

NOTICE OF LAND USE PLANNING APPLICATION IN THE STELLENBOSCH MUNICIPAL AREA : FRANSCHHOEK LA COTTE FARM

The following land use application in terms of the Stellenbosch Land Use Planning By-Law refers:
Application Property Address : **24 La Cotte Street, Franschhoek, 7690**
Application Property Number : **The Remainder of Erf 548 and Erf 550 Franschhoek**
Applicant: **David Hellig and Abrahamse Professional Land Surveyors**

Tel: 021 872 4086

Email: plan@dhaa.co.za

Aralia Trading (Pty) Ltd

TP1093/2025

Subdivision and Consolidation

Owner:

Application Reference:

Application Type:

Description of the land use planning application :

Application is made in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 on the Remainder of Erf 548 and Erf 550 Franschhoek for:

- 1.1 The Subdivision of Erf 550 Franschhoek for:
 - a) Portion A measuring approximately 2.53 hectares in extent comprising undeveloped agricultural land.
 - b) The Remainder of Erf 550 Franschhoek measuring approximately 3.03 hectares in extent comprising the residential homestead and outbuildings.

- 1.2 Consolidation in terms of Section 15(2)(e) of the said By-Law

- c) of the subdivided Portion A with the Remainder of Erf 548 Franschhoek measuring 21,8295 hectares in extent in order to create a newly consolidated portion measuring approximately 24,36 hectares in extent.

Notice is hereby given in terms of the provisions of Section 46 of the said By-Law that the abovementioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: <https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said By-Law with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address;
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
 - Indicate the facts and circumstances that explain the comments;
 - Where relevant demonstrate the undesirable effect that the application will have if approved;
 - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
 - Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: **David Hellig and Abrahamse Professional Land Surveyors (Email: plan@dhaa.co.za)**. By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within **30 days** from the date of this notice to be received on or before the closing date of **11-08-2025**.

It should be noted that the Municipality, in terms of Section 50(5) of the said By-Law, may refuse to accept any comments/ objection received after the closing date.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at **021 872 4086** during normal office hours.

KENNISGEWING VAN GRONDGEBRUIKBEPLANNING AANSOEK IN DIE STELLENBOSCH MUNISIPALE GEBIED : FRANSCHHOEK LA COTTE PLAAS

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning verwys:

Adres van aansoek eiendom:

Aansoek eiendom beskrywing:

Aansoeker:

La Cotte Straat 24, Franschhoek, 7690

Die Resiant van Erf 548 en Erf 550 Franschhoek

David Hellig en Abrahamse Professionele Landmeters

Tel: 021 872 4086

E-pos: plan@dhaa.co.za

Aralia Trading Edms Bpk

TP1093/2025

Eienaar:

Aansoek Verwysing:

Tipe Aansoek:

Beskrywing van die grondgebruikbeplanningaansoek:

Aansoek word ingevolge Artikel 15(2) van die Stellenbosch Munisipale Grondgebruikbeplanningsverordening, 2023, gedoen op die Resiant van Erf 548 en Erf 550 Franschhoek vir:

- 1.1 Die Onderverdeling van Erf 550 Franschhoek ingevolge Artikel 15(2)(d) van die genoemde Verordening in twee Gedeeltes, naamlik:

- a) Gedeelte A wat ongeveer 2,53 hektaar groot is, wat onontwikkelde landbougrond bevat.
- b) Die Resiant van Erf 550 Franschhoek wat ongeveer 3,03 hektaar groot is, wat die residenstiele plaashuis en buitegeboue bevat.

- 1.2 Konsolidasie ingevolge Artikel 15(2)(e) van die genoemde Verordening

- c) van die onderverdeelde Gedeelte A met die Resiant van Erf 548 Franschhoek wat 21,8295 hektaar groot is, ten einde 'n nuut gekonsolideerde gedeelte te skep wat ongeveer 24,36 hektaar groot is

Kennis word hiermee gegee in terme van die voorafte van die Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydspan van die publieke deelname proses by die volgende adres:
<https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>.

Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.
Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terme van Artikel 50 van die tersaaklike Verordening wat die volgende vereistes en besonderhede moet bevat:

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer;
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.
- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsigte van die volgende aspekte:
 - Die feite en omstandighede aantoon wat die kommentaar toelig;
 - Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;
 - Waar toepaslik moet aangeleen word indien enige aspek van die aansoek stydig geag word met enige relevante beleid;
 - Dat die insette voldoende inligting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: **David Hellig en**

Abrahamse Professionele Landmeters (E-pos: plan@dhaa.co.za). Deur 'n beswaar, kommentaar of verloop te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word. Die kommentaar moet binne **30 dae** vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **11-08-2025**.

