



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/12596

Our File Reference Number: Farm 222, Stellenbosch

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 USES ON REMAINDER FARM NO. 222, STELLENBOSCH 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 application in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, namely:
 - 2.1.1 **Consent Use** terms of Section 15(2)(o) of the said bylaw for a **tourist accommodation establishment**/hotel (consisting of 34 bedrooms) on Remainder Farm No. 222, Stellenbosch Division.
 - 2.1.2 **Consent Use** terms of Section 15(2)(o) of the said bylaw to permit the following ancillary uses to the tourist accommodation establishment/hotel which will be contained in the same building:
 - (i) Restaurant, bar and cigar lounge;
 - (ii) Venue/event space;
 - (iii) Sport facility consisting of a gym, changing rooms; and
 - (iv) Wellness centre (spa)

2.1.3 **Consent Use** terms of Section 15(2)(o) of the said bylaw to allow for the following tourist facilities:

- (i) The use of the outdoor areas/lawn in front of the deli for picnics;
- (ii) The use of the harvest circle for outdoor seating for the coffee shop/deli;
- (iii) The use of the pavilion and surrounding lawn for outdoor wedding and other events, e.g jazz concert;
- (iv) The kraal for a beer garden/restaurant;
- (v) The use of the area between the kraal and glass house for extension/overflow of the restaurant for a tea garden;
- (vi) The use of the glass house as a venue;
- (vii) A car pavilion which will occasionally be used for events
- (viii) A put-put course; and
- (ix) The use of the existing basement for a wine library.

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

3. **Conditions:**

3.1 The approval only applies to the **consent uses** as per Drawing Nr ABQD/1/UD/1000/J and ABQD/HT/AR/001-007/A & Parking Schedule, attached as **ANNEXURE C**, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;

3.2 The approval granted does not exempt the applicant/operator from complying with any other legal prescriptions or requirements that might have a bearing on the activity

3.3 The approval will lapse if not implemented within the timeframe stipulated in the subject Bylaw;

3.4 The conditions imposed by the **Directorate: Engineering Services** in their memo dated 23 August 2021, attached as **Annexure J** be adhered to.

3.5 Development contributions are payable in accordance with the prevailing and applicable Council tariffs at the time of payment prior to submission of any building plans, or as may be agreed on in writing with the Directorate Infrastructure Services.

3.6 The following conditions imposed by the **Manager: Community Services** in their memo dated 10 August 2021, attached as **Annexure H** be adhered to.

- a) *The conditions set by the Environmental Authorization must at all times be adhered to and the associated Maintenance Management Plan implemented.*

- b) *Activities on site, during construction and thereafter, must comply with the Western Cape Noise Control Regulations.*
- c) *During construction the owner, developer or any agent acting on his/her behalf, must take all reasonable steps to prevent nuisance caused by dust in accordance with the National Dust Control Regulations.*

3.7 The conditions imposed by the **Manager: Health Services (Cape Winelands)** in their memo dated 13 August 2021, attached as **Annexure K** be adhered to.

3.8 The conditions imposed by **Transport Roads Infrastructure & Management (CoCT)** in their memo dated 03 September 2021, attached as **ANNEXURE N** be adhered to.

3.9 The conditions imposed by the **Department of Transport and Public Works** in their letter dated 17 August 2021, **attached as ANNEXURE O** be adhered to.

3.10 No music is played at the function facilities that may create a noise nuisance for surrounding property owners and that the owners of the applicable property at all times comply with the applicable noise control regulations and by-laws;

3.11 The proposed tourist facilities be restricted to:

1.	Restaurant and lounge area in hotel	120 people
2.	Venue/event space in hotel	200 people
3.	Lawn area in front of deli	300 people
4.	Harvest circle	90 people
5.	Area around pavilion	100 people
6.	Kraal Beer garden/restaurant	120 people
7.	Overflow area in front of glass house	60 people
8.	Glass house	100 people
9.	Car pavilion	100 people
10.	Wine library	22 people

3.12 All conditions imposed by the Municipality on previous land use approvals are still applicable;

3.13 Building plans must be submitted to this municipality for approval.

4. **Matters on the application TO BE NOTED:**

4.1 All electrical requirements should be directed to Eskom.

4.2 The conditions imposed by **Heritage Western Cape** in their letter dated 14 July 2020, attached as **ANNEXURE L**.

4.3 The conditions imposed by the **Department of Environmental Affairs and Development Planning (EA)** in their letter dated 05 May 2021, attached as **ANNEXURE M**.

4.4 The necessary approval be obtained in terms of the applicable liquor act, liquor by-laws or regulations;

4.5 An application for a business licence must be submitted;

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

(a) The proposed uses will help to diversify the land uses on the farm without impacting on the existing agricultural activities.

(b) The primary land use will remain that of productive agriculture entity.

(c) The extended facilities will further enhance the tourism potential of the region.

(d) The proposal also complies with the principles of the Stellenbosch Spatial Development Framework which states that agri-tourism should be promoted in farming areas outside of urban settlements.

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

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

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

(I) First names and surname;

(II) ID number;

(III) Company of Legal person's name (if applicable)

(IV) Physical Address;

(V) Contact details, including a Cell number and E-Mail address;

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

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

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

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

(e) if the appeal is lodged against a part of the decision, a description of the part;

(f) if the appeal is lodged against a condition of approval, a description of the condition;

(g) the factual or legal findings that the appellant relies on;

(h) the relief sought by the appellant; and

(i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;

(j) That the appeal includes the following declaration by the Appellant:

(i) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct

(ii) That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.

8. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: landuse.appeals@stellenbosch.gov.za

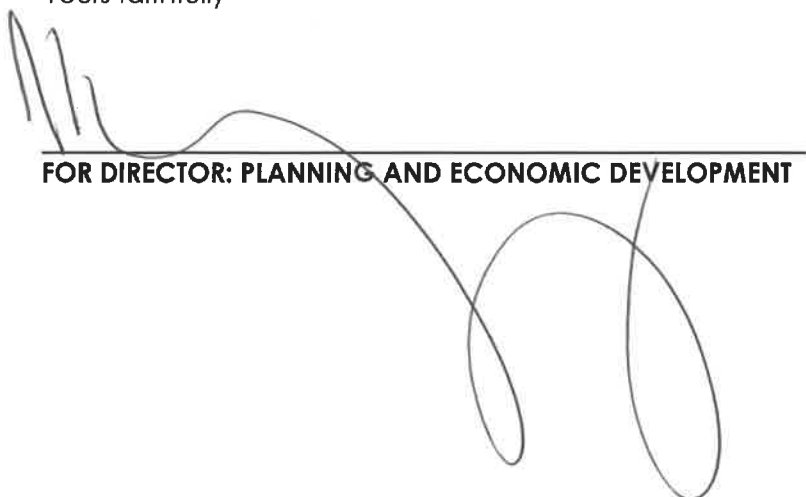
9. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.

10. The approved tariff structure may be accessed and viewed on the municipal website (<https://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs>) and the banking details for the General Account can also be accessed on the municipal website

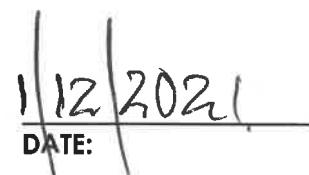
<https://www.stellenbosch.gov.za/documents/general/8314-stellenbosch-municipality-banking-details-1/file>).

11. An applicant who lodge an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
 - (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
 - (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
 - (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
 - (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.
12. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
13. Kindly note the above decision is suspended, and in the case of any approval, may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully



FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

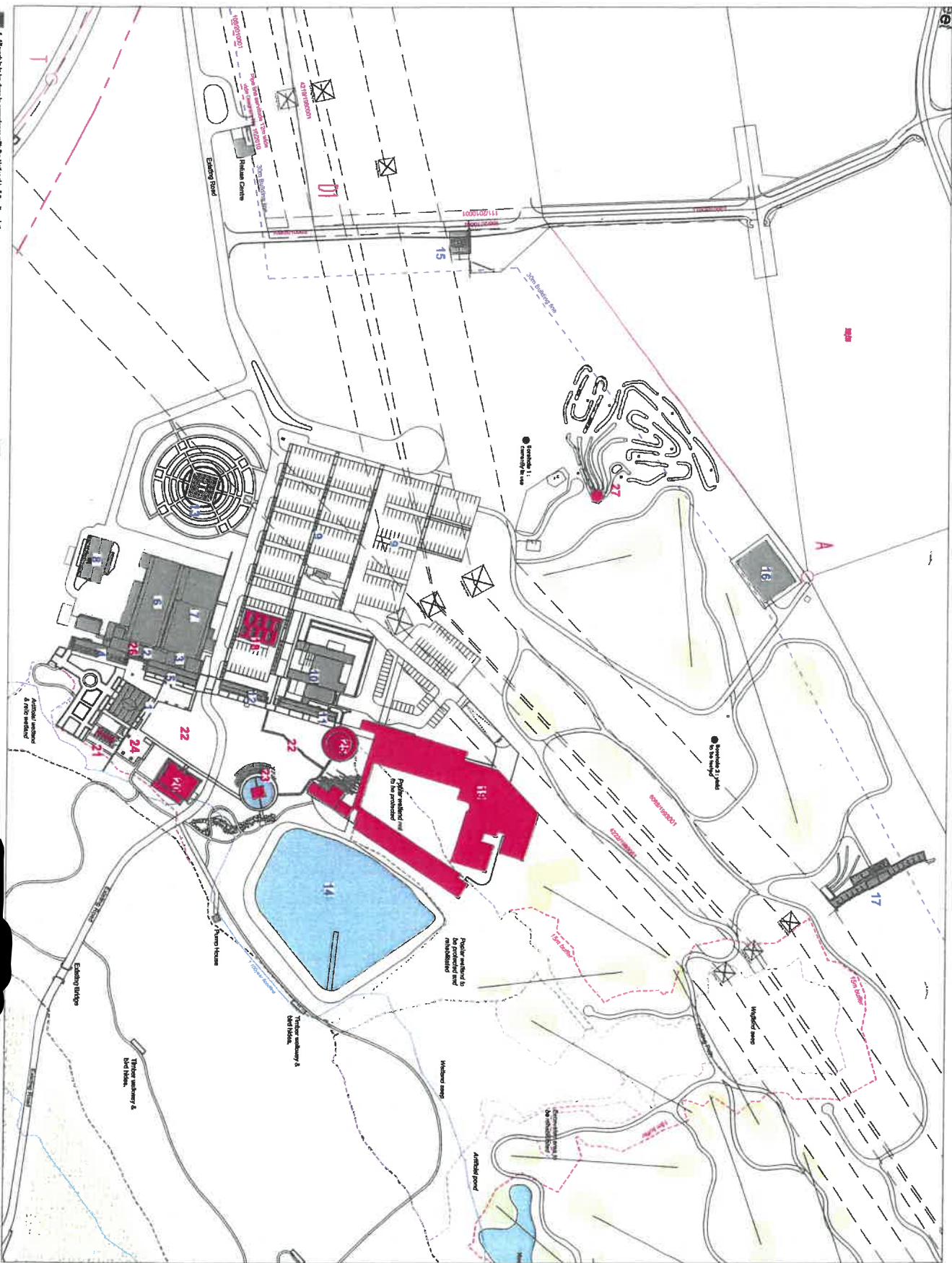


DATE:

ANNEXURE C

**APPLICATION FOR CONSENT USE ON
FARM NO. 222, STELLENBOCH
DIVISION**

**SITE PLAN/SITE
DEVELOPMENT PLAN**



LEGEND

- Existing Uses**
- 1 - Old Homestead
 - 2 - Entry lobby, ablutions and restaurant
 - 3 - Restaurant
 - 4 - Admin building
 - 5 - Wine tasting and restaurant entrance
 - 6 - Conference Center
 - 7 - Cellar
 - 8 - Shed
 - 9 - Parking
 - 10 - Wonderdal play venue
 - 11 - Babushka Dell
 - 12 - Jonkerhuis
 - 13 - Herb & Vegetable Garden
 - 14 - Irrigation dam
 - 15 - Ronelle street entrance gate
 - 16 - Golf maintenance building
 - 17 - Driving range building

New Uses

- 18 - Car Pavilion venue
100 people
- 19 - Tourist Accommodation establishment
Hotel & Spa
Restaurant (60 people)
Events Venue (200 people)
Bar (60 people)
- 20 - Kraal Restaurant
120 people
- 21 - Greenhouse Venue
100 people
- 22 - Werf lawn area
300 people
- 23 - Werf Pavillion
24 people
- 24 - Russian tea garden
60 people
- 25 - Threshing circle
(Babushka dell outside seating)
90 people
- 26 - Wine library (basement)
22 people
- 27 - Putt-Putt course

GENERAL

1. All work to be done in accordance with the National Building Regulations, 1977 (as amended) and the National Environmental Management Act, 1989 (as amended).
 2. All work to be done in accordance with the National Environmental Management Act, 1989 (as amended).
 3. The contractor shall be responsible for the provision of the necessary permits and approvals from the relevant authorities.
 4. The contractor shall be responsible for the provision of the necessary permits and approvals from the relevant authorities.
 5. The contractor shall be responsible for the provision of the necessary permits and approvals from the relevant authorities.
 6. The contractor shall be responsible for the provision of the necessary permits and approvals from the relevant authorities.
 7. The contractor shall be responsible for the provision of the necessary permits and approvals from the relevant authorities.
 8. The contractor shall be responsible for the provision of the necessary permits and approvals from the relevant authorities.
 9. The contractor shall be responsible for the provision of the necessary permits and approvals from the relevant authorities.
 10. The contractor shall be responsible for the provision of the necessary permits and approvals from the relevant authorities.
 11. THE DRAWING MUST BE READ IN CONJUNCTION WITH THE BOUWERPLAN - PARTNERS ARCHITECTURAL SPECIFICATION (PROVISION OF SERVICES 2021) ALL DOCUMENTS.

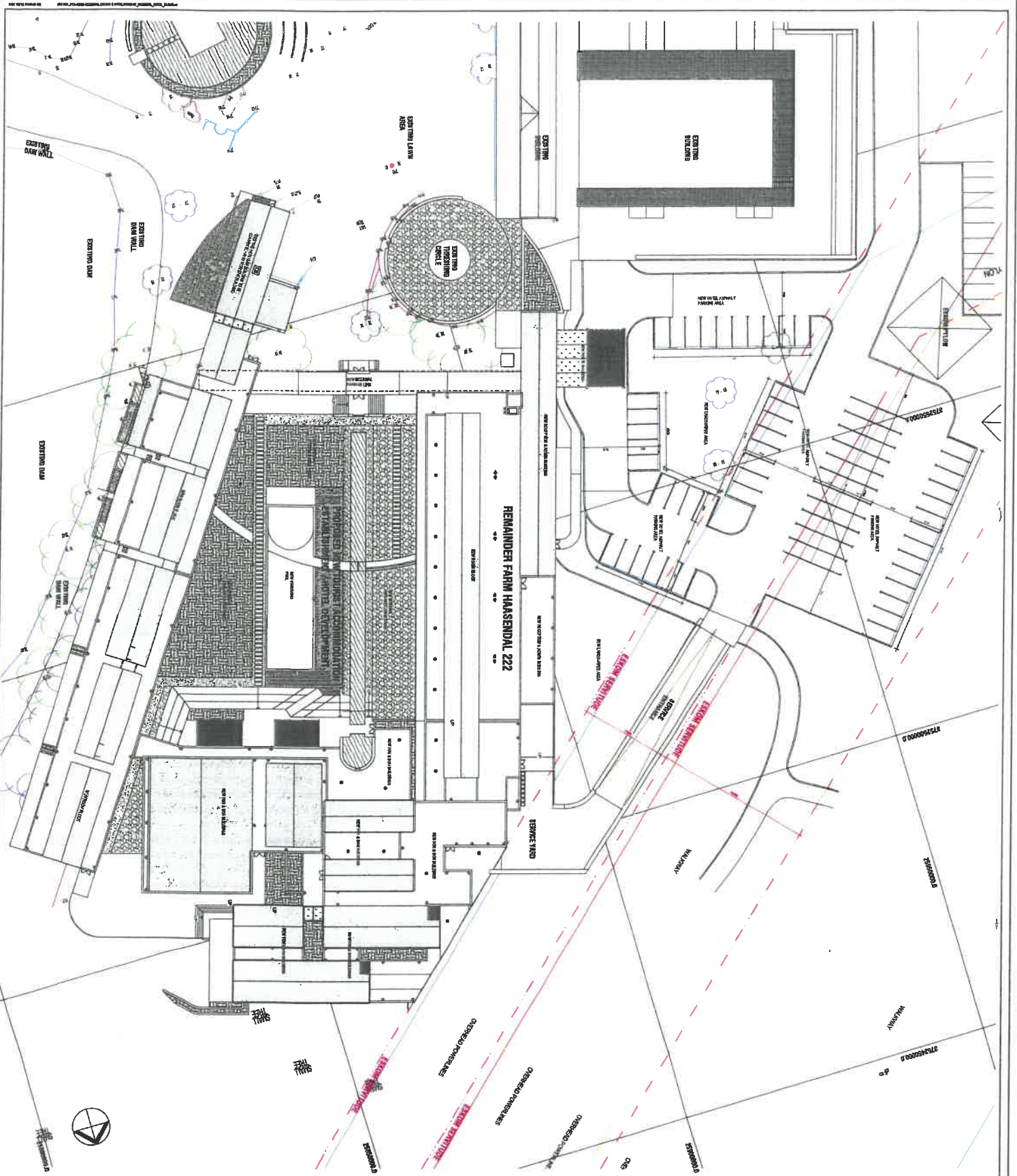
REVISION

REV	DATE	DRAWN	DESCRIPTION
J	2021.03.16	STB	ISSUED FOR INFORMATION



PROJECT
HAZENDAL WINE ESTATE
 FARM 222
STELLENBOSCH

MASTER SITE DEVELOPMENT PLAN
 NOT TO SCALE / A3
 PROJECT PHASE/DISCIPLINE: SERIES/SKETCH
 ABOOD 1 UD 1000
 DRAWN BY: STB
 CHECKED BY: WM



REMAINDER FARM HAASENDAL 222

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	2024	MM
2	ISSUED FOR PERMIT	2024	MM
3	ISSUED FOR PERMIT	2024	MM
4	ISSUED FOR PERMIT	2024	MM
5	ISSUED FOR PERMIT	2024	MM

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	2024	MM
2	ISSUED FOR PERMIT	2024	MM
3	ISSUED FOR PERMIT	2024	MM
4	ISSUED FOR PERMIT	2024	MM
5	ISSUED FOR PERMIT	2024	MM

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	2024	MM
2	ISSUED FOR PERMIT	2024	MM
3	ISSUED FOR PERMIT	2024	MM
4	ISSUED FOR PERMIT	2024	MM
5	ISSUED FOR PERMIT	2024	MM

