

NOTICE OF LAND DEVELOPMENT APPLICATION TO INTERESTED AND AFFECTED PARTIES FOR COMMENT

Affected person's Name
Affected persons Address

Dear Mr/Mrs/Me

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2015, refers:

Application Property Address: **Helderberg Winery, Winery Road, Stellenbosch**

Application Property Number: **Farm 1588, Stellenbosch**

Applicant: **Alwi Theart t/a Urban Rural SA | 082 411 7914 | alwi@urbanrural.co.za**

Owner: **Boekenhoutskloof Winery (Pty)Ltd | 021 842 2371**

Application Reference: **LU/14669**

Application Type: **Consent Use**

Detailed description of land use or development proposal, including its intent and purpose:

- Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-law, 2015 for **consent use** to permit an extension to an existing agricultural industry (winery) and associated buildings exceeding 2000 sqm, on Farm 1588, Stellenbosch.

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned 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-notice/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 bylaw 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;
- The reasons for the comments, which must be set out in sufficient detail in order to:
 - o Indicate the facts and circumstances that explain the comments;
 - o Where relevant demonstrate the undesirable effect that the application will have if approved;

- o Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
- o Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: (Alwi Theart t/a Urban Rural SA . Email address: **alwi@urbanrural.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 **12 December 2022**

It should be noted that the Municipality, in terms of Section 50(5) of the said Bylaw, 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 **(082 411 7914)** during normal office hours. (or include such applicable hours)

Yours faithfully

Alwi Theart t/a
Urban Rural SA Planning and Land Use Specialists

KENNISGEWING VAN GROND ONTWIKKELINGS AANSOEK AAN GEÏNTERESSEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR.

Naam van geaffekteerde persoon
Fisiese adres van geaffekteerde persoon

Titel van geaffekteerde persoon:

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning, 2015, verwys:

Adres van aansoek eiendom: **Helderberg Winery, Winery Road, Stellenbosch**

Aansoek eiendom beskrywing: **Plaas 1588, Stellenbosch**

Aansoeker: **Alwi Theart t/a Urban Rural SA | 082 411 7914 | alwi@urbanrural.co.za**

Eienaar: **Boekenhoutskloof Winery (Pty) Ltd | 021 842 2371**

Aansoek Verwysing: **LU14669**

Tipe Aansoek: **Vergunningsgebruik**

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoek vir Vergunningsgebruik in terme van Artikel 15(2)(o) van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning (2015) ten einde uitbreidings te maak aan 'n reeds bestaande landbou nywerheid (wynkelder) en geassosieerde geboue wat 2000vkm oorskry.

Kennis word hiermee gegee in terme van die voorskrifte 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 terms 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 opsite van die volgende aspekte:
 - o Die feite en omstandighede aantoon wat die die kommentaar toelig;
 - o Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;
 - o Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
 - o 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: (Alwi Theart t/a Urban Rural SA : Epos adres: alwi@urbanrural.co.za). Deur 'n beswaar, kommentaar of versoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

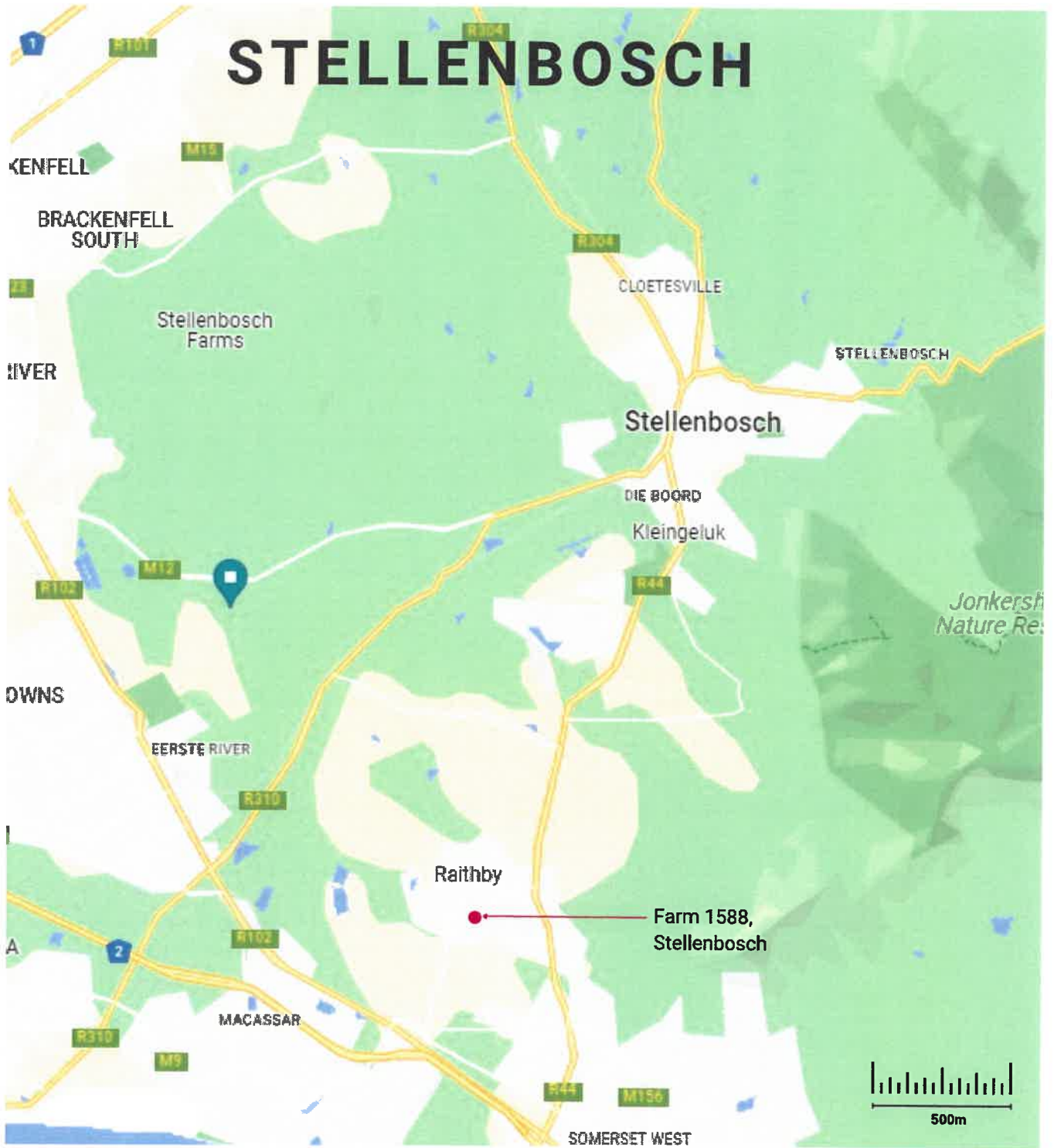
Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **12 Desember 2022**.

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 **082 411 7914** gedurende normale kantoor ure (of voorsien ure van toepassing).

Die uwe

**Alwi Theart t/a
Urban Rural SA Planning and Land Use Specialists**



DESCRIPTION

LOCALITY PLAN

PROPERTY FARM 1588	APPLICATION CONSENT USE	DATE AUGUST 2022	urban rural sa Planning + Land Use Specialists 082 411 7914 www.urbanrural.co.za ahl@urbanrural.co.za POBox 7257 Stellenbosch 7599 Ahl Theart t/a Urban Rural South Africa	PLAN B01
DIVISION STELLENBOSCH	UTILISATION RELOCATION OF BUILDINGS	SOURCE GOOGLE MAPS		
MUNICIPALITY STELLENBOSCH	SCALE AS INDICATED	PROJECT NUMBER 363.2022		

EXECUTIVE SUMMARY

Purpose

The purpose of this application is to construct a new building which will replace the old office and workers facilities. The bottle and labelling area of the existing cellar complex will also be accommodated in the new building on the ground floor. The property is located adjacent to the Winery Main Road, between Stellenbosch and Somerset West and obtains direct access to the Winery Main Road. The property covers an area of 8,7ha and a winery is operating from the property for many years. Various changes and extensions to the cellar complex have been done in the past.

Application

A formal application is hereby made for **a consent use**

- to make an **extension** to the existing agricultural industry facility by constructing a new building of approximately 908sqm in a new location on the property.
- The ground floor will be accommodated by a bottling and labelling facility (760 sqm) while the first floor will accommodate offices and workers facilities (800 sqm). The footprint with the open stoep areas included will be approximately 908 sqm.
- Various buildings which have been used as offices, workers facilities and other administrative functions will be demolished and the uses will be relocated to the new proposed building.
- Existing buildings of approximately 660 sqm will be demolished and will be replaced by a new building with a footprint of 908 sqm.

The existing offices from which the cellar is currently managed need to be upgraded and so do the existing staff facilities. The production capacity of the winery will not increase with the proposed changes. The proposed changes are more of a practical nature and will also add value to the visually appealing nature of the cellar complex. The new extension to the facilities will be located to the west of the existing winery complex in a similar position where the bulk of the buildings is, which will be demolished. The proposed changes will further add value to the sustainability and functionality of the existing winery facility.

Services

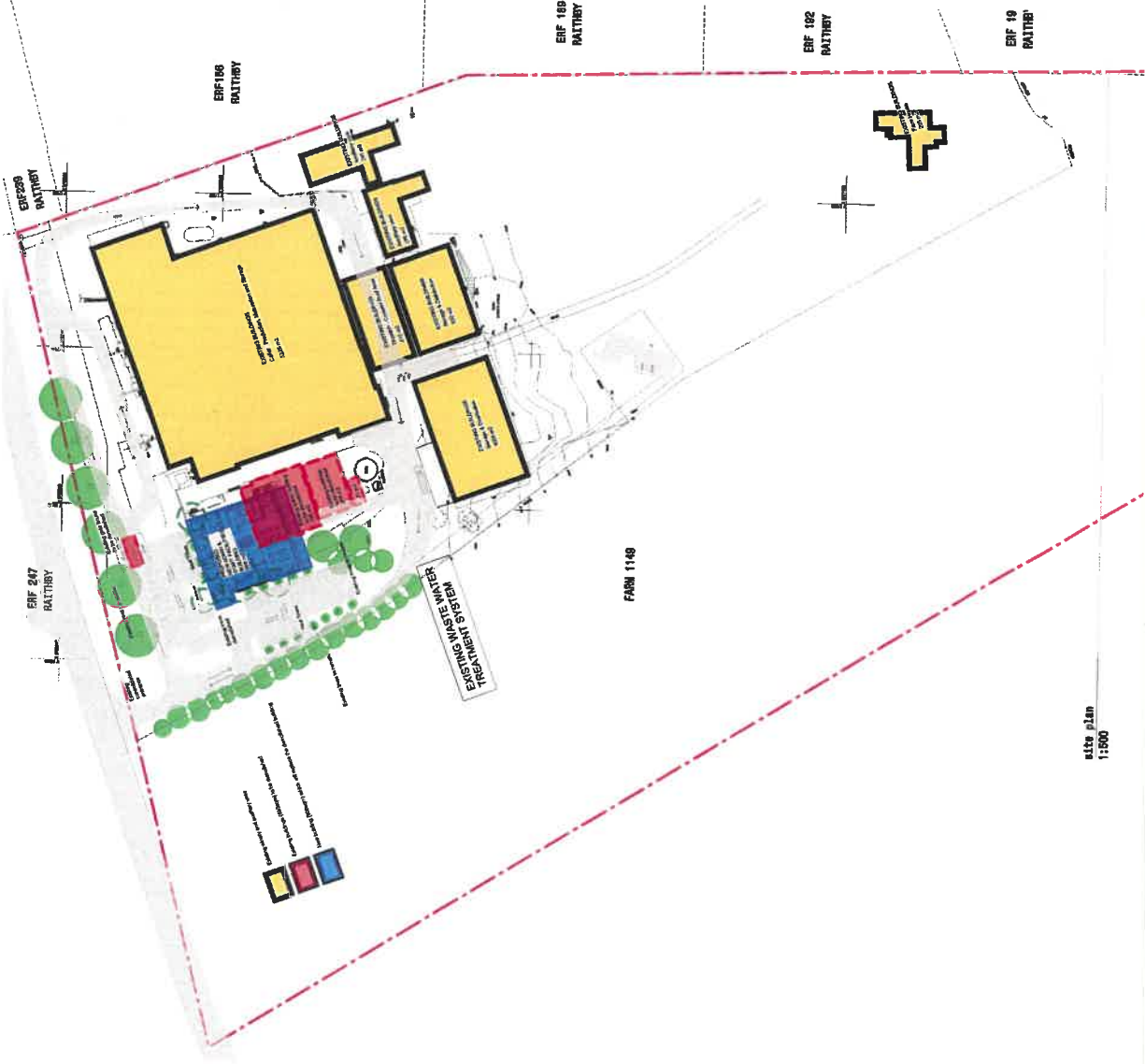
All necessary infrastructures, such as electricity, water sewerage and wastewater disposal facilities are already in place and can be considered sufficient to accommodate the proposed alterations to the existing wine cellar complex. No significant changes to the infrastructure will be required, except for the proposed work required to connect the new building infrastructure to the existing network.

Comprehensive Assessment

A thorough study was done of the proposed development and a report consisting of all the relevant information has been prepared for submission. The proposed development has been approached in a holistic manner to ensure that the safety and welfare of the community and the preservation of the natural and developed environment were taken into consideration. It is believed that the comprehensive way in which the design of the facility was approached and how it is incorporated with the existing development will ensure that nobody will be negatively affected by the proposal. The proposed remodelling of the facility will provide the owners with the necessary space and technology to ensure that the existing winery is managed in a sustainable manner and produces a quality product and which will also have a positive impact on the economy, environment and community.

To summarise:

- the proposed extension together with the existing winery facilities is considered to be in line with what is required to classify as a world-class winery facility;
- The production capacity of the winery will not be increased by the new extension/remodelling of the existing facility;
- The visual impact which will be created by the new building will be more aesthetically pleasing than the previous buildings;
- The new changes will not require additional services;
- The new building will provide a better work environment for employees



TAX INVOICE



STELLENBOSCH
 STELLENBOSCH • PNIEL • FRANSCHHOEK
 MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

PO BOX 17, STELLENBOSCH, 7599
 PLANNING & ECONOMIC DEVELOPMENT: PLANNING

DATE:	2022-10-06	DOCUMENT NO:	736469
ERF / FARM NO:	1588	CREATED BY:	Bulelwa Mdoda
LOCALITY:	Winery Road, STELLENBOSCH FARMS	APPLICATION NO:	LU/14669
OWNER'S NAME:	Boekenhoutskloof Winery (Pty) Ltd	APPLICATION VAT NO:	4520224314
ADDRESS:	PO Box 433 FRANSCHHOEK 7690	VAT NO:	4700102181
		APPLICANT:	Boekenhoutskloof Winery (Pty) Ltd
		TEL NO:	0824117914

FEE DESCRIPTION	AMOUNT PER UNIT (R)	NUMBER OF UNITS	VOTE NUMBER	AMOUNT (R)
TEMPORARY DEPARTURE, PERMISSION IN TERMS OF ZONING SCHEME, PERMISSION REQUIRED IN TERMS OF THE TITLE DEED - Submitted in urban and rural areas, Per application per property	2500.00	1	20220630081392	2500.00
<div style="border: 2px solid black; padding: 10px; width: fit-content; margin: auto;"> <p>STELLENBOSCH MUNICIPALITY PLANNING AND DEVELOPMENT SERVICES</p> <p>14 OCT 2022</p> <p>RECEIVED</p> </div>				

TOTAL AMOUNT PAYABLE 2500.00

VAT INCLUDED @ 15% 326.09

NEW TARIFFS IMPLEMENTED ON 1 JULY ANUALLY

CALCULATED BY
 NAME:
 SIGNATURE

DATE:

PAYMENTS MUST BE MADE AT THE APPLICABLE DISTRICT OFFICE
 CHEQUES TO BE MADE PAYABLE TO STELLENBOSCH
 MUNICIPALITY

APPLICANT TO RETURN THIS FORM TO THE ADVICE CENTRE FOR
 DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT

VERIFIED BY
 NAME:
 SIGNATURE

DATE:

BANKING DETAILS FOR EFT PAYMENT:

ACCOUNT HOLDER: Stellenbosch Municipality
 BANK: First National Bank (FNB)
 ACCOUNT NUMBER: 62869253684
 BRANCH CODE: 210554
 REFERENCE: LU/_____ and ERF/FARM _____

Please use both the Land Use Application number and the Erf/Farm number indicated on this invoice as a reference when making EFT payment.

FILE NR: _____

SCAN NR: _____

F 1588 S

COLLABORATOR NR: _____

0.00

0

Bulelwa Mdoda

From: Sharise De Klerk
Sent: Friday, 14 October 2022 08:33
To: Bulelwa Mdoda

Hi

Invoices pls

13/10/2022	14	500.00 DIR1	1000210510	05040	FNB OB PMT	ERF 27	ERF
27							
13/10/2022	19	2500.00 DIR1	1000210514	05040	FNB OB		
PMT		TP107/2022	TP107/2022				
13/10/2022	57	2500.00 DIR1	1000210550				
05236	BOEKENHAUT	TP57/2022			BOEKENHAUTTP57/2022		



Enquiries

Phone Number

E-mail

Bulelwa Mdoda

0218080000

bulelwa.mdoda@stellenbosch.gov.za

BTW/VAT Invoice No: 2799

Invoice VAT Reference: 4700102181

Name: Boekenhoutskloof Winery (Pty) Ltd
Boekenhoutskloof Winery (Pty) Ltd

Invoice Date: 2022/10/6

Reference No: TP57/2022

Payment Due Date: 2022/11/5

Client Street address: Winery Road Stellenbosch Rural
Stellenbosch Western Cape South Africa 7600

Municipality street address: PLEIN STREET
STELLENBOSCH STELLENBOSCH Western Cape 7600

Client Postal address: PO Box 433 Franschhoek
Franschhoek Western Cape South Africa 7690

Municipality postal address: PLEIN STREET
STELLENBOSCH STELLENBOSCH Western Cape 7600

Client VAT No: 4520224314

Town Planning Application Fees

Vote No	Description	Qty	Rate	UoM	Amount (Incl VAT)
20220630081392	Consent Use ito Zoning	1	2 500.00	Per application per property	2 500.00
				Total Excl VAT	2 173.91
				VAT	326.09
				Invoice Total	2 500.00

*VAT Exempt

Created By: Mdoda, Bulelwa

Signature: 

Verified By: Mdoda, Bulelwa

Signature: _____

Please note that application fees that are paid to the municipality are non-refundable and proof of payment must accompany the application. It is the responsibility of the applicant to ensure that the payment is made into the correct account.

Bank Details: First National Bank Acc# 62869253684 Branch Code 250655

Please use the following as reference number: TP57/2022

To expedite the application, please send proof of payment by e-mail or fax as per the detail above.





DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

LAND USE APPLICATION COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW, 2015			Date of Submission of Application	16-08-2022	
Erf No		Town		Suburb	
Farm No	1588	Farm Portion		Nearest Town Stellenbosch	
Owner / Applicant	ALWI THEART	Contact number		082 411 7914	
Email address	alwi@urbanrural.co.za				
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION			ADMIN TO VERIFY ¹		PLANNER TO EVALUATE ²
			YES	NO	
1. Completed application form that is signed			✓		✓
2. Power of Attorney / Owners' Consent if the applicant is an agent and Company Resolution			✓		✓
3. Bondholders' consent					
4. Proof that applicant is authorized to act on behalf of an entity					
5. Proof of ownership or rights held in land					
6. Motivation based on criteria in s65			✓		✓
7. SG diagram or General Plan			✓		✓
8. Locality plan			✓		✓
9. Site development plan or plan showing the land development			✓		✓
10. Subdivision plan					
11. Permission for required servitude					
12. Title Deed			✓		✓
13. Conveyancer's certificate					
14. Feedback on Pre-application scrutiny			✓		✓

¹ Verification by Admin only of the documentation attached and completeness of application and not the correctness thereof.

² Technical evaluation by Planner of the documentation attached for completeness and correctness thereof.

15. Minutes of Pre-consultation Meeting			
16. Consolidation plan			
17. Street name and numbering plan			
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION	ADMIN TO VERIFY	PLANNER TO EVALUATE	
18. Land use plan / zoning plan			
19. Landscaping / tree plan			
20. Flood line plan			
21. Neighbours' consent			
22. HOA / Body Corporate consent			
23. Assessments: EIA, HIA, TIA, TIS, MHIA, EA/ROD			
24. Services report (Engineers report)			
25. Previous approvals			
26. Proof of failure of HOA			
27. Proof of lawful use right / zoning certificate			
28. Other documents Specify:			
VERIFIED & SIGNED BY ADMIN	NAME Bulelwa	SIGNATURE 	DATE 16/08/2022
Outstanding information (to be completed by Planner):			
<p>A Site Development Plan (SDP) is required to accompany this application. Therefore, the applicant is required to submit a SDP.</p> <p>Please note that the invoice will be issued upon receipt of the SDP.</p>			
Applications to be invoiced (to be completed by Planner):			
<p>Please generate an invoice for consent use.</p>			
EVALUATED & SIGNED BY PLANNER	NAME Thuthula	SIGNATURE 	DATE 06/10/2022
NOTES:			
<ol style="list-style-type: none"> The documentation is not considered as a registered application until such time as it has been scrutinized, all outstanding information (if any) has been submitted and payment is reflected in Council's bank account, after Applicant has been requested by Admin to make payment. Should it be found that the application is not complete, the Applicant will be notified of outstanding information [s41(1)(c)(f)]. Once payment has been confirmed and the application has been registered, the Applicant will be notified of the complete application [s41(1)(c)(f)] and will receive instructions to advertise [s48(4)]. Should the outstanding information and/or payment of fees not be received, the applicant will be notified that the application will not proceed due to failure to submit required information [s41(4)]. 			

Bulelwa Mdoda

From: alwi@urbanrural.co.za
Sent: Monday, 03 October 2022 10:18
To: Thuthula Mazana; Pedro April
Cc: Bulelwa Mdoda
Subject: FW: [EX] RE: BPAMS Application 57 - Outstanding Documents Requested
Attachments: z Boekenhoutskloof HQ SDP - September 2022 - Page 1.pdf; z Boekenhoutskloof HQ SDP - September 2022 - Page 2.pdf

Dear Pedro / Thuthula

Attached please find the revised SDP plans as requested for the abovementioned property. These plans replace Bo4 and B05 in the original report.

We trust that the plans are now sufficient to continue with the processing of the application.

We are looking forward to your response.

Regards
Alwi



Alwi Theart – Principal Planner

Tch.Pl(SA) | MPhil NHDip NDip PPRE CEA
Cell: 082 411 7914 | Office: 021 855 1919 | alwi@urbanrural.co.za
Alwi Theart t/a Urban Rural SA | PO Box 7257 Stellenbosch 7599
S A C P L A N Registration nr. B.8133/2005 | www.urbanrural.co.za

From: alwi@urbanrural.co.za [mailto:alwi@urbanrural.co.za]
Sent: Monday, 29 August 2022 10:50
To: 'Thuthula Mazana' <Thuthula.Mazana@stellenbosch.gov.za>
Cc: 'Bulelwa Mdoda' <Bulelwa.Mdoda@stellenbosch.gov.za>; pedro.april@stellenbosch.gov.za
Subject: RE: [EX] RE: BPAMS Application 57 - Outstanding Documents Requested

Good morning Thuthula

Thank you for your email response earlier today.

We did take note of Section 16 of the Stellenbosch Municipal Planning By-law when the SDP was drafted.

In our opinion all the relevant information for the application at hand are indicated on the SDP that was submitted.

Section 16.4 of the Municipal Bylaw stated that:

“At the end, the Municipality may determine what information is relevant for an application, may adopt guidelines in this regard to assist applicants, and may request some, or all the information below or any relevant additional information it deems necessary.”

Based on our assessment of the application at hand the relevant information was provided. Can you please indicate what additional information/changes you want us to make to the SDP as the list of information as indicated in Section 16 (4) (a-q) is not all relevant to our application.

Regards
Alwi



Alwi Theart – Principal Planner

Tch.Pl(SA) | MPhil NHDip NDip PPRE CEA
Cell: 082 411 7914 | Office: 021 855 1919 | alwi@urbanrural.co.za
Alwi Theart t/a Urban Rural SA | PO Box 7257 Stellenbosch 7599
S A C P L A N Registration nr. B.8133/2005 | www.urbanrural.co.za

From: Thuthula Mazana [<mailto:Thuthula.Mazana@stellenbosch.gov.za>]
Sent: Monday, 29 August 2022 08:43
To: alwi@urbanrural.co.za
Cc: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>
Subject: RE: [EX] RE: BPAMS Application 57 - Outstanding Documents Requested

Good day Alwi,

What you have submitted is not a complete Site Development Plan hence the request for the submission of a complete SDP.

Please refer to section 16 of the Stellenbosch Municipal Zoning Scheme By-Law which stipulates what needs to be included on an SDP. Please adhere to the requirements of this section and once complete you may submit the amended Plan for re-evaluation.



Kind regards

Thuthula Mazana (Pr. Pln.)
Town Planner
Land Use Management
Planning & Economic Development

T: +27 21 808 8695
3rd Floor, Eikestad Mall, 43 Andringa
Street, Stellenbosch, 7600
www.stellenbosch.gov.za



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MUNICIPALITEIT • UMUNIPALA • MUNICIPALITY



About Stellenbosch Municipality

Our mission is to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens.



Our head office is at Town House Complex, Plein Street, Stellenbosch, 7600, South Africa. For more information about Stellenbosch Municipality, please call +2721-808-8111, or visit www.stellenbosch.gov.za

Disclaimer:

The information contained in this communication from thuthula.mazana@stellenbosch.gov.za sent at 2022-08-29 08:43:05 is

alwi@urbanrural.co.za

From: Thuthula Mazana <Thuthula.Mazana@ Stellenbosch.gov.za>
Sent: Monday, 25 July 2022 10:02
To: alwi@urbanrural.co.za
Cc: Pedro April
Subject: RE: [EX] RE: Farm 1588, Stellenbosch | Application for Consent Use

Good day Alwi,

In our meeting last week, we promised that we would revert to you on a way forward regarding this application.

As mentioned in our meeting the appropriate application that must be made is a Consent Use for an Agricultural Industry as the total area used for the structures which exist on the property together with that which is proposed exceeds 2000m².

The question regarding the exemption from advertising that you and your team raised in the meeting was presented in our weekly technical meeting and it was resolved that you must submit a motivation which thoroughly states the reasons why you wish that this application be exempted from advertising.

Upon receipt of the revised application the application will be considered accordingly.



Kind regards

Thuthula Mazana (Pr. Pln.)
Town Planner
Land Use Management
Planning & Economic Development

T: +27 21 808 8695
3rd Floor, Eikestad Mall, 43 Andringa
Street, Stellenbosch, 7600
www.stellenbosch.gov.za



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Disclaimer:

The information contained in this communication from thuthula.mazana@stellenbosch.gov.za sent at 2022-07-25 10:01:58 is confidential and may be legally privileged. It is intended solely for use by alwi@urbanrural.co.za and others authorized to receive it. If you are not alwi@urbanrural.co.za you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this information is strictly prohibited and may be unlawful. Powered by [IOCO](http://www.io.co.za)



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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

www.stellenbosch.gov.za/planning-portal/

SUBMIT COMPLETED FORM TO landuse.applications@stellenbosch.gov.za

LAND USE PLANNING APPLICATION FORM

(Section 15 of the Stellenbosch Municipal Land Use Planning By-Law (2015) and other relevant legislation)

KINDLY NOTE: Please complete this form using BLOCK letters and ticking the appropriate boxes.

PART A: APPLICANT DETAILS

First name(s)	Alwi			
Surname	Theart			
Company name (if applicable)	t/a Urban Rural SA Planning + Land Use Specialists			
Postal Address	PO Box 7257			
	Stellenbosch	Postal Code	7599	
Email	alwi@urbanrural.co.za			
Tel		Fax		Cell 082 411 7914

PART B: REGISTERED OWNER(S) DETAILS (if different from applicant)

Registered owner(s)	Boekenhoutskloof Winery (Pty) Ltd			
Physical address	Winery Road , Stellenbosch			
		Postal code	7600	
E-mail	info@boekenhoutskloof.co.za			
Tel	021 876 3320	Fax		Cell

PART C: PROPERTY DETAILS (in accordance with title deed)

Erf / Erven / Farm No.	1588	Portion(s) if Farm		Allotment area	Stellenbosch	
Physical Address	Winery Road , Stellenbosch					
Current Zoning	Agricultural Zone and Rural Zone	Extent	8,7 m ² / ha	Are there existing buildings?	<input checked="" type="checkbox"/>	N
Applicable Zoning Scheme	Stellenbosch Municipal Zoning Scheme ,2019					

Current Land Use	Agriculture + Winery										
Title Deed number and date	T	42896/2019									
Attached Conveyance's Certificate	Y	<input checked="" type="checkbox"/>	Any Restrictions into the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate								
Are the restrictive conditions in favour of a third party(ies)?	Y	<input checked="" type="checkbox"/>	If Yes, list the party(ies):								
Is the property encumbered by a bond?	Y	<input checked="" type="checkbox"/>	If Yes, list the bondholder(s):								
Is the property owned by Council?	Y	<input checked="" type="checkbox"/>	If Yes, kindly <u>attach a power of attorney</u> from the Manager Property Management								
Is the building located within the historical core?	Y	<input checked="" type="checkbox"/>	Is the building older than 60 years?	Y	<input checked="" type="checkbox"/>	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹	Y	<input checked="" type="checkbox"/>	If Yes, kindly indicate which section are triggered and attached the relevant permit if applicable.		
Any existing unauthorized buildings and/or land use on the subject property(ies)?	Y	<input checked="" type="checkbox"/>	If yes, is this application to legalize the building / land use ² ?				Y	<input checked="" type="checkbox"/>			
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	Y	<input checked="" type="checkbox"/>	Are there any land claim(s) registered on the subject property(ies)?				Y	<input checked="" type="checkbox"/>			
PART D: PRE-APPLICATION CONSULTATION											
Has there been any pre-application consultation?	<input checked="" type="checkbox"/>	N	If Yes, please attach the minutes of the pre-application consultation.								
Has the pre-application scrutiny form been submitted?	Y	<input checked="" type="checkbox"/>	If yes, please attach the written feedback received.								
PART E: LAND USE PLANNING APPLICATIONS AND APPLICATION FEES PAYABLE											
APPLICATIONS IN TERMS OF SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)											
Tick	Type of application: Cost are obtainable from the Council Approved tariffs										
	15(2)(a) rezoning of Land										
	15(2)(b) a permanent departure from the development parameters of the zoning scheme										
	15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land										
	15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement										
	15(2)(e) a consolidation of land that is not exempted in terms of section 24										
	15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit										
	15(2)(g) a permission required in terms of the zoning scheme										

¹ All applications triggered by section 38(1)(a) - (e) in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999) may not be processed without a permit issued by the relevant department

² No application may be submitted to legalize unauthorised building work and or land use on the property if a notice has been served in terms of Section 87(2)(a), and until such time a Section 91 Compliance Certificate have been issued in terms of the Stellenbosch Land Use Planning By-law (2015)

	15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval
	15(2)(i) an extension of the validity period of an approval
	15(2)(j) an approval of an overlay zone as contemplated in the zoning scheme
	15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram
	15(2)(l) a permission required in terms of a condition of approval
	15(2)(m) a determination of a zoning
	15(2)(n) a closure of a public place or part thereof
✓	15(2)(o) a consent use contemplated in the zoning scheme
	15(2)(p) an occasional use of land
	15(2)(q) to disestablish a home owner's association
	15(2)(r) to rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services
	15(2)(s) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building
	15(2)(6) when the Municipality on its own initiative intends to conduct land development or an activity
	15(2)(l) amendment of Site Development Plan
	15(2)(l) Compilation / Establishment of a Home Owners Association Constitution / Design Guidelines

OTHER APPLICATIONS

	Deviation from Council Policies/By-laws	R
	Consent / Permission required in terms of a title deed	R
	Technical approval in terms of the Zoning Scheme Bylaw, 2019	R
	Other (specify): _____	R
TOTAL A:		R

PRESCRIBED NOTICE AND FEES (for completion and use by official)**

Tick	Notification of application in media	Type of application	Cost
	SERVING OF NOTICES	Delivering by hand; registered post; electronic communication methods	R
	PUBLICATION OF NOTICES	Local Newspaper(s); <i>Provincial Gazette</i> ; site notice; Municipality's website	R
	ADDITIONAL PUBLICATION OF NOTICES	Site notice, public meeting, local radio station, Municipality's website, letters of consent or objection	R
	NOTICE OF DECISION	<i>Provincial Gazette</i>	R
	INTEGRATED PROCEDURES	T.B.C	R
TOTAL B:			R
TOTAL APPLICATION FEES* (TOTAL A + B)			R

* The complete application should first be submitted without the payment of any applicable application fees. Only when satisfied that a complete and accurate application has been submitted, will a proforma invoice be submitted to the applicant with payment instructions. Application fees that are paid to the Municipality are non-refundable and once proof of payment is received, the application will be regarded as duly submitted.