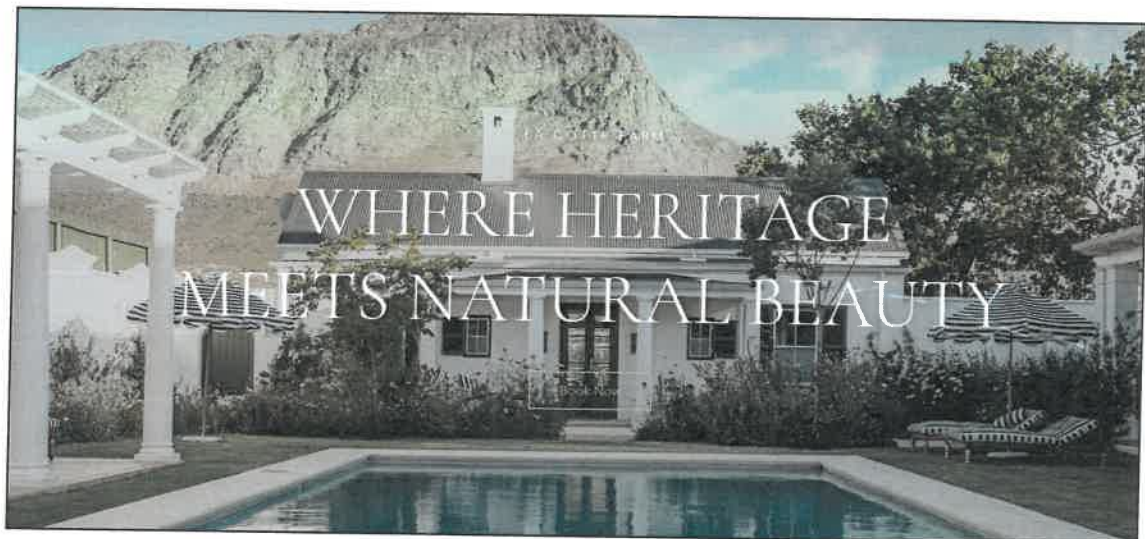
Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by **021 872 4086** gedurende normale kantoor ure.

PLANNING REPORT

PROPOSED SUBDIVISION AND CONSOLIDATION OF THE REMAINDER OF ERF 548 AND ERF 550 FRANSCHHOEK

OUR REF: P2804/97(4)A6



Compiled by:
David Hellig and Abrahamse
Land Surveyors

FEBRUARY 2025

1. INTRODUCTION

The Remainder of Erf 548 and Erf 550 Franschhoek are situated in the Franschhoek Viallge and are respectively accessed via La Cotte and Uitkyk Streets.

The Remainder of Erf 548 Franschhoek houses the iconic and historic La Cotte Farm comprising the Manor House Hotel Complex consisting of Admin Offices and Reception, Restaurant and Guest Accommodation; staff housing complex, storage dam and is planted to approximately 10,50 hectares of irrigated wine grape vineyards.

Erf 550 Franschhoek comprises of a large residential dwelling together with outbuildings with the balance of the land unit being undeveloped.

The purpose of this land use planning application is for the re-configuration of the subject land units by subdivision and consolidation to enable the undeveloped portion of Erf 550 Franschhoek to be developed for agricultural purposes and incorporated as an extension of the La Cotte Farm, further strengthening its identity, character and relevance in the agricultural and rural landscape.

2. PROPERTY DETAILS

SUBJECT LAND UNITS				
PROPERTY DESCRIPTION	EXTENT (hectares)	REGISTERED LANDOWNER	DEED OF TRANSFER	EXISTING ZONING
The Remainder of Erf 548 Franschhoek (La Cotte Farm)	21,8295	Aralia Trading (Pty) Ltd	T6199/2015	Agriculture and Rural Zone
Erf 550 Franschhoek	5,5613	Aralia Trading (Pty) Ltd	T4745/2015	Agriculture and Rural Zone

3. LOCATION

The historic La Cotte Farm is situated on the eastern periphery of the village of Franschhoek abutting residential erven to the north and west and the Chamonix Wine Estate to the east, as indicated on the enclosed Locality Plan.

4. PRE-SCRUTINY SUBMISSION OUTCOME

A Pre-scrutiny application was submitted to the Stellenbosch Municipality on 14-02-2025 for which the following feedback was received from Mr Bongwiwe Zondo vide Stellenbosch Municipality letter (enclosed herewith) dated 20-02-2025:

"A subdivision and consolidation plan without an aerial image be submitted."