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	2024	MM
2	ISSUED FOR PERMIT	2024	MM
3	ISSUED FOR PERMIT	2024	MM
4	ISSUED FOR PERMIT	2024	MM
5	ISSUED FOR PERMIT	2024	MM

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	2024	MM
2	ISSUED FOR PERMIT	2024	MM
3	ISSUED FOR PERMIT	2024	MM
4	ISSUED FOR PERMIT	2024	MM
5	ISSUED FOR PERMIT	2024	MM

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	2024	MM
2	ISSUED FOR PERMIT	2024	MM
3	ISSUED FOR PERMIT	2024	MM
4	ISSUED FOR PERMIT	2024	MM
5	ISSUED FOR PERMIT	2024	MM

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	2024	MM
2	ISSUED FOR PERMIT	2024	MM
3	ISSUED FOR PERMIT	2024	MM
4	ISSUED FOR PERMIT	2024	MM
5	ISSUED FOR PERMIT	2024	MM

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	2024	MM
2	ISSUED FOR PERMIT	2024	MM
3	ISSUED FOR PERMIT	2024	MM
4	ISSUED FOR PERMIT	2024	MM
5	ISSUED FOR PERMIT	2024	MM

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	2024	MM
2	ISSUED FOR PERMIT	2024	MM
3	ISSUED FOR PERMIT	2024	MM
4	ISSUED FOR PERMIT	2024	MM
5	ISSUED FOR PERMIT	2024	MM

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	2024	MM
2	ISSUED FOR PERMIT	2024	MM
3	ISSUED FOR PERMIT	2024	MM
4	ISSUED FOR PERMIT	2024	MM
5	ISSUED FOR PERMIT	2024	MM

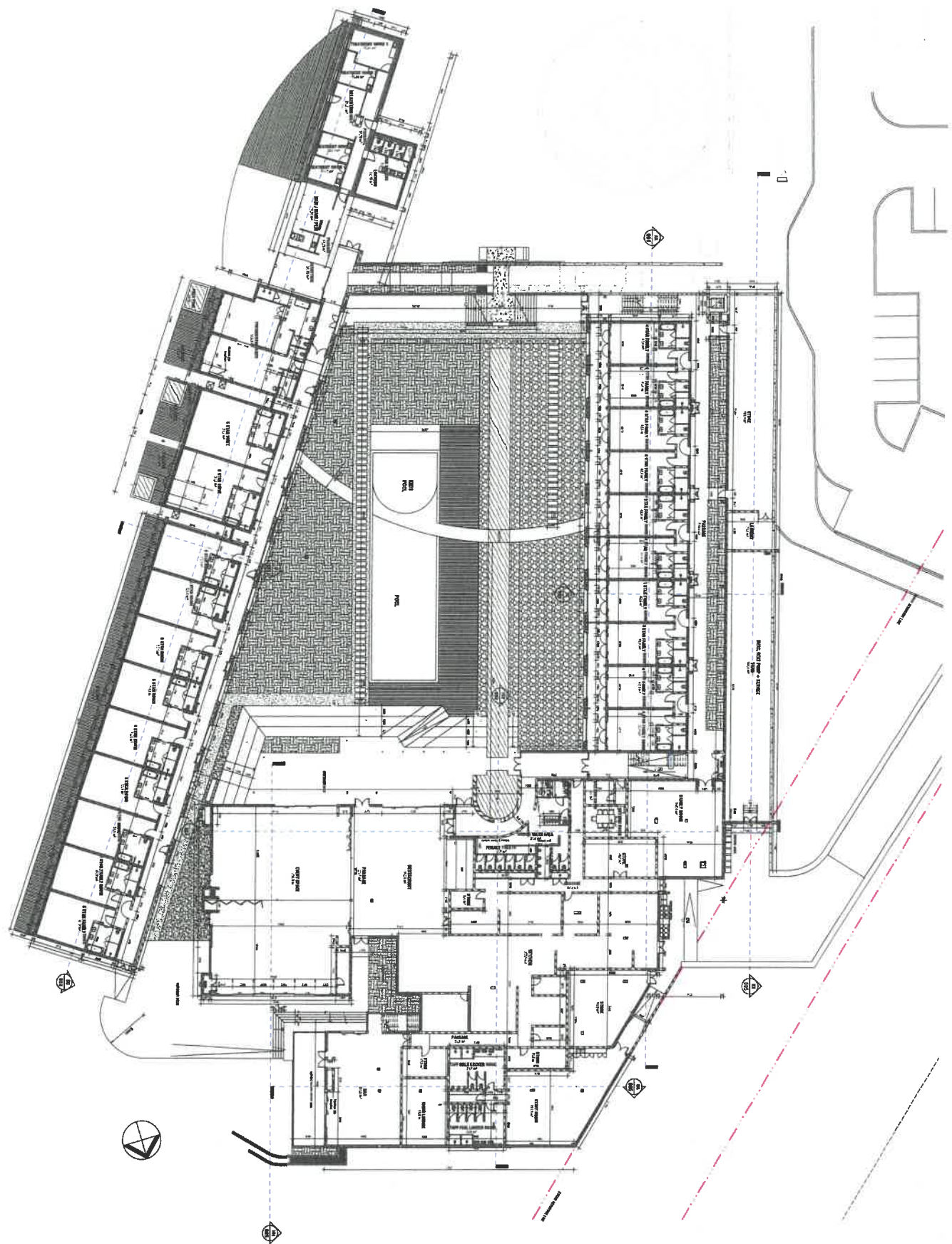
NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	2024	MM
2	ISSUED FOR PERMIT	2024	MM
3	ISSUED FOR PERMIT	2024	MM
4	ISSUED FOR PERMIT	2024	MM
5	ISSUED FOR PERMIT	2024	MM

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	2024	MM
2	ISSUED FOR PERMIT	2024	MM
3	ISSUED FOR PERMIT	2024	MM
4	ISSUED FOR PERMIT	2024	MM
5	ISSUED FOR PERMIT	2024	MM

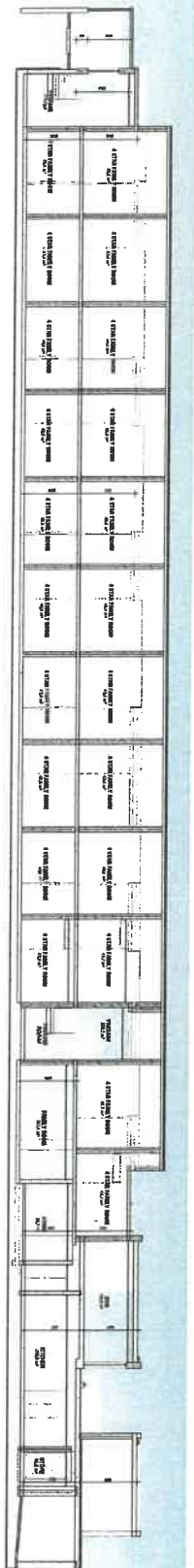
NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	2024	MM
2	ISSUED FOR PERMIT	2024	MM
3	ISSUED FOR PERMIT	2024	MM
4	ISSUED FOR PERMIT	2024	MM
5	ISSUED FOR PERMIT	2024	MM

<p>TITLE</p> <p>STELLENBOSCH</p> <p>STP - SITE PLAN</p> <p>SCALE: 1:1000</p> <p>DATE: 2024</p> <p>BY: MM</p> <p>BY: MM</p> <p>BY: MM</p>	<p>PROJECT</p> <p>Remander Farm Haasendal 222</p>	<p>CLIENT</p> <p>Partners</p> <p>Boesmans</p> <p>mantis</p>	<p>KEY PLAN</p>	<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DESCRIPTION	DATE	BY																					<p>GENERAL</p> <p>1. This drawing is the property of the Architect and shall not be used for any other purpose without the written consent of the Architect.</p> <p>2. The Architect is not responsible for any errors or omissions in this drawing.</p> <p>3. The Architect is not responsible for any damage or injury to persons or property resulting from the use of this drawing.</p> <p>4. The Architect is not responsible for any costs or expenses incurred by the Client in connection with this drawing.</p> <p>5. The Architect is not responsible for any delays or interruptions in the progress of the project.</p> <p>6. The Architect is not responsible for any changes or modifications to this drawing.</p> <p>7. The Architect is not responsible for any disputes or litigation arising from this drawing.</p> <p>8. The Architect is not responsible for any claims or damages arising from this drawing.</p> <p>9. The Architect is not responsible for any claims or damages arising from this drawing.</p> <p>10. The Architect is not responsible for any claims or damages arising from this drawing.</p>
NO.	DESCRIPTION	DATE	BY																										

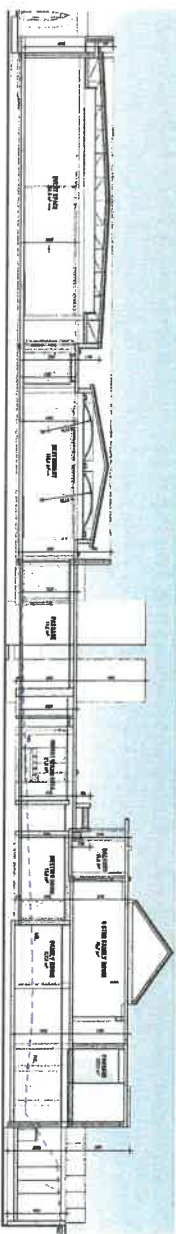
1 | 002 - SDP LOWER GROUND FLOOR PLAN
1:150



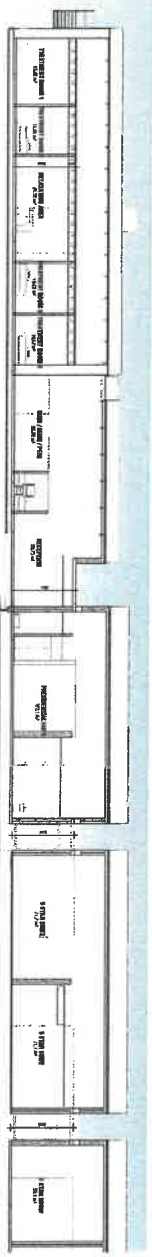
TITLE	PROJECT	CLIENT	KEY PLAN	REVISIONS	GENERAL
002 - SDP LOWER GROUND FLOOR PLAN	STELLENDOSCH	Partners Beleggen mantis			<p>1. This drawing is a technical drawing and is not to be used for any other purpose without the written consent of the architect.</p> <p>2. The architect is not responsible for the accuracy of the information provided in this drawing.</p> <p>3. The architect is not responsible for the accuracy of the information provided in this drawing.</p> <p>4. The architect is not responsible for the accuracy of the information provided in this drawing.</p> <p>5. The architect is not responsible for the accuracy of the information provided in this drawing.</p> <p>6. The architect is not responsible for the accuracy of the information provided in this drawing.</p> <p>7. The architect is not responsible for the accuracy of the information provided in this drawing.</p> <p>8. The architect is not responsible for the accuracy of the information provided in this drawing.</p> <p>9. The architect is not responsible for the accuracy of the information provided in this drawing.</p> <p>10. The architect is not responsible for the accuracy of the information provided in this drawing.</p>



AA | SDP - SECTION AA
1 : 100



BB | SDP - SECTION BB
1 : 100



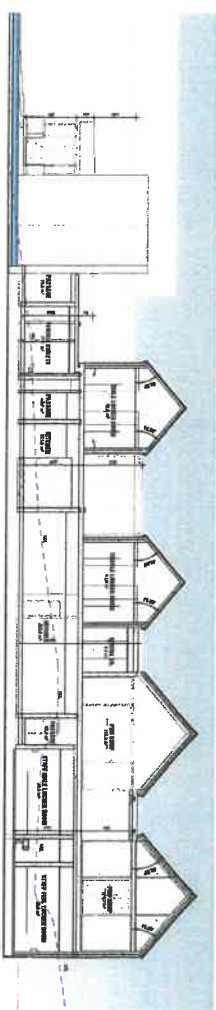
CC | SDP - SECTION CC
1 : 100



DD | SDP - SECTION DD
1 : 100



EE1 | SDP - SECTION EE1
1 : 100



EE2 | SDP - SECTION EE2
1 : 100

GENERAL

1. The architect shall be responsible for the design and construction of the building and shall be held liable for any damage or injury caused by the building or its parts.

2. The architect shall be responsible for the design and construction of the building and shall be held liable for any damage or injury caused by the building or its parts.

NO.	DATE	REVISIONS

KEY PLAN

CLIENT



Partners



TITLE PROJECT

STEELLENBOSCH SDP - SECTION 1

DATE: 1 - 100 03

ASND/ST/AM/SM/AA

SCALE: 1 : 100 03

ABQD-HT – HAZENDAL HOTEL & SPA

29 November 2021

Masterplan Site Development Plan – New Uses area schedule – Rev A

To be read in conjunction with drawing: ABQD – 1- UD – 1000 - J

No	New Use description	Land Use category	People	Gross Leasable area	Parking bays Calc	Parking Requirement
18	Car pavilion venue	Place of entertainment – General	100	300 sqm	4 bays /100 gross leasable area	12
19	Hotel: Tourist accommodation:					
	<ul style="list-style-type: none"> Restaurant 	Restaurant	60	135sqm	4 bays /100 gross	5.4
	<ul style="list-style-type: none"> Events Venue 	Place of entertainment – General	200	300sqm	leasable area	12
	<ul style="list-style-type: none"> Bar 	General	60	80sqm		3.2
	<ul style="list-style-type: none"> Hotel Suites 	Bedrooms	34 bedrooms	1720sqm	0.7 bays per suite	24

Western Cape | Durban | Johannesburg | Nairobi | Pretoria

Architecture | Interior Design | Urban Design | Landscape Design | Graphic Design

www.boogetmanandpartners.com

Unit 5, Ground Floor, Cluver Marketer Building, Mill Street, Stellenbosch 7600 | P O Box 51168 Waterfront 8002 | T +27 21 879 1501 /+27 21 930 9210
 mail@boogetman.co.za /mail@boogetman.co.za

Boogetman + Partners (Pty) Ltd. Reg No. 2008/022217/07, VAT No. 4780258077

Directors: André Wright, Andrew Kilanzi, Anton Koekemoer, Bob van Babber, Dewet van Antwerpen, Frits Schulte, Helleen Grimsehl, Jean Grobler, Marlene Kruse, Quintus van Erck, Richard Wilkins, Steenk Gerber, Zuned Ballim.
 Associate Directors: Alasdair Forsyth, Anthony Ojil, Greg Reid, Merinda Blomstrand.

Materialising Tomorrow



20	Kraal restaurant	Restaurant	120	170 sqm	4 bays /100 gross leasable area	6.8
21	Greenhouse venue	Place of entertainment – General	100	64sqm int + 25sqm ext = 89sqm	4 bays /100 gross leasable area	3.5
22	Werf Lawn area	Place of entertainment – General	300	800msq	4 bays /100 gross leasable area	32
23	Werf Pavilion	Place of entertainment – General	24	38sqm	4 bays /100 gross leasable area	1.5
24	Russian tea garden	Restaurant	60	100sqm	4 bays /100 gross leasable area	4
25	Threshing circle – Babushka outdoor seating	Place of entertainment – General	90	120sqm	4 bays /100 gross leasable area	4.8
26	Wine library - basement	Place of entertainment – General	22	50sqm	4 bays /100 gross leasable area	2
27	Putt-putt course	Outdoor Sports	20	300sqm	0.25 bays per player	5 bays

Ⓢ Please note: According to the South African Council of Professional Planners, the definition of “gross leasable floor area” is the area of the building capable of being the subject of a lease agreement between the lessor and the lessee. This will typically exclude non-leasable areas of the building (communal passageways, stairwells, entrance foyers, utility rooms, etc). Usually, GLA is only relevant to the calculation of the required number of parking bays to be provided on a subject property. 4 bays /100 gross leasable area

ANNEXURE I

**APPLICATION FOR CONSENT USE ON
FARM NO. 222, STELLENBOCH
DIVISION**

**COMMENT FROM THE
MANAGER: ELECTRICAL
SERVICES**

Annexure: Electrical

Farm 222-(LU12596)

GENERAL COMMENT:

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

CONDITIONS

3. . All electrical work to comply with SANS142 and Municipal electrical by-laws

Bradley Williams

Date.....30/07/2021



Signature.

ANNEXURE H

**APPLICATION FOR CONSENT USE ON
FARM NO. 222, STELLENBOCH
DIVISION**

**COMMENT FROM THE
MANAGER: COMMUNITY
SERVICES**



15

DEPARTMENT: COMMUNITY SERVICES

Stellenbosch Municipality, 123 Merriman Avenue, Stellenbosch, 7599

To:	Administrative Officer: Land Use Management Bulelwa Mdoda	From:	Senior Environmental Planner: Schalk van der Merwe
CC:	Manager: Community Services Albert van der Merwe	Date:	10 August 2021
Re:	LAND USE APPLICATION, FARM 222, STELLENBOSCH - U/12596		

FILED
F2225
7/11/21

The above application (dated 23 March 2021), the Environmental Authorization (dated 5 May 2021) issued by the Department of Environmental Affairs and Development Planning in terms of the National Environmental Management Act, 107 of 1998, and relevant Maintenance Management Plan for the proposed maintenance of the Bottelary River and associated wetlands, refers. From an environmental planning point of view this department has no objection to the approval of the application subject to the following:

1. The conditions set by the above Environmental Authorization must at all times be adhered to and the associated Maintenance Management Plan implemented.
2. Activities on site, during construction and thereafter, must comply with the Western Cape Noise Control Regulations.
3. During construction the owner, developer or any agent acting on his/her behalf, must take all reasonable steps to prevent nuisance caused by dust in accordance with the National Dust Control Regulations.

**S VD MERWE
SENIOR ENVIRONMENTAL PLANNER:
COMMUNITY SERVICES**

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES
11 AUG 2021
RECEIVED

ANNEXURE J

APPLICATION FOR CONSENT USE ON FARM NO. 222, STELLENBOCH DIVISION

COMMENT FROM THE DIRECTOR: ENGINEERING SERVICES



STELLENBOSCH MUNICIPALITY
STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INGENIEURSDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag Nicole Katts
From ▫ Van: Colin Taylor (Development)
Date ▫ Datum: 23/08/2021
Our Ref ▫ Ons Verw: Civil Lu 2166
Your ref: LU-12596
Re ▫ Insake: Farm 222 Stellenbosch: Consent use

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

1. Water

- 1.1 The Municipality does not have a water network in this area.
- 1.2 The onus is on the "Developer" to ensure a sustainable water source to the said development and that the "Municipality" be exempted from any claims whatsoever,
- 1.3 should the natural water source not be sufficient.
- 1.4 The water infrastructure required to serve any buildings must be indicated on the
- 1.5 building plans.
- 1.6 The potable water stored and distributed by the Owner, must comply with the SANS
- 1.7 241 Drinking Water Quality Standards.

