



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/12800

Our File Reference Number: Farm 1654/2, Paarl

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: [REDACTED]

Sir / Madam

APPLICATION FOR CONSENT USE: FARM 1654/2, 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 **Permission required in terms of restrictive title deed condition** clause 1 (III)(B)(c) & 2(IV)(B)(c) of title deed No: T047875/2019 in order to utilize the existing main dwelling, farm office building, pool house & garden cottage as Tourist Accommodation Establishment and for Tourist facility to utilise the existing manor house as wellness centre, on Farm 1654/2, Paarl Division,

BE GRANTED.

- 2.1.1 The application made in terms of Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated October 2015, on Farm 1654/2, Paarl Division, for:
- 2.1.2 **Consent Use** in terms of Section 15 (2) (o) of the said By-law, in order to utilize the existing main dwelling, farm office building, pool house & garden cottage as Tourist Accommodation Establishment and for Tourist facility to utilise the existing manor house as wellness centre.

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

2.2 Conditions of Approval:

- 2.2.1 The approval applies only to the application under consideration as indicated on Plan No:3 (Project No: 3743-P), dated 11/05/2021 & Drawing No: 01 & 02, dated 11/02/2022 drawn by WH (Tv3 Architects), and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.
- 2.2.2 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.
- 2.2.3 The conditions imposed by the Director: Engineering Services as contained in their memo dated 30 September 2021, attached as **Annexure G**, be complied with.
- 2.2.4 The tourist activities should be subservient or related to the dominant agricultural use of the property and/ or surrounding farms.
- 2.2.5 No further non-agricultural uses will be permitted, and no new dwellings shall be permitted due to the size of the property.
- 2.2.6 The proposed Tourist Accommodation Establishment shall be limited to **11 guest bedrooms** and the wellness centre shall be limited to **270m²** in extent.
- 2.2.7 No directional signage may be erected without the prior approval of the Provincial Roads Engineer and the Municipality.
- 2.2.8 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.
- 2.2.9 Building plans must be generally in accordance with the layout plans as referenced Plan No:3 (Project No: 3743-P), dated 11/05/2021 & Drawing No: 01 & 02, dated 11/02/2022 drawn by WH (Tv3 Architects), and attached as Annexure C.
- 2.2.10 Building plans must be submitted and approved by the Municipality prior to the commencing of any building works, including the preparation of land, which will only be approved when all relevant (or qualified) conditions of approval have been complied with.
- 2.2.11 The development shall be implemented substantially in accordance with the Site Development Plan referenced as Plan No:3 (Project No: 3743-P), and dated 11/05/2021 and attached as Annexure C.

2.3 The reasons for the above decision are as follows:

- a. The proposed development will comply with the vision of the Stellenbosch Municipal Spatial Development Framework;
- b. The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape;

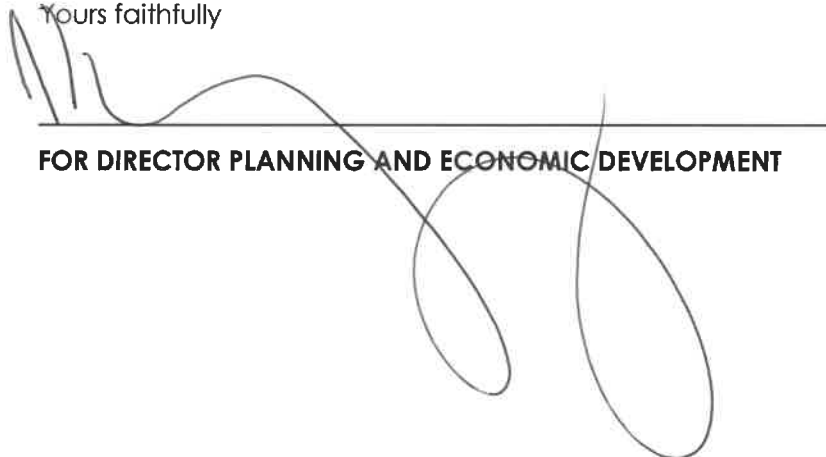
- c. The development proposal will have limited impact on the agricultural potential of the subject land unit as no viable agricultural land will be lost;
 - d. There will be limited impact on existing infrastructure and no negative additional traffic will be generated.
3. You are hereby informed in 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.
4. 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.

