

Virdus Works (Pty) Ltd (Reg. No. 2018/585747/07)

Development Management Consultants and

Environmental Assessment Practitioners

Managing Director: DUPRÉ LOMBAARD

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05 October 2023

To Whom it May Concern

Dear Sir / Madam Geagte Heer / Dame

NOTICE OF LAND DEVELOPMENT APPLICATION IN THE STELLENBOSCH MUNICIPAL AREA

Locality: Val de Vine, R44, Stellenbosch

Applicant: Dupré Lombaard, Virdus Works (Pty) Ltd, 3rd Floor, Time Square, Elektron Street, Techno Park, Stellenbosch, 7600, Mobile: +27 82 895 6362 // Email: dupre.lombaard@virdus.com.

Owner: Benedetto Trust Reg. No. 1586/2012, Represented by Ms Valerie Mentz, Address: PO Box 2937, Durbanville, 7551, E-mail: val@datadesign.co.za, Mobile: +27 83 281 0501

Stellenbosch Municipality reference number: LU 14500 (TP61/2022)

Application type: Application is made in terms of Section 15 of the Stellenbosch Municipal Land Use Planning By-law, 2015 for:

- 1) Section 15(2)(o) for Consent Use on Farm 528/5, Stellenbosch Division for the following:
 - a) For tourist facilities in order to facilitate the following:
 - i. New function venue (68-seater Chapel - 325 m²);
 - ii. Outdoor garden venue with gazebo (314 m²) for 110 guests;
 - iii. Convert the existing second dwelling (96 m²) into farm stall / shop;
 - iv. Wellness centre / spa for guests (583 m²); and
 - v. Restaurant (90 m²) (30 guests).
 - b) For Tourist Accommodation Establishment for the following:
 - i. Twelve (12) bedrooms with capacity for 24 guests in converted main dwelling;
 - ii. Three (3) bedrooms in converted manager's / additional dwelling for six guests; and
 - iii. Three (3) bedrooms added to the farm stall with a capacity for six guests.
 - c) For Occasional Uses to allow for more than one event per year for Live music, art and exhibitions and outdoor functions;
- 2) Application is made in terms of Section 15(2)(b) for a Permanent Departure for the following:
 - a) To construct a 2,1m high brick pier palisade fence on the eastern boundary of the property (adjacent to R44) on Farm 528/5, Stellenbosch Division; and
 - b) To relax the building line from 5m to 0m in order to accommodate the new wellness centre / spa in the reconstructed reservoir.
- 3) Permission required in terms of restrictive title deed condition clause D(1) - (4) on page 2 of Title Deed No T18186/2016, in order to facilitate the proposed uses and buildings on Farm 528/5, Stellenbosch Division.

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:
 - Indicate the facts and circumstances that explain the comments;
 - Where relevant demonstrate the undesirable effect that the application will have if approved;
 - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
 - Enable the applicant to respond to the comments.

The **comments must be addressed to the applicant by electronic mail** as follows: Dupré Lombaard, Viridus Works, dupre.lombaard@viridus.com. The comments must be submitted within 30 days from the date of this notice to be received on or before the **closing date of 06 November 2023**.

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 +27 82 895 6362 by way of WhatsApp only during normal office hours.

KENNISGEWING VAN ONTWIKKELINGSAANSOEK IN DIE STELLENBOSCH MUNISIPALE AREA

Ligging: Val de Vine, R44, Stellenbosch

Aansoeker: Dupré Lombaard, Viridus Works (Pty) Ltd, 3rd Vloer, Time Square, Elektron Straat, Techno Park, Stellenbosch, 7600, Sel: +27 82 895 6362 // Epos: dupre.lombaard@viridus.com.

Eienaar: Benedetto Trust Reg. No. 1586/2012, Verteenwoordig deur Me Valerie Mentz, Adres: Posbus 2937, Durbanville, 7551, Epos: val@datadesign.co.za, Sel: +27 83 281 0501

Stellenbosch Munisipaliteit Verwysing: LU 14500 (TP61/2022)

Tipe aansoek: Aansoek ingevolge Artikel 15 van die Stellenbosch Munisipaliteit Verordening op Grondgebruikbeplanning, 2015 vir:

- 1) Artikel 15(2)(o) vir Vergunningsgebruik op Plaas 528/5, Stellenbosch Afdeling vir die volgende:
 - a) Vir toeristefasiliteite ten einde die volgende te fasiliteer:
 - i. Nuwe funksielokaal (68-sitplek Kapel) (325 m²)
 - ii. Tuin vir buitelig geleentheid met gazebo (314 m²)(110 gaste);
 - ii. Omskepping van die bestaande tweede woning in 'n plaasstal / -winkel (96 m²);
 - iii. Gesondheidsentrum / spa vir gaste (583 m²); en
 - iv. Restaurant (90 m²)(30 gaste).
 - b) Vir Toeriste Akkommodasie Fasiliteit vir die volgende:
 - i. Twaalf (12) slaapkamers met kapasiteit vir 24 gaste in die hoof huis;

- ii. Drie (3) slaapkamers in die bestuurder / addisionele woning met 'n kapasiteit vir ses gaste; en
 - iii. Drie slaapkamers gevoeg tot die plaasstal met kapasiteit vir ses gaste.
 - c) Vir Geleentheidsgebruik om toe te laat dat meer as een geleentheid met lewendige musiek, uitstallings, kuns, en buitelig funksies gehou word;
- 2) Artikel 15(2)(b) vir 'n Permanente Afwyking om:
 - a) 'n 2,1m hoë palissade heining met baksteen pilare op die oostelike grens van die eiendom teen die R44 op te rig; en
 - b) Die boulyn op die oostelike grens te verslap van 5,0m na 0,0m om die nuwe gesondheidsentrum / spa te akkommodeer in die ou plaasdam wat herbou word.
- 3) Toestemming soos vereis ingevolge die beperkende titelvoorwaardes klousule D(1) - (4) op bladsy 2 van die Titelakte Nr T18186/2016, ten einde die voormelde gebruike en geboue te fasiliteer op Plaas 528/5, Stellenbosch Afdeling.

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 tydsduur 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 ingevolge Artikel 50 van die tersaaklike Verordening wat die volgende vereistes en besonderhede moet bevat:


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

Die kommentaar moet by wyse van elektroniese pos aan die aansoeker gestuur word as volg: Dupré Lombaard, Viridus Works, dupre.lombaard@viridus.com. 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 **06 November 2023**.

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 +27 82 895 6362 by wyse van WhatsApp alleen gedurende normale kantoor ure.

Your support of the application will be appreciated. // U ondersteuning van die aansoek sal waardeer word.

Yours faithfully

Dupré Lombaard

Virdus Works (Pty) Ltd (Reg. No. 2018/585747/07)

Development Management Consultants and

Environmental Assessment Practitioners

Managing Director: DUPRÉ LOMBAARD

3rd Floor, Time Square, Elektron Street, Techno Park, Stellenbosch.

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30 September 2023

The Director: Planning and Development

Stellenbosch Municipality

PO Box 17

Stellenbosch

7599

Per: Landuse.Enquiries@stellenbosch.gov.za

Dear Sir

AMENDMENT AND RESUBMISSION OF LAND DEVELOPMENT APPLICATION: PORTION 5 OF FARM NO. 528 STELLENBOSCH RD (LU14500 TP61/2022)

Following the site visit of the case officer on 17 August 2023 and her feedback email on 23 August 2023, the applicant agreed to address the issues raised. This is done primarily by amendment of the site development plan, the motivation report reflecting the land use proposals, the application form, and the traffic statement. A copy of the amended application is submitted herewith.

The Municipality does not have any record of approved building plan for any of the buildings on the farm, other than the main dwelling. This plan shows employee housing and additional dwelling units and a farm stall on the farm, but none of these have plan which could be provided as requested in the email.

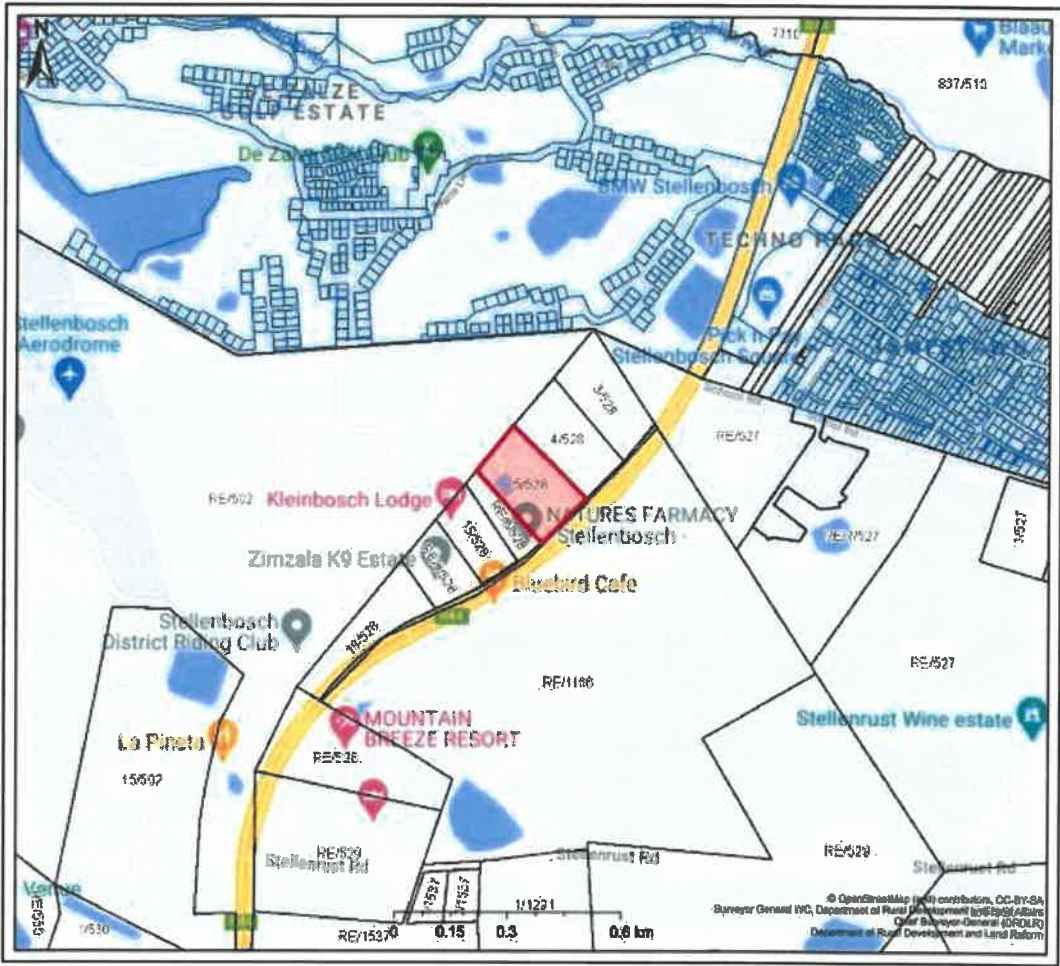
New building plans, showing the as-built situation of all the buildings will be submitted to the Municipality for record purposes. Sketch plans of all the buildings are include in the site development plan.

Yours faithfully

A handwritten signature in black ink, appearing to read "Dupré Lombaard".

DUPRÉ LOMBAARD

**UPDATED AND AMENDED LAND DEVELOPMENT APPLICATION
FOR:
CONSENT USE AND DEPARTURES ON
PORTION 5 OF FARM NO. 528, STELLENBOSCH RD**



August 2022

Report V3 following public participation - March 2023

Report V4 following planning feedback - September 2023

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EXECUTIVE SUMMARY

AMENDED MOTIVATION IN SUPPORT OF LAND DEVELOPMENT APPLICATION FOR: PORTION 5 OF FARM NO. 528, STELLENBOSCH RD	
SG Code: C067000000052800005 / Location: Lat: 33° 58' 56.597" S Lon: 18° 50' 06.201" E	
<p>Owner:</p> <p>Benedetto Trust Reg. No. 1586/2012</p> <p>Represented by: Ms Valerie Mentz</p> <p>Cellular: +27 83 281 0501 E-mail: valmentz@icloud.com Address: PO Box 2937, Durbanville, 7551</p>	<p>Project Consultant:</p> <p>Virdus Works (Pty) Ltd Reg. No. 2018/585747/07</p> <p>Represented by: Mr Dupré Lombaard SACPLAN: B/8076/1998 // EAPASA: 2019/304</p> <p>Cellular: +27 82 895 6362 E-mail: dupre.lombaard@virdus.com Address: 3rd Floor, Time Square, Elektron Street, Techno Park, Stellenbosch, 7600</p>

This is a further amended and updated report following a site visit by the responsible planner and in response to the input received. It is submitted together with an updated traffic statement and site development plan.

The amendments herein address the following:

- Removal of the application for an additional use for technical approval of an agricultural industry (distillery) of 583m² and replacement thereof with a wellness centre / spa;
- The re-introduction of the wedding venue (previously shown as a chapel);
- Change of proposed use from a guest house to a tourist accommodation establishment; and
- Submission of version 9 of the site development plan.

The amendments are made in terms of Section 52 of the Stellenbosch Municipality Land Use Planning Bylaw, 2015. The application is for:

- Approval of consent uses in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning Bylaw, 2015 (a consent use contemplated in the zoning scheme), read with Section 208, 209 and 213 of the Stellenbosch Municipality Zoning Scheme Bylaw, 2019 (ZSB) for the use of existing structures and buildings exceeding 250m² on the property as a tourist accommodation establishment, and as tourist facilities which include conversion of the old reservoir to a wellness centre / spa, a restaurant, use of the identified outdoor garden area for serving meals and events, with inclusive occasional use of the garden area and facilities on the farm; and
- Approval for a permanent departure in terms of Section 15(2)(b) of the Bylaw to gain approval for the existing reservoir abutting the R44 boundary and within the 5m building line to be converted to a wellness centre / spa, thus exceeding the building line, and for a brick pier palisade fence of 2,1m height on the R44 boundary for which the permanent departure is sought.

In accordance with the amended Site Development Plan, the following is determined as the capacity of the tourist facilities and guest accommodation (tourist accommodation establishment) on the

farm. The calculation allows for 264 guests to be accommodated on the farm, of which 36 in the guest accommodation and 228 in the tourist facilities. The GLA calculations are inserted below.

- Tourist accommodation establishment (36 guests):
 - 12 bedrooms with a capacity of 24 guests in the converted main dwelling;
 - Three bedrooms in the converted manager's / additional dwelling with a capacity of six guests; and
 - Three bedrooms added to the farm stall with a capacity of six guests.
- Farm stall (20 guests):
 - 96m² GLA with 0,4 as factor for determination of the usable for seating space, thus 38,4m² of seating area allowing for 1,9m² / guest. Thus 20 guests could be accommodated in the farm stall; and
 - The three bedrooms as indicated above.
- Garden venue: A gazebo used as serving point for a 314m² area with 0,6 as factor for determination of the usable seating space, thus 188,4m² of seating allowing 1,7m² / guest and thus 110 guests.
- Wellness centre / spa: A spa for resident guests and visitors that is not open to the public.
- Restaurant: A restaurant with 90m² GLA with 0,6 as factor for determination of the usable space for seating, thus 54m² of seating area allowing for 1,9m² / guest. Thus 30 guests could be accommodated in the restaurant.
- Wedding venue: 325m² GLA with 0,4 as factor for determination of the usable space for seating, thus 130m² of seating area allowing for 1,9m² / guest. Thus 68 guests could be accommodated in the venue.

AREAS :	
3 BEDROOM GUEST ACCOMMODATION	105m ²
BAR	34m ²
RESTAURANT	90m ²
RESTAURANT COV. PATIO	115m ²
TOILETS	40m ²
12 BEDROOM GUEST HOUSE & 3 BEDROOM STAFF ACCOM.	1016m ²
VIEW DECK	50m ²
TERRACE	52m ²
WEDDING VENUE	325m ²
3 BEDROOM GUEST & FARM STALL	126m ²
BOMA	50m ²
AGRICULTURAL SHED	826m ²
COV. STOEP	191m ²
STORE & LABOURER'S RM	260m ²
CARPORT	30m ²
2 BEDROOM STAFF COTTAGES	187m ²
2 BEDROOM MANAGERS COTTAGES	148m ²
STORAGE CONTAINERS	216m ²
STORAGE	54m ²
SPA	428m ²
TOTAL	4343m²

A permanent departure is further sought in terms of Section 15(2)(b) for a departure from the building line on the eastern side of the property and the conversion of the reservoir built up to 1,0m from the R44 side boundary, to use it as a wellness centre / spa as a service to resident guests and visitors.

The property has an Agricultural and Rural Zone, and is 4,2827ha in extent. It was previously cultivated and used for vineyards and the keeping of horses. The use was obviously not feasible, and it was replaced with pomegranate, avocado, guava, and olive trees for on-site production of delicatessen, together with lavender plants. It has sufficient water resources (2,5ha A allocation) to support the agricultural use and the proposed consent use. The farm improvements include a main dwelling, second dwelling, manager's house, two labourers' cottages, and outbuildings for storage, garaging, and stables. The farm has a borehole and a dam that supplies it with additional irrigation and household water. Waste water is contained in conservancy tanks. The owner wishes to better use the property through diversification of the use to generate revenue that could contribute to the maintenance of the agricultural activities. The agricultural potential of the farm alone is not sufficient to financially sustain it.

Access to the farm is directly off the R44, roughly at KM 28,5 on Main Road 0027. Its access is shared with abutting properties.

The title deed (T18186/2016) contains restrictions in terms of the Advertising on Roads and Ribbon Development Act, 1940, Act 21 of 1940, preventing the proposed land developments unless by prior consent of the controlling authority, suspension of the restrictive conditions, or removal thereof in terms of Section 15(2)(f) of the Land Use Planning Bylaw.

MOTIVATION REPORT

1. BACKGROUND

1.1 Introduction

The application is for consideration of a tourist accommodation establishment, and a tourist facility that includes the identified outdoor area, with inclusive occasional use of the farm and facilities on the farm, Portion 5 of the Farm No. 528, Stellenbosch. The application is amended in terms of Section 52 of the Stellenbosch Municipality Land Use Planning Bylaw, 2015, following a public participation process and subsequent visit by the case officer, who asked for additional information and updating of the site development plan to show the existing uses on the property, inclusive of the uses commenced without prior approval, e.g., the restaurant and guest accommodation.

The amended application is for:

- Approval of consent uses in terms of Section 15(2)(o) of the Land Use Planning Bylaw for a consent use contemplated in the zoning scheme, read with Section 208, 209 and 213 of the Stellenbosch Municipality Zoning Scheme Bylaw, 2019 (ZSB) for the use of existing structures and buildings exceeding 250m² on the property as a tourist accommodation establishment, and as tourist facilities which include conversion of the old reservoir to a wellness centre / spa, a restaurant, use of the identified outdoor garden area for serving meals and events, with inclusive occasional use of the garden area and facilities on the farm; and
- Approval for a permanent departure in terms of Section 15(2)(b) of the Bylaw to gain approval for the existing reservoir abutting the R44 boundary and within the 5m building line to be converted to a wellness centre / spa, thus exceeding the building line, as well as for a brick pier palisade fence of 2,1m height on the R44 boundary for which the permanent departure is sought.

The farm is located on the R44 to Somerset West (Main Road 0027), approximately at KM28,5. The 4,2827ha property is relatively flat, with a gentle westwards slope towards the abutting Stellenbosch Airport and contains a farm dam used as a reservoir for irrigation and an attraction.

The Farm, previously known as Drie Lande, now Val De Vine, was cultivated primarily for wine production with a small vineyard (0,8ha) managed and used by adjacent farmers. The vineyard has been removed and replaced with more appropriate planting for the farm and the proposed uses. Irrigation water to the Farm is supplied by the Wynland Water Users' Association, delivering irrigation water for 2,5ha through the Theewaterskloof piped scheme. It also contains a borehole delivering water for household use. It is well endowed with buildings and infrastructure, including a main dwelling, second dwelling, manager's house, two cottages, and outbuildings for storage, garaging and outbuildings. The location of the farm creates an opportunity for diversification by offering a venue for functions and events as well as tourist accommodation, in keeping with surrounding land uses.

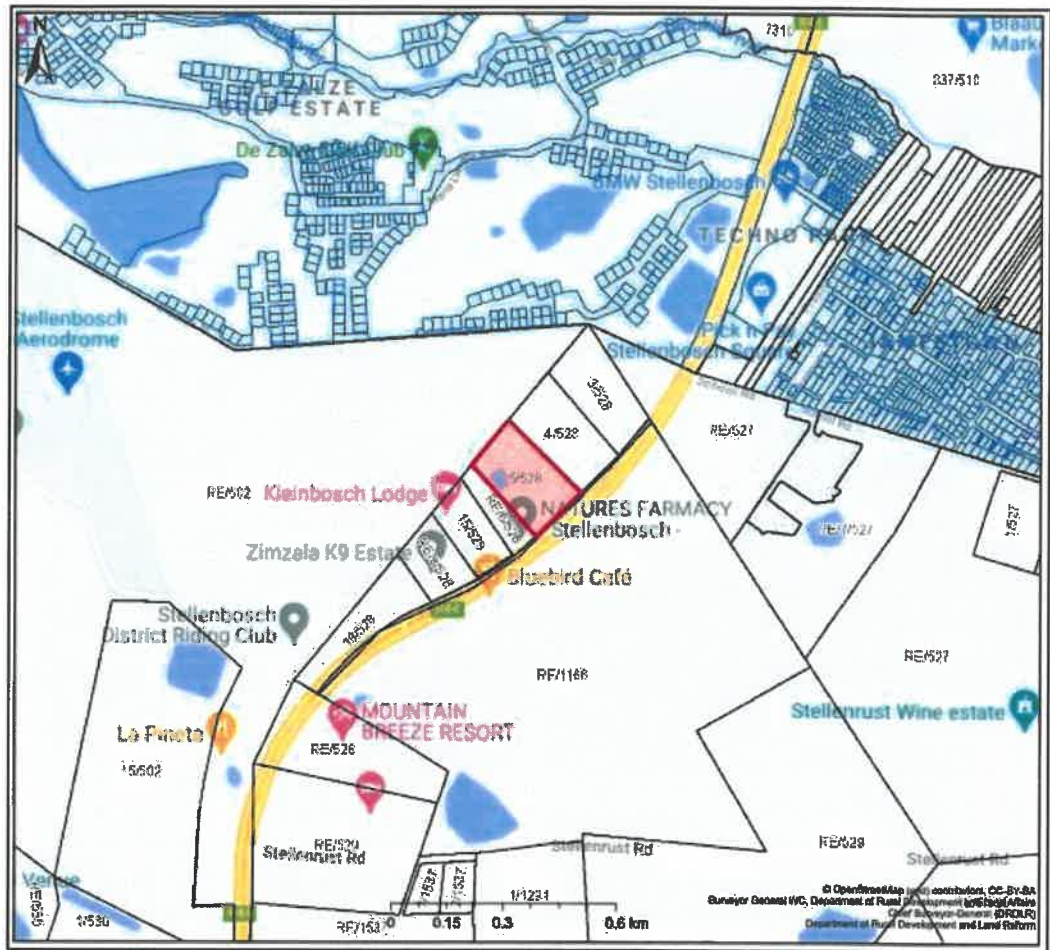


Figure 1: Portion 5 of Farm No. 528, Stellenbosch locality

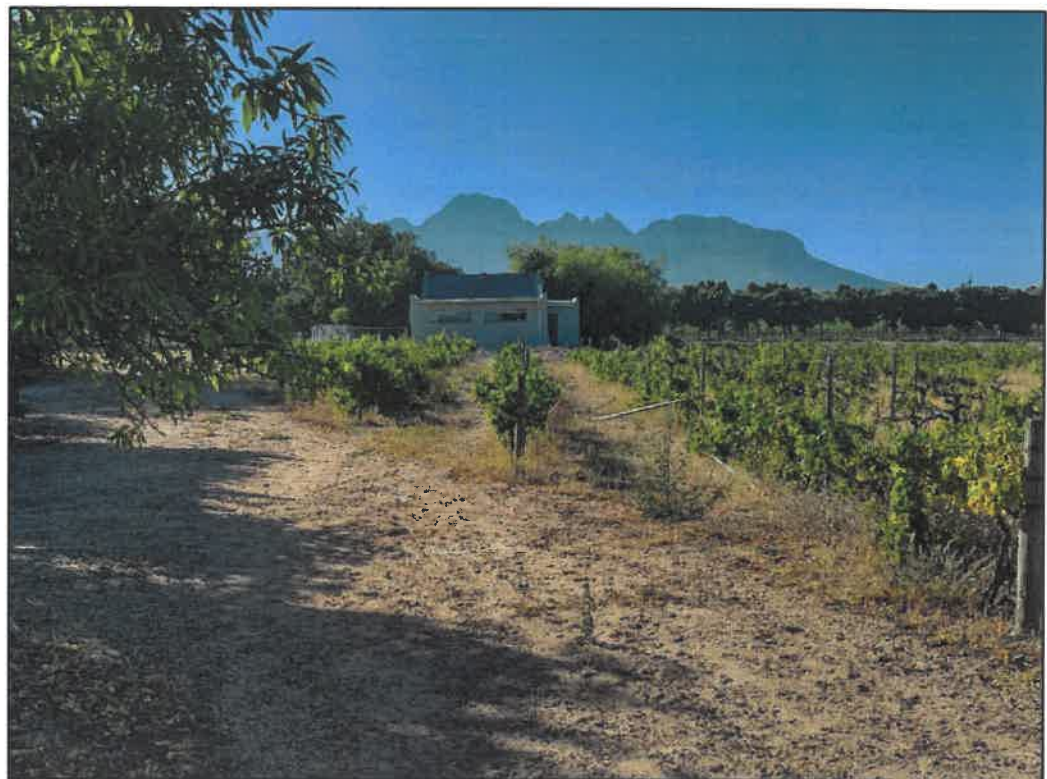


Figure 2: Agricultural use of Ptn 5 of Farm 528 (December 2021)



Figure 3: Employee housing and outbuilding on Ptn 5 of Farm 528

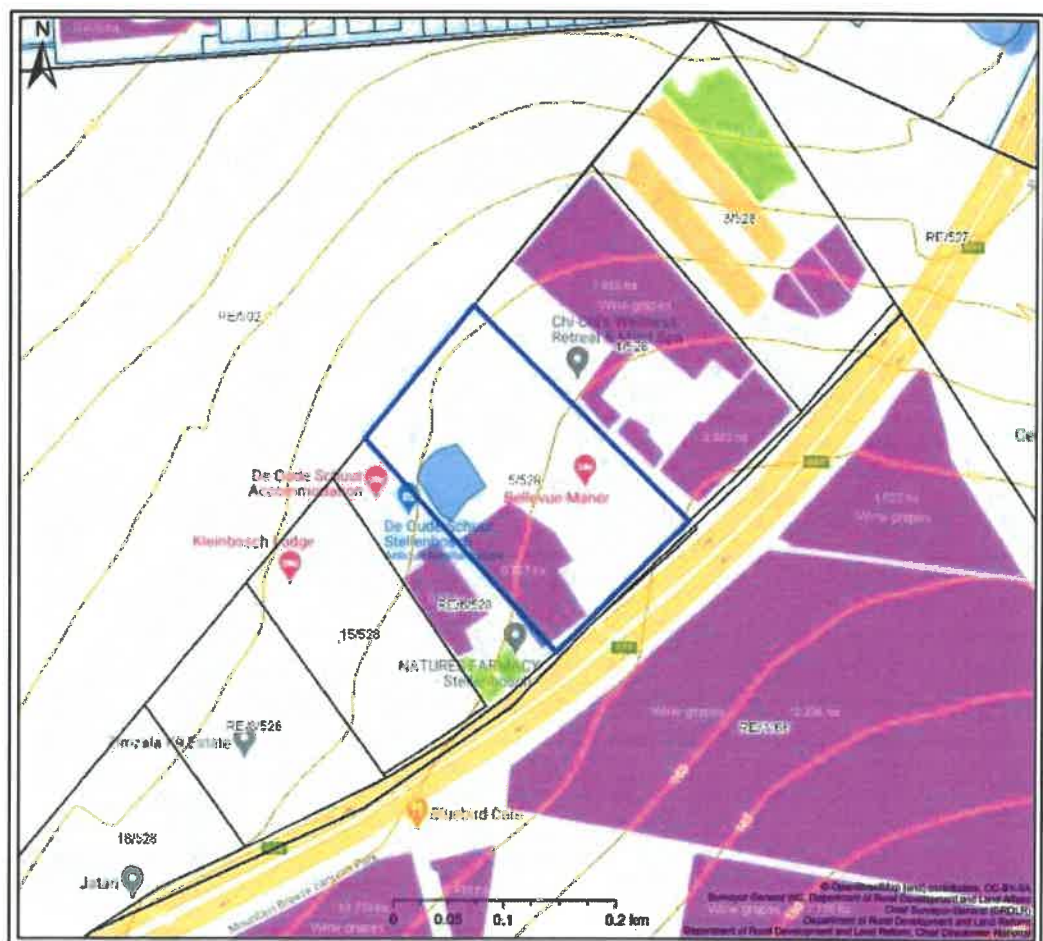


Figure 4: Agricultural use of Ptn 5 of Farm 528

The agricultural potential of the 8 000m² vineyard on the Farm was not sufficient to financially sustain it. Although the Farm has sufficient water resources to expand the vineyard, the costs of establishing a new vineyard with desirable cultivars and the time to productivity are prohibitive under current market conditions. Together with limited extent, wine production or any other activity is not commercially viable. In view thereof the owners first need to diversify the use and generate additional revenue, before expanding the agricultural capacity of the farm through replacement

of the existing vineyard, during which period it would generate no agricultural revenue.