2. Waste Water and Sewage

- 2.1 The Municipality does not have a sewer network in this area.
- 2.2 The sewer infrastructure required to serve any buildings must be indicated on the
- 2.3 building plans.
- 2.4 No new septic tanks and soak-aways are permitted to be built.
- 2.5 Any wastewater and sewage generated may not pollute any groundwater, stormwater or surface water.

3. Solid Waste

- 3.1 Please note: Solid waste must be removed from the site to a lawful solid waste disposal site in accordance with the requirements of section 26 of the National Environmental Management Waste Act 2008 (Act 59 of 2008).

4. Roads

- 4.1 The application has to be referred to the District Roads Engineer for comments and conditions.
- 4.2 The application has to be referred to the CoCT for comments and conditions. Any funding arrangements for new roads / road upgrades must be agreed between the Developer and the CoCT.

- 4.3 All the conditions set by the District Roads Engineer will be applicable.
- 4.4 Sufficient parking must be provided and indicated on the SDP at building plan submission stage.

5. Development Charges (DCs)

- 5.1 Based on the information provided, the Development Charges payable by the developer is R 2 786 442.79 (Vat incl.) as per attached Development Charges calculation.
- 5.2 The DC's were calculated for the 2021/2022 financial year. If the account is paid after 30 June 2022 it has to be recalculated using the then applicable tariffs.
- 5.3 The appropriate DC's are payable before a Clearance certificate can be issued.

6. Electrical Engineering

- 6.1 Refer to Annexure: Electrical for comments and conditions.



Colin Taylor Pr Tech Eng

PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)

V:\2.0 DEVELOPMENT\00 Developments\2166 (CT) Farm 222 Stellenbosch (LU-12596)\2166 - Farm 222, Stellenbosch.doc

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION	
Application Number	
Date	Monday, 23/Aug/2021
Financial Year	2021/22
Erf Location	Stellenbosch Town
Erf No	Farm 222
Erf Size (m ²)	
Suburb	
Applicant	Hazendal
Approved Building Plan No.	

SUMMARY OF DC CALCULATION									
Unit(s)	Water	Sewer	Storm-water	ha°C	Solid-Waste	Roads	Community Facilities	Totals	
	kl/day	kl/day	kl/day	ha°C	l/week	trips/day	person		
Total Increased Services Usage	13,877	12,143		0,278	1,388	312,24	312,2		
Total Development Charges before Deductions			R 28 369,17		R 73 722,07	R 2 269 178,45	R 51 724,04		R 2 422 993,73
Total Deductions									
Total Payable (excluding VAT)			R 28 369,17		R 73 722,07	R 2 269 178,45	R 51 724,04		R 2 422 993,73
VAT			R 4 255,38		R 11 058,31	R 340 376,77	R 7 756,61		R 363 449,06
Total Payable (including VAT)			R 32 624,54		R 84 780,38	R 2 609 555,22	R 59 482,64		R 2 786 442,79

APPLICANT INFORMATION	
Application Processed by:	Collin Taylor
Signature	
Date	As above
Amount Paid:	
Date Payment Received	
Receipt Number	

Stellenbosch Town

Land Use Category	Unit Type	Existing Usage	Proposed New Usage		Increased Usage		Water	Sewer	Storm-water	Solid/Waste	Roads	Community Facilities		Total
			area (m2)	du/m2	du	du/m2						du	% GLA	
Infrastructure Type applicable? (yes/no)														
Residential	m2 GLA	du	area (m2)	du/m2	du	du/m2	du	du	du	du	du	du	du	du
	m2	m2	m2	% GLA	m2 GLA	% GLA	m2 GLA	% GLA	m2 GLA	% GLA	m2 GLA	% GLA	m2 GLA	m2
	Single Residential >1000m2	du		0%		0	0	R	R	R	R	R	R	R
	Single Residential >500m2	du		0%		0	0	R	R	R	R	R	R	R
	Single Residential >250m2	du		0%		0	0	R	R	R	R	R	R	R
	Single Residential <250m2	du		0%		0	0	R	R	R	R	R	R	R
	Less Formal Residential >250m2	du		0%		0	0	R	R	R	R	R	R	R
	Less Formal Residential <250m2	du		0%		0	0	R	R	R	R	R	R	R
	Group Residential >250m2	du		0%		0	0	R	R	R	R	R	R	R
	Group Residential <250m2	du		0%		0	0	R	R	R	R	R	R	R
	Medium Density Residential >250m2	du		0%		0	0	R	R	R	R	R	R	R
	Medium Density Residential <250m2	du		0%		0	0	R	R	R	R	R	R	R
	High Density Residential - flats	du		0%		0	0	R	R	R	R	R	R	R
	High Density Residential - student rooms	du		0%		0	0	R	R	R	R	R	R	R
	Local Business - office	m2 GLA			0%		0	0	R	R	R	R	R	R
Commercial	m2 GLA			0%		0	0	R	R	R	R	R	R	R
	m2 GLA			0%		3 463	0	R	R	R	R	R	R	R
	Local Business - retail	m2 GLA		0%		0	0	R	R	R	R	R	R	R
	General Business - office	m2 GLA		0%		0	0	R	R	R	R	R	R	R
	General Business - retail	m2 GLA		0%		0	0	R	R	R	R	R	R	R
	Community	m2 GLA		0%		0	0	R	R	R	R	R	R	R
	Education	m2 GLA		0%		0	0	R	R	R	R	R	R	R
	Light Industrial	m2 GLA		0%		0	0	R	R	R	R	R	R	R
	General Industrial - light	m2 GLA		0%		0	0	R	R	R	R	R	R	R
	Warehousing	m2 GLA		0%		0	0	R	R	R	R	R	R	R
	General Industrial - heavy	m2 GLA		0%		0	0	R	R	R	R	R	R	R
	Noxious Industrial - heavy	m2 GLA		0%		0	0	R	R	R	R	R	R	R
	Resort	m2 GLA		0%		0	0	R	R	R	R	R	R	R
	Public Open Space	m2			0%		0	0	R	R	R	R	R	R
	Private Open Space	m2			0%		0	0	R	R	R	R	R	R
Other	Natural Environment	m2		0%		0	0	R	R	R	R	R	R	R
	Utility Services	m2 GLA		0%		0	0	R	R	R	R	R	R	R
	Public Roads and Parking	m2		0%		0	0	R	R	R	R	R	R	R
	Transport Facility	m2		0%		0	0	R	R	R	R	R	R	R
	Limited Use	m2		0%		0	0	R	R	R	R	R	R	R
	To be calculated based on equivalent demands													
	Complete yellow/green cells.					0								
Special														

Development Charges before Deductions	51 724,04	R 2 269 178,45	R 73 722,07	R 28 369,17	R 0,00	R 0,00	R 0,00	R 0,00	R 0,00	R 0,00	R 0,00	R 0,00	R 0,00	R 0,00
% Deductions per service (%)		0,00%	0,00%	0,00%	0,00%	0,00%	0,00%	0,00%	0,00%	0,00%	0,00%	0,00%	0,00%	0,00%
Additional Deductions per service - from Service Agreement (sum)														
VAT														
Total														

** du = dwelling unit, GLA=Gross lettable area.
 Total Development Charges before Deductions
 % Deductions per service (%)
 Additional Deductions per service - from Service Agreement (sum)
 VAT
 Total

ANNEXURE K

APPLICATION FOR CONSENT USE ON FARM NO. 222, STELLENBOCH DIVISION

COMMENT FROM THE MANAGER: HEALTH SERVICES

Bulelwa Mdoda

From: Leandre Candice Davids <leandre@capewinelands.gov.za>
Sent: 13 August 2021 10:10 AM
To: Bulelwa Mdoda
Cc: Fabian van Wyk; Ferencia September
Subject: [EX] RE: COMMENTS ON LAND USE APPLICATION: FARM 222 STELLENBOSCH (LU/12596)

FARM NUMBER & APPLICATION NUMBER:

Farm 222, Stellenbosch (LU/12596)

DESCRIPTION OF THE PROPOSAL

1. Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-law, promulgated by notice number 354/2015, dated 20 October 2015 for a Consent Use for a tourist accommodation establishment/hotel (consisting of 32 bedrooms) on Remainder Farm No. 222, Stellenbosch Division.
2. Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-law, promulgated by notice number 354/2015, dated 20 October 2015 for a Consent Use to allow for the following ancillary uses to the tourist accommodation establishment/hotel which will be contained in the same building:
 - (a) Restaurant (accommodate ± 60 people), bar and cigar lounge (accommodate ± 60 people);
 - (ii) Venue/event space (accommodate ± 200 people);
 - (iii) Sport facility consisting of a gym, changing rooms; and
 - (iv) Wellness centre (spa)
3. Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-law, promulgated by notice number 354/2015, dated 20 October 2015 for a Consent Use to allow for the following tourist facilities:
 - (i) The use of the outdoor areas/lawn in front of the deli for picnics (accommodate ± 300 people);
 - (ii) The use of the harvest circle for outdoor seating for the coffee shop/deli (accommodate ± 90 people);
 - (iii) The use of the pavilion and surrounding lawn for outdoor wedding and other events, e.g jazz concert (accommodate ± 100 people);
 - (iv) The kraal for a beer garden/restaurant (accommodate ± 120 people);
 - (v) The use of the area between the kraal and glass house for extension/overflow of the restaurant for a tea garden (accommodate ± 60 people).
 - (vi) The use of the glass house as a venue (accommodate ± 100 people);
 - (vii) A car pavilion which will occasionally be used for events;
 - (viii) A put-put course
 - (ix) The use of the existing basement/barrel store for a wine library (accommodate ± 22 people)

From an environmental health perspective, this application may be recommended for approval; provided that 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/development during the operational phase of the proposed development.

2. Potable water/Storm water

- 2.1 The quality of the potable water on the premises/development must at all times comply with the minimum bacteriological and chemical standards for potable water, as determined by SANS code 241.
3. Solid waste disposal
- 3.1 Refuse collection and storage at the proposed development must be done in a way that will not cause a health nuisance.
4. Sewerage/Sanitary facilities
- 4.1 The sewerage system from the proposed development must be connected to an approved sewerage system according to Stellenbosch Municipality's specifications, conditions and approval.
- 4.2 Sewage disposal on the premises/development must at all times take place in a nuisance-free manner and shall be the owner's responsibility.
5. General conditions
- 5.1 This Department reserves the right to set further requirements during the operational phase.

Please contact me if you have any further questions or comments in this regard.

Yours faithfully



From: Fabian van Wyk <fabian@capewinlands.gov.za>
Sent: Tuesday, 10 August 2021 08:29
To: Leandre Candice Davids <leandre@capewinlands.gov.za>
Subject: FW: COMMENTS ON LAND USE APPLICATION: FARM 222 STELLENBOSCH (LU/12596)

Môre

Vind asb aangeheg vir u aandag.

Groete

From: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>
Sent: Tuesday, 10 August 2021 08:17
To: Ferencia September <ferencia@capewinlands.gov.za>; Katherine Robinson <Katherine.Robinson@stellenbosch.gov.za>; Noorun-nisa Ras (Dev Admin) <Dev.Admin@stellenbosch.gov.za>; Schalk Van der Merwe <Schalk.VanderMerwe@stellenbosch.gov.za>; Fabian van Wyk <fabian@capewinlands.gov.za>; Martin Van As <Martin.VanAs@stellenbosch.gov.za>; Tyrone King <Tyrone.King@stellenbosch.gov.za>; Bradley Williams <Bradley.Williams@stellenbosch.gov.za>; Albert van der Merwe <Albert.vanderMerwe@stellenbosch.gov.za>
Cc: Louisa Guntz <Louisa.Ollyn@stellenbosch.gov.za>; Cornelia van Zyl <cornelia@icaplan.co.za>
Subject: COMMENTS ON LAND USE APPLICATION: FARM 222 STELLENBOSCH (LU/12596)

ANNEXURE L

APPLICATION FOR CONSENT USE ON FARM NO. 222, STELLENBOCH DIVISION

COMMENT FROM HERITAGE WESTERN CAPE

Our Ref: HM/ CAPE WINELANDS/ STELLENBOSCH/ HAZENDAL FARM 222
Case No.: 19102928AS1107M
Enquiries: Stephanie-Anne Barnardt
E-mail: stephanie.barnardt@westerncape.gov.za
Tel: 021 483 5959
Cell: 076 481 8392 (during the lock-down period)
Date: 14 July 2020



Stuart Hermansen
Farm 222 Bottelary Road
Stellenbosch
7599
stuart@hermansen.co.za

FINAL COMMENT

In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003

HERITAGE IMPACT ASSESSMENT: PROPOSED HOTEL & GOLF COURSE, HAZENDAL FARM 222, BOTTELARY ROAD, STELLENBOSCH SUBMITTED IN TERMS OF SECTION 38(8) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 19102928AS1107M

The matter above has reference.

This matter was discussed at the Impact Assessment Committee (IACom) meeting held on 8 July 2020

It was noted that the matter was tabled at Archaeology, Palaeontology and Meteorites Committee (APM) meeting held on the 6 May 2020 whereby the Committee recommended that the revised HIA include:

The APM Committee endorses the report with the following additional recommendations:

Monitoring of all earthworks must be undertaken by an appropriately qualified historical archaeologist particularly in the areas to the west of the cottage (towards the trapvloer) and to the north of the cottage into the area of the poplar grove. A Workplan must be submitted to HWC which indicates the repository for any chance finds.

FINAL COMMENT:

The Committee resolved to endorse the application as having met the further requirements as well as the additional items now included, namely the gate house, golf academy driving range and golf maintenance building.

HWC reserves the right to request additional information as required.

Should you have any further queries, please contact the official above and quote the case number.

Yours faithfully

p.p. 

Dr. Mxolisi Dlamuka
Chief Executive Officer, Heritage Western Cape

www.westerncape.gov.za/cas

Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • Postal Address: P.O. Box 1065, Cape Town, 8000
• Tel: +27 (0)21 483 5959 • E-mail: cas@erfenis.westerncape.gov.za

Straatadres: Protea Assuransiegebou, Groenemarkplein, Kaapstad, 8000 • Posadres: Postbus 1065, Kaapstad, 8000
• Tel: +27 (0)21 483 5959 • E-pos: erfenis@erfenis.westerncape.gov.za

Idilisi yendawo: Kumbonqubo 3, Ewisaqhubo i-Protea Assurance, Greenmarket Square, iKaapstad, 2000 • Idilisi ye-posi: Inombolo ye-bhokisi ye-posi 1065, iKaapa, 8000 • Inombolo zomxeba: +27 (0)21 483 5959 • Idilisi ye-Imeyili: erfenis@erfenis.westerncape.gov.za

1. All work shall be done in accordance with the National Building Code of South Africa and all the specific by-laws and regulations that apply to the project.

2. All work shall be done in accordance with the National Building Code of South Africa, and all the specific by-laws and regulations that apply to the project.

3. The contractor shall be responsible for obtaining all necessary permits and approvals from the relevant authorities.

4. The contractor shall be responsible for obtaining all necessary permits and approvals from the relevant authorities.

5. The contractor shall be responsible for obtaining all necessary permits and approvals from the relevant authorities.

6. The contractor shall be responsible for obtaining all necessary permits and approvals from the relevant authorities.

7. The contractor shall be responsible for obtaining all necessary permits and approvals from the relevant authorities.

8. The contractor shall be responsible for obtaining all necessary permits and approvals from the relevant authorities.

9. The contractor shall be responsible for obtaining all necessary permits and approvals from the relevant authorities.

10. The contractor shall be responsible for obtaining all necessary permits and approvals from the relevant authorities.

11. THE CLIENT UNDERTAKES TO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

NO.	DATE	DESCRIPTION
1	2020/07/14	ISSUED FOR PERMIT
2	2020/07/14	ISSUED FOR PERMIT
3	2020/07/14	ISSUED FOR PERMIT
4	2020/07/14	ISSUED FOR PERMIT
5	2020/07/14	ISSUED FOR PERMIT

GENERAL		REVISION		CLIENT		PROJECT		TITLE	
1	2	3	4	5	6	7	8	9	10

**Booertman
Partners**

ARCHITECTS
117 THE PALM, 117th Avenue, Sandton, Johannesburg 2008
PO BOX 117, SANDTON, 2008
T 011 793 7611
F 011 793 7612
WWW.BOOERTMANPARTNERS.CO.ZA

HAZENDAL HOTEL
FOR
MAINTS HOTEL GROUP
HAZENDAL WINE ESTATE

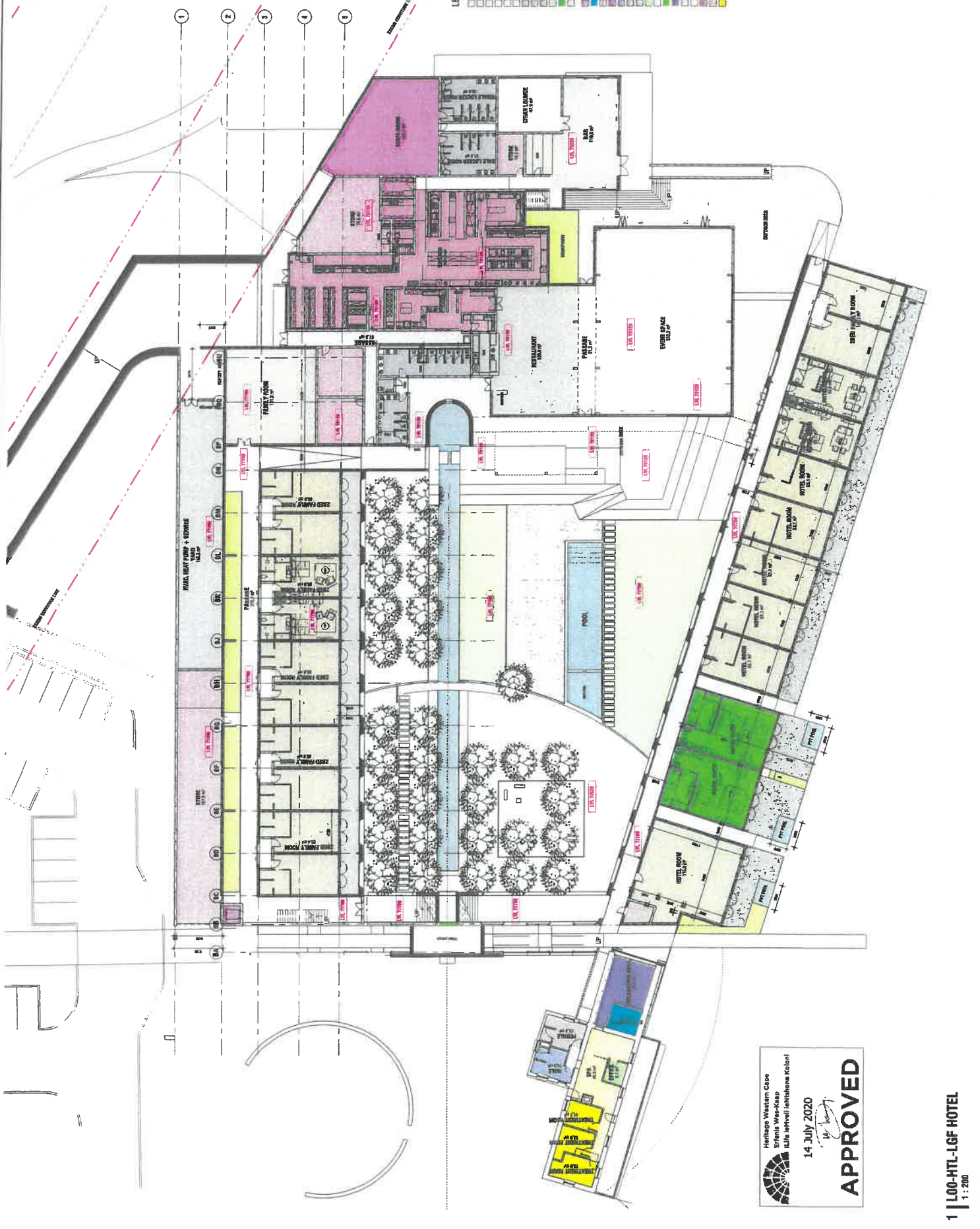
LOWER GROUND FLOOR PLAN
SCALE: 1:200 @ A1

PROJECT | AREA | CONTRACT NO. | DRAWING NO. | SHEET NO.