It should be noted that the following two plans are enclosed herewith to address the above-mentioned requirements to comply with the provisions of the Stellenbosch Land Use Planning By-Law, 2015 and the Stellenbosch Zoning Scheme By-Law, 2019:

1. Plan of Subdivision and Consolidation No 18: Without the aerial image
2. Plan of Subdivision and Consolidation No 18P: With the aerial image

5. PREVIOUS LAND USE DEVELOPMENT APPROVALS

The following land development approvals were previously granted in terms of the then applicable Land Use Planning Ordinance No 15/1985, as confirmed in the enclosed letter vide Stellenbosch Municipality Ref FH 548 dated 12-11-2014 :

- *"The rezoning of the existing buildings (farm house and barns) on the remainder of Erf 548, Franschhoek as a spot zoning from Agriculture to Specific Business to accommodate an 80 seat restaurant and a 14 room guesthouse."*
- *"The subdivision of the remainder of Erf 548 into 2 portions of approximately 2,1ha (portion 1) and approximately 27,4ha (remainder)"*
- *"The rezoning of portion 1 (approximately 2,1ha) from Agriculture to Subdivisional Area"*
- *"The subdivision of portion 1 into 11 Single Residential erven, 1 Private Road and 2 private Open Spaces"*

The abovementioned land development approvals have been acted upon, the former in respect of the existing Guesthouse Complex and the latter now represented by Erven 3698 – 3710 Franschhoek as laid out on approved General Plan No 1961/2010, to the north of the subject land unit.

6. APPLICATION PROPOSAL

A land use planning application is hereby submitted in terms of Sections 15(2)(d) and 15(2)(e) of the Stellenbosch Municipality Land Use Planning By-Law, 2023 as follows :

A. SUBDIVISION

The subdivision of Erf 550 Franschhoek into two portions viz :

- a) **Portion A** measuring approximately 2,53 hectares in extent comprising undeveloped agricultural land.
- b) **The Remainder of Erf 550 Franschhoek** measuring approximately 3,03 hectares in extent comprising the residential homestead and outbuildings.

B. CONSOLIDATION

The consolidation of Portion A and the Remainder of Erf 548 Franschhoek measuring 21,8295 hectares in extent to form a consolidated land unit measuring approximately 24,36 hectares in extent.

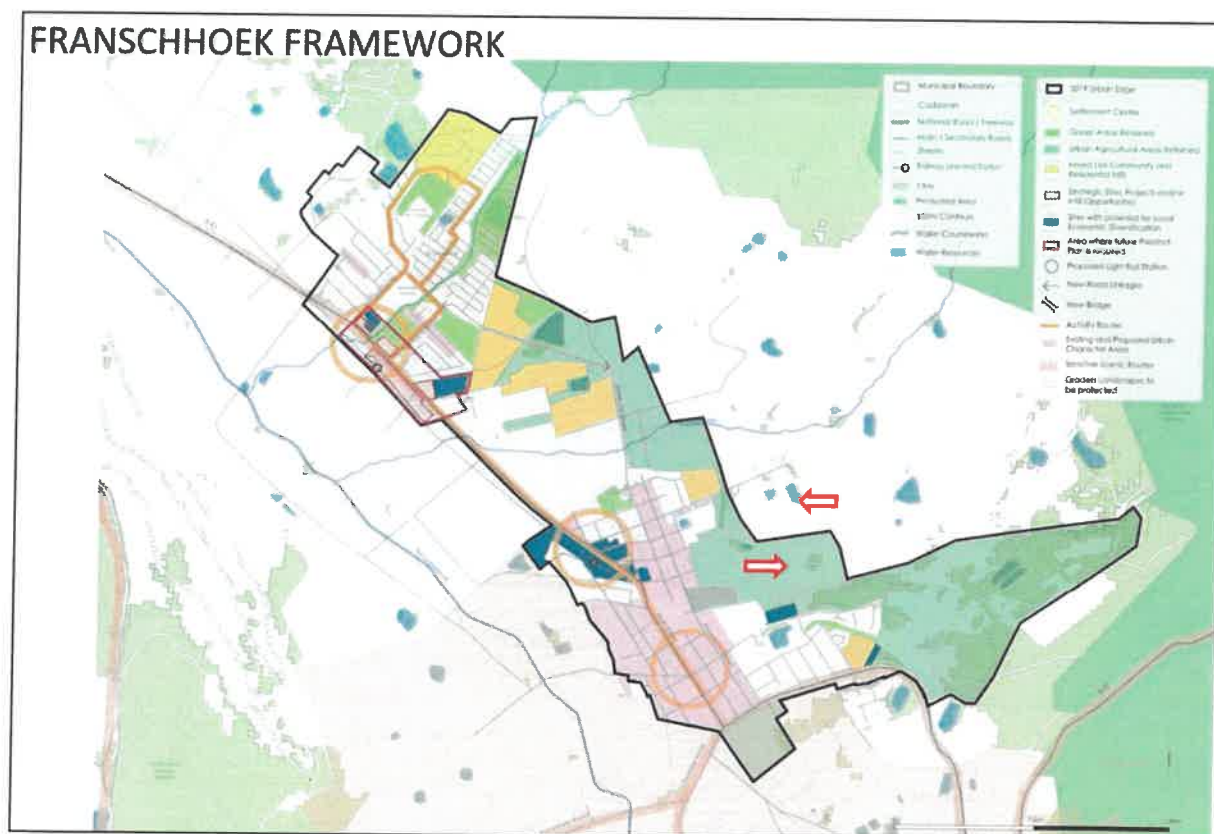
It is important to note that the provisions of the Subdivision of Agricultural Land Act No 70/1970 are not applicable, since the subject land units are situated within the jurisdiction of the then Franschhoek Municipality prior to 1995 and therefore are not considered to be agricultural land as defined in the Act.