Figure 5: Horse paddock, manager's dwelling, and main dwelling on Ptn 5 of Farm 528 (December 2021)

The owner has in the time since making the application undertaken improvements to the agricultural use by planting of:

- 186 olive trees for on-site bottling and use in the catering;
- 10 pomegranate trees for on-site sale in the farmstall;
- 10 avocado trees for on-site sale in the farmstall and use in the catering;
- 30 guava trees for on-site sale in the farmstall and use in the catering;
- 600 lavender plants for lavender oil production and use in the distillery;
- Over 100 large trees for greening of the area.
- Preparations are in process for the addition of 1 hectare of new vines as soon as the shed is erected.

Building development on the Farm is subject to prior approval by the competent authority in terms of the Advertising on Roads and Ribbon Development Act, 1941.

1.2 Context

The Farm is not a viable agricultural unit or capable of sustaining a feasible agricultural revenue stream, mainly as a result of the limited size and age of the existing vineyard and the need to rejuvenate it by planting of a more desirable cultivar and expanding the product range as detailed in paragraph 1.1 above. The Farm has sufficient water resources to allow for expansion and rejuvenation of the vineyard, but the cost thereof and lead time to generating income are prohibitive. Moreover, there is no agricultural building on the farm capable of supporting the

increased agricultural production of the farm. It is first necessary to establish the farming infrastructure before the production capacity of the farm can be increased.

The owner thus has to diversify its use and generate revenue from an alternative resource, prior to incurring the expense and expanding the agricultural potential, for which purpose the improvements as detailed in paragraph 1.1 have been made and by the addition of tourist facilities to add to the revenue stream.

As the farm is located along a major tourist route and in an area that contains numerous attractions and tourist facilities, it creates an opportunity to expand the product offering of the farm and to generate additional revenue. The immediate neighbours offer a variety of tourist related services and activities, e.g., a hemp and cannabis products shop, restaurants, antique shop, conference facilities, tourist accommodation and a spa and no bona fide commercially viable agricultural activities.



Figure 6: Val De Vine Ptn 5 Farm 528 location image

The Farm has sufficient existing buildings and space to allow for the creation of the proposed tourist accommodation establishment and tourist facilities without negatively affecting its limited production capacity and potential. Use of the old equestrian ring and horse paddock for irrigated orchards has improved the agricultural potential of the farm, but production is not foreseen before 2028.



Figure 7: R44 entrance to Val De Vine looking south

The development of tourist accommodation establishments and tourist facilities in the Stellenbosch municipal area are promoted in the Integrated Development Plan (IDP) and related policies. The Farm has a high tourism attraction potential, and it is located in an area where tourism is a major economic contributor.

1.3 Proposal

The proposal is to convert the existing second dwelling into a farm stall with an area of 96m², the manager's dwelling into the owner's house and the main dwelling into a tourist accommodation establishment with 12 bedrooms. The two employee housing units will be upgraded and used for staff accommodation.

A picnic and outdoor venue area is proposed to be established in the front garden with an area of roughly 314m². It will be served from the kitchen and facilities in the converted main dwelling (new tourist accommodation establishment).



Figure 8: Proposed outdoor venue and chapel area on Ptn 5 of Farm 528 (December 2021)

In accordance with the amended Site Development Plan, the following is determined as the capacity of the tourist facilities and guest accommodation (tourist accommodation establishment) on the farm:

- Tourist accommodation establishment (36 guests):
 - 12 bedrooms with a capacity of 24 guests in the converted main dwelling;
 - Three bedrooms in the converted manager's / additional dwelling with a capacity of six guests; and
 - Three bedrooms added to the farm stall with a capacity of six guests.
- Farm stall (20 guests):

- 96m² GLA with 0,4 as factor for determination of the usable for seating space, thus 38,4m² of seating area allowing for 1,9m² / guest. Thus 20 guests could be accommodated in the farm stall; and
- The three bedrooms as indicated above.
- Garden venue: A gazebo used as serving point for a 314m² area with 0,6 as factor for determination of the usable seating space, thus 188,4m² of seating allowing 1,7m² / guest and thus 110 guests.
- Wellness centre / spa: A spa for resident guests and visitors that is not open to the public.
- Restaurant: A restaurant with 90m² GLA with 0,6 as factor for determination of the usable space for seating, thus 54m² of seating area allowing for 1,9m² / guest. Thus 30 guests could be accommodated in the restaurant.
- Wedding venue: 325m² GLA with 0,4 as factor for determination of the usable space for seating, thus 130m² of seating area allowing for 1,9m² / guest. Thus 68 guests could be accommodated in the venue.

The calculation allows for 264 guests to be accommodated on the farm, of which 36 in the guest accommodation and 228 in the tourist facilities. The GLA calculations are inserted below.

AREAS :	
3 BEDROOM GUEST ACCOMMODATION	105m ²
BAR	34m ²
RESTAURANT	90m ²
RESTAURANT COV. PATIO	115m ²
TOILETS	40m ²
12 BEDROOM GUEST HOUSE & 3 BEDROOM STAFF ACCOM.	1016m ²
VIEW DECK	50m ²
TERRACE	52m ²
WEDDING VENUE	325m ²
3 BEDROOM GUEST & FARM STALL	126m ²
BOMA	50m ²
AGRICULTURAL SHED	826m ²
COV. STOEP	191m ²
STORE & LABOURER'S RM	260m ²
CARPORT	30m ²
2 BEDROOM STAFF COTTAGES	187m ²
2 BEDROOM MANAGERS COTTAGES	148m ²
STORAGE CONTAINERS	216m ²
STORAGE	54m ²
SPA	428m ²
TOTAL	4343m²

The tourist facilities (farm stall and outdoor garden area) will thus exceed the 250m² coverage limit for tourist facilities as determined in the Zoning Scheme Bylaw.

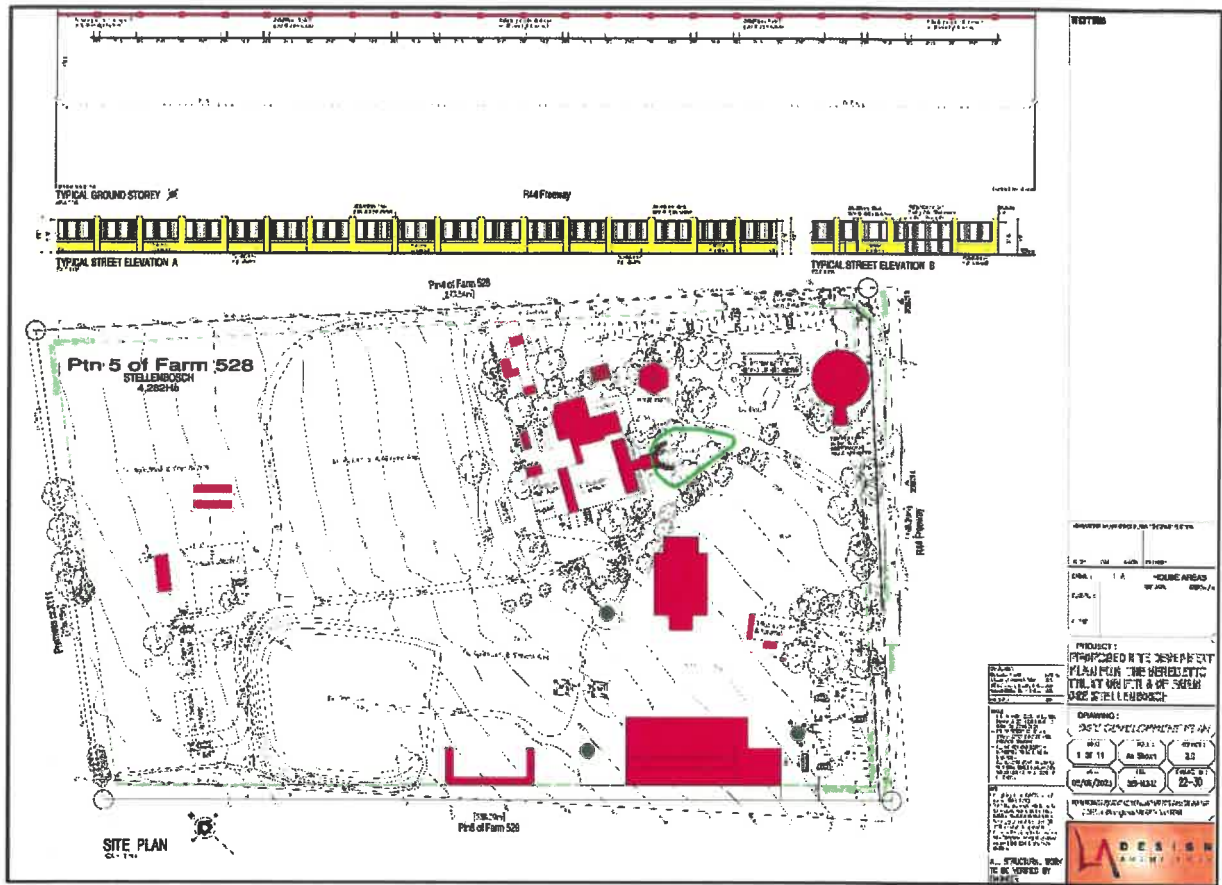


Figure 9: Updated site development plan for Ptn 5 of Farm 528

The proposed tourist facilities and tourist accommodation establishment would employ 18 permanent staff and additional staff will be employed for events, depending in the size thereof.

The main entrance and the existing driveway are sufficient to accommodate the expected traffic and the equestrian area is sufficient to accommodate the parking needs, with 78 bays formally provided on site and large areas between the trees for parking, without negative effect on the orchards.

A new boundary fence, to be constructed as a palisade fence with brick piers and a height of 2,1m is proposed on the front boundary, on the western side of the servitude access road that serves the abutting properties (Belle Vue Manor and Chi Chi's Spa). The existing reservoir built up to 1,0m of the eastern boundary of the farm, along the R44 side, will be converted to a spa, as it is no longer required for irrigation purposes. The owner renovated the farm dam, and it now serves as the irrigation reservoir for the farm.



Figure 10: Main tourist accommodation establishment outdoor entertainment area (December 2021)

2. LAND DEVELOPMENT APPLICATION AND AUTHORISATION

2.1 Proposed use

The primary use of the Farm will remain agriculture, for the orchards as detailed in paragraph 1.1 above (roughly 1,8ha). The farm dam (roughly 0,5ha) will also be retained as an irrigation reservoir and added attraction for the envisaged tourist uses (picnics), together with the employee housing units and the new shed (agricultural building).

For diversification of the activities, the owner aims to establish the aforementioned tourist accommodation establishment and tourist facilities. By doing so the owners uses the farm primarily for an agricultural purpose and it creates an attraction that does not detract from the character of the general area, makes better use of the agricultural resources, while contributing to the general attraction of the R44 as a tourist corridor.

The redevelopment of the farm for tourist accommodation establishment and tourist facilities will include the following uses as defined in the Stellenbosch Municipality Zoning Scheme Bylaw, 2019 (ZSB):

- Farm stall / shop (delicatessen) of 96m² replacing the additional dwelling;
- Picnic facility (periodic outdoor use area licensed to serve food and alcohol), in the front garden area of 314m² in extent;
- Restaurant connected to the converted main dwelling and sharing the same kitchen, with a floor area of 90m²;
- Provision for guests to walk around on the farm and around the dam; and

- 18 bedroom tourist accommodation establishment in the converted main dwelling, rooms attached to the farm stall and the erstwhile manager's dwelling.

2.2 Application

The following applications are made in terms of Section 15 of the Stellenbosch Municipality Land Use Planning Bylaw, 2015 (LUPB) and the Stellenbosch Municipality Zoning Scheme Bylaw, 2019 (ZSB), for the property that is zoned Agriculture and Rural Zone and to which no previous approvals are applicable.

- 2.2.1 Application in terms of Section 15(2)(o) for consent use as contemplated in the zoning scheme to permit tourist facilities (farm stall, outdoor garden venue, and the occasional use of the front garden and farm area around the dam) and an 18 bedroom tourist accommodation establishment.
- 2.2.2 Application in terms of Section 15(2)(f) for the suspension of the restrictive conditions, or removal thereof, if the consent of the controlling authority in terms of Act 21 of 1940 is not appropriate.
- 2.2.3 Application in terms of Section 15(2)(b) for the construction of a 2,1m high brick pier palisade boundary fence along the eastern boundary of the property.
- 2.2.4 Application in terms of Section 15(2)(b) for the reconstruction of the reservoir and its conversion within 1,0m of the eastern boundary of the property thus encroaching the 5m building line.

2.3 Zoning scheme requirements

The tourist facilities will be open seven days a week:

- Monday to Thursday from 10:00 to 18:00; and
- Friday to Sunday from 09:00 to 22:00.

The proposed development of the consent uses must be considered in terms of Sections 208, 209 and 213 of the Stellenbosch Municipality Zoning Scheme Bylaw, 2019, read with the relevant considerations as set out in the Stellenbosch Municipality Land Use Planning Bylaw, 2015. Said ZSB determines that "*When approving new consent uses the Municipality shall have regard for the objectives of the zone namely the preservation of agricultural land and the continued use of farm land for agriculture. The scale of the individual buildings used for consent uses shall remain in keeping with the character of buildings on the land unit, the character of the area and non-agricultural land uses may not dominate the farm activities or buildings form.*

These consent uses may only be undertaken from a land unit where the primary use of the land unit is bona fide agriculture/and or natural environment and where the proposed activity is subservient to these two primary land use activities on the land unit."

Given that the applied consent uses are subservient to the primary agricultural use of the property, and that it would be possible to manage the farm and the facilities sustainably as an economic unit, there are rational grounds for favourable consideration of the application.

Moreover, all the abutting and adjacent farms have similar scaled tourist accommodation establishments, spa's / wellness centres, shops, and restaurants, e.g., Mountain Breeze opposite the road, Bellevue Manor Guesthouse and Wellness Retreat abutting to the north, Chi-Chi's MindSpa adjacent to the north, using the same entrance off the R44, Nature's Pharmacy and De Oude Schuur Antique Furniture store abutting to the south and Kleinbosch Lodge and Zimzala Kennels and dog parlour adjacent to the south are some examples.

2.4 Title deed restrictions

The title deed (T18186/2016) contains restrictions imposed on the subdivision of the property in 1954 in terms of the Advertising on Roads and Ribbon Development Act, 1940, Act 21 of 1940, preventing the proposed land developments unless by prior consent of the controlling authority, suspension of the restrictive conditions, or removal thereof in terms of Section 15(2)(f) of the Land Use Planning Bylaw.

This application therefore allows for the controlling authority to grant its prior consent for the proposed uses, alternatively for the removal or suspension of the following title conditions:

D. SUBJECT FURTHER to the conditions of subdivision imposed in Deed of Transfer no T17448/1982 by the controlling authority by virtue of Section 11 of Act 21 of 1940 upon approval of the subdivision of Portion 2 of the Farm 528, Stellenbosch, namely: "1. Die grond mag nie onderverdeel word nie, tensy die skriftelike goedkeuring van die beherende gesag soos omskryf in Wet nr 21 van 1940, soos gewysig, eers verkry is.

2. Die grond mag alleen gebruik word vir residensiële- of landbou-doeleindes en geen ander doel sonder die skriftelike toestemming van die beherende gesag soos omskryf in Wet nr 21 van 1940 nie.

3. Geen gebou of struktuur hoegenaamd mag opgerig word sonder die skriftelike toestemming van die beherende gesag soos omskryf in Wet nr 21 van 1940 nie.

4. Geen gebou of struktuur van enige aard mag opgerig word binne 'n afstand van 94,46 meter vanaf die middellyn van die Somerset-Wes-Stellenbosch Grootpad wat in 'n noord-oostelike rigting langs die grens van die eiendom loop sonder die toestemming van die beherende gesag soos omskryf in Wet nr 21 van 1940 nie."

It will be necessary to gain approval for the non-residential use of the property for tourist facilities in view of the restriction contained in condition D.2, above.

Permission needs to be granted for the construction of new buildings and a boundary fence on the property in terms of condition D.3. above and within 94,46m of the R44 centreline as determined in condition D.4.

3. MOTIVATION

As indicated above, the applied consent uses are subservient to the primary agricultural use of the property, albeit that the agricultural use is not and cannot reasonably be commercially viable, and that it would be possible to manage the farm together with the proposed tourist

facilities and tourist accommodation establishment sustainably as an economic unit. More than 50% of the property will remain primarily agricultural in use. The scale and form of the proposed new buildings and structures are in keeping with that found in the area and normally on farms, i.e., it would not detract from the obvious character of the surrounding area. Moreover, all the abutting and adjacent farms have similar scaled tourist accommodation establishments, spa's / wellness centres, shops, restaurants, kennels, and a dog parlour in similarly scaled buildings and areas, none of which are used primarily for commercially viable agricultural purposes.

The owner must erect a boundary fence along the western edge of the access servitude in proximity of the eastern property boundary. The fence must increase the security of the property from the road. A palisade fence with a height of 2,1m and brick piers is proposed. It can be softened by appropriate landscaping along the outside, to make it less visible and improve the noise absorption qualities thereof. The fence will further blend with the vegetated and built background and should therefore not be visually obtrusive.

As indicated above, the existing reservoir structure is within 1,0m of the eastern boundary of the farm. The reservoir is no longer required for the agricultural use and can be feasibly converted to a wellness centre, due to its size and dimensions. Retaining it in its current position and converting it to a different use requires approval of the encroachment of the 5,0m building line in this position. The encroachment will not have any effect on the receiving environment. The change in use of the existing encroaching building will further not have any significant effect. The wellness centre is for the use of resident guests.

The main dwelling is no longer required as a family residence and it was under-utilised. It is better used by allowing the use of thereof as a tourist accommodation establishment with twelve bedrooms, which were pre-existing in the house. The kitchen and dining room that serves resident guests is further offered as a restaurant open to outside visitors, to increase its feasibility. The restaurant, linked to the swimming pool adjacent thereto, and the garden area is used as a tourist or visitor attraction where meals can be enjoyed in a garden setting. Such outdoor attraction is in keeping with the nature of other tourist facilities along the R44 and essential to make the restaurant more attractive in the warm summer months, while the enclosed indoor area is better used in winter.

As an added attraction and to try an increase the spread of resident visitors over a longer period, a wellness centre / spa is being offered in the reconstructed reservoir. As the structure exists and it will only be reconfigured, it will not add to the visual built structures on the farm.

As indicated above, the applied consent uses are all subservient to the primary non-viable agricultural use of the property. It is essential to establish such uses to be able to retain the non-viable agricultural uses, and it would be possible to manage the farm as an agricultural unit together with the proposed tourist facilities and tourist accommodation establishment. More than 90% of the property will remain primarily agricultural in use. The scale and form of the proposed new buildings and structures are in keeping with that found in the surrounding area and neighbouring farms. It would not detract from the visible character of the surrounding area, primarily as all the abutting and adjacent farms have similar scaled tourist facilities and attractions.

According to the Zoning Scheme Bylaw, the total number of guest bedrooms in a guest house as an additional use on a land unit may not exceed seven bedrooms in total. This application is for a consent use for a tourist accommodation establishment, for which the Municipality may grant a consent use for a greater number of bedrooms to be used subject to assessment of the application in terms of the criteria under Section 213 of the Bylaw. The primary use of the property should remain primarily bona fide agricultural or natural environment use, unless otherwise approved by the Municipality and the guest accommodation shall always remain subservient to the primary agricultural activities and shall not interfere with the agricultural or natural environment land uses on the property. As has been shown, the primary use of the property is agriculture, albeit non-viable, with more than 90% of the property retaining its agricultural use. Moreover, the motivation for the establishment of the tourist accommodation establishment is the attraction of the agricultural use, the proposed tourist facilities, and the existing tourist attractions in the surrounding area. Establishment of the tourist accommodation establishment does not require any adaptation of or change in the agricultural activities on the farm.

The Bylaw further determines that tourist facilities in the Agriculture and Rural Zone may only be undertaken from a land unit where the primary use of the land is bona fide agriculture or natural environment or a combination of these uses and where the proposed activity is subservient to the primary land use on the farm. Compliance with this criterion is difficult to illustrate on a property where commercially viable agriculture is simply not possible as has been illustrated above. With more than 90% of the land unit being used for agricultural purposes, and the proposed tourist facilities not affecting the use or being affected by it, this criterion is met. The tourist proposed facilities and the agricultural use are compatible and complementary.

A site development plan showing all the existing and proposed uses is annexed hereto and could form the basis, together with any conditions as approved by the Municipality, of the development rules for the tourist accommodation establishment and tourist facilities on the property.

The tourist accommodation establishment and the tourist facilities will not have an adverse impact on surrounding properties, in respect of, but not limited to, noise, traffic congestion, pollution, emissions or the hindering of agriculture e.g., during spraying season, nor will the tourist activities have an adverse impact on any agricultural activities on the farm itself or on neighbouring properties.

On the other hand, the gathering of large numbers of people, or the presence of people in significant numbers could have an adverse impact on neighbouring properties and the enjoyment thereof. It would be mostly noise emanating from the gathering that would lead to a disturbance, for which purpose the owner commissioned a noise impact assessment and noise management plan, as annexed hereto. The findings of these were that the gathering of people did not cause any disturbing noise and that it could be appropriately managed to avoid any risk thereof.

The potential daily visitor numbers (and thus traffic generated by it) are low and not out of scale with the surrounding tourist facilities on neighbouring farms. Moreover, the access to the farm is directly off the R44 and the additional traffic would flow directly in and out of the property without passing the neighbouring properties which make use of a servitude

access across the property for access, amongst others for similar uses, i.e., guest accommodation and tourist facilities.

The other listed nuisance factors to be considered when granting a consent use, e.g., pollution and emissions do not apply to the tourist accommodation establishment or the proposed tourist facilities, as they do not directly generate these, even if they do draw vehicle traffic. The percentage of vehicle traffic to the proposed attractions according to the traffic impact assessment worst case scenario (157 peak period trips) is less than 3% of the daily peak period traffic on the R44. Thus, even though emissions could be argued to be related to the attraction, it is a mere fraction of the ambient situation and the effect thereof on the neighbours insignificant. The proposed use will not lead to any pollution, as the use does not manufacture or process materials that are of a polluting nature.

3.1 Stellenbosch Municipality IDP and SDF

The Integrated Development Plan 2022 (IDP), including the municipal spatial development framework (SDF) make specific provision for the establishment of guest accommodation and tourist facilities on farms and the diversification of agricultural activities to enhance the economic sustainability of the farms. It confirms that tourism, linked to the natural environment and agriculture, is one of the largest creators of employment and that it makes substantial contribution to the economic sustainability of the agricultural sector. This application is in line with the provisions of both said documents and an attempt to increase the feasibility and sustainability of the farm. The age, cultivar and small size of the existing vineyard are the primary causes of it not contributing to the sustainability of the Farm as an agricultural unit. It is however large enough and sufficiently developed with agricultural infrastructure and buildings to allow for diversification and use of the buildings and uncultivated land to contribute to the sustainability of the farm by generating revenue from it. The large front garden with the added attraction of the irrigation dam creates an ideal outdoor venue and picnic area, while the conversion of the dwellings to create lettable tourist dwelling units and a restaurant further improves the use of existing resources.

IDP Strategy 5 makes specific provision for the use of farms as tourism attractions: *"Manage and develop tourism as one of the key economic sectors - Facilitate the development of tourism attractions, as contained in the Local Economic Development Strategy, in all sectors and at all levels of the local economy"*. It further states that the Municipality must *"Support compatible and sustainable rural activities outside the urban edge (including tourism) if these activities are of a nature and form appropriate in a rural context, generate positive socio-economic returns, and do not compromise the environment, agricultural sustainability, or the ability of the municipality to deliver on its mandate."*

The SDF specifically states that the protection and expansion of tourism assets and the protection of agricultural land, enablement of its use and expansion of agricultural output are core to the sustainability of Stellenbosch. As the Farm cannot be sustained for agricultural purposes (vineyard) only, the diversification of the use and creation of an alternative revenue stream is necessary to sustain it over time. Using it for equestrian purposes only retains the rural character thereof but does not contribute to the economic feasibility thereof.

It is estimated that the economic pressure of COVID-19 has significantly impacted the municipal area and resulted in a 6,7 per cent contraction of the economy. Tourism and hospitality businesses, including restaurants, accommodation, the wine industry, tour guides, shuttle services, tour operators, booking agents and visitor attractions, have suffered significantly. SMMEs that are less capital-intensive have also been significantly affected by the COVID-19 pandemic. The decline in tourist activities in 2020 as a result of the pandemic, plus the restrictions in many forms of retail trade, resulted in the trade sector contracting by an estimated 9,6 per cent between 2019 and 2020. Tourism and hospitality are linked to the wine industry not only in terms of providing an outlet for the consumption of wine but also in terms of wine tourism, where the associated revenue generated at the wine farms has been reduced. The Municipal Economic Review Outlook (MERO), 2020 provides important insight into the situation, indicating that the agricultural sector grew by only 0,4% in 2020 and is likely to contract by 7,2% in 2021. The MERO is a good indicator of the economic need for diversified use of the agricultural and natural resources and the nature of the tourism that occurs. It indicates that visitors primarily partook in scenic drives (30,0%), culture/heritage (17,0%), and outdoor activities (52,0%), in 2020, which symbolise the core product offering of the Cape Winelands District. Previously wine tasting accounted for 24% of visitor activities, but this has changed significantly as a result of the Covid-19 restrictions. In contrast to the MERO, 2020, the MERO, 2019 indicated a significantly different picture of the local economy and tourism related activities. It indicated that visitors partook in wine tasting (24,0%), culture/heritage (19,0%), culinary (17,0%), and outdoor activities (13,0%), which was then described as "*the core product offering of the Cape Winelands District (CWD)*". This radically changed in 2020 and is now more locally and recreation focussed, scenic drives attracting 30,0% of all visits, culture/heritage 17,0%, and outdoor activities 52,0%. While there is great uncertainty around the economic effects of the pandemic, there is general consensus that the international travel and tourism industries will not return to the pre-2020 levels for many years.

The tourism sector, and as indicated above, local visitors, contribute significantly to the local and regional economy and it requires continuous product development to ensure repeat visits and new visitors. By creating the proposed accommodation and function venue attraction, the Farm is likely to contribute to the local tourism sector and adding to the employment of people in need of such opportunities in proximity to their place of residence, assuming most would be residents of Jamestown and other neighbourhoods in Stellenbosch.

3.2 Provincial Spatial Development Framework

The Provincial Spatial Development Framework (PSDF) and the supporting and complementary regional spatial development framework as contemplated in Section 18 of the Spatial Planning and Land Use Management Act, 2013 determine principles and the planning and development norms and criteria for tourism related uses in the area. Nothing proposed in this application contradicts any of the said principles or guidelines.

The Western Cape Rural Development Guidelines indicate that: "*The Western Cape economy is founded on the Province's unique asset base. These include farming*

resources, that make the Western Cape the country's leading exporter of agricultural commodities and whose value chains (e.g., agri-processing) underpin the Province's industrial sector; and its natural capital (i.e., biological diversity) and varied scenic and cultural resources which are the attraction that makes the Western Cape the country's premier tourism destination. The Western Cape seeks to ensure: 1) sustainable development of its rural areas; 2) conservation of their biological diversity; 3) functionality of ecosystems; 4) protection of agricultural productive land; and 5) safeguarding of rural heritage and culture."