ABOD. HT | AR | 1001 | E

DATE: 14 JULY 2020

BY: [Signature]



Heritage Western Cape
Sifenis Waa-Kaap
iLifa lekheli leNtshona Koloni

14 JULY 2020

APPROVED

1 | L00-HTL-LGF HOTEL
1:200

1. All work to be done in accordance with the relevant building codes, standards, and specifications, including but not limited to, the National Building Code of South Africa (NBS), the National Fire Protection Association (NFPA), the International Building Code (IBC), the International Residential Code (IRC), the International Energy Conservation Code (IECC), and the International Mechanical Code (IMC).
 2. This drawing is a preliminary design and is not intended for construction purposes. It is subject to change without notice.
 3. The client is responsible for obtaining all necessary permits and approvals from the relevant authorities.
 4. The client is responsible for providing all necessary information and data for the design and construction of the project.
 5. The client is responsible for ensuring that the project complies with all applicable laws, regulations, and standards.
 6. The client is responsible for ensuring that the project is completed on time and within budget.
 7. The client is responsible for ensuring that the project is completed to the satisfaction of the client.
 8. The client is responsible for ensuring that the project is completed in accordance with the contract documents.
 9. The client is responsible for ensuring that the project is completed in accordance with the relevant building codes, standards, and specifications.
 10. The client is responsible for ensuring that the project is completed in accordance with the relevant fire codes, standards, and specifications.
 11. The client is responsible for ensuring that the project is completed in accordance with the relevant energy codes, standards, and specifications.
 12. The client is responsible for ensuring that the project is completed in accordance with the relevant mechanical codes, standards, and specifications.
 13. The client is responsible for ensuring that the project is completed in accordance with the relevant electrical codes, standards, and specifications.
 14. The client is responsible for ensuring that the project is completed in accordance with the relevant plumbing codes, standards, and specifications.
 15. The client is responsible for ensuring that the project is completed in accordance with the relevant HVAC codes, standards, and specifications.
 16. The client is responsible for ensuring that the project is completed in accordance with the relevant accessibility codes, standards, and specifications.
 17. The client is responsible for ensuring that the project is completed in accordance with the relevant sustainability codes, standards, and specifications.
 18. The client is responsible for ensuring that the project is completed in accordance with the relevant safety codes, standards, and specifications.
 19. The client is responsible for ensuring that the project is completed in accordance with the relevant security codes, standards, and specifications.
 20. The client is responsible for ensuring that the project is completed in accordance with the relevant environmental codes, standards, and specifications.

REV	DATE	BY	DESCRIPTION
1	2020-12-17	MM	ISSUE FOR PERMITTING
2	2020-12-17	MM	ISSUE FOR PERMITTING
3	2020-12-17	MM	ISSUE FOR PERMITTING
4	2020-12-17	MM	ISSUE FOR PERMITTING
5	2020-12-17	MM	ISSUE FOR PERMITTING
6	2020-12-17	MM	ISSUE FOR PERMITTING
7	2020-12-17	MM	ISSUE FOR PERMITTING
8	2020-12-17	MM	ISSUE FOR PERMITTING
9	2020-12-17	MM	ISSUE FOR PERMITTING
10	2020-12-17	MM	ISSUE FOR PERMITTING
11	2020-12-17	MM	ISSUE FOR PERMITTING
12	2020-12-17	MM	ISSUE FOR PERMITTING
13	2020-12-17	MM	ISSUE FOR PERMITTING
14	2020-12-17	MM	ISSUE FOR PERMITTING
15	2020-12-17	MM	ISSUE FOR PERMITTING
16	2020-12-17	MM	ISSUE FOR PERMITTING
17	2020-12-17	MM	ISSUE FOR PERMITTING
18	2020-12-17	MM	ISSUE FOR PERMITTING
19	2020-12-17	MM	ISSUE FOR PERMITTING
20	2020-12-17	MM	ISSUE FOR PERMITTING

REV	DATE	BY	DESCRIPTION
1	2020-12-17	MM	ISSUE FOR PERMITTING
2	2020-12-17	MM	ISSUE FOR PERMITTING
3	2020-12-17	MM	ISSUE FOR PERMITTING
4	2020-12-17	MM	ISSUE FOR PERMITTING
5	2020-12-17	MM	ISSUE FOR PERMITTING
6	2020-12-17	MM	ISSUE FOR PERMITTING
7	2020-12-17	MM	ISSUE FOR PERMITTING
8	2020-12-17	MM	ISSUE FOR PERMITTING
9	2020-12-17	MM	ISSUE FOR PERMITTING
10	2020-12-17	MM	ISSUE FOR PERMITTING
11	2020-12-17	MM	ISSUE FOR PERMITTING
12	2020-12-17	MM	ISSUE FOR PERMITTING
13	2020-12-17	MM	ISSUE FOR PERMITTING
14	2020-12-17	MM	ISSUE FOR PERMITTING
15	2020-12-17	MM	ISSUE FOR PERMITTING
16	2020-12-17	MM	ISSUE FOR PERMITTING
17	2020-12-17	MM	ISSUE FOR PERMITTING
18	2020-12-17	MM	ISSUE FOR PERMITTING
19	2020-12-17	MM	ISSUE FOR PERMITTING
20	2020-12-17	MM	ISSUE FOR PERMITTING

GENERAL

REVISION

CLIENT

PROJECT

TITLE

HAZENDAL HOTEL
NAMTUS HOTEL GROUP
HAZENDAL WINE ESTATE

UPPER GROUND FLOOR PLAN

SCALE: 1:200 @ A1
 PROJECT | Phase | Proposed | 14 July 2020

ARCHITECT | BOOGERMAN PARTNERS

CONSULTANT | [REDACTED]

CLIENT | [REDACTED]

DATE | 14 July 2020

PROJECT | [REDACTED]

PHASE | [REDACTED]

PROPOSED | [REDACTED]

DATE | 14 July 2020

ARCHITECT | [REDACTED]

CONSULTANT | [REDACTED]

CLIENT | [REDACTED]

SCALE: 1:200 @ A1

PROJECT | [REDACTED]

PHASE | [REDACTED]

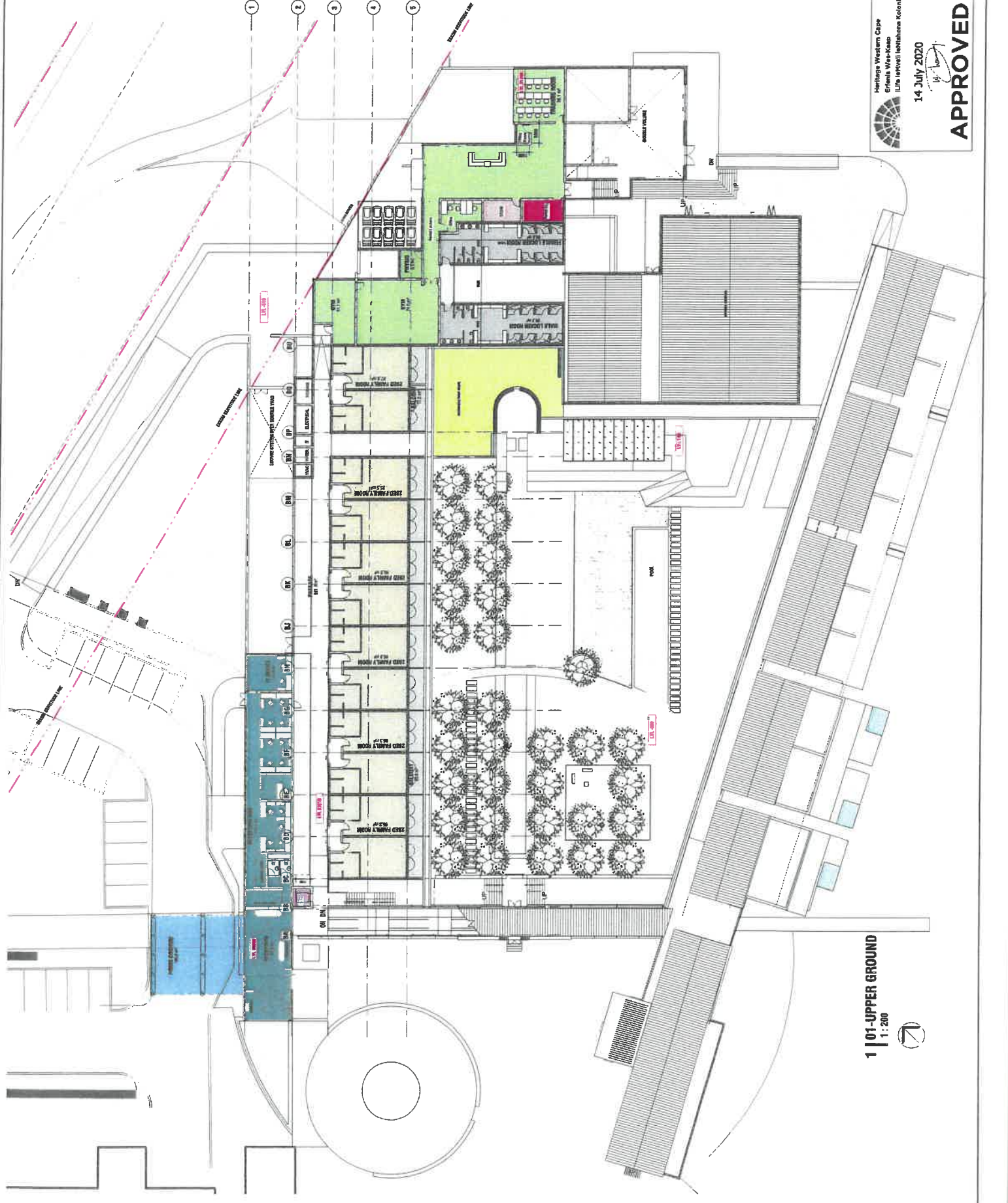
PROPOSED | [REDACTED]

DATE | 14 July 2020

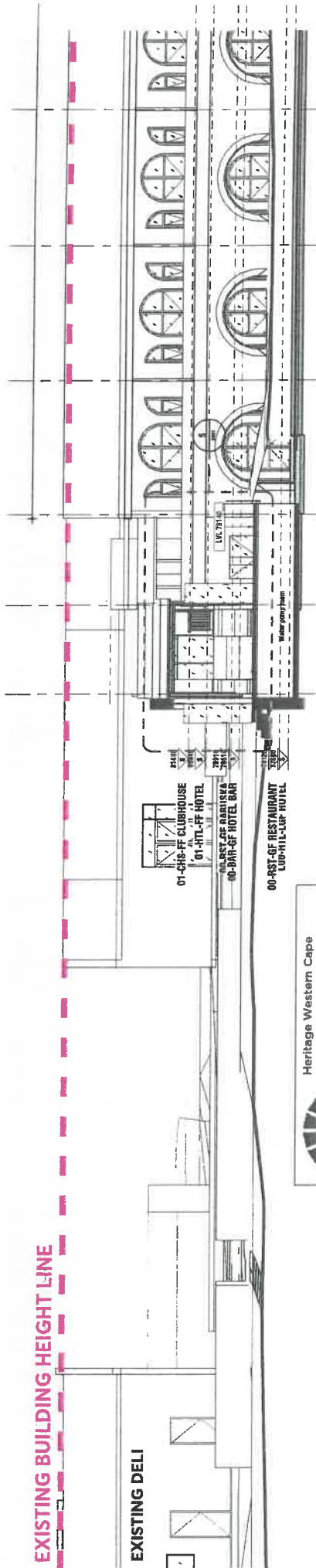
ARCHITECT | [REDACTED]

CONSULTANT | [REDACTED]

CLIENT | [REDACTED]



EXISTING BUILDING HEIGHT LINE



SECTION - A

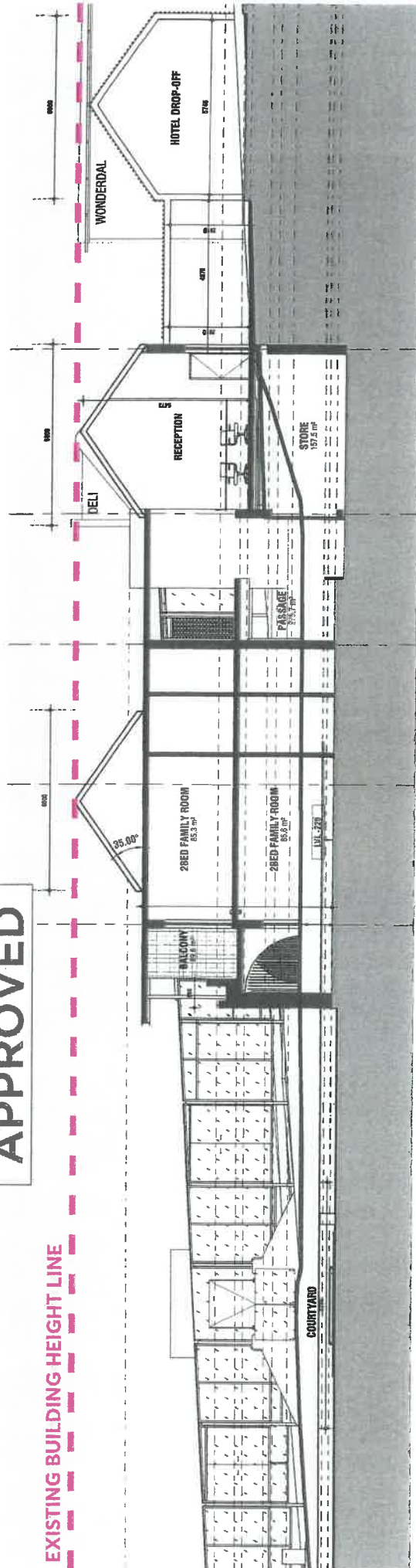
Heritage Western Cape
 Erfenis Wes-Kaap
 ILifa leMveli leNtshona Kelani

14 July 2020

M. M. M. M.

APPROVED

EXISTING BUILDING HEIGHT LINE



SECTION - B

ANNEXURE M

**APPLICATION FOR CONSENT
USE ON FARM NO. 222,
STELLENBOCH DIVISION**

**COMMENT FROM
DEPARTMENT OF
ENVIRONMENTAL AFFAIRS
AND DEVELOPMENT
PLANNING**

REFERENCE: 16/3/3/1/B4/45/1055/20
NEAS REFERENCE: WCP/EIA/0000815/2020
ENQUIRIES: Samornay Smidt
DATE OF ISSUE: 05 May 2021

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): PROPOSED HOTEL AND ASSOCIATED INFRASTRUCTURE ON THE HAZENDAL WINE ESTATE, FARM NO. 222, STELLENBOSCH

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 (as amended), 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 Alternative, as described in the Basic Assessment Report ("BAR"), dated January 2021.

In terms of the NEMA, viz, the EIA Regulations, 2014 (Listing Notices 1 and 3 of 2014 in Government Gazette No. 40772 of 7 April 2017) the Competent Authority hereby **adopts the updated Maintenance Management Plan** for the proposed maintenance of the Bottelary River and associated wetlands, Hazendal Wine Estate, Stellenbosch, dated October 2020.