7. STELLENBOSCH MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK, 2019

The purpose of the Stellenbosch Municipal Spatial Development Framework (MSDF) is to guide the future growth and development of the municipality based on an agreed vision and principles which are aimed at addressing problems and creating opportunities for sustainable socio-economic development. The MSDF provides overarching spatial development principles which underpin the Municipality's approach to the integrated spatial planning and management of land use and economic development for the municipal area as a whole.

In terms of the **Franschhoek Framework Plan**, the Remainder of Erf 548 Franschhoek is partially situated within the existing 'Urban Edge' and Erf 550 Franschhoek is situated wholly outside of the urban edge.

That part of the Remainder of Erf 548 Franschhoek situated within the "Urban Edge" being categorised as "Urban Agricultural Areas Retained".



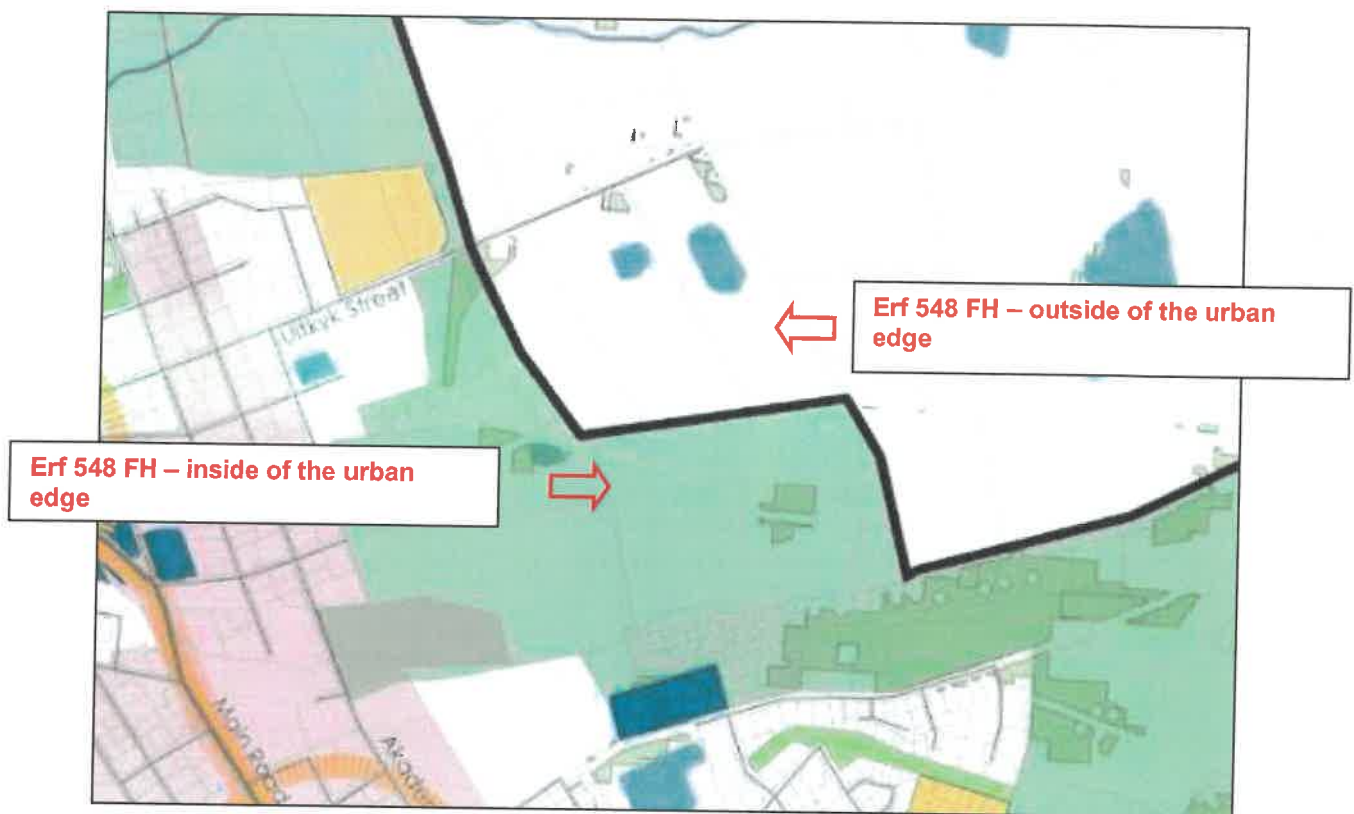


Figure : Franschhoek Framework Plan (Stellenbosch MSDF, 2023)

The reconfiguration proposal is consistent with and underpins the aims and objectives as set out in the MSDF, 2024 in terms of the retention and protection of agricultural areas on the periphery of the urban edge.

