conversion of existing buildings where the development footprint will not be increased.</i></p>	<p>The development of a boutique country hotel that sleeps more than 15 people. The site is located outside the urban area of Franschoek and less than 500 metres from the Mont Rochelle Nature Reserve, which is a protected area.</p>

The abovementioned activities are hereinafter referred to as "**the listed activities**".

The holder is herein authorised to undertake the following alternative that includes the listed activities:

The development of a country hotel and tourist facility complex located within six precincts. The hotel complex will have 43 bedrooms with the capacity to accommodate a maximum of 86 guests. The existing buildings have an approximate combined footprint of 2 503 m<sup>2</sup>, while the new extensions will collectively measure approximately 3 184 m<sup>2</sup>. This excludes the terraces and pool areas. The development will include the construction of a bridge crossing a watercourse and the upgrading of an existing road crossing a watercourse. The development also includes 11 villas split into three clusters located across the site. The six precincts of the development are described in more detail below:

**Precinct 1**

This precinct includes the upgraded site entrance to improve safety, a gate house set back from the entrance intersection, upgraded internal access roads, and a new parking area of 42 bays. The area adjacent to the gate house will be landscaped.



#### Precinct 2

This precinct is centred around the primary dwelling (Manor House) and two-bedroom guest cottage (Family Suite 1), which will be upgraded and extended. The facilities will include communal areas, five guest suites, a separate two-bedroom family suite, a 60-seater restaurant, associated facilities such as a hotel bar, a winery with a tasting room, parking bays, a new pool and relaxation area, a landscaped children's play area, parking for staff vehicles, an area for deliveries, a maintenance shed, a greenhouse and extensive landscaping. The restaurant and associated areas will be made available to house functions for up to 150 persons.

#### Precinct 3

This precinct will contain terraces and a small dam where a drinks deck will be constructed.

#### Precinct 4

This precinct will consist of:

- A family suite (Family Suite 2) with a footprint of approximately 214 m<sup>2</sup> with a deck and pool.
- A wellness centre with a footprint of approximately 587 m<sup>2</sup>. This facility will primarily serve the needs of the hotel guests but will also be open to the public. The sauna, hot tub and pavilion decks will be raised on stilts to avoid potential impacts on the environmental sensitivities.
- A new three-bedroom owner's villa, together with several terraces and a pool with a footprint of approximately 742 m<sup>2</sup>. The rooms in the dwelling will be made available to the hotel for bookings when not occupied by the owner.
- Four double suite villas with the internal areas of the two-bedroom villas restricted to an area of 120 m<sup>2</sup>. These villas will be positioned on the lower reaches of the central vineyard area, within the owner's villa and wellness precinct. These villas will be located behind the owner's villa but will overlook the single storey structures due to the slope of the site. It will be served by a new golf cart access path behind the villas.

#### Precinct 5

This precinct is centred around the existing second primary dwelling (Orchard House), which will be upgraded and extended to contain nine guest suites, each with its own terrace. It includes a manager's studio flat, storage areas, as well as a wine cellar in the basement. The swimming pool surrounded by a covered terrace and open deck will be upgraded and the immediate area will be suitably landscaped. The existing agricultural store of 70m<sup>2</sup> will be extended by 70m<sup>2</sup>. This will continue to be used as an agricultural building.

#### Precinct 6

This precinct will consist of seven new double suite villas arranged along the existing vineyard access road. The internal areas of the two-bedroom villas are restricted to an area of 120m<sup>2</sup>. The access road is proposed to be realigned to follow the contours more closely, to be more in keeping with the meandering design of the other access road on the farm. The seven villas will be in two distinct clusters along this road, with an olive grove and vineyard between the two clusters.

### C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on a portion of Farm No. 1545, Paarl and has the following co-ordinates:

	Latitude (S)	Longitude (E)
--	--------------	---------------

Co-ordinates:	33° 55' 27.23" South	19° 8' 20.24" East
---------------	----------------------	--------------------

The SG digit code is: C05500000000154500000

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

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

#### D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Doug Jeffery Environmental Consultants (Pty) Ltd  
c/o Ms Adél Groenewald  
PO Box 44  
**KLAPMUTS**  
7625  
Tel: (021) 875 5272  
Email: Adel@dougjeff.co.za

#### E. CONDITIONS OF AUTHORISATION

##### Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to preferred Layout Alternative D described in the BAR dated 11 May 2021 on the site as described in Section C above.
2. The holder must commence with the listed activities on the site within a period of **five years** from the date issue of this Environmental Authorisation.
3. The development must be concluded within **ten years** from the date of commencement of the listed activities.
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.