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

Hazendal Wine Estate (Pty) Ltd
c/o Mr. Shlomi Azar
P.O. Box 111
SONEIKE
7583

Tel: (021) 903 5034
Email: shlomi@hazendal.co.za



Western Cape
Government

Department of Environmental Affairs and Development Planning

Samornay Smidt

Development Management: Region 1

Samornay.Smidt@westerncape.gov.za | Tel: 021 483 5828

REFERENCE: 16/3/3/1/B4/45/1055/20
NEAS REFERENCE: WCP/EIA/0000815/2020
DATE: 03 May 2021

Board of Directors
Hazendal Wine Estate (Pty) Ltd
P.O. Box 111
SONEIKE
7583

Attention: Dr. Mark Voloshin/Mr. Shlomi Azar

Tel: (021) 903 5034
Email: shlomi@hazendal.co.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): PROPOSED HOTEL AND ASSOCIATED INFRASTRUCTURE ON THE HAZENDAL WINE ESTATE, FARM NO. 222, STELLENBOSCH

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation and **adopt** the updated Maintenance Management Plan, attached herewith, 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: 2021.05.03 18:52:26
+02'00'

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

Cc: (1) Ms. M. Sham (Khula Environmental Consultants)
(2) Mr. S. van der Merwe (Stellenbosch Municipality)

Email: monique@khulaec.co.za
Email: Schalk.VanderMerwe@stellenbosch.gov.za

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

B. LIST OF ACTIVITIES AUTHORISED

Listed Activities	Activities/Project Description
<p>EIA Regulations Listing Notice 1 of 2014 -</p> <p>Activity Number: 12</p> <p>The development of—</p> <ul style="list-style-type: none"> (i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or (ii) infrastructure or structures with a physical footprint of 100 square metres or more; <p>where such development occurs -</p> <ul style="list-style-type: none"> (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; - <p>excluding -</p> <ul style="list-style-type: none"> (aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour; (bb) 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; (cc) 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; (dd) where such development occurs within an urban area; (ee) where such development occurs within existing roads, road reserves or railway line reserves; or (ff) the development of temporary infrastructure or structures where such infrastructure or structures 	<p>Construction of the hotel and associated infrastructure will encroach into the watercourses present on the site and the collective footprint of these structures will exceed 100 squares metres in extent.</p>

<p>will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.</p>	
<p>EIA Regulations Listing Notice 1 of 2014 -</p> <p>Activity Number: 19</p> <p>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from—</p> <p>(i) a watercourse;</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 harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</p>	<p>Construction of the hotel and associated infrastructure will encroach into the watercourses present on the site and will result in the infilling and excavation of more than 10 cubic metres of material into and from the watercourses.</p>
<p>EIA Regulations Listing Notice 1 of 2014-</p> <p>Activity Number: 27</p> <p>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</p> <p>(i) the undertaking of a linear activities; or</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>	<p>Construction of the hotel and associated infrastructure will require the clearance of 1 hectare or more of indigenous vegetation.</p>
<p>EIA Regulations Listing Notice 1 of 2014 -</p> <p>Activity Number: 48</p> <p>The expansion of –</p> <p>(ii) infrastructure or structures where the physical footprint is expanded by 100 square metres or more; or</p>	<p>Existing structures and infrastructure that are located within and within 32m of the watercourses present on the site, will be upgraded and expanded by more than 100m² to form part of the proposed hotel development.</p>

<p>(iii) 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) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;</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;</p> <p>(cc) 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;</p> <p>(dd) where such expansion occurs within an urban area; or</p> <p>(ee) where such expansion occurs within existing roads, road reserves or railway line reserves.</p>	
<p>EIA Regulations Listing Notice 1 of 2014 -</p> <p>Activity Number: 56</p> <p>The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre -</p> <p>(i) where the existing reserve is wider than 13,5 meters; or</p> <p>(ii) where no reserve exists, where the existing road is wider than 8 metres;</p> <p>excluding where widening or lengthening occur inside urban areas.</p>	<p>Widening of a portion of the existing access road off Ronelle Street by approximately 8m (at its widest) for approximately 100m in length is required to accommodate the security gate and allow for free flow of two-way traffic.</p>
<p>EIA Regulations Listing Notice 3 of 2014 –</p> <p>Activity Number: 4</p> <p>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</p> <p>Western Cape</p> <p>i. Areas zoned for use as public open space or equivalent zoning;</p> <p>ii. Areas outside urban areas;</p> <p>(aa) Areas containing indigenous vegetation;</p>	<p>New internal roads will be constructed to provide access to the proposed development.</p>

<p>(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</p> <p>iii. Inside urban areas:</p> <p>(aa) Areas zoned for conservation use; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</p>	
<p>EIA Regulations Listing Notice 3 of 2014 –</p> <p>Activity Number: 12</p> <p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p>i. Western Cape</p> <p>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p> <p>ii. Within critical biodiversity areas identified in bioregional plans;</p> <p>iii. Within the littoral active zone or 100 metres inland from the high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;</p> <p>iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</p> <p>v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</p>	<p>Construction of the hotel and associated infrastructure will require the clearance of 300 square metres or more of the remaining critically endangered indigenous vegetation on the site.</p>
<p>EIA Regulations Listing Notice 3 of 2014 –</p> <p>Activity Number: 17</p> <p>The expansion of a resort, lodge, hotel, tourism or hospitality facilities where the development footprint will be expanded and the expanded facility can accommodate an additional 15 people or more.</p> <p>a. Western Cape</p> <p>i. Inside a protected area identified in terms of NEMPAA;</p>	<p>The proposed hotel is an expansion of the existing tourism facility and will sleep more than 15 people.</p>

<p>ii. Outside urban areas:</p> <p>(aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or</p> <p>(bb) Within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve; -</p> <p>excluding the conversion of existing buildings where the development footprint will not be increased.</p>	
<p>EIA Regulations Listing Notice 3 of 2014 –</p> <p>Activity Number: 18</p> <p>The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</p> <p>a. Western Cape</p> <p>i. Areas zoned for use as public open space or equivalent zoning;</p> <p>ii. All areas outside urban areas:</p> <p>(aa) Areas containing indigenous vegetation;</p> <p>(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</p> <p>iii. Inside urban areas:</p> <p>(aa) Areas zoned for conservation use; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</p>	<p>Widening of the access road by more than 4m.</p>

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

The holder is herein authorised to undertake the following alternative that includes the listed activities as it relates to the development:

The proposed development comprises of the construction of a hotel and associated infrastructure on the Hazendal Wine Estate. The proposed hotel development will include the following:

- Approximately 34 accommodation units and associated amenities and infrastructure, such as a spa, restaurant, bar, a shop, new roads and parking areas with a footprint of approximately 14500m².
- The hotel will be located next to a dam and partially encroaches into a wetland.
- Boardwalks, bird hides and pathways will be developed within and around the surrounding wetlands and gardens.
- An existing historical shed (located within the delineated wetland) will be converted and upgraded to form part of the hotel.

- Access to the site will be via the existing road off Bottelary Road, which crosses the Bottelary River and the "werf" in front of the historic farm buildings and then circumvents the existing parking area.
- An alternative road which runs from the existing buildings in a northerly direction and connects with Ronelle Street will also be utilised for access. This road will be upgraded with an additional lane around the security office to accommodate the additional traffic.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on Farm No. 222, Stellenbosch

The SG21 digit code is: C0670000000022200000

Co-ordinates of the properties:

Latitude	Longitude
33° 54' 1.84" South	18° 43' 9.37" East

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

Khula Environmental Consultants (Pty) Ltd

c/o Ms M Sham

71 Kommetjie Road

FISH HOEK

7975

Cell: (072) 989 5119

Email: monique@khulaec.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 the Preferred Alternative, as described in the BAR dated January 2021 on the site as described in Section C above.
2. The Environmental Authorisation is valid for a period of **five years** from the date of issue, within which commencement must occur.
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, 9 and 12.

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 (as amended) detailed in Section G below;
 - 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 7.4 provide the registered I&APs with:
 - 7.4.1 the name of the holder (entity) of this Environmental Authorisation,
 - 7.4.2 name of the responsible person for this Environmental Authorisation,
 - 7.4.3 postal address of the holder,
 - 7.4.4 telephonic and fax details of the holder,
 - 7.4.5 e-mail address, if any, of the holder, and
 - 7.4.6 contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations (as amended).
8. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is

suspended until the appeal is decided i.e. the listed activities, including site preparation, must not commence until the appeal is decided.

Management of activities

9. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
10. The updated Maintenance Management Plan ("MMP") adopted as part of this Environmental Authorisation must be implemented.
11. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

12. The holder must appoint a suitably experienced environmental control officer ("ECO") before commencement of any land clearing or construction activities to ensure compliance with the EMPr and the conditions contained herein.
13. A copy of the Environmental Authorisation, EMPr, MMP, 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.
14. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

Auditing

15. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), 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** (not the ECO appointed in terms of condition 12 above) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).

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 completion of the construction phase of the development.

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

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

Heritage remains include: meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone 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.

17. A qualified archaeologist and/or paleontologist 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.
18. The relevant requirements with respect to occupational health and safety must be adhered to at all times.

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 the listed activities within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activities, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

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

5. The manner and frequency for updating the EMPr is as follows:

Amendments to the EMPr must be done in accordance with Regulations 35 to 37 of the EIA Regulations 2014, (as amended) or any relevant legislation that may be applicable at the time.

G. APPEALS

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

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date on which notification of the decision was sent to the holder by the Competent Authority–
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date on which the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organs 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 Organs 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
8th 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.

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 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: 2021.05.03
15:54:46 +02'00'

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 05 MAY 2021

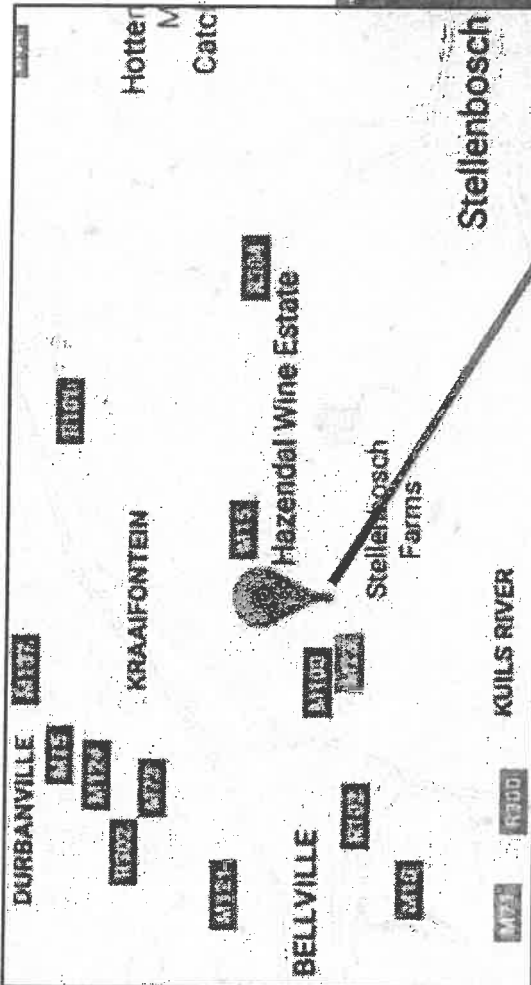
Cc: (1) Ms. M. Sham (Khula Environmental Consultants)
(2) Mr. S. van der Merwe (Stellenbosch Municipality)
(3) Mr. S. Carstens (Stellenbosch Municipality)

Email: monique@khulaec.co.za
Email: Schalk.VanderMerwe@stellenbosch.gov.za
Email: Stiaan.Carstens@stellenbosch.gov.za

ANNEXURE 1: LOCALITY MAP

KHULA environmental consultants

Integrated Environmental Management • Natural Resource Management Planning



Legend:

- The Site:
- Proposed Hotel Location:
- Boardwalks & Decks:
- Existing access road:
- Proposed road widening:
- Prevailing winter winds: NW
- Prevailing summer winds: SE

Latitude: 33°53'58.64"S

Longitude: 18°43'13.52"E

Locality Map: Proposed hotel on Hazendal Wine Estate, Farm 222/0 Stellenbosch



Image © 2013 Maxar Technologies

ANNEXURE 2: SITE PLAN

GENERAL

1. This site plan is a technical drawing and should be read in conjunction with the Master Site Development Plan and the General Arrangement Plan.

2. The site plan shows the layout of the site, including the roads, buildings, and landscaping.

3. The site plan is subject to the approval of the relevant authorities.

4. The site plan is a preliminary drawing and is subject to change.

5. The site plan is a technical drawing and should be read in conjunction with the Master Site Development Plan and the General Arrangement Plan.

6. The site plan shows the layout of the site, including the roads, buildings, and landscaping.

7. The site plan is subject to the approval of the relevant authorities.

8. The site plan is a preliminary drawing and is subject to change.

9. The site plan is a technical drawing and should be read in conjunction with the Master Site Development Plan and the General Arrangement Plan.

10. The site plan shows the layout of the site, including the roads, buildings, and landscaping.

11. The site plan is subject to the approval of the relevant authorities.

12. The site plan is a preliminary drawing and is subject to change.

13. The site plan is a technical drawing and should be read in conjunction with the Master Site Development Plan and the General Arrangement Plan.

14. The site plan shows the layout of the site, including the roads, buildings, and landscaping.

15. The site plan is subject to the approval of the relevant authorities.

16. The site plan is a preliminary drawing and is subject to change.

17. The site plan is a technical drawing and should be read in conjunction with the Master Site Development Plan and the General Arrangement Plan.

18. The site plan shows the layout of the site, including the roads, buildings, and landscaping.

19. The site plan is subject to the approval of the relevant authorities.

20. The site plan is a preliminary drawing and is subject to change.

REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR TENDERS	15/08/2011
2	ISSUED FOR TENDERS	15/08/2011
3	ISSUED FOR TENDERS	15/08/2011
4	ISSUED FOR TENDERS	15/08/2011
5	ISSUED FOR TENDERS	15/08/2011
6	ISSUED FOR TENDERS	15/08/2011
7	ISSUED FOR TENDERS	15/08/2011
8	ISSUED FOR TENDERS	15/08/2011
9	ISSUED FOR TENDERS	15/08/2011
10	ISSUED FOR TENDERS	15/08/2011
11	ISSUED FOR TENDERS	15/08/2011
12	ISSUED FOR TENDERS	15/08/2011
13	ISSUED FOR TENDERS	15/08/2011
14	ISSUED FOR TENDERS	15/08/2011
15	ISSUED FOR TENDERS	15/08/2011
16	ISSUED FOR TENDERS	15/08/2011
17	ISSUED FOR TENDERS	15/08/2011
18	ISSUED FOR TENDERS	15/08/2011
19	ISSUED FOR TENDERS	15/08/2011
20	ISSUED FOR TENDERS	15/08/2011

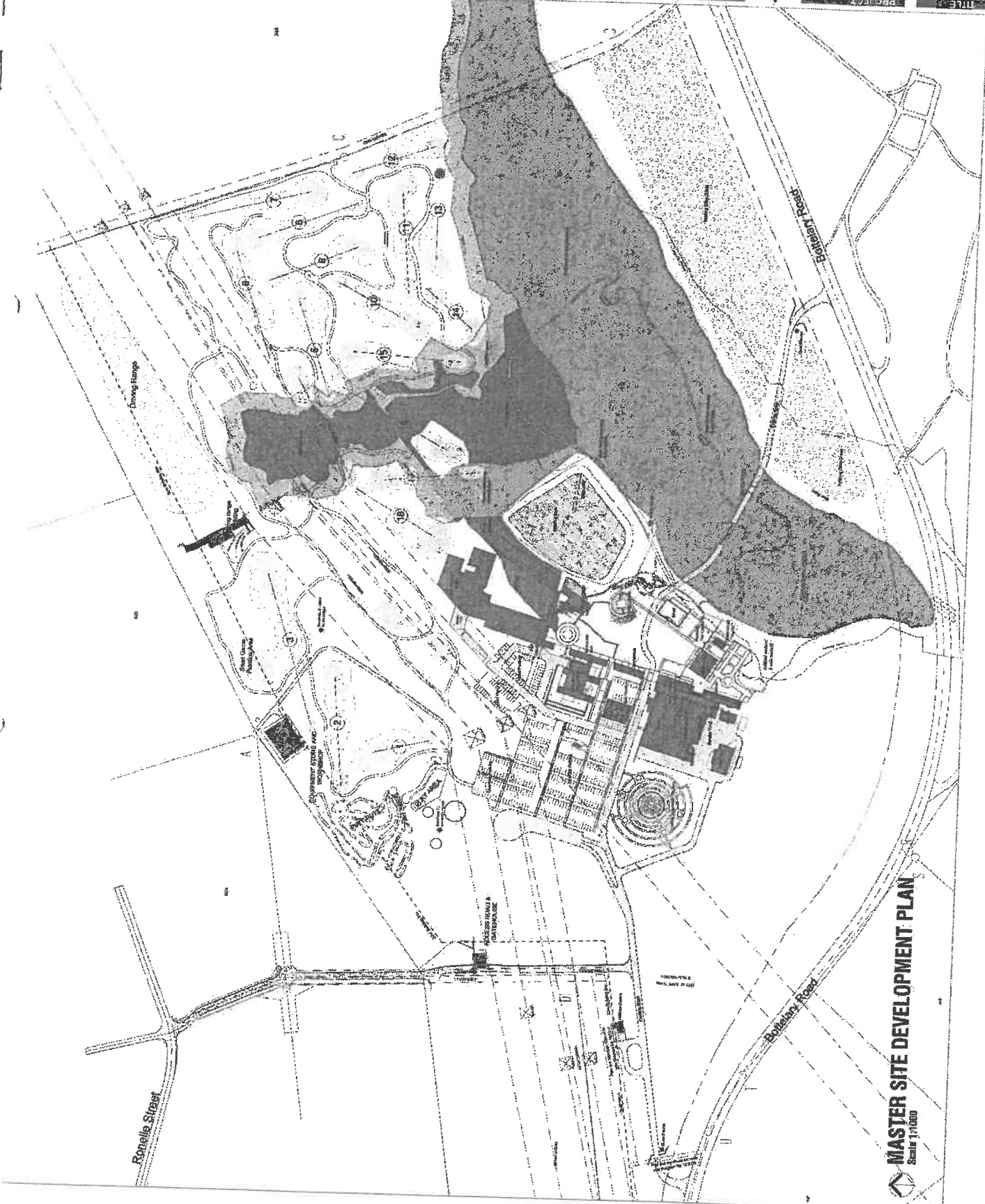
- 1. Main roads
- 2. Access roads
- 3. Pedestrian paths
- 4. Cycle paths
- 5. Green spaces
- 6. Buildings
- 7. Landscaping
- 8. Utilities
- 9. Security
- 10. Other