8. THE STELLENBOSCH MUNICIPALITY ZONING SCHEME BY-LAW, 2023

The subject land units are zoned Agricultural and Rural Zone in accordance with the provisions of the Stellenbosch Zoning Scheme By-law, 2023 as per the zoning map on Page 6.

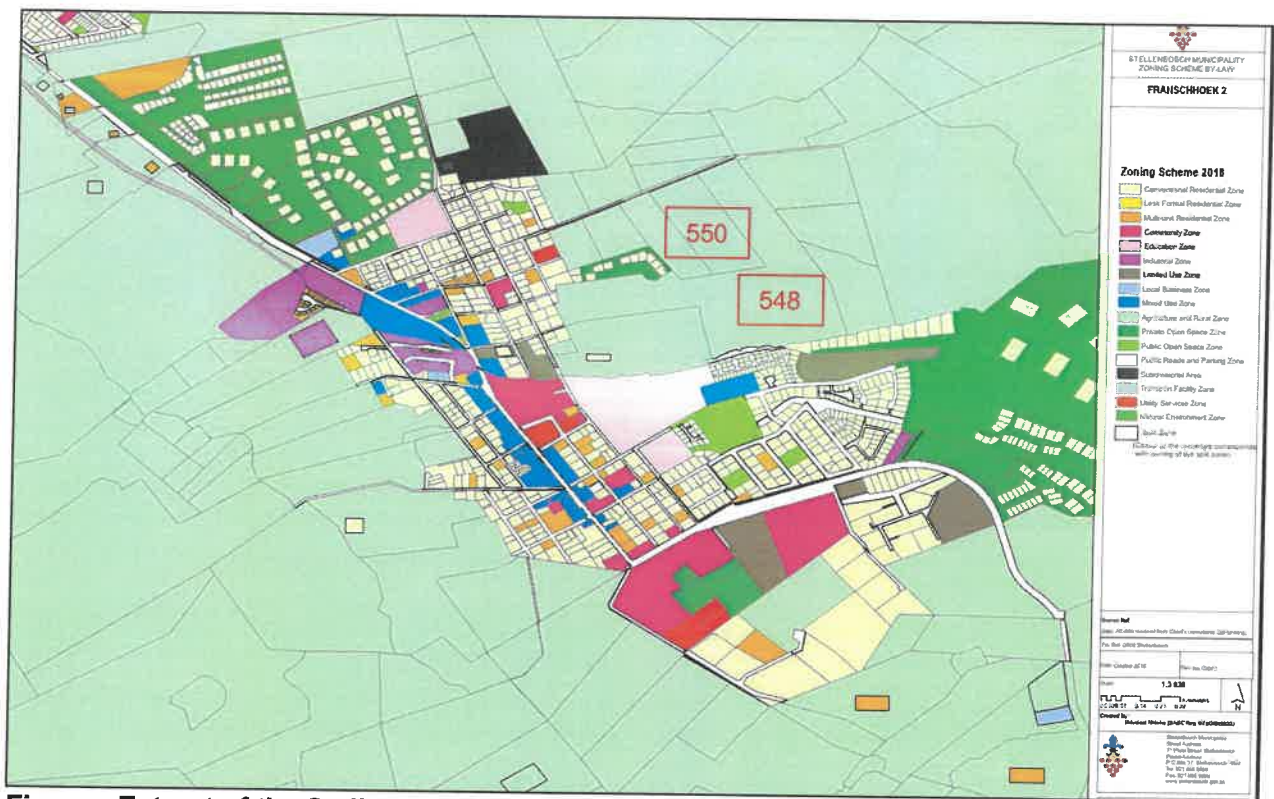


Figure : Extract of the Stellenbosch Municipality Zoning Map for Franschhoek

The rezoning of the area for the Boutique Hotel to Specific Business in terms of then Land Use Planning Ordinance No 15/1985 converts to a deemed Consent Use Approval for a Visitors Accommodation Establishment (Guesthouse) and a Tourist Facility (Restaurant) as per the enclosed Zoning Certificate issued in terms of the current planning legislative framework.

9. ACCESS AND SERVICES

- Access to the Remainder of Erf 550 Franschhoek is directly from Uitkyk Street and to the newly created Consolidated Land Unit from La Cotte Street, utilising existing and established entrances.
- The reconfiguration proposal will not increase the demand for additional engineering services compared to the status quo situation.

10. RESTRICTIONS

The are no restrictive conditions contained in the Title Deeds prohibiting the development proposal.