**All indigent residents who are registered as such with the Municipality and with proof submitted together with application will be exempted from applicable fees for Permanent Departure applications including but not limited to building lines, coverage, height, bulk, parking. Contact: Indigent.office@ Stellenbosch.gov.za or 021 808 8501 or 021 808 8579

*** The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable and the applicant will be informed accordingly.

BANKING DETAILS

Account Holder Name: Stellenbosch Municipality
 Bank: FIRST NATIONAL BANK (FNB)
 Branch no.: 210554
 Account no.: 62869253684
 Payment reference: LU/_____ and ERF/FARM _____

Please use both the Land Use Application number and the Erf/Farm number indicated on the invoice as a reference when making EFT payment

DETAILS FOR INVOICE

Name & Surname/Company name (details of party responsible for payment)	Boekenhoutskloof Winery (Pty) Ltd
Postal Address	PO Box 433, Franschhoek, 7690
Vat Number (where applicable)	4520224314

PART F: DETAILS OF PROPOSAL

Building line encroachment	Street		From	m	To	m
	Street		From	m	To	m
	Side		From	m	To	m
	Side		From	m	To	m
	Aggregate side		From	m	To	m
	Rear		From	m	To	m
Exceeding permissible site coverage		From	%	To	%	
Exceeding maximum permitted bulk / floor factor / no of habitable rooms		From		To		
Exceeding height restriction		From	m	To	m	
Exceeding maximum storey height		From	m	To	m	
Consent/Conditional Use/Special Development						
To permit..... in terms of Section.....of the.....Zoning Scheme Regulations						
Other (please specify)	<hr/> <hr/> <hr/>					

Brief description of proposed development / intent of application:

Consent Use to make an extension to an existing Agricultural Industry (Winery)

Demolish buildings of approximately 660 sqm

A new building of 908 sqm (footprint) will be constructed. The building will consist of 2 storeys and will have a total floor space of approximately 1560 sqm) The ground floor will accommodate a bottling and labeling facility while the first floor will consist of offices and staff facilities

PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION

Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete.

Information and documentation required

<input checked="" type="checkbox"/>	N	Power of attorney / Owner's consent if applicant is not owner	<input type="checkbox"/>	N	Bondholder's consent (if applicable)
<input checked="" type="checkbox"/>	N	Resolution or other proof that applicant is authorised to act on behalf of a juristic person	<input type="checkbox"/>	N	Proof of any other relevant right held in the land concerned
<input checked="" type="checkbox"/>	N	Written motivation pertaining to the need and desirability of the proposal	<input checked="" type="checkbox"/>	N	S.G. diagram / General plan extract (A4 or A3 only)
<input checked="" type="checkbox"/>	N	Locality plan (A4 or A3 only) to scale	<input checked="" type="checkbox"/>	N	Site development plan or conceptual layout plan (A4 or A3 only) to scale
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proposed subdivision plan (A4 or A3 only) to scale	<input type="checkbox"/>	N	Proof of agreement or permission for required servitude
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proof of payment of application fees	<input checked="" type="checkbox"/>	N	Proof of registered ownership (Full copy of the title deed)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Conveyancer's certificate	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Written feedback of pre-application scrutiny and Minutes of pre-application consultation meeting (if applicable)
<input type="checkbox"/>	N	<input checked="" type="checkbox"/> Consolidation plan (A4 or A3 only) to scale	<input type="checkbox"/>	N	<input checked="" type="checkbox"/> Land use plan / Zoning plan (A4 or A3 only) to scale
<input type="checkbox"/>	N	<input checked="" type="checkbox"/> Street name and numbering plan (A4 or A3 only) to scale	<input type="checkbox"/>	N	<input checked="" type="checkbox"/> 1 : 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale
<input type="checkbox"/>	N	<input checked="" type="checkbox"/> Landscaping / Tree plan (A4 or A3 only) to scale	<input type="checkbox"/>	N	<input checked="" type="checkbox"/> Home Owners' Association consent
<input type="checkbox"/>	N	<input checked="" type="checkbox"/> Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD)	<input type="checkbox"/>	N	<input checked="" type="checkbox"/> Services Report or indication of all municipal services / registered servitudes
<input type="checkbox"/>	N	<input checked="" type="checkbox"/> Copy of original approval and conditions of approval	<input type="checkbox"/>	N	<input checked="" type="checkbox"/> Proof of failure of Home owner's association

Y	N	✓ N/A	Proof of lawful use right	Y	N	✓ N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes
Y	N	✓ N/A	Required number of documentation copies	Y	N	✓ N/A	Other (specify)

PART H: AUTHORISATION(S) SUBJECT TO OR BEING CONSIDERED IN TERMS OF OTHER LEGISLATION


✓	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc. See motivational document	Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989)
Y	✓ N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)	Y ✓ N/A National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
Y	✓ N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)	Y ✓ N/A National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
Y	✓ N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations	Y ✓ N/A National Water Act, 1998 (Act 36 of 1998)
Y	✓ N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)	Y ✓ N/A Other (specify)
Y	✓	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, please attach motivation.	

SECTION I: DECLARATION

I hereby wish to confirm the following :

- That the information contained in this application form and accompanying documentation is complete and correct.
- I'm aware that it is an offense in terms of section 86(1)(e) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.
- I am properly authorized to make this application on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto.
- Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
- I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
- I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.
- It is the owner's responsibility to ensure that approval is not sought for a building or land use which will be in conflict with any applicable law.
- The Municipality assesses an application on the information submitted and declarations made by the owner or on his behalf on the basis that it accepts the information so submitted and declarations so made to be correct, true and accurate.

9. Approval granted by the Municipality on information or declarations that are incorrect, false or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.
10. The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false or misleading information or declarations being set aside.
11. Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or declarations made as to his or her qualification as a Competent person and/or registration as a professional.
12. A person who provides any information or certificate required in terms of Regulation A19 of the National Building Regulations and Building Standards Act No 103 of 1977 which he or she knows to be incomplete or false shall be guilty of an offence and shall be prosecuted accordingly.
13. A person who supplies particulars, information or answers in a land use application in terms of the Stellenbosch Municipality Land Use Planning By-law knowing it to be incorrect, false or misleading or not believing them to be correct shall be guilty of an offence and shall be prosecuted accordingly.
14. The Municipality will refer a complaint to the professional council or similar body with whom a Competent Person/professional person is registered in the event that it has reason to believe that information submitted or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.
15. I am aware that by lodging an application, the information in the application and obtained during the process may be made available to the public.

Applicant's signature:  Date: 11/08/2022

Full name: Alwi Theart t/a Urban Rural SA

Professional capacity: Planning Consultant

FOR OFFICE USE ONLY

<p>Date received: _____</p> <p>Received By: _____</p>	<div style="border: 1px solid black; width: 100%; height: 100%; display: flex; align-items: center; justify-content: center;"> <p>Municipal Stamp</p> </div>
---	--

special power of attorney

I/We Marc Kent (fully authorised)

The representative of
(company/trust/partnership name) Boekenhoutskloof Winery (Pty) Ltd

Owner of Farm 1588, Stellenbosch

Do hereby nominate
constitute and appoint Alwi Theart t/a Urban Rural SA Planning+ Land Use Specialists

With power of attorney/ substitution to be my lawful Agent in my/our name, place and stead, to

1. Make the necessary land use application to Stellenbosch Municipality for the following :
 - o To make changes to an existing Site Development Plan
 - o Consent use to accommodate an extension to the existing wine cellar structure to accommodate new administrative offices and workspaces on Farm 1588, Stellenbosch.
2. To obtain any relevant information/documentation from the Municipality, Government Department, or any other third parties which may be relevant in executing the above.

to sign on my behalf all documents which may be required, for the said application and process, and to submit any of the said processes, and generally for effecting the proposes aforesaid, to do or cause to be done whatever shall be requisite, as fully and effectually, for all intents and purposes as I might or could do it personally present, and acting herein - herby ratifying.

Signature of Representative
(fully authorised to sign) 

Full Name 
Marc ~~Cater~~ Kent obo Boekenhoutskloof Winery (Pty) Ltd

ID Number 701109 5082 087

Signature of Witness  NEAL FISHER

CLUVER MARKOTTER
117

Prepared by me

CONVEYANCER
LIZE PECORARO

Fees		Office fee
Purchase price/Value	R.	R. 332.00
Mortgage amount	R.	R.
Exempt I.T.O.	Cat. Section Act.	

ARTIKEL 40(3)(a)
WET 47 VAN 1937 SECTION 47 OF 1937
VERBIND MORTGAGED
 B 24432/2010
 25000 000,00
 EC 37336/19
 10 OCT 2019
 REGISTRAR

T 000042896 / 2019

CERTIFICATE OF CONSOLIDATED TITLE

IN TERMS OF SECTION 40(3) OF ACT 47 OF 1937

WHEREAS

MARC CARTER KENT

duly authorised hereto by a resolution of the directors of
BOEKENHOUTSKLOOF WINERY PROPRIETARY LIMITED

Registration Number: 2005/019950/07

DATA / VERIFY
15 -10- 2019
VUYELWA LAMANI

has applied for the issue to **BOEKENHOUTSKLOOF WINERY PROPRIETARY LIMITED**,
Registration Number 2005/019950/07, of a Certificate of Consolidated Title under the
provisions of Section 40(3) of the Deeds Registries Act 47 of 1937;

For further endorsements see page 11

P

AND WHEREAS

BOEKENHOUTSKLOOF WINERY PROPRIETARY LIMITED

Registration Number: 2005/019950/07

is the registered owner of:

- 1. FARM 1583 situated in the Municipality and Division of STELLENBOSCH, Province of the WESTERN CAPE

HELD by Certificate of Consolidated Title T 000042895/2019

AND

- 2. FARM NUMBER 1587 situated in the Municipality and Division of STELLENBOSCH, Province of the WESTERN CAPE

HELD by Deed of Transfer Number T 000042895 / 2019 2

which pieces of land have been consolidated into the land hereinafter described;

NOW THEREFORE, in pursuance of the provisions of the said Act, I, the Registrar of Deeds at CAPE TOWN, do hereby certify that the said

BOEKENHOUTSKLOOF WINERY PROPRIETARY LIMITED

Registration Number: 2005/019950/07

its Administrators or Assigns, is the registered owner of

4

FARM 1588 situated in the Municipality and Division of STELLENBOSCH, Province of the WESTERN CAPE

MEASURING: 8,7200 (Eight comma seven two zero zero) Hectares

AS WILL more fully appear from Diagram S.G. number 1386/2016

- I. With regards to figure Ad1npefk middle of stream EFG on Diagram number SG 1386/2016:
 - A. IN RESPECT of the figure marked VqH middle of the stream jJkrRSTU on Diagram SG number 5376/1999 annexed to Certificate of Consolidated Title number T2794/2000 (being the figure efKEFGH on Diagram SG number 1386/2016 annexed hereto), subject to the conditions referred to in Deed of Transfer number T7216 dated 2nd November 1896.
 - B. IN RESPECT of the figure KNtsQR and ABCDEqVW on Diagram SG number 5376/1999 annexed to Certificate of Consolidated Title number T2794/2000 (being the figure Ad1npqeh on Diagram SG number 1386/2016 annexed hereto), subject to the conditions referred to in Deeds of Transfer numbers T3341/1928, T3343/1928, T3344/1928 and T3342/1928 all dated 13th April 1928.
 - C. SUBJECT FURTHER to and entitled the benefit of the Servitude referred to in the Endorsement dated 30th September 1931 on Deeds of Transfer numbers T3341/1928, T3343/1928, T3344/1928 and T3342/1928 dated 13th April 1928 which reads as thus:

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

- D. SUBJECT FURTHER to the terms and conditions of an Order of the Water Court dated 27th February 1947, referred to in a Servitude Endorsement dated 7th March 1947 on the said Transfer Deed number T310/1935 which said endorsement reads thus:

"The within described land is subject to a Servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District number 1 dated 27th February 1947) as will more fully appear on reference to the copy of the said Order annexed hereto."

- E. SUBJECT FURTHER to the endorsement dated 19 December 1989 on Deed of Transfer number T8499/1988, which endorsement reads as follows:

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

A portion of the herein mentioned property measuring ±0,3286 ha has been expropriated by Western Cape Regional Services Council in terms of Section 27 of the Roads Ordinance number 19 of 1976. Vide notice of expropriation number 9/1/2/1/4/1/1/6-TH/CCS dated 8 December 1989 filed as Exprop Caveat EXP 769/1989 plans in duplicate filed EXP 769/1989."

- F. SUBJECT FURTHER to a Servitude of Right of Way 6 (six) metres wide in favour of Erf 283 (Portion of Erf 279) Raithby, measuring: 12,0000 Heclares, Held by Certificate of Registered Title number T60602/2003 which servitude right of way is depicted by the figure JKLMNPQRSAUVWXYZ1A1B on Diagram number 3636/2002 annexed thereto, as contained in Certificate of Consolidated Title number T60604/2003. (Now referred to as figure mnpqrstuvxyza1b1c1d1 on Diagram SG number 1386/2016.)
- G. SUBJECT FURTHER to, or as the case may be, entitled to the benefits of the reservation of water rights and other matters relating thereto contained in Deed of Transfer number T20458/1964, which reads as follows:
- H. NOT ENTITLED to the benefits of the endorsement dated 31st March 1960 on Deed of Transfer number T11212/1947, reading:

"Para 4 – Portion 3 measuring 1526 square metres transferred by Deed of Transfer number 4710 dated 31st March 1960 to D.R. Morris transferred without water rights in the stream flowing through to Lot 2."

- I. SUBJECT FURTHER to, or as the case may be, entitled to the benefits of the following conditions imposed by Hillary Francis Champion and Dorothy Augusta Champion (born Mangold), married out of community of property to Hillary Francis Champion, contained in Deed of Transfer number T20458/1964, namely:

"That all water rights appertaining to paras 1 and 2 herein are reserved to the said Hillary Francis Champion and Dorothy Augusta Champion (born Mangold), married out of community of property to Hillary Francis Champion, for themselves and their successors in title as owners of the remaining extent of Farm 1023, Stellenbosch, measuring as such 49,6376 Hectares, held by Certificate of Consolidated Title dated 5th October 1964, number 20457 save that the rights which the said Farm 1023 Stellenbosch has in and to water in Bakkerskloof River (however such rights may arise) shall be shared between the said remaining extent of Farm 1023 Stellenbosch, as to a one-half share, and paras 1 and 2 transferred hereby as to the other one-half share."

- J. SUBJECT FURTHER to Expropriation Number 135/2011, as endorsed on page 11 of Certificate of Consolidated Title Number 60604/2003 on 11 April 2012, whereby a portion of the within property, measuring approximately 0,9180 hectares was expropriated by the Department of Transport & Public Works (WCP).
- II. With regards to the figure qeg on Diagram number SG 1386/2016:
SUBJECT to the conditions referred to in Deed of Transfer number T7216/1896.
- III. With regards to the figure madeqpn on Diagram number SG 1386/2016:
SUBJECT to the conditions referred to in Deeds of Transfer numbers T3341, T3343, T3344 and T3342 all dated 13th April 1928.
- IV. With regards to the figure madeqpn on Diagram number SG 1386/2016:
- A. SUBJECT to and entitled the benefit of the Servitude referred to in the Endorsement dated 30th September 1931 on Deeds of Transfer numbers T3341/1928, T3343/1928, T3344/1928 and T3342/1928 dated 13th April 1928 which reads as thus:
"By Notarial Deed dated 15th and 20th July 1931 on agreement regarding the distribution of certain water rights, and maintenance and repair of certain furrow has been entered into between the owner of the property held under Paras. 1 and 2 hereof and the owner of the properties held by Transfer numbers T3018/1927, T10070/1919, Paras 1 and 2 of T3341-2, 3 4/1928, T9581/1918, T8192/1916, T181/1901 – Para 2, certain other parties joining merely as owners of portions of land as originally granted and not claiming any share in the use or enjoyment of the water subject to conditions as will more fully appear on reference to the copy annexed hereto."
- B. SUBJECT FURTHER to the terms and conditions of an Order of the Water Court dated 27th February 1947, referred to in a Servitude Endorsement dated March 1947 on the Transfer Deed number T310/1935 which said endorsement reads thus:
"The within described land is subject to a Servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District number 1 dated 27th February 1947) as will more fully appear on reference to the copy of the said Order annexed hereto."
- |

C. SUBJECT FURTHER to the following condition contained in Deed of Transfer number T83946/1995 imposed by the Controlling Authority in terms of Section 11(6) of Act 21 of 1940 namely:-

"With the exception of the existing structures and bona fide playground equipment, no structure or any other thing whatsoever may be erected within a distance of 95m from the centre of Main Road number 166 on the property to be formed by the consolidation of Portion 1 of Farm 149 with Portion 1 of Farm 691 without the written approval of the Controlling Authority.

V. With regards to the figure abcCd on Diagram number SG 1386/2016:

A. SUBJECT FURTHER to the conditions referred to in Deed of Transfer number T7267 dated 5th September 1907.

B. SUBJECT FURTHER to the terms of the endorsement dated 20th September 1931 on Deed of Transfer number T7267/1907 reading as follows:-

"Registration of a Servitude

By Notarial Deed dated 15 & 20 July 1931 the owner of the land held hereby has consented to the registration against this deed without claiming any share in the use or enjoyment of the water of an agreement regarding the distribution of certain water rights and maintenance and repair of certain furrow entered into by the owners of the land sold by Tfrs. 3018/1927, 10070/1919, Paras 1 and 3 of 3341 – 2, 3 4/1928, T9581/1918, 8192/1916 and Para 2 of Trf. 181/1901 as will more fully appear on reference to the copy annexed to Trf 3018 April 1927."

C. SUBJECT FURTHER to the terms of the endorsement dated 19th September 1929 on Deed of Transfer number T7267/1907 reading as follows:-

"Registration of a Servitude

By notarial Deed dated 17th May 1929 the right to sink a borehole and to erect a windmill on the land held under Para 2 and to lay a pipe line on the properties conveyed by paras. 1, 2 & 3 of Transfers 11905 dated 23/1/1929 is granted to the owners of the land held hereunder as will more fully appear on reference to the copy annexed to Transfer 1190 dated 23.10.1919"

VI. With regards to the figure dCDe on Diagram number SG 1386/2016:

A. SUBJECT FURTHER to the conditions contained in Deeds of Transfer numbers T3341, T3343, T3344 and all dated 13th April 1928.

B. SUBJECT FURTHER to the following conditions contained in Deed of Transfer number T10652/1934 imposed by the Transferors therein for their benefit and which shall be binding upon the Transferee and its successors in title to the land hereby transferred, namely:-

1. NO buildings or erections for domestic or business purposes are to be put on the said land and the same is to be forthwith fenced and continuously kept duly fenced with substantial fencing by the Transferee and its aforesaid.

2. THE conveyance of the said land to the Transferee is not to convey any right to water or to the use of water and is not to interfere with the rights and obligations of the Transferors under the registered Notarial Deed of 15th and 29th July 931 passed before the Notary, Henry Hodgson Hermans, by them and others including the Transferee, and which deed has been duly noted on the aforesaid Transfer Deeds Numbers T3341, T3342, T3343 and T3344 dated 13th April 1928 in favour of the Transferors by endorsement dated 30th September 1931, which rights and obligations are to remain unimpaired, and nothing is to be done or permitted to be done by the Transferee or its aforesaid to the detriment thereof.

VII. With regards to the figure eDE middle of stream kj on Diagram number SG 1386/2016:

A. SUBJECT to the conditions contained in Deed of Transfer number T7216 dated 2nd November 1896.

B. SUBJECT FURTHER to the following conditions contained in Deed of Transfer number T10652/1934 imposed by the Transferors therein for their benefit and which shall be binding upon the Transferee and its successors in title to the land hereby transferred, namely:-

1. NO buildings or erections for domestic or business purposes are to be put on the said land and the same is to be forthwith fenced and continuously kept duly fenced with substantial fencing by the Transferee and its aforesaid.

2. THE conveyance of the said land to the Transferee is not to convey any right to water or to the use of water and is not to interfere with the rights and obligations of the Transferors under the registered Notarial Deed of 15th and 29th July 1931 passed before the Notary, Henry Hodgson Hermans, by them and others including the Transferee, and which deed has been duly noted on the aforesaid Transfer Deeds Numbers T3341, T3342, T3343 and T3344 dated 13th April 1928 in favour of the Transferors by endorsement dated 30th September 1931, which rights and obligations are to remain unimpaired, and nothing is to be done or permitted to be done by the Transferee or its aforesaid to the detriment thereof.

VIII. With regards to the figure aBcb on Diagram SG number 1386/2016:

A. SUBJECT to, or as the case may be, entitled to the benefits of the reservation of water rights and other matters relating thereto contained in Deed of Transfer number T20458/1964, which reads as follows:

B. NOT ENTITLED to the benefits of the endorsement dated 31st March 1960 on Deed of Transfer number T11212/1947, reading:

"Para 4 – Portion 3 measuring 1526 square metres transferred by Deed of Transfer number 4710 dated 31st March 1960 to D.R. Morris transferred without water rights in the stream flowing through to Lot 2."

C. SUBJECT FURTHER to, or as the case may be, entitled to the benefits of the following conditions imposed by Hillary Francis Champion and Dorothy Augusta Champion (born Mangold), married out of community of property to Hillary Francis Champion, contained in Deed of Transfer number T20458/1964, namely:

"That all water rights appertaining to paras 1 and 2 herein are reserved to the said Hillary Francis Champlon and Dorothy Augusta Champlon (born Mangold), married out of community of property to Hillary Francis Champlon, for themselves and their successors in title as owners of the remaining extent of Farm 1023, Stellenbosch, measuring as such 49,6376 Hectares, held by Certificate of Consolidated Title dated 5th October 1964, number 20457 save that the rights which the said Farm 1023 Stellenbosch has in and to water in Bakkerskloof River (however such rights may arise) shall be shared between the said remaining extent of Farm 1023 Stellenbosch, as to a one-half share, and paras 1 and 2 transferred hereby as to the other one-half share."

And that by virtue of these presents the said

BOEKENHOUTSKLOOF WINERY PROPRIETARY LIMITED

Registration Number: 2005/019950/07

its Administrators or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however, reserving its rights.

In witness whereof I, the said Registrar, have subscribed to these presents, and have caused the seal of office to be affixed thereto.

Thus done and executed at the Office of the Registrar of Deed at CAPE TOWN on
this day of 2019 -10- 10 2019.


REGISTRAR OF DEEDS


(11)

By virtue of notarial deed no K 000000707 / 2019 dated
17/10/2019 condition F on page 5 is hereby cancelled by mutual
agreement.

As will more fully appear from said notarial deed.

Deeds office

Cape town


Registrar of deeds.



URBAN RURAL SOUTH AFRICA
PLANNING + LAND USE SPECIALISTS

A THEART | T.ch.Pl'n (SA) MPhil NHDip NDip PPRE CEA
ALWI THEART T/A URBAN RURAL SA PLANNING PRACTITIONERS
REGISTERED WITH THE SOUTH AFRICAN COUNCIL FOR PLANNERS
SOUTH AFRICAN COUNCIL FOR PLANNERS | REG NR B.8133.2005
PO Box 7257 STELLENBOSCH 7599 | Cell: 082 411 7914
alwi@urbanrural.co.za | www.urbanrural.co.za

15 August 2022
Ref Nr. 363.2022

Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

For attention : Mr Pedro April
landuse.applications@stellenbosch.gov.za

LAND USE APPLICATION

Farm 1588, STELLENBOSCH

APPLICATION FOR CONSENT USE: EXTENSION TO AGRICULTURAL INDUSTRY

An application is hereby formally made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use By-law, for consent use to make an extension to an existing agricultural industry facility on Farm 1588, Stellenbosch.

Attached please find the following information for your perusal:

- Completed application form
- Motivation Report
- Relevant documentation as prescribed

We further request that the Municipality waive the advertising of the application to the neighbours and wider community and departments not necessarily involved, based on the following reasons :

- The status quo regarding the current activities on the property will stay the same
- The new building will mainly replace existing buildings on the property and is merely the remodelling of the existing facility to create a more functional working environment.
- The new building will be constructed in close proximity there the old buildings will be demolished.
- No building lines will encroach on the new extension to the facility. The closes building in sight of the new structure on a neighbouring farm will be more than 250m away.
- The new extension will be in close proximity to the existing winery facility and any potential visual impact will be absorbed by the existing buildings.
- The replacement of the old dilapidated structures with a new structure will enhance the visual appearance of the winery facility, especially from Winery Road and viewing from the west.
- No additional traffic will be generated as the capacity of the winery will not be increased.
- No additional noise levels will be generated with the activities which will be conducted from the new structure.

We trust that the information provided will be sufficient to continue with the advertising and notification process to the relevant parties and to make an informed decision in this regard.

We are looking forward to your response.