+Partners

1500 1200 900 600 300 0

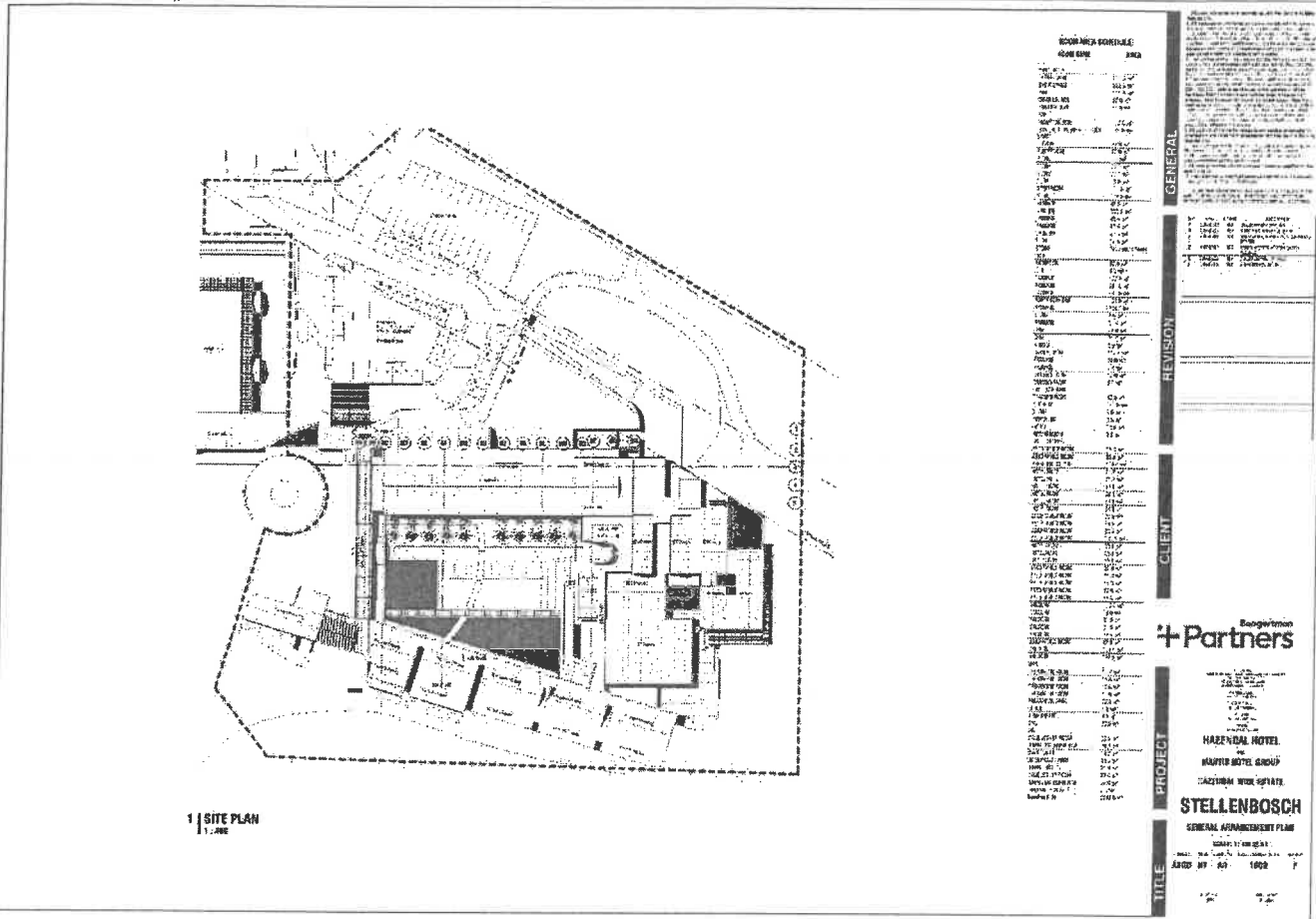
HAZELWALD WINE ESTATE
1500 1200 900 600 300 0

STELLENBOSCH
1500 1200 900 600 300 0

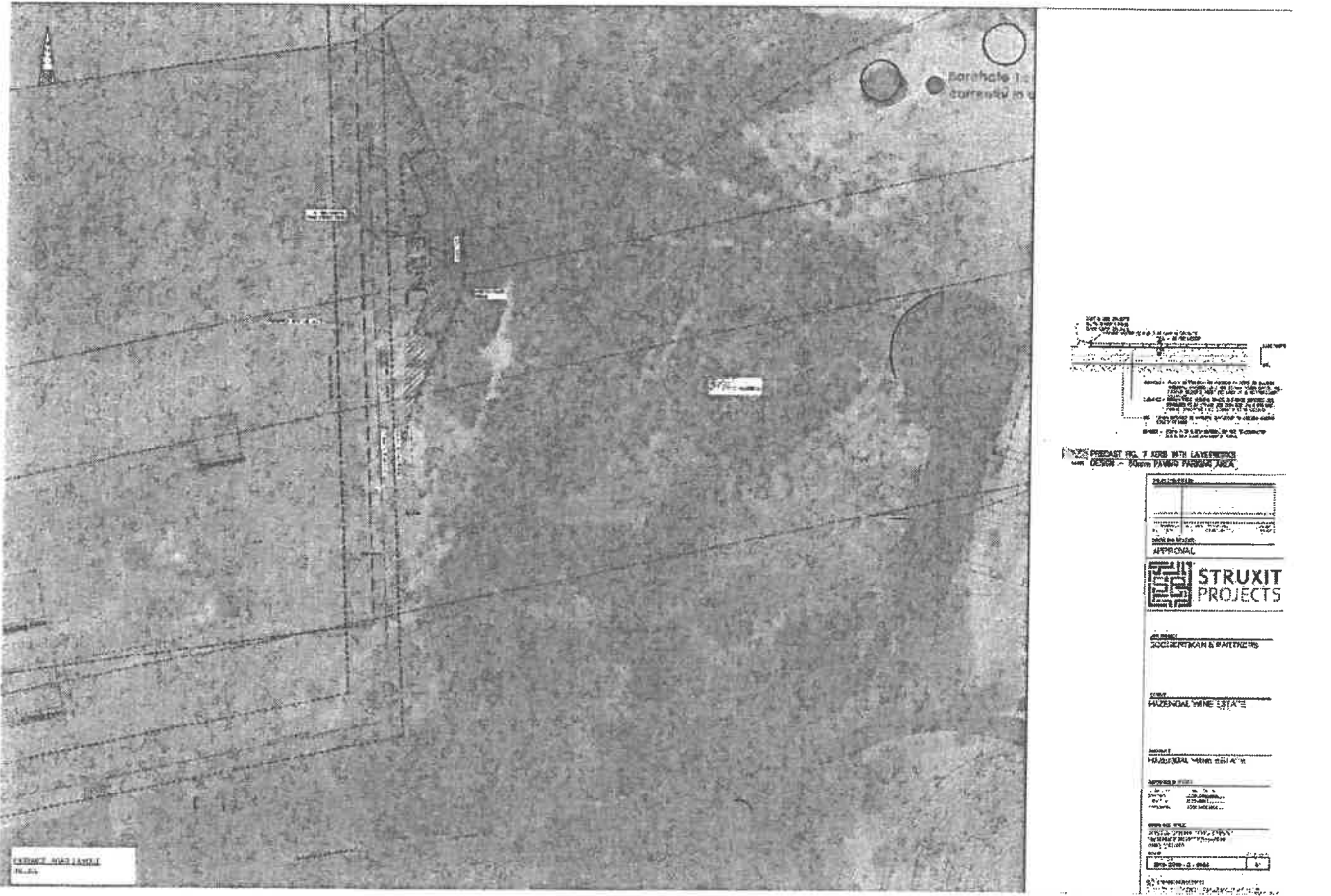


MASTER SITE DEVELOPMENT PLAN
Scale 1:1000

HOTEL ARRANGEMENT



ROAD WIDENING SECTION



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 dated 30 October 2020, the EMPr submitted together with final BAR dated January 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 BAR dated January 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;
- fixing notice boards at the site where the listed activities is to be undertaken on 30 July 2020;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities is 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 30 July 2020;
- the placing of a newspaper advertisement in the "Bolander" on 30 July 2020;
- circulating the pre-application draft BAR to I&APs from 30 July 2020; and
- circulating the in-process draft BAR to I&APs from 9 November 2020.

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

The preferred design and layout were informed by specialist input and is considered to be appropriate and sensitive to the historic and cultural aesthetics of the Hazendal Wine Estate and the freshwater resources present on the farm.

Preferred Alternative 1 (Herewith authorised)

The proposed development comprises of the construction of a hotel and associated infrastructure on the Hazendal Wine Estate. The proposed hotel development will include the following:

- Approximately 34 accommodation units and associated amenities and infrastructure, such as a spa, restaurant, bar, a shop, new roads and parking areas with a footprint of approximately 14500m².
- The hotel will be located next to a dam and partially encroaches into a wetland.
- Boardwalks, bird hides and pathways will be developed within and around the surrounding wetlands and gardens.
- An existing historical shed (located within the delineated wetland) will be converted and upgraded to form part of the hotel.
- Access to the site will be via the existing road off Bottelary Road, which crosses the Bottelary River and the "werf" in front of the historic farm buildings and then circumvents the existing parking area.
- An alternative road which runs from the existing buildings in a northerly direction and connects with Ronelle Street will also be utilised for access. This road will be upgraded with an additional lane around the security office to accommodate the additional traffic.

Alternative 2

Alternative 2 was one of the first alternatives identified by the applicant as it provided unobstructed views over the river and also avoided traffic flow through the "werf". Alternative 2 has a different architectural design compared to the preferred alternative as it had not been subjected to scrutiny by the heritage specialist (it went through specialist interrogation relatively early on in the process, which culminated in the creation of the preferred alternative). This alternative included a hotel consisting of one large building, 5-storeys in height, overlooking the Bottelary River, with 37 parking bays to the north of the hotel and a swimming pool to the south. Access would have been provided via a new access road approximately 180m in length, off the existing internal road, along the bottom of the dam.

Alternative 2 is not the preferred alternative and was excluded in the early iterative development planning phases from a freshwater impact perspective. It may have been acceptable from a heritage perspective with some design amendments, but the decision was to identify a different location to avoid the very high negative impact on the freshwater resources.

"No-Go" Alternative

The no-go alternative was considered. However, it was not preferred since the opportunity to increase the financial viability of the existing facility will be lost. The opportunity for rehabilitation of the aquatic resources would be lost and the protective buffer areas around the existing developed areas abutting the watercourses will not be established. In addition, there will be no provision of temporary and new permanent employment opportunities or additional economic benefits for the area.

3. Impact Assessment and Mitigation measures

3.1 Activities need and desirability

The proposed development is located at the boundary between the City of Cape Town and Stellenbosch Municipalities, to the north of Bottelary Road. It is located just outside the built-up urban edge of the City of Cape Town, with the residential and light industrial development of Brackenfell South located to the west and the agricultural land associated with the Stellenbosch Winelands to the east.

Due to the poor agricultural soil potential of the farm, additional income ventures are required to ensure the ongoing economic viability of the farm. The Hazendal Wine Estate is a popular conference and wedding/function venue and the purpose of the proposed hotel development is to provide accommodation for guests and visitors to these facilities, which in turn will improve the socio-economic viability of the farm. Due to the heritage significance of the farm "werf" and its buildings and the sensitive freshwater resources present on the farm, the design of the proposed hotel was guided by consultation with and input received from the appointed specialists, resulting in best practicable option with minimised visual, cultural, heritage and freshwater impacts.

3.2 Biophysical Impacts

Historically, the site would have supported Cape Flats Sand Fynbos vegetation, which is classified as Critically Endangered. Based on the findings of the Botanical Impact Assessment dated January 2020, compiled by Bergwind Botanical Surveys and Tours, the site is almost completely transformed from its natural state by historical farming activities. Apart from a few isolated pockets of indigenous plants, the original vegetation is no longer present on the site. No species of conservation concern was found on the site, with the existing vegetation comprising mainly of alien species. From a botanical impact perspective, the site is deemed to have low sensitivity, very low conservation value, and is not restorable to its previous natural condition. The significance of the potential botanical impacts was therefore determined as very low negative with no mitigation required.

The estate includes a number of natural wetlands (seepage wetland C, poplar wetlands A and B), artificial wetlands (Dam 1 and artificial seep wetland D), and the Bottelary River and its associated valley bottom wetlands (valley bottom wetlands A and B). The aquatic ecosystems on the estate are not identified in the Western Cape Critical Biodiversity Spatial Plan as aquatic Critical Biodiversity Areas. The site is however mapped as an Ecological Support Area. Although all the identified watercourses are degraded to some extent, they are all (with the exception of the poplar wetland A and Dam 1), considered to be of high conservation importance, with rehabilitation potential. The proposed hotel development will be located on the northern bank of Dam 1 and extends through a portion of the poplar wetland A, resulting in a loss of approximately 3200 m² of the wetland. Based on the findings of the Specialist Aquatic Ecosystem Assessment dated January 2020, compiled by Liz Day Consulting, this loss is acceptable since this wetland is severely disturbed, infilled in places, bermed and excavated. Its ecological importance and sensitivity are assessed as low, its conservation status as very low, and PES category condition as largely modified. In addition, this loss will be further mitigated by a number of rehabilitation measures that have been recommended to improve the condition and functioning of the wetlands with high conservation importance. This includes addressing erosion, re-establishment of flows through wetland seeps, planting of indigenous vegetation and the creation and management of effective wetland buffer areas. Mitigation measures have also been proposed to limit the potential impacts associated with the proposed construction and operation of the boardwalks, bird hides and pathways through and in the vicinity of the watercourses. Overall, the construction phase and operational phase freshwater impacts associated with the proposed development is of low to very low significance with the effective implementation of the proposed mitigation and rehabilitation measures. These have been incorporated into the preferred layout alternative and the Environmental Management Programme accepted as part of this Environmental Authorisation.

A Water Use Licence Application ("WULA") 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.

Furthermore, the existing adopted Estate MMP (Ref: 16/3/3/6/3/B4/45/1098/18) has been updated to include the additional rehabilitation and maintenance measures proposed for implementation in the watercourses present on the site. The maintenance of the structures authorised in this Environmental Authorisation forms part of this MMP. It must be noted that the accepted maintenance activities only relate to the activities described in the MMP. Should any new activities and associated infrastructure, not included in the MMP, require maintenance and if any of the applicable listed activities are triggered, an Environmental Authorisation must be obtained prior to the undertaking of such activities. It remains the responsibility of the proponent to determine if any other listed activities are triggered and to ensure that the necessary Environmental Authorisation is obtained.

The fact that the updated MMP is adopted by the Competent Authority does not absolve the applicant from its general "duty of care" set out in Section 28(1) of the NEMA, which states that *"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."* (Note: When interpreting their "duty of care" responsibility, cognisance must be taken of the principles of sustainability contained in Section 2 of NEMA).

3.3 Heritage Impact Assessment and Visual Impact Assessment

The Hazendal Estate is located at the gateway to the agricultural land associated with the Stellenbosch Winelands. The historic "werf" complex forms the core of the estate and a number of developments have taken place surrounding the historic core in recent years. This includes the refurbishment of the historic buildings at the site, as well as additional building structures, including a tasting room, restaurant and conference centre, educational play centre, extensive parking areas and a herb and vegetable garden.

The proposed development will border onto the historic "werf" complex associated with the estate. As heritage resources associated with the historic "werf" and the cultural landscape could potentially be affected by the proposed development, a Heritage Impact Assessment ("HIA"), as required by Heritage Western Cape, was undertaken.

A series of heritage and visual indicators were identified to determine the potential visual impacts on the historic "werf" complex, which in turn informed the design of the proposed development. For example, the building heights at the interface of the proposed development with the "werf" space will not exceed the height of the buildings within the "werf" complex and will be largely screened from view by existing vegetation and proposed screen planting. Due to the low-lying location of the proposed development, it will not be highly visible from the surrounding areas. The findings of the HIA indicated that the significance of the heritage and visual impacts can be reduced to a Low to Very Low level with effective mitigation. The anticipated impacts on heritage resources are therefore considered to be acceptable from a heritage and visual perspective, with the implementation of mitigation. HWC supported the proposed development in their final comment dated 14 July 2020, subject to additional recommendations, which have been included in the EMPr.

In summary, the proposed development will result in both negative and positive impacts.

Negative Impacts:

- The proposed development will result in the loss of wetland habitat and the degradation of the freshwater resources.
- The proposed construction works will result in elevated noise and dust levels during the construction phase and an increased visual and traffic impact during the operational phase. The construction phase impacts will be of temporary duration and mitigation measures have been incorporated into the EMPr for implementation during the construction phase. The visual and traffic impacts will also be addressed by the specialist recommendations, which have also been included into the EA and EMPr for implementation.

Positive impacts:

- The proposed development will provide an opportunity to improve the condition and functioning of the watercourses present on the site, will result in both short- and long-term employment opportunities, as well as increased tourism and socio-economic benefits in the area as a result of the additional proposed facilities.

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-----

ANNEXURE N

**APPLICATION FOR CONSENT
USE ON FARM NO. 222,
STELLENBOCH DIVISION**

**COMMENT FROM
TRANSPORT ROADS
INFRASTRUCTURE &
MANAGEMENT (CoCT)**



MEMORANDUM

DATE	3 September 2021
To	Cornelia van Zyl, IC @ Plan Town Planners Schalk Carstens, Western Cape Government Colin Taylor, Stellenbosch Municipality Siaan Carstens, Stellenbosch Municipality

PROPOSED CONSENT USE: REMAINDER FARM HAASENDAL 222, BOTTELARY ROAD

The above-mentioned application refers.

Also of reference and of specific interest to this office is a Transport Impact Assessment (TIA) dated 1 September 2021, reference 3802.2 and prepared by its Engineers.

This memorandum supersedes and replaces our previous correspondence dated 6 August 2021.

Application details:

1. Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015 for a **Consent Use** for a tourist accommodation establishment/hotel (consisting of 32 bedrooms) on Remainder Farm No. 222, Stellenbosch Division.
2. Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015 for a **Consent Use** to allow for the following ancillary uses to the tourist accommodation establishment/hotel and which will be contained in the same building:
 - i. Restaurant (accommodate ± 60 people), bar and cigar lounge (accommodate ± 60 people);
 - ii. Venue/event space (accommodate ± 200 people);
 - iii. Sport facility consisting of a gym, changing rooms; and
 - iv. Wellness center (spa)
3. Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015 for a **Consent Use** to allow for the following tourist facilities:
 - i. The use of the outdoor areas/lawn in front of the deli for picnics (accommodate ± 300 people);
 - ii. The use of the harvest circle for outdoor seating for the coffee shop/deli (accommodate ± 90 people);
 - iii. The use of the pavilion and surrounding lawn for outdoor weddings and other events, e.g. jazz concert (accommodate ± 100 people);
 - iv. The use of the Kraal for a beer garden/restaurant (accommodate ± 120 people);
 - v. The use of the area between the kraal and the glass house for extension/overflow of the restaurant for a tea garden (accommodate ± 60 people);
 - vi. The use of the glass house as a venue (accommodate ± 100 people);
 - vii. A car pavilion which will occasionally be used for events;
 - viii. A put-put course; &
 - ix. The use of the existing basement/barrel store for a wine library (accommodate ± 22 people).

Comments on the application:

1. The City of Cape Town is an interested and affected party, of which this office represents one section within the Integrated Transport Planning Directorate of the COCT. The onus is on the applicant to engage with all affected City departments and ensure comments and recommendations are received. **This memorandum cannot be considered in isolation as official response from an organ of state (City of Cape Town in this instance) as provided for in section 51 of the Stellenbosch Municipality Land Use Planning By-Law.**
2. This office, in a memorandum dated 6 August 2021, raised concerns regarding certain inconsistencies between proposed land uses in the motivational document by IC@Plan Townplanners and those investigated by and reported on in the traffic study by its Engineers.
3. Subsequent to the original memorandum by this office, a revised Transport Impact Assessment (TIA) dated 1 September 2021, reference 3802.2 and prepared by its Engineers was submitted in an attempt to address the concerns raised by this office.
4. Also received is a revised Motivational document dated 11 August 2021, reference Motrep_Amend_20210811 prepared @Plan Townplanners.
5. Both the aforementioned documents satisfactorily addresses the concerns expressed by this office in our original document.
6. The amended TIA evaluates the impact of the expected peak hour generated trips from the Hazendal Estate on the surrounding road network.
7. After due processes were followed, a secondary and alternative access to the Hazendal Estate was secured via the road network under the jurisdiction of the COCT to the north of the estate.
8. The main access to the Hazendal Estate will still be via the existing access along Bottelary Road.
9. The focus of the comments by this office on the proposal will be directed at that part of the road network and intersections under the jurisdiction of the COCT impacted on by the proposed increase in land use rights on the Hazendal Estate.
10. The two intersections predominantly impacted by proposal are the Ronelle/Kruis and Bottelary Kruis intersection.
11. The Ronelle/Kruis intersection has recently been upgraded to a signalized intersection.
12. The transport study finds that with the signalization of the Ronelle/Kruis intersection and altered lane configurations and signal timings at the Bottelary/Kruis intersection, these intersections will operate at acceptable levels of service during the 2026 total traffic conditions.
13. The findings and recommendations of the study are based on the existing access from Bottelary Road remaining the main access point to the Estate and the Ronelle/Kruis Street intersection functioning as an additional, secondary access.