### **Written notice to the Competent Authority**

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

6.1 The notice must make clear reference to the site details and EIA Reference number given above.

6.2 The notice must also include proof of compliance with the following conditions described herein:

Conditions: 7, 8 and 11

### **Notification and administration of appeal**

7. 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 detailed in Section F below;

7.3 draw the attention of all registered I&APs to the manner in which they may access the decision;

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,

7.4.6 the 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.

8. The listed activities, including site preparation, may not commence within 20 (twenty) calendar days from the date of issue of this Environmental Authorisation. 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.

### **Management of activity**

9. The draft or Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
10. 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"), or site agent where appropriate, before commencement of any land clearing or construction activities to ensure compliance with the provisions of the EMPr and the conditions contained herein.
12. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activities, and must be made available to anyone on request, including a publicly accessible website.
13. Access to the site referred to in Section C above 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**

14. In terms of Regulation 34 of the NEMA EIA Regulations, 2014, the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr. The Environmental Audit Report must be prepared by an independent person and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014.

The holder must undertake an environmental audit and submit Environmental Audit Reports to the Competent Authority once a year during the construction phase. The final Environmental Audit Report must be submitted to the Competent Authority within three months after all the expansion activities have been completed.

The holder must, within 7 days of the submission of each of the above-mentioned reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).



## Specific Conditions

15. 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 palaeontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts 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.

16. 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 activities.
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 a 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 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 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.

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 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 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

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 e-mail to [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 3721. 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 Environmental Authorisation 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: 2021.08.27  
09:51:19 +02'00'