5. 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
6. 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.
7. 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>).
8. 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.
9. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
10. 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

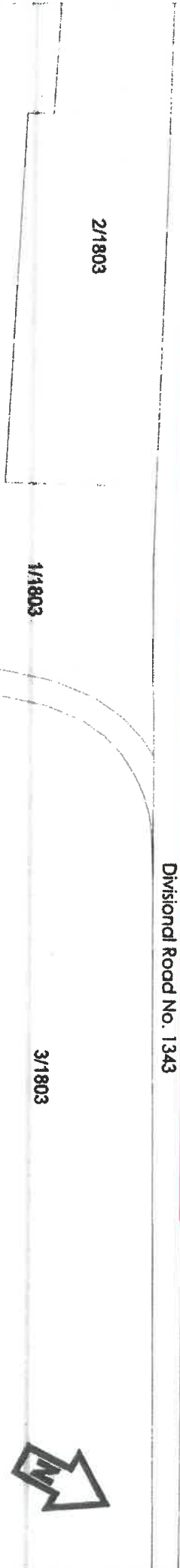
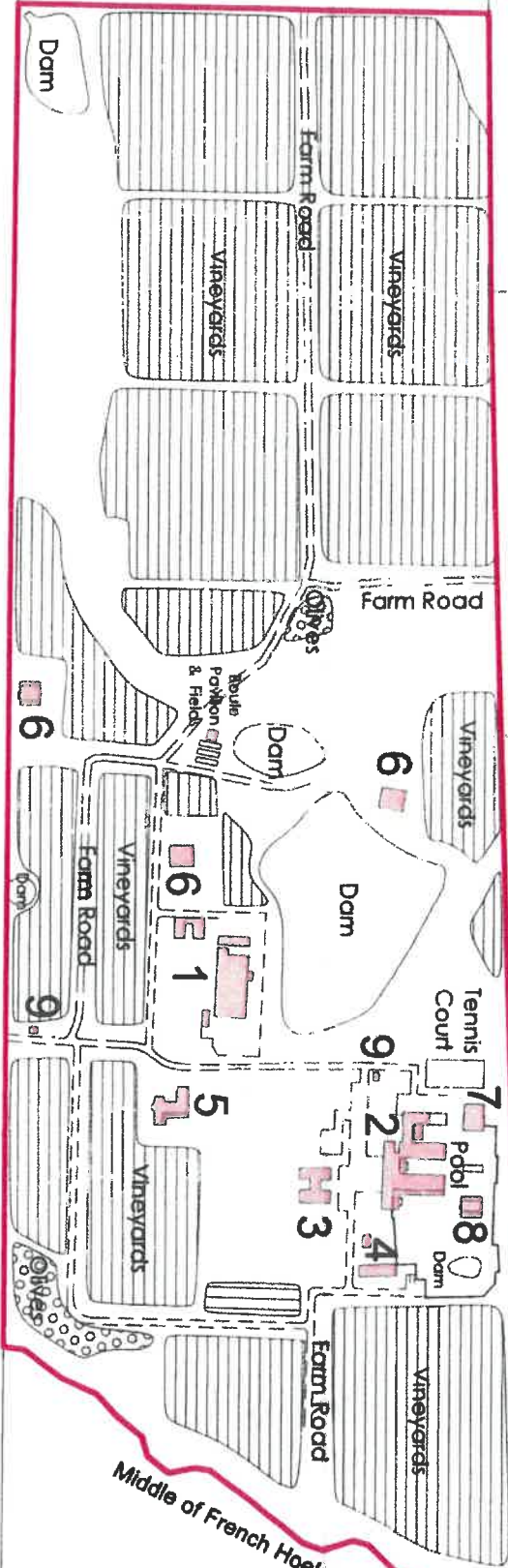


A large, stylized handwritten signature in blue ink, consisting of several loops and a long horizontal stroke, is written over a solid black horizontal line.

FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

4/3/2022
DATE:

1. Farm Shed & Wine Cellar
2. Main House (Tourist Accommodation Establishment)
3. Manor House (Wellness Center)
4. Farm office & Admin Building
5. Managers House
6. Cottage
7. Garden Cottage
8. Pool House
9. Security



TV3 ARCHITECTS
TOWN PLANNERS
URBAN DESIGNERS

Burgundy Guest Farm
Portion 2 of Farm 1654, Paarl

Site Plan: Existing Buildings
Date: 11/05/2021
Project no.: 3743P
Scale: 1:4000 (A3)
Drawn: NH
Checked: CH

Notation:
Cadastral information obtained from Surveys and Mapping (DSO&L.R).

All areas and dimensions are approximate and should be verified by a professional land surveyor.
This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved.

DRAWING: 01
SCALE: 1:500 Date: 11/02/2022

BERDOOM LAYOUT
(GROUND STOREY)

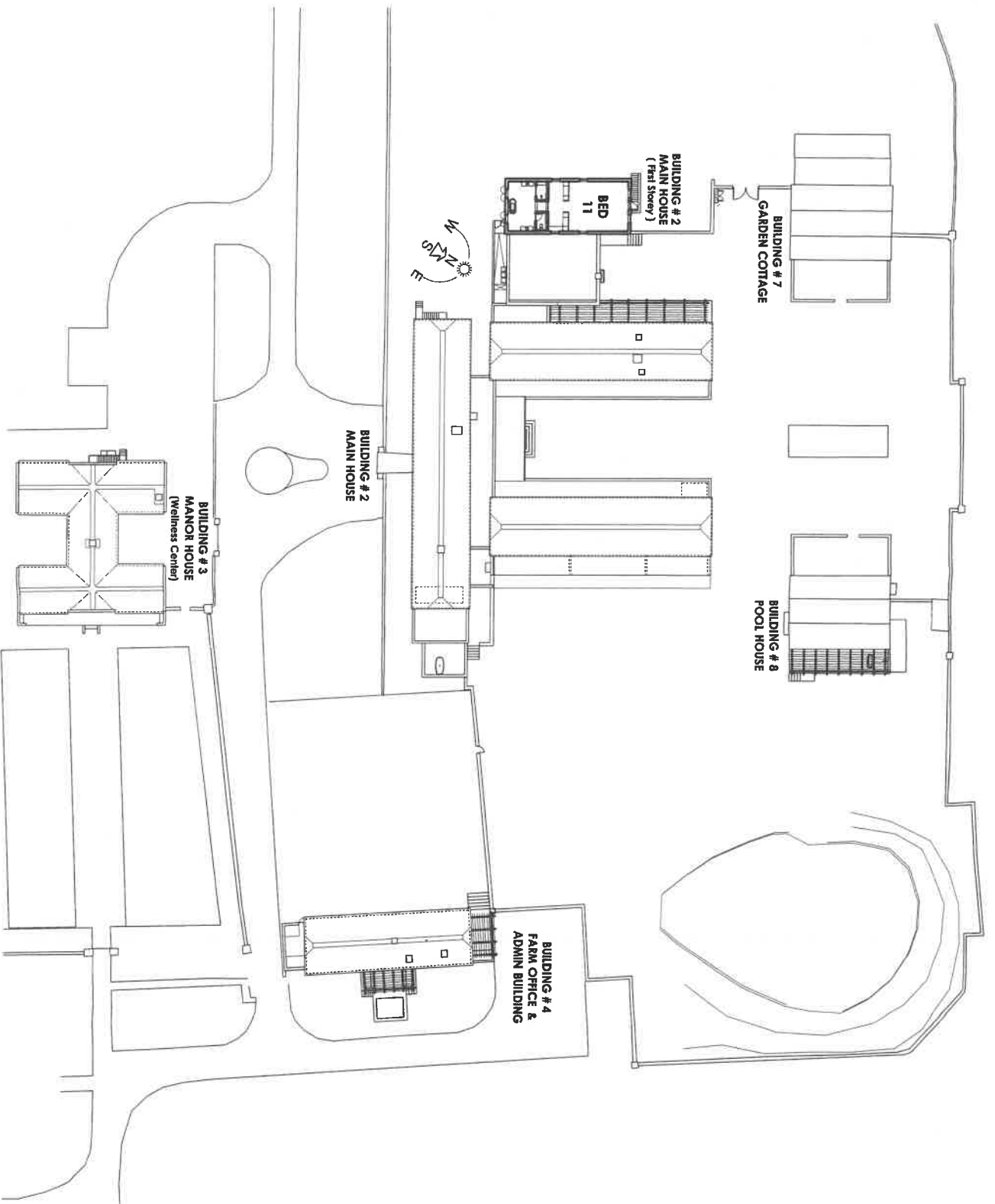
BURGUNDY-BOURGOGNE
PORTION 2 OF FARM NR. 1654
FRANSCHHOEK



DRAWING: 02
SCALE: 1:500 Date: 11/02/2022

BERDOOM LAYOUT
(FIRST STOREY)