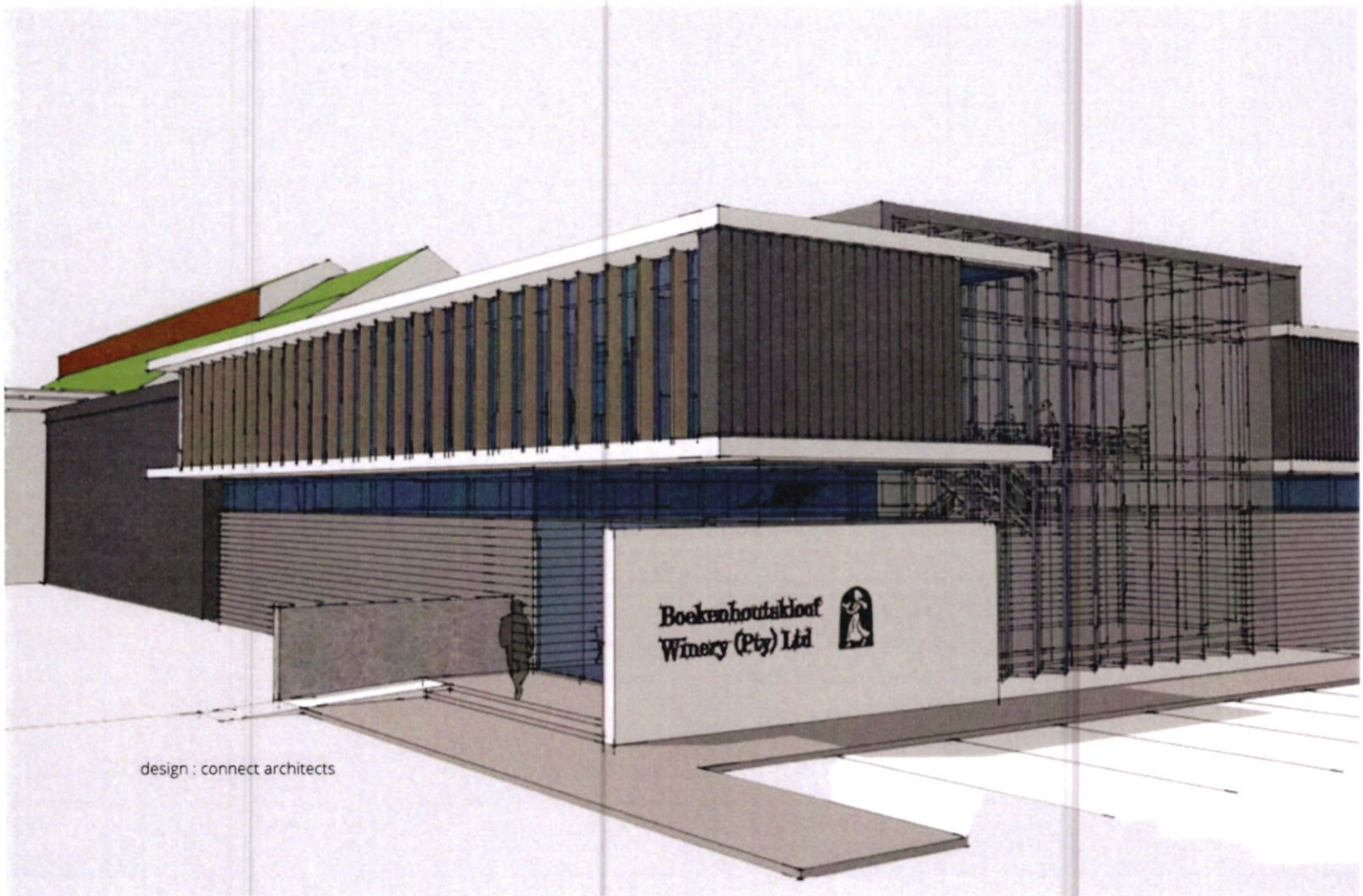
Yours sincerely



Alwi Theart
Principal Planner
Urban Rural South Africa

AUGUST 2022

submission to
Stellenbosch Municipality



design : connect architects

LAND USE APPLICATION

RefNr : A363.2022

Property : Farm 1588, Stellenbosch

Client : Boekenhoutskloof Winery Pty(Ltd)

Consent Use: Extension to Existing Agricultural Industry

LAND USE APPLICATION

FARM 1588, STELLENBOSCH

EXTENSION TO AGRICULTURAL INDUSTRY



URBAN RURAL SOUTH AFRICA
PLANNING + LAND USE SPECIALISTS

A THEART | Tch.Pln (SA) MPhil NHDip NDip PPPE CEA
ALWI THEART T/A URBAN RURAL SA PLANNING PRACTITIONERS
REGISTERED WITH THE SOUTH AFRICAN COUNCIL FOR PLANNERS
SOUTH AFRICAN COUNCIL FOR PLANNERS | REG NR B.8133.2005
PO Box 7257 STELLENBOSCH 7599 | Cell: 082 411 7914
alwi@urbanrural.co.za | www.urbanrural.co.za



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PROPERTY INFORMATION

APPLICATION CONSULTANT	Urban Rural SA Planning + Land Use Specialists
LANDOWNER	Boekenhoutskloof Winery (Pty) Ltd
PROPERTY	Farm 1588, Stellenbosch
PROPERTY SIZE	8.7 ha
CURRENT ZONING	Agriculture and Rural Zone
BOND	N/a
EXISTING BUILDINGS	Winery Complex and Dwellings
EXISTING LAND USE	Agriculture + Agriculture Industry
SPECIALIST STUDIES	n/a



EXECUTIVE SUMMARY

Purpose

The purpose of this application is to construct a new building which will replace the old office and workers facilities. The bottle and labelling area of the existing cellar complex will also be accommodated in the new building on the ground floor. The property is located adjacent to the Winery Main Road, between Stellenbosch and Somerset West and obtains direct access to the Winery Main Road. The property covers an area of 8,7ha and a winery is operating from the property for many years. Various changes and extensions to the cellar complex have been done in the past.

Application

A formal application is hereby made for **a consent use**

- to make an **extension** to the existing agricultural industry facility by constructing a new building of approximately 908sqm in a new location on the property.
- The ground floor will be accommodated by a bottling and labelling facility (760 sqm) while the first floor will accommodate offices and workers facilities (800 sqm). The footprint with the open stoep areas included will be approximately 908 sqm.
- Various buildings which have been used as offices, workers facilities and other administrative functions will be demolished and the uses will be relocated to the new proposed building.
- Existing buildings of approximately 660 sqm will be demolished and will be replaced by a new building with a footprint of 908 sqm.

The existing offices from which the cellar is currently managed need to be upgraded and so do the existing staff facilities. The production capacity of the winery will not increase with the proposed changes. The proposed changes are more of a practical nature and will also add value to the visually appealing nature of the cellar complex. The new extension to the facilities will be located to the west of the existing winery complex in a similar position where the bulk of the buildings is, which will be demolished. The proposed changes will further add value to the sustainability and functionality of the existing winery facility.

Services

All necessary infrastructures, such as electricity, water sewerage and wastewater disposal facilities are already in place and can be considered sufficient to accommodate the proposed alterations to the existing wine cellar complex. No significant changes to the infrastructure will be required, except for the proposed work required to connect the new building infrastructure to the existing network.

Comprehensive Assessment

A thorough study was done of the proposed development and a report consisting of all the relevant information has been prepared for submission. The proposed development has been approached in a holistic manner to ensure that the safety and welfare of the community and the preservation of the natural and developed environment were taken into consideration. It is believed that the comprehensive way in which the design of the facility was approached and how it is incorporated with the existing development will ensure that nobody will be negatively affected by the proposal. The proposed remodelling of the facility will provide the owners with the necessary space and technology to ensure that the existing winery is managed in a sustainable manner and produces a quality product and which will also have a positive impact on the economy, environment and community.

To summarise:

- the proposed extension together with the existing winery facilities is considered to be in line with what is required to classify as a world-class winery facility;
- The production capacity of the winery will not be increased by the new extension/remodelling of the existing facility;
- The visual impact which will be created by the new building will be more aesthetically pleasing than the previous buildings;
- The new changes will not require additional services;
- The new building will provide a better work environment for employees

1. Introduction

- The owners of Farm 1588, Stellenbosch, namely Boekenhoutskloof Winery (Pty) Ltd represented by Mr. Marc Kent have appointed Alwi Theart t/a Urban Rural SA, Land Use Specialists to submit a land use application to Stellenbosch Municipality to obtain the necessary land use rights for a consent use to make some extension and alterations to the existing winery on the property.
- The details of the application are set out in the following report.

2. Application

Application is made in terms of:

Section 15(2)(o) of the Stellenbosch Municipal Planning By-law for a **consent use** to make an extension to the existing agricultural industry facility (Winery) by accommodating a bottling and labelling facility (ground floor- 760 sqm) and winery offices/facilities and staff/workers facilities on the first floor (800 sqm) on Farm 1588, Stellenbosch. (The footprint of the new building will be approximately 908 sqm, include the open stoep areas. (annexures B04-B09)

3. Title Deed

The property is held under **Title Deed No 42896/2019**. Attached please find a copy of the title deed under discussion. No restrictions have been picked up in the Title Deed of the property which prohibits the proposed amendment to the existing site development plan. A copy of the Title Deed is attached as Annexure C3 of the document.

4. Agriculture and Rural Zone : Stellenbosch Zoning Scheme

Farm 1588 is zoned Agriculture and Rural Zone. The purpose of this zone is to make provision for:

- the protection and preservation of agricultural land, rural landscape and biodiversity
- use of land of purposes of bona fide agricultural production or conservation;
- building and structures which may be erected for reasonable and normal agricultural purposes;
- a limited range of other ancillary uses which may take place on agricultural land units, either as additional rights or with the consent of the Municipality and which provides for more intensive agricultural use, agricultural industry or tourism which has the objective of creating variety, ensuring sustainability and providing diversified income to landowners, without adversely impacting on the primary use of the land unit for agricultural purposes.

Primary Use	Additional Use not exceeding threshold in this chapter and subject to technical approval	Consent Use Application required
<ul style="list-style-type: none"> • Agricultural Building (smaller than 2000 sqm) • Agriculture • Dwelling house • Forestry • Natural Environment • Occasional Use(one event/year) • Private Road • Polytunnel(less than 2000sqm) • Second Dwelling • Employee housing (one unit) 	<ul style="list-style-type: none"> • Agricultural Building larger than 2000 sqm • Agricultural Industry (smaller than 2000sqm) • Bed & Breakfast establishment • Employee housing (exceeding one unit) • Guesthouse • Home day care centre • Home occupation practice • Polytunnels (larger than 2001 and less than 5000sqm) • Rooftop base telecommunication station • Tourist dwelling units • Tourist facility (existing buildings) 	<ul style="list-style-type: none"> • Abattoir • Additional dwelling units (max 4) • Airfield • Airstrip • Agricultural Industry (larger than 2000 sqm) • Camping Site • Day care centre • Freestanding base telecommunication station • Helicopter landing pad • Intensive feed farming • Kennels • Market • Occasional use (more than one event/year) • Plant nursery • Polytunnels (larger than 5000 sqm) • Renewable energy structure • Service Trade • Tourist accommodation establishment • Tourist facility (new buildings or exceed threshold) • Any additional use exceeding the threshold set out in this chapter

5. Building development parameters in this zone

The following building lines, heights and floor area or coverage thresholds shall apply to buildings and activities within this zone:

Building type	Building lines	Height	Primary Use	Additional Use	Consent Use
Other Agricultural Buildings					
Employee housing unit	5m	1 Storey	120 sqm	As approved by Municipality	
Agricultural Buildings	5m	3 storeys	no overall limit on land unit	Any on building larger than 2000 sqm	
Agricultural industry, including outdoor parking and loading areas	5m	3 storeys	n/a	smaller than 2000 sqm	larger than 2000sqm
Polytunnels: including shade netting	5m	1 storey	less than 2000 sqm	larger than 2001 and smaller than 5000 sqm	larger than 5000 sqm

6 Proposed Development:

An application was submitted to extend the winery which was subsequently approved in 2013.

An opportunity arose to purchase a portion of the adjacent property. An application for subdivision of the adjacent farm and the consolidation of the relevant portion with the wine cellar property has been made and approved was obtained in 2015 whereby the size of the site increased from 3.5ha to approximately 8.7 ha.

A new application is now made to construct a new building, which will accommodate offices, worker facilities, and a bottling and labelling facility. All these facilities were accommodated previously in existing buildings. Some of the buildings have become very expensive to maintain and the owners' have decided to demolish certain buildings and replace them with the new proposed building. The buildings which will be demolished in the process will be approximately 660 sqm. The new building will cover an area of approximately 908 sqm (footprint) which will lead to a small increase in the total footprint of the buildings currently on the property. (see attached Plan B04 for more details) The new building will be constructed on two levels with a bottling and labelling section on the ground floor (approx 760 sqm) and administrative offices, worker's relaxation area/facility and staff locker rooms on the first floor (approx 800 sqm). The footprint will however be 908 sqm including open stoep areas etc. (see annexure B06-B09)

The upgrading of the wine cellar offices and staff facilities was long overdue and the proposed changes will definitely have a positive impact on the functionality and sustainability of the existing wine cellar complex and will also create a better working environment for the employees.

The production capacity of the winery will not be increased. The cellar is currently running on a much lower production capacity than what was originally approved. The new changes will not require any additional services from the municipality or put a burden on the existing service infrastructures. The connection of the services network will be shown when the formal building plans are submitted.

7. Services

The property is currently connected to an existing service infrastructure network. A Service Report and Water Management Plan were previously submitted and were subsequently approved by the Municipality. Based on the information provided by the landowner, the cellar is currently running on a much lower production capacity than what was approved and the proposed changes will also not increase or lead to the increase of the production capacity, outside of what was originally approved. Therefore, no additional services will be required for the proposed changes. The new building will subsequently be connected to the existing networks. The details regarding the connection of the new building to the existing service infrastructure network will be shown on the formal building plans. The proposed new structure will be located more or less in the same position as the buildings that will be demolished. No building lines will have to be relaxed to accommodate the new structure. Parking will be provided to the west of the new structure. Sufficient parking will be available and there is ample space available should a further need arise.

8. Criteria for Decision Making

We do believe that we submitted a complete application with all the necessary documentation and motivations as prescribed in the relevant legislation which will put the Municipality in a position to evaluate the application based on Section 65 as set out above.

9. Development Principles

The Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) also known as SPLUMA has identified certain development principles which should be considered when development takes place and this has been adopted in the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014 (LUPA) and was also included in the Land Use Planning Bylaws of all the Local Municipalities. These principles include aspects such as Spatial Justice, Spatial Sustainability, Spatial Sufficiency, Spatial Resilience, and Good Governance.

The proposed development can be considered to be in line with most of the relevant development principles, as the proposed development will take place (1) within the existing parameters of the property as permitted by the existing zoning scheme, (2) it will make optimal use of the existing service infrastructure available on the property without requiring substantial additional services from the Municipal networks. It will further ensure that (3) the sustainability of the winery is secured, which will lead to job security and a better working environment for all the employees. The optimal utilisation of the winery will also provide much-needed revenue for the region and will also assist in stimulating the local economy. The application will be taken through a (4) prescribed application process which will give all the relevant parties and roleplayers the opportunity to evaluate the proposed changes to the site development plan and (5) to be able to comment/respond to the proposed development, which promotes (6) inclusivity and (7) good governance.

10. Desirability of Proposed Development

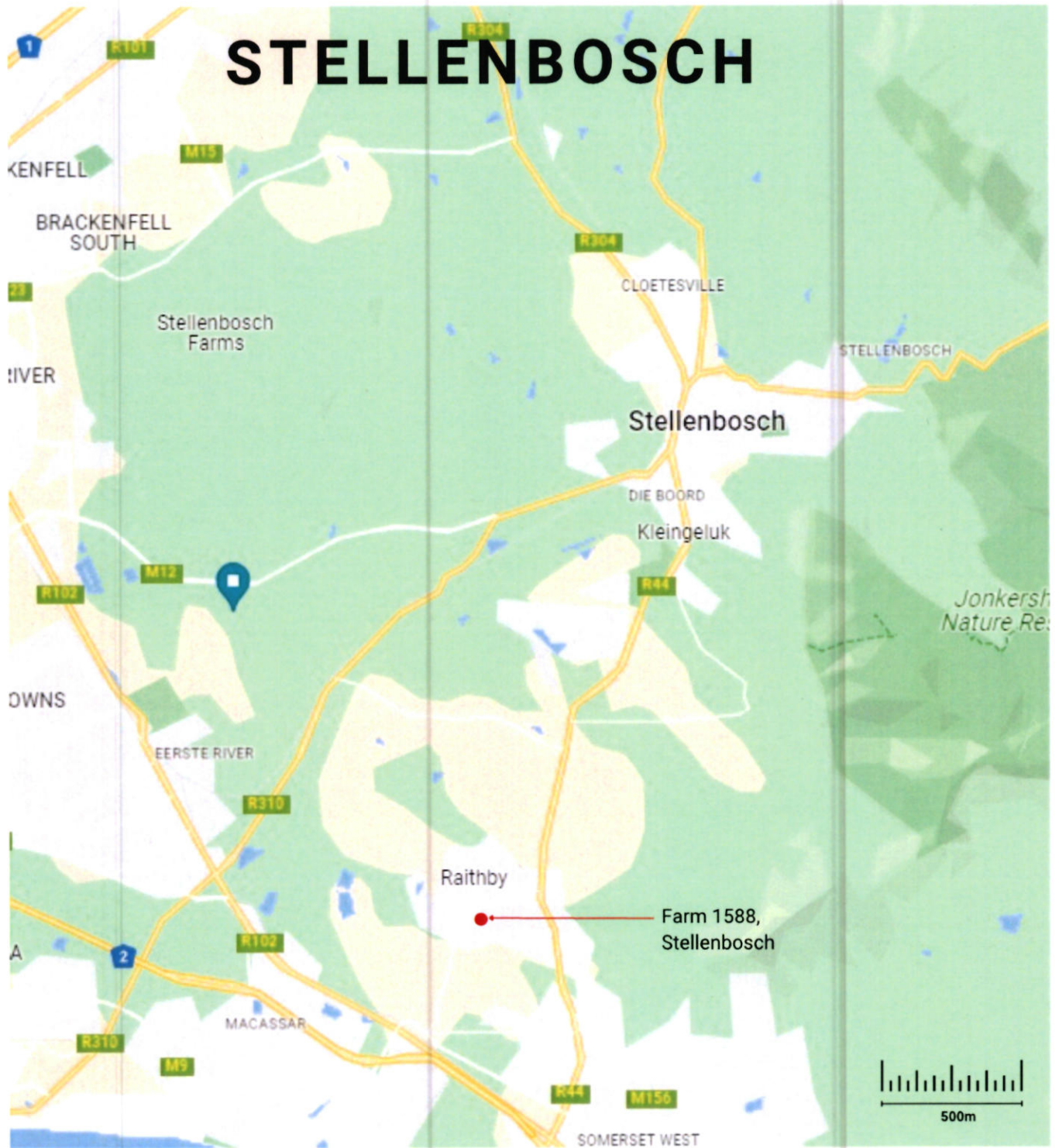
The scale of the application is of such a nature that we are of the opinion that it will not have a negative impact on the environment or the wider Stellenbosch community and that the only persons who might be affected will be the direct neighbours. However, as mentioned before the proposed application deals mainly with the replacement of dilapidated buildings although the new footprint will be slightly bigger than what was there before. The abutting land owner does not have buildings in close proximity to the proposed development which may be affected. We are also of the opinion that the municipality and all the relevant parties will come to the conclusion that the proposed development will be suitable and that approval in this regard can be issued.

The proposed new building is considered to be in line with the existing development on the property and should easily be accommodated on the property within the relevant parameters.

- The new structure is replacing two/three existing structures which will be demolished
- The size of the structures which will be demolished is approximately 660 sqm
- The new building will have a coverage/footprint of approximately 908 sqm meters
- The design will fit in with the existing buildings on the property and will have a more modern/relevant visual appeal.
- The capacity of the winery will not be increased. The new building will be more modern, and functional and will ensure a more sustainable working environment.
- No additional services will be required by the proposed extension/remodeling of existing facilities.
- No additional traffic will be generated by the proposed extension/remodeling of existing facilities
- The proposed “upgrading” of the facility will be to the benefit of the winery business as well as the region as it will secure jobs and provide better working environments for the employees.

11. Conclusion

In the light of the abovementioned motivation and arguments put forward in this document, it is our considered opinion that the proposed development will allow the existing land owner’s the opportunity to utilise their property to its full potential without having a negative impact on the environment, adjacent landowners and the general public. We are looking forward in receiving approval from Stellenbosch Municipality to continue with the abovementioned development.



DESCRIPTION

LOCALITY PLAN


PROPERTY FARM 1588	APPLICATION CONSENT USE	DATE AUGUST 2022	 Planning + Land Use Specialists 082 411 7914 www.urbanrural.co.za alwi@urbanrural.co.za POBox 7257 Stellenbosch 7599 Alwi Theart V/a Urban Rural South Africa	PLAN <h1 style="margin: 0;">B01</h1>
DIVISION STELLENBOSCH	UTILISATION RELOCATION OF BUILDINGS	SOURCE GOOGLE MAPS		
MUNICIPALITY STELLENBOSCH	SCALE AS INDICATED	PROJECT NUMBER 363.2022		

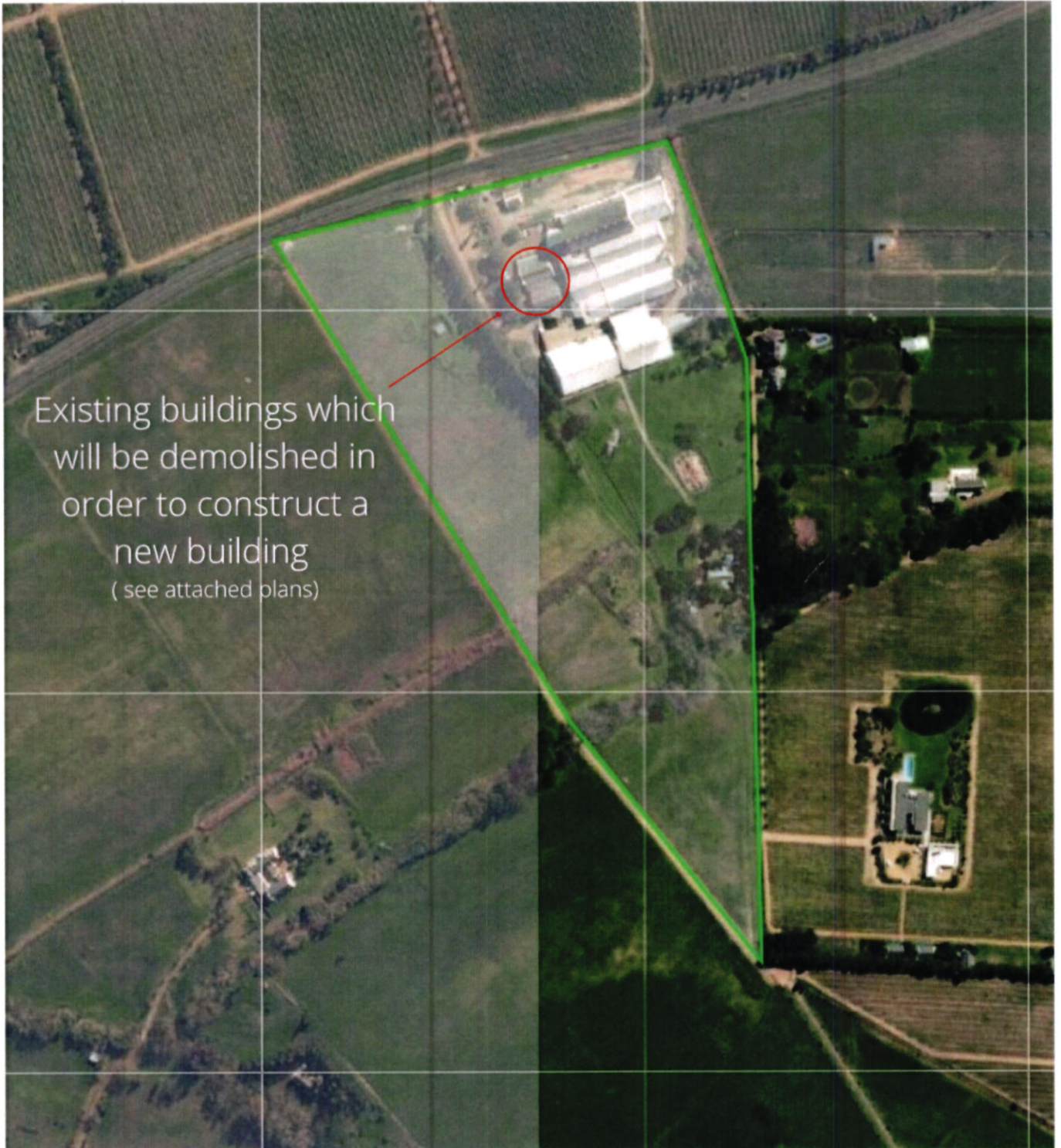


DESCRIPTION

AERIAL PLAN



PROPERTY FARM 1588	APPLICATION CONSENT USE	DATE AUGUST 2022	 Planning + Land Use Specialists 082 411 7914 www.urbanrural.co.za alwi@urbanrural.co.za POBox 7257 Stellenbosch 7599 Alwi Theart t/a Urban Rural South Africa	<p>PLAN</p> <p>B02</p>
DIVISION STELLENBOSCH	UTILISATION RELOCATION OF BUILDINGS	SOURCE CAPE MAPPER		
MUNICIPALITY STELLENBOSCH	SCALE N/A	PROJECT NUMBER 363.2022		




Existing buildings which
 will be demolished in
 order to construct a
 new building
 (see attached plans)

DESCRIPTION

AERIAL PLAN




PROPERTY FARM 1588	APPLICATION CONSENT USE	DATE AUGUST 2022	 Planning + Land Use Specialists 082 411 7914 www.urbanrural.co.za alwi@urbanrural.co.za POBox 7257 Stellenbosch 7599 Alwi Theart V/a Urban Rural South Africa	PLAN
DIVISION STELLENBOSCH	UTILISATION RELOCATION OF BUILDINGS	SOURCE CAPE MAPPER		B03
MUNICIPALITY STELLENBOSCH	SCALE N/A	PROJECT NUMBER 363.2022		

Friedlaender, Burger & Volkmann - Land Surveyors

S.G. No.
1386 / 2016

APPROVED



for
Surveyor-General
Date 2016-12-02

SHEET 1 OF 2 SHEETS

COMPONENTS

1. The figure A a b c C D E F G represents Farm No. 1583,
vide S.G. Diagram No. 2811 / 2015 ; D/T No.
2. The figure a B c b represents Farm No. 1587,
vide S.G. Diagram No. 1385 / 2016 ; D/T No.

Servitude Note

The figure m n p q r s t u v x y z a1 b1 c1 d1
represents a Servitude Right of Way 6,00 metres wide,
vide S.G. Diagram No. 3636 / 2002 ; D/T No. 2003 - - 60602 (Erf 283 Raithby)

The figure A B C D E F G
represents 8,7200 Hectares of land, being
FARM NO. 1588 (and comprises the properties 1. and 2. above)
Situate in the Municipality of Stellenbosch
Administrative District of Stellenbosch
Province of Western Cape

Compiled in June 2016
by me



A.J.H. VAN BRAKEL (PLS 1329)
Professional Land Surveyor

<p>This diagram is annexed to Deed of Number dated i.f.o. Registrar of Deeds</p>	<p>The original diagrams are as quoted above.</p>	<p>SG File : Stel. 1588 S.R. No. COMPILED Comp: AHNE-13 (M2188) LPI C0670000</p>
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Friedlaender, Burger & Volkmann - Land Surveyors

FARM NO. 1588
Situate in the Municipality of Stellenbosch
Administrative District of Stellenbosch
Province of Western Cape

Compiled in June 2016

A.J.H. VAN BRAKEL (PLS 1329)
Professional Land Surveyor

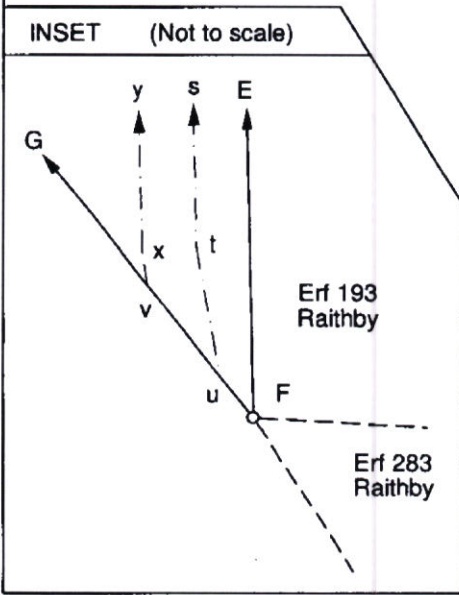
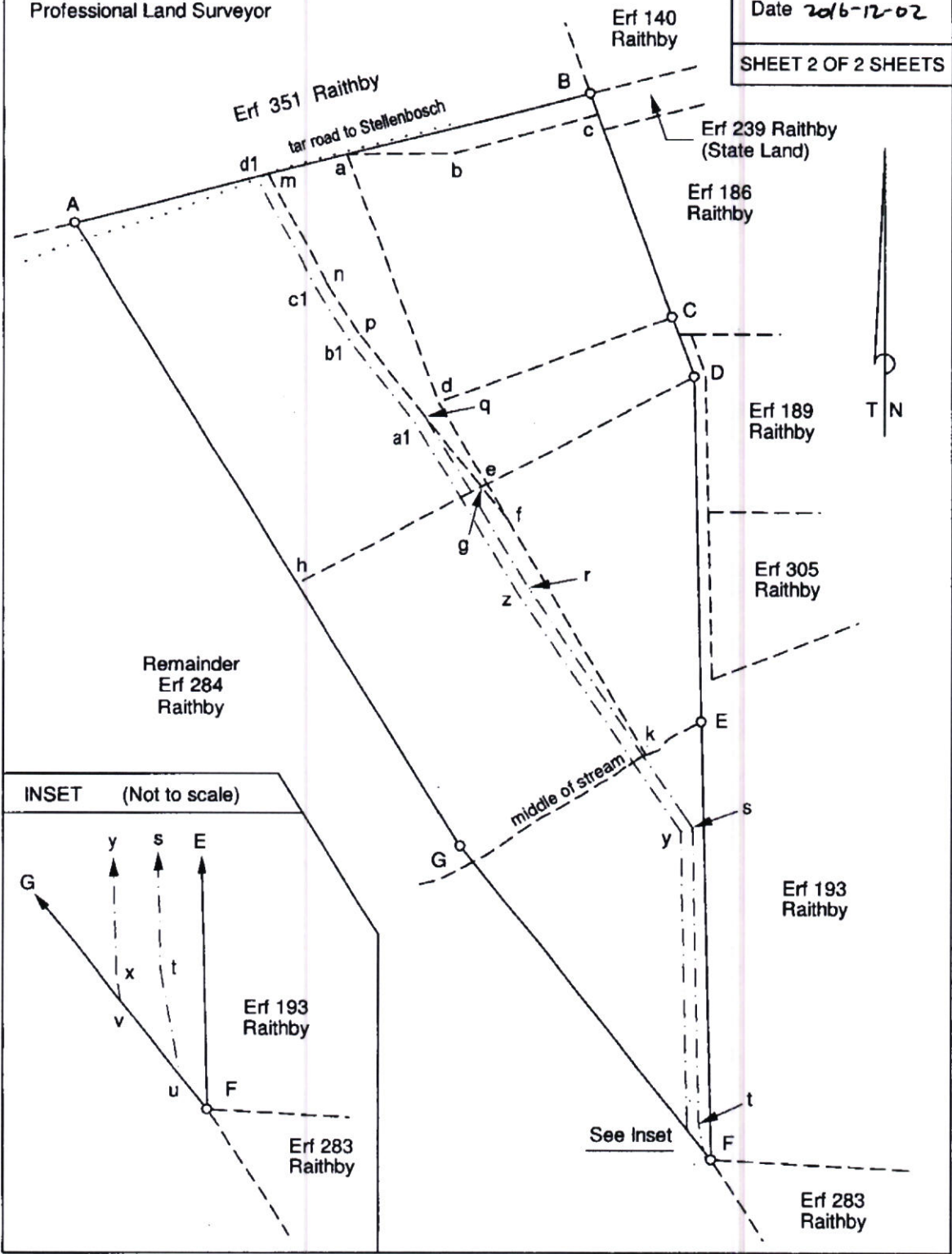
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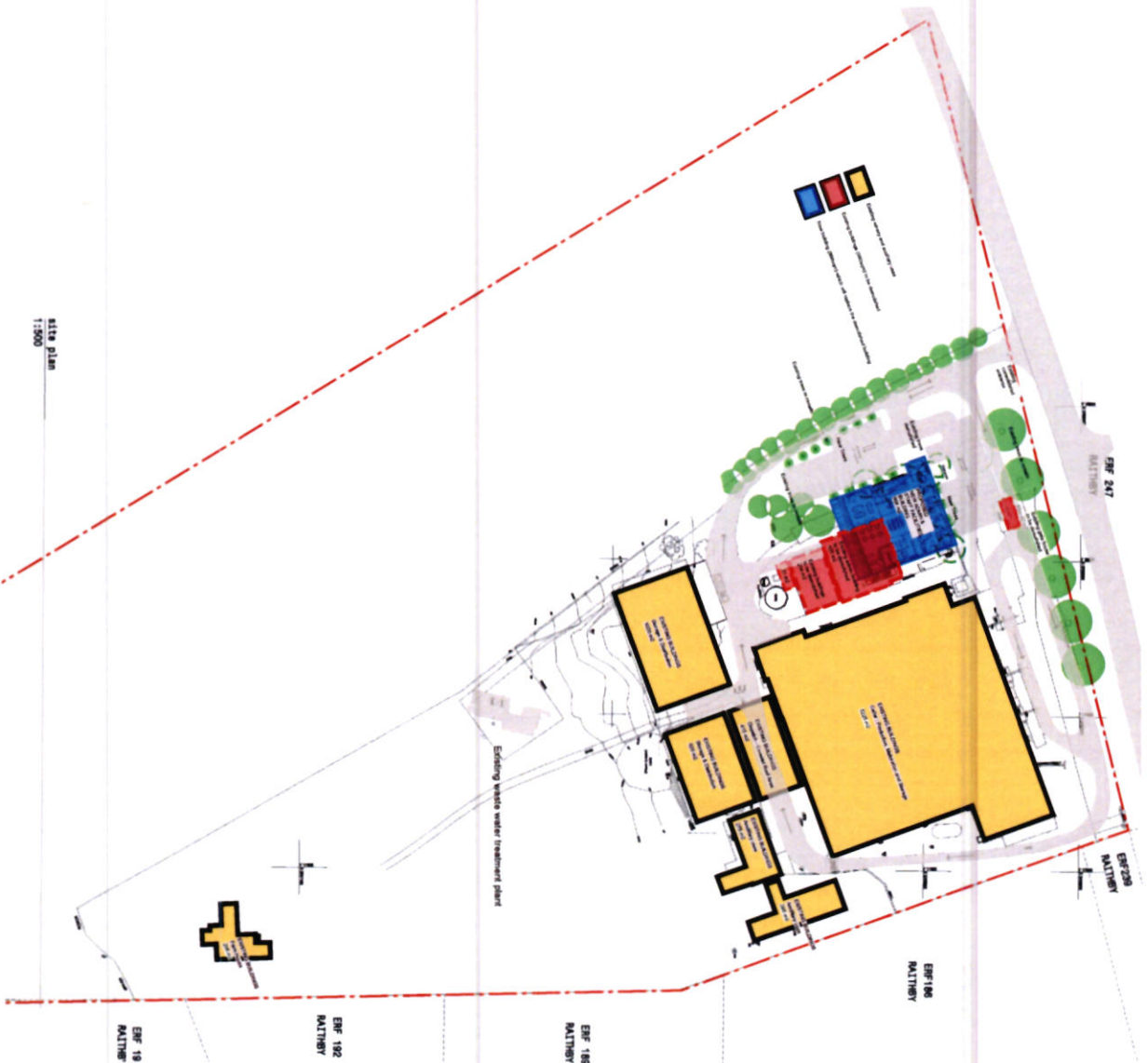
S.G. No.
1386 / 2016