**MR. ZAAHIR TOEFY**

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

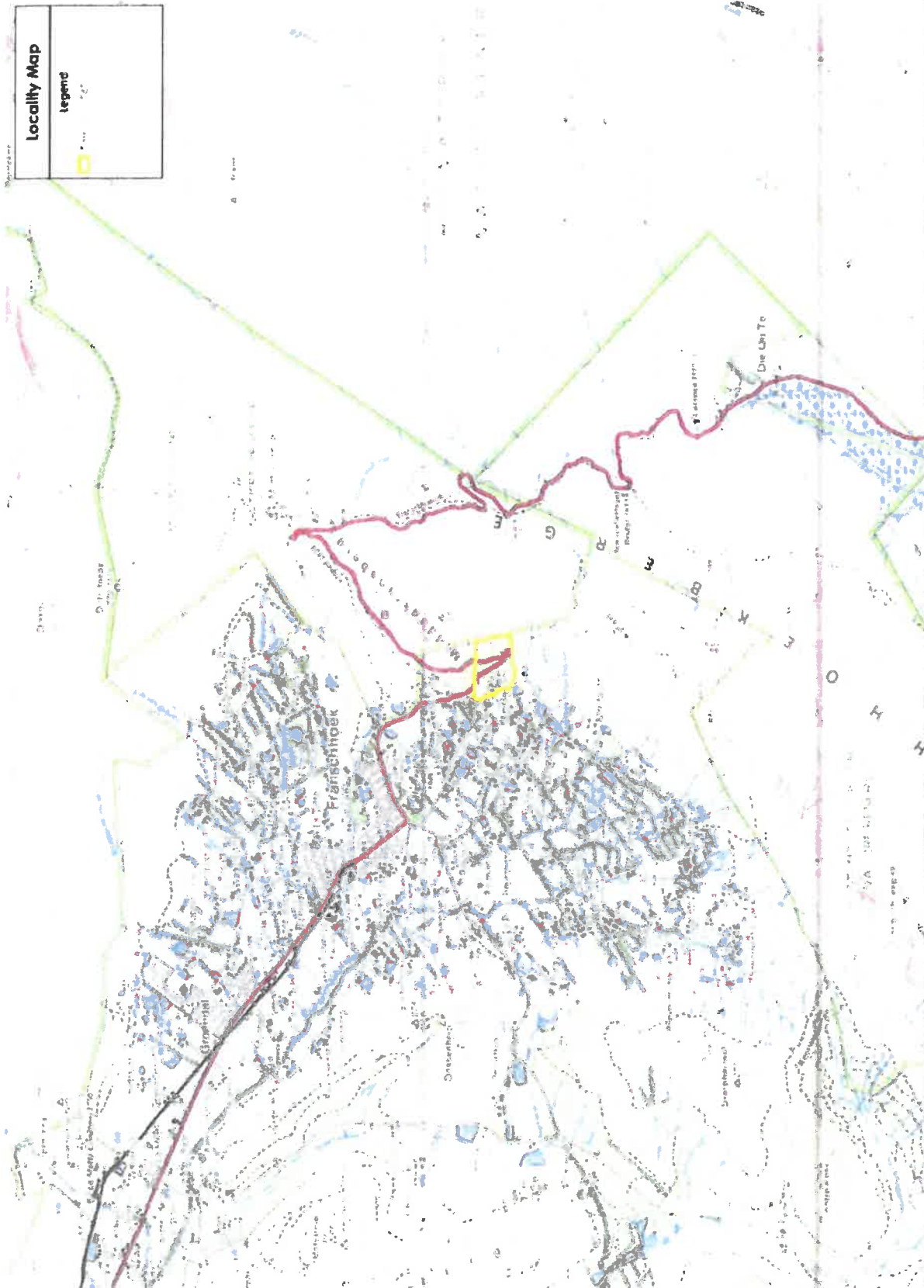
**DATE OF DECISION: 27 AUGUST 2021**

Cc: (1) Ms Adel Groenewald (Doug Jeffery Environmental Consultants Pty Ltd)  
(2) Mr Schalk van der Merwe (Stellenbosch Municipality)

E-mail: [Adel@dougjell.co.za](mailto:Adel@dougjell.co.za)  
E-mail: [Schalk.VanderMerwe@stellenbosch.gov.za](mailto:Schalk.VanderMerwe@stellenbosch.gov.za)



**ANNEXURE 1: LOCALITY MAP**



<b>Locality Map</b>	
<b>Legend</b>	




Department of Environmental Affairs and Development Planning  
 Western Cape Government  
 111 Waterlooville Road  
 Waterlooville, 7800  
 Telephone: 021 885 2000  
 Fax: 021 885 2001  
 Email: [depa@westerncape.gov.za](mailto:depa@westerncape.gov.za)  
[www.westerncape.gov.za](http://www.westerncape.gov.za)



**ANNEXURE 2: SITE PLAN**



1	1:10,000
2	1:20,000
3	1:50,000
4	1:100,000
5	1:200,000
6	1:500,000
7	1:1,000,000
8	1:2,000,000
9	1:5,000,000
10	1:10,000,000
11	1:20,000,000
12	1:50,000,000
13	1:100,000,000
14	1:200,000,000
15	1:500,000,000
16	1:1,000,000,000


  
 d h k
 

Project No.	1000000000
Project Name	1000000000
Project Manager	1000000000
Project Status	1000000000
Project Start	1000000000
Project End	1000000000



Site Master Plan - District 4 (Preferred Option)

## **ANNEXURE 3: REASONS FOR THE DECISION**

In reaching its decision, the Competent Authority considered, inter alia, the following:

- a) The information contained in the Application Form and the draft Basic Assessment Report received by the Department on 3 December 2020, the EMPr submitted together with the final Basic Assessment Report dated 11 May 2021 and received on 12 May 2021;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the Basic Assessment Report received on 12 May 2021; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

No site visits were conducted. The Competent Authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

### **1. Public Participation**

The public participation process included:

- identification of and engagement with I&APs;
- notices were placed at the entrance to the site and at the nearby local supermarket;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities are to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 5 August 2020;
- the placing of a newspaper advertisement in the 'Eikestadnuus' on 6 August 2020;
- making the pre-application Draft BAR available for comment from 6 August 2020;
- making the in-process Draft BAR available for comment from 4 December 2020; and
- making the in-process Revised Draft BAR available for comment from 1 April 2021.

The Department is satisfied that the Public Participation Process that was followed met the minimum legal requirements and the comments raised and responses thereto were included in the comments and response report.

Specific alternatives, management and mitigation measures have been considered in this Environmental Authorisation and EMPr to adequately address the concerns raised.

### **2. Alternatives**

#### **Layout Alternative A**

This alternative entails the development of a country hotel and tourist facility complex located within 6 precincts. These precincts will consist of:

- An adjusted entrance with a gate house structure, and a parking area providing 42 guest parking bays.

- The primary Manor House hotel complex containing 5 guest suites, a 60-seater restaurant, which on occasion will be used as a function venue, a winery and tasting area, a two-bedroom cottage, a children's play area, a tennis court, a pool complex, as well as 5 further parking bays and 13 staff parking bays.
- A wellness centre and a two-bedroom family villa together with a three-bedroom owner's villa, which will be available to guests when not occupied by the owner.
- The secondary Orchard House hotel complex containing 9 guest suites, guest facilities and a wine cellar.
- 12 new guest villas of two designs, each containing 2 guest suites.