11. MOTIVATION

11.2 Section 59 of the Western Cape Land Use Planning Act No 3/2014

The following land use planning principles prescribed in terms of Section 59 of the Western Cape Land Use Planning Act, being indicators of desirability and in turn a criteria for decision making, are complied with as follows:

- Spatial sustainability: The development proposal is compatible with the aims and objectives as promoted in the MSDF, 2024 and seeks to realise the full development potential of the existing land units through the reconfiguration of thereof for improved utilisation of undeveloped agricultural land.
- Protection of the environment: The remodelling proposal promotes the concept of protection of agricultural land and resources by stimulating and encouraging the effective usage thereof on the periphery of the Town, thereby maintaining an effective and efficient agricultural and natural buffer on the urban edge.
- Efficiency: The approval of the development proposal will enable the subject land units to be developed to their full potential.
- Good administration: The land use planning application has been comprehensively prepared and will be subjected to a rigorous Public Participation process and together with engagement from all internal and external stakeholders, will ensure that the Municipality is in a position to take an informed decision in execution of their constitutional and legislative powers with respect to municipal planning.

11.3 Neighbourhood and Surroundings

- The proposed remodelled agricultural land units are of a similar extent to those in the surrounding area and are appropriate within its local agricultural and residential context.

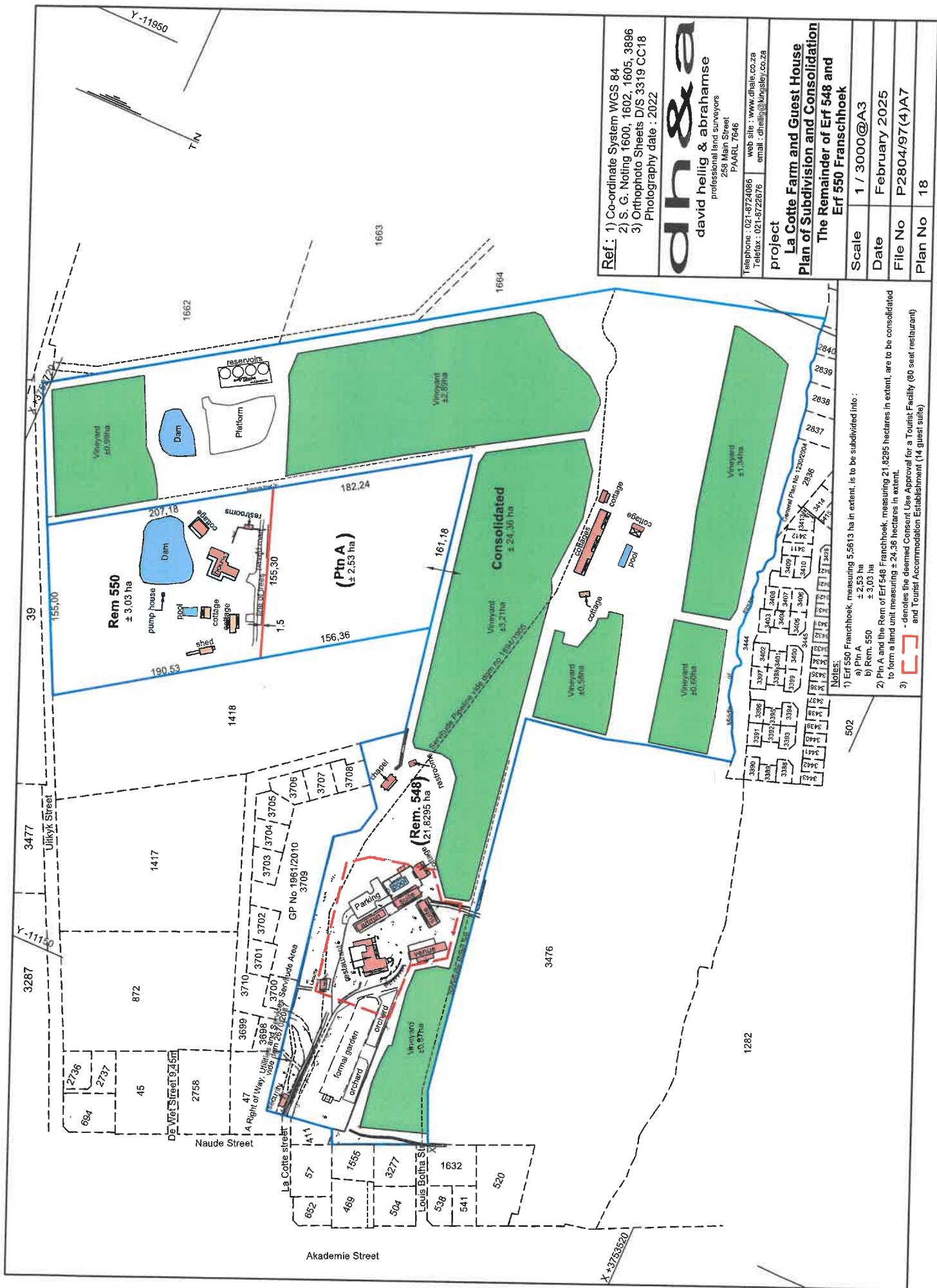
11.4 Need, Desirability and Demand

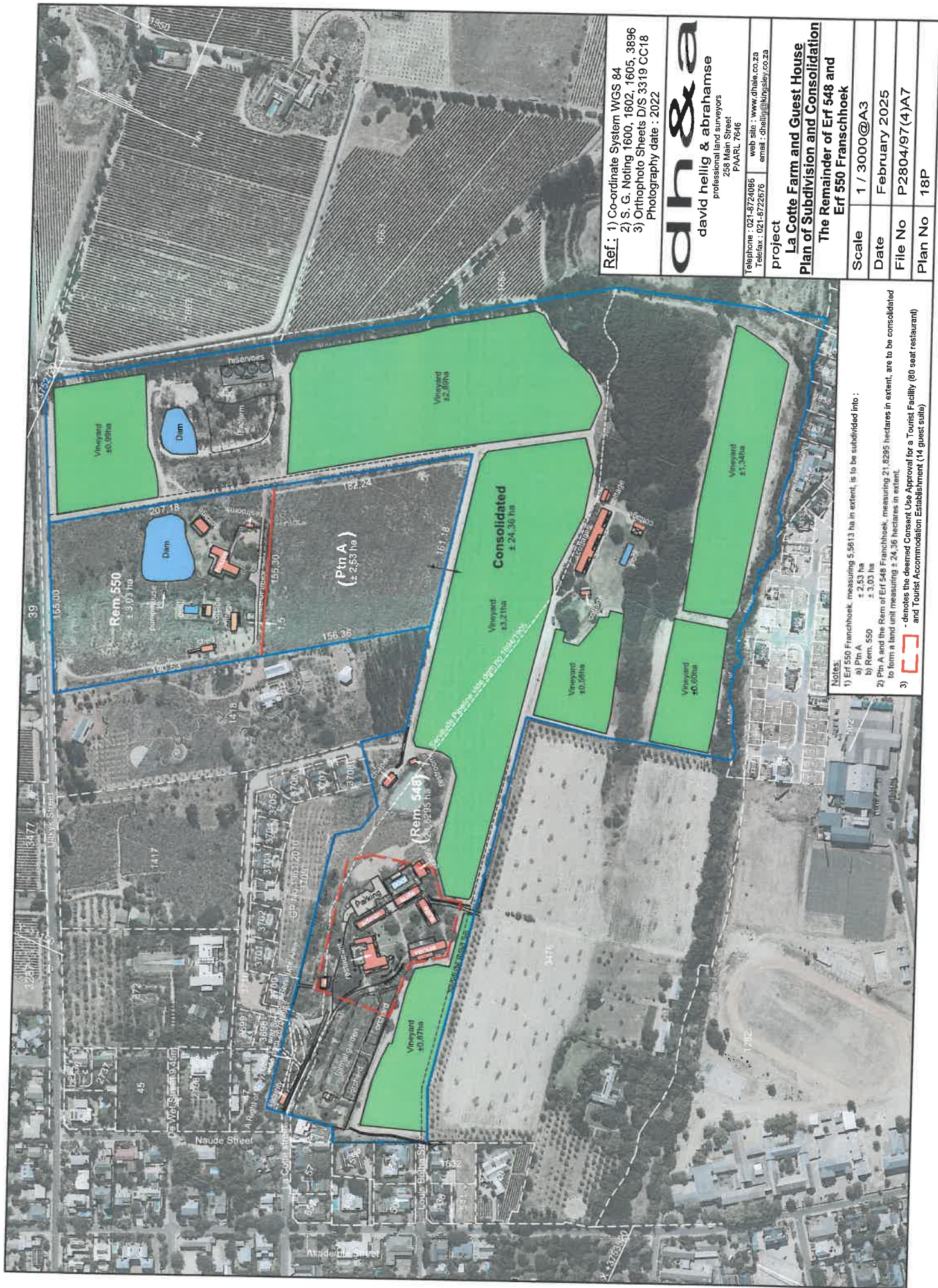
- The development proposal presents the opportunity to include currently undeveloped agricultural land within the existing and well established La Cotte farming operation with the aim to further develop it in the future for agricultural production.
- The remodelling proposal will have little to no impact in terms of agricultural productivity and potential in respect of Erf 550 Franschhoek, which is more "Lifestyle Residential" in nature rather than a fully fledged farming operation when compared with the La Cotte Farm.

DAVID HELLIG & ABRAHAMSE



PER : S G DREYER





Ref: 1) Co-ordinate System WGS 84
2) S. G. Noting 1600, 1602, 1605, 3896
3) Orthophoto Sheets D/S 3319 CC18
Photography date : 2022