BURGUNDY-BOURGOGNE
PORTION 2 OF FARM NR. 1654
FRANSCHHOEK





STELLENBOSCH MUNICIPALITY
STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag Nolusindiso Momoti
From ▫ Van: Principal Technician: Development (Infrastructure Services)
Author ▫ Skrywer: Colin Taylor
Date ▫ Datum: 30 September 2021
Our Ref ▫ Ons Verw: Civil LU 2187
Your Ref: LU/12800
Re ▫ Insake: Farm 1654/2, Paarl: Consent Use for Tourist Facility to utilise the existing main dwelling & garden cottage as Tourist Accommodation Establishment (limited to 11 guest bedrooms) and Tourist Facility to utilise the existing manor house as wellness centre (270m²) in extent.

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

This recommendation for approval is based on the following parameters:

- Total GLA: 270 m² (wellness centre)
- Accommodation Establishment 11 Guest Bedrooms

Any development beyond these parameters would require a further approval from this Directorate.

Background: According to the information in the application, this building plans have been previously approved for a 270m² existing farm building (i.e. within the manor house). This building already exists and application is to use the existing building as a wellness centre.

1. Water

- 1.1 There is no municipal water network in the area and the Developer / Owner will be responsible for potable water supply.
- 1.2 The potable water must be stored and distributed in such a manner that it complies with the SANS 241 Drinking Water Quality Standards.

2. Waste Water and Sewage

- 2.1 Use of existing septic tanks to collect and treat sewage generated by the proposed development is not allowed.
- 2.2 The existing septic-tank and soak-away has to be replaced by a more environmentally friendly process.
- 2.3 Submit the preferred process to treat or dispose of the waste water and sewage for approval at building plan stage.
- 2.4 Waste water and sewage may not pollute any ground water, stormwater and surface water.

3. Solid Waste

- 3.1 Solid waste must be removed from the site to a legal solid waste disposal site in accordance with the requirements of section 20 of the Environmental Conservation Act 1989 (Act 73 of 1989).

4. Roads

- 4.1 The application has to be referred to the District Roads Engineer for comments and conditions.
- 4.2 All the conditions set by the District Roads Engineer will be applicable.

5. Development Charges (DCs)

- 5.1 The following DC's are payable: See **Development Charge Calculation** attached.
- 5.2 The DC's were calculated by using the 2021/2022 tariff structure. If DC's are paid after 30 June 2022 it will have to be recalculated by using the tariff structure applicable at date of payment.
- 5.3 The DC's are payable before building plan approval.

5.4 If building plans are not applicable then the DC's are payable before the building is put to its intended use.

**6. Electrical Engineering: Comments and Conditions from Mr Martin Slabber
(Supt Dwarsrivier Elect)**

6.1 Comments: Outside electrical network area – Eskom



COLIN TAYLOR Pr Tech Eng

PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)

V:\2.0 DEVELOPMENT\00 Developments\2187 (CT) Farm 1654-2, Paarl (LU-12800)\2187 (CT) Farm 1654-2 Paarl (LU-12800).doc