The hotel complex will include 45 bedrooms with the capacity to accommodate a maximum of 90 guests. The existing buildings have an approximate combined footprint of 2 503 m<sup>2</sup> while the new extensions will collectively measure approximately 3 302m<sup>2</sup>. This excludes the terraces and pool areas. This alternative was not preferred since it does not consider the recommendations made by the Heritage Impact Assessment ("HIA"). Due to the recommendations of the HIA and the comments received on the pre-application Draft BAR, this alternative had to be revised by removing the 12th Villa from Precinct 6.

### **Layout Alternative B**

This alternative entails the development of a country hotel and tourist facility complex distributed over six precincts. The six precincts will contain the following facilities:

- an adjusted entrance with a gate house structure, and a parking area providing 40 guest parking bays.
- the primary Manor House hotel complex containing five guest suites, a 60-seater restaurant which on occasion will be used as a function venue, a winery and tasting area, a two-bedroom cottage, a children's play area, a tennis court, a pool complex, as well as 5 further parking bays and 13 staff parking bays.
- a wellness centre and a two-bedroom family villa together with a three-bedroom owner's villa, which will be available to guests when not occupied by the owner.
- the secondary Orchard House hotel complex containing nine guest suites, guest facilities and a wine cellar.
- 11 new guest villas of two designs, each containing two guest suites.

The hotel complex will have 43 bedrooms with the capacity to accommodate a maximum of 86 guests. The existing buildings have a combined footprint of approximately 2 503m<sup>2</sup> while the new extensions will collectively measure approximately 3 184m<sup>2</sup>. This excludes the terraces and pool areas. During the Heritage Western Cape ("HWC") Impact Assessment Committee ("IACom") meeting held on 10 March 2021, the committee requested that the rectilinear arrangement of the villas and the formal street-like environment for this alternative be reconsidered. Alternative B was therefore not preferred.

### **Layout Alternative C1**

This alternative also entails the proposed development of a country hotel and tourist facility complex located within six precincts. The proposed eleven villas have been split into several clusters that have been relocated across the site as follows:

- Six villas will be located along the existing vineyard access road. The access road will be realigned to follow the contours more closely, so that it is more in keeping with the meandering design of the other access road on the farm. The six villas will be located in two distinct clusters along this road, with an olive grove and vineyard between the two clusters. The orientation of the villas has been adjusted to respond to the new road alignment, while still capturing the views.
- Three villas are proposed to be relocated to the lower reaches of the central vineyard area, within the owner's villa and wellness precinct (Precinct 4). These villas will be located behind the owner's villa but will overlook this single storey structure due to the



slope of the site. It will be served by a new golf cart access path behind the villas. The relocation of these villas to the lower reaches of the central vineyard reduces the visual impact of the central villa grouping, allowing the creation of two distinct and more informally sited clusters of villas in that area, while also creating a new cluster of buildings within the owner's villa and wellness precinct. The villas are orientated towards the views.

- The last two villas are proposed to be relocated to the leisure precinct of the site. The villas will be located below the existing dam area, and the tennis court is proposed to be relocated alongside the dam. Relocating these villas to the lower reaches of the site and into another extensively disturbed area creates a new cluster of villas that are closely linked with the buildings within the owner's villa and wellness precinct.

This layout addresses HWC's comments regarding the rectilinear arrangement of the villas and the formal street-like environment this created, however from a freshwater perspective this alternative is not deemed feasible as the tennis court in Precinct 3 and one villa in Precinct 4 encroaches into wetlands. Alternative C1 was therefore not preferred.

### **Layout Alternative C2**

This alternative also entails the proposed development of a country hotel and tourist facility complex located within six precincts. The proposed eleven villas have been split into several clusters that have been relocated across the site. As with Alternative C1, six villas have been located in two distinct clusters along the realigned access road between the olive grove and vineyard. Three villas have been located behind the owner's villa. The final two villas have been located on the lowest reaches of the central vineyard area and will be accessed via the existing access road to the manager's house that is proposed for demolition. The access road will be realigned and extended slightly to allow access to all the hotel suites within the villas.

With Alternative C2, the villas in Precinct 6 were reduced from 11 to eight. The six villas located along the access road will be broken into two clusters with landscaping in between. Two villas were moved to less visually prominent lower reaches of the vineyard slope in Precinct 6. The existing access road to the existing managers house (to be demolished) will be reused and realigned to provide access to these villas. Three villas were moved to Precinct 4 to create a cluster of buildings on a less visually prominent area of the site. The tennis court is proposed below the existing dam outside of any watercourses.