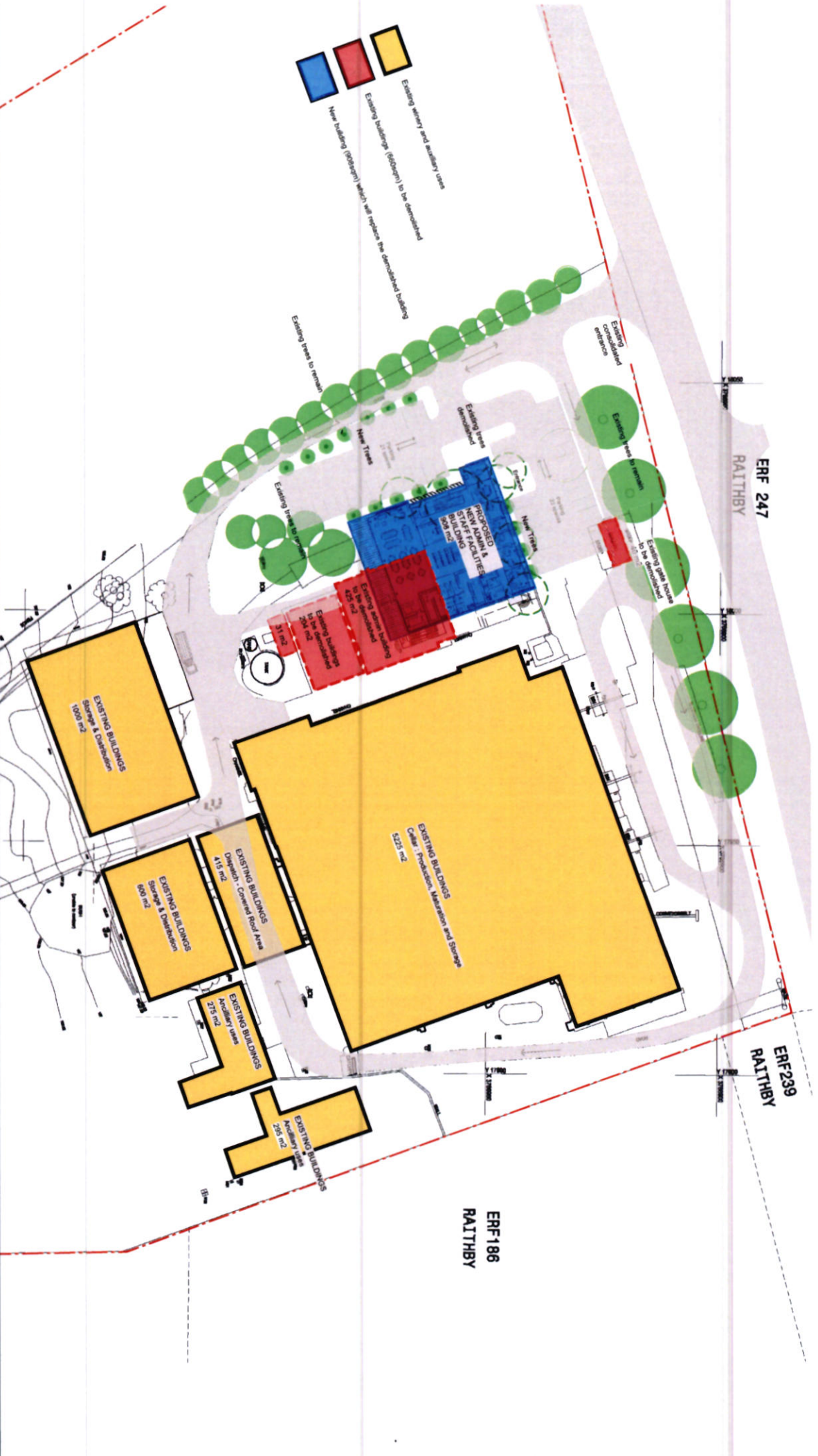
APPROVED

for
Surveyor-General
Date 2016-12-02

SHEET 2 OF 2 SHEETS







FARM

1588

STELLENBOSCH

Design done by

connect
architects
building on your values

DESCRIPTION

- Red - Buildings which will be demolished
- Blue - New building
- Yellow - Existing buildings

DESCRIPTION

SITE PLAN

PROPERTY	APPLICATION	DATE
FARM 1588	CONSENT USE	AUGUST 2022
DIVISION	UTILISATION	SOURCE
STELLENBOSCH	RELOCATION OF BUILDINGS	CONNECT ARCHITECTS
MUNICIPALITY	SCALE	PROJECT NUMBER
STELLENBOSCH	UNKNOWN / AS INDICATED	363.2022

urba
urban rural so

Planning + Land Use Specialists

082 411 7914

www.urbanrural.co.za

info@urbanrural.co.za

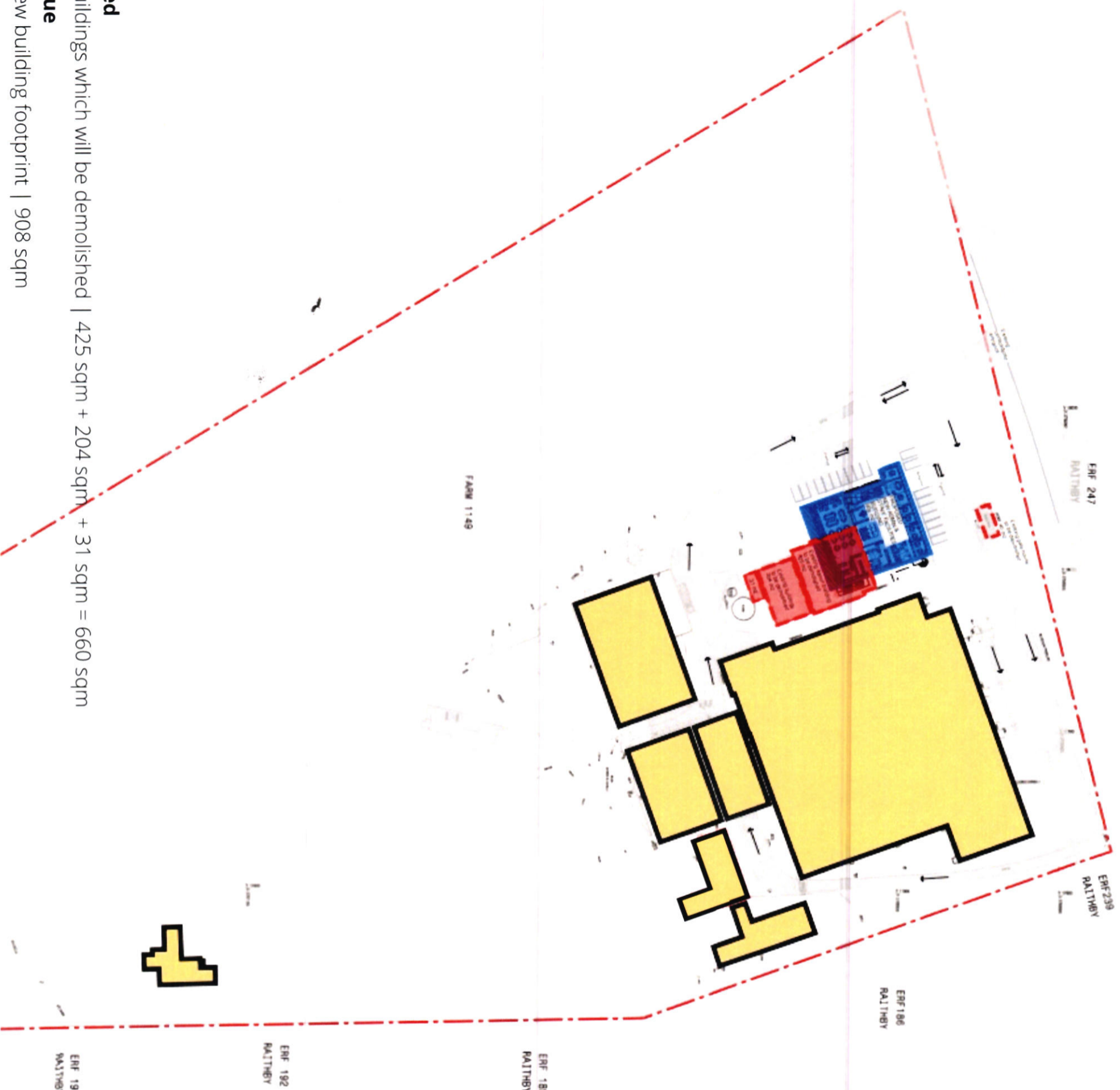
POBox 7257 Stellenbosch 7599
Aww! Theart! via Urban Rural South Africa

PLAN

B04

Red
Buildings which will be demolished | 425 sqm + 204 sqm + 31 sqm = 660 sqm

Blue
New building footprint | 908 sqm



FARM

1588

STELLENBOSCH

Design done by

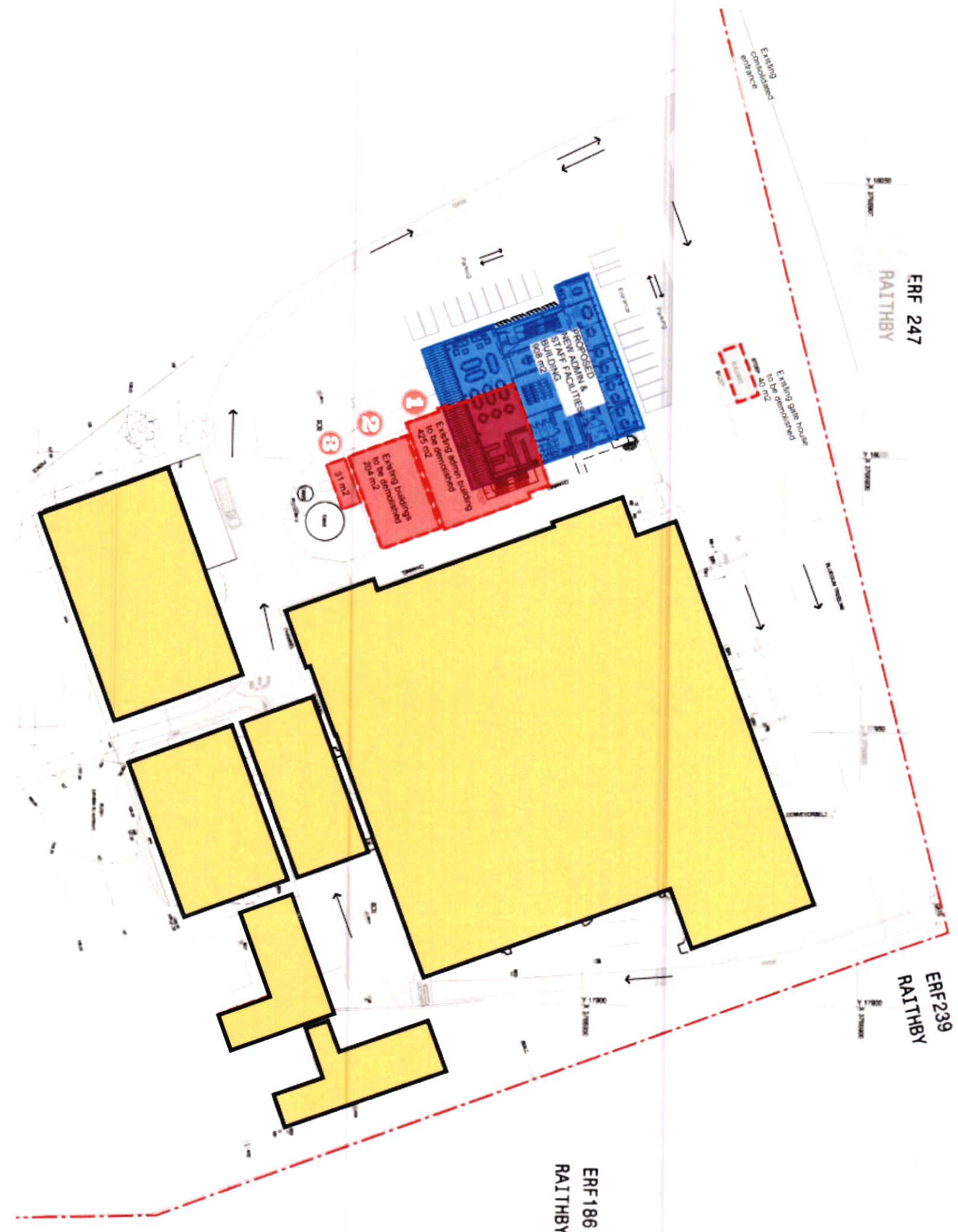
connect architects
building on your values

DESCRIPTION

- Bottling + Labeling area
- Offices + Staff Facilities
- Red - Buildings which will be demolished
- Blue - New building
- Yellow - Existing buildings

DESCRIPTION

SITE PLAN



Red
Buildings which will be demolished | (1) 425 sqm + (2) 204 sqm + (3) 31 sqm = 660 sqm

Blue
New building footprint | 908 sqm



urban rural so

Planning + Land Use Specialists

082 411 7914

www.urbarural.co.za

alm@urbarural.co.za

POBox 7257 Stellenbosch 7599
Ahn! Theart! via Urban Rural South Africa

PLAN

B05

FARM

1588

STELLENBOSCH

Design done by

connect architects
building on your values

- Offices
- Internal Training Room
- Tasting/Blending Room
- Staff Facilities
- Locker Rooms

COVERPAGE

PROPERTY	FARM 1588	APPLICATION	CONSENT USE	DATE	AUGUST 2022
DIVISION	STELLENBOSCH	UTILISATION	RELOCATION OF BUILDINGS	SOURCE	CONNECT ARCHITECTS
MUNICIPALITY	STELLENBOSCH	SCALE	UNKNOWN / AS INDICATED	PROJECT NUMBER	363.2022



Planning + Land Use Specialists

082 411 7914

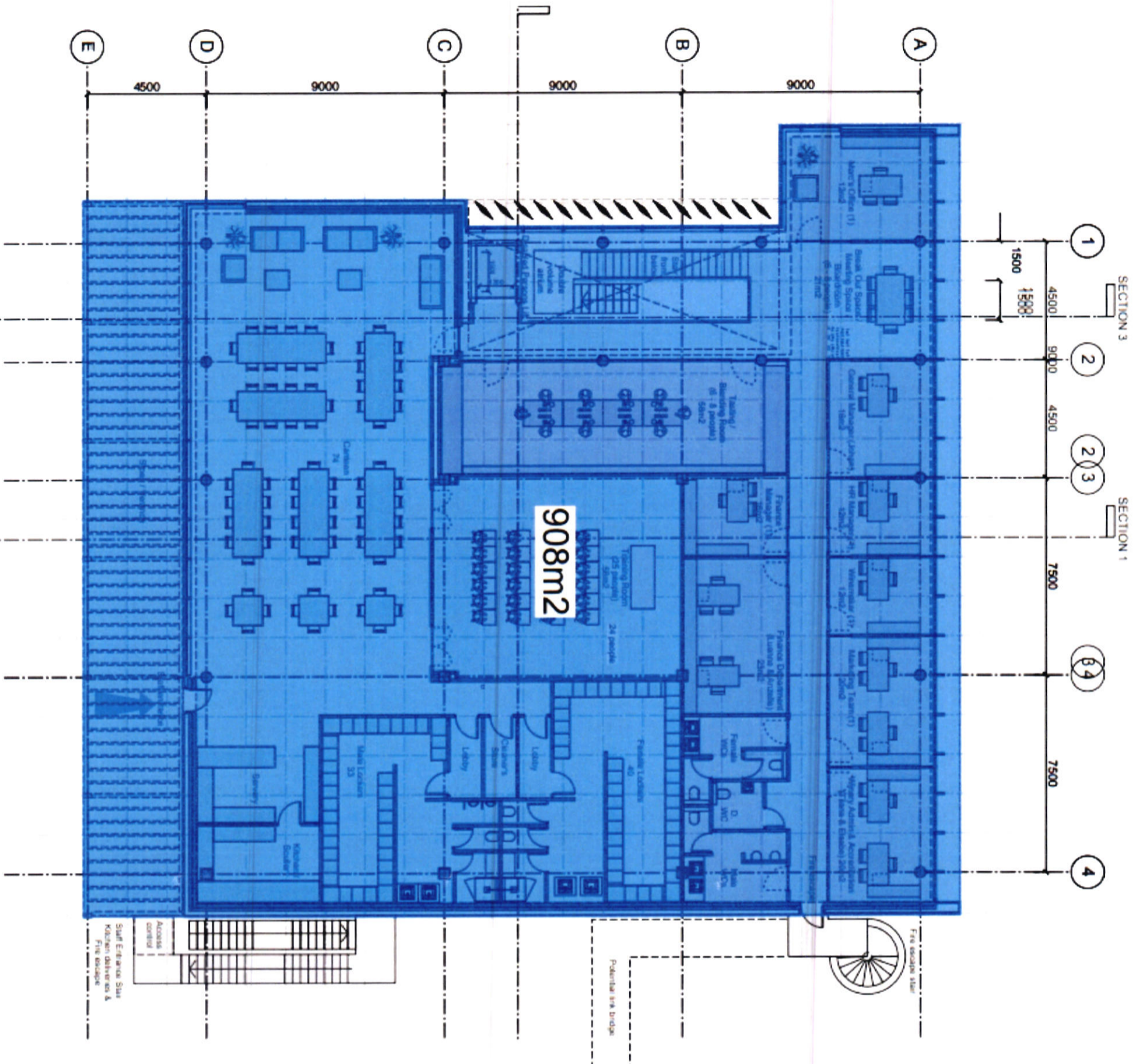
www.urbanrural.co.za

ahm@urbanrural.co.za

PLAN

B06

PROPOSED FIRST FLOOR PLAN : COVERAGE



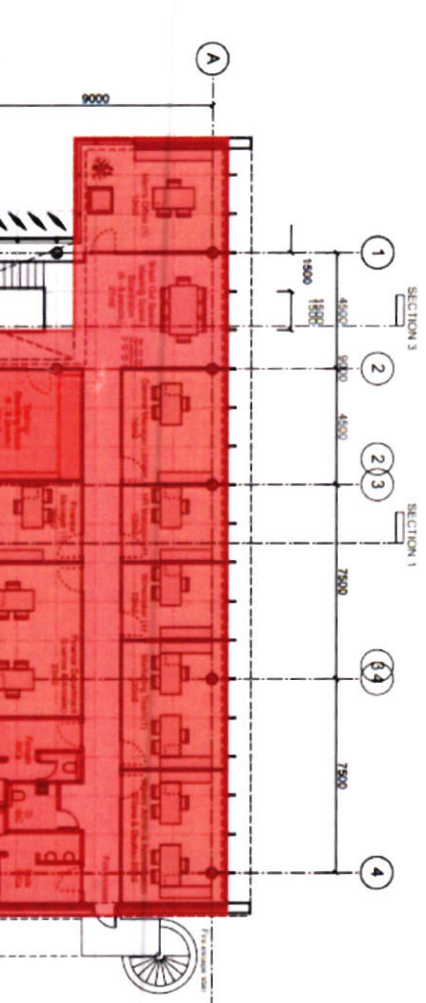
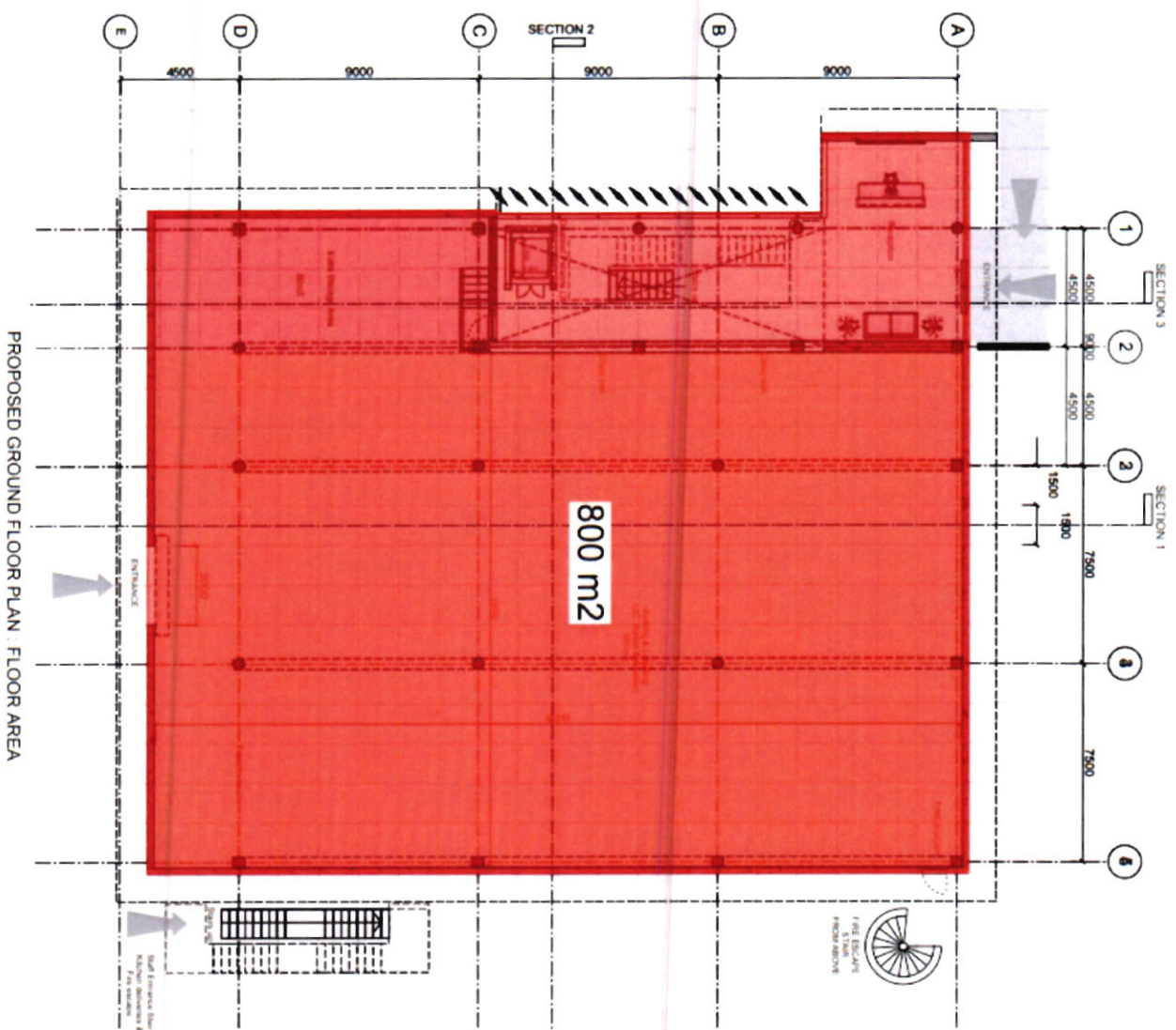
FARM

1588

STELLENBOSCH



DESCRIPTION
GROUND FLOOR



Design done by

connect
architects
building on your values

DESCRIPTION

Ground floor
• Bottling + Labeling

First floor
• Offices
• Internal Training Room
• Tasting/Blending Room
• Staff Facilities
• Locker Rooms

DESCRIPTION

FLOOR PLANS

PROPERTY	FARM 1588	APPLICATION	CONSENT USE	DATE	AUGUST 2022
DIVISION	STELLENBOSCH	UTILISATION	RELOCATION OF BUILDINGS	SOURCE	CONNECT ARCHITECTS
MUNICIPALITY	STELLENBOSCH	SCALE	UNKNOWN / AS INDICATED	PROJECT NUMBER	363.2022

irrh
urban rural so

Planning + Land Use Specialists

082 411 7914
www.urbanrural.co.za
almi@urbanrural.co.za

P.O.Box 7257 Stellenbosch 7599
Almi Theart via Urban Rural South Africa

PLAN

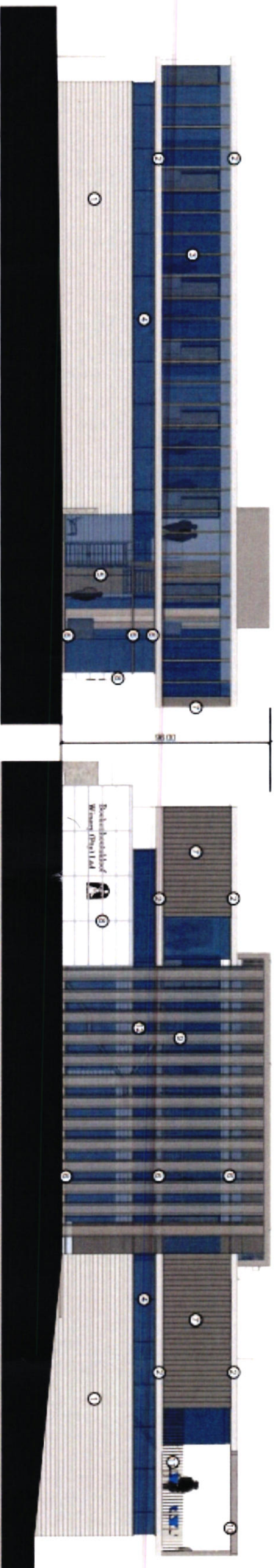
B07

DESCRIPTION
FIRST FLOOR





- ① CM render concrete wall (pre-cast)
- ② Exposed concrete slab edges with PVC aluminium capping
- ③ Suspended glazing with timber midion extension caps
- ④ Butt jointed aluminium glazing
- ⑤ Framed glass entrance screen and doors
- ⑥ PVC Aluminium top mid & bottom rails
- ⑦ Anodised or silver metal cladding
- ⑧ Large format porcelain steel wall
- ⑨ Polished PVC steel trim solar fins on steel sub-structure
- ⑩ Powder steel photo pergola with aluminium fins in between
- ⑪ Hardwood balustrade
- ⑫ PVC Aluminium curtain wall glazing with solar control glass
- ⑬ PVC Aluminium suspended glazing
- ⑭ Powder steel slat and balustrade
- ⑮ PVC Aluminium frame window
- ⑯ Steel roll up door
- ⑰ PVC slat fire escape door



NORTH ELEVATION

WEST ELEVATION



SOUTH ELEVATION

EAST ELEVATION

PROPERTY FARM 1588	APPLICATION CONSENT USE	DATE AUGUST 2022
DIVISION STELLENBOSCH	UTILISATION RELOCATION OF BUILDINGS	SOURCE CONNECT ARCHITECTS
MUNICIPALITY STELLENBOSCH	SCALE UNKNOWN / AS INDICATED	PROJECT NUMBER 363.2022