Recommendation:

In view of the above, this office, **as a department of an interested and affected party (City of Cape Town)**, offers **no objection** to the proposal subject to the following conditions being imposed:

1. That the main access to Estate be taken from Bottelary Road and that all relevant tourism directional signage indicate the same.
2. That the primary and main access from Bottelary Road remains open and unrestricted at all times.
3. That the upgrades to the main access from Bottelary Road, inclusive of the construction of the right turn lane as per previous conditions of approval, be undertaken and provided by the applicant/developer in accordance with design requirements of the Western Cape Government.
4. That the upgrades to the main access and construction of the right turn lane on Bottelary Road be completed prior to the northern access to Ronelle Street being commissioned.
5. That all directional signage comply with the SADC: Road Traffic Signs Manual and be approved by the relevant tourism and roads authorities concerned prior to the erection thereof.
6. That the developer be responsible for the upgrades at the Bottelary/Kruis intersection as discussed and recommended in the TIA for the 2023 total traffic conditions.
7. The upgrades involves the remarking of the existing lane markings on the Northern approach from Kruis Street to a dedicated right-turn lane and a shared through and left-turn lane as well as the appropriate adjustment to the signal phasing.

8. That the primary uses on the estate be limited to:
- a. A hotel comprising of 32 bedrooms plus ancillary uses in accordance with the motivational document:
 - i. Restaurant (accommodate ±60 people), bar and cigar lounge (accommodate ±60 people);
 - ii. Venue/event space (accommodate ±200 people);
 - iii. Sport facility consisting of a gym, changing rooms; and
 - iv. Wellness center (spa)
 - b. A conference facility for a maximum of 300 patrons.
 - c. An 18 hole golf course and ancillary uses.
 - d. Various tourist facilities and activities as listed in point 3 of the application particulars as well as on the SDP.

Yours sincerely

Sigmund Storm



MEMORANDUM

DATE *06 August 2021*

TO *Cornelia van Zyl*
IC@Plan Townplanners

PROPOSED CONSENT USE: REMAINDER FARM 222, BOTTELARY ROAD, STELLENBOSCH FARMS

NATURE OF APPLICATION:

- **Consent Use** in terms of Section 15 (2) (o) of the Stellenbosch Municipality Land Use Planning By-Law for a tourist accommodation establishment/hotel.
- **Consent Use** in terms of Section 15 (2) (o) of the Stellenbosch Municipality Land Use Planning By-Law for the following ancillary uses to the tourist accommodation establishment/hotel which will be contained in the same building:
 - Tourist accommodation establishment
 - Restaurant, bar and cigar lounge
 - Venue/event space
 - Sport facility consisting of a gym, changing rooms
 - Wellness centre (Spa)
- **Consent Use** in terms of Section 15 (2) (o) of the Stellenbosch Municipality Land Use Planning By-Law for the following tourist facilities:
 - The use of the outdoor areas/lawns in front of the Deli for picnics
 - The use of the harvest circle for outdoor seating for the Coffee Shop/Deli
 - The use of the pavilion and surrounding lawn for outdoor weddings and other events, e.g. jazz concert
 - The use of the Kraal for a beer garden/restaurant
 - The use of the area between Kraal and glass house for extension/overflow of the restaurant for a tea garden
 - The use of the glass house as a venue
 - The use of the existing basement/barrel store for a wine library
 - A car pavilion which will occasionally be used for events
 - A put-put course

NOTES

1. The City of Cape Town is an interested and affected party, of which this office is one department. The onus is on the applicant to engage with all affected City departments to ensure comments and recommendations are received. **This memorandum cannot be considered in isolation as official response from an organ of state (City of Cape Town in this instance), referred to in Section 51 of the Stellenbosch Municipality Land Use Planning By-Law.**
2. The proposed development will have a secondary access at the northern boundary of the farm. The City is the road authority for all link roads to and from this access. The proposed use on Hazendal Estate will therefore have a direct impact on the City's road network.

3. The link road between the northern boundary of Hazendal Estate and Ronelle St was constructed by the applicant and the City will take ownership of the road as a public road. The subdivision application of a 13m wide public road reserve was supported by the City, but the subsequent subdivision and transfer thereof to the City of Cape Town has not yet taken place. The link road is therefore considered private, crossing a 3rd party's land until Section 137 approval has been granted by the City and proof has been provided to our Department by the applicant that this portion has been transferred to the City.

RECOMMENDATION:

This Department, one of the interested and affected parties of the City of Cape Town, offers no objection to the proposed application, **subject to the following conditions:**

1. That the developer shall pay a development charge (DC) for the utilisation of City owned bulk civil infrastructure. The DC amount will be based on a pro-rata basis of required bulk infrastructure and/or a direct contribution based on the land-use applied for.
2. That any amendments and/or additions to the Site Development Plan, once approved, which might lead to an increase in the number of rooms or GLA will result in the re-calculation of development charges payable to the City of Cape Town for which the developer will be responsible.
3. DC's will be payable to the City of Cape Town prior to the approval of building plans by the Stellenbosch Municipality.
4. That a public road reserve across Farm 222-31 and Farm 222-33 be subdivided and transferred to the City in accordance with the already supported plans by Jennings Goulee Thomson with drawing numbers 6763-SA1 and 6763-SB1 dated May 2020.
5. That the development main access be from Bottelary Road for all land-use activities on the farm.
6. That the position and upgrades to the main access on Bottelary Road be in accordance with the requirements and timelines stipulated by the Western Cape Government.
7. That all directional signage to the development meets the requirements of the SADC: Road Traffic Signs Manuals and indicate vehicular movement to the main access on Bottelary Road.
8. That all directional signage be approved by the relevant road authority prior to the erection thereof.

Stéfan de Villiers

http://teamsites.capetown.gov.za/sites/kdocs/DL_ShhdDocs/Land-use_Applications/2021-2022/Brackenfell/Farm_222_Hazendal_Estate_Stellenbosch/01_LUM_Memo/Farm_222_Hazendal_-_CoCT_RIM_Memorandum_Aug21.docx

Cornelia van Zyl

From: Sigmund Storm <Sigmund.Storm@capetown.gov.za>
Sent: Thursday, September 9, 2021 12:45 PM
To: Cornelia van Zyl; Stefan de Villiers; Daniel Potgieter
Cc: Vincent Harris; Christoff Krogscheepers; Pieter Arangie; Evert Lategan (evert@intsolutions.co.za)
Subject: RE: Hazendal: Teenstrydighede/verwarrende kommentaar

Middag Cornelia

Jou epos hieronder en motivering/s vervat daarin verwys.

Alhoewel daar nie heeltewel saamgestem word met "bullet" no 3 van jou epos se laaste sin nie, "As gevolg hiervan het die Stad die nuwe pad via die Ronel Straat toegang goedgekeur, welke goedkeuring dus die **bestaande regte** en verkeer in ag geneem het en toelaat dat dit die nuwe pad gebruik.", het hierdie kantoor na oorweging besluit dat voorwaardes opgelê deur Stellenbosch in ooreenstemming met punt A en B van jou epos kan wees.

Ons voorwaarde nommer 4 in die skrywe van 3 September 2021 kan dus weggelaat word.

Daar word vertrou bogenoemde is in orde.

Groete

Sigmund Storm

Senior Professional Officer: Northern Region
Transport Impact Assessment & Development Control
Transport Directorate

WORKING FROM HOME DURING COVID-19

Tel: 021 444 8890 | **Cell:** 072 963 1067 | **Email:** Sigmund.storm@capetown.gov.za |

Web: www.capetown.gov.za

[CCT Contacts](#) | [CCT Media and News](#) | [Report a fault](#) | [Account Queries](#) | [COVID-19](#)



From: Cornelia van Zyl <cornelia@icaplan.co.za>

Sent: Wednesday, 08 September 2021 13:20

To: Stefan de Villiers <Stefan.deVilliers@capetown.gov.za>; Sigmund Storm <Sigmund.Storm@capetown.gov.za>; Daniel Potgieter <Daniel.Potgieter@capetown.gov.za>

Cc: Vincent Harris <VincentRamon.Harris@capetown.gov.za>; Christoff Krogscheepers <christoff@itsglobal.co.za>; Pieter Arangie <pietera@itsglobal.co.za>; Evert Lategan (evert@intsolutions.co.za) <Evert@intsolutions.co.za>

Subject: Hazendal: Teenstrydighede/verwarrende kommentaar

Importance: High

Goeie middag Menere,

Ek het vanoggend met Stiaan en Louisa van die Stellenbosch Munisipaliteit ontmoet om o.a. die Stad se voorwaardes op Hazendal deur te werk. Daar is net een voorwaarde wat deur beide die Stad se departemente en Provinsie opgelê is wat ietwat teenstrydig is en waarop julle asseblief net uitklaring moet gee.

Die voorwaardes het betrekking tot die draai baan in Bottelary Pad.

A. Stefan se skrywe gedateer 6 Augustus met spesifieke verwysing na punt 6. van die 'Recommendation' lees soos volg:

6. That the position and upgrades to the main access on Bottelary Road be in accordance with requirements and timelines stipulated by the Western Cape Government.

B. Provinsie het aangedui dat die regsdraai baan klaar gebou moet wees voor okkupasie van die hotel. Konstruksie van die regsdraai baan en die hotel kan dus terselfdertyd geskied. Soos ek verstaan is dit dieselfde kontrakteurs wat aan beide gaan werk, so dit maak du soek finansieel sin vir my kliënt om die twee projekte terselfdertyd uit te rol.

C. Sigmund se skrywe gedateer 3 September met spesifieke verwysing na punt 4. van die 'Recommendation' lees as volg:

4. That the upgrades to the main access and construction of the right turn lane be completed prior to the northern access to Ronelle Street being commissioned.

A. en B. het dus dieselfde uitgangspunt, maar C. se voorwaarde verskil. Die laasgenoemde punt is dus verwarrend vir die volgende redes:

- Daar is ooreengekom dat die **hoof toegang op Bottelary Pad** sal wees en dat die **toegangshek dus oop sal bly**. Daar is ook ooreengekom dat die **regsdraai baan** gebou sal word om veiliger toegang tot die plaas te bewerkstellig.
- Die konstruksie van die regsdraai baan hou verband met **veiligheid/veilige toegang** vanaf Bottelary Pad en het **geen impak op die verkeersvloei/volumes van/na die plaas nie** en hou dus nie verband met die gebruik van die Ronel Straat toegang nie.
- Provinsie het versoek dat die bestaande uitgangshek (naby Kruis Straat) so spoedig moontlik vir besoekers gesluit moet word aangesien dit 'n onveilige toegang is. As gevolg hiervan het die Stad die nuwe pad via die Ronel Straat toegang goedgekeur, welke goedkeuring dus die **bestaande regte** en verkeer in ag geneem het en toelaat dat dit die nuwe pad gebruik.

Dit sal dus waardeer word as julle asseblief uitklaring kan gee/bevestig of julle tevrede sal wees indien Stellenbosch dus die voorwaarde oplê soos in A. en B. hierbo vervat. Stiaan het gesê dat e-pos korrespondensie van die Stad voldoende sal wees (om tyd te spaar), so 'n formele 'memo' is nie 'n vereiste nie.

Kind Regards/Vriendelike Groete,
Cornelia van Zyl

Partner



I.C.@PLAN
Town Planners

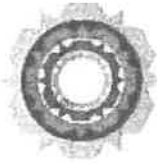
Unit 2A Crossfire House, 25 De Beers Avenue, Paardevlei
Somerset West, 7130

Cellphone: 082 978 7151

ANNEXURE N

**APPLICATION FOR CONSENT
USE ON FARM NO. 222,
STELLENBOCH DIVISION**

**COMMENT FROM
TRANSPORT ROADS
INFRASTRUCTURE &
MANAGEMENT (CoCT)**



MEMORANDUM

DATE 3 September 2021

To Cornelia van Zyl, IC @ Plan Town Planners
Schalk Carstens, Western Cape Government
Collin Taylor, Stellenbosch Municipality
Stiaan Carstens, Stellenbosch Municipality

PROPOSED CONSENT USE: REMAINDER FARM HAASENDAL 222, BOTTELARY ROAD

The above-mentioned application refers.

Also of reference and of specific interest to this office is a Transport Impact Assessment (TIA) dated 1 September 2021, reference 3802.2 and prepared by its Engineers.

This memorandum supersedes and replaces our previous correspondence dated 6 August 2021.

Application details:

1. Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015 for a **Consent Use** for a tourist accommodation establishment/hotel (consisting of 32 bedrooms) on Remainder Farm No. 222, Stellenbosch Division.
2. Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015 for a **Consent Use** to allow for the following ancillary uses to the tourist accommodation establishment/hotel and which will be contained in the same building:
 - i. Restaurant (accommodate ±60 people), bar and cigar lounge (accommodate ±60 people);
 - ii. Venue/event space (accommodate ±200 people);
 - iii. Sport facility consisting of a gym, changing rooms; and
 - iv. Wellness center (spa)
3. Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015 for a **Consent Use** to allow for the following tourist facilities:
 - i. The use of the outdoor areas/lawn in front of the deli for picnics (accommodate ±300 people);
 - ii. The use of the harvest circle for outdoor seating for the coffee shop/deli (accommodate ±90 people);
 - iii. The use of the pavilion and surrounding lawn for outdoor weddings and other events, e.g. jazz concert (accommodate ±100 people);
 - iv. The use of the Kraal for a beer garden/restaurant (accommodate ±120 people);
 - v. The use of the area between the kraal and the glass house for extension/overflow of the restaurant for a tea garden (accommodate ±60 people);
 - vi. The use of the glass house as a venue (accommodate ±100 people);
 - vii. A car pavilion which will occasionally be used for events;
 - viii. A put-put course; &
 - ix. The use of the existing basement/barrel store for a wine library (accommodate ±22 people).

Comments on the application:

1. The City of Cape Town is an interested and affected party, of which this office represents one section within the Integrated Transport Planning Directorate of the COCT. The onus is on the applicant to engage with all affected City departments and ensure comments and recommendations are received. **This memorandum cannot be considered in isolation as official response from an organ of state (City of Cape Town in this instance) as provided for in section 51 of the Stellenbosch Municipality Land Use Planning By-Law.**
2. This office, in a memorandum dated 6 August 2021, raised concerns regarding certain inconsistencies between proposed land uses in the motivational document by IC@Plan Townplanners and those investigated by and reported on in the traffic study by its Engineers.
3. Subsequent to the original memorandum by this office, a revised Transport Impact Assessment (TIA) dated 1 September 2021, reference 3802.2 and prepared by its Engineers was submitted in an attempt to address the concerns raised by this office.
4. Also received is a revised Motivational document dated 11 August 2021, reference Motrep_Amend_20210811 prepared @Plan Townplanners.
5. Both the aforementioned documents satisfactorily addresses the concerns expressed by this office in our original document.
6. The amended TIA evaluates the impact of the expected peak hour generated trips from the Hazendal Estate on the surrounding road network.
7. After due processes were followed, a secondary and alternative access to the Hazendal Estate was secured via the road network under the jurisdiction of the COCT to the north of the estate.
8. The main access to the Hazendal Estate will still be via the existing access along Bottelary Road.
9. The focus of the comments by this office on the proposal will be directed at that part of the road network and intersections under the jurisdiction of the COCT impacted on by the proposed increase in land use rights on the Hazendal Estate.
10. The two intersections predominantly impacted by proposal are the Ronelle/Kruis and Bottelary Kruis intersection.
11. The Ronelle/Kruis intersection has recently been upgraded to a signalized intersection.
12. The transport study finds that with the signalization of the Ronelle/Kruis intersection and altered lane configurations and signal timings at the Bottelary/Kruis intersection, these intersections will operate at acceptable levels of service during the 2026 total traffic conditions.
13. The findings and recommendations of the study are based on the existing access from Bottelary Road remaining the main access point to the Estate and the Ronelle/Kruis Street intersection functioning as an additional, secondary access.

Recommendation:

In view of the above, this office, **as a department of an interested and affected party (City of Cape Town)**, offers **no objection** to the proposal subject to the following conditions being imposed:

1. That the main access to Estate be taken from Bottelary Road and that all relevant tourism directional signage indicate the same.
2. That the primary and main access from Bottelary Road remains open and unrestricted at all times.
3. That the upgrades to the main access from Bottelary Road, inclusive of the construction of the right turn lane as per previous conditions of approval, be undertaken and provided by the applicant/developer in accordance with design requirements of the Western Cape Government.
4. That the upgrades to the main access and construction of the right turn lane on Bottelary Road be completed prior to the northern access to Ronelle Street being commissioned.
5. That all directional signage comply with the SADC: Road Traffic Signs Manual and be approved by the relevant tourism and roads authorities concerned prior to the erection thereof.
6. That the developer be responsible for the upgrades at the Bottelary/Kruis intersection as discussed and recommended in the TIA for the 2023 total traffic conditions.
7. The upgrades involves the remarking of the existing lane markings on the Northern approach from Kruis Street to a dedicated right-turn lane and a shared through and left-turn lane as well as the appropriate adjustment to the signal phasing.

8. That the primary uses on the estate be limited to:
- a. A hotel comprising of 32 bedrooms plus ancillary uses in accordance with the motivational document:
 - i. Restaurant (accommodate ±60 people), bar and cigar lounge (accommodate ±60 people);
 - ii. Venue/event space (accommodate ±200 people);
 - iii. Sport facility consisting of a gym, changing rooms; and
 - iv. Wellness center (spa)
 - b. A conference facility for a maximum of 300 patrons.
 - c. An 18 hole golf course and ancillary uses.
 - d. Various tourist facilities and activities as listed in point 3 of the application particulars as well as on the SDP.