Alternative C2 is not preferred as the two villas located on the lowest reaches of the central vineyard are not well located to capture the views of the valley below. Due to their elevation and the slightly gentler slope on this part of the site, they will look directly into the canopy of the remnants of a Bluegum plantation on the neighbouring property. Due to the less dramatic slope in this area, they will also be more heavily impacted by movement along the main access road to the orchard house as they are not as elevated above the road as the villas above the owner's villa.

### **Layout Alternative C3**

This alternative also entails the proposed development of a country hotel and tourist facility complex located within six precincts. As with Alternatives C1 and C2 the proposed eleven villas have again been split into a number of clusters that have been relocated across the site. The differences between Alternatives C2 and C3 are that the villas in Precinct 6 were reduced from 11 to eight villas and are all located along the access road. These villas will be broken into 2 clusters with landscaping in between.

This layout addresses HWC's comments regarding the rectilinear arrangement of the villas and the formal street-like environment this created, however from a freshwater perspective



this alternative is not deemed feasible as the tennis court in Precinct 3 and one villa in Precinct 4 encroaches into wetlands.

#### **Layout Alternative D (Preferred and herewith authorised)**

The alternative entails the development of a country hotel and tourist facility complex located within six precincts. The hotel complex will have 43 bedrooms with the capacity to accommodate a maximum of 86 guests. The existing buildings have an approximate combined footprint of 2 503 m<sup>2</sup>, while the new extensions will collectively measure approximately 3 184 m<sup>2</sup>. This excludes the terraces and pool areas. The development will include the construction of a bridge crossing a watercourse and the upgrading of an existing road crossing a watercourse. The development also includes 11 villas split into three clusters located across the site. The six precincts of the development are described in more detail below:

##### **Precinct 1**

This precinct includes the upgraded site entrance to improve safety, a gate house set back from the entrance intersection, upgraded internal access roads, and a new parking area of 42 bays. The area adjacent to the gate house will be landscaped.

##### **Precinct 2**

This precinct is centred around the primary dwelling (Manor House) and two-bedroom guest cottage (Family Suite 1), which will be upgraded and extended. The facilities will include communal areas, five guest suites, a separate two-bedroom family suite, a 60-seater restaurant, associated facilities such as a hotel bar, a winery with a tasting room, parking bays, a new pool and relaxation area, a landscaped children's play area, parking for staff vehicles, an area for deliveries, a maintenance shed, a greenhouse and extensive landscaping. The restaurant and associated areas will be made available to house functions for up to 150 persons.

##### **Precinct 3**

This precinct will contain terraces and a small dam where a drinks deck will be constructed.

##### **Precinct 4**

This precinct will consist of:

- A family suite (Family Suite 2) with a footprint of approximately 214 m<sup>2</sup> with a deck and pool.
- A wellness centre with a footprint of approximately 587 m<sup>2</sup>. This facility will primarily serve the needs of the hotel guests but will also be open to the public. The sauna, hot tub and pavilion decks will be raised on stilts to avoid potential impacts on the environmental sensitivities.
- A new three-bedroom owner's villa, together with several terraces and a pool has a total footprint of approximately 742 m<sup>2</sup>. The rooms in the dwelling will be made available to the hotel for bookings when not occupied by the owner.
- Four double suite villas with the internal areas of the two-bedroom villas restricted to an area of 120 m<sup>2</sup>. These villas will be positioned on the lower reaches of the central vineyard area, within the owner's villa and wellness precinct. These villas will be located behind the owner's villa but will overlook the single storey structures due to the slope of the site. It will be served by a new golf cart access path behind the villas.

##### **Precinct 5**

This precinct is centred around the existing second primary dwelling (Orchard House), which will be upgraded and extended to contain nine guest suites each with its own terrace. It includes a manager's studio flat, storage areas, as well as a wine cellar in the basement. The swimming pool surrounded by a covered terrace and open deck will be upgraded and the immediate area will be suitably landscaped. The existing agricultural

store of 70m<sup>2</sup> will be extended by 70m<sup>2</sup>. This will continue to be used as an agricultural building.

#### Precinct 6

This precinct will consist of seven new double suite villas arranged along the existing vineyard access road. The internal areas of the two-bedroom villas are restricted to an area of 120m<sup>2</sup>. The access road is proposed to be realigned to follow the contours more closely, to be more in keeping with the meandering design of the other access road on the farm. The seven villas will be in two distinct clusters along this road, with an olive grove and vineyard between the two clusters.

This alternative was preferred since it considers both the HWC IACom comments, as well as the freshwater constraints.