DESCRIPTION

ELEVATION PLANS

PLAN

B08



Planning + Land Use Specialists

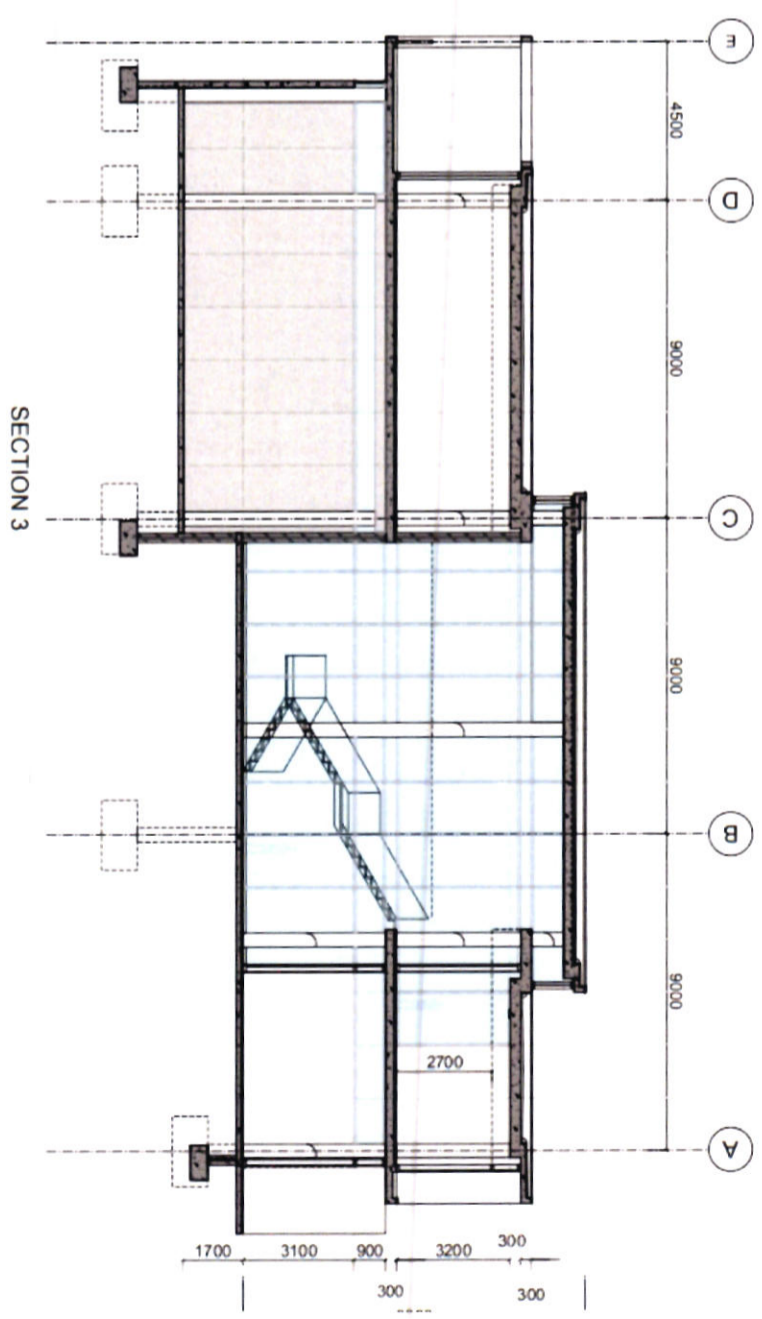
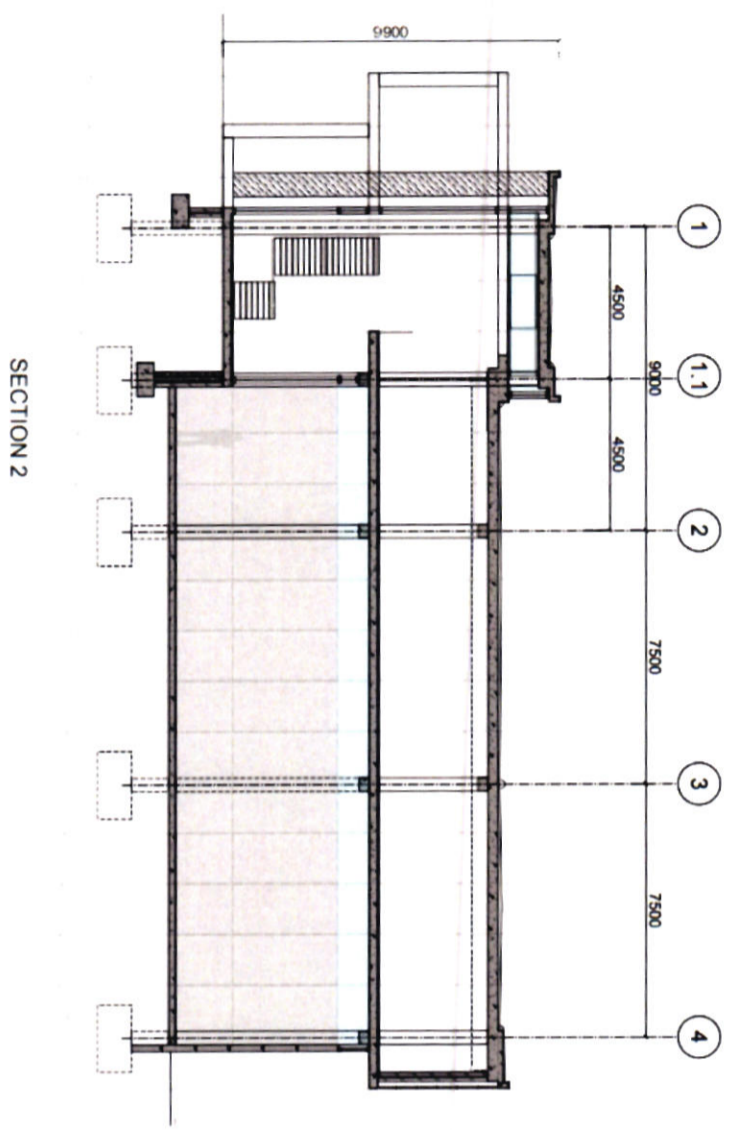
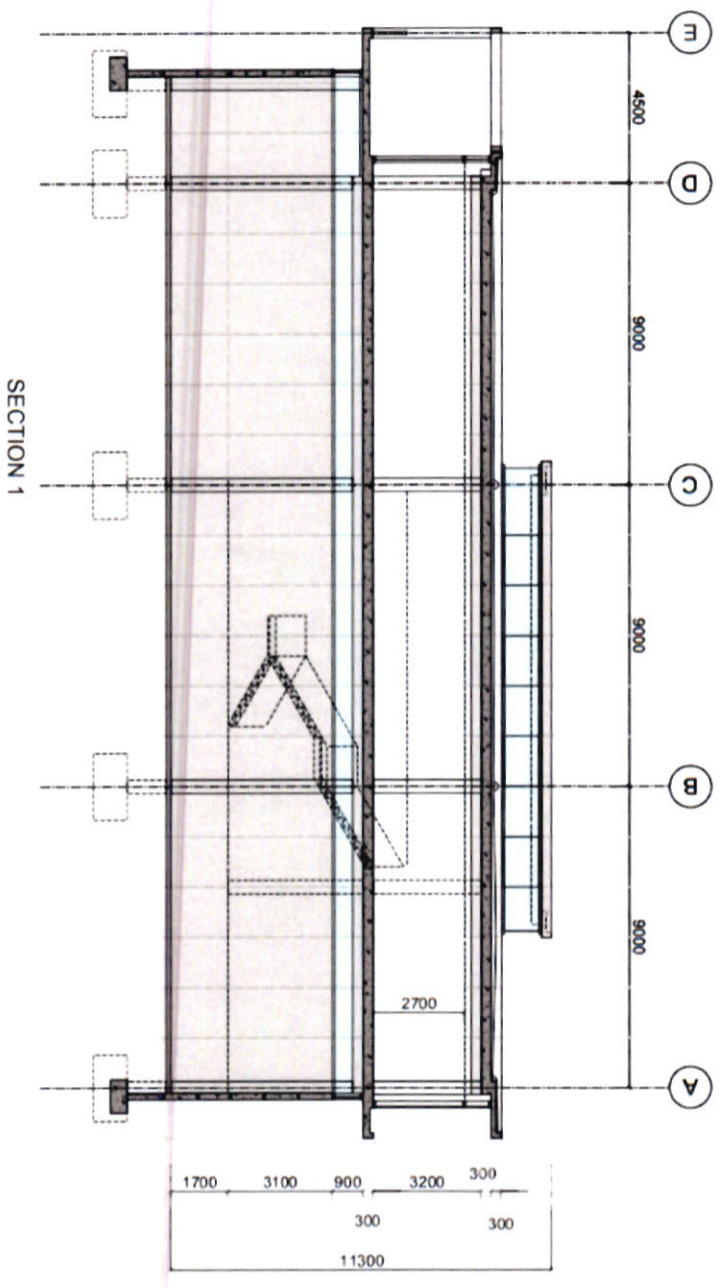
082 411 7914

www.urbanrural.co.za

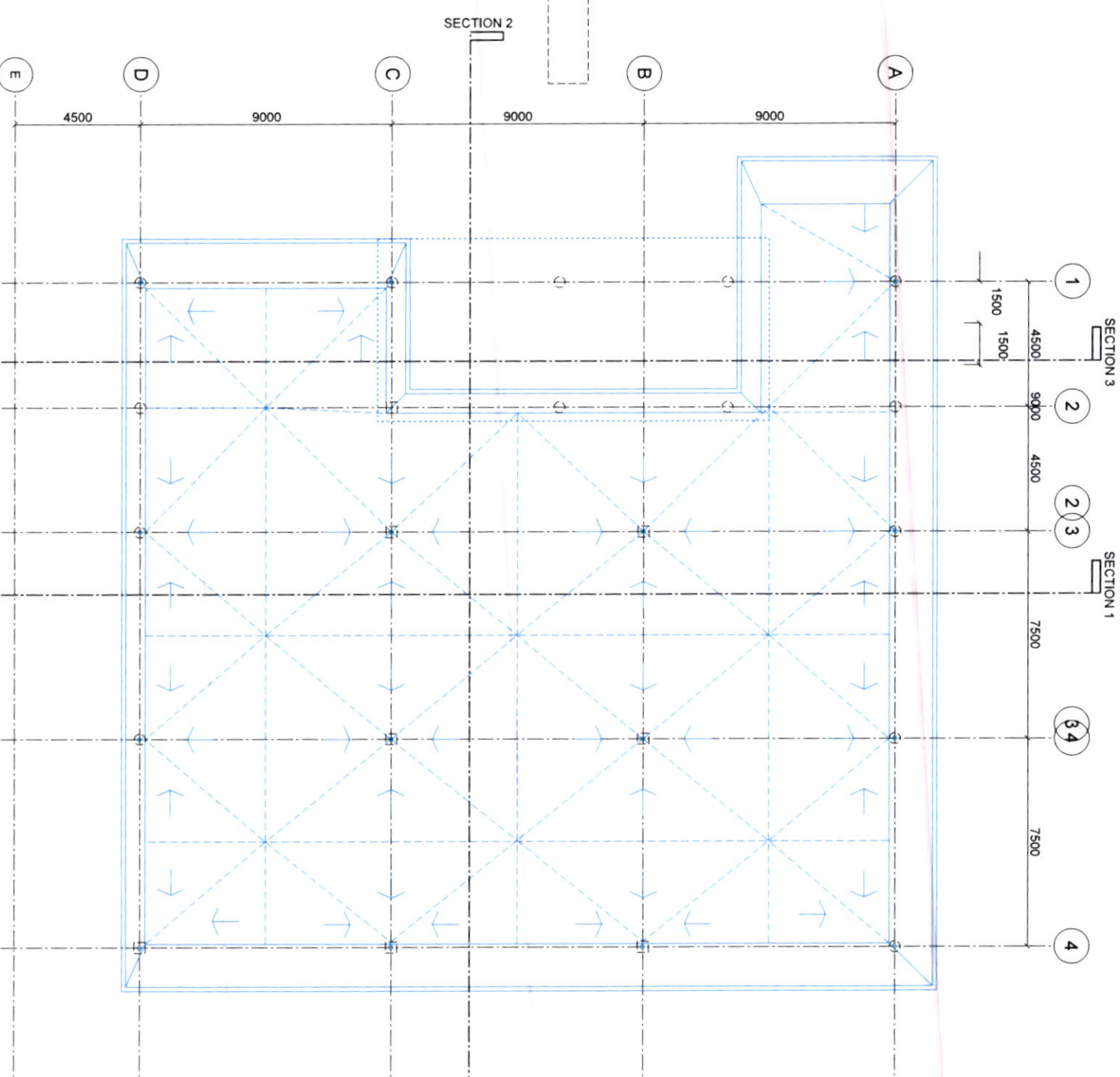
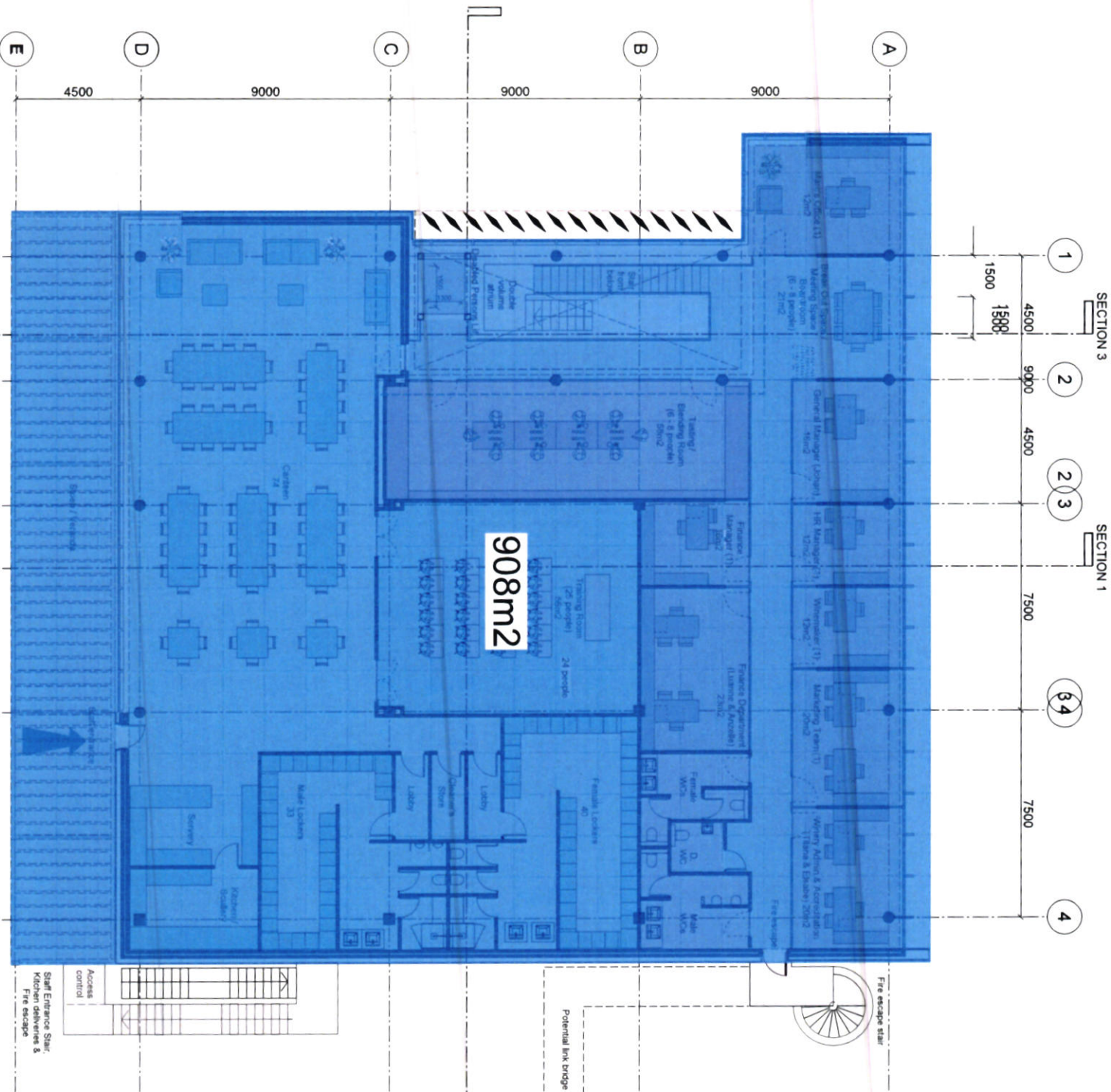
ahr@urbanrural.co.za

POBox 7257 Stellenbosch 7599

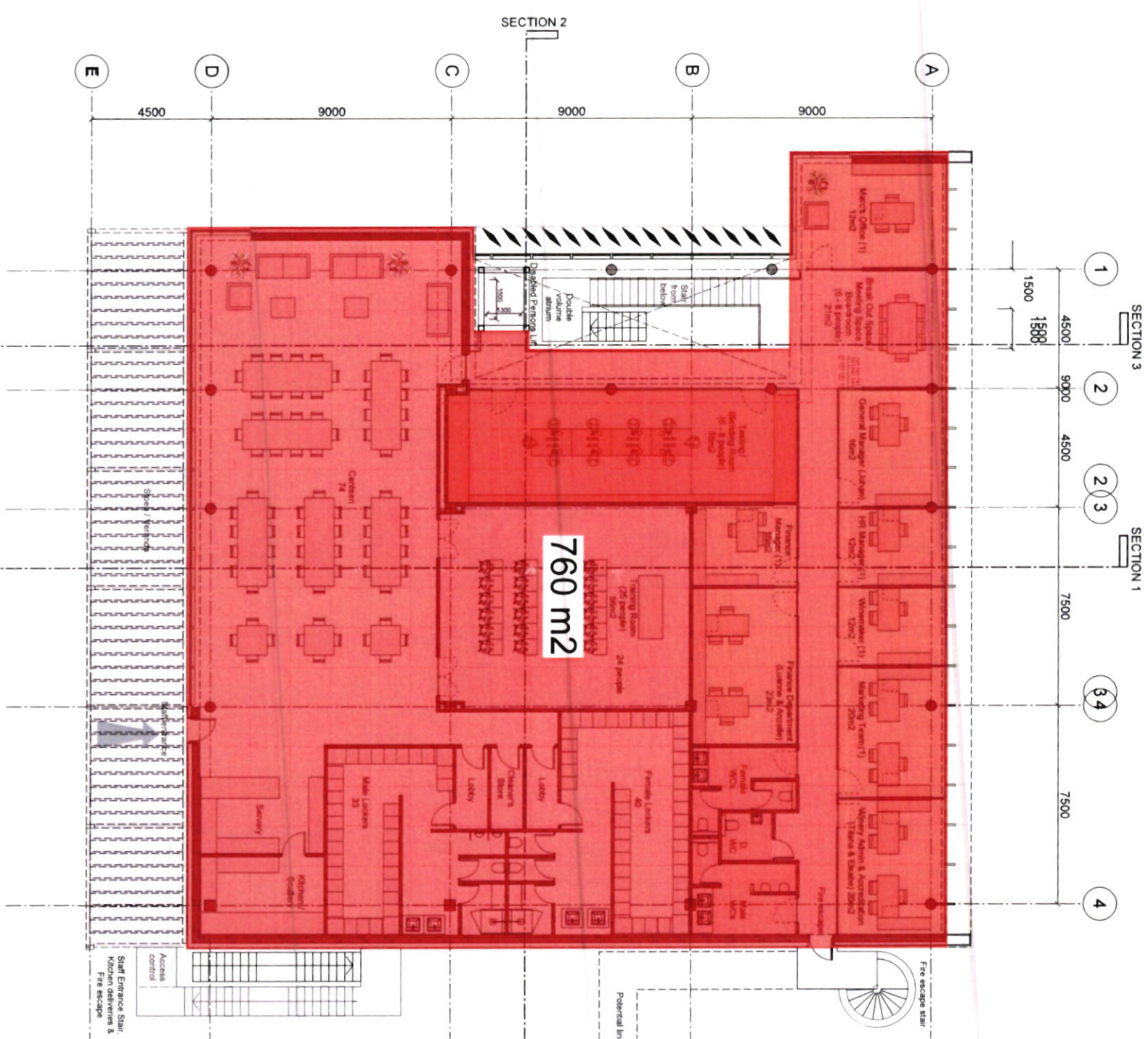
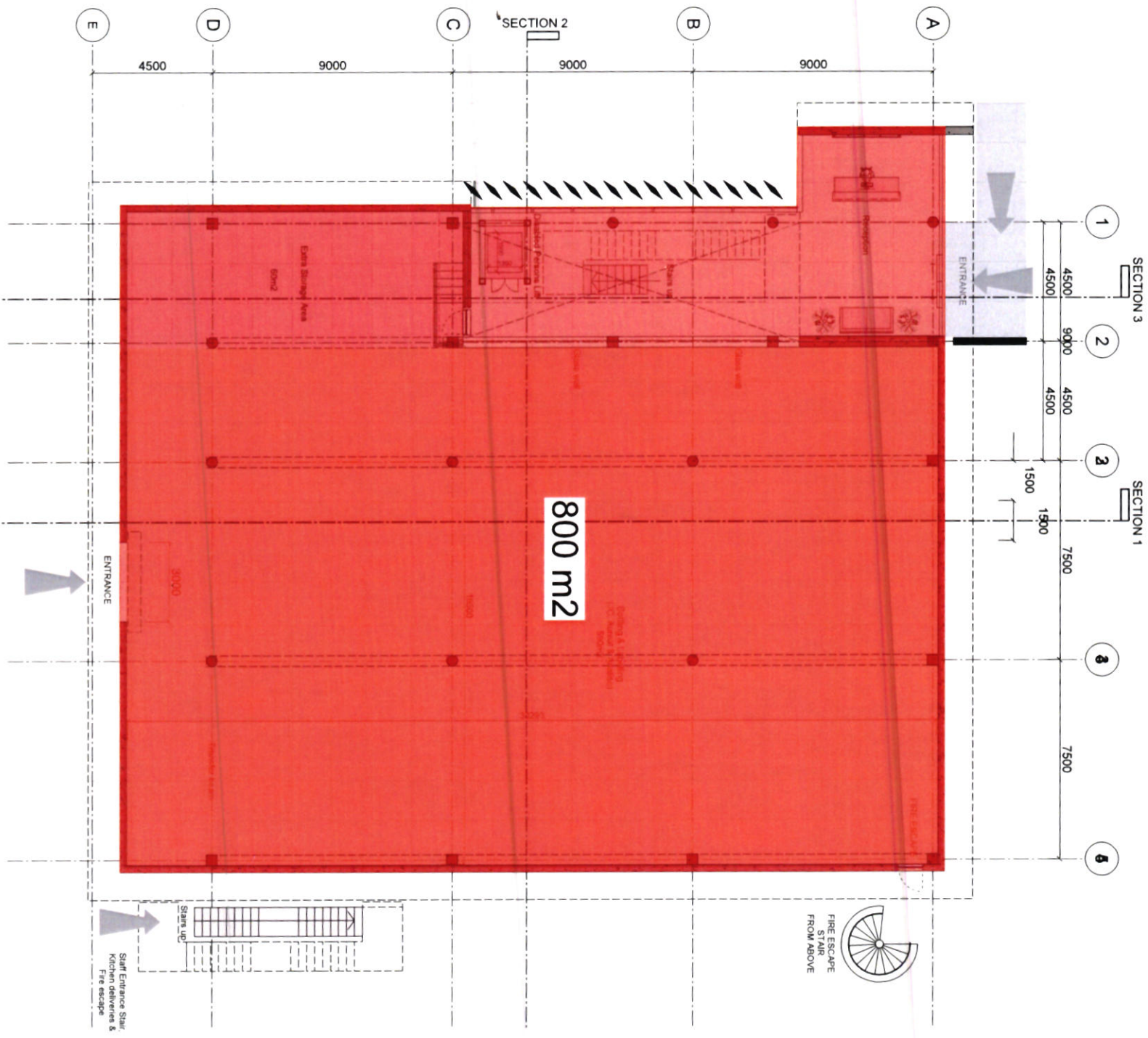
AMT Theart via Urban Rural South Africa



PROPERTY FARM 1588	APPLICATION CONSENT USE	DATE AUGUST 2022	DESCRIPTION
DIVISION STELLENBOSCH	UTILISATION RELOCATION OF BUILDINGS	SOURCE CONNECT ARCHITECTS	
MUNICIPALITY STELLENBOSCH	SCALE UNKNOWN / AS INDICATED	PROJECT NUMBER 363.2022	SECTION PLANS
<p>irrl urban rural so Planning + Land Use Specialists 082 411 7914 www.urbanrural.co.za alw@urbanrural.co.za POBox 7257 Stellenbosch 7599 Alw Theart /a Urban Rural South Africa</p>			
			PLAN
			B09





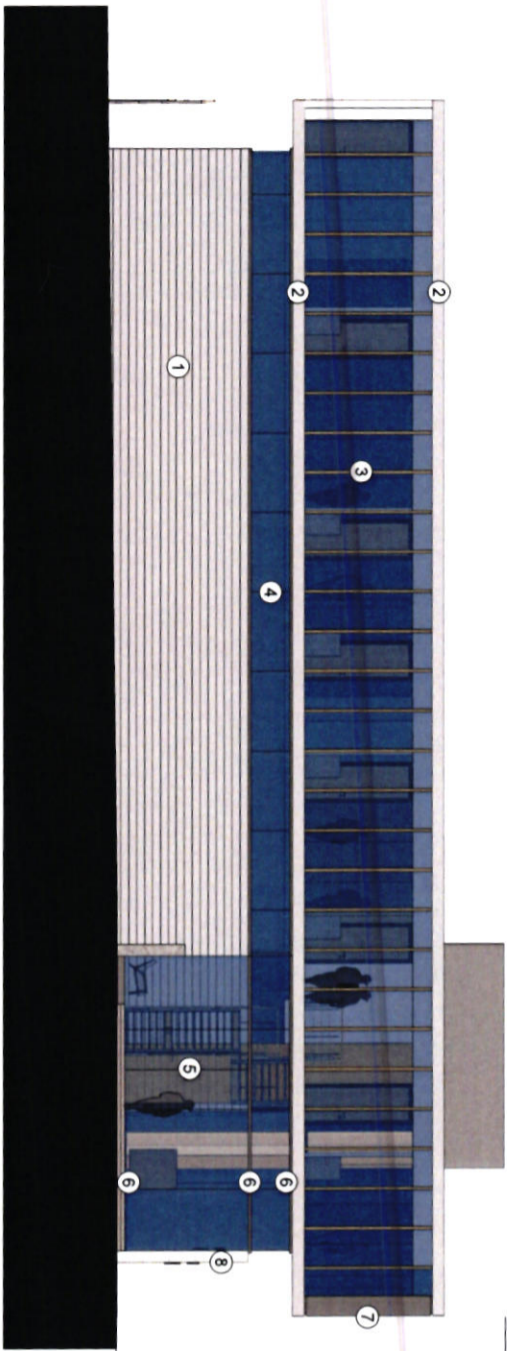




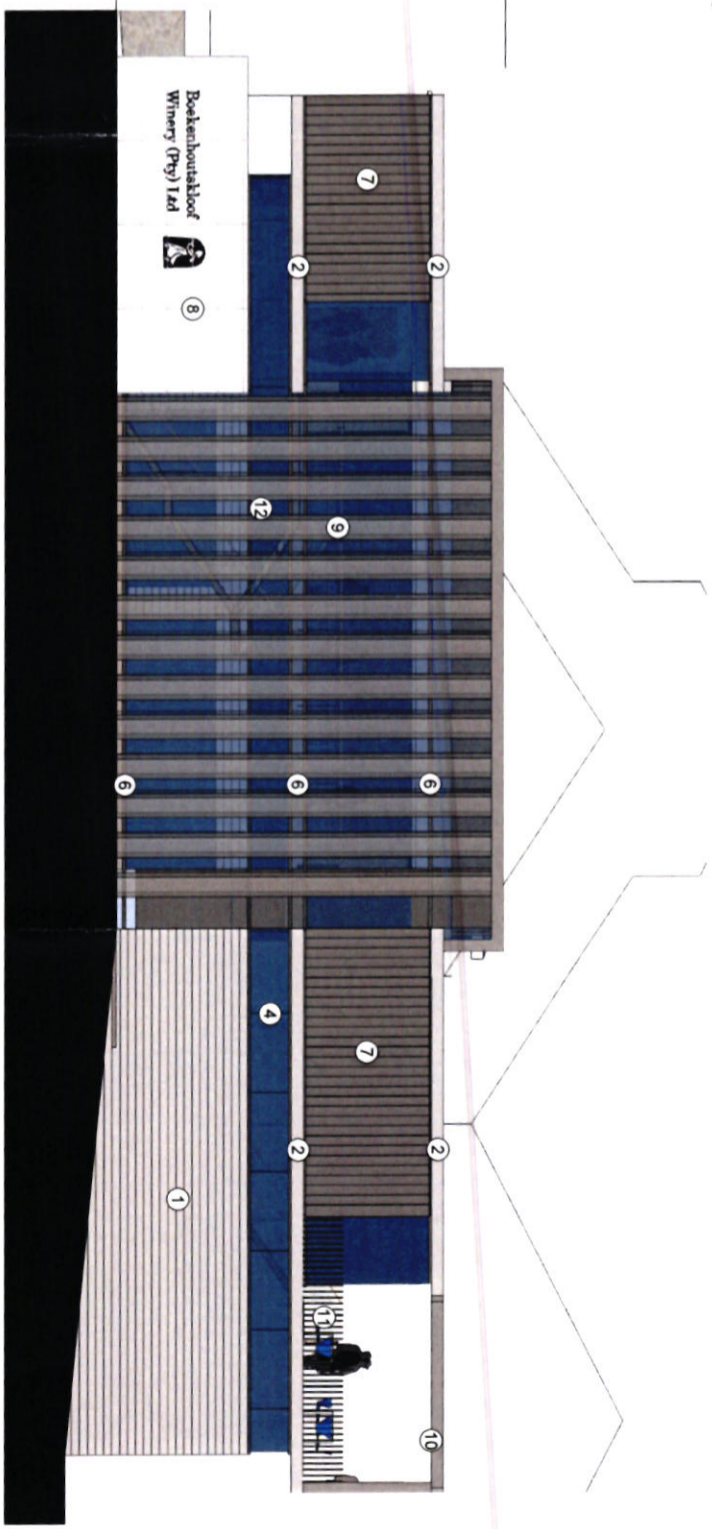


- ① Off shutter concrete wall (pre-cast)
- ② Exposed concrete slab edges with PPC aluminium capping
- ③ Shopfront glazing with timber mullion extension caps
- ④ Butt jointed clerestory glazing
- ⑤ Frameless glass entrance screen and doors
- ⑥ PPC Aluminium top, mid & bottom rails
- ⑦ Alubond or similar metal cladding
- ⑧ Large format porcelain tiled wall
- ⑨ Perforated PPC steel brise soleil fins on steel sub-structure
- ⑩ Painted steel RHS pergola with aluminium fins in between
- ⑪ Hardwood balustrade
- ⑫ PPC Aluminium curtain wall glazing with solar control glass
- ⑬ PPC Aluminium shopfront glazing
- ⑭ Painted steel stair and balustrade
- ⑮ PPC aluminium frame window
- ⑯ Steel roll up door
- ⑰ PPC steel fire escape door