Chapter 11 of the Rural Development Guidelines determines the following sustainability principles and management guidelines for tourism development in rural and agricultural areas:

- *To diversify farm income.*
- *To offer a range of appropriate nature, cultural and agri-based rural tourism facilities, and recreational opportunities across the rural landscape (e.g., animal sanctuary, paintball, shooting ranges, and conference facilities).*
- *Rural tourism and recreation facilities and activities should not compromise farm production and must be placed to reinforce the farmstead precinct.*
- *To provide a range of opportunities, including different typologies, for tourists and visitors to experience the Western Cape's unique rural landscapes; e.g., additional dwelling units on farms, B&Bs, guesthouses, backpacker lodges, lodges, resorts, hotels, and camping sites.*
- *To offer more people access to unique tourism and recreational resources in sought-after natural areas, where it would not otherwise have been possible.*
- *Whilst tourist and recreational facilities should be accommodated across the rural landscape (i.e., in all SPCs), the nature and scale of the facility provided needs to be closely aligned with the environmental characteristics of the local context.*
- *Any facility not directly related to the rural landscape should preferably be located within, or peripheral to, urban centres. The obligation is on the applicant to illustrate why the land use cannot be accommodated in the urban area.*
- *The development should have no adverse effects on society, natural systems, and agricultural resources.*
- *The long term impact on the municipality (resources and financial); water supply and demand; agricultural activities, production and sustainability, risk, and finances; and the scenic, heritage and cultural landscape should be considered when decisions are taken.*
- *Avoid establishing facilities with any permanent on-site employees' residences in rural areas, as on-the-farm accommodation is restricted to agri-workers. Employees should be accommodated in existing settlements.*
- *Development applications should include a locality plan to indicate how it contributes to the clustering of facilities in nodal areas.*
- *A site development plan must be submitted to the municipality for consideration. The exact proposed footprint must be shown on the site development plan, it should illustrate the placement of the activity in relation to existing buildings on the farm, and provide details on infrastructure provision, access and parking arrangements and the position and nature of all proposed signage and landscaping.*

- *Environmentally sensitive areas (e.g., wetlands and other special habitats) should be avoided, and the placement of facilities and activities should be informed by a landscape assessment (i.e., considering biodiversity, cultural & scenic attributes).*
- *Existing structures or disturbed footprints should preferably be used, and adequate provision made for access and parking. Buildings should respond to the farm's built vernacular and should include appropriate buffers, landscaping, and screening to reduce their visual impact on the rural landscape. Information on the architectural design must be provided, for the purposes of the heritage and visual assessments.*
- *The appropriate nature and scale of a facility within a particular context should be determined by considering:*
 - *the extent of the cadastral portion, and*
 - *the sensitivity of, and impact on, the receiving environment (i.e., agricultural, or natural).*
- *The scale of a development must be limited to the extent that it will not promote secondary development (e.g., service stations, shopping centres, retail activities, social services such as schools, etc.) on or around the site such that a new, unplanned development node is created .*
- *Only activities that are appropriate in a rural context, generate positive socio-economic returns, and do not compromise the environment or ability of the municipality to deliver on its mandate should be accommodated.*
- *Landscaped areas, which generally require the application of fertilizers, herbicides, and pesticides, should be located above the 1:100-year flood line. Where the flood line has not been determined or is out of date, a flood line study is required.*
- *The development should not result in or contribute to visually obtrusive or ribbon development along the coastline, visually sensitive areas, cliffs, or ridges.*
- *The services associated with a development should not have a negative impact on the environment . The impact of these services should be taken into account when determining the appropriate location for a development. In particular, sewerage provision should not result in pollution of surface or groundwater (e.g., no soak-ways should be permitted).*
- *The development of the site should not negatively affect the role, function, public enjoyment and status of open space systems/networks, designated sites of cultural significance and/or sites identified as being of conservation significance.*
- *The development should not result in or contribute to visually obtrusive or ribbon development along the coastline, visually sensitive areas, cliffs, or ridges.*
- *The services associated with a development should not have a negative impact on the environment. The impact of these services should be taken into account when determining the appropriate location for a development. In particular, sewerage provision should not result in pollution of surface or groundwater (e.g., no soak-ways should be permitted) .*

An assessment of the above land use proposals show that they meet all of the aforementioned principles and criteria. The proposed facilities will have no negative effect on the existing agricultural use and potential of the Farm and will in fact create the revenue required to improve the productive capacity of the Farm by the replacement of the vineyard with a more desirable cultivar and by its expansion.

Moreover, this is the only farm along the stretch of the R44 between the entrance to the airport and the urban edge at De Zalse Golf Estate that does not have any tourist facilities or guest / tourist accommodation established on it. Its access also serves as a servitude access to the abutting and adjacent properties containing such facilities and uses.

- ✓ To offer a range of appropriate facilities. When considering the main attractions of the CWD (according to the MERO 2021, outdoor activities is the primary attraction), it is obvious that the Drie Lande attraction will fit with the market trend and the regional setting. The proposed activities add to the tourism offerings along the R44.
- ✓ No compromise to agricultural activities. The proposed consent uses will occur in existing, reconfigured buildings and between the cultivated areas of the farm. It will therefore enhance and not negatively affect the agricultural activities on the farm, and it will not have any negative effect on the surrounding agriculture, as the proposed use does not cause any disturbance and is not sensitive to any agricultural activities, e.g., crop spraying, irrigation, use of farm implements and machinery.
- ✓ Provide a range of opportunities. New business and employment opportunities are created, as well as a new attraction for local and foreign visitors. This has significant positive effect on the local economy, which is virtually dedicated to agriculture and tourism. The proposed activities will add 18 permanent additional employment opportunities in proximity of the Stellenbosch town boundaries.
- ✓ Offer access to more people. The facility will create an additional venue in proximity of Stellenbosch town where such venues are in high demand. It is located on an existing tourist corridor and in an area surrounded by similar product offerings, allowing for a comparative choice.
- ✓ Improve the economic viability and sustainability of farms. The addition of the tourist attraction and accommodation would probably contribute to the Farm revenue and allow for its future agricultural capacity expansion.
- ✓ Align scale and form of facilities with character of area. The surrounding area has a high intensity use character, with similar scaled tourism related facilities on all adjacent farms. The use of the garden area and existing buildings for the tourist facilities and accommodation allows it to fit the agricultural scale and nature.
- ✓ Diversify farm income. Currently the farm does not generate sufficient revenue from the vineyard and the equestrian use to be sustainable as a farm. The consent uses proposed on the farm will allow for the generation of additional income from the agricultural resources and more importantly, allow for the future expansion of the agricultural use.

There is therefore a good match between the relevant policies and the proposed development of the Farm by the creation of the tourist accommodation

establishment and tourist facilities and the product offering of the immediate area along the R44.

3.3 SPLUMA principles

The matters referred to in Section 42 of the Spatial Planning and Land Use Management Act, 2013, with specific reference to spatial justice, spatial sustainability, efficiency, and good administration have all been considered in making this application.

- ✓ **Spatial Justice.** It refers to the need to redress the past apartheid spatial development imbalances and aim for equity in the provision of access to opportunities, facilities, services, and land. In the broadest sense, it seeks to promote the integration of communities and the creation of settlements that allow the poor to access opportunities. In a spatially just settlement, opportunities and access are provided to those whose historical access and opportunities have been impeded by past spatial planning. Land development procedures must include provisions that accommodate access to, and facilitation of, security of tenure and the incremental upgrading of informal areas.

The proposed use of the land does not have any negative effect on the spatial development framework and policies for such redress. It rather opens up opportunities for those who live in the area and do not have access to employment opportunities.

It does not prevent or hinder access to additional land for the poor for settlement purposes and it does not add to the cost of land acquisition to the state, as it is outside of the urban edge and not identified as settlement land or land for land reform purposes, for which it would in any event be useless due to the soil and water situation. The economic opportunities created by the use of the existing buildings, infrastructure and land as envisaged in this application results in a significantly better situation than where the property is used for residential smallholding purposes as an alternative to an unsustainable farm.

- ✓ **Spatial Sustainability.** According to this principle, a sustainable form of development must be pursued. Amongst others it means promoting less resource consuming development typologies that promote compaction and mixed-use urban environments. A spatially sustainable settlement will be one which has an equitable land market, while ensuring the protection of valuable agricultural land, environmentally sensitive and biodiversity rich areas, as well as scenic and cultural landscapes and limits urban sprawl.

Spatial sustainability, although primarily focused on urban development, has been considered. The proposed use of the land does not have any negative effect on the urban area and fits with the surrounding rural area. As a tourist facility it will contribute to the municipal and local economic revenue base, without requiring public expenditure to occur, while in its current state it makes extremely limited contribution. Moreover, it is located along the R44 corridor where tourist attractions are located, and it supplements these. Land earmarked

for agriculture, conservation, or urban development, is not negatively affected, or restricted by the proposed use of the farm.

The proposed land use ensures a more efficient and sustainable use of the land for a diversified use in terms of all policy documents. The buildings and structures are existing and fit the surrounding character, where tourist related activities predominate.

The proposed consent use and removal or suspension of the restrictive title conditions are unlikely to cause the lowering of the service levels in municipal or other public infrastructure.

- ✓ Efficiency. It refers to the need to create settlements that optimise the use of space, energy, infrastructure, resources, and land. Inherent in this statement is the need to promote densification and compact urban development typologies. This also has to do with the manner in which the settlement itself is designed and functions, which should reduce the need to travel long distances to access services, facilities, and opportunities. Efficiency also refers to decision making procedures which are designed to minimise negative financial, social, economic, or environmental impacts. In addition, efficiency refers to the need for development application procedures that are efficient and streamlined.

Efficiency (optimising the use of existing resources and infrastructure) has been addressed and the use of the agricultural land resource will contribute to increased efficiencies. The attraction will further improve efficiency in the area, as it is located in an area where many tourist facilities are located, adding to the attraction and product offerings in proximity of the town, where there is a labour market.

- ✓ Spatial Resilience. In the context of land use management and planning, it refers to the need to promote the development of sustainable livelihoods for the poor (i.e., communities that are most likely to suffer the impacts of economic and environmental shocks). It also refers to the requirement for flexibility in spatial plans, policies, and land use management systems to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks. The spatial plans, policies and land use management systems should enable the communities to be able to resist, absorb and accommodate these shocks and to recover from these shocks in a timely and efficient manner, which includes the preservation and restoration of essential basic infrastructure and functions, but also adaptation in order to ensure increased resilience in terms of future shocks.

The applicant cannot dictate the SDF and other spatial planning policies and strategies. At best, the applicant can collaborate with the relevant authorities to assist with the implementation of the relevant policies and strategies, as is the case with this application. Spatial resilience has thus been addressed, as the SDF and other policies allow for flexibility to ensure sustainable development, amongst others by determining policy to assess the application in terms of the SDF and IDP strategies, both of which promote the better use of agricultural

resources, the expansion of tourist attractions on appropriate land outside of the urban areas and the conservation of the rural environment.

The application needs a flexible approach, by taking cognisance of the entire spectrum of relevant considerations. By better utilisation of the land, the applicant makes a significant contribution to the sustainability of the farm, the broader agricultural environment and resource use in general.

- ✓ Good administration. In the context of land development planning, it refers to the promotion of integrated, consultative planning practices in which all spheres of government and other role-players ensure a joint planning approach is pursued. Land development decisions should seek to minimise the negative financial, social, economic, and environmental impacts of a development in an efficient process where all statutory requirements are adhered to.

Good administration is primarily a function of the authorities, not affected by the proposed use of the land. A flexible approach to the application and agreement on the achievement of the desired outcomes in the most economic and administratively justifiable and lawful manner is critically important. The applicant has taken the necessary actions to ensure that the decision-maker is provided with the required information to be able to take a decision based on the relevant considerations.

3.4 LUPA principles

The principles referred to in Chapter VI of the Western Cape Land Use Planning Act, 2014, Act 3 of 2014 (LUPA) have all been considered. The LUPA considerations and development principles require:

- ✓ The protection and promotion of the sustainable use of land, which is the purpose of the proposal. As indicated above, the application does not affect land essential for conservation, other uses, or service delivery by the Municipality. The application however requires adherence to national and provincial government policies, which it does, as illustrated above, inclusive of the municipal spatial development framework that promotes the expansion of tourist facilities on appropriate land outside of the urban areas without negatively affecting the agricultural use.
- ✓ Consideration of the public interest, which is done through compliance with the aforementioned policies and guidelines, together with the creation of new economic opportunities in proximity of the other tourist facilities and existing road infrastructure without negative impact on surrounding land use or the natural environment.
- ✓ Promotion of constitutional transformation imperatives and the related duties of the state. No comment.
- ✓ Proper consideration of the facts and circumstances relevant to the application, as have been set out above, indicating grounds for a positive land development consideration and decision. The relevant considerations include that the property is not sustainable as a farm and tourist facilities as are permitted in the Agriculture and Rural Zone would improve the sustainability thereof and create the basis for future upgrading of the productive capacity of the farm.

- ✓ The respective rights and obligations of all those potentially affected, primarily the surrounding property owners, public and private service providers and the wider community have been considered and there are no identified significant issues. The only potentially negative effect is the potential noise effect of an outdoor venue used in the evenings. The effect could however be mitigated by appropriate sound management. There are currently no residential dwelling units in the immediate vicinity of the garden area where the outdoor venue is proposed.
- ✓ The impact of the proposed development on engineering services infrastructure, social infrastructure, and open space requirements is insignificant. The proposed use contributes to the provision of economic activities without requiring additional infrastructure services. The proposed use of the land for tourist facilities and accommodation establishment allows for the best possible use of the land resource.

3.5 National Development Plan

The National Development Plan, 2030 (NDP) is extensively quoted in the Stellenbosch SDF 2019. *It serves as the strategic framework guiding and structuring the country's development imperatives and is supported by the New Growth Path (NGP) and other national strategies. In principle, the NDP is underpinned by, and seeks to advance, a paradigm of development that sees the role of government as enabling by creating the conditions, opportunities, and capabilities conducive to sustainable and inclusive economic growth. The NDP sets out the pillars through which to cultivate and expand a robust, entrepreneurial, and innovative economy that will address South Africa's primary challenge of significantly rolling back poverty and inequality by 2030.* The recently released Tourism Transformation Strategy (2018) goes to detail about the matter: *The tourism sector is one of the few sectors in South Africa that continues to grow economically and globally despite the recent economic challenges. The tourism sector is one of the six core pillars of growth in the country according to the New Growth Path and the Industrial Policy Action Plan (IPAP2) identified the sector as one of the areas that contributes to the development of areas of potential such as rural areas and cultural industries amongst others.*

3.6 Environmental Management

The proposed development of the consent uses does not trigger an authorisation application in terms of the National Environmental Management Act, 1998, Act 107 of 1998.

3.7 Heritage

The proposed tourist facilities and occasional use will not require authorisation in terms of Section 34 or 38 of the National Heritage Resources Act, 1999, Act 25 of 1999, as the existing buildings are not older than 60 years and reconfiguration thereof does not require prior authorisation and the area will not be transformed.

3.8 Engineering

Electricity is supplied by Eskom, through an existing service, which does not require any upgrading.

The farm is self-sufficient with potable water from the borehole and for irrigation from the relevant allocation.

The sewerage system is an existing conservancy tank system that is regularly emptied by a local service provider. The tanks have sufficient capacity to accommodate the tourist facilities and accommodation establishment.

Solid waste is removed by the Municipality, which service will continue with insignificant increase in volume.

The traffic impact statement for the proposed consent use established that as a minimum requirement a dedicated right-turn lane (based on deceleration) along the northern R44 approach to the access-intersection should be made a condition to address traffic safety. The potential total trip generation of the proposed development is 63 AM peak hour trips (47 in, 16 out) and 94 PM peak hour trips (32 in, 62 out), with the 'daily operations' expected in the order of 27 AM peak hour trips and 58 PM peak hour trips. Because congestion is currently experienced along the access-approach to the R44-intersection, the aforementioned dedicated right-turn lane (length based on deceleration) is proposed along the R44 to accommodate inbound traffic to the subject property and the neighbouring properties which also accommodate tourist facilities and guest accommodation. It is further recommended that in future when the R44 Safety Project of the Western Cape Government is implemented, the existing median break at the access should be closed, resulting in the intersection becoming a left-in/left-out only, with a U-turn opportunity provided further northeast along the R44.

3.9 Chapter V evaluation

In Section 65 of the SMLUPB, the following criteria for deciding applications are prescribed. While all of the matters referred to in Section 65 have been addressed in broad above, this section summarises and highlights the relevant matters which the Municipality must consider.

Criterion in Section 65	Applicability	Compliance of application
<i>(a) the application submitted in terms of this By-law;</i>	Application must comply with the processes of the LUPB.	Application covers all the relevant aspects, i.e., consent, and departure and is supported by the required documents and reports.
<i>(b) the procedure followed in processing the application;</i>	Application must be consistent with the LUPB.	Process still has to be concluded. Preparation and submission followed prescribed process.
<i>(c) the desirability of the proposed utilisation of land and any guidelines issued by the Provincial Minister regarding the desirability of proposed land uses;</i>	Desirability test according to Section 207, 209 and 213 of the Zoning Scheme Bylaw, read with the	See paragraphs 2.3, 3.2, 3.2 and 3.2 above. <ul style="list-style-type: none"> • Use not likely to cause nuisances and therefore desirable.

Criterion in Section 65	Applicability	Compliance of application
	provincial Rural Development Guidelines.	<ul style="list-style-type: none"> • Guidelines indicate better use of agricultural resources necessary to diversify economy. • Guidelines require least impact on agricultural capacity, amongst others by use of existing buildings. • Guidelines promote the addition of new and wider range of attractions and opportunities.
<i>(d) the comments in response to the notice of the application, including comments received from organs of state, municipal departments, and the Provincial Minister in terms of section 45 of the Land Use Planning Act;</i>	Notices still to be circulated.	Compliance can only be monitored after conclusion of the public participation process.
<i>(e) the response by the applicant, if any, to the comments referred to in paragraph (d);</i>	Notices still to be circulated.	Compliance can only be monitored after conclusion of the public participation process.
<i>(f) investigations carried out in terms of other laws that are relevant to the consideration of the application;</i>	NEMA Act 107/1998 NHRA Act 25/1999	See paragraphs 3.6 and 3.7 above. <ul style="list-style-type: none"> • No authorisations required.
<i>(h) the impact of the proposed land development on municipal engineering services;</i>	No negative effect envisaged due to the low scale and limited extent of the proposed uses.	See paragraph 3.8 above. <ul style="list-style-type: none"> • Insignificant additional traffic. • Eskom electricity supply network has capacity. • Own water supply from borehole is sufficient in quality and quantity. • Sewerage managed on-site with conservancy tank for disposal into municipal system. • Solid waste removed by Municipality
<i>(i) the integrated development plan, including the municipal spatial development framework;</i>	Aligned to: IDP 2021, Tourism Development Strategy; and SDF Agricultural Sector Policy	See paragraph 3.1 above. <ul style="list-style-type: none"> • Tourism important economic contributor. • New tourist facilities outside of existing nodes promoted, i.e., on farms and natural areas. • Agricultural sector to be strengthened through appropriate diversification.
<i>(j) the integrated development plan and spatial development framework</i>	Compliant with Rural Area Plan.	See paragraph 3.2 above.

Criterion in Section 65	Applicability	Compliance of application
<i>of the district municipality, where applicable;</i>		<ul style="list-style-type: none"> The appropriate diversification of use on farms is desirable.
<i>(k) the applicable local spatial development frameworks adopted by the Municipality;</i>	None identified.	None.
<i>(l) the applicable structure plans;</i>	Not applicable.	Not applicable.
<i>(m) the applicable policies of the Municipality that guide decision-making;</i>	None identified.	None.
<i>(n) the provincial spatial development framework;</i>	Compliant with Rural Area Plan.	See paragraph 3.2 above. <ul style="list-style-type: none"> The appropriate diversification of use on farms is desirable.
<i>(o) where applicable, a regional spatial development framework contemplated in section 18 of the Spatial Planning and Land Use Management Act or provincial regional spatial development framework;</i>	Compliant with Rural Area Plan.	See paragraph 3.2 above. <ul style="list-style-type: none"> The appropriate diversification of use on farms is desirable.
<i>(p) the policies, principles and the planning and development norms and criteria set by the national and provincial government;</i>	Compliant with principles and criteria.	See paragraphs 3.3 and 3.4 above. <ul style="list-style-type: none"> Assessed against spatial justice, spatial sustainability, efficiency, and good administration.
<i>(q) the matters referred to in section 42 of the Spatial Planning and Land Use Management Act;</i>	Compliant with principles and criteria.	See paragraph 3.3 and 3.4 above. <ul style="list-style-type: none"> Assessed against spatial justice, spatial sustainability, efficiency, and good administration.
<i>(r) the principles referred to in Chapter VI of the Land Use Planning Act; and</i>	Compliant with principles and criteria.	See paragraph 3.3 and 3.4 above. <ul style="list-style-type: none"> Assessed against spatial justice, spatial sustainability, efficiency, and good administration.
<i>(s) the applicable provisions of the zoning scheme.</i>	SM Zoning Scheme Bylaw, 2019 considered	See paragraph 2.3 above. <ul style="list-style-type: none"> Consent evaluated against Section 207, 209 and 213. Definition of tourist facilities in Bylaw includes occasional use under tourist facilities. Existing buildings, infrastructure, and garden area to be used.

4. CONCLUSION

The application for approval of the proposed tourist accommodation establishment and tourist facilities along MR 0027 / R44 and related suspension or removal of the title conditions from deed T18186/2016 imposed in terms of the Advertising on Roads and Ribbon Development Act, 1940, Act 21 of 1940, in 1954, in terms of Section 15(2)(f) of the Land Use Planning Bylaw, or with the prior consent of the controlling authority for:

- 1) Approval for the non-residential use of the property for tourist facilities in terms of the restriction contained in condition D.2.
- 2) Permission for the construction of new buildings and a boundary fence on the property in terms of conditions D.3. and D.4.

As the proposed use is in line with municipal policy and legislation and the land use of the surrounding properties, and the proposed use has no significant negative effect on the surrounding area, approval can be granted for the following in terms of the Stellenbosch Municipality Land Use Planning Bylaw, 2015:

- 1) Section 15(2)(o) for Consent Use on Farm 528/5, Stellenbosch Division for the following:
 - a) For tourist facilities in order to facilitate the following:
 - i. New function venue (68-seater Chapel - 325 m²);
 - ii. Outdoor garden venue with gazebo (314 m²) for 110 guests;
 - iii. Convert the existing second dwelling (96 m²) into farm stall / shop;
 - iv. Wellness centre / spa for guests (583 m²); and
 - v. Restaurant (90 m²) (30 guests).
 - b) For Tourist Accommodation Establishment for the following:
 - i. Twelve (12) bedrooms with capacity for 24 guests in converted main dwelling;
 - ii. Three (3) bedrooms in converted manager's / additional dwelling for six guests; and
 - iii. Three (3) bedrooms added to the farm stall with a capacity for six guests.
 - c) For Occasional Uses to allow for more than one event per year for Live music, art and exhibitions and outdoor functions;
- 2) Application is made in terms of Section 15(2)(b) for a Permanent Departure for the following:
 - a) To construct a 2,1m high brick pier palisade fence on the eastern boundary of the property (adjacent to R44) on Farm 528/5, Stellenbosch Division; and
 - b) To relax the building line from 5m to 0m in order to accommodate the new wellness centre / spa in the reconstructed reservoir.

All relevant considerations have been addressed and the application could accordingly be approved after following the required consultation process.

ANNEXURE A: LOCALITY



HEAD OFFICE:
Unit 6, The Square Building,
Stellenbosch West, Victoria Park,
Stellenbosch
7201
PRO BUREAU:
VIA WINTERSTADT
0221
7 477 0021 880 0414
info@up.ac.za

Locality Plan

ANNEXURE B: APPLICATION AUTHORISATION


**RESOLUTION BY THE TRUSTEES OF
THE BENEDETTO TRUST
Registration Number IT1586/2012**

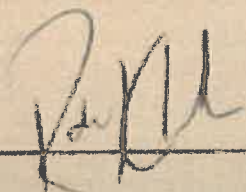
IT WAS RESOLVED THAT:


1. The Trustees of The Benedetto Trust Registration Number IT1586/2012 hereby authorise Valerie Mentz ID. No. 6102020041081, as representative of the owner of Portion 5 of Farm No. 528, Stellenbosch to sign all documents, appointments and agreements, as may be required for the day to day management of the land development and related applications for the property. All actions and applications are at the cost and risk of the purchaser who wishes to develop the property for his own account and not on behalf of the Trust.

2. The permitted actions include the appointment of and Power of Attorney to Dupré Lombaard of Virtus Works (Pty) Ltd (Reg. No. 2018/585747/07) as development management consultant to sign and submit all applications for approval and authorisation required for the achievement of the envisaged land development outcomes, namely: For the establishment of tourist facilities and accommodation, inclusive of authorisations and applications in terms of any applicable legislation, including but not limited to the Stellenbosch Municipality Land Use Planning Bylaw, 2015, Advertising on Roads and Ribbon Development Act, 1940, Act 21 of 1940, and the National Heritage Resources Act, 1999, Act 25 of 1999.

Signed in Cape Town on 15 December 2021.


Valerie Mentz ID. No. 6102020041081
Trustee


Ria de Klerk ID. No. 7812300005080
Trustee


Jaurez Dorfling ID. No. 7301075088083
Trustee

LETTER OF AUTHORISATION / POWER OF ATTORNEY

(Requirement in terms of the Municipal Planning Bylaw and other relevant legislation)

I, Valerie Mentz, ID. No. 6102020041081, the undersigned representative of the landowner of Portion 5 of Farm No. 528, Stellenbosch, being: THE BENEDETTO TRUST Registration Number IT1586/2012 confirm that permission and special power of attorney has been granted to Viridus Works (Pty) Ltd (Reg. No. 2018/585747/07) and Dupré Lombaard, to act on the behalf of the land owner(s) to perform any act which he / she / it may be legally entitled to undertake to accomplish the following objectives and goals in terms of the above Bylaw and any other applicable legislation:

To prepare and submit applications for the authorisation of the following activities / land use / development in terms of the relevant Acts and Bylaws: For the establishment of tourist facilities and accommodation, inclusive of authorisations and applications in terms of any applicable legislation, including but not limited to the Stellenbosch Municipality Land Use Planning Bylaw, 2015, Advertising on Roads and Ribbon Development Act, 1940, Act 21 of 1940, and the National Heritage Resources Act, 1999, Act 25 of 1999.

Contact details (physical address / phone / fax):

Physical address: 19 Suni Crescent, Durbanville
Postal address: PO Box 2937, Durbanville, 7551
Telephone: 083 281 0501
Facsimile:
Cellular:
Email: ria@christoerien.co.za


Signed:

15/12/2021

Date

By my / our signature(s) I / we confirm that I / we have been fully authorised to act on behalf the above landowner (annex the applicable resolution or other proof of authorisation to act on behalf of a juristic person hereto).

ANNEXURE C: APPLICATION FORM



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

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)	Dupré									
Surname	Lombaard									
Company name (if applicable)	Viridus Works (Pty) Ltd									
Postal Address	3 rd Floor, Time Square, Elektron Street, Techno Park, Stellenbosch							Postal Code	7600	
	Email: dupre.lombaard@viridus.com									
Tel	Fax			Cell			082 895 6362			
PART B: REGISTERED OWNER(S) DETAILS (If different from applicant)										
Registered owner(s)	Benedetto Trust Reg. No. 1586/2012									
Physical address	PO Box 2937, Durbanville							Postal code	7551	
	E-mail: ria@christoerien.co.za									
Tel	Fax			Cell			+27 83 281 0501			
PART C: PROPERTY DETAILS (in accordance with title deed)										
Erf / Erven / Farm No.	528	Portion(s) if Farm	5	Allotment area	Stellenbosch RD					
Physical Address	R44, Jamestown									
Current Zoning	Agriculture and Rural Zone	Extent	4,2827 ha	Are there existing buildings?	Y					
Applicable Zoning Scheme	Stellenbosch Municipality Zoning Scheme Bylaw, 2019									
Current Land Use	Agriculture									
Title Deed number and date	T	T18186/2016								
Attached Conveyance's Certificate	Y	Any Restrictions to the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate								
Are the restrictive conditions in	Y	If Yes, list the party(ies): Controlling Authority								

favour of a third party(ies)?			
Is the property encumbered by a bond?		N	If Yes, list the bondholder(s):
Is the property owned by Council?		N	If Yes, kindly <u>attach a power of attorney</u> from the Manager Property Management
Is the building located within the historical core?		N	Is the building older than 60 years?
			N
			Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹
			N
			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		If yes, is this application to legalize the building / land use ² ?
			Y
Are there any pending court case(s) / order(s) relating to the subject property(ies)?		N	Are there any land claim(s) registered on the subject property(ies)?
			N

PART D: PRE-APPLICATION CONSULTATION

Has there been any pre-application consultation?	Y	If Yes, please attach the minutes of the pre-application consultation.
Has the pre-application scrutiny form been submitted?	Y	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: <i>Cost are obtainable from the Council Approved tariffs</i>
	15(2)(a) rezoning of Land
X	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 <u>primary rights</u> 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
X	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
	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 <u>general plan or diagram</u>
	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
X	15(2)(o) a consent use contemplated in the zoning scheme
	15(2)(p) an occasional use of land

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)(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
<p>* 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.</p> <p>**All indigent residents who are registered as such with the Municipality and <u>with proof submitted together</u> 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</p> <p>*** 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.</p>			
BANKING DETAILS			
Account Holder Name:	Stellenbosch Municipality		
Bank:	FIRST NATIONAL BANK (FNB)		
Branch no.:	210554		
Account no.:	62869253684		
Payment reference:	LU/_____ and ERF/FARM _____		
<i>Please use both the Land Use Application number and the Erf/Farm number indicated on the invoice as a reference when making EFT payment</i>			
DETAILS FOR INVOICE			
Name & Surname/Company name (details of party responsible for payment)	Virdus Works (Pty) Ltd		

Postal Address	3 rd Floor, Time Square, Elektron Street, Techno Park, Stellenbosch, 7600
Vat Number (where applicable)	4530303074

PART F: DETAILS OF PROPOSAL

Building line encroachment	Street		From	5m	To	1,0m
	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 tourist facilities and tourist accommodation establishment in terms of Section 208, 209 and 213 of the Stellenbosch Municipality Zoning Scheme Bylaw, 2019						
Other (please specify)	<hr/> <hr/> <hr/>					

Brief description of proposed development / intent of application:

The main purpose of the application is to gain approval for consent uses in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning Bylaw, 2015 (a consent use contemplated in the zoning scheme), read with Section 208, 209 and 213 of the Stellenbosch Municipality Zoning Scheme Bylaw, 2019 (ZSB) for the use of existing structures and buildings exceeding 250m² on the property as a tourist accommodation establishment, and as a tourist facility that includes the identified outdoor area, with inclusive occasional use of the facilities on the farm. The existing reservoir abutting the R44 boundary and within the 5m building line is proposed to be converted to a wellness centre / spa, thus exceeding the building line for which a permanent departure in terms of Section 15(2)(b) is sought.