#### **No-go Alternative**

The alternative entails the *status quo* or current land use of the property being maintained. The current levels of alien infestation are likely to increase and the extent of erosion within ephemeral and seasonal watercourses will continue to worsen. There is no difference in the agricultural impact between the development and the option of not implementing the activity. The no-go alternative will however result in new employment, business, and tourism opportunities being forfeited for the town of Franschoek and the local area. This alternative is therefore not preferred.

### **3. Impact Assessment and Mitigation measures**

#### 3.1 Activity need and desirability

The development is in line with the provisions of the Provincial Spatial Development Framework of the Western Cape. The development will not compromise the biodiversity, farming activities and the cultural and scenic landscape of the site and are of an appropriate scale and form to fit in with the context of the landscape. The development will create employment opportunities for the surrounding community and will contribute to the local economy.

#### 3.2 Biophysical Impacts

Based on the findings of the Terrestrial Biodiversity Compliance Statement compiled by Bergwind Botanical Survey and Tours cc dated 17 March 2020, no indigenous vegetation is present on the site due to the site being cultivated with vineyards, olive groves and other fruit trees. The site is entirely transformed and would not negatively impact on any natural plant community.

Several watercourses are present on the site, including six tributaries of the Franschoek River and five seasonal seep wetlands. These watercourses have been subject to several impacts associated with the expansion of farming activities, water abstraction, and alien plant invasion. Despite their poor condition, some of these watercourse systems still provide some habitat for aquatic or semi-aquatic fauna and perform several functions at a local scale. The location of the development was therefore carefully considered (with input from the Freshwater specialist) to avoid any impacts that could be detrimental to the watercourses present on the site. The recommended mitigation measures of the Freshwater Impact Assessment compiled by Freshwater Consulting dated October 2020 have been included in the Environmental Management Programme and the preferred layout was informed by the specialist input. The preferred and herewith authorised layout alternative is acceptable from a freshwater perspective and according to the subsequent Freshwater Specialist Statement compiled by Freshwater Consulting dated 29 March 2021, it does not encroach into any wetland habitat present on the site. An application for a Water Use

License in terms of the National Water Act, 1998 (Act 38 of 1998) has been submitted to the Department of Water and Sanitation, which will further investigate the watercourse related impacts.

### 3.3 Heritage Impacts

A Heritage Impact Assessment including a Visual Impact Assessment was undertaken by Bridget O'Donoghue dated 12 May 2020. Based on the findings of the assessment, the site is located in a Grade II landscape unit and adjacent to a Grade II scenic route. The assessment recommended that Villa 12 and the associated roadway must be removed from Layout Alternative A, or relocated, since these structures are intrusive on the vineyards. Layout Alternative B, which became the new preferred layout alternative, was therefore developed. Layout Alternative B is similar to Layout Alternative A, with the only difference being that it has 11 villas in Precinct 6.

During the HWC IACom meeting held on 10 March 2021, the committee requested that the rectilinear arrangement of the villas and the formal street-like environment for Layout Alternatives B must be reconsidered. Three new layout alternatives were subsequently formulated and considered. Alternative C consisted of three layout options, Layout Alternatives C1, C2 and C3. The difference between these three alternatives was the location (clustering) of the villas. Alternatives C1, C2 and C3, were presented at the HWC IACom meeting held on 14 April 2021. The HWC IACom indicated their support for Alternative C1 but noted environmental concerns regarding Villa 11 that was situated within the watercourse buffer closest to the tennis courts. The HWC IACom further stated that they support the replacement of Villa 11 to above the roadway on the edge of the orchard as close to the watercourse buffer as allowable on the northern side of the orchard. Since Alternative C1 was supported by the HWC IACom, it was decided to revise this layout to consider the freshwater constraints whilst responding to the comments from the HWC IACom. Layout Alternative D, the new preferred alternative, resulted from these changes and is therefore supported from a heritage perspective.

The development will result in both negative and positive impacts.

#### **Negative Impacts:**

The development will have a limited negative biophysical impact due to the potential impacts on the watercourses present on the site. These impacts will however be mitigated to a satisfactory level with the implementation of the recommended mitigation measures, the preferred layout alternative and adherence to the EMPr.

#### **Positive Impacts:**

The development will not compromise the biodiversity, farming activities and the cultural and scenic landscape of the area and are of an appropriate scale and form to fit in with the context of the landscape. The development will create employment opportunities for the surrounding community and contribute to the local economy.