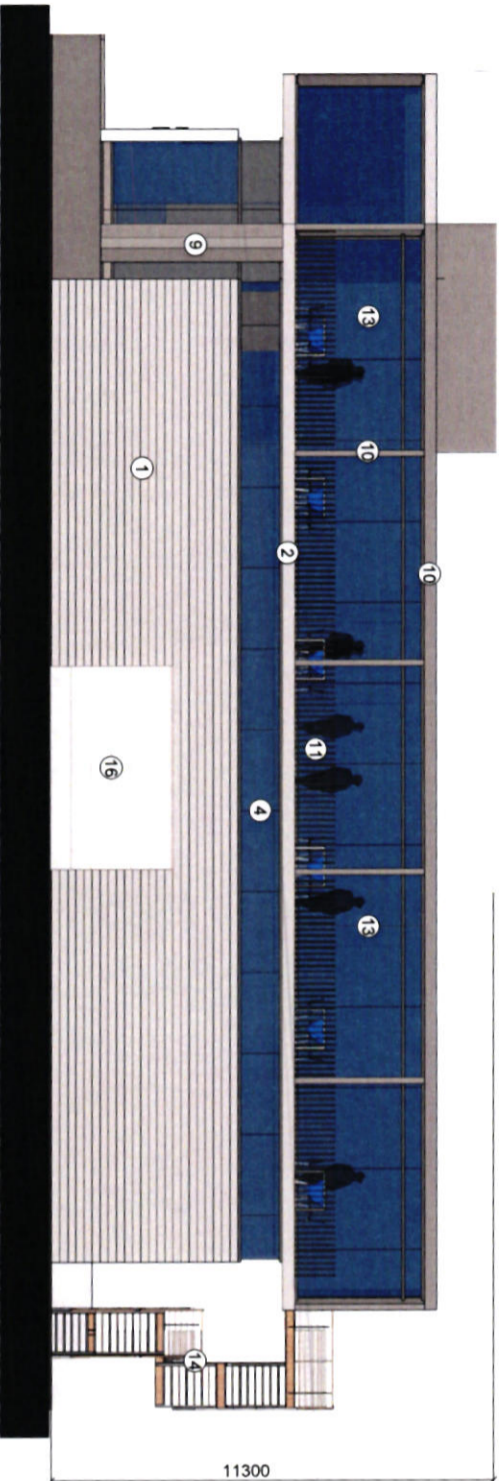
NORTH ELEVATION



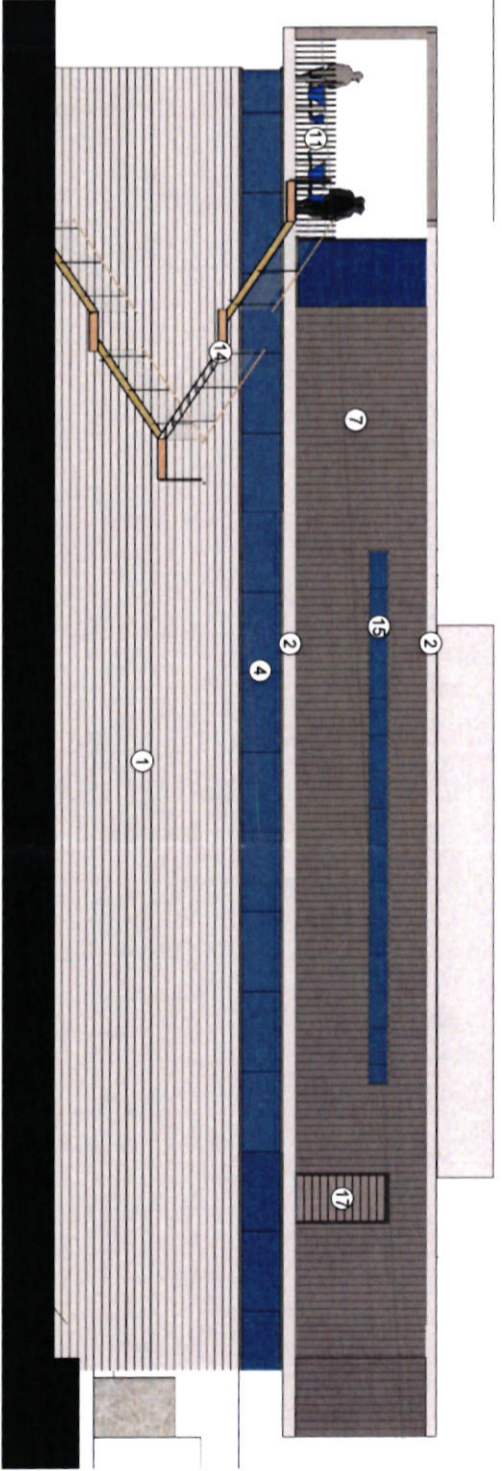
WEST ELEVATION



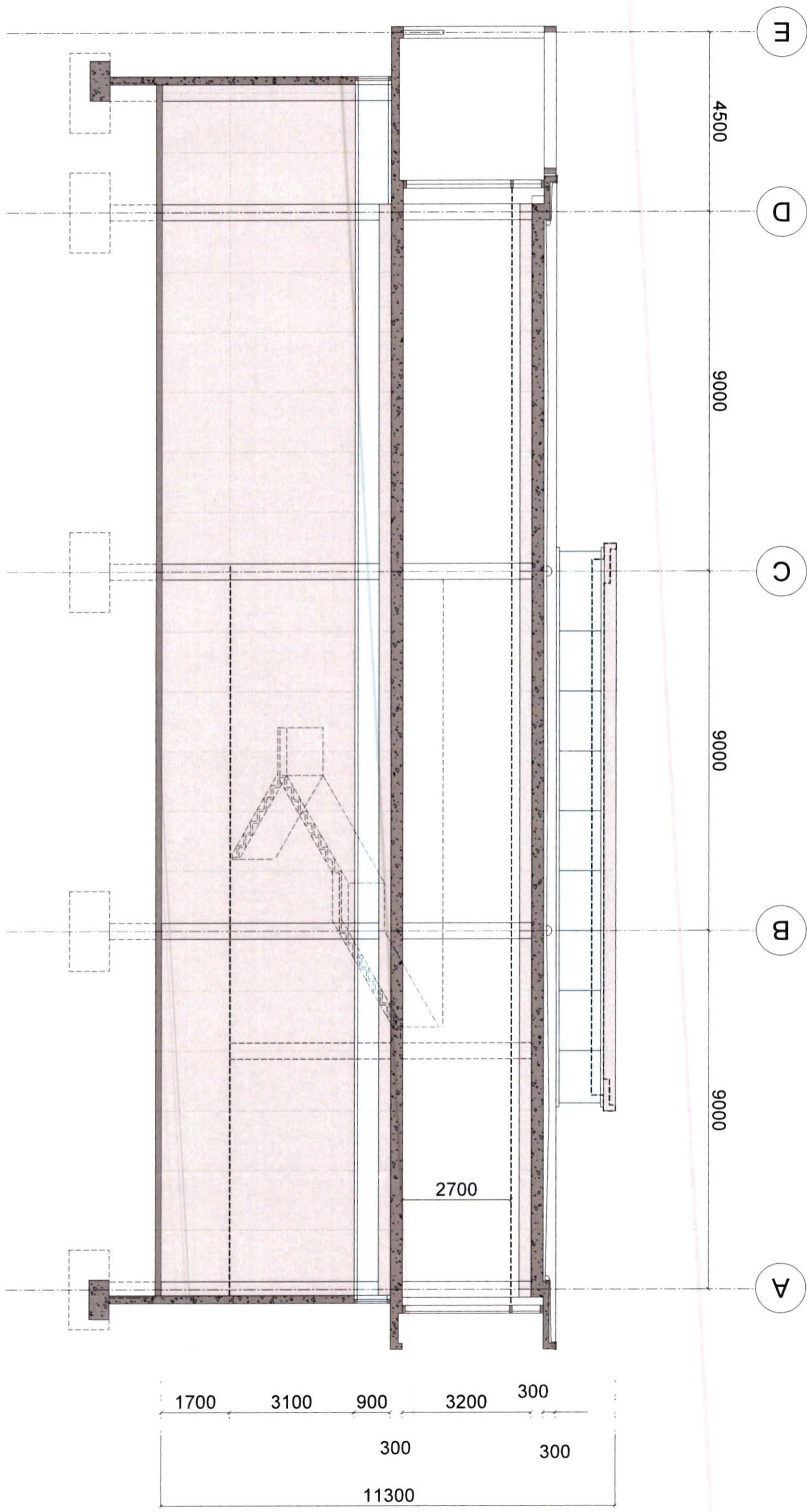
SOUTH ELEVATION



EAST ELEVATION

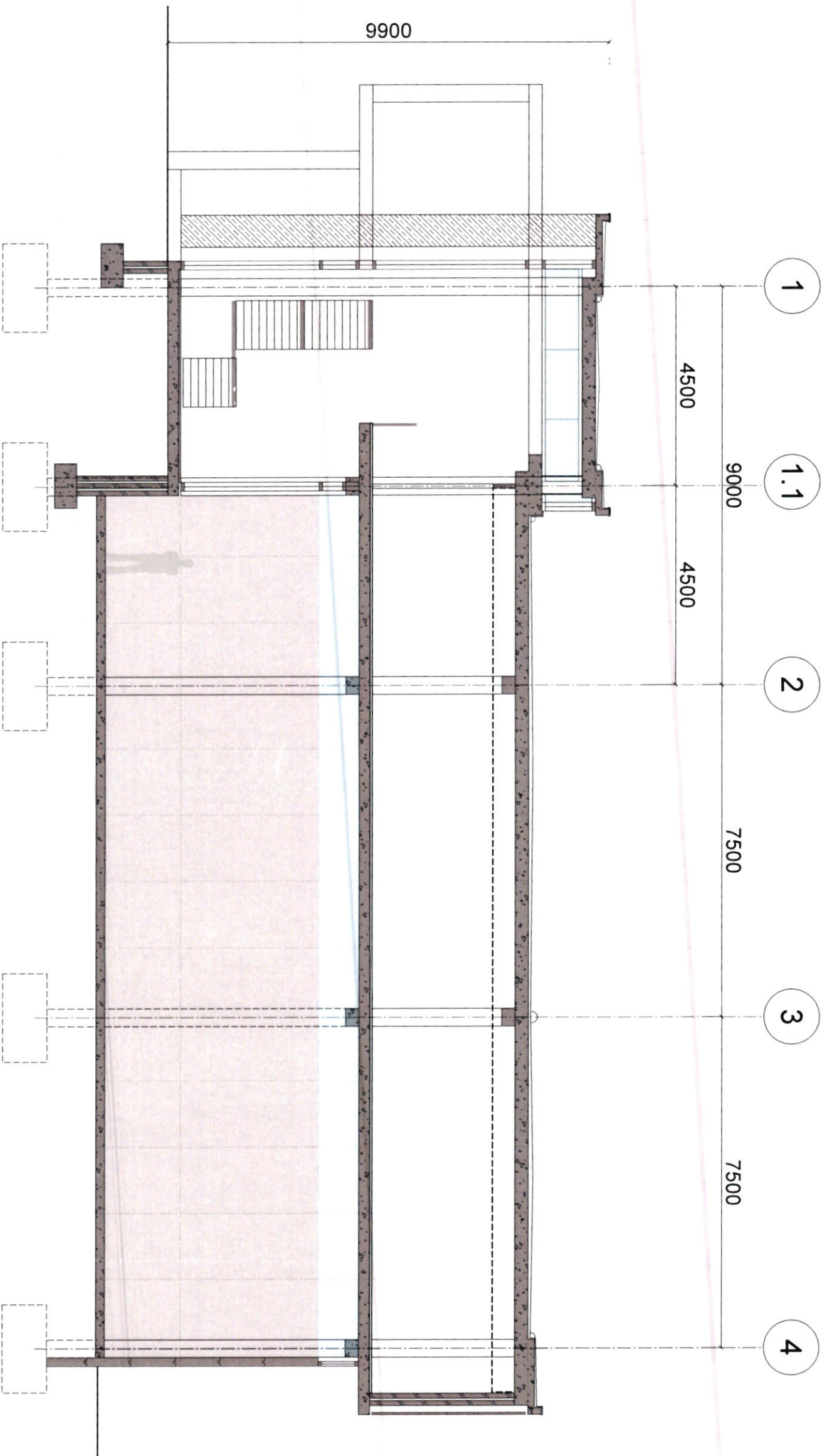






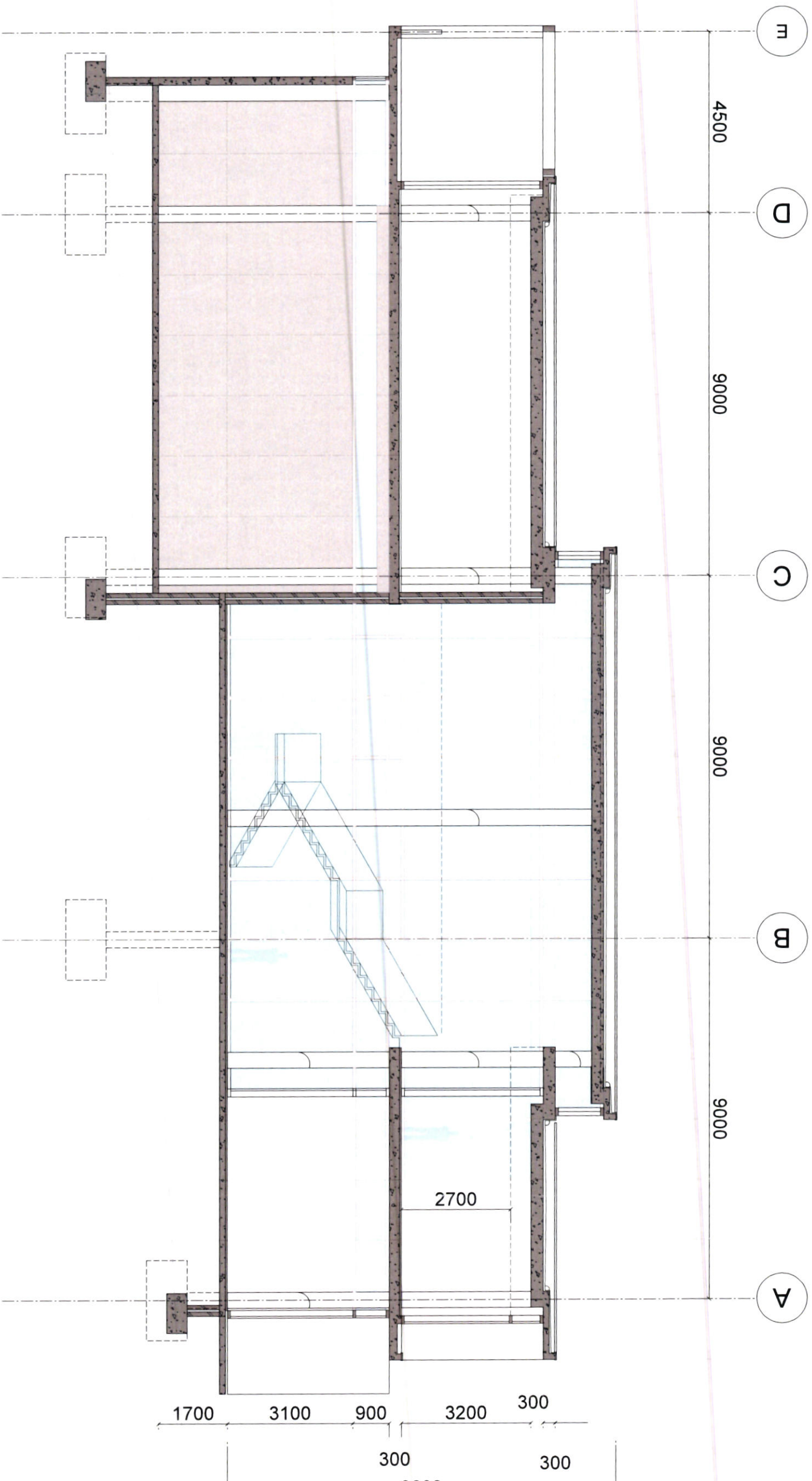
SECTION 1





SECTION 2





SECTION 3



Thuthula Mazana

From: Thuthula Mazana
Sent: Monday, 25 July 2022 10:02
To: 'alwi@urbanrural.co.za'
Cc: Pedro April
Subject: RE: [EX] RE: Farm 1588, Stellenbosch | Application for Consent Use

Good day Alwi,

In our meeting last week, we promised that we would revert to you on a way forward regarding this application.

As mentioned in our meeting the appropriate application that must be made is a Consent Use for an Agricultural Industry as the total area used for the structures which exist on the property together with that which is proposed exceeds 2000m².

The question regarding the exemption from advertising that you and your team raised in the meeting was presented in our weekly technical meeting and it was resolved that you must submit a motivation which thoroughly states the reasons why you wish that this application be exempted from advertising.

Upon receipt of the revised application the application will be considered accordingly.



Kind regards

Thuthula Mazana (Pr. Pln.)

Town Planner

Land Use Management

Planning & Economic Development

T: +27 21 808 8695

3rd Floor, Eikestad Mall, 43 Andringa
Street, Stellenbosch, 7600

www.stellenbosch.gov.za



From: alwi@urbanrural.co.za <alwi@urbanrural.co.za>
Sent: Tuesday, 19 July 2022 07:11
To: Thuthula Mazana <Thuthula.Mazana@stellenbosch.gov.za>
Cc: Pedro April <Pedro.April@stellenbosch.gov.za>
Subject: FW: [EX] RE: Farm 1588, Stellenbosch | Application for Consent Use

Hi Thuthula / Pedro

Just wish to confirm our meeting for today at 12h00.

I assume the meeting is still on.

Regards
Alwi



Alwi Theart – Principal Planner

Tch.Pln(SA) | MPhil NHDip NDip PPRE CEA
Cell: 082 411 7914 | Office: 021 855 1919 | alwi@urbanrural.co.za
Alwi Theart t/a Urban Rural SA | PO Box 7257 Stellenbosch 7599
S A C P L A N Registration nr. B.8133/2005 | www.urbanrural.co.za

From: alwi@urbanrural.co.za [<mailto:alwi@urbanrural.co.za>]
Sent: Friday, 15 July 2022 13:22
To: 'Thuthula Mazana' <Thuthula.Mazana@stellenbosch.gov.za>
Cc: pedro.april@stellenbosch.gov.za
Subject: RE: [EX] RE: Farm 1588, Stellenbosch | Application for Consent Use

Hi Thuthula

I spoke to the architects and confirm hereby that Tuesday 19 July 2022 at 12h00 will suit us all.

See you and Pedro then on Tuesday.

Regards
Alwi



Alwi Theart – Principal Planner

Tch.Pln(SA) | MPhil NHDip NDip PPRE CEA
Cell: 082 411 7914 | Office: 021 855 1919 | alwi@urbanrural.co.za
Alwi Theart t/a Urban Rural SA | PO Box 7257 Stellenbosch 7599
S A C P L A N Registration nr. B.8133/2005 | www.urbanrural.co.za

From: Thuthula Mazana [<mailto:Thuthula.Mazana@stellenbosch.gov.za>]
Sent: Thursday, 14 July 2022 13:09
To: alwi@urbanrural.co.za
Cc: Pedro April <Pedro.April@stellenbosch.gov.za>
Subject: RE: [EX] RE: Farm 1588, Stellenbosch | Application for Consent Use

Good day Alwi,

Your requested is noted.

However, may we please schedule the meeting for Tuesday 19 July 2022 at 12:00.



Kind regards
Thuthula Mazana (Pr. Pln.)
Town Planner
Land Use Management
Planning & Economic Development

Thuthula Mazana

To: alwi@urbanrural.co.za
Cc: Ulrich Vonmolendorff; Chrizelle Kriel
Subject: RE: [EX] RE: LAND USE APPLICATION | FARM 1588, STELLENBOSCH | AMENDMENT OF SDP

Good day Alwi,

As advised on our telephonic conversation, I have perused through the additional documents which you have provided.

The previous approval for rezoning and departure dated 18/06/2013 reveals that a spot zoning from Agricultural zone 1 to Agricultural zone 2 was granted for the structures indicated on building plan no. B2 to B4, dated July 2012. According to paragraph 1 of heading 6 on page 6 of the motivation (revised version) the application for the Amendment of the Site Development Plan was withdrawn and as a result was never approved.

Based on the above the proposed application for the Amendment of the Site Development Plan to accommodate offices and all the other uses indicated on the building is not correct. As we have no record to confirm whether the indicated uses were previously granted on the property.



Kind regards

Thuthula Mazana (Pr. Pln.)

Town Planner

Land Use Management

Planning & Economic Development

T: +27 21 808 8695

3rd Floor, Eikestad Mall, 43 Andringa

Street, Stellenbosch, 7600

www.stellenbosch.gov.za



From: alwi@urbanrural.co.za <alwi@urbanrural.co.za>

Sent: Thursday, 07 July 2022 16:08

To: Thuthula Mazana <Thuthula.Mazana@stellenbosch.gov.za>

Cc: Ulrich Vonmolendorff <Ulrich.Vonmolendorff@stellenbosch.gov.za>;
<Chrizelle.Kriel@stellenbosch.gov.za>

Subject: RE: [EX] RE: LAND USE APPLICATION | FARM 1588, STELLENBOSCH

Dear Thuthula

It will be much appreciated if you can give us feedback regarding the proposed application.

Your earliest reply will be much appreciated.

STELLENBOSCH
MUNICIPALITY
VERGEMEINSKAP STELLENBOSCH

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If you have received this e-mail by mistake, please notify the sender immediately by e-mail at
alwi@urbanrural.co.za
Monday, 04 July 2022
Proposed Applications <L



Alwi Theart – Principal Planner

PIn(SA) | MPhil NHDip NDip PPRE CEA
082 411 7914 | Office: 021 855 1919 | alwi@urbanrural.co.za
Theart t/a Urban Rural SA | PO Box 7257 Stellenbosch 7599
C P L A N Registration nr. B.8133/2005 | www.urbanrural.co.za

From: Ulrich Vonmolendorff [<mailto:Ulrich.Vonmolendorff@stellenbosch.gov.za>]

Date: Thursday, 07 July 2022 14:53

Thuthula Mazana <Thuthula.Mazana@stellenbosch.gov.za>

Alwi Theart (alwi@urbanrural.co.za) <alwi@urbanrural.co.za>

Subject: FW: [EX] RE: LAND USE APPLICATION | FARM 1588, STELLENBOSCH | AMENDMENT OF SDP

A



Kind regards,

Ulrich von Molendorff

Planning and Economic
Development

T: +27 21 808 8682 | F: +27 21 886 6899
3rd floor, Eikestad Mall, Andringa Street
Stellenbosch, 7600
PO Box 17, Stellenbosch, 7599
www.stellenbosch.gov.za



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alwi@urbanrural.co.za <alwi@urbanrural.co.za>

2022-07-07 09:12

Landuse.Applications@stellenbosch.gov.za>

cc: Ulrich Vonmolendorff <Ulrich.Vonmolendorff@stellenbosch.gov.za>

Subject: [EX] RE: LAND USE APPLICATION | FARM 1588, STELLENBOSCH | AMENDMENT OF SDP

Dear Bulelwa

Our previous emails regarding the abovementioned application refers.

Can you please inform us which planner will be responsible for the abovementioned application as well as what is the next step in the application process.

Your earliest response will be much appreciated.

Regards

Alwi



Alwi Theart – Principal Planner

Tch.Pl(SA) | MPhil NHDip NDip PPRE CEA

Cell: 082 411 7914 | Office: 021 855 1919 | alwi@urbanrural.co.za

Alwi Theart t/a Urban Rural SA | PO Box 7257 Stellenbosch 7599

S A C P L A N Registration nr. B.8133/2005 | www.urbanrural.co.za

From: alwi@urbanrural.co.za [<mailto:alwi@urbanrural.co.za>]

Sent: Wednesday, 29 June 2022 14:45

To: 'Landuse Applications' <Landuse.Applications@stellenbosch.gov.za>

Cc: 'Ulrich Vonmolendorff' <Ulrich.Vonmolendorff@stellenbosch.gov.za>

Subject: FW: LAND USE APPLICATION | FARM 1588, STELLENBOSCH | AMENDMENT OF SDP

Dear Bulelwa / Ulrich

Our previous email with regards to the requested additional information has reference.

Can you please give us an update on the progress of the application.

The landowners are on a tight schedule and the final decision by the Municipality in this matter is appreciated.

Your earliest response will be much appreciated.

Regards

Alwi



Alwi Theart – Principal Planner

Tch.Pl(SA) | MPhil NHDip NDip PPRE CEA

Cell: 082 411 7914 | Office: 021 855 1919 | alwi@urbanrural.co.za

Alwi Theart t/a Urban Rural SA | PO Box 7257 Stellenbosch 7599

S A C P L A N Registration nr. B.8133/2005 | www.urbanrural.co.za

From: alwi@urbanrural.co.za [<mailto:alwi@urbanrural.co.za>]

Sent: Tuesday, 21 June 2022 18:18

Bulelwa Mdoda (bulelwa.mdoda@ Stellenbosch.gov.za) <bulelwa.mdoda@ Stellenbosch.gov.za>

Subject: FW: LAND USE APPLICATION | FARM 1588, STELLENBOSCH | AMENDMENT OF SDP

Bulelwa

Your email dated 13 June 2022, regarding additional information has reference.

Kindly please find the approval letters (two) as requested.

Please take note that we have amended paragraphs 1 and 2 of Heading 6 of our original application and therefore provide you with a revised **Page 6**.

We have learned that the second application to amend the SDP we referred to in the first paragraph of Heading 6 was submitted, but was never processed as the landowner has withdrawn the application. The proposal was also not executed/implemented.

The year indicated in Heading 6, paragraph 2 as 2018 should also read 2015.

The above amendments for the abovementioned oversights. The above amendments should not have a direct impact on the outcome of the application submitted.

Please advise us that our application is now complete and that it can be processed.

Y



Alwi – Principal Planner

| MPhil NHDip NDip PPRE CEA
7914 | Office: 021 855 1919 | alwi@urbanrural.co.za
Urban Rural SA | PO Box 7257 Stellenbosch 7599
Registration nr. B.8133/2005 | www.urbanrural.co.za

Bulelwa Mdoda [<mailto:Bulelwa.Mdoda@ Stellenbosch.gov.za>]

Subject: FW: LAND USE APPLICATION | FARM 1588, STELLENBOSCH | AMENDMENT OF SDP

Alwi <alwi@urbanrural.co.za>

Subject: FW: LAND USE APPLICATION | FARM 1588, STELLENBOSCH | AMENDMENT OF SDP

With regard to the above, refers.

Your application is considered incomplete and cannot be processed further.

Please provide the Municipality with the following outstanding information and/or documentation within 14 days of receipt of this email:

1. A copy of the approved SDP.

2. A copy of all approvals referred to in the motivation relating to the approved SDP.

3. A copy of all approvals related/issued for this property.



Kind regards,
Bulelwa Mdoda
Land Use Management
Planning & Economic Development

T: +27 21 808 8690 : F +27 21 886 6899
3rd Floor, Eikestad Mall, Andringa Street,
Stellenbosch
www.stellenbosch.gov.za



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MUNICIPALITEIT • UMKAPALA • MUNICIPAALITEIT



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From: Landuse Applications

Sent: Wednesday, 08 June 2022 11:02

To: alwi@urbanrural.co.za; Landuse Applications <Landuse.Applications@stellenbosch.gov.za>

Subject: RE: [EX] LAND USE APPLICATION | FARM 1588, STELLENBOSCH | AMENDMENT OF SDP

PART 1 -received



Kind regards,
Bulelwa Mdoda
Land Use Management
Planning & Economic Development

T: +27 21 808 8690 : F +27 21 886 6899
3rd Floor, Eikestad Mall, Andringa Street,
Stellenbosch
www.stellenbosch.gov.za



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From: alwi@urbanrural.co.za <alwi@urbanrural.co.za>

Sent: Wednesday, 08 June 2022 11:00

To: Landuse Applications <Landuse.Applications@stellenbosch.gov.za>

Subject: [EX] LAND USE APPLICATION | FARM 1588, STELLENBOSCH | AMENDMENT OF SDP

PART 1

Hi Bulelwa

Attached please find our formal land use application for the abovementioned property.

I will send the application in various EMAILS due to its size

Trust you will find this in order



Alwi Theart – Principal Planner

Tch.Pl(SA) | MPhil NHDip NDip PPRE CEA

Cell: 082 411 7914 | Office: 021 855 1919 | alwi@urbanrural.co.za

Alwi Theart t/a Urban Rural SA | PO Box 7257 Stellenbosch 7599

S A C P L A N Registration nr. B.8133/2005 | www.urbanrural.co.za

Bulelwa Mdoda

From: alwi@urbanrural.co.za
Sent: Tuesday, 21 June 2022 18:18
To: Bulelwa Mdoda
Subject: [EX] FW: LAND USE APPLICATION | FARM 1588, STELLENBOSCH | AMENDMENT OF SDP
Attachments: 2013-06-18 FINAL APPROVAL LETTER FROM MUNICIPALITY.pdf; 2015-09-16 APPROVAL LETTER.pdf; PAGE 6 - REVISED.pdf

Dear Bulelwa

Your email dated 13 June 2022, regarding additional information has reference.

Attached please find the approval letters (two) as requested.

Please take note that we have amended paragraphs 1 and 2 of Heading 6 of our original application and therefore provide you with a revised **Page 6**.

We have learned that the second application to amend the SDP we referred to in the first paragraph of Heading 6 was submitted, but was never processed as the landowner has withdrawn the application. The proposal was also never executed/implemented.

The date indicated in Heading 6, paragraph 2 as 2018 should also read 2015.

We apologise for the abovementioned oversights. The above amendments should not have a direct impact on the essence of the application submitted.