As a result of the envisaged use, it will be required to undertake a removal, suspension or amendment of the restrictive title conditions imposed in terms of Act 21 / 1940 in terms of Section 15(2)(f) of the Bylaw.

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				
Y		Power of attorney / Owner's consent if applicant is not owner	N	Bondholder's consent (if applicable)
Y		Resolution or other proof that applicant is authorised to act on behalf of a juristic person	N	Proof of any other relevant right held in the land concerned
Y		Written motivation pertaining to the need and desirability of the proposal	Y	S.G. diagram / General plan extract (A4 or A3 only)
Y		Locality plan (A4 or A3 only) to scale	N	Site development plan or conceptual layout plan (A4 or A3 only) to scale
	N	Proposed subdivision plan (A4 or A3 only) to scale	N	Proof of agreement or permission for required servitude
	N	Proof of payment of application fees	Y	Proof of registered ownership (Full copy of the title deed)
Y		Conveyancer's certificate	Y	Written feedback of pre-application scrutiny and Minutes of pre-application consultation meeting (if applicable)
	N/A	Consolidation plan (A4 or A3 only) to scale	N/A	Land use plan / Zoning plan (A4 or A3 only) to scale
	N/A	Street name and numbering plan (A4 or A3 only) to scale	N/A	1 : 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale
	N/A	Landscaping / Tree plan (A4 or A3 only) to scale	N/A	Home Owners' Association consent
	N/A	Abutting owner's consent	N/A	Services Report or indication of all municipal services / registered servitudes
	N/A	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)	N/A	Proof of failure of Home owner's association
	N/A	Copy of original approval and conditions of approval	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes
	N/A	Proof of lawful use right	N/A	Other (specify)
Y		Required number of documentation copies	N/A	
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		Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989)

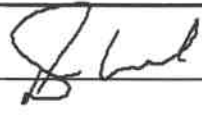
		made? If yes, attach documents / plans / proof of submission etc.		N/A	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)		N/A	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)(SPLUMA)		N/A	National Water Act, 1998 (Act 36 of 1998)
	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations		N/A	Other (specify)
	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)			
	N	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 :

1. That the information contained in this application form and accompanying documentation is complete and correct.
2. 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.
3. 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.
4. 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.
5. 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.
6. I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.
7. 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.
8. 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: Updated 26/09/2023

Full name: Dupré Lombaard

Professional capacity: Registered planner: SACPLAN B/8076/1998

FOR OFFICE USE ONLY

<p>Date received: _____</p> <p>Received By: _____</p>	<div data-bbox="981 739 1468 1019" style="border: 1px solid black; width: 100%; height: 100%; text-align: center; vertical-align: middle;">MUNICIPALITY</div>
---	---

ANNEXURE D: CONVEYANCER'S CERTIFICATE



CONVEYANCER CERTIFICATE

I/We MADELEIN WILLIAMS

(conveyancer's name and surname)

Practising at:

MADELEIN WILLIAMS ATTORNEYS AT 18 TAURUS STREET, CROYDON VINEYARD
ESTATE, CROYDON, SOMERSET WEST, 7130

(firm and place of practice)

In respect of:

PORTION 5 (A PORTION OF PORTION 2) OF THE FARM 528, IN THE MUNICIPALITY AND
DIVISION OF STELLENBOSCH, WESTERN CAPE PROVINCE, HELD BY DEED OF TRANSFER
NUMBER T18186/2016

(full property description (erf / farm) as it appear in title deed of same)

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

1. DEED OF TRANSFER NUMBER T18186/2016
2. DEED OF TRANSFER NUMBER T1064/1941
3. DEED OF TRANSFER NUMBER T17448/1982
4.
5.
6.
7.
8.

For example Deed of Transfer T12345/2000 or Certificate of Registered Sectional Title ST1234/2000 (description of title deed number and date)

mw



A. IDENTIFY RESTRICTIVE TITLE CONDITIONS (if any)

Categories		Are there deed restrictions (indicate below)		Title Deed and Clause number if restrictive conditions are found
1.	Use of land	<input checked="" type="checkbox"/> Y	N	T18186/2016, T17448/1982 - D(2) Approval required i.t.o Act 21/1940 for use other than residential or agricultural purposes.
2.	Building lines	<input checked="" type="checkbox"/> Y	N	T18186/2016, T17448/1982 - D(4) Consent required i.t.o Act 21/1940 to construct buildings within 94.46m of the center of the Somerset-West / Stellenbosch road, along the north-eastern boundary.
3.	Height	Y	<input checked="" type="checkbox"/> N	Not Applicable
4.	Number of Dwellings	Y	<input checked="" type="checkbox"/> N	Not Applicable
5.	Bulk floor area	Y	<input checked="" type="checkbox"/> N	Not Applicable
6.	Coverage/built upon area	Y	<input checked="" type="checkbox"/> N	Not Applicable
7.	Subdivision	Y	<input checked="" type="checkbox"/> N	T18186/2016, T17448/1982 - D(1) Consent required i.t.o Act21/1940 prior subdivision
8.	Servitudes that may be registered over or in favour of the property	Y	<input checked="" type="checkbox"/> N	Not Applicable
9.	Other Restrictive Conditions	<input checked="" type="checkbox"/> Y	N	T18186/2016, T17448/1982 - B & D(3) All roads and thoroughfares to remain uninterrupted. Approval required to construct any buildings.

MCW



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

*In respect of which it was found that there *are/are no restrictive conditions with reference to Section 33(4) (a, b or c) of the Land Use Planning By-law (2015) registered against such property (ies) prohibiting it from being utilised/developed for the following purposes (as elaborated in the accompanying application):*

a.	Organ(s) of State that might have an interest in the restrictive condition	The relevant road authority - Act 21/1940
b.	A person whose rights or legitimate expectations will be affected by the removal/suspension/amendment of a restriction condition.	Not Applicable
c.	All persons mentioned in the deed for whose benefit the restrictive condition applies	The relevant road authority - Act 21/1940.

C. PROCESS BY WHICH RELEVANT CONDITIONS WILL BE ADDRESSED Not Applicable

(please tick appropriate box)

Application in terms of Section 15 of the Stellenbosch Municipal Land Use Planning By-Law (2015) <input type="checkbox"/> N.A	Notarial Deed of Cancellation (Submit Copy of Signed Agreement) <input type="checkbox"/> N.A	Action by way of court order (Submit Copy of the Court Order) <input type="checkbox"/> N.A	If Other, Please Specify <input type="checkbox"/> N.A
---	--	--	---

Signed at...**SOMERSET WEST**..... (Place) on this...**9th**..... (Day) **FEBRUARY**...(Month) of 20..**22**.....

Full names and Surname: **MADELEIN WILLIAMS**.....

Signature: *MWilliams*.....

18 TAURUS STREET,
 CROYDON VINEYARD ESTATE,
 CROYDON, 7130
Firm Postal Address:

MADELEIN WILLIAMS ATTORNEYS
 18 TAURUS STREET
 CROYDON VINEYARD ESTATE
 CROYDON
 7130
to fully endorse certificate by affixing official stamp here and initial here

Tel: **021 843 3036**.....

Email: **madelein@madeleinwilliams.co.za**.....

Cell: **072 404 3003**.....

ANNEXURE E: TITLE DEED

A. VIR AKTERESORGER SE GEBRUIK / FOR CONVEYANCERS USE

(a) Gelyktydiges met ander registrasiekantore / ooreltalig: Simult with other registries / sectional titles:

Kode / Code	Firma / Firm	Eiendom / Property	Kantoor / Office
1			
2			
3			
4			

(b) Klieknt afskrifte van akte permanent in Aktekantoor geloesaar: Client copies of deeds filed permanently in Deeds Office:

Aard en nommer van akte / Nature and number of deed	Cover No. / Omsetg. Nr.	Parawe van ondersoekers Initials of Examiners

(c) Notas / Notes:

B. VIR AKTERANTOOR GEBRUIK / FOR DEEDS OFFICE USE

Interdikte regasien Interdicts checked	Opmerkings / Remarks	Parasaf parasafs
Datum / Date	Parasaf parasafs	
(1) Dorp goerogeloesaar (proclaimed townships)		
(2) Beghthigingsawwe Endowment avwe		
(3) Beghthigingsawwe Endowment		
(4) Voorwaarsdes Conditions		
(5) Mikro Micro		
(6) Algemens Plan General Plan		
(7) Taksakto Tiths Deed		
(8) Verbonde Jeen dopettel Bonds solmsl towarsly: tiths		
(9) Datum regasien Date checked		

Kantoor instruksies / Office Instructions: ..

Sekste / Section:

SPREEDPRINT STRAND Ref. 494-020

Deeds Reg. No. CTN **145**

MORKEL & DE VILLIERS INC/ING EXECUTION/ UITVOERING
TEL: 021 850 9700 31 MAR 2016

Ref. / No. Nr. **RE 5111111111111111**

A. VIR AKTERANTOOR GEBRUIK / FOR DEEDS OFFICE USE

Datuman in die akte g / Date of lodgement

LODGEU

2016-03-18

INGEDIEN

Ondersoekers / Examiners	Firma se No. / Firm No.	Shakings / Filing	PAPPE / Papers	As. / Fees
1 K. SHUQUA	1164	8	3	0
2 C. MOHR/RG 1351				
3				

B. VIR AKTERESORGER SE GEBRUIK / FOR CONVEYANCERS USE

Aard van Akte / Nature of Deed: **TRANSFER**

Opv. / U.S.: **EB. ESTERHUYSE**

T 000018 186 / 2 016

Skakel(s) / Link(s):

117/118/119/120/121/122/123/124/125/126/127/128/129/130/131/132/133/134/135/136/137/138/139/140/141/142/143/144/145/146/147/148/149/150/151/152/153/154/155/156/157/158/159/160/161/162/163/164/165/166/167/168/169/170/171/172/173/174/175/176/177/178/179/180/181/182/183/184/185/186/187/188/189/190/191/192/193/194/195/196/197/198/199/200

EXAMINER'S NOTES INSIDE

No. in stel / batch	Kode / Code	Name van Partye / Names of Parties	Name van Firma / Name of Firm	Firma No. / Firm No.
1	VA	Estehuyse/ B&C (P) m.o.	Moe Villiers	145
2	BB	Estehuyse/ B&C (P) m.o.	Morkel & de Villiers	1145
3	BC	Estehuyse/ B&C (P) m.o.	Morkel & de Villiers	1145
4	BC	Estehuyse/ ABSA	Morkel & de Villiers	117
5	BC	" / ABSA	"	117
6	BC	" / ABSA	"	117
7	BC	" / ABSA	"	117
8	BC	" / ABSA	"	117
9				
10				
11				
12				

Registrasie versoek deur / Registration requested by:

Datum / Date: **080006167320**

(Kopieerwys van akte (slegs pars 1 in Akte) / Copy description of property (number pars 1 in Deed))
 @PTN 3 OF PAEM 528
 @PTN 2 OF PAEM 1146

And the appearer declared that his said principal had, on 19 December 2015, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

**The Trustees for the time being of THE BENEDETTO TRUST
Registration Number IT1586/2012**

its Successors in Office or assigns, in full and free property

1. PORTION 5 (PORTION OF PORTION 2) OF THE FARM NO-528, IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH, WESTERN CAPE PROVINCE

IN EXTENT 4,2827 (FOUR COMMA TWO EIGHT TWO SEVEN) Hectares

FIRST transferred and still held by Deed of Transfer Number T17448/1982 with Diagram LG No. 7888/54 annexed

A. SUBJECT to conditions referred to in Deed of Transfer no 1064/1941.

B. SUBJECT FURTHER to the following benefit contained in the Deed of Grant issued on 29 June 1891 in respect of the provisions of Act 15 of 1887, Stellenbosch Deeds of Grant, Volume 6 no 6, namely:

- "1. That all road and thoroughfares now existing on the land hereby granted whether they are described in the diagram or not shall remain free and uninterrupted."

C. SUBJECT to the condition in the said Deed of Grant, Stellenbosch Deeds of Grant, Volume 6 no 6 -

"Subject, however, to all such Duties and Regulations as are either already or shall in future be established with regard to such lands."

D. SUBJECT FURTHER to the conditions of subdivision imposed in Deed of Transfer no T17448/1982 by the controlling authority by virtue of Section 11 of Act 21 of 1940 upon approval of the subdivision of Portion 2 of the Farm 528, Stellenbosch, namely:

- "1. Die grond mag nie onderverdeel word nie, tensy die skriftelike goedkeuring van die beherende gesag soos omskryf in Wet nr 21 van 1940, soos gewysig, eers verkry is.
2. Die grond mag alleen gebruik word vir residensiële- of landboudoeleindes en geen ander doel sonder die skriftelike toestemming van die beherende gesag, soos omskryf in Wet nr 21 van 1940 nie.
3. Geen gebou of struktuur hoegenaamd mag opgerig word sonder die skriftelike toestemming van die beherende gesag soos omskryf in Wet nr.21 van 1940 nie.

- E. **SUBJECT FURTHER**, regarding the component marked ABCDEFGHJKLR on Diagram no 8786/1983, to the provisions of the endorsement dated 22 February 1967 on said Deed of Transfer no T1064/1941; which reads as follows:

ENDORSEMENT IN TERMS OF SECTION 31(6) OF ACT NO 47 OF 1937 (AS AMENDED).

The hereinmentioned property in extent approximately 2,87 morgen, has been expropriated by the Divisional Council of Stellenbosch in terms of Section 130 of Ordinance 15 of 1952 as amended. Vide Notice of Expropriation no H/9/3 dated 1.6.1965 filed as exprop. Caveat 760/65, plans in duplicate filed herewith.

For Information Only

4

2

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MORKEL AND DE VILLIERS INC
The Forum
13 Drama Street
Somerset West
7129

Prepared by me


CONVEYANCER
MICHAEL PAUL ROSE

POWER OF ATTORNEY TO PASS TRANSFER

I, the undersigned

ELMO BIRK ESTERHUYSE
Identity Number 440723 5025 08 0
Married out of community of property

do hereby nominate and appoint MICHAEL PAUL ROSE and/or JULIAN WEIL and/or CHRISTO NIMB and/or JACOBUS JOHANNES PETRUS HORN with power of substitution to be my true and lawful Attorney and Agent in my name, place and stead to appear at the Office of the REGISTRAR OF DEEDS at CAPE TOWN or any other competent official in the Republic of South Africa and then and there to act as my Attorney and Agent and to pass transfer to:

The Trustees for the time being of THE BENEDETTO TRUST
Registration Number IT1586/2012

the property described as:

1. PORTION 5 (PORTION OF PORTION 2) OF THE FARM NO 528, IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH, WESTERN CAPE PROVINCE

IN EXTENT 4,2827 (FOUR COMMA TWO EIGHT TWO SEVEN) Hectares

HELD BY Deed of Transfer Number T17448/1982
2. PORTION 2 OF THE FARM NO 1166, IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH, WESTERN CAPE PROVINCE

IN EXTENT 247 (TWO HUNDRED AND FORTY SEVEN) SQUARE METRES

HELD BY Deed of Transfer Number T41693/1999

the said property having been sold by me on 19 December 2015, to the said transferee/s for the sum of R17 500 000,00 (Seventeen Million Five Hundred thousand Rand);


GhostConvey 15.7.4.2



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Transfer Duty Declaration


TDREP

Reference Details

Transfer Duty Reference Number: TDE01A8DF7

Details	
Details of Seller / Transferor / Time Share Company	
Surname / Registered Name ESTERHUYSE	Full Name ELMO BIRK
ID Number 440723502580	Date of Birth (CCYYMMDD) 1944-07-23
Company / CC / Trust Reg No. Marital Notes if applicable South Africa	Marital Status M.O.C OF PROPERTY
Spouse Initials	
Details of Purchaser / Transferee	
Full Name THE BENEDETTO TRUST	Surname / Registered Name THE BENEDETTO TRUST
Company / CC / Trust Reg No. IT15822012	Marital Notes if applicable
Details of the Property	
Date of Transaction / Acquisition (CCYYMMDD) 2015-12-18	Total Consideration R 17500000.00
Total Fair Value R 500000.00	
Calculation of Duty and Penalty / Interest	
Transfer Duty Payable on Natural Person R 17500000.00	
Property Description	
1 PORTION 5 (PORTION OF PORTION 2) OF THE FARM NO 53B IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH, WESTERN CAPE PROVINCE IN EXTENT 4,2827 (FOUR COMMA TWO EIGHT TWO SEVEN) HECTARES	
2 PORTION 2 OF THE FARM NO 1168, IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH, WESTERN CAPE PROVINCE IN EXTENT 247 (TWO HUNDRED AND FORTY SEVEN) SQUARE METRES	

Receipt	
Receipt Details	
Transfer Duty Reference Number TDE01A8DF7	Receipt No. 1200356074
Receipt Amount R 1782500.00	

Declaration by Conveyancer / Attorney	
I certify that this is a true copy of the transfer duty declaration / receipt / exemption certificate drawn from the SARS eFiling site, which will be retained by me for 5 years from the date of registration of transfer.	 Please ensure you sign over the 2 lines of 'X's above
Date (CCYYMMDD) 20160316	For enquiries go to: www.sars.gov.za or call 0800 00SARS (7277)

CP

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MORKEL & DE VILLIERS INC
The Forum
13 Drama Street
Somerset West
7130

CONVEYANCER'S CERTIFICATE

I, MICHAEL PAUL ROSE, the undersigned Conveyancer, hereby certify that in terms of the Identification Act 72/1986, the transferor's Identity Number (440723 5025 00 7) has been changed to 440723 5025 08 0.



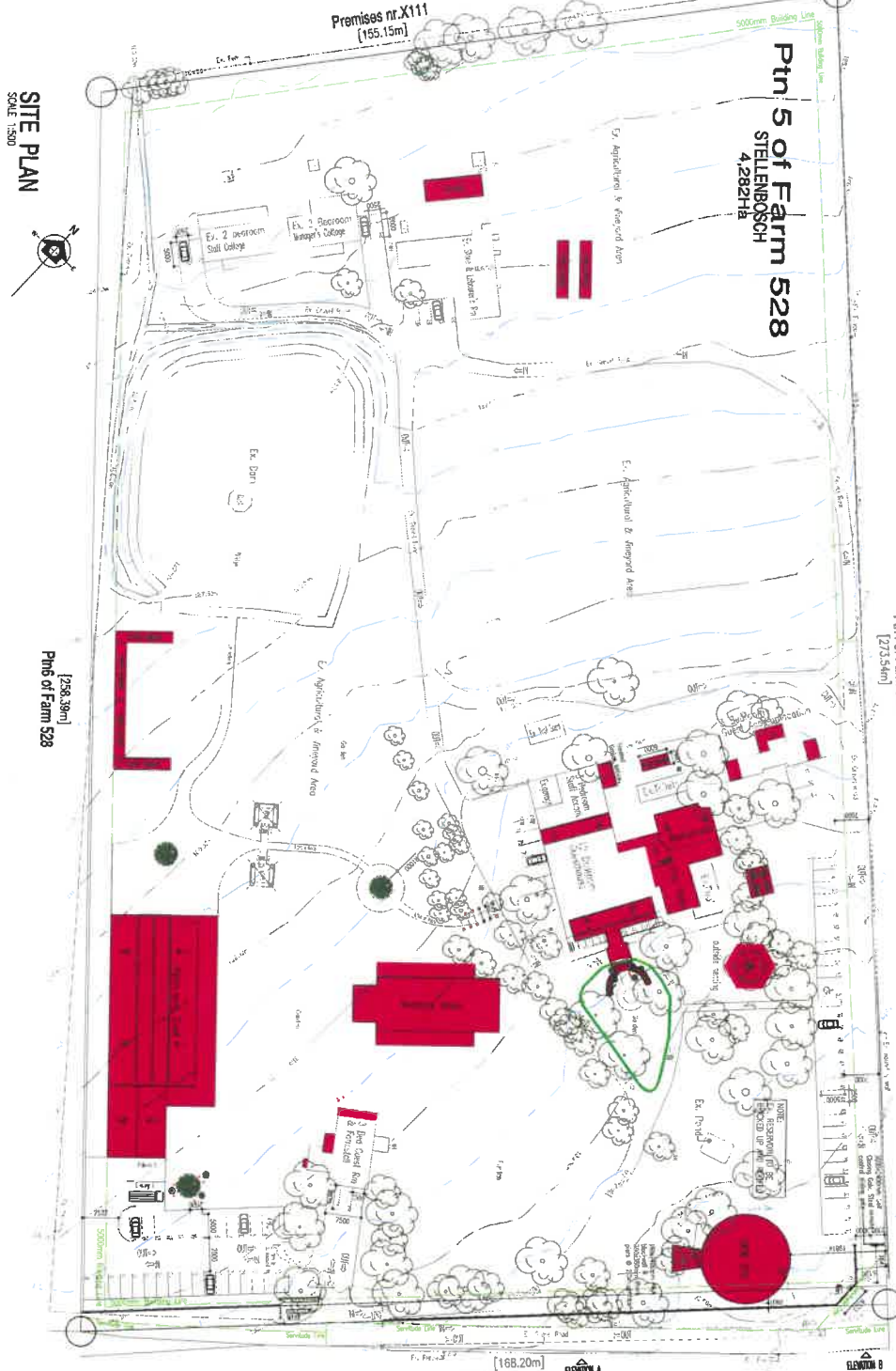
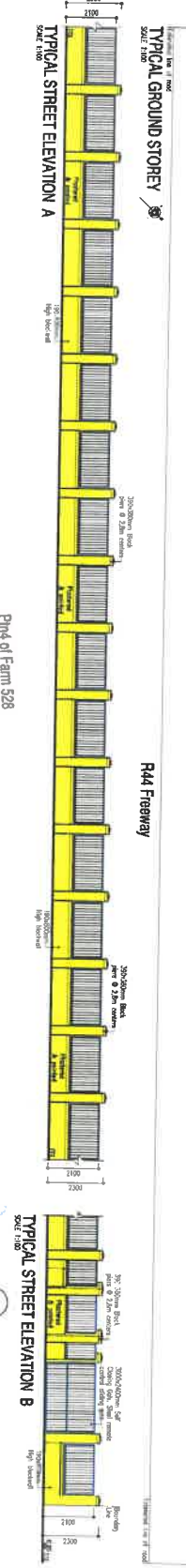
CONVEYANCER
MICHAEL PAUL ROSE

For Informal Only

ANNEXURE G: SDP



NOTES



SITE PLAN
SCALE 1:500

[258.39m]
Ptn 6 of Farm 528

PROJECT :
PROPOSED SITE DEVELOPMENT
PLAN FOR THE BENEDETTO
FRUST ON PTN 5 OF FARM
528 STELLENBOSCH

DATE: 08/09/2023
DRAWN BY: SJB
CHECKED BY: SJB

SCALE: 1:500
SHEET: 1 OF 11
DATE: 08/09/2023

REVISIONS:

NO	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	08/09/2023

ALL STRUCTURAL WORK
TO BE VERIFIED BY
ENGINEER

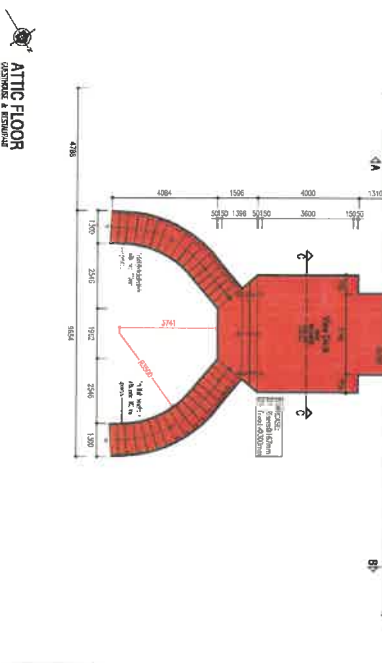
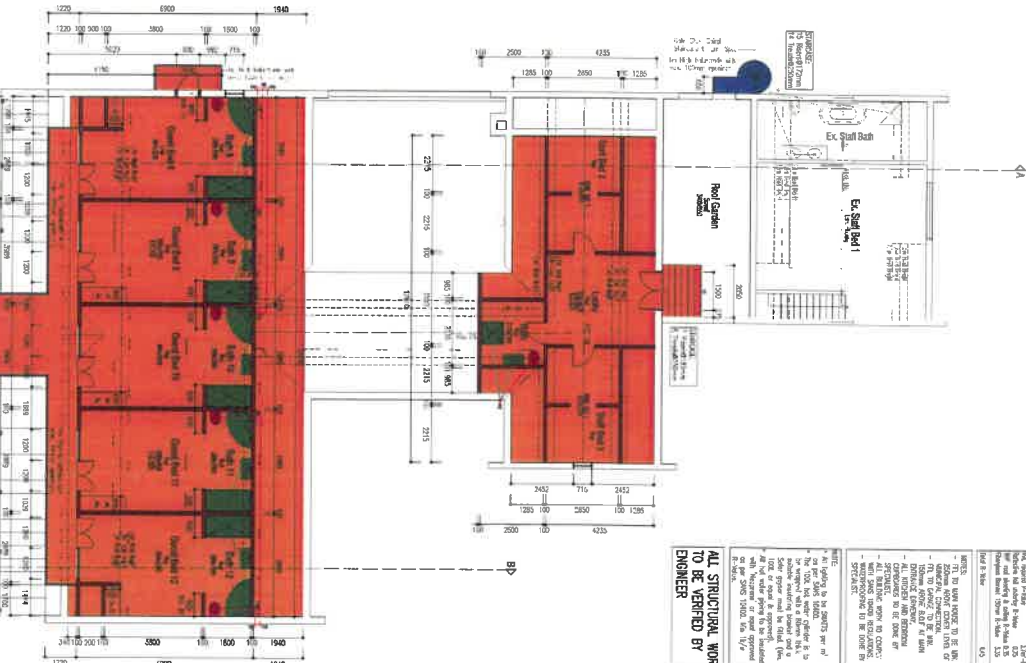
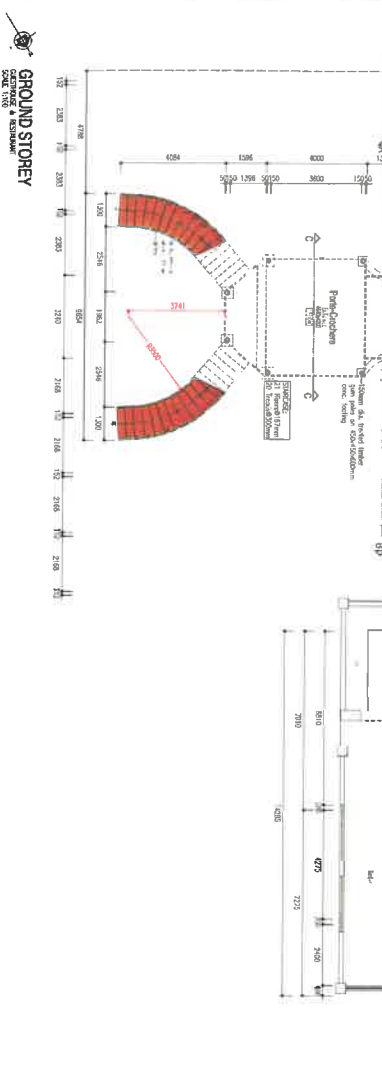
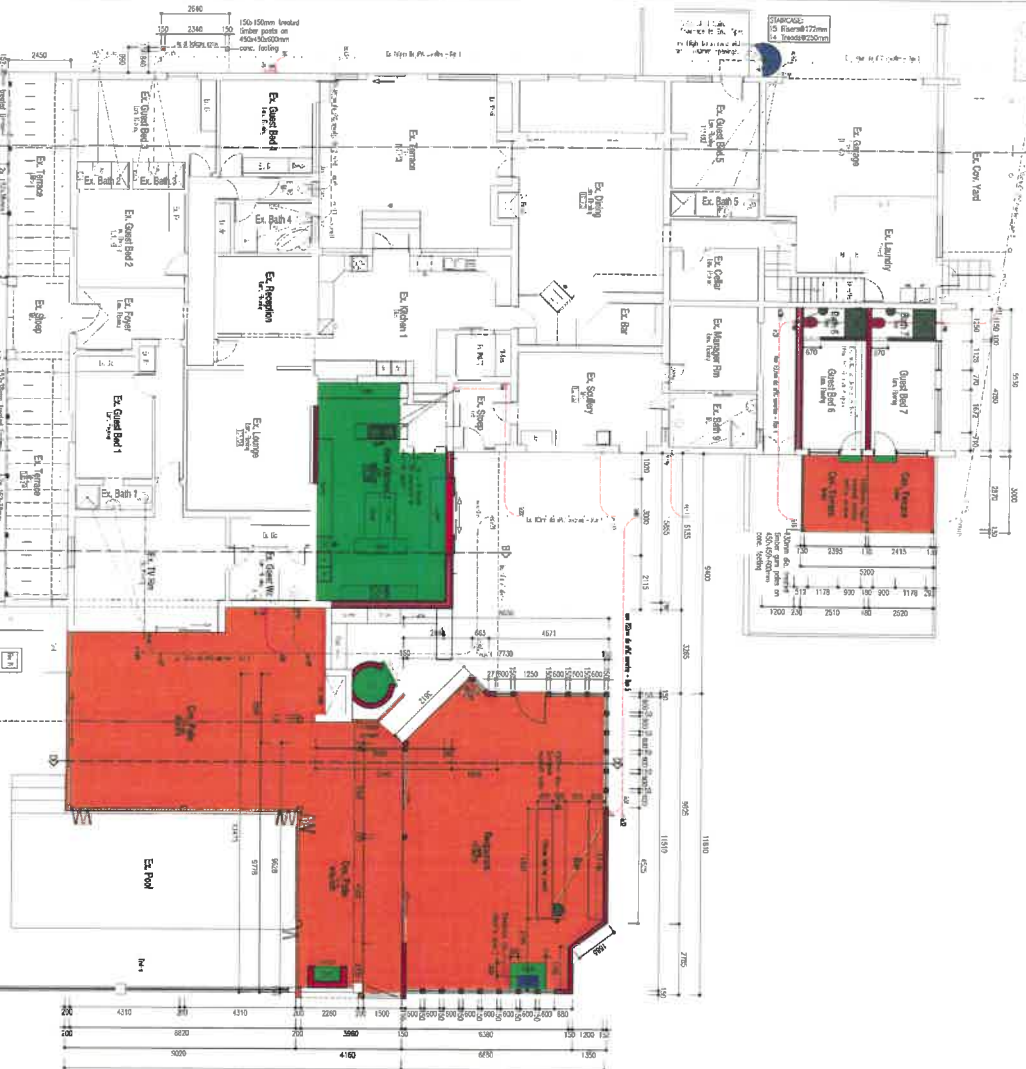
DESIGN



NOTES

1. All structural work to be verified by an Engineer.
2. All dimensions to be in millimetres unless otherwise stated.
3. All dimensions to be in millimetres unless otherwise stated.
4. All dimensions to be in millimetres unless otherwise stated.
5. All dimensions to be in millimetres unless otherwise stated.
6. All dimensions to be in millimetres unless otherwise stated.
7. All dimensions to be in millimetres unless otherwise stated.
8. All dimensions to be in millimetres unless otherwise stated.
9. All dimensions to be in millimetres unless otherwise stated.
10. All dimensions to be in millimetres unless otherwise stated.