Yours sincerely

Sigmund Storm



MEMORANDUM

DATE 06 August 2021
To Cornelia van Zyl
IC@Plan Townplanners

PROPOSED CONSENT USE: REMAINDER FARM 222, BOTTELARY ROAD, STELLENBOSCH FARMS

NATURE OF APPLICATION:

- **Consent Use** in terms of Section 15 (2) (o) of the Stellenbosch Municipality Land Use Planning By-Law for a tourist accommodation establishment/hotel.
- **Consent Use** in terms of Section 15 (2) (o) of the Stellenbosch Municipality Land Use Planning By-Law for the following ancillary uses to the tourist accommodation establishment/hotel which will be contained in the same building:
 - Tourist accommodation establishment
 - Restaurant, bar and cigar lounge
 - Venue/event space
 - Sport facility consisting of a gym, changing rooms
 - Wellness centre (Spa)
- **Consent Use** in terms of Section 15 (2) (o) of the Stellenbosch Municipality Land Use Planning By-Law for the following tourist facilities:
 - The use of the outdoor areas/lawns in front of the Deli for picnics
 - The use of the harvest circle for outdoor seating for the Coffee Shop/Deli
 - The use of the pavilion and surrounding lawn for outdoor weddings and other events, e.g. jazz concert
 - The use of the Kraal for a beer garden/restaurant
 - The use of the area between Kraal and glass house for extension/overflow of the restaurant for a tea garden
 - The use of the glass house as a venue
 - The use of the existing basement/barrel store for a wine library
 - A car pavilion which will occasionally be used for events
 - A put-put course

NOTES

1. The City of Cape Town is an interested and affected party, of which this office is one department. The onus is on the applicant to engage with all affected City departments to ensure comments and recommendations are received. **This memorandum cannot be considered in isolation as official response from an organ of state (City of Cape Town in this instance), referred to in Section 51 of the Stellenbosch Municipality Land Use Planning By-Law.**
2. The proposed development will have a secondary access at the northern boundary of the farm. The City is the road authority for all link roads to and from this access. The proposed use on Hazendal Estate will therefore have a direct impact on the City's road network.

3. The link road between the northern boundary of Hazendal Estate and Ronelle St was constructed by the applicant and the City will take ownership of the road as a public road. The subdivision application of a 13m wide public road reserve was supported by the City, but the subsequent subdivision and transfer thereof to the City of Cape Town has not yet taken place. The link road is therefore considered private, crossing a 3rd party's land until Section 137 approval has been granted by the City and proof has been provided to our Department by the applicant that this portion has been transferred to the City.

RECOMMENDATION:

This Department, one of the interested and affected parties of the City of Cape Town, offers no objection to the proposed application, **subject to the following conditions:**

1. That the developer shall pay a development charge (DC) for the utilisation of City owned bulk civil infrastructure. The DC amount will be based on a pro-rata basis of required bulk infrastructure and/or a direct contribution based on the land-use applied for.
2. That any amendments and/or additions to the Site Development Plan, once approved, which might lead to an increase in the number of rooms or GLA will result in the re-calculation of development charges payable to the City of Cape Town for which the developer will be responsible.
3. DC's will be payable to the City of Cape Town prior to the approval of building plans by the Stellenbosch Municipality.
4. That a public road reserve across Farm 222-31 and Farm 222-33 be subdivided and transferred to the City in accordance with the already supported plans by Jennings Goullee Thomson with drawing numbers 6763-SA1 and 6763-SB1 dated May 2020.
5. That the development main access be from Bottelary Road for all land-use activities on the farm.
6. That the position and upgrades to the main access on Bottelary Road be in accordance with the requirements and timelines stipulated by the Western Cape Government.
7. That all directional signage to the development meets the requirements of the SADC: Road Traffic Signs Manuals and indicate vehicular movement to the main access on Bottelary Road.
8. That all directional signage be approved by the relevant road authority prior to the erection thereof.

Stéfan de Villiers

[http://teamsites.capetown.gov.za/sites/kdocs/DL_ShDocs/Land-use Applications/2021-2022/Brackenfell/Farm 222, Hazendal Estate, Stellenbosch/01 LUM Memo/Farm 222 Hazendal - CoCT RIM Memorandum Aug21.docx](http://teamsites.capetown.gov.za/sites/kdocs/DL_ShDocs/Land-use%20Applications/2021-2022/Brackenfell/Farm%20222,%20Hazendal%20Estate,%20Stellenbosch/01%20LUM%20Memo/Farm%20222%20Hazendal%20-%20CoCT%20RIM%20Memorandum%20Aug21.docx)

Cornelia van Zyl

From: Sigmund Storm <Sigmund.Storm@capetown.gov.za>
Sent: Thursday, September 9, 2021 12:45 PM
To: Cornelia van Zyl; Stefan de Villiers; Daniel Potgieter
Cc: Vincent Harris; Christoff Krogscheepers; Pieter Arangie; Evert Lategan (evert@intsolutions.co.za)
Subject: RE: Hazendal: Teenstrydighede/verwarrende kommentaar

Middag Cornelia

Jou epos hieronder en motivering/s vervat daarin verwys.

Alhoewel daar nie heeltewel saamgestem word met "bullet" no 3 van jou epos se laaste sin nie, "As gevolg hiervan het die Stad die nuwe pad via die Ronel Straat toegang goedgekeur, welke goedkeuring dus die **bestaande regte** en verkeer in ag geneem het en toelaat dat dit die nuwe pad gebruik.", het hierdie kantoor na oorweging besluit dat voorwaardes opgelê deur Stellenbosch in ooreenstemming met punt A en B van jou epos kan wees.

Ons voorwaarde nommer 4 in die skrywe van 3 September 2021 kan dus weggelaat word.

Daar word vertrou bogenoemde is in orde.

Groete

Sigmund Storm

Senior Professional Officer: Northern Region
Transport Impact Assessment & Development Control
Transport Directorate

WORKING FROM HOME DURING COVID-19

Tel: 021 444 8890 | **Cell:** 072 963 1067 | **Email:** Sigmund.storm@capetown.gov.za |

Web: www.capetown.gov.za

[CCT Contacts](#) | [CCT Media and News](#) | [Report a fault](#) | [Account Queries](#) | [COVID-19](#)



From: Cornelia van Zyl <cornelia@icaplan.co.za>

Sent: Wednesday, 08 September 2021 13:20

To: Stefan de Villiers <Stefan.deVilliers@capetown.gov.za>; Sigmund Storm <Sigmund.Storm@capetown.gov.za>; Daniel Potgieter <Daniel.Potgieter@capetown.gov.za>

Cc: Vincent Harris <VincentRamon.Harris@capetown.gov.za>; Christoff Krogscheepers <christoff@itsglobal.co.za>; Pieter Arangie <pietera@itsglobal.co.za>; Evert Lategan (evert@intsolutions.co.za) <Evert@intsolutions.co.za>

Subject: Hazendal: Teenstrydighede/verwarrende kommentaar

Importance: High

CAUTION: This email originated outside of the City of Cape Town's network. Please do not click on any links or open attachments unless you know and trust the source. **STOP. THINK. VERIFY.**

Goeie middag Menere,

Ek het vanoggend met Stiaan en Louisa van die Stellenbosch Munisipaliteit ontmoet om o.a. die Stad se voorwaardes op Hazendal deur te werk. Daar is net een voorwaarde wat deur beide die Stad se departemente en Provinsie opgelê is wat ietwat teenstrydig is en waarop julle asseblief net uitklaring moet gee.

Die voorwaardes het betrekking tot die draai baan in Bottelary Pad.

A. Stefan se skrywe gedateer 6 Augustus met spesifieke verwysing na punt 6. van die 'Recommendation' lees soos volg:

6. That the position and upgrades to the main access on Bottelary Road be in acc requirements and timelines stipulated by the Western Cape Government.

B. Provinsie het aangedui dat die regsdraai baan klaar gebou moet wees voor okkupasie van die hotel. Konstruksie van die regsdraai baan en die hotel kan dus terselfdertyd geskied. Soos ek verstaan is dit dieselfde kontrakteurs wat aan beide gaan werk, so dit maak du sook finansieël sin vir my kliënt om die twee projekte terselfdertyd uit te rol.

C. Sigmund se skrywe gedateer 3 September met spesifieke verwysing na punt 4. van die 'Recommendation' lees as volg:

4. That the upgrades to the main access and construction of the right turn lane c completed prior to the northern access to Ronelle Street being commissioned.

A. en B. het dus dieselfde uitgangspunt, maar C. se voorwaarde verskil. Die laasgenoemde punt is dus verwarrend vir die volgende redes:

- Daar is ooreengekom dat die **hoof toegang op Bottelary Pad** sal wees en dat die **toegangshek dus oop sal bly**. Daar is ook ooreengekom dat die **regsdraai baan** gebou sal word om veiliger toegang tot die plaas te bewerkstellig.
- Die konstruksie van die regsdraai baan hou verband met **veiligheid/veilige toegang** vanaf Bottelary Pad en het **geen impak op die verkeersvloei/volumes van/na die plaas nie** en hou dus nie verband met die gebruik van die Ronel Straat toegang nie.
- Provinsie het versoek dat die bestaande uitgangshek (naby Kruis Straat) so spoedig moontlik vir besoekers gesluit moet word aangesien dit 'n onveilige toegang is. As gevolg hiervan het die Stad die nuwe pad via die Ronel Straat toegang goedgekeur, welke goedkeuring dus die **bestaande regte** en verkeer in ag geneem het en toelaat dat dit die nuwe pad gebruik.

Dit sal dus waardeer word as julle asseblief uitklaring kan gee/bevestig of julle tevrede sal wees indien Stellenbosch dus die voorwaarde oplê soos in A. en B. hierbo vervat. Stiaan het gesê dat e-pos korrespondensie van die Stad voldoende sal wees (om tyd te spaar), so 'n formele 'memo' is nie 'n vereiste nie.

Kind Regards/Vriendelike Groete,
Cornelia van Zyl

Partner



I.C.@PLAN
Town Planners

Unit 2A Crossfire House, 25 De Beers Avenue, Paardevlei
Somerset West, 7130

Cellphone: 082 978 7151

ANNEXURE O

**APPLICATION FOR CONSENT
USE ON FARM NO. 222,
STELLENBOCH DIVISION**

**COMMENT FROM THE
DEPARTMENT OF
TRANSPORT AND PUBLIC
WORKS**



REFERENCE: 16/9/6/1-25/192 (Job 24480)

ENQUIRIES: Ms G Swanepoel

DATE: 17 August 2021

IC@Plan Town Planners

Unit 2A, Crossfire House

25 De Beers Avenue

SOMERSET WEST

7130

Attention: Ms C van Zyl

Dear Madam

REMAINDER FARM HAASENDAL 222, STELLENBOSCH: MAIN ROAD 187 (BOTTELARY ROAD) AND DIVISIONAL ROAD 1087 (KRUIS STREET): APPLICATION FOR CONSENT USES

1. The following refer:
 - 1.1 Your Notice of Application dated 7 June 2021, Stellenbosch Municipality LU/12596;
 - 1.2 This Branch's letter 16/9/6/1-25/192 (Job 24480) dated 11 March 2021 to Stellenbosch Municipality, attention Mr U von Molendorff;
 - 1.3 Your e-mail of 28 July 2021 indicating that the Applicant had agreed to provide a right turn lane at the current main entrance to the property from Main Road 187 (Bottelary Road);
 - 1.4 Amended Traffic Impact Statement by ITS, ref. ITS 3802.1 dated 7 July 2021 and
 - 1.5 Separate Memoranda, both dated 6 August 2021, by Messrs Sigmund Storm and Stéfan de Villiers of the City of Cape Town regarding the current application.
2. The current development application referenced in paragraph 1.1 above is for:
 - 2.1 Consent Use for a tourist accommodation establishment/hotel and ancillary uses in the same building (restaurant, bar, wellness centre, venue/event space);
 - 2.2 Consent Use for the following tourist facilities, some of which are already in use:

- i. Outdoor areas/lawns in front of Deli for picnics;
- ii. Use of the harvest circle for outdoor seating for the Coffee Shop/Deli;
- iii. Use of pavilion and surrounding lawn area for outdoor weddings and other events, eg. jazz concert;
- iv. Use of Kraal for beer garden/restaurant;
- v. Use of area between Kraal and glass house for overflow of restaurant for a tea garden;
- vi. Use of glass house as a venue;
- vii. Use of the existing basement/barrel store as a wine library;
- viii. A car pavilion which will occasionally be used for events;
- ix. A putt putt course.

3. The amended Traffic Impact Statement (ref. paragraph 1.4 above) indicates that the intersection of Kruis Street and Ronelle Street with traffic signals has adequate capacity and indicates that traffic signals are currently being installed at the intersection.

4. It is noted in ITS's 10 February 2021 TIS, included in ref. paragraph 1.4 above, that Main Road 187 (Bottelary Road) / Divisional Road 1087 (Kruis Street) intersection, with background traffic growth + the hotel, conference centre and other uses on Hazendal Estate, will have a volume / capacity ratio in the morning peak hour of 0.99, although the level of service is still good. However, this was based on the assumption that the MR187 (Bottelary Road) access would be closed to visitors. The TIS assumes that as other developments take place in the area, the necessary capacity upgrades / additional lanes will be provided.

5. The Memorandum by Mr Storm of the City of Cape Town (ref. paragraph 1.5 above) notes that the combined total of potential visitors to the site for all the various existing and proposed uses could be significantly higher than was assumed in the traffic analyses. However, with access available on Bottelary Road, this may not be a major concern. It is unlikely that the various uses being applied for in paragraph 1.1 above will add significantly to the morning peak traffic and the evening peak has adequate capacity to accommodate additional traffic.

6. In light of the above, this Branch offers no objection to the land use application referenced in paragraphs 1.1 and 2 above, subject to the following:

6.1 All of the conditions set in this Branch's letter to Stellenbosch Municipality dated 11 March 2021 (ref. paragraph 1.2 above) shall be complied with;

6.2 The approval by the City of Cape Town, as Road Authority of Ronelle Street and Kruis Street and involved with the new Link road to Ronelle Street as a result of the land use application, taking into account the management of the traffic signals at the MR187 (Bottelary Road) / DR1087 (Kruis Street) intersection and the capacity limitations thereof.

Yours Sincerely



SW CARSTENS

For DEPUTY DIRECTOR-GENERAL: ROADS



REFERENCE: 16/9/6/1-25/192 (Job 24480)
ENQUIRIES: Ms G Swanepoel
DATE: 11 March 2021

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

Attention: Mr Ulrich von Molendorff

Dear Sir

FARM HAASENDAL 222, STELLENBOSCH: MAIN ROAD 187 (BOTTELARY ROAD): REZONING APPLICATION

1. The following refer:
 - 1.1 This Branch's letter 16/9/6/1-25/192 (Job 24480), dated 30 November 2020 to you and
 - 1.2 Letter report to this Branch from ITS Engineers, ref. ITS 3802.1 dated 10 February 2021.
2. In our 30 November 2020 letter, of paragraph 1.1 above, this Branch objected to the proposed rezoning of land for purposes of developing a golf course, on the grounds that conditions of approval of past applications for various facilities had not been met, even though those facilities had been in place for several years. In particular, there was the requirement that a right turn lane into the property from the entrance on Main Road 187 Bottelary Road be constructed at the Applicant's expense.
3. In the interim, a new access from the property to Ronelle Street is under construction. While the design of the right turn lane on Main Road 187 Bottelary Road was approved by this Branch's Chief Directorate: Design in July 2019, the turn lane has not yet been constructed, nor has a traffic management plan for such construction been received by the District Roads Engineer.
4. The letter report by ITS (ref. 1.2 above) proposes the following:
 - 4.1 Once the Ronelle Street link is completed and operational, the main access off Main Road 187 Bottelary Road will be closed and locked until such time as the right turn lane is in place.

- 4.2 Traffic to be redirected to Ronelle Street via Kruis Road; existing tourism guidance signs at the access to be removed and placed at the Main Road 187 Bottelary Road/Kruis Road intersection, with additional signage at the Kruis Road/Ronelle Street intersection.
- 4.3 Once the right turn lane has been constructed on Main Road 187 Bottelary Road, the access can be re-opened as a secondary access.
5. It is considered likely that once the access on Main Road 187 Bottelary Road is re-opened, it will revert to being the primary access to Hazendal Estate.
6. It will be important to ensure that access arrangements are such that queues do not develop at the entrance and extend back to Main Road 187 Bottelary Road, causing congestion and creating a safety hazard.
7. The traffic analyses carried out indicate that if all Hazendal traffic is diverted via Kruis Road and Ronelle Street through to 2025, including background traffic growth of 3% p.a. and traffic generated by a proposed future hotel on the subject property, the two intersections on Kruis Road will function satisfactorily in both peak periods.
8. In light of the above, this Branch is prepared to withdraw its objection to the proposed land use application referenced in our 30 November 2020 letter, subject to compliance with the following conditions:
- 8.1 Completion of the approved access road from the subject property north to Ronelle Street;
- 8.2 Upon completion of the link to Ronelle Street, closure of the current exit from the property onto Main Road 187 Bottelary Road at ±km4.47;
- 8.3 Also upon completion of the Ronelle Street link and becoming operational, the current main access off Main Road 187 Bottelary Road shall be closed (including locking of the gate) until such time as the approved right turn lane has been implemented;
- 8.4 Implementation of the approved design of a right turn lane for westbound traffic to give access to the subject property at the existing main access at ±km5.36 on Main Road 187 Bottelary Road;
- 8.5 Submission of plans to this Branch's Chief Directorate: Design (for attention Ms M Barker, e-mail: Melissa.Barker@westerncape.gov.za), showing the precise locations and detailed plans of all signs proposed for the temporary and permanent access arrangements. (It should be noted that Kruis Road is a municipal street, so the approval of the City of Cape Town for the signage plan as it relates to their road, as well as to the intersection plans will also be required);
- 8.6 Detailed construction drawings and proposals for traffic accommodation during construction shall be submitted for approval to the District Roads Engineer, Paarl (Mr E Smith, e-mail: Elroy.Smith@westerncape.gov.za) prior to construction;
- 8.7 The Applicant's consultant or contractor shall accept the handing over of the site in writing from the Road Authority prior to construction;

- 8.8 After completion of the construction phases to the satisfaction of the District Roads Engineer, the Road Authority shall accept in writing the handing over of the site from the Applicant's consultant or contractor;
- 8.9 As built drawings shall be sent to this Branch (Ms GD Swanepoel), the District Roads Engineer (Mr E Smith, e-mail: Elroy.Smith@westerncape.gov.za) and the Roads Department of Cape Winelands District Municipality (Mr ACA Stevens, e-mail: aubrey@capewinelands.gov.za) and
- 8.10 The Applicant shall ensure that when the access onto Main Road 187 Bottelary Road is re-opened, queues do not extend into the road. When events are scheduled with a large number of arrivals over a short time interval, the gates shall be kept open to permit the free flow of entering traffic.

Yours Sincerely



SW CARSTENS

For DEPUTY DIRECTOR-GENERAL: ROADS