## 4. National Environmental Management Act Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;

- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

## 5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

-----END-----







Western Cape  
Government

Transport and Public Works

**ROAD NETWORK MANAGEMENT**

Email: [Grace.Swanepoel@westerncape.gov.za](mailto:Grace.Swanepoel@westerncape.gov.za)

tel. +27 21 483 4669

Rm 335, 9 Dorp Street, Cape Town, 8001

PO Box 2603, Cape Town, 8000

PP 1545

**REFERENCE: TPW/CFS/RP/LUD/REZ/SUB-25/371 (Job 27887)**

**ENQUIRIES: Ms GD Swanepoel**

**DATE: 20 January 2021**

Doug Jeffery Environmental Consultants  
PO Box 44  
**KLAPMUTS**  
7625

Attention: Ms Adel Groenewald

Dear Madam

**MAIN ROAD 191 FRANSCHHOEK PASS: FARM 1545 PAARL: PRE-APPLICATION PUBLIC PARTICIPATION PROCESS**

1. The following refer:
  - 1.1 Your e-mail to Ms Grace Swanepoel of this Branch, DEA&DP Ref. No. 16/3/3/6/7/1/B3/28/1087/20 dated 5 August 2020;
  - 1.2 This Branch's letter TPW/CFS/RP/LUD/REZ/SUB-25/371 (Job 27887) dated 7 September 2020 to you;
  - 1.3 E-mail from Peter Mons, Town Planner, dated 30 July 2020 with link to the land use application for Farm 1545, Paarl;
  - 1.4 This Branch's letter TPW/CFS/RP/LUD/REZ/SUB-25/371 (Job 27887) dated 29 September 2020 to Stellenbosch Municipality, giving this Branch's comments on the land use application;
  - 1.5 Your e-mail dated 3 December 2020 with link to Draft Basic Assessment Report for the proposed development on Farm 1545, Paarl.
2. Farm No. 1545, Paarl is located  $\pm$ 3km. south-east of the centre of Franschhoek and takes access off the south side of Main Road 191, the R45, Franschhoek Pass.
3. The owner plans to develop a boutique hotel of 43 guest bedrooms, with associated facilities and services infrastructure.

STELLENBOSCH MUNICIPALITY  
PLANNING AND DEVELOPMENT SERVICES

22 JAN 2020

**RECEIVED**



4. Shoulder sight distance to the right from the access along Main Road 191 is limited by pine trees in the road verge, which will need to be removed to ensure visibility of vehicles approaching the access in the downhill direction on the Pass. Some foliage clearance to the left will also be required to ensure clear sight lines for traffic exiting the property.
5. The approach to Main Road 191 will also require some realignment. This is detailed in this Branch's conditions which are given in the comments on the land use application.
6. The security clearance arrangements and positioning required to ensure that entering vehicles do not cause congestion on Main Road 191 are given in the comments on the land use application.
7. This Branch offers no objection in principle to the development proposal.

Yours faithfully



**SW CARSTENS**

For **DEPUTY DIRECTOR-GENERAL: ROADS**



# CAPE WINELANDS DISTRICT

MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

NAVRAE/ENQUIRIES/IMBUZO:  
TELEFOON/TELEPHONE/UMNXEBA:  
FAKS/FAX/FEKSI:  
E-POS/E-MAIL/E-MAIL:  
U VERW/YOUR REF/REF YAKHO:  
ONS VERW/OUR REF/REF YETHU:

Mnr. M. Mathee  
021-8711001  
021-8721277  
mathee@capewinelands.gov.za  
Farm 1545, Paarl (LU/11346)  
Farm No. 1545

Alexanderstraat 46 Alexander Street  
E3 100  
STELLENBOSCH  
PLANNING SERVICES  
05 NOV 2020  
28 July 2020

The Municipal Manager  
Stellenbosch Municipality  
P.O. Box 17  
STELLENBOSCH  
7599

Director: Planning & Economic Development

Dear Sir / Madam

## APPLICATION FOR CONSENT USE: FARM 1545, PAARL DIVISION

Your email dated 16 July 2020 refers.

From an environmental health perspective, this application may be recommended for approval, if the following conditions are complied with:

### 1. Environmental Pollution

- 1.1 No pollution such as water, air, dust or noise pollution may occur on any part of the premises during the construction phase of the proposed development. Proper preventative measures must be put in place.
- 1.2 On the basis of the application/proposed industry it is recommended that the developers carry out a comprehensive Environmental Impact Assessment (EIA), which must be submitted to Stellenbosch Municipality before the application may be approved.

### 2. Sewage / Sanitary Facilities

- 2.1 The sewage disposal from the proposed development must adhere to specifications, conditions and approval received from the National Department of Water & Sanitation.
- 2.2 Sewage disposal on the premises must at all times take place in a nuisance-free manner and shall be the owner's responsibility.
- 2.3 Toilet facilities must adhere to National Building Regulations standards.
- 2.4 Disabled toilet facilities must be provided.