ALL STRUCTURAL WORK TO BE VERIFIED BY ENGINEER



PROJECT:
PROPOSED SITE DEVELOPMENT
PLAN FOR THE BENEDICTO
TRUST ON PTN 5 OF FARM
528 STELLENBOSCH

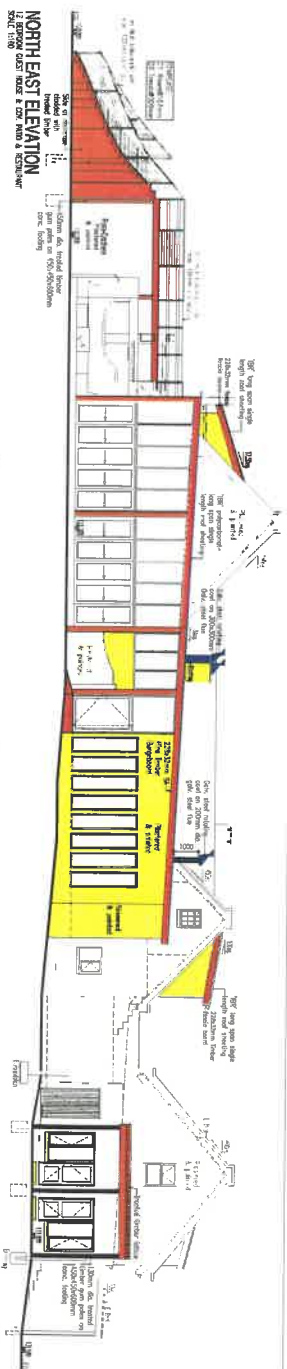
DRAWING:
SITE DEVELOPMENT PLAN

SHEET	SCALE	REVISION
2 OF 11	As Shown	2.0
DATE	DRAWN BY	DATE
08/09/2023	539-MHNZ	22-30

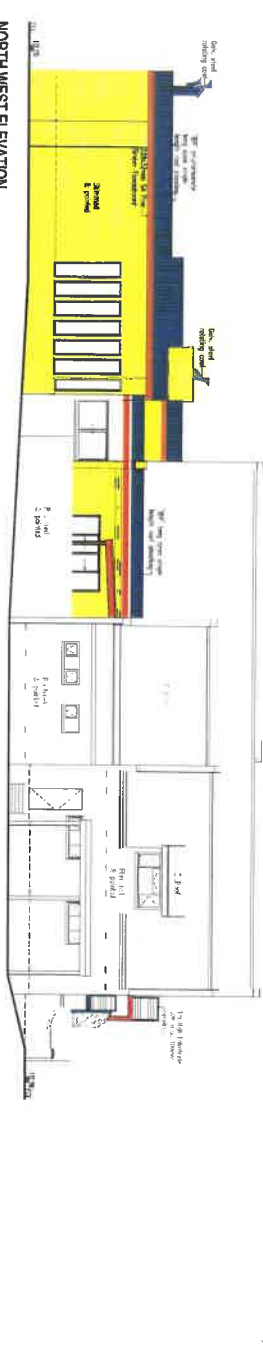
PROJECT MANAGER: ANDREW VAN DER MERWE
CONTACT: 081 488 4888
WWW.VANDESIGN.CO.ZA

VARIATIONS TO APPROVED PLANS FOR CONSTRUCTION	
NO.	DATE
1	LA
2	HOUSE AREAS
3	SITE AREA
4	4250sqm
5	
6	
7	
8	
9	
10	

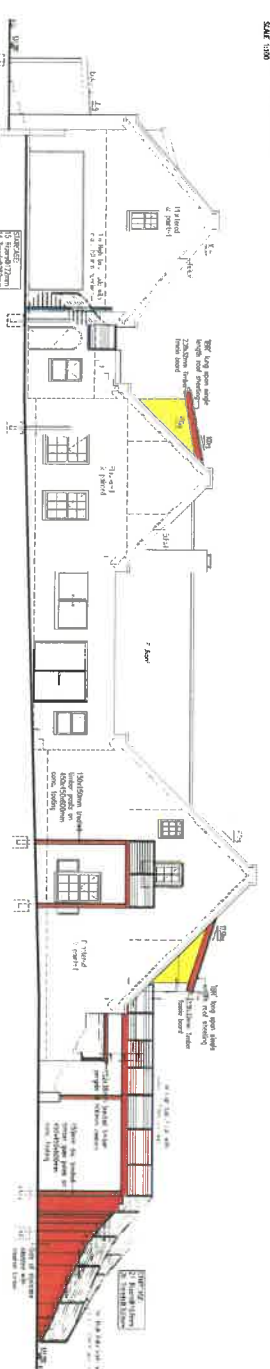




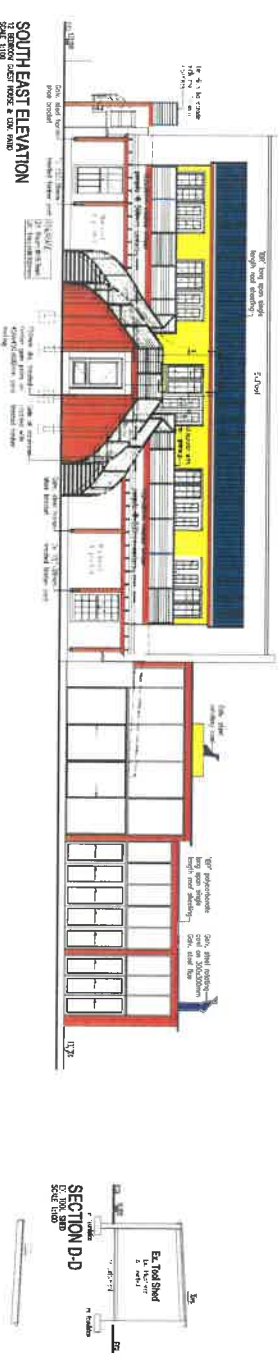
NORTH EAST ELEVATION
 1:100 SCALE
 1.2 PERFORM ASPECT RATIO & COY. FACING
 2.2 PERFORM ASPECT RATIO & COY. FACING



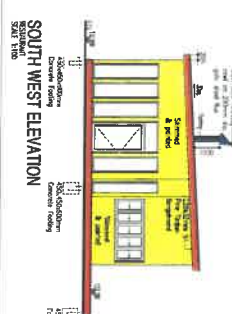
NORTH WEST ELEVATION
 1:100 SCALE
 1.2 PERFORM ASPECT RATIO & RESERVATION
 2.2 PERFORM ASPECT RATIO & RESERVATION



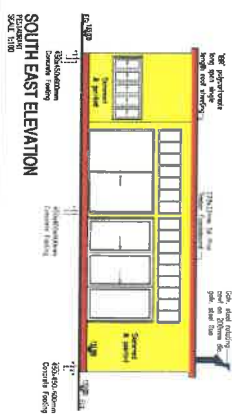
SOUTH WEST ELEVATION
 1:100 SCALE
 1.2 PERFORM ASPECT RATIO
 2.2 PERFORM ASPECT RATIO



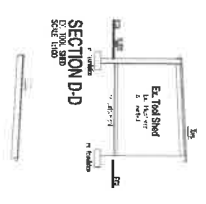
SOUTH EAST ELEVATION
 1:100 SCALE
 1.2 PERFORM ASPECT RATIO & COY. FACING
 2.2 PERFORM ASPECT RATIO & COY. FACING



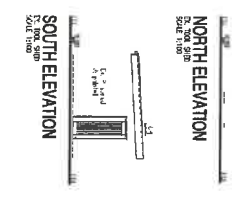
SOUTH WEST ELEVATION
 1:100 SCALE
 1.2 PERFORM ASPECT RATIO & COY. FACING
 2.2 PERFORM ASPECT RATIO & COY. FACING



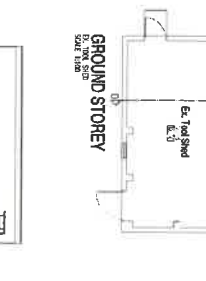
SOUTH EAST ELEVATION
 1:100 SCALE
 1.2 PERFORM ASPECT RATIO & COY. FACING
 2.2 PERFORM ASPECT RATIO & COY. FACING



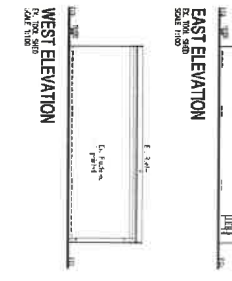
NORTH ELEVATION
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SOUTH ELEVATION
 1:100 SCALE
 1.2 PERFORM ASPECT RATIO & COY. FACING
 2.2 PERFORM ASPECT RATIO & COY. FACING



EAST ELEVATION
 1:100 SCALE
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 2.2 PERFORM ASPECT RATIO & COY. FACING



WEST ELEVATION
 1:100 SCALE
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 2.2 PERFORM ASPECT RATIO & COY. FACING



GROUND STOREY
 1:100 SCALE
 1.2 PERFORM ASPECT RATIO & COY. FACING
 2.2 PERFORM ASPECT RATIO & COY. FACING



NORTH ELEVATION
 1:100 SCALE
 1.2 PERFORM ASPECT RATIO & COY. FACING
 2.2 PERFORM ASPECT RATIO & COY. FACING

AREAS :	PERMISSIBLE	ACTUAL
3 BEDROOM GUEST ACCOMMODATION	105m ²	105m ²
BAR	34m ²	34m ²
RESTAURANT	90m ²	90m ²
RESTAURANT COV. PATIO	115m ²	115m ²
TOILETS	40m ²	40m ²
12 BEDROOM GUEST HOUSE	1016m ²	1016m ²
& 3 BEDROOM STAFF ACCOM.	50m ²	50m ²
VIEW DECK	52m ²	52m ²
WEDDING VENUE	325m ²	325m ²
3 BEDROOM GUEST & FARM STALL	125m ²	125m ²
EQM	50m ²	50m ²
AGRICULTURAL SHED	825m ²	825m ²
COV. STOPE	191m ²	191m ²
STORE & LABORER'S RM	250m ²	250m ²
CARRIAGE	30m ²	30m ²
2 BEDROOM STAFF COTTAGES	187m ²	187m ²
2 BEDROOM MANAGERS COTTAGES	145m ²	145m ²
STORAGE CONTAINERS	216m ²	216m ²
STORAGE	54m ²	54m ²
SPA	425m ²	425m ²
TOTAL	4345m²	4345m²

SCHEDULE OF RIGHTS	PERMISSIBLE	ACTUAL
SITE AREA	42 322 sq./m	1424m ²
ZONING	AGRICULTURAL (A)	
CLASSIFICATION	F2, H3, H5 & J2	
WEDDING VENUE	- A1	
AGRICULTURAL SHED	- J2	
FARM STALL	- F2	
2 RED MANAGER COTTAGES	- H3	
2 RED LABORERS COTTAGES	- H3	
3 RED STAFF ACCOMMODATION	- H3	
12 RED GUEST ACCOMMODATION	- H3 (12 GUESTS)	
3 RED GUEST ACCOMMODATION	- H3 (3 GUESTS)	
3 RED GUEST ACCOMMODATION	- H3 (3 GUESTS)	
MAXIMUM FLOOR SPACE (per all dwelling units)	1500m ²	1424m ²
HEIGHT RESTRICTION	lim top of roof	7.855m

PARKING REQUIREMENTS :
24-clodding Bay Size 8000x3500mm
74-Parking Bay Size 5000x2500mm
2-Dweller Bay Size 5000x3500mm

WARNING TO APPROVED PLANS FOR CONSTRUCTION

REV: DATE: DRAWN: DETAILS:

DOWN: I A HOUSE AREAS

DESIGNER: SITE AREA 4232sq/m

CLIENT:

PROJECT :
 PROPOSED SITE DEVELOPMENT
 PLAN FOR THE BENEDETTO
 TRUST ON PTN 5 OF FARM
 528 STELLENBOSCH

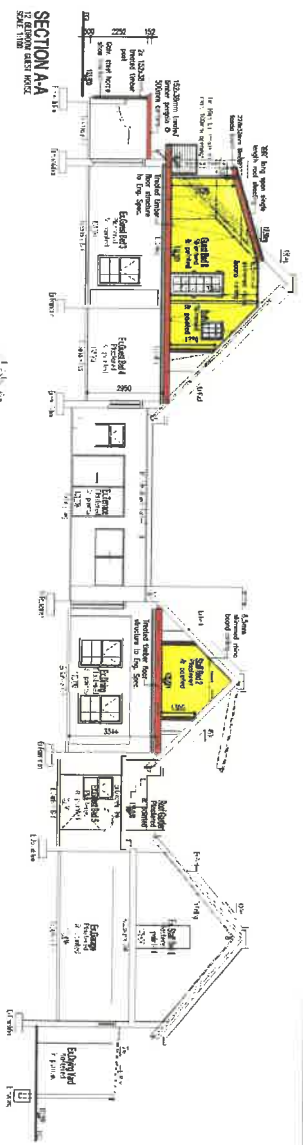
DRAWING :
 SITE DEVELOPMENT PLAN

SHEET: SCALE: REGION: 3 OF 11 AS SHOWN 2.0

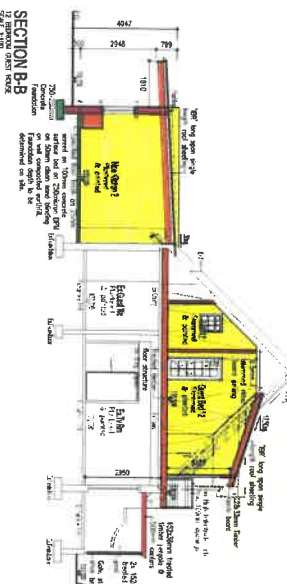
DATE: 08/09/2023 SET-ARCHIT 22-30

PROJECT ARCHITECT: CELLULOSE 97 7735 FAX: 086 894 1166
 EMAIL: info@cellulose.co.za SALES@CELLULOSE.CO.ZA

DESIGN



SECTION A-A
SCALE: 1/8" = 1'-0"



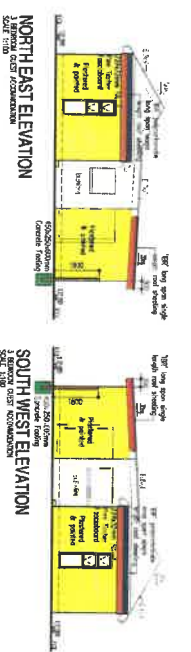
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SCALE: 1/8" = 1'-0"

SECTION C-C
SCALE: 1/8" = 1'-0"

SECTION D-D
SCALE: 1/8" = 1'-0"

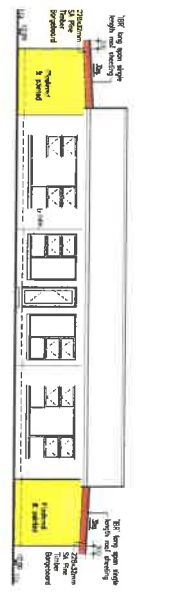


GROUND STOREY
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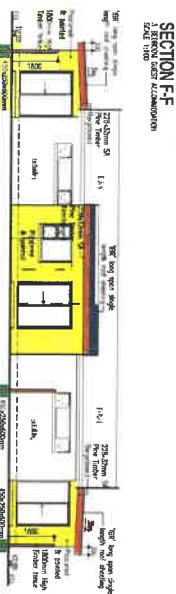


NORTH EAST ELEVATION
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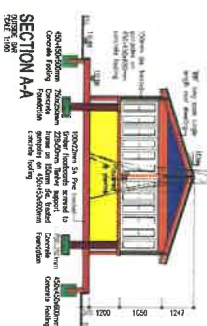
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SCALE: 1/8" = 1'-0"



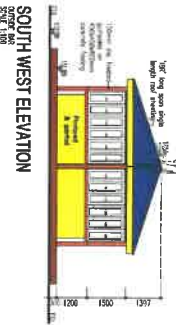
SOUTH EAST ELEVATION
SCALE: 1/8" = 1'-0"



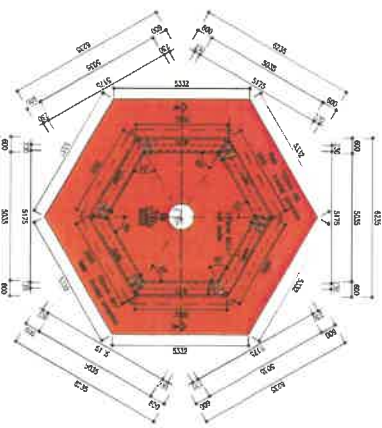
NORTH WEST ELEVATION
SCALE: 1/8" = 1'-0"



SECTION A-A
SCALE: 1/8" = 1'-0"



SOUTH WEST ELEVATION
SCALE: 1/8" = 1'-0"



GROUND STOREY
SCALE: 1/8" = 1'-0"

NOTES

1. ALL STRUCTURAL WORK TO BE VERIFIED BY ENGINEER

2. ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN METERS

3. ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN METERS

4. ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN METERS

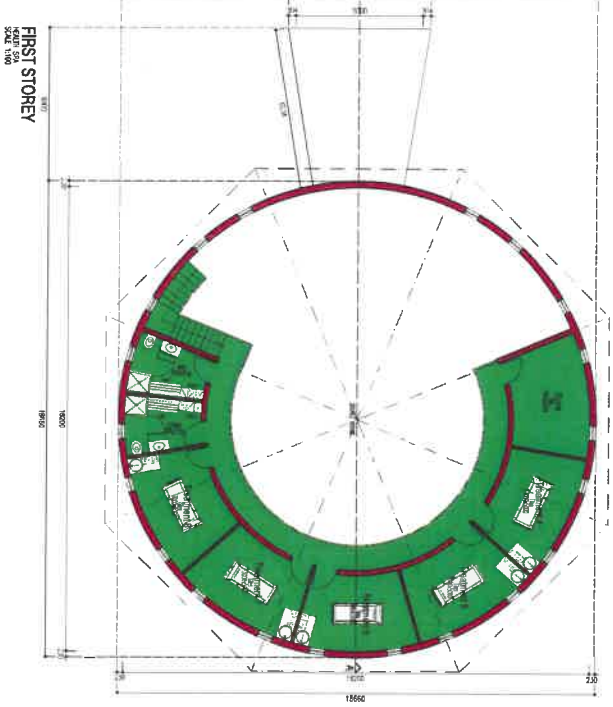
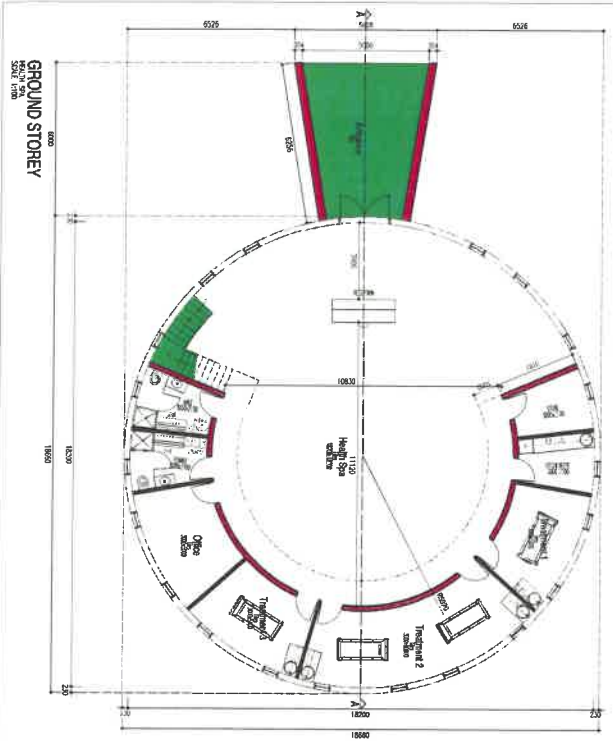
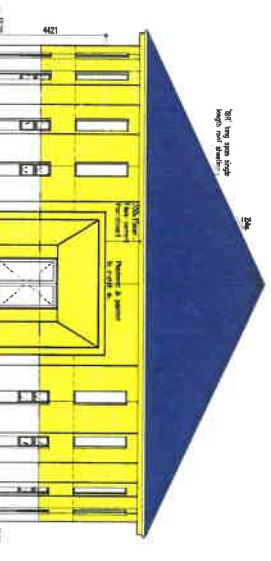
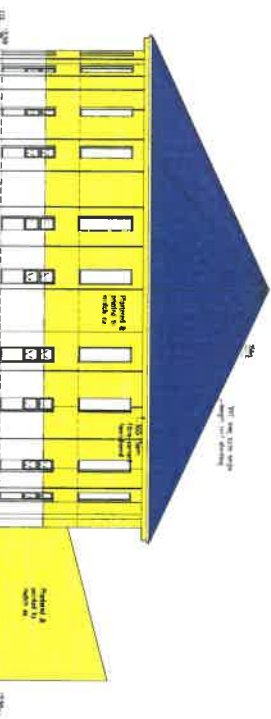
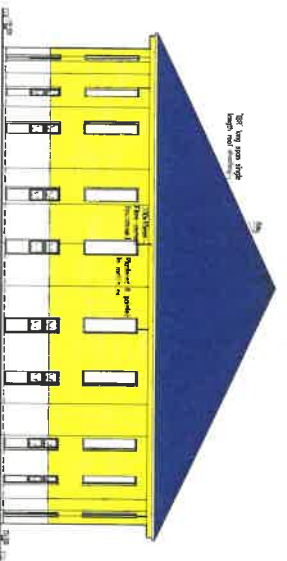
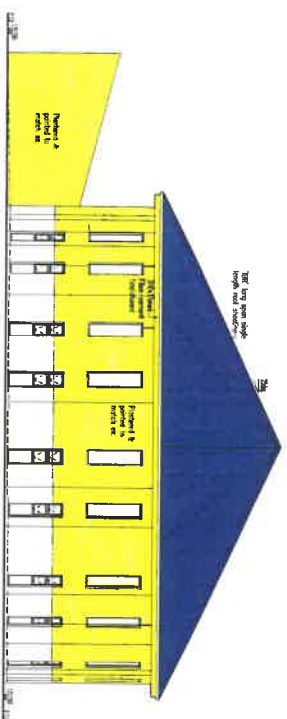
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PROJECT:	PROPOSED SITE DEVELOPMENT PLAN FOR THE BENEDETTO TRUST ON PTN 5 OF FARM 528 STELLENBOSCH
DRAWING:	SITE DEVELOPMENT PLAN
SHEET:	4 OF 11
SCALE:	AS SHOWN
DATE:	08/09/2023
DESIGNER:	528-BEN
REVISION:	22-30
PROJECT MANAGER:	ROBERT JACOBUS (082 917 753) / ALAN DE VRIES (082 917 753)
CLIENT:	
DATE:	
SCALE:	
REVISION:	
PROJECT:	
DRAWING:	
SHEET:	
SCALE:	
DATE:	
DESIGNER:	
REVISION:	
PROJECT MANAGER:	
CLIENT:	



NOTES

- REVISIONS:**
- | | | |
|-----|------------|----------------------|
| NO. | DATE | DESCRIPTION |
| 1 | 12/14/14 | ISSUED FOR PERMIT |
| 2 | 08/09/2013 | REVISED TO SHOW 2013 |
| 3 | 08/09/2013 | REVISED TO SHOW 2013 |
| 4 | 08/09/2013 | REVISED TO SHOW 2013 |
- REVISIONS:**
- ALL STRUCTURAL WORK TO BE VERIFIED BY ENGINEER
 - ALL ELECTRICAL WORK TO BE VERIFIED BY ENGINEER
 - ALL MECHANICAL WORK TO BE VERIFIED BY ENGINEER
 - ALL PLUMBING WORK TO BE VERIFIED BY ENGINEER
 - ALL CONCRETE WORK TO BE VERIFIED BY ENGINEER
 - ALL MASONRY WORK TO BE VERIFIED BY ENGINEER
 - ALL ROOFING WORK TO BE VERIFIED BY ENGINEER
 - ALL EXTERIOR FINISHES TO BE VERIFIED BY ENGINEER
 - ALL INTERIOR FINISHES TO BE VERIFIED BY ENGINEER
 - ALL PAINT WORK TO BE VERIFIED BY ENGINEER
 - ALL GLASS WORK TO BE VERIFIED BY ENGINEER
 - ALL METAL WORK TO BE VERIFIED BY ENGINEER
 - ALL WOOD WORK TO BE VERIFIED BY ENGINEER
 - ALL OTHER WORK TO BE VERIFIED BY ENGINEER



WARNING TO APPROVED PLANS FOR CONSTRUCTION

REV.	DATE	BY	APP.	DETAILS
1				

Drawn: L.A. HOUSE AREAS
 Designers: SITE AREA 4250sq/m
 Client:

PROJECT:
 PROPOSED SITE DEVELOPMENT PLAN FOR THE BENEDETTO TRUST FOR THE FARM 528 STELLENBOSCH

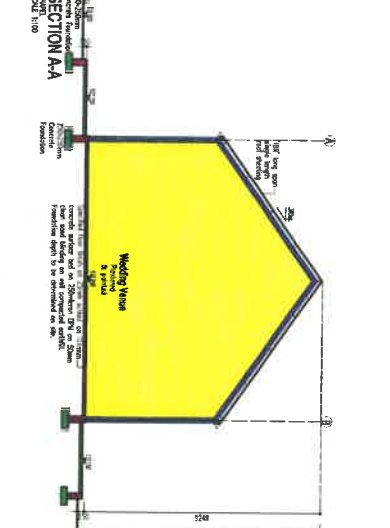
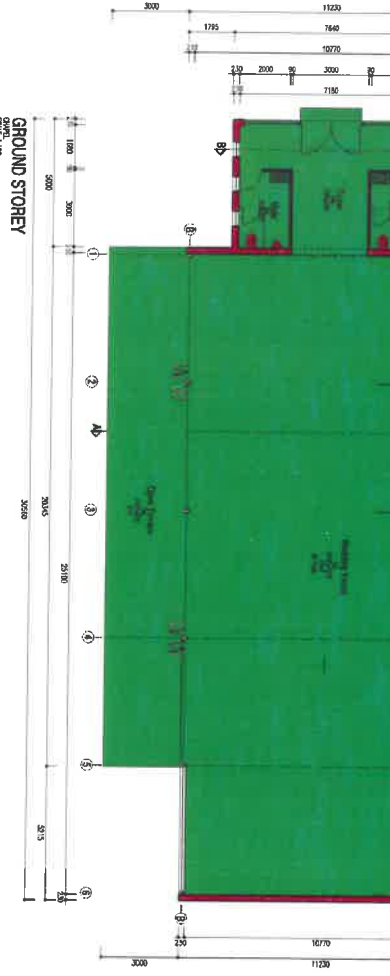
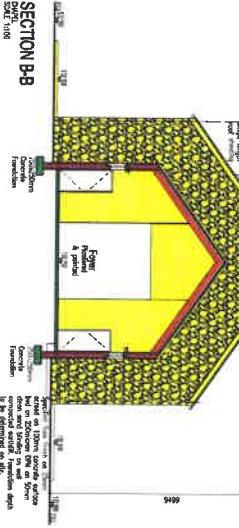
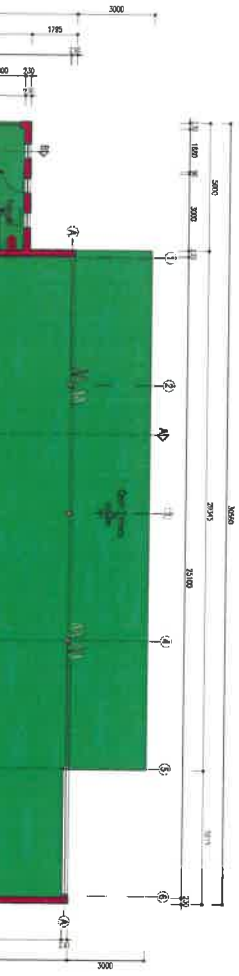
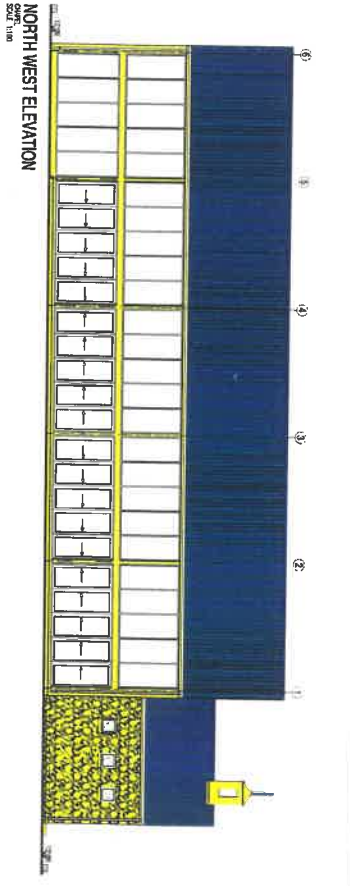
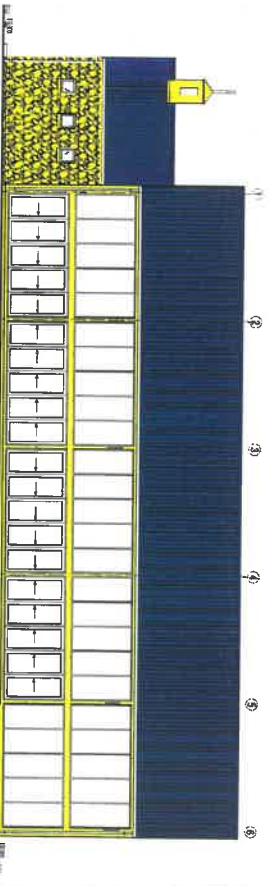
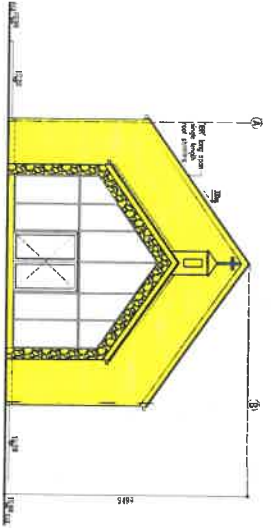
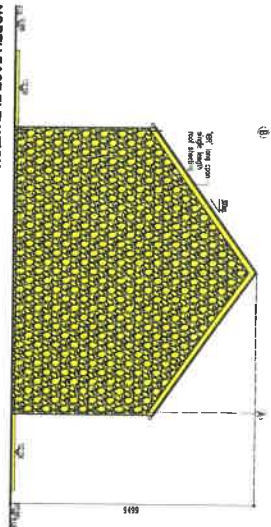
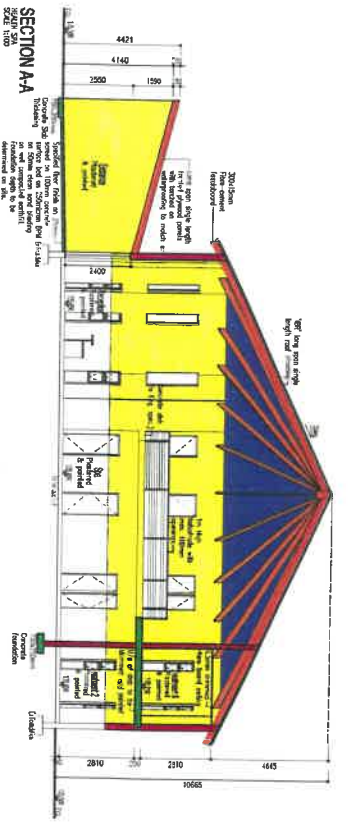
DRAWING:
 SITE DEVELOPMENT PLAN

SHEET	SCALE	REVISION
5 OF 11	As Shown	2.0

DATE: 08/09/2013
 FILE: 508-4812Z
 DRAWING NO: 22-30

PROJECT MANAGER: CELIA BUCHHEITZ
 ADDRESS: 24601, VERBODENEGRANDE STRAAT, N.W. 5172AS

DESIGN



PROJECT:
 PROPOSED SITE DEVELOPMENT
 PLAN FOR THE BENEDETTO
 TRUST ON PTN 5 OF FARM
 520 STELLENBOSCH

CLIENT:
 BENEDETTO TRUST

DESIGNER:
 L A HOUSE AREAS

DATE:
 08/09/2023

SCALE:
 As Shown

REGION:
 2.0

REVISION:
 22-30

DESIGN

ARCHITECTS

PROJECT:
 PROPOSED SITE DEVELOPMENT
 PLAN FOR THE BENEDETTO
 TRUST ON PTN 5 OF FARM
 520 STELLENBOSCH

CLIENT:
 BENEDETTO TRUST

DESIGNER:
 L A HOUSE AREAS

DATE:
 08/09/2023

SCALE:
 As Shown

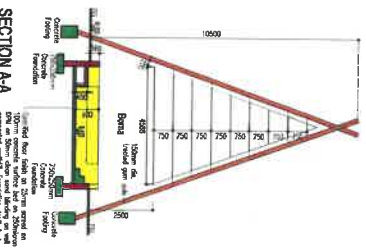
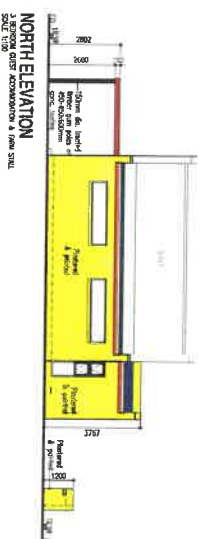
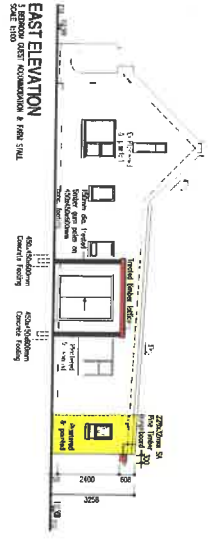
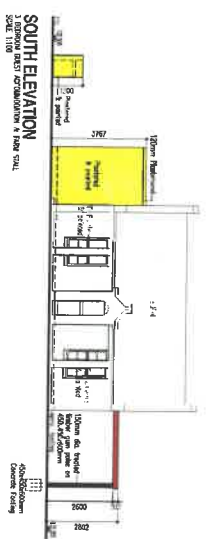
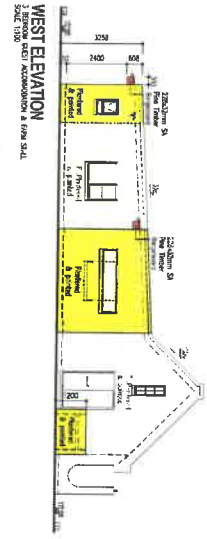
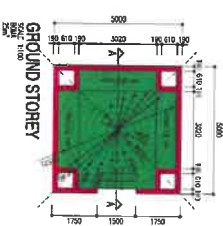
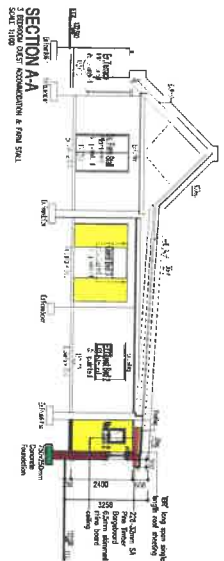
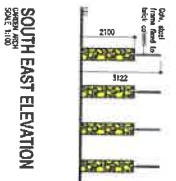
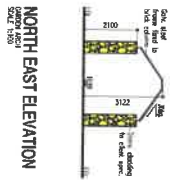
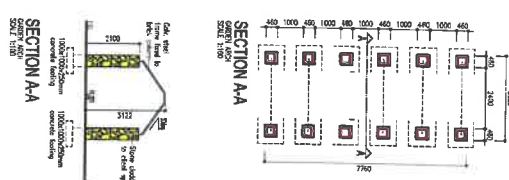
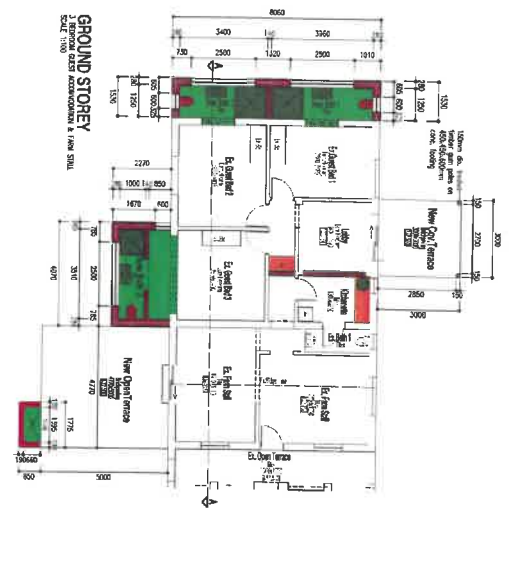
REGION:
 2.0

REVISION:
 22-30

NOTES

- 1. The client is responsible for providing all necessary information and approvals for this project.
- 2. The client is responsible for providing all necessary information and approvals for this project.
- 3. The client is responsible for providing all necessary information and approvals for this project.
- 4. The client is responsible for providing all necessary information and approvals for this project.
- 5. The client is responsible for providing all necessary information and approvals for this project.

ALL STRUCTURAL WORK TO BE VERIFIED BY ENGINEER



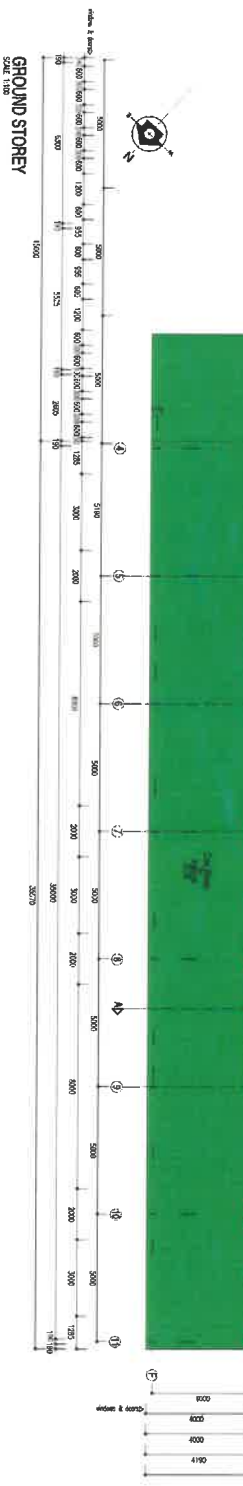
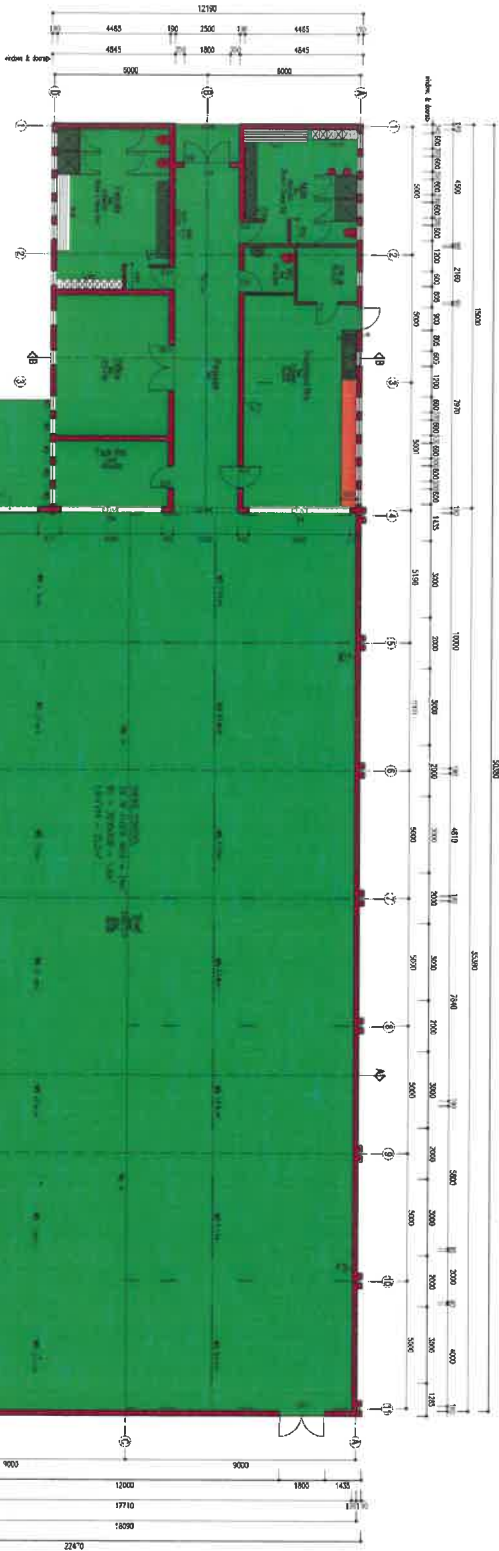
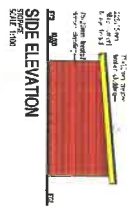
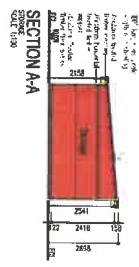
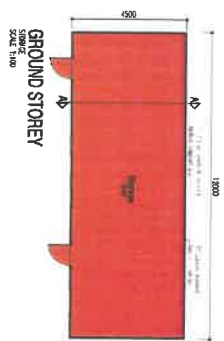
WARNINGS TO APPROVED PLANS FOR CONSTRUCTION	
REV:	DATE: DDMMYY
DRWN:	DATE: DDMMYY
CHKD:	DATE: DDMMYY
CLNT:	DATE: DDMMYY

PROJECT:
PROPOSED SITE DEVELOPMENT PLAN FOR THE BENEDETTO TRUST ON PTN 5 OF FARM 528 STELLENBOSCH

DRAWING:
SITE DEVELOPMENT PLAN

SHEET	SCALE	REVISION
7 OF 11	As Shown	2.0
DATE	FILE	DRAWING NO.
08/09/2023	528-1017	22-30





- NOTES**
- 1.14.4
 - 1.14.5
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 - 1.14.100

ALL STRUCTURAL WORK TO BE VERIFIED BY ENGINEER

PROJECT :
PROPOSED SITE DEVELOPMENT PLAN FOR THE BENEDETTO TRUST ON PTN 5 OF FARM 528 STELLENBOSCH

DRAWING :
SITE DEVELOPMENT PLAN

SHEET	SCALE	REVISION
8 OF 11	AS SHOWN	2.0
DATE	FILE	ISSUANCE TO
08/09/2023	SP-ARNTZ	22-30

FOI23-366-NETZ/TRAFFIC/CEDL020/2023-VAL-08/04/185
 Contact: info@design4life.co.za | Tel: 021 366 9947



NOTES

1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS 2011 AND THE NATIONAL FIRE BRANCH REGULATIONS 2011.

2. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL REGULATIONS 2011 AND THE NATIONAL PLUMBING REGULATIONS 2011.

3. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL MECHANICAL REGULATIONS 2011 AND THE NATIONAL TILING REGULATIONS 2011.

4. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL PAINTING REGULATIONS 2011 AND THE NATIONAL CARPETING REGULATIONS 2011.

5. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL GARDENING REGULATIONS 2011 AND THE NATIONAL LANDSCAPING REGULATIONS 2011.

6. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL FENCING REGULATIONS 2011 AND THE NATIONAL SECURITY REGULATIONS 2011.

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13. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL SECURITY REGULATIONS 2011 AND THE NATIONAL FENCING REGULATIONS 2011.

14. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL SECURITY REGULATIONS 2011 AND THE NATIONAL FENCING REGULATIONS 2011.

15. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL SECURITY REGULATIONS 2011 AND THE NATIONAL FENCING REGULATIONS 2011.

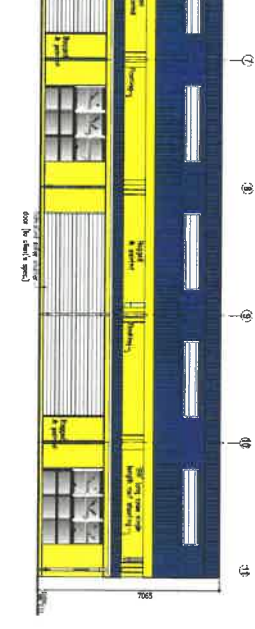
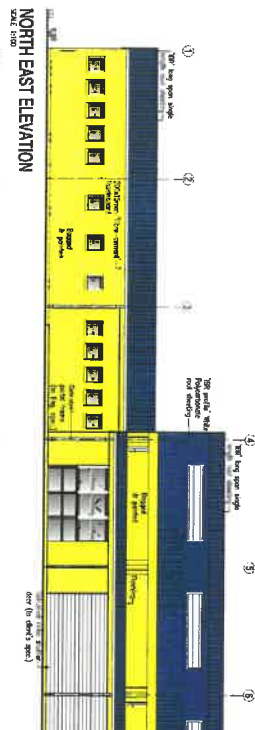
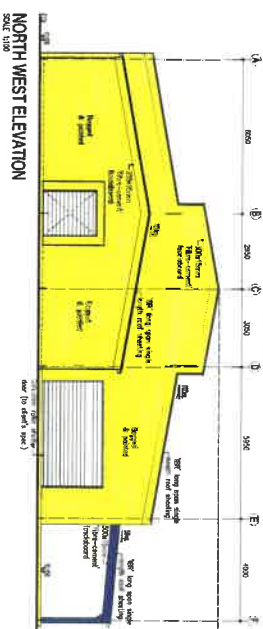
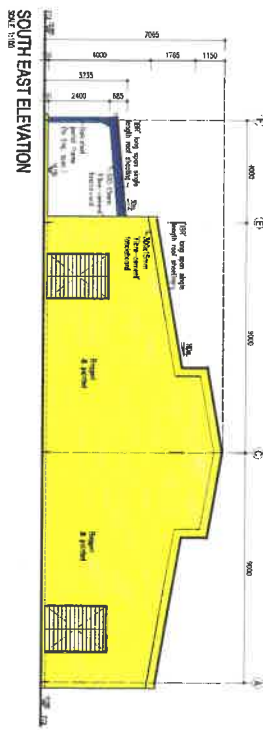
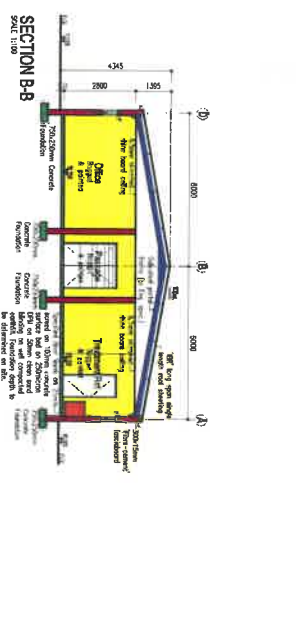
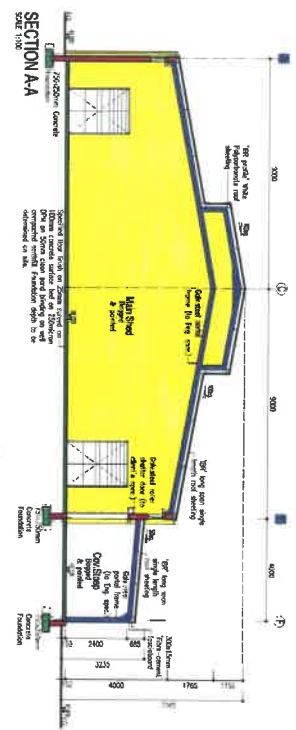
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20. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL SECURITY REGULATIONS 2011 AND THE NATIONAL FENCING REGULATIONS 2011.



VARIATIONS TO APPROVED PLANS FOR CONSTRUCTION

REV:	DATE:	BY:	DETAILS:
1	11/01/2023	LA	HOUSE AREAS
2	11/01/2023	LA	4280sq/m
3	11/01/2023	LA	
4	11/01/2023	LA	
5	11/01/2023	LA	

PROJECT:
PROPOSED SITE DEVELOPMENT PLAN FOR THE BENEDETTO TRUST ON PTN 5 OF FARM 528 STELLENBOSCH

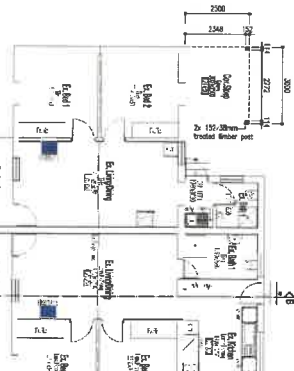
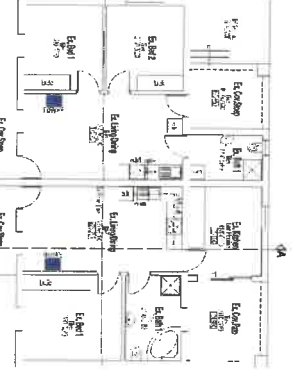
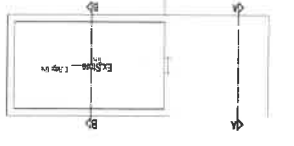
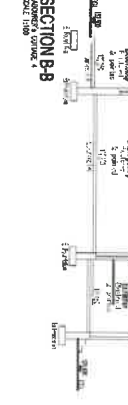
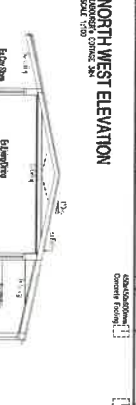
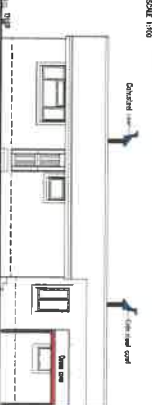
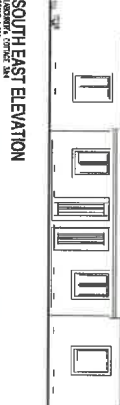
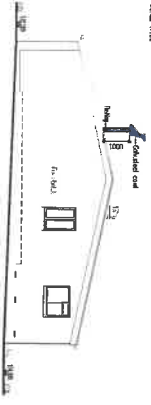
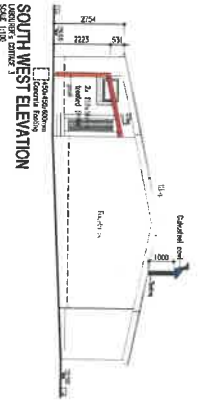
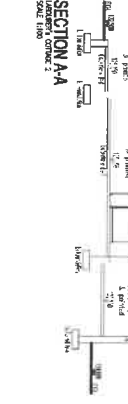
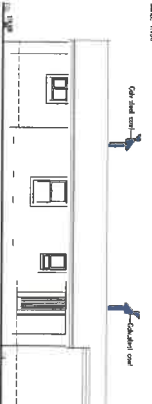
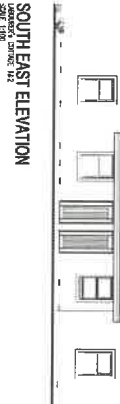
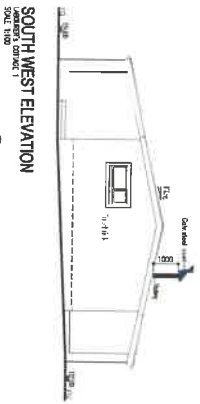
DRAWING:
SITE DEVELOPMENT PLAN

SHEET:	SCALE:	REVISION:
9 OF 11	As Shown	2.0
DATE:	FILE:	DRAWING NO.:
08/09/2023	SAB-MHTZ	22-30

LA DESIGN
 ARCHITECTS

PO BOX 3846 WEST BEACH TEL: 021 778 7412 FAX: 021 778 7413
 E: info@ladesign.co.za W: www.ladesign.co.za

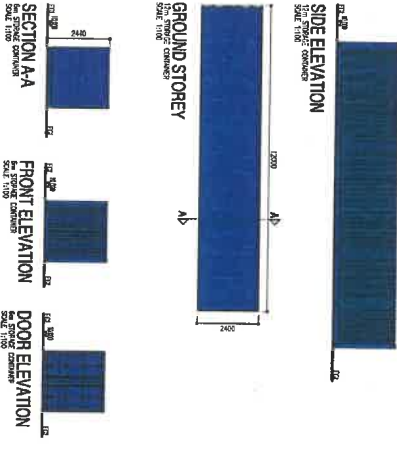
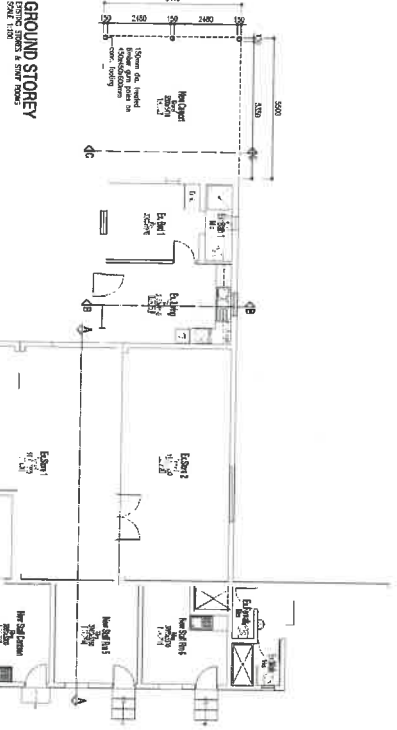
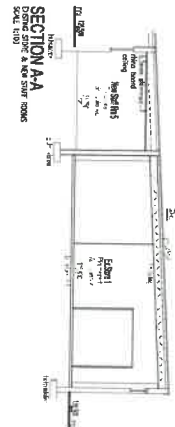
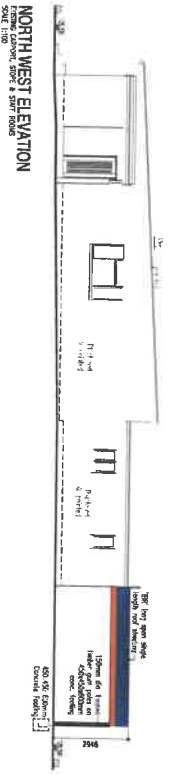
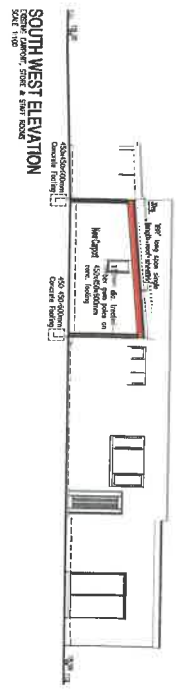
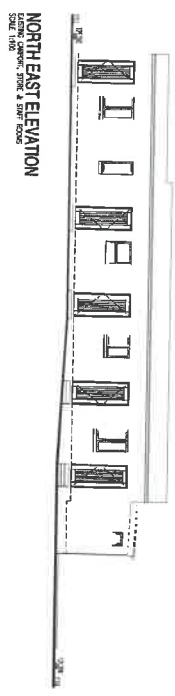
NOTES



DESIGN
ARCHITECTS

PROJECT: PROPOSED SITE DEVELOPMENT PLAN FOR THE BENEDICTO TRUST ON PTN 5 OF FARM 528 STELLENBOSCH			
DRAWING: SITE DEVELOPMENT PLAN			
SHEET	SCALE	REGION	
10 OF 11	A4 Shown	2.0	
DATE:	FILE:	ISSUE NO.:	
08/09/2013	50-4017	22-30	
FOUR MOUNTAIN BEACH TEL: 021 778 3436 FAX: 021 778 3437 EMAIL: info@fourmountain.co.za			

WARNINGS TO APPROVED PLANS FOR CONSTRUCTION			
REV:	DATE:	DRAWN:	DETAILS:
		L A	HOUSE AREAS
DESIGNER:	SITE AREA:	42350sq/m	
CLEAR:			



NOTES

1. ALL STRUCTURAL WORK TO BE VERIFIED BY ENGINEER.
2. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS 2011.
3. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL REGULATIONS 2011.
4. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL PLUMBING REGULATIONS 2011.
5. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL MECHANICAL REGULATIONS 2011.
6. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL TILING REGULATIONS 2011.
7. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL PAINTING REGULATIONS 2011.
8. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL GARDENING REGULATIONS 2011.
9. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL LANDSCAPING REGULATIONS 2011.
10. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL FENCING REGULATIONS 2011.
11. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL SECURITY REGULATIONS 2011.
12. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL SAFETY REGULATIONS 2011.
13. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL HEALTH REGULATIONS 2011.
14. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL ENVIRONMENTAL REGULATIONS 2011.
15. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL SOCIAL REGULATIONS 2011.
16. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL CULTURAL REGULATIONS 2011.
17. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL HISTORICAL REGULATIONS 2011.
18. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL ARTS REGULATIONS 2011.
19. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL SPORTS REGULATIONS 2011.
20. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL RECREATION REGULATIONS 2011.