Franschhoek

Land Use Category	Unit Type	Existing Usage		Proposed New Usage		Increased Usage	Development Charge (excl. VAT)		Total						
		du	m ² GLA	du	m ² GLA		Water	Sewer	Storm-water	Solid Waste	Roads	Community Facilities			
Residential	Infrastructure Type applicable? (yes/no)						no	no	yes	yes					
	Single Residential >1000m ²	du	area (m ²)	du/ha	% GLA	du	m ² GLA	du	m ² GLA	R	R	R	R		
	Single Residential >500m ²	du		0	0%	0		R		R		R	R		
	Single Residential >250m ²	du		0	0%	0		R		R		R	R		
	Single Residential <250m ²	du		0	0%	0		R		R		R	R		
	Less Formal Residential >250m ²	du		0	0%	0		R		R		R	R		
	Less Formal Residential <250m ²	du		0	0%	0		R		R		R	R		
	Group Residential >250m ²	du		0	0%	0		R		R		R	R		
	Group Residential <250m ²	du		0	0%	0		R		R		R	R		
	Medium Density Residential >250m ²	du		0	0%	0		R		R		R	R		
	Medium Density Residential <250m ²	du		0	0%	0		R		R		R	R		
	High Density Residential - flats	du		0	0%	0		R		R		R	R		
	High Density Residential - student rooms	du		0	0%	0		R		R		R	R		
	Local Business - office	m ² GLA			0%				R		R		R	R	
Commercial	m ² GLA			0%				R	6 213,35	R	180 734,53	R	4 025,45	R	190 973,33
Local Business - retail	m ² GLA			0%			270	R		R		R		R	R
General Business - office	m ² GLA			0%				R		R		R		R	R
General Business - retail	m ² GLA			0%				R		R		R		R	R
Community	m ² GLA			0%				R		R		R		R	R
Education ¹	m ² GLA			0%				R		R		R		R	R
Light Industrial	m ² GLA			0%				R		R		R		R	R
Industrial	m ² GLA			0%				R		R		R		R	R
General Industrial - light	m ² GLA			0%				R		R		R		R	R
Warehousing	m ² GLA			0%				R		R		R		R	R
General Industrial - heavy	m ² GLA			0%				R		R		R		R	R
Noxious Industrial - heavy	m ² GLA			0%				R		R		R		R	R
Recreat	m ² GLA			0%				R		R		R		R	R
Public Open Space	m ²			0%				R		R		R		R	R
Private Open Space	m ²			0%				R		R		R		R	R
Natural Environment	m ²			0%				R		R		R		R	R
Other	m ² GLA			0%				R		R		R		R	R
Utility Services	m ²			0%				R		R		R		R	R
Public Roads and Parking	m ²			0%				R		R		R		R	R
Transport Facility	m ²			0%				R		R		R		R	R
Limited Use	m ²			0%				R		R		R		R	R
Special															
	To be calculated based on equivalent demands														
	* Complete yellow/green cells.														
	** du = dwelling unit, GLA=Gross lettable area.														
	Total Development Charges before Deductions	R0,00						R0,00		R6 213,35		R180 734,53		4 025,45	R190 973,33
	% Deductions per service (%)	0,00%						0,00%		0,00%		0,00%		0,00%	
	% Deductions per service (amount)	R0,00						R0,00		R0,00		R0,00		R0,00	R0,00
	Additional Deduction per service - from Service Agreement (sum)														
	Sub Total after Deductions (excluding VAT)	R0,00						R0,00		R6 213,35		R180 734,53		4 025,45	R190 973,33
	VAT	R0,00						R0,00		R932,00		R27 110,18		603,82	R28 646,00
	Total	R0,00						R0,00		R7 145,35		R207 844,71		4 629,27	R219 619,33

*** displays red if not equal to existing area

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number: _____

Date: Thursday, 30/Sep/2021

Financial Year: 2021/22

Erf Location: Franzshoek

Erf No: Farm 1654/2

Erf Size (m²): _____

Suburb: _____

Applicant: TV3 Projects (Pty) Ltd - Clifford Heys

Approved Building Plan No.: _____

SUMMARY OF DC CALCULATION

Unit(s)	Water k/day	Sewer k/day	Storm-water ha °C	Solid-Waste t/week	Roads trips/day	Community Facilities person	Totals
Total Increased Services Usage	1,080	0,945	0,022	0,108	24,30	24,3	
Total Development Charges before Deductions				R 6 213,35	R 180 734,53	R 4 025,45	R 190 973,33
Total Deductions							
Total Payable (excluding VAT)				R 6 213,35	R 180 734,53	R 4 025,45	R 190 973,33
VAT				R 932,00	R 27 110,18	R 603,82	R 28 646,00
Total Payable (including VAT)				R 7 145,35	R 207 844,71	R 4 629,27	R 219 619,33

APPLICANT INFORMATION

Application Processed by: Colin Taylor

Signature: _____

Date: As above

Amount Paid: _____

Date Payment Received: _____

Receipt Number: _____