Alle korrespondensie moet aan die Munisipale Bestuurder gerig word/  
All correspondence to be addressed to the Municipal Manager/Yonke imbalelwano mayithunyelwe kuMlawuli kaMasipala  
Telefoon/Telephone/Umnxeba: 0881 265 263 • E-pos/E-mail/E-mail: [admin@capewinelands.gov.za](mailto:admin@capewinelands.gov.za) • Faks/Fax/FEKSI: 023 342 8442

3. **Potable Water / Storm water**

- 3.1 Drinking water on the premises must at all times comply with the minimum bacteriological and chemical standards for potable water, as determined by SANS 241.
- 3.2 The collection and subsequent disposal of storm water must be approved by the Department of Water & sanitation.

4. **Solid Waste Disposal**

- 4.1 Refuse collection and storage must be done in a way that will not cause a health nuisance.
- 4.2 Refuse collecting and removal must be nuisance free at all time.
- 4.3 The proposed facilities must be provided with a refuse area that complies with the following:
- 4.3.1 Large enough to store all the refuse generated on the premises
- 4.3.2 Inaccessible to the public, i.e. equipped with a lockable door or gate
- 4.3.3 A smooth, washable floor surface, constructed at an angle to direct drainage to a specific point
- 4.3.4 A catchment pit connected to the sewerage system
- 4.3.5 Rodent and insect proof according to the best available method.

5. **Food Handling**

- 5.1 **All areas where food is handled**, must comply with the minimum structural and hygiene requirements for food handling premises, as determined in Regulation R638 (General Hygiene Requirements for Food Premises Regulations) in terms of the Foodstuffs Act (Act 54 of 1972).
- 5.2 Food handling areas may under no circumstances operate without a prior 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 inspection and if the premises meets the requirements of Regulation R638.

6. **General Conditions**

- 6.1 The planned operations/businesses may not result in a "noise disturbance" or a "noise nuisance" as defined in the Noise Control Regulations PN 627/1998, in terms of the Environmental Conservation Act (Act 73 of 1989), as well as the provisions of SANS Code 0103 – 2008.
- 6.2 The requirements for smoking in public places as contained in Regulation 975 – Notice Relating to Smoking of Tobacco Products in Public Places, issued in terms of the Tobacco Products Control Act, 1993 (Act 83 of 1993) as amended, must be complied with at all times.

Alle korrespondensie moet aan die Munisipale Bestuurder gerig word/

All correspondence to be addressed to the Municipal Manager/Yonke Imbalelwano mayithunyelwe kuMlawuli kaMasilpala  
Telefoon/Telephone/Umnxeba: 0861 265 263 • E-pos/E-mail/E-mail: [admin@capewinelands.gov.za](mailto:admin@capewinelands.gov.za) • Faks/Fax/iFeksi: 023 342 8442

- 6.3 This Department reserves the right to set further requirements during the running of the business.
- 6.4 Requirements for Accommodation Establishments (Chapter 4 of the Cape Winelands District Municipal Health By-laws) will be met at all time. (see attached)

The planned development is situated in an agricultural use zoning area and the facilities of the planned development will be exposed to normal agricultural activities and effects. Guest may be inconvenienced by these agricultural activities.

Yours faithfully



for MUNICIPAL MANAGER



**agriculture,  
forestry & fisheries**

Department:  
Agriculture, forestry & fisheries  
REPUBLIC OF SOUTH AFRICA

Directorate Land Use and Soil Management, Private Bag x120, Gezina, 0031  
Delpen Building, c/o Annie Botha & Union Streets, Riviera

From: Director: Land Use and Soil Management  
Tel: (012) 319 7580 ☐☐Fax: (012) 329 5938 ☐☐e-mail: [ThokoB@daff.gov.za](mailto:ThokoB@daff.gov.za)

**Peter G. Mons**  
PO Box 851  
Robertson  
6705

**15 September 2020**

Dear Sir/Madam

This serves as a notice of receipt and confirms that your application has been captured in our electronic AgriLand tracking and management system.

Detail of your application as captured:

Type: **Consent Use**  
Your reference number: **N/A**  
Property Description: **Farm 1545 Ptn 1**  
Dated: **30 July 2020**

Please use the following reference number in all enquiries:

**AgriLand reference number: 2020\_09\_0058**  
Enquiries can be made to the above postal, fax or e-mail address.

Yours sincerely,

**K. MALULEKE**  
pp **DIRECTOR: LAND USE AND SOIL MANAGEMENT**