We trust that our application is now complete and that it

Regards



Alwi Theart – Principal Planner

Tch.Pl(SA) | MPhil NHDip NDip PPRE CEA
Cell: 082 411 7914 | Office: 021 855 1919 | alwi@urbanrural.co.za
Alwi Theart t/a Urban Rural SA | PO Box 7257 Stellenbosch 7599
S A C P L A N Registration nr. B.8133/2005 | www.urbanrural.co.za

From: Bulelwa Mdoda [mailto:Bulelwa.Mdoda@stellenbosch.gov.za]
Sent: Monday, 13 June 2022 12:07
To: Theart, Alwi <alwi@urbanrural.co.za>
Subject: RE: LAND USE APPLICATION | FARM 1588, STELLENBOSCH | AMENDMENT OF SDP

Dear Mr Theart;

Your application in the above regard, refers.

The application is considered incomplete and cannot be processed further.

Please provide the Municipality with the following outstanding information and/or documentation within 14 days from the date of this email:

- Applicant is required to submit all approvals referred to in the motivation relating to the approved Site Development Plan (SDP).
- This information is required to ascertain what the approved Site Development Plan (SDP) illustrated and all other approvals related/issued for this property.



Kind regards,
Bulelwa Mdoda
 Land Use Management
 Planning & Economic Development

T: +27 21 808 8690 : F +27 21 886 6899
 3rd Floor, Eikestad Mall, Andringa Street,
 Stellenbosch
www.stellenbosch.gov.za



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From: Landuse Applications

Sent: Wednesday, 08 June 2022 11:02

To: alwi@urbanrural.co.za; Landuse Applications <Landuse.Applications@stellenbosch.gov.za>

Subject: RE: [EX] LAND USE APPLICATION | FARM 1588, STELLENBOSCH | AMENDMENT OF SDP

PART 1 -received



Kind regards,
Bulelwa Mdoda
 Land Use Management
 Planning & Economic Development

T: +27 21 808 8690 : F +27 21 886 6899
 3rd Floor, Eikestad Mall, Andringa Street,
 Stellenbosch
www.stellenbosch.gov.za



Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions published at the following link:
http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm

From: alwi@urbanrural.co.za <alwi@urbanrural.co.za>

Sent: Wednesday, 08 June 2022 11:00

To: Landuse Applications <Landuse.Applications@stellenbosch.gov.za>

Subject: [EX] LAND USE APPLICATION | FARM 1588, STELLENBOSCH | AMENDMENT OF SDP

PART 1

Hi Bulelwa

Attached please find our formal land use application for the abovementioned property.

I will send the application in various EMAILS due to its size

Trust you will find this in order



Alwi Theart – Principal Planner

Tch.Pl(SA) | MPhil NHDip NDip PPRE CEA

Cell: 082 411 7914 | Office: 021 855 1919 | alwi@urbanrural.co.za

Alwi Theart t/a Urban Rural SA | PO Box 7257 Stellenbosch 7599

S A C P L A N Registration nr. B.8133/2005 | www.urbanrural.co.za

5. Building development parameters in this zone

The following building lines, heights and floor area or coverage thresholds shall apply to buildings and activities within this zone:

Building type	Building lines	Height	Primary Use	Additional Use	Consent Use
Other Agricultural Buildings					
Employee housing unit	5m	1 Storey	120 sqm	As approved by Municipality	
Agricultural Buildings	5m	3 storeys	no overall limit on land unit	Any on building larger than 2000 sqm	
Agricultural industry, including outdoor parking and loading areas	5m	3 storeys	n/a	smaller than 2000 sqm	larger than 2000sqm
Polytunnels: including shade netting	5m	1 storey	less than 2000 sqm	larger than 2001 and smaller than 5000 sqm	larger than 5000 sqm

6 Proposed Development: Amendment of Site Development Plan

An application was submitted to extend the winery which was subsequently approved in 2013. A second application was submitted for the amendment of the Site development plan (2013) but was never processed as the landowner has withdrawn the application. The landowner did not continue with the project and the changes to the SDP were never executed/implemented.

An opportunity arose to purchase a portion of the adjacent property. An application for subdivision of the adjacent farm and the consolidation of a portion with the wine cellar property has been made and approved in 2015 whereby the size of the site increased from 3.5ha to approximately 8.7 ha.

A new application is now made for the **amendment of the existing site development plan** which will involve the demolishing of approximately 937 sqm of existing structures and the construction of a new building with a footprint of approximately 908 sqm. (see attached Plan B04 for more details) The new building will be constructed on two levels with a bottling and labelling section on the ground floor, and administrative offices, worker's relaxation area/facility and staff locker rooms on the first floor.

The upgrading of the wine cellar offices and staff facilities was long overdue and the proposed changes will definitely have a positive impact on the functionality and sustainability of the existing wine cellar complex and will also create a better working environment for the employees.

The production capacity of the winery will not be increased. The cellar is currently running on a much lower production capacity than what was originally approved. The new changes will not require any additional services from the municipality or put a burden on the existing service infrastructures. The connection of the services network will be shown when the formal building plans are submitted.

The architects have pointed out that one of the buildings (Building no4) which is identified to be demolished may be older than 60 years. They are currently in the process of working with a Heritage Consultant to confirm the status/age of the building. If the building falls under the scope of Heritage Resources Act the necessary studies and investigations will be done to ensure the right processes are followed.

Bulelwa Mdoda

From: Bulelwa Mdoda
Sent: Monday, 13 June 2022 12:07
To: Theart, Alwi
Subject: RE: LAND USE APPLICATION | FARM 1588, STELLENBOSCH | AMENDMENT OF SDP

Dear Mr Theart;

Your application in the above regard, refers.

The application is considered incomplete and cannot be processed further.

Please provide the Municipality with the following outstanding information and/or documentation within 14 days from the date of this email:

- Applicant is required to submit all approvals referred to in the motivation relating to the approved Site Development Plan (SDP).
- This information is required to ascertain what the approved Site Development Plan (SDP) illustrated and all other approvals related/issued for this property.



Kind regards,
Bulelwa Mdoda
Land Use Management
Planning & Economic Development

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3rd Floor, Eikestad Mall, Andringa Street,
Stellenbosch
www.stellenbosch.gov.za



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From: Landuse Applications
Sent: Wednesday, 08 June 2022 11:02
To: alwi@urbanrural.co.za; Landuse Applications <Landuse.Applications@stellenbosch.gov.za>
Subject: RE: [EX] LAND USE APPLICATION | FARM 1588, STELLENBOSCH | AMENDMENT OF SDP

PART 1 -received

Kind regards,
Bulelwa Mdoda
Land Use Management
Planning & Economic Development



MEMO

DIRECTORATE: ENGINEERING SERVICES
DIREKTORAAT: INGENIEURSDIENSTE

To ▫ Aan: Director: Planning + Economic Development
Att Aandag Mr. U von Molendorff
From ▫ Van: JJ. Fourie (Development Services)
Date ▫ Datum: 22/02/2013
Our Ref ▫ Ons Verw: Farm 1349
Re ▫ Insake: Farm 1349 Stellenbosch: Application for rezoning and departure

The above mentioned application for the following refers.

1. Rezoning of a portion of farm 1349 from Agriculture Zone 1 to Agriculture Zone 2 to extend the wine cellar.
2. Departure for the relaxation of the western building line from 30m to 5m to accommodate a storage facility.

Comments from the Directorate Engineering Services i.e Roads + Stormwater, Water Services, Traffic Engineering and Development Services will be reflected in this memo.

1. Rezoning of a portion of farm 1349 from Agriculture Zone 1 to Agriculture Zone 2. This application is recommended for approval subject to the following conditions.
 - The extensions to the existing wine cellar should be planned in such a way that any spillage during the wine making processes be contained and treated at the existing waste water treatment facility.
 - The waste water treatment facility be maintained and operated in such a way that the effluent does not contaminate the Moddergat River.
2. Departure for the relaxation of the western building line. This application is recommended for approval

JJ. FOURIE

HEAD: DEVELOPMENT SERVICES (ENGINEERING SERVICES)

JJF/JJ W:\Joy\KobusF\Memorandums\Memo Farms\Memo Farm 1349 Stellenbosch.doc

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
Department: Planning and Development
MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

APPENDIX A

FILE NO: ERF 1349S

In this approval document:

"Council" means the Stellenbosch Municipality

"the owner" means the registered owner of the property.

"the site" means **Erf 1349S Stellenbosch**

"scheme regulation" in this instance means the Stellenbosch Municipality Zoning Scheme Regulations and has the meaning assigned thereto by Ordinance 15 of 1985.

EXTENT OF APPROVAL: Rezoning of a portion of Farm 1349, Stellenbosch from Agricultural Zone I to Agricultural Zone II, to extend the existing wine cellar to accommodate three structures consisting of a bottling facility of 600sqm; a storage facility of 1000sqm and a covered loading and off-loading area of 444sqm as shown on Plan No B2 to B4, Drawn by Urban Rural SA Planning Practitioner, Dated July 2012, attached as **Appendix C**;

Departure for the relaxation of the western building line from 30m to 5m in order to accommodate the storage facility of 1000sqm, as shown on Plan No B2 to B4, Drawn by Urban Rural SA Planning Practitioner, Dated July 2012, attached as **Appendix C**.

VALIDITY OF APPROVAL: The approval of the rezoning is valid for 2 (two) years from the date of final notification.

CONDITIONS IMPOSED: Rezoning and Departure conditions.

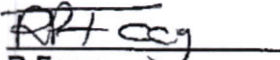
CONDITIONS IMPOSED IN TERMS OF SECTION 42(1) OF THE LAND USE PLANNING ORDINANCE NO 15 OF 1985:

1. The approval applies only to the departure as shown on as shown on Plan No B2 to B4, Drawn by Urban Rural SA Planning Practitioner, Dated July 2012, attached as **Appendix C** and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
2. The conditions as set out by the Department of Transport and Public Works in their letter dated 13 March 2013 be adhered to as attached as **APPENDIX D**;
3. The conditions as set out by the Directorate Engineering Services in their memo dated 22/02/2013 be adhered to as attached as **APPENDIX D**;

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
Department: Planning and Development
MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

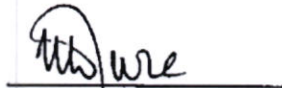
4. Building plans for the proposed building work must be submitted to this Council for approval prior to commencement of any building work;

Report Compiled by:


R Fooy


22/5/2013
Date

Recommended by the Manager: Land Use Planning


Z. Duze
Manager: Land Use Planning

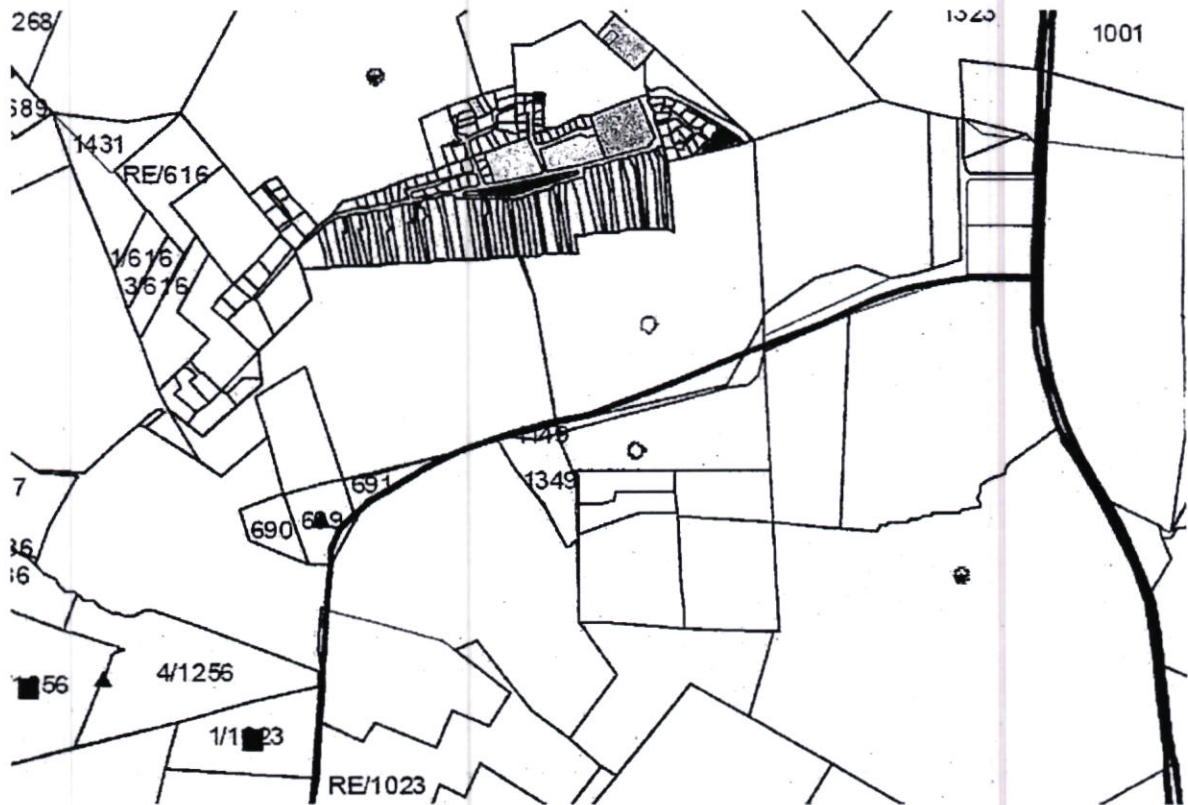
29/05/13
Date

THE DIRECTOR: PLANNING AND DEVELOPMENT HEREBY APPROVES THE ABOVE RECOMMENDATION UNDER DELEGATED AUTHORITY:

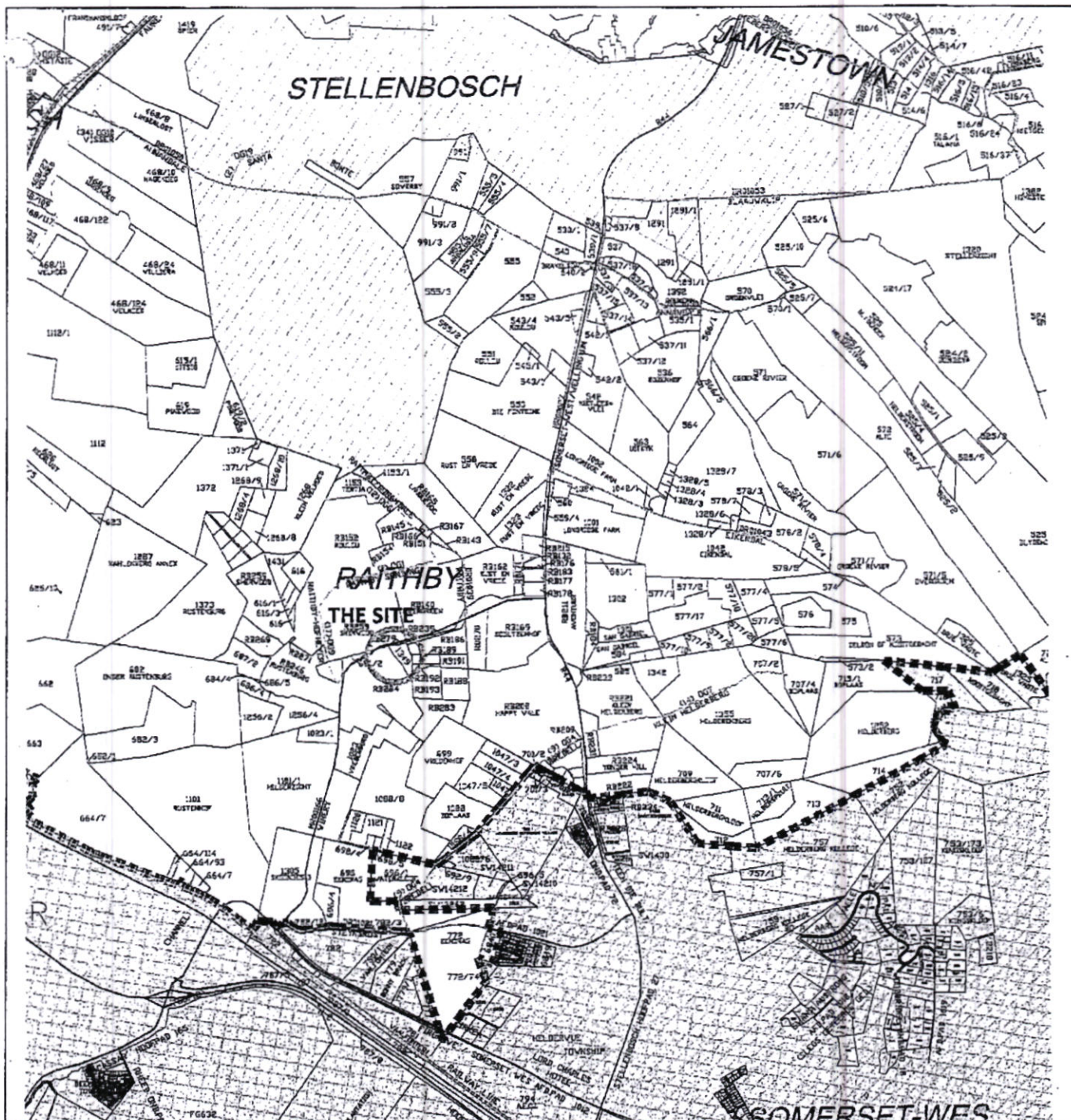

B Davidson
Director: Planning and Development

15/08/2013
Date

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Department: Planning and Development
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LOCALITY PLAN



urban rural south africa

LAND USE APPLICATIONS, URBAN DESIGN AND SITE PLANNING, LAYOUT PLANS, PROCEDURAL/POLICY FORMULATION, PLANNING RESEARCH, DEVELOPMENT EVALUATION, LAND ECONOMICS, DEVELOPMENT PLANNING, DEVELOPMENT MANAGEMENT, DEVELOPMENT STRATEGIES, DEVELOPMENT RIGHTS, TOWN PLANNING ADMINISTRATION, SPATIAL PLANNING, FEASIBILITY STUDIES, CORPORATE STRATEGIC PLANNING, URBANISATION, HOUSING, DEVELOPMENT PLANNING, STATUTORY TOWN PLANNING AND ZONING SCHEMES, DEVELOPMENT CONTROL AND APPEALS, PROJECT MANAGEMENT, DEVELOPMENT COORDINATION, PLANNING LAW, PLAN EVALUATION, TRANSPORTATION AND LAND USE PLANNING, INTEGRATED ENVIRONMENTAL MANAGEMENT, PROPERTY DEVELOPMENT, RURAL DEVELOPMENT, SUBDIVISIONS.



URBAN RURAL SA
PLANNING PRACTITIONERS

TEL 021.855.1919 FAX 086.611.5229 CELL 082.411.7914
alwi@urbanrural.co.za www.urbanrural.co.za

LOCALITY PLAN

FARM 1349 STELLENBOSCH
APPLICATION FOR REZONING AND DEPARTURE

WINERY ROAD

STELLENBOSCH RURAL

STELLENBOSCH MUNICIPALITY

UNKNOWN

JULY 2012

CWDM

227/2012/1349STEL

ANNEXURE

B1



urban rural south africa

LAND USE APPLICATIONS, URBAN DESIGN AND SITE PLANNING, LAYOUT PLANS, PROCEDURAL/POLICY FORMULATION, PLANNING RESEARCH, DEVELOPMENT EVALUATION, LAND ECONOMICS, DEVELOPMENT PLANNING, DEVELOPMENT MANAGEMENT, DEVELOPMENT STRATEGIES, DEVELOPMENT RIGHTS, TOWN PLANNING ADMINISTRATION, SPATIAL PLANNING, FEASIBILITY STUDIES, CORPORATE STRATEGIC PLANNING, URBANISATION, HOUSING, DEVELOPMENT PLANNING, STATUTORY TOWN PLANNING AND ZONING SCHEMES, DEVELOPMENT CONTROL AND APPEALS, PROJECT MANAGEMENT, DEVELOPMENT COORDINATION, PLANNING LAW, PLAN EVALUATION, TRANSPORTATION AND LAND USE PLANNING, INTEGRATED ENVIRONMENTAL MANAGEMENT, PROPERTY DEVELOPMENT, RURAL DEVELOPMENT, SUBDIVISIONS.



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alwi@urbanrural.co.za www.urbanrural.co.za

AERIAL VIEW

FARM 1349 STELLENBOSCH
APPLICATION FOR REZONING AND DEPARTURE

WINERY ROAD

STELLENBOSCH RURAL

STELLENBOSCH MUNICIPALITY

DATE UNKNOWN

DATE JULY 2012

COMMISSIONER CWDM

REFERENCE NUMBER 227/2012/1349STEL

ANNEXURE

B2



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Enquiries
Your ref.
Our Ref .
Application No
Date
Telephone
Fax
E-mail

R Fooy / U Von Molendorff
-
Farm No 1349, Stellenbosch
LU/2548
2013-06-18
021-808 8680 / 8682
021-808 8651
robertf@stellenbosch.org / ulrichm@stellenbosch.org

REGISTERED MAIL

Alwi Theart T/A Urban Rural SA
P O Box 7257
STELLENBOSCH
7599

Sir

APPLICATION FOR REZONING AND DEPARTURE ON A PORTION OF FARM NO 1349, STELLENBOSCH DIVISION

Your application in the above regard, refers.

The Director : Planning and Economic Development at a recent meeting resolved as follows :

That **approval be granted** in terms of Section 16 of the Land Use Planning Ordinance No 15 of 1985, for the rezoning of a portion of Farm No 1349, Stellenbosch from Agricultural Zone I to Agricultural Zone II, to extend the existing wine cellar to accommodate three structures consisting of a bottling facility of 600sqm, a storage facility of 1000sqm and a covered loading and off-loading area of 444sqm as shown on Plan No B2 to B4, Drawn by Urban Rural SA Planning Practitioner, Dated July 2012 attached as **APPENDIX C**, subject to the approval conditions as attached in **APPENDIX A**.

That **approval be granted** for a departure application in terms of Section 15 of the Land Use Planning Ordinance No 15 of 1985 for the relaxation of the western building line from 30m to 5m in order to accommodate the storage facility of 1000sqm, as shown on Plan No B2 to B4, Drawn by Urban Rural SA Planning Practitioner, Dated July 2012 attached as **APPENDIX C**, subject to the approval conditions as attached in **APPENDIX A**.

In terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000, you may appeal to the Municipal Manager against the above Council decision (including any conditions imposed in case of approval) by giving written notice of such appeal, in which case you may upon request be given the opportunity to appear in person before the Appeal authority to state your case. A detailed motivated appeal with reasons therefore (and not only the intention to appeal), clearly stating in terms of which legislation it is made, as well as

Farm No 1349 S Rezoning and Departure (approval letter to applicant)

payment of the appeal fee to the amount of R670,00, should be directed to and received by the Municipal Manager, Stellenbosch Municipality, P O Box 17, Stellenbosch, 7599, or if hand delivered, to Town Planning, ground floor, municipal building, Plein Street, Stellenbosch, within 21 days of the date of registration at the Post office of this notification letter (with such registration day not included in the appeal period), provided where the last day for lodging an appeal falls either on a Sunday or public holiday, it shall be deemed to be the next working day thereafter.

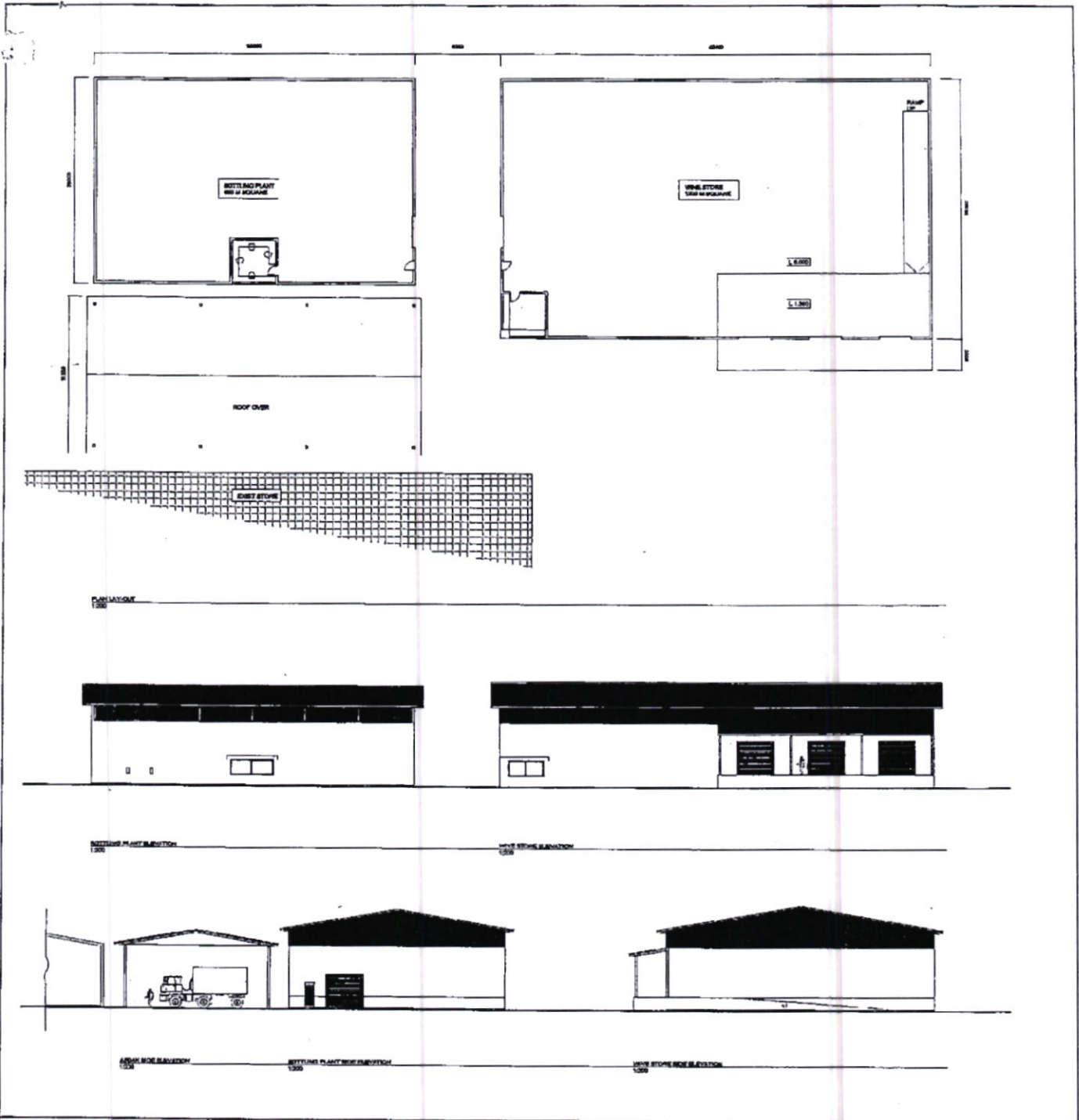
Please note, appellants are not permitted to canvass the Municipal Manager or members of Council's Appeals Committee before or after the matter is heard. Should no appeal be received within such appeal period, or upon conclusion of this appeal process, you will be advised of your right to act on this decision.

Kindly note the above Council decision is suspended and 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.

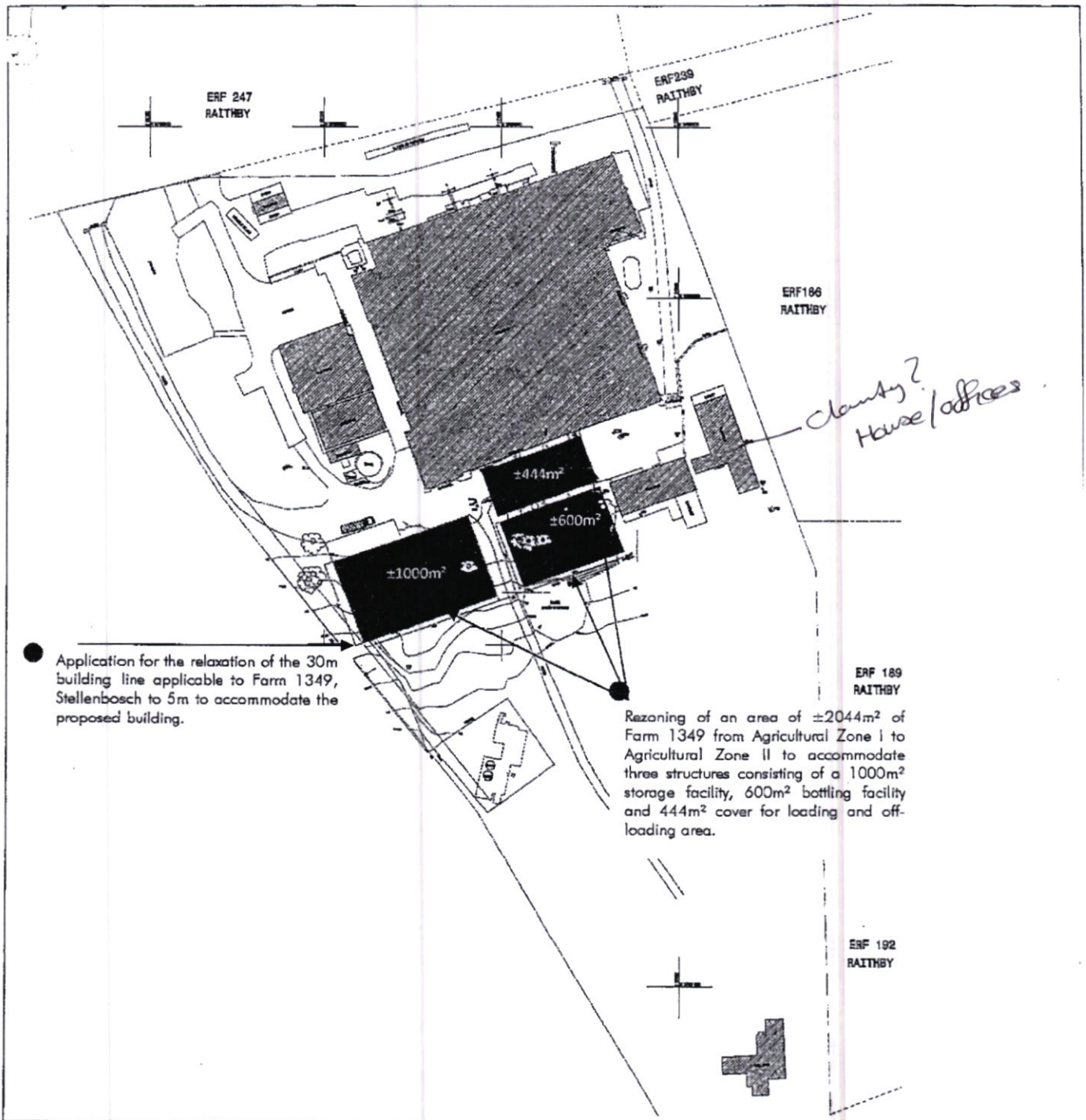
Yours faithfully



for **DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT**



<p>urban rural south africa</p> <p>LAND USE APPLICATIONS, URBAN DESIGN AND SITE PLANNING, LAYOUT PLANS, PROCEDURAL/POLICY FORMULATION, PLANNING RESEARCH, DEVELOPMENT EVALUATION, LAND ECONOMICS, DEVELOPMENT PLANNING, DEVELOPMENT MANAGEMENT, DEVELOPMENT STRATEGIES, DEVELOPMENT RIGHTS, TOWN PLANNING ADMINISTRATION, SPATIAL PLANNING, FEASIBILITY STUDIES, CORPORATE STRATEGIC PLANNING, URBANISATION, HOUSING, DEVELOPMENT PLANNING, STATUTORY TOWN PLANNING AND ZONING SCHEMES, DEVELOPMENT CONTROL AND APPEALS, PROJECT MANAGEMENT, DEVELOPMENT COORDINATION, PLANNING LAW, PLAN EVALUATION, TRANSPORTATION AND LAND USE PLANNING, INTEGRATED ENVIRONMENTAL MANAGEMENT, PROPERTY DEVELOPMENT, RURAL DEVELOPMENT, SUBDIVISIONS.</p>	<p>FLOOR & ELEVATION PLANS</p>	<p>UNKNOWN</p>
<p>URBAN RURAL SA PLANNING PRACTITIONERS</p>	<p>FARM 1349 STELLENBOSCH APPLICATION FOR REZONING AND DEPARTURE</p>	<p>JULY 2012</p> <p>STANDER ORCHARD ARCHITECTS</p> <p>227/2012/1349STEL</p>
<p>TEL 021.855.1919 FAX 086.611.5229 CELL 082.411.7914 alwf@urbanrural.co.za www.urbanrural.co.za</p>	<p>WINERY ROAD</p> <p>STELLENBOSCH RURAL</p> <p>STELLENBOSCH MUNICIPALITY</p>	<p>ANNEXURE</p> <p>B4</p>



Application for the relaxation of the 30m building line applicable to Farm 1349, Stellenbosch to 5m to accommodate the proposed building.