VIOLATIONS TO APPROVED PLANS FOR CONSTRUCTION

NO.	DESCRIPTION	DATE	BY

REVISIONS TO APPROVED PLANS FOR CONSTRUCTION

NO.	DESCRIPTION	DATE	BY

PROJECT :
PROPOSED SITE DEVELOPMENT PLAN FOR THE BENEDETTO TRUST ON PTN 5 OF FARM 623 STELLENBOSCH

DRAWING :
SITE DEVELOPMENT PLAN

SHEET	SCALE	REVISION
11 OF 11	As Shown	2.0
DATE	DRAWN	DATE
08/09/2023	528-HJZ	22-30

PO BOX 996111 BEAUFORT WEST 7933 TEL: (08) 934 1147
 EMAIL: info@wdesign.co.za WWW.WDESIGN.CO.ZA

ANNEXURE H: TRAFFIC IMPACT STATEMENT



Urban Development Solutions
Reg no. 2003/043709/23

Head Office

Unit 8, Time Square Building,
9 Electron Street, Techno Park,
Stellenbosch, 7600

PO Box 50487
V&A Waterfront
8002

General Enquiries:

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T +27 (0)21 880 0443
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Services

Civil Engineering
(Water, Sewer, Stormwater)
Roads and Transport
Traffic Engineering
Project Management

Offices

Stellenbosch, Piketberg, Somerset
West, Clanwilliam



A Level 1 Contributor to B-BBEE

Date: 15 September 2023

Our Ref: UDS563/Reports/TIS/Rev03

Virdus Works (Pty) Ltd
77 Buitekring Street, Dalsig
STELLENBOSCH
7600

ATTENTION: Mr Dupré Lombaard

Dear Sir,

RE: APPLICATION FOR CONSENT USE ON FARM 528 PORTION 5, STELLENBOSCH: TRAFFIC IMPACT STATEMENT

This company was appointed by *The Benedetto Trust* to prepare a Traffic Impact Statement (TIS) for the proposed development on Farm 528/5, Stellenbosch.

1. BACKGROUND AND LOCALITY

The subject property is bordered by the R44 to the southeast, south of De Zalze, Stellenbosch. See the attached **Locality Plan**. Access to the R44 is shared with the two neighbouring properties, one of which accommodates, inter alia, a restaurant.

According to information obtained from the client, farming activities are no longer financially sustainable, and tourist-type facilities are thus proposed on the property, as will be discussed hereafter.

This TIS accompanies the Application for Consent Use on Farm 528/5, Stellenbosch.

2. PROPOSED DEVELOPMENT

2.1 Proposed Development

As per information obtained from the client and contained on the latest Site Plan, the proposed development consists of the following tourist-type facilities: Guest Accommodation (18 rooms), Staff Accommodation (3 units), Restaurant/Bar, Venue, Farm Stall and Spa. An Agricultural Shed & Storage are also proposed.

The above is indicated on the attached *Site Development Plan (Rev 2.0, 08/09/2023)* prepared by *LA Design Architects*.

2.2 Access to the Property

Access to the subject property is currently obtained from the R44 via a shared access between the subject property, and the two abutting properties, by way of a right-of-way servitude in favour of the abutting properties across the subject property. See *Diagram 1* below. Detail on access will be further discussed in *paragraph 4* below.

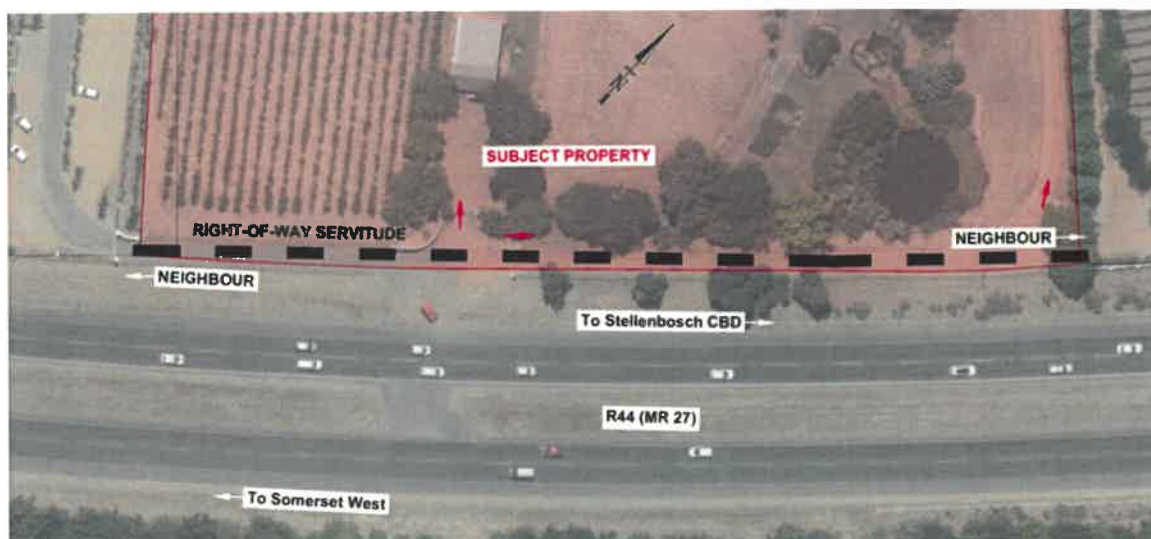


Diagram 1 : Access to subject property

3. TRAFFIC

3.1 Available Traffic

To obtain an indication of the existing traffic travelling via the access, traffic counts were conducted on Thursday, 28 July 2022, from 06h00 to 09h00 and again from 15h30 to 18h30 for the purpose of the initial application. The peak hour volumes derived from these counts are indicated in *Figure 1* below.

To assess a five-year horizon (from date of application), the abovementioned peak hour volumes were increased by an average 3% per annum growth (as per *TMH17 South African Trip Data Manual*). These estimated 2028 background volumes are indicated in *Figure 2* below.

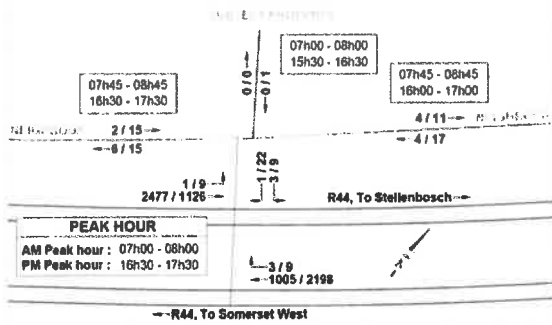


Figure 1 : Available 2022 AM/PM Peak Hour Volumes

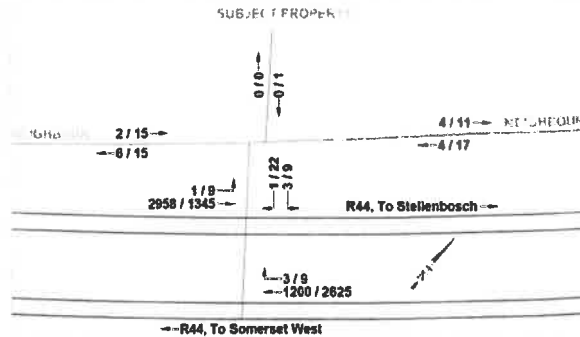


Figure 2 : Estimated 2028 AM/PM Peak Hour Volumes

3.2 Trip Generation

Trip generation rates as contained in the TMH17 *South African Trip Data Manual* were consulted to calculate the potential peak hour traffic that can be generated by the proposed development. The facilities expected to generate peak hour traffic are the guest accommodation, restaurant, venue, farm stall and spa. The agricultural uses and the staff accommodation are, for the purpose of peak hour trip generation calculations, not expected to contribute.

The TMH17 contains the following applicable trip generation rates:

TMH17 Trip Generation Rates	AM Peak Hour		PM Peak Hour	
	Rate	Split (in/out)	Rate	Split (in/out)
Guest House	0,45 trips per room	50/50	0,45 trips per room	50/50
Restaurant	0,75 trips per 100 m ² GLA	70/30	11,8 trips per 100 m ² GLA	40/60
Venue*	0,5 trips per seat	90/10	-	-
Farm Stall**	4,17 trips per 100 m ² GLA	65/35	23,63 trips per 100 m ² GLA	50/50
Spa***	8,0 trips per 100 m ² GLA	55/45	8,0 trips per 100 m ² GLA	45/55

* For the venue, the TMH17 trip generation rate for conferences was applied. The said rate suggests a 90/10 in out split during the AM peak hour. For conferences it would be assumed that the said split would occur during the AM peak hour, whilst the inverse would be expected during the PM peak hour. For parties or events, it would be expected that only the PM peak hour would be impacted on, with 90/10 in/out split. Weddings generally occur over weekends. To assess a worst case scenario in terms of the weekday peak hours, a conference will be assessed hereafter, i.e. 0,5 trips per seat during the peak hours, with 90/10 in/out during the AM peak hour and vice versa during the PM peak hour.

** For the farm stall, the standard retail trip generation rate was applied. The said rate is calculated based on the TMH17 Shopping Centre formulas: $0,6 \times \left[1 + \frac{6}{1+m^2/3500}\right]$ & $3,4 \times \left[1 + \frac{6}{1+m^2/3500}\right]$.

*** A trip generation rate for a spa is not contained in the TMH17, however, as the rooms within the spa is noted as treatment rooms, it was assessed as medical consulting rooms for the purpose of trip generation calculations.

To allow for internal trips between the various uses, the TMH17 suggests trip adjustment (reduction) factors for mixed-use development, which were applied to the restaurant and venue. The suggested adjustment rates are 10% for both uses.

Based on the above, the potential trip generation of the proposed development would be as follows:

Farm 528/5 Trip Generation	AM Peak Hour Trips			PM Peak Hour Trips		
	Total	In	Out	Total	In	Out
Guest House (18 rooms)	8	4	4	8	4	4
Restaurant (239 m ² GLA)	2	1	1	26	13	13
Farm Stall (30 m ² GLA)	1	1	0	8	4	4
Spa (203 m ² GLA)	16	9	7	16	7	9
Subtotal (daily operations)	27	15	12	58	28	30
Venue (80 seats)	36	32	4	36	4	32
Total	63	47	16	94	32	62

As tabled above, the 'daily operations' can be expected to generate 27 AM peak hour trips and 58 PM peak hour trips. The venue, which would not necessarily be operational on a daily basis, can be expected to generate 36 peak hour trips. As mentioned above, the calculations assume a worst case scenario where conferences occur, which would impact on the AM and PM peak hours, whilst other events would more likely only impact on the PM peak hour.

The said peak hour trips were distributed to the road network based on the existing directional split at the R44/Access intersection. The distributed volumes are indicated in **Figure 3** below, whilst these volumes added to the background traffic is indicated in **Figure 4**.

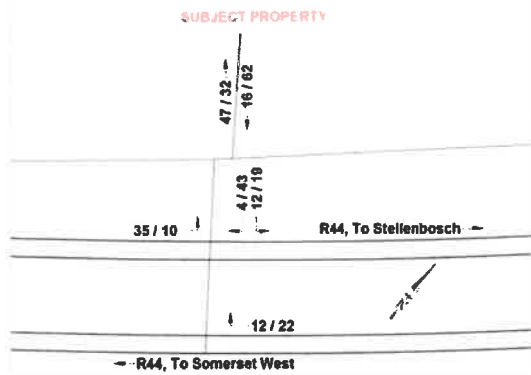


Figure 3 : Distribution of Peak Hour Trips

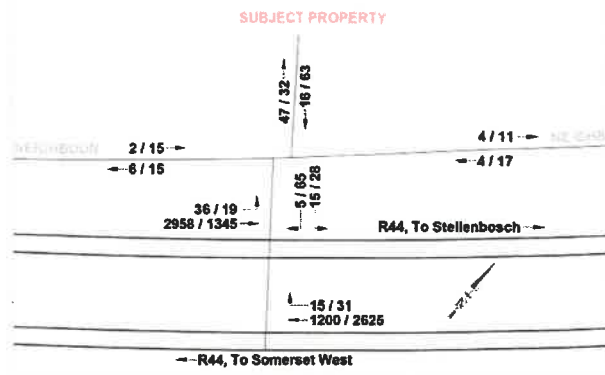


Figure 4 : Expected 2028 AM/PM Peak Hour Volumes

3.3 Traffic Analysis

Traffic analyses of the access-intersection were done by means of the Sidra Intersection 9.0 software. Service levels A to D are considered acceptable, with D the critical.

No dedicated right turning lanes exist at the access intersection, however, a median break with a wide median island (± 10 metres wide) exists along the R44 where right-turning vehicles currently have refuge whilst waiting to negotiate through traffic along the R44. The layout can be seen in *Diagram 1* above.

According to the Sidra analyses, acceptable service levels are experienced along the R44-approaches at the access-intersection during the available 2022 peak hours, whilst vehicles along the access-approach experience unacceptable service levels as result of the large volumes through traffic along the R44 during the AM/PM peak hours. These conditions can be expected to continue during the estimated 2028- and expected 2028 peak hours for the most part, whilst service level F is expected on the shared through-right lane along the R44 (eastern approach) during the AM peak hours (excluding- and including development traffic). It should be noted that the right-turn movement from the access-approach could pose a safety risk.

According to the Sidra analyses, the shared access-approach to the R44 is already at capacity. From a safety point of view, to accommodate the inbound right-turning traffic to this property and the two neighbouring properties, a dedicated right-turn lane is suggested along the R44, the length of which is to be based on deceleration.

It should be noted that in future, when the R44 Safety Project of WCG is implemented, this median break will be closed resulting in the intersection becoming a left-in/left-out (LILO) only, and a u-turn opportunity provided further northeast along the R44.

4. GEOMETRY

As previously mentioned, access will remain via the existing intersection to the R44. The R44 is classified as a Class 2-road and has a posted speed limit of 100 km/h in the vicinity of the existing access.

The access-approaches are indicated below.

Shared access approach looking towards R44:



Subject property access:



Farm 528/4 access-approach looking towards shared access (R44 to the left):



Farm 528/6 access-approach looking towards shared access (R44 to the right):



A gate currently exists at the main access to the subject property, which is setback approximately one car-length from the edge of the access road running parallel to the R44. The said parallel road is situated approximately 15 metres from the R44 (measured from the yellow line of the R44 to the centre of the parallel road). The queuing space available at the R44-intersection is thus limited.

A second gate is proposed at the route running along the north-western property boundary. Potential queuing/stacking at this gate is not considered an issue, as it is situated more than 100 metres from the R44-intersection-approach.

Access to the parking areas to the various facilities on-site are proposed as indicated below. It is expected that the majority of vehicles would travel to the two parking areas, with limited volumes of peak hour trips expected to travel to/from the drop-off/pick-up area indicated below. Attention should be given to signage at these accesses to ensure that vehicles do not obstruct traffic flow at the shared access, especially vehicles having to travel to the 'second gate' potentially forming unnecessary queues at the 'main access'.

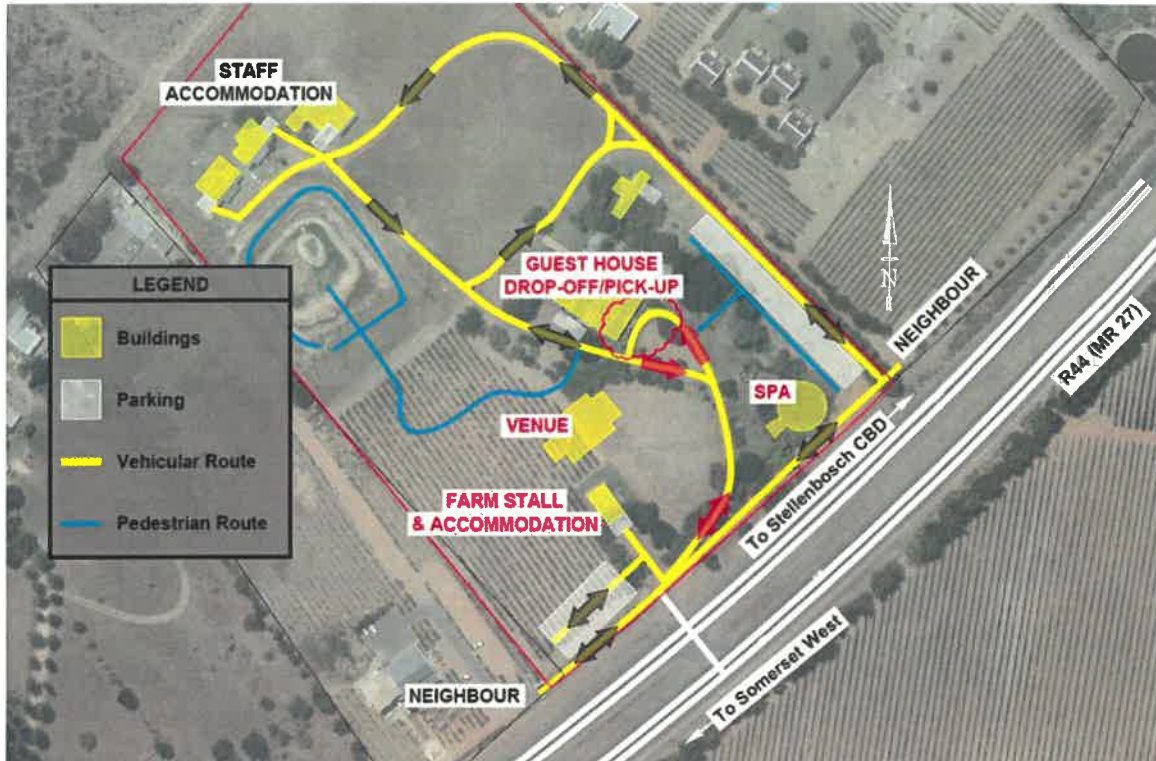


Diagram 2 : On-site traffic flow

The routes indicated above follows the existing gravel roads on-site. The one-way routes measure ± 3 metres in width, whilst the sections accommodating two-way traffic to the parking areas are proposed with 6 to 7 metre widths (depending on whether parking bays abut the road). These widths are considered sufficient to accommodate the expected on-site traffic.

Refuse removal is currently handled by the Municipality on collections days from the outside of the main access gate to the subject property. Refuse removal is expected to continue as per current practice, however, as indicated on the attached plan, a formal space for refuse bins will be made to the outside of the main access gate to ensure bins do not encroach onto the shared access road.

5. PARKING

The parking considered required, based on the Stellenbosch Zoning Scheme, are as follows:

Land Use	Parking Requirement	Units/GLA	Bays Required
Guest House	1 bay/bedroom or suite	18 rooms	18
Restaurant	4 bays/100 m ² GLA	239 m ² GLA	9,56
Farm Stall ('business premises')	4 bays/100 m ² GLA	30 m ² GLA	1,2
Spa ('medical consulting rooms')	6 bays/100 m ² GLA	203 m ² GLA	8,12
Venue ('conference facility')	0,25 bay/seat	80 seats	20
Subtotal			56,88 ≈ 57
Staff accommodation ('dwelling house, 2 or more bedrooms')	2 bays/dwelling house	3 units	6
Total			63

The attached plan includes parking areas with 70 bays plus 8 bays at the staff accommodation, i.e. a total of 78 parking bays. The number of bays provided are thus considered sufficient based on the requirements of the Stellenbosch Zoning Scheme.

The parking spaces provided consist of dimensions in line with normal parking standards, i.e. 2,5 by 5,0 metre bays, with available aisle width of at least 7,0 metres, which are considered sufficient.

6. PUBLIC- AND NON-MOTORISED TRANSPORT

Pedestrian accommodation has been proposed on-site between the parking areas and the buildings, as schematically indicated in *Diagram 2* above. It is not considered necessary to provide additional facilities as result of the proposed development.

7. CONCLUSIONS AND RECOMMENDATIONS

The following can be concluded from the report:

- 1) That this TIS accompanies the application for consent use on Farm 528/5, bordered by the R44 to the southeast, south of De Zalze, Stellenbosch;
- 2) That the available development information includes guest accommodation, staff accommodation, restaurant/bar, venue, farm stall and spa, with agricultural shed and storage space;
- 3) That access is proposed to remain via the existing access to the R44, shared with the two abutting properties;
- 4) That the potential total trip generation of the proposed development is 63 AM peak hour trips (47 in, 16 out) and 94 PM peak hour trips (32 in, 62 out), with the 'daily operations' expected in the order of 27 AM peak hour trips and 58 PM peak hour trips;
- 5) That congestion is currently experienced along the access-approach to the R44-intersection, and that from a safety point of view, a dedicated right-turn lane (length based on deceleration) is suggested along the R44 to accommodate inbound traffic to the subject property plus two neighbouring properties;
- 6) That in future when the R44 Safety Project of WCG is implemented, the existing median break at the access will be closed resulting in the intersection becoming a left-in/left-out (LILO) only, and u-turn space provided further northeast along the R44;
- 7) That the existing main access gate to the subject property is setback approximately one car-length from the edge of the parallel access road, whilst the second gate proposed is situated more than 100 metres from the R44-intersection and thus not considered an issue with regard to stacking, but that attention should be given to signage at/to the various accesses to ensure that vehicles do not obstruct traffic flow at the shared access;
- 8) That the vehicular routes on-site follow the existing gravel roads, that the one-way routes measures ± 3 metres in width, whilst the two-way sections are 6 to 7 metres wide, which are considered sufficient to accommodate the expected on-site traffic;
- 9) That refuse removal will continue as per current practice, and that formal space for refuse bins are proposed to the outside of the existing main access gate;
- 10) That sufficient parking is indicated on the SDP (63 bays required, 78 bays provided), with parking bay dimensions in line with normal parking standards (2,5 by 5,0 metre bays, with 7,0 metre isle widths); and
- 11) That pedestrian accommodation is proposed on-site between the parking areas and various facilities, and that no additional public- or non-motorised transport facilities are considered necessary as result of the proposed development.

Should this proposed development be considered for approval, the minimum required upgrade would thus be the provision of a dedicated right-turn lane (based on deceleration) along the northern R44-approach to the access-intersection, to address safety. It should be noted that the increased right-turn movement from the access-approach could pose a safety risk.

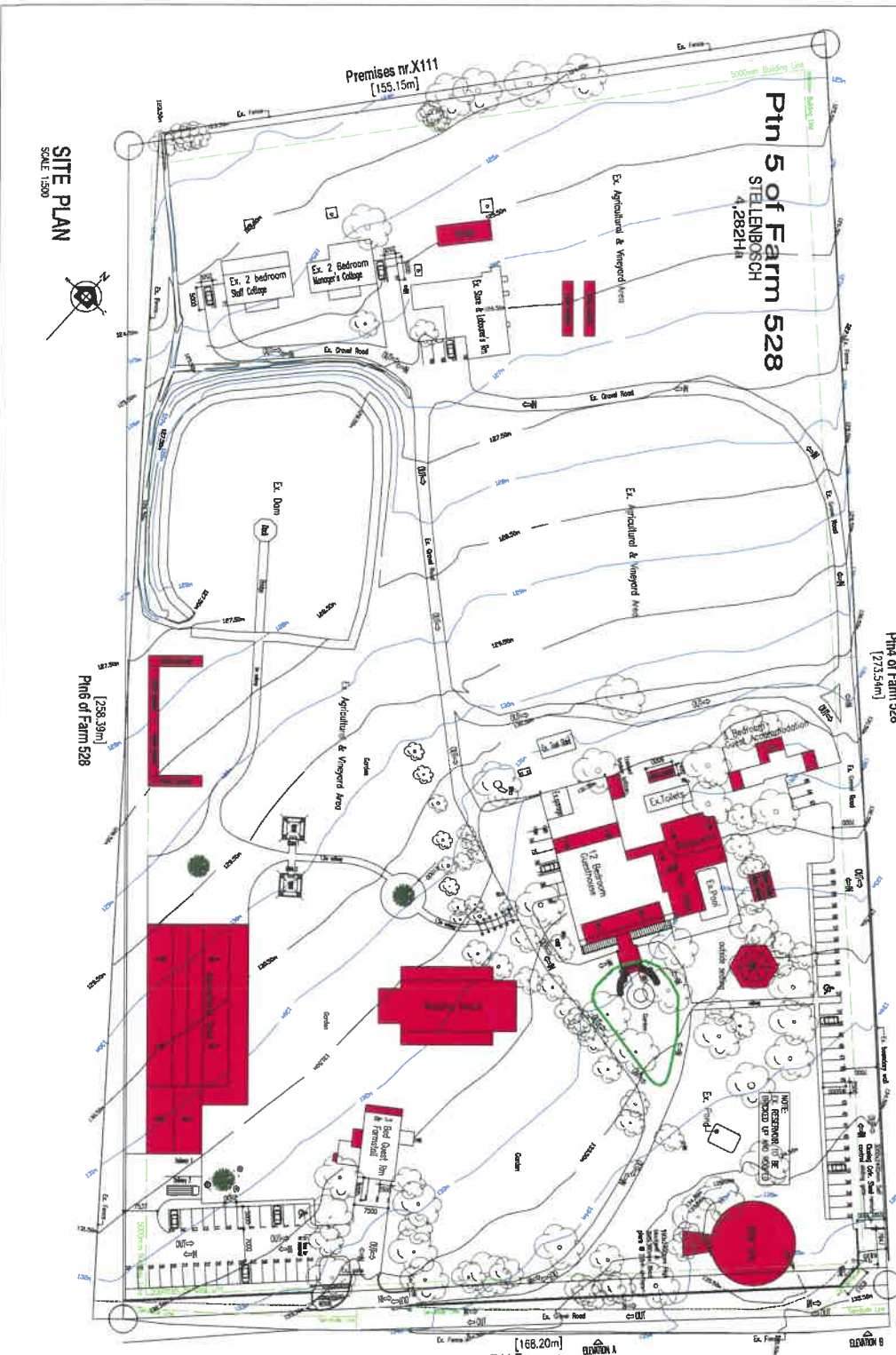
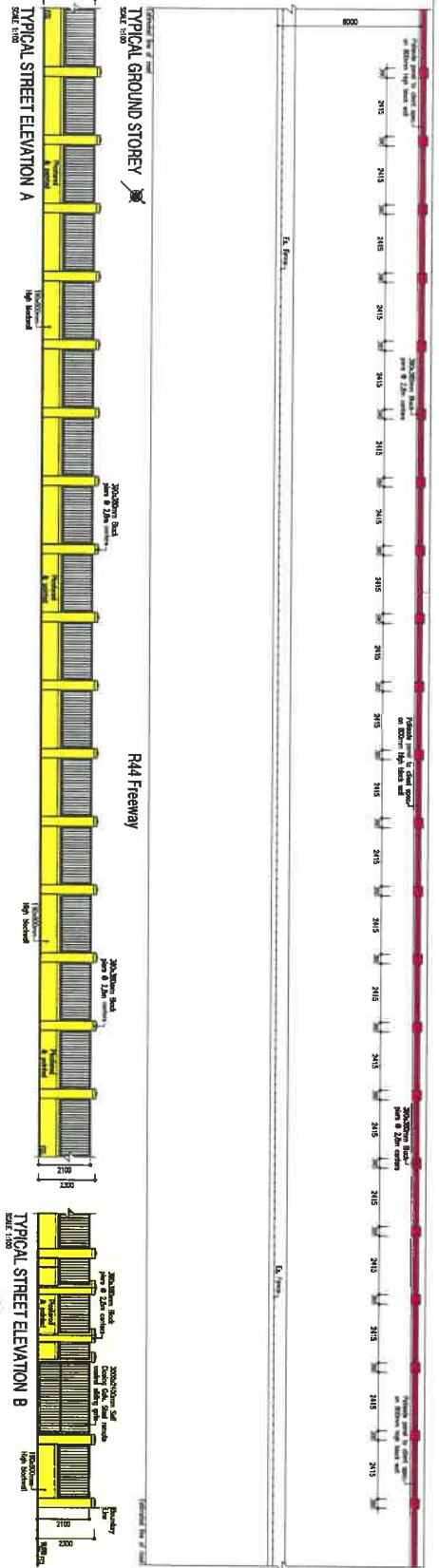
We trust that the Traffic Impact Statement will be to your satisfaction and will gladly provide any additional information required on request.