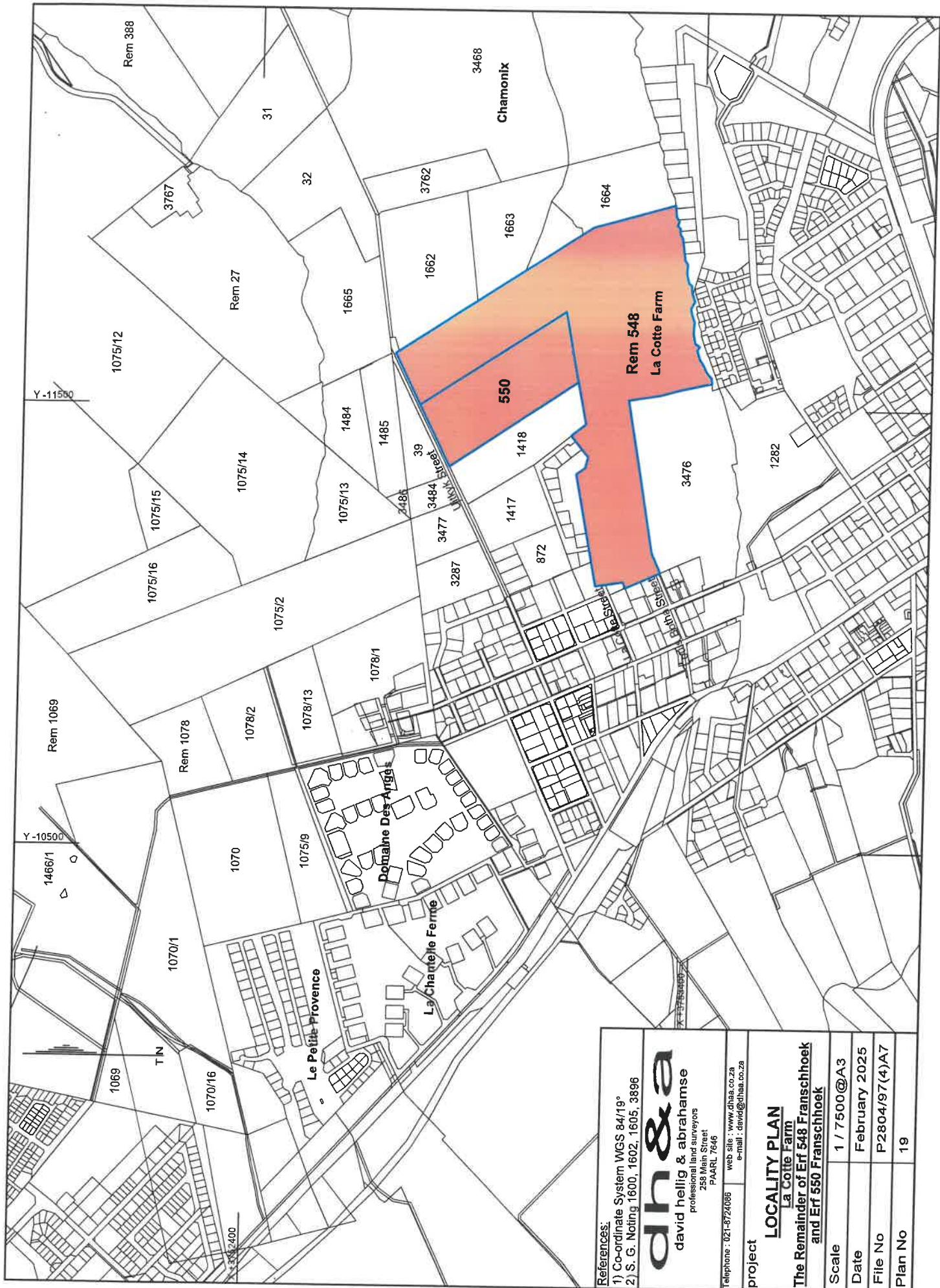
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Telephone : 021-8724086
Fax : 021-8722676
web site : www.dhale.co.za
email : dhale@dhale.co.za

project
La Cotte Farm and Guest House
Plan of Subdivision and Consolidation
The Remainder of Erf 548 and
Erf 550 Franschoek

Scale	1 / 3000@A3
Date	February 2025
File No	P2804/97(4)A7
Plan No	18P

Notes:
1) Erf 550 Franschoek, measuring 5.5613 ha in extent, is to be subdivided into :
a) Ptn A ± 2.53 ha
b) Rem. 550 ± 3.03 ha
2) Ptn A and the Rem of Erf 548 Franschoek, measuring 21.5295 hectares in extent, are to be consolidated to form a land unit measuring ± 24.35 hectares in extent.
3) - denotes the deemed Consent Use Approval for a Tourist Facility (80 seat restaurant) and Tourist Accommodation Establishment (14 guest suite)



References: 1) Co-ordinate System WGS 84/19° 2) S. G. Noting 1600, 1602, 1605, 3896		dh&a david hellig & abrahamse professional land surveyors 258 Main Street PAARL 7646 web site : www.dhaa.co.za e-mail : david@dhaa.co.za	
Telephone : 021-8724086		project	
LOCALITY PLAN La Cotte Farm		The Remainder of Erf 548 Franschoek and Erf 550 Franschoek	
Scale	1 / 7500@A3	Date	February 2025
File No	P2804/97(4)A7	Plan No	19