Rezoning of an area of ±2044m² of Farm 1349 from Agricultural Zone I to Agricultural Zone II to accommodate three structures consisting of a 1000m² storage facility, 600m² bottling facility and 444m² cover for loading and off-loading area.

urban rural south africa

LAND USE APPLICATIONS, URBAN DESIGN AND SITE PLANNING, LAYOUT PLANS, PROCEDURAL/POLICY FORMULATION, PLANNING RESEARCH, DEVELOPMENT EVALUATION, LAND ECONOMICS, DEVELOPMENT PLANNING, DEVELOPMENT MANAGEMENT, DEVELOPMENT STRATEGIES, DEVELOPMENT RIGHTS, TOWN PLANNING ADMINISTRATION, SPATIAL PLANNING, FEASIBILITY STUDIES, CORPORATE STRATEGIC PLANNING, URBANISATION, HOUSING, DEVELOPMENT PLANNING, STATUTORY TOWN PLANNING AND ZONING SCHEMES, DEVELOPMENT CONTROL AND APPEALS, PROJECT MANAGEMENT, DEVELOPMENT COORDINATION, PLANNING LAW, PLAN EVALUATION, TRANSPORTATION AND LAND USE PLANNING, INTEGRATED ENVIRONMENTAL MANAGEMENT, PROPERTY DEVELOPMENT, RURAL DEVELOPMENT, SUBDIVISIONS.



URBAN RURAL SA
PLANNING PRACTITIONERS

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alwi@urbanrural.co.za www.urbanrural.co.za

SITE PLAN : PROPOSED

FARM 1349 STELLENBOSCH
APPLICATION FOR REZONING AND DEPARTURE

WINERY ROAD

STELLENBOSCH RURAL

STELLENBOSCH MUNICIPALITY

UNKNOWN

JULY 2012

FRIEDLAENDER, BURGER, VOLKMAN

227/2012/1349STEL

ANNEXURE

B3

Appendix D
1349



Western Cape
Government

Transport and Public Works

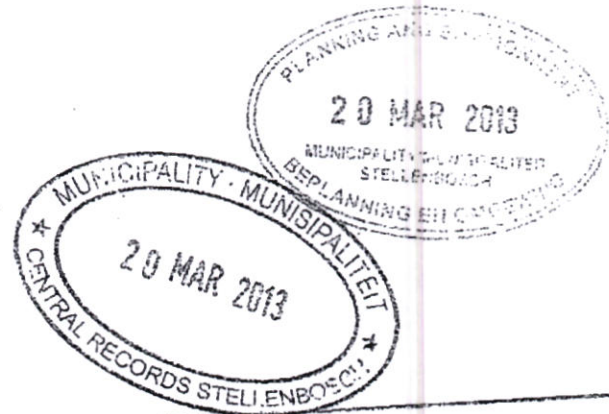
ROAD NETWORK MANAGEMENT

Email: Grace.Swanepoel@westerncape.gov.za
tel: +27 21 483 4669 fax: +27 21 483 2166
Rm 335, 9 Dorp Street, Cape Town, 8001
PO Box 2603, Cape Town, 8000

REFERENCE: 13/3/5/1-25/212 (Job 20467)
ENQUIRIES: Ms GD Swanepoel
DATE: 13 March 2013

Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Attention: Mr U von Molendorff



FILE NR:	F 1349 88
SCAN NR:	F 1349 9
PRODATOR NR:	274750

APPLICATION FOR REZONING AND DEPARTURE: FARM 1349, STELLENBOSCH

1. The following refer:
 - 1.1 Your letter (LU2548) dated 9 November 2012;
 - 1.2 The letter (227/2012/1349STEL) to you from Urban Rural SA dated 26 July 2012;
 - 1.3 Motivation report prepared by Urban Rural SA dated July 2012;
 - 1.4 Site visits undertaken on 11 October 2012 and 12 February 2013; and
 - 1.5 Various e-mails.
2. This application entails the rezoning of a portion of Farm 1349 from Agricultural Zone 1 to Agricultural Zone 2 in order to extend the existing wine cellar and auxiliary uses.
3. Farm 1349 currently has three gated accesses directly off Winery Road (MR166) at ±km3.18 RHS, ±km3.22 RHS and ±km3.33 RHS. The two outside accesses are mainly used by articulated heavy vehicles.
4. This Branch offers no objection to this application subject to the following conditions:

- 4.1 The main access off Main Road 166 to Farm 1349 at \pm km3.22 RHS must be permanently closed and replaced with similar materials to the existing fence and the road reserve reinstated.
- 4.2 The access off Main Road 166 at \pm km3.18 to be consolidated with the neighbouring access into a single access road for a distance of at least 30m from the edge of tar to accommodate the stacking of the heavy vehicles in front of the gated access. Access road to have a hardened service between the edge of tar and the road reserve boundary.
- 4.3 The access off Main Road 166 at \pm km3.33 RHS to be consolidated with the neighbouring access into a single access road for a distance of at least 30m from the edge of tar to accommodate the stacking of the heavy vehicles in front of the gated access. Access road to have a hardened service between the edge of tar and the road reserve boundary.
- 4.4 All the above work must be done in accordance with the relevant design standards and must be approved by the District Roads Engineer, Paarl (Mr Pat Ellis – 021 863 2020) before any work commences.
- 4.5 Under no circumstances will vehicles be allow to queue along the shoulder or within the road reserve of Main Road 166, all queuing and parking of vehicles to take place off-street.
5. The relaxation of the 30m building line on the western side of the property is for your administration.

Yours faithfully



ML WATTERS
For EXECUTIVE MANAGER: ROAD & TRANSPORT MANAGEMENT



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

INNOVATION CAPITAL • ISIXEKO ESIZA NENGUQU • INNOVASIESTAD

Enquiries	S Zangqa/H Deacon
Your ref	254/2014/284RAI
Our ref	Erf 284, Raithby
Application no	LU/3574
Date	2015-09-16
Telephone	021-8088667/8657
Fax	021-886 6899

REGISTERED MAIL

Urban Rural SA
Planning Practitioners
P O Box 7257
STELLENBOSCH
7599

Dear Sir / Madam

APPLICATION FOR SUBDIVISION AND CONSOLIDATION ON ERF 284, RAITHBY

Your application in the above regard, received on 2014-06-03, refers.

The Planning and Economic Development Committee resolved at its meeting held on 2015-09-01 as follows:

That **approval be granted** in terms of Section 25 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), for the subdivision of Erf 284, Raithby, into two portions, namely Portion A which will be ± 5 ha in extent and the Remainder Portion which will be ± 42 ha in extent, Portion A will be consolidated with Farm 1349, Stellenbosch Division, in order to form an agricultural land unit of 8 ha. See attached Appendix 3. The above approval is subject to the conditions contained in the attached Appendix 1

Kindly note, this subdivision approval will lapse unless all conditions of approval have been complied with and separate registration of at least one erf therein is effected in the Deeds Registry within 5 years of Council's final notification letter, which is to follow in due course. Should it be required, any application for extension of validity of the subdivision approval should be lodged well in advance of lapsing of this approval.

Kindly also note where applicable, the above approval does not guarantee approval of any related building plan application in terms of the National Building Regulations and Building Standards Act, No 103 of 1977 and that building work may therefore only commence once such plans are formally passed.

Kindly note, you are advised in terms of Section 5 of the Promotion of Administrative Justice Act, No 3 of 2000 that you are entitled to request in writing reasons for the above decision.

In terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000, you may appeal to the Municipal Manager against the above Council decision (including any conditions



Tel: +27 21 808 8025 | Fax: +27 21 886 6749

Physical Address: Plein Street, Stellenbosch, 7600 | Postal Address: PO Box 17, Stellenbosch, 7599 | Website: www.stellenbosch.gov.za

imposed in case of approval) by giving written notice of such appeal. A detailed motivated appeal with reasons therefore (and not only the intention to appeal), clearly stating in terms of which legislation it is made, as well as payment of the appeal fee to the amount of R 800,00, should be directed to and received by the Municipal Manager, Stellenbosch Municipality, P O Box 17, Stellenbosch, 7599, or if hand delivered, to the Advice office, Land Use Management, Ground floor, municipal building, Plein Street, Stellenbosch, within 21 days of the date of registration at the Post office of this notification letter (with such registration day not included in the appeal period), provided where the last day for lodging an appeal falls either on a Sunday or public holiday, it shall be deemed to be the next working day thereafter. Where this letter is collected by hand, the above appeal period will be similarly calculated from the next day after collection. Failure to comply with the above requirements may result in the appeal being ruled invalid by the Appeal Authority.

Notwithstanding the above, kindly note, you are not permitted to submit a revised proposal as part of such an appeal. Should this be the case, your submission will not be regarded as an appeal, but rather a new application which should be submitted in the normal manner, as only the above decision can be appealed at this stage.

Please note, appellants are not permitted to canvass the Municipal Manager or members of Council's Appeals Committee before or after the matter is heard.

Important note : Rights of appeal in terms of Section 44(1)(a), (b), (c) or (d) of the Land Use Planning Ordinance, No 15 of 1985 no longer exist, as such an appeal to the Minister of Local Government, Environmental Affairs and Development Planning, Western Cape has been declared unconstitutional by the Constitutional Court in its unanimous judgment* on 4 April 2014, as such matters fall within the exclusive functions of a municipality in terms of the Constitution.

Kindly note the above Council decision is suspended and may therefore not be acted on until such time as the period for lodging an appeal in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000 has lapsed, any such appeal has been finalised and you have been advised accordingly.

Yours faithfully



for **DIRECTOR : PLANNING & ECONOMIC DEVELOPMENT**
RB284S15

cc
Surveyor General, Private Bag X9028, CAPE TOWN, 8000

* In *Minister of Local Government, Environmental Affairs and Development Planning, Western Cape v The Habitat Council and Others; Minister of Local Government, Environmental Affairs and Development Planning, Western Cape v City of Cape Town and Others* [2014] ZACC 9 (Case No.CC117/13).

[Chairperson: Councillor JP Serdyn (Ms)]
[Portfolio: Planning and Economic Development]

APPENDIX 1

FILE NO: ERF 284 RB

In this approval document:

"Council" means the Stellenbosch Municipality

"the owner" means the registered owner of the property.

"the site" means **ERF 284, RAITHY**.

"scheme regulation" has the meaning assigned thereto by the Land Use Planning Ordinance (15 of 1985).

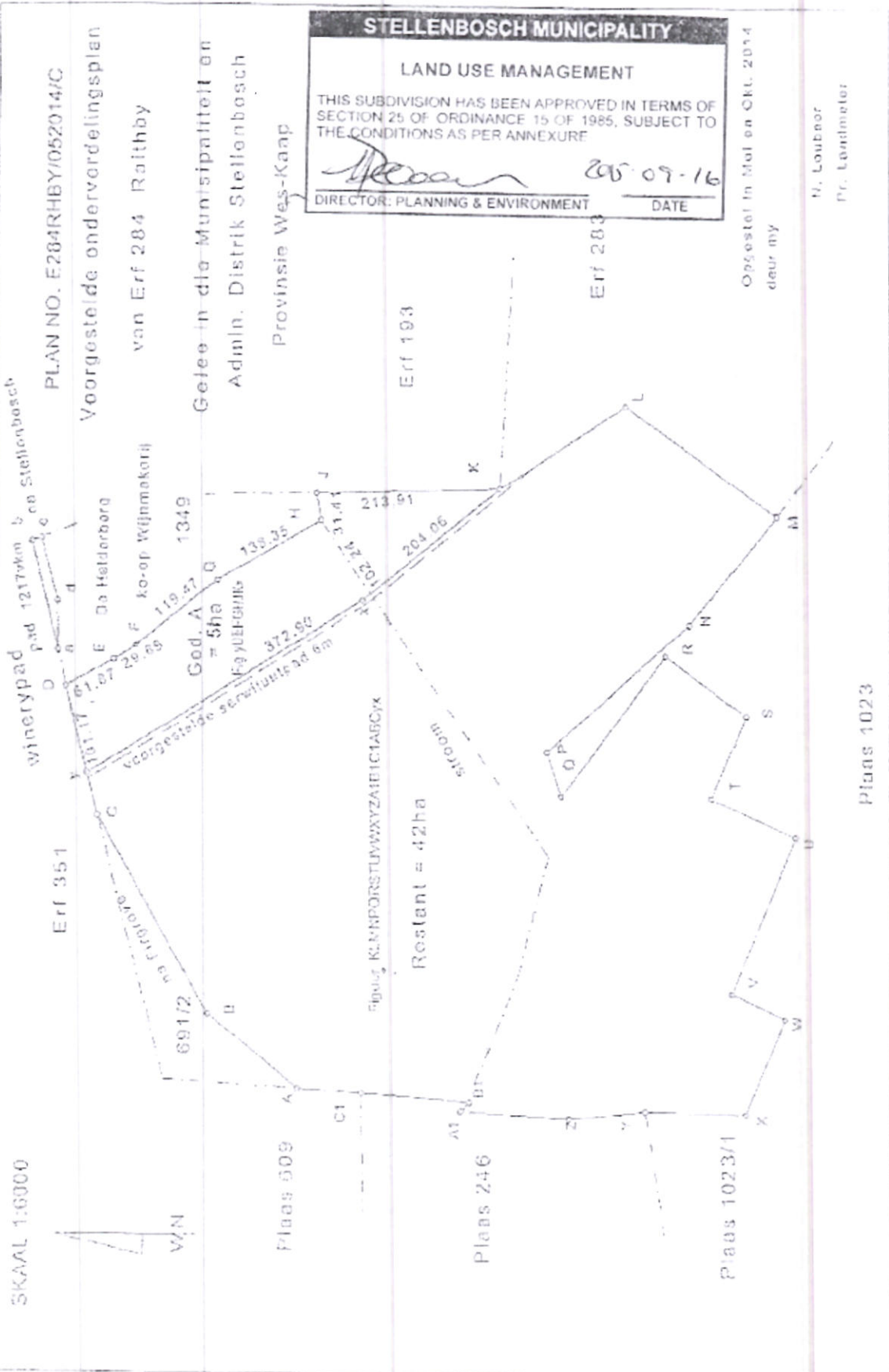
EXTENT OF APPROVAL: Subdivision of Erf 284, Raithby into two portions, namely Portion A which will be ± 5 ha in extent and the Remainder Portion which will be ± 42 ha in extent, in terms of Section 25 of the Land Use Planning Ordinance (Ordinance 15 of 1985). See **APPENDIX 3**.

VALIDITY OF APPROVAL: The approval of the subdivision shall lapse if not exercised within (5) years from the date of final notification.

CONDITIONS IMPOSED:

- (1) That the approval applies only to the subdivision attached as **APPENDIX 3**, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
- (2) That erf diagrams of the newly created units must be submitted to this Council for clearance and record purposes;
- (3) That Portion A, must be consolidated with Farm 1349, Stellenbosch Division;
- (4) That the conditions of the Department of Transport and Public Works, attached as **APPENDIX 6**, must be complied with;
- (5) That the conditions of the Department of Agriculture, Forestry and Fisheries attached as **APPENDIX 7**, must be complied with;
- (6) That this Council reserves the right to impose further conditions if deemed necessary.

REVISED PLAN



STELLENBOSCH MUNICIPALITY

LAND USE MANAGEMENT

THIS SUBDIVISION HAS BEEN APPROVED IN TERMS OF SECTION 25 OF ORDINANCE 15 OF 1985, SUBJECT TO THE CONDITIONS AS PER ANNEXURE

[Signature] 2015-09-16

DIRECTOR, PLANNING & ENVIRONMENT DATE

Opgestel in Moet en O.K. 2014 deur my

N. Loubaor
Pr. Landmeter

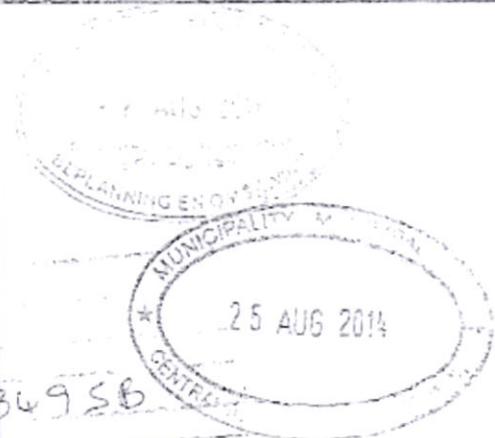
Plans 1023



ROAD NETWORK MANAGEMENT
Email: Grace.Swanepoel@westerncape.gov.za
Tel: +27 21 483 4669 Fax: +27 21 453 2166
Rm 335, 9 Dorp Street, Cape Town, 8001
PO Box 2403, Cape Town, 8000

REFERENCE: 13/3/5/1-25/170 (Job 18946)
ENQUIRIES: Ms GD Swanepoel
DATE: 13 August 2014

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599



F 1349 SB

338597

Attention: Ms H Deacon

Dear Madam

APPLICATION FOR THE SUBDIVISION OF ERF 284, RAITHBY AND CONSOLIDATION OF PORTION "A" OF ERF 284, RAITHBY WITH FARM 1349, DIVISION STELLENBOSCH: STELLENBOSCH MUNICIPAL AREA: MAIN ROAD 166 (±KM 2,90 TO ±KM 3,31)

1. The following correspondence refers:-
 - 1.1 The letter 254/201/284RAI dated 30 May 2014 from Urban Rural SA and
 - 1.2 An e-mail from Mr Boyes of this Branch dated 6 August 2014.
2. Please note that applications would be expedited should they be addressed to this Branch for attention Ms GD Swanepoel.
3. To date this Branch has not received the application via Stellenbosch Municipality as requested by Urban Rural SA.
4. Main Road 166 with a statutory width of 25 metres of which various widths have been taken up is affected between ±km 2,90 and ±km 3,31 by this application.
5. This application consists of the following:-
 - 5.1. The subdivision of Erf 284, Raithby into 2 portions, namely Portion "A" with an area of ±5ha leaving a remainder with an area of ±42ha;
 - 5.2. The consolidation of Portion "A" with Farm 1349, division Stellenbosch to form a total area of ±8,60ha and

- 5.3. The relocation of the existing Right of Way servitude road access east of the existing Erf 284 at km 3,14 to a new access position at \pm km 2,90 on Main Road 166.
6. The proposed new access position for the proposed relocated Right of Way servitude road at \pm km 2,90 on Main Road 166 has limited shoulder sight distances (\pm 190m & 150m) and is thus not suitable as an access from Main Road 166.
- 6.1. In terms of Roads Ordinance 19 of 1976 the proposed Right of Way access at \pm km 2,9 is not approved.
- 6.2. An acceptable new access position for the relocated Right of Way is at \pm km 2,99 which is at the apex of the curve in the road. Access to the remainder of Farm 284 may also be obtained at this position.
- 6.2. On request the approved on-site position for the relocated Right of Way access can be pointed out to the applicant's land surveyor.
7. In terms of Roads Ordinance 19 of 1976 no new accesses may be built or existing access layouts or access uses changed without the approval of this Branch
8. All accesses to the properties shall be provided and maintained in accordance with the stipulations and conditions of the District Roads Engineer, Paarl. The proposed new access to the relocated Right of Way shall be provided with a permanent surface.
9. This Branch in terms of Ordinance 15 of 1985 (Land Use Planning Ordinance), offers no objection to the application for the subdivision of Erf 284, Raithby into Portion "A" leaving a remainder and the consolidation of Portion "A" with Farm 1349, division Stellenbosch on condition that the existing Right of Way servitude road is relocated from the existing position at km 3,14 to a new approved position at \pm km 2,99 as will be pointed out on site by this Branch.
10. This Branch, in terms of Section 10 of Act 21 of 1940 (Ribbon Development Act), approves of the subdivision of Erf 284, Raithby into Portion "A" leaving a remainder and the consolidation of Portion "A" with Farm 1349, division Stellenbosch on condition that:-
- 10.1. The existing Right of Way servitude road is relocated from the existing position east of the existing Erf 284 at km 3,14 to a new approved position at \pm km 2,99 as will be pointed out on site by this Branch and
- 11.3. Stellenbosch Municipality must ensure that there are no landlocked properties adjacent to the subject properties and that any landlocked properties shall be provided with registered unfettered access roads.

Yours faithfully



ML WATTERS
For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT



agriculture,
forestry & fisheries

Department
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Private Bag X120, Pretoria, 0001
Dalpen Building, C/o Annie Botha & Union Street, Rivers, 0084

From: Directorate Land Use and Soil Management
Tel: 012-319-7834 Fax: 012-329-8935
Enquiries: Helpdesk Ref: 2014_06_0079

Urban Rural SA
P.O. Box 7257
STELLENBOSCH
7599

Attention: Alwi Theart

APPLICATION IN TERMS OF THE SUBDIVISION OF AGRICULTURAL LAND ACT 1970: ERF
284 RAITHY, DIVISION STELLENBOSCH, WESTERN CAPE PROVINCE

Your letter bearing reference LU/3474 dated 16 September 2014 refers.

With reference to the above-mentioned subject, the Department wishes to inform you that the application has been granted.

Consent No. 50246... issued in terms of section 4 of the Act, is enclosed in duplicate.

To facilitate registration the conveyancer must lodge the signed copy of the consent with the Registrar of Deeds together with the documents.

Kindly note that the properties concerned are subject to the provisions of the Conservation of Agricultural Resources Act 1983 (Act 43 of 1983).

It is trusted that you will find the decision in order.

Yours faithfully

MS M J GABRIEL
ACTING CHIEF DIRECTOR: NATURAL RESOURCES MANAGEMENT
DELEGATE OF THE MINISTER
DATE: 2015-03-25

CC: The Surveyor-General Private Bag X 9028 CAPE TOWN 8003
CC: Land Use and Soil Management P.O. Box 360 BELLVILLE 7535
CC: Mr Brandon Leyman Landuse Management Department of Agriculture Western Cape Private Bag x 1 ELSENBURG 7607
CC: Stellenbosch Municipality P.O. Box 17 STELLENBOSCH 7599



VERW/REF.

2014_06_0079

TOESTEMMING

KRAGTENS DIE WET OP DIE ONDERVERDELING
VAN LANDBOUGGROND, 1970

CONSENT

IN TERMS OF THE SUBDIVISION OF
AGRICULTURAL LAND ACT, 1970

50246

By virtue of the powers delegated to me by the Minister of Agriculture, Forestry and Fisheries consent is hereby granted in terms of section 4(2) of the Subdivision of Agricultural Land Act, 1970, for the subdivision of the agricultural land described in paragraph 1, into units indicated in paragraph 2, subject to the conditions set out in paragraph 3.

PARAGRAPH 1: THE AGRICULTURAL LAND TO WHICH THIS CONSENT APPLIES

ERF 284 RAITHBY, IN EXTENT 47, 1522 HECTARES, DIVISION STELLENBOSCH, WESTERN CAPE PROVINCE

PARAGRAPH 2: CONSENT GRANTED

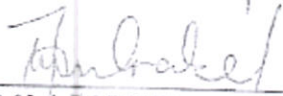
The subdivision of the above-mentioned agricultural land into two portions measuring approximately 0, 1219 hectares and 47, 03 hectares represented by the figures marked Ptn A and the Rem. as shown on the sketch plan which is attached to this consent

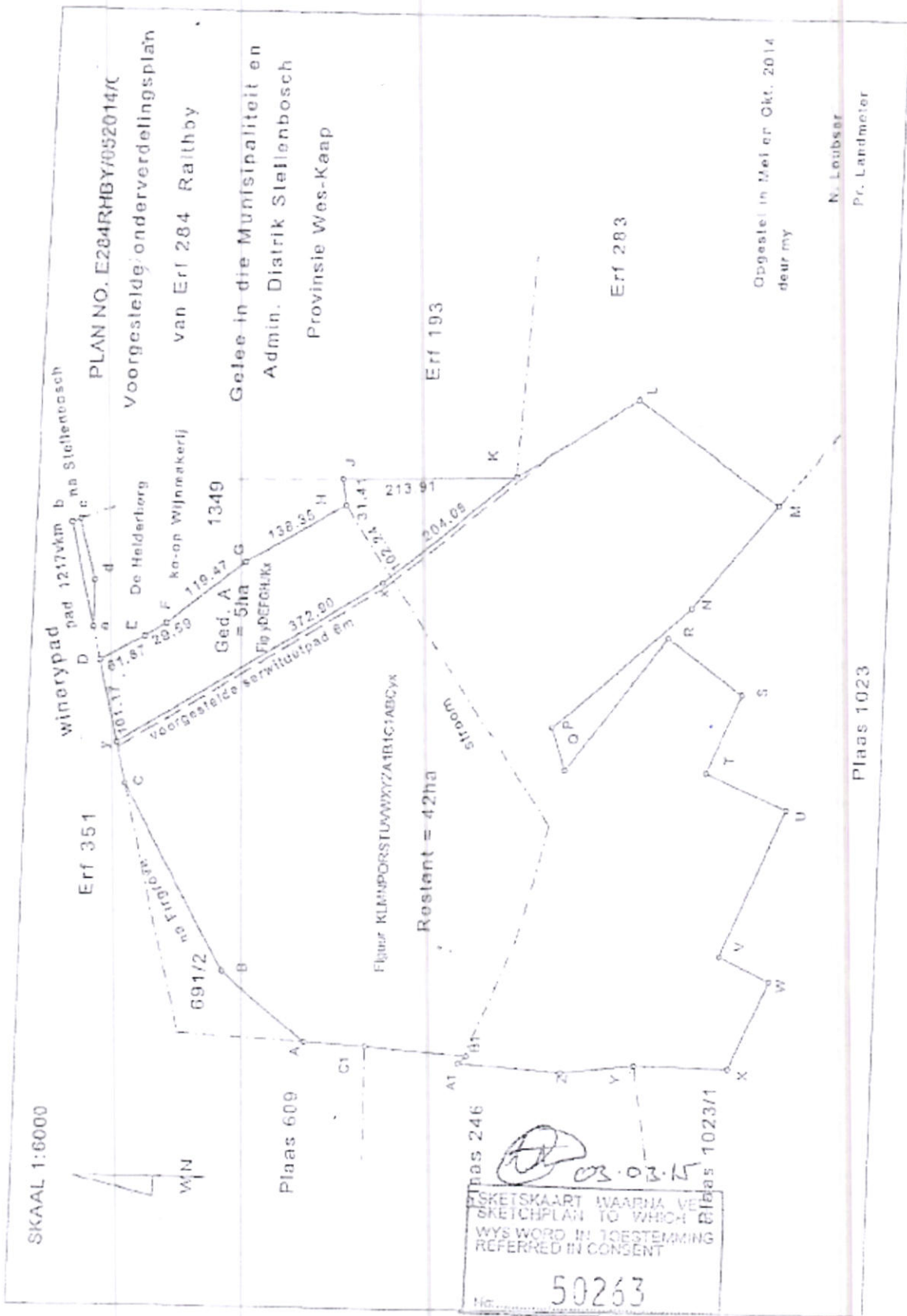
PARAGRAPH 3: CONDITIONS PERTAINING TO THIS CONSENT

- 3.1 Simultaneously with registration of transfer the portion measuring approximately 0, 1219 hectares (Ptn A) must be consolidated with the Farm no. 1349, measuring approximately 3, 6 hectares, Division Stellenbosch, Western Cape Province.
- 3.2 This consent does not imply that the above-mentioned subdivisions are assured of a permanent water supply.
- 3.3 This consent does not exempt the property from the provisions of any other law, with special reference to the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983) and does not purport to interfere with the rights of any person who may have an interest in the agricultural land.
- 3.4 This consent is valid for 5 years from date of this grant.

2015-08-25

DATE


MS M.J. GABRIEL
ACTING CHIEF DIRECTOR: NATURAL RESOURCES
MANAGEMENT
DELEGATE OF THE MINISTER



Opgestel in Mei er Okt. 2014 deur my

N. Leubser
Pr. Landmeter

Plaas 1023

03.03.15
 SKETSKAART WAARNA VERBODEN IS OM 'N' SKETCHPLAN TO WHICH REFERRED IN CONSENT
 No. 50263