Yours faithfully,



Compiled by: Yolandi Obermeyer (B Eng)

NOTES



SITE PLAN
SCALE: 1:500

SCHEDULE OF RIGHTS

SITE AREA	42 820 sq/m
ZONING	AGRICULTURAL (AG)
CLASSIFICATION	R2, R3, R5 & R2
WORKING ZONE	- 41
AGRICULTURAL SUBD	- 42
FRAIL STILL	- 12
2 BED MANAGERS COTTAGES	- 45 (4 GUESTS)
2 BED MANAGERS COTTAGES	- 46 (4 GUESTS)
6 BED MANAGERS HOMES	- 47 (6 GUESTS)
13 BED GUEST HOUSE	- 48 (13 GUESTS)
3 BED GUEST ACCOMMODATION	- 49 (3 GUESTS)
3 BED GUEST ACCOMMODATION	- 49 (3 GUESTS)
MAXIMUM FLOOR SPACE for all dwelling units	1424m ²
HEIGHT	1m top of roof
RESTRICTION	7.85m

VALIDATION TO APPROVED PLANS FOR CONSTRUCTION

REV:	DATE:	DRAWN:	DETAILS:
1		L A	HOUSE AREAS
2		SITE AREA	42820sq/m
3		DATE:	

PROJECT:
PROPOSED SITE DEVELOPMENT PLAN FOR THE BENEDETTO TRUST ON PTIN 5 OF FARM 528 STELLENBOSCH

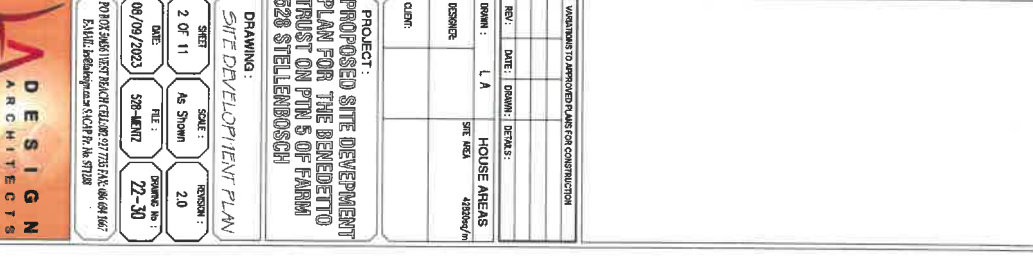
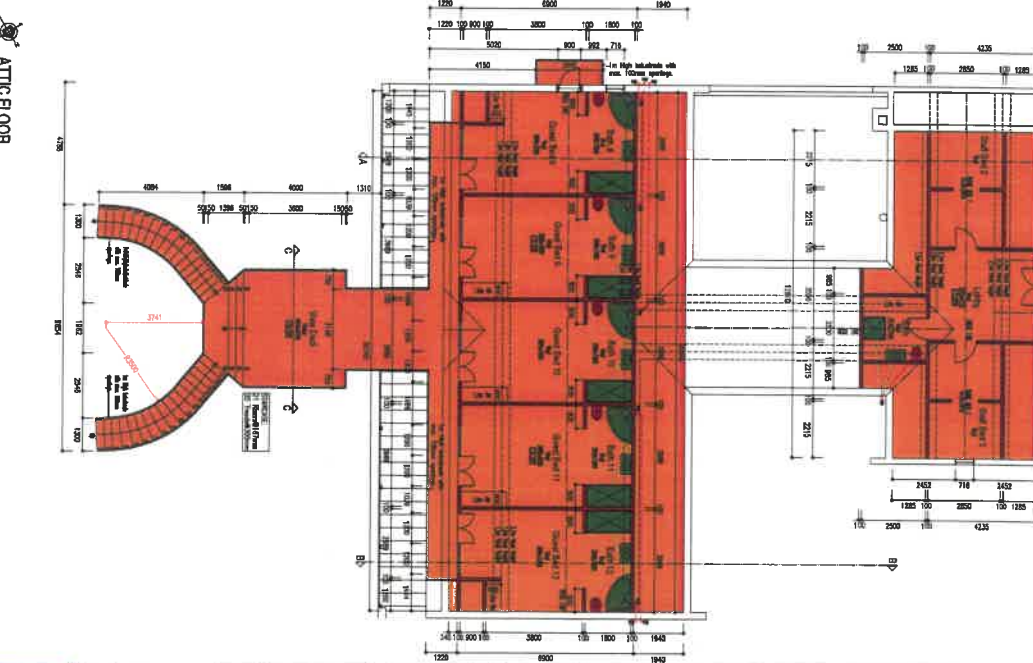
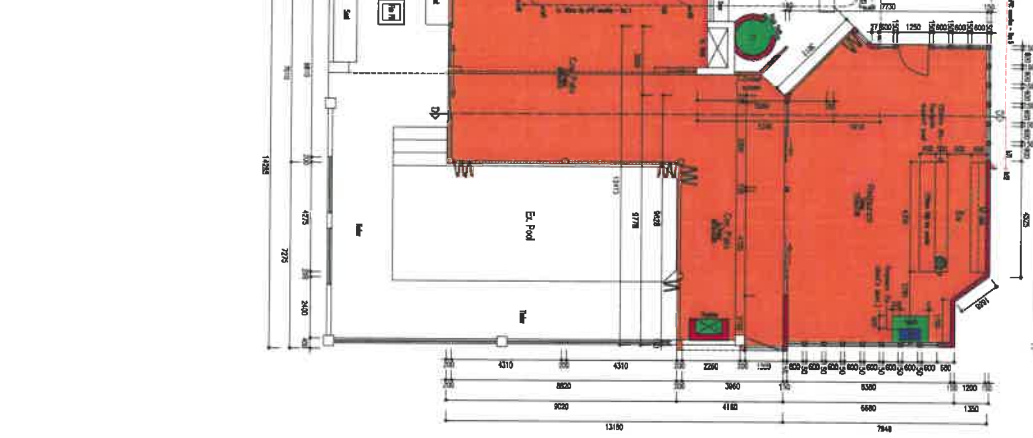
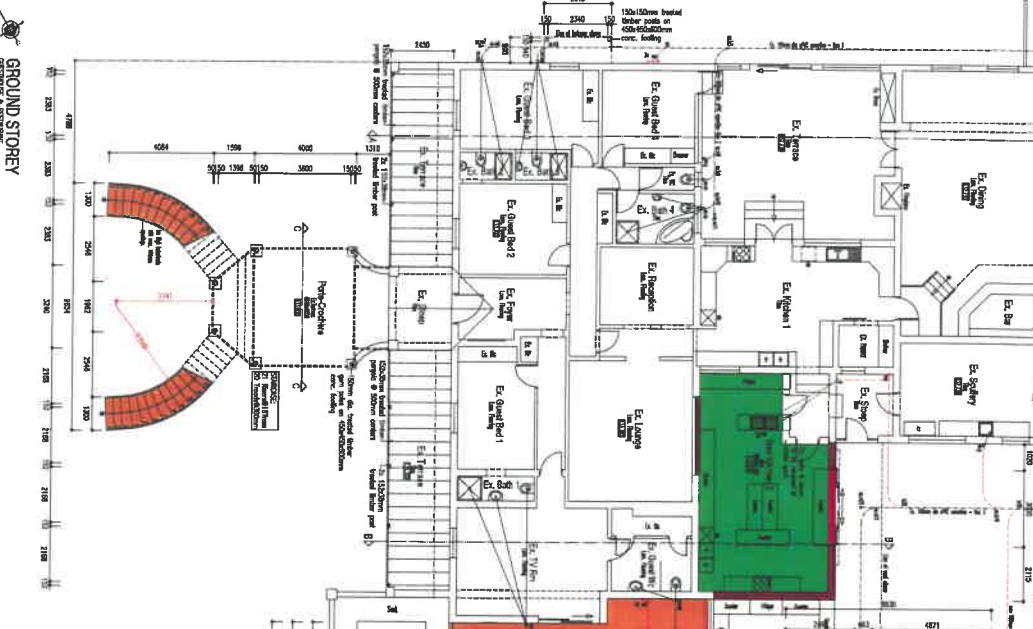
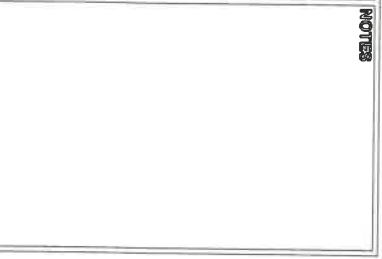
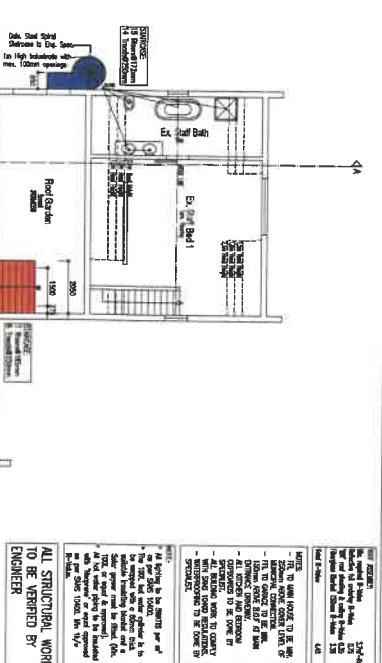
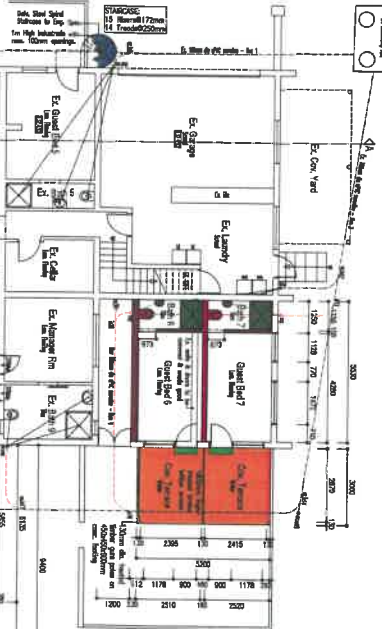
DRAWING:
SITE DEVELOPMENT PLAN

SHEET	SCALE	REVISION
1 OF 11	As Shown	2.0
DRAWN	DATE	REVISION NO.
22-30	08/09/2023	22-30

FOR MORE INFORMATION CONTACT 021 7725 1124 OR 082 644 6467
EMAIL: info@designarchitects.co.za



ALL STRUCTURAL WORK TO BE VERIFIED BY ENGINEER



NOTES

1. All structural work to be verified by ENGINEER

2. The client is responsible for the accuracy of the information provided in the contract documents.

3. The client is responsible for the accuracy of the information provided in the contract documents.

4. The client is responsible for the accuracy of the information provided in the contract documents.

5. The client is responsible for the accuracy of the information provided in the contract documents.

REVISIONS

NO.	DATE	DESCRIPTION
1	08/09/2023	ISSUED FOR PERMIT
2	08/09/2023	ISSUED FOR PERMIT
3	08/09/2023	ISSUED FOR PERMIT

PROJECT:
PROPOSED SITE DEVELOPMENT
PLAN FOR THE BENEDETTO
TRUST ON PTN 5 OF FARM
528 STELLENBOSCH

DRAWING:
SITE DEVELOPMENT PLAN

CLIENT:
L.A. HOUSE AREAS
428504/m

DATE: 08/09/2023

SCALE: 1:200

DATE: 08/09/2023

FILE: 528-44117

SCALE: 2:0

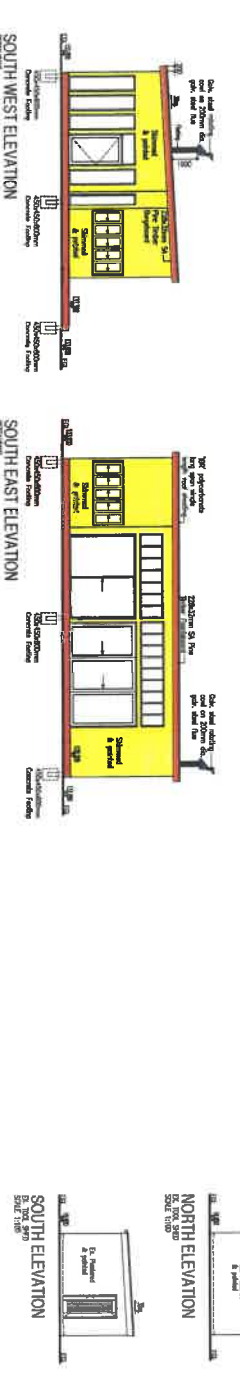
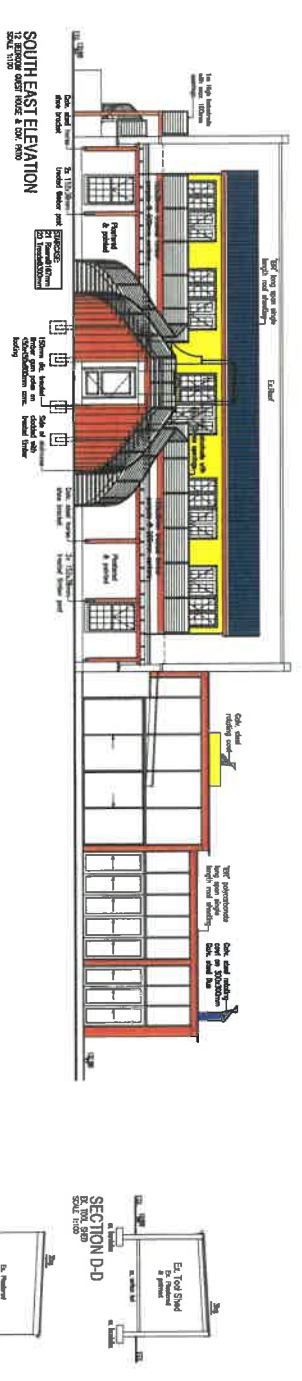
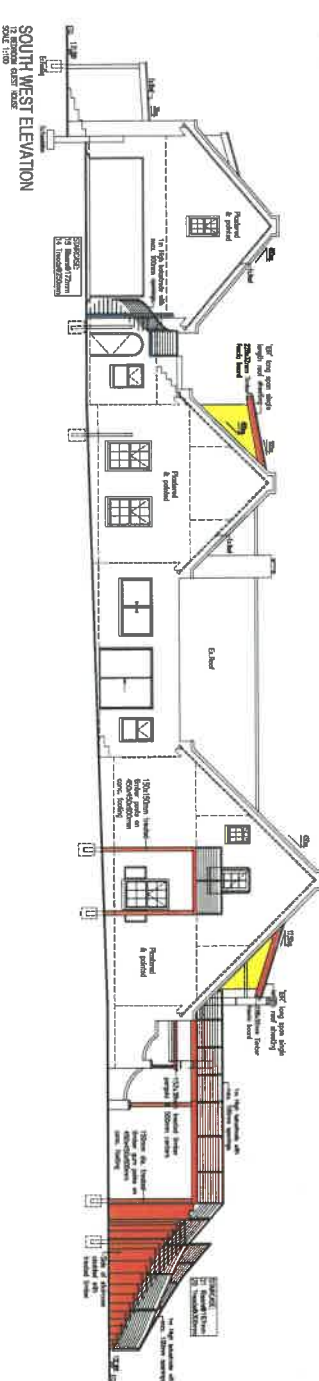
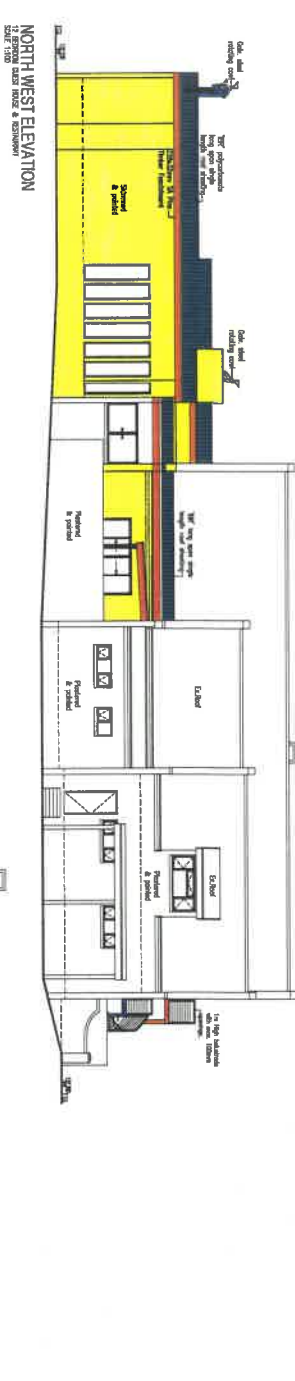
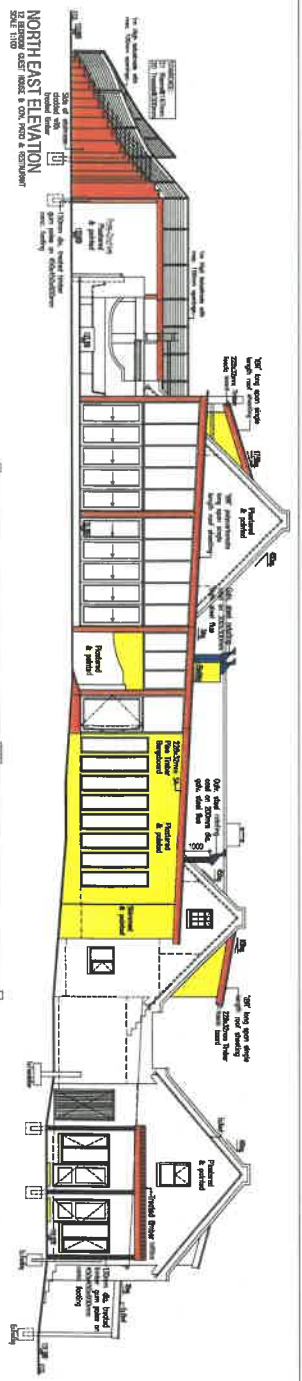
DATE: 08/09/2023

FILE: 528-44117

SCALE: 2:0

PROJECT NO: 528-44117
CLIENT: BENEDETTO TRUST
ADDRESS: 528 STELLENBOSCH





AREAS :	
3 BEDROOM GUEST ACCOMMODATION	105m ²
BAR	34m ²
RESTAURANT	90m ²
RESTAURANT COV. PATIO	115m ²
TOILETS	40m ²
12 BEDROOM GUEST HOUSE	1016m ²
NEW DECK	50m ²
TERRACE	52m ²
WEDDING VENUE	325m ²
3 BEDROOM GUEST & FARM STALL	128m ²
BOLIA	50m ²
AGRICULTURAL SHED	826m ²
COV. STORP	191m ²
CARPORI	260m ²
2 BEDROOM STAFF COTTAGES	30m ²
2 BEDROOM MANAGERS COTTAGES	148m ²
STORAGE CONTAINERS	216m ²
STORAGE	54m ²
SPA	428m ²
TOTAL	4343m ²

PARKING REQUIREMENTS :	
24loading Bay Size 8000x3500mm	
74parking Bay Size 5000x2500mm	
24disabled Bay Size 5000x3500mm	
PERMISSIBLE	
Guest & Staff Cottages	
14bay per Room/Suite	
Total 27 Rooms =	
Restaurant & Cov. Patio	
5 Bays per 100m ² = 12 Bays	
Wedding Venue	
1 Bay per 6 seats	
Total 50 people = 8 Bays	
Farm Stall	
4 Bays per 100m ² = 4 Bays	
Spa	
2/5 Bays per consulting room & 0,5 Bays	
Per room exceeding 5 Rooms	
8 Rooms = 14 Bays	
Total = 65 Bays	
ACTUAL	
Guest & Staff Cottages	
= Restaurant & Cov. Patio	
= 19 Bays	
Wedding Venue	
= 8 Bays	
Farm Stall	
= 4 Bays	
Spa	
= 20 Bays	
Total = 79 Bays	

VARIATIONS TO APPROVED PLANS FOR CONSTRUCTION

REV.	DATE:	REASON:	DETAILS:

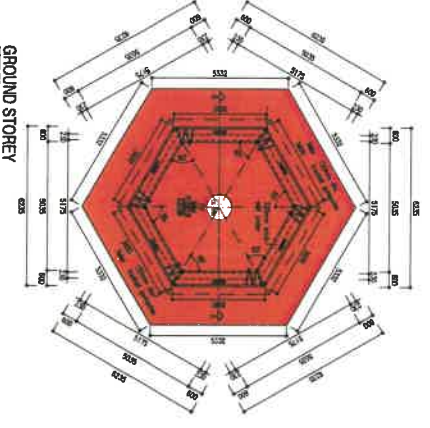
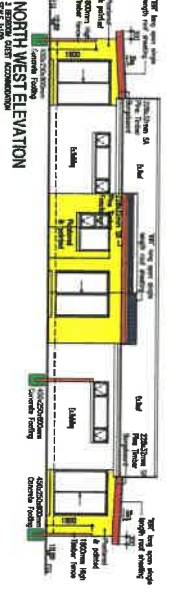
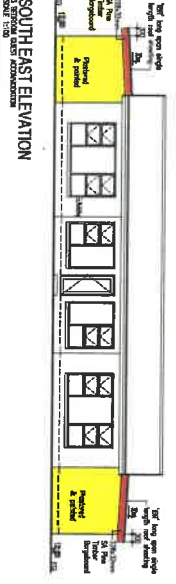
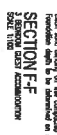
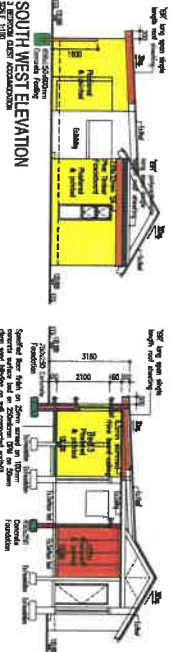
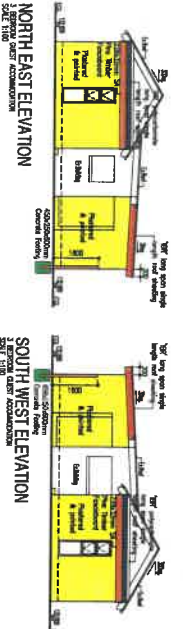
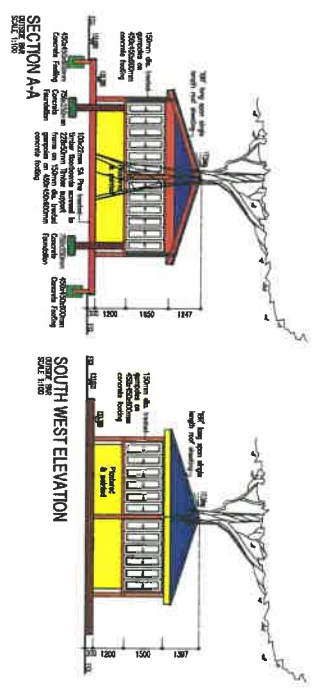
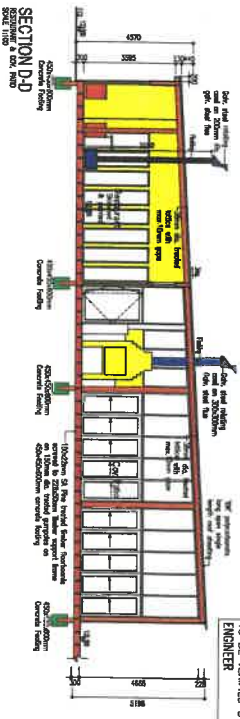
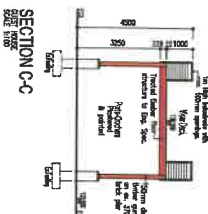
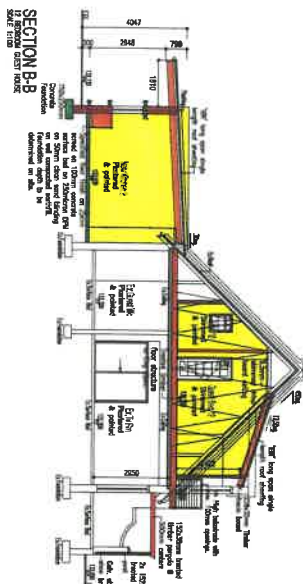
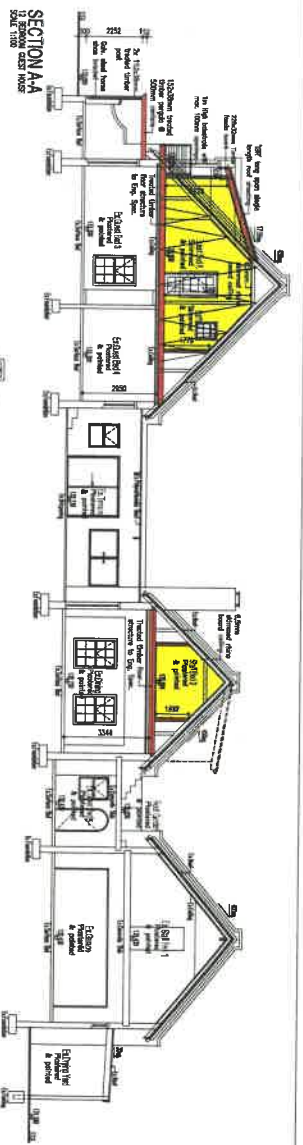
ROOM : L A HOUSE AREAS
DESIGNER : SITE AREA 4289sqm
DATE:

PROJECT :
PROPOSED SITE DEVELOPMENT
PLAN FOR THE BENEDETTO
TRUST ON PTN 5 OF FARM
528 STELLENBOSCH

DRAWINGS :
SITE DEVELOPMENT PLAN

SHEET : 3 OF 11	SCALE : As Shown	REVISION : 2.0
DATE : 09/09/2023	FILE : 528-4012	ISSUED BY : 22-30
PROJECT NUMBER: 18742424/2022/214/46/69/64/67		
EXISTING DRAWINGS: NCTH FN.N.57129		

DESIGN ARCHITECTS



NOTES

1. All work to be done in accordance with the relevant standards and specifications.
2. The contractor is responsible for obtaining all necessary permits and approvals.
3. The contractor is responsible for the safety of all workers and the public.
4. The contractor is responsible for the protection of all existing services and structures.
5. The contractor is responsible for the disposal of all waste materials.
6. The contractor is responsible for the completion of all work within the agreed time frame.
7. The contractor is responsible for the maintenance of all work until the final inspection.
8. The contractor is responsible for the payment of all subcontractors and suppliers.
9. The contractor is responsible for the provision of all necessary insurance cover.
10. The contractor is responsible for the provision of all necessary safety equipment.
11. The contractor is responsible for the provision of all necessary PPE.
12. The contractor is responsible for the provision of all necessary first aid facilities.
13. The contractor is responsible for the provision of all necessary fire extinguishers.
14. The contractor is responsible for the provision of all necessary fire escape routes.
15. The contractor is responsible for the provision of all necessary fire alarm systems.
16. The contractor is responsible for the provision of all necessary fire risk assessments.
17. The contractor is responsible for the provision of all necessary fire safety training.
18. The contractor is responsible for the provision of all necessary fire safety drills.
19. The contractor is responsible for the provision of all necessary fire safety signs.
20. The contractor is responsible for the provision of all necessary fire safety notices.

VARIOUS TO APPROVED PLANS FOR CONSTRUCTION

REV:	DATE:	BY:	DESCRIPTION:
1	11/09/2023	LA	HOUSE AREAS
2	11/09/2023	LA	HOUSE AREAS
3	11/09/2023	LA	HOUSE AREAS
4	11/09/2023	LA	HOUSE AREAS
5	11/09/2023	LA	HOUSE AREAS

PROJECT:
 PROPOSED SITE DEVELOPMENT
 PLAN FOR THE BENEDICTO
 TRUST ON PTN 5 OF FARM
 528 STELLENBOSCH

DRAWING:
 SITE DEVELOPMENT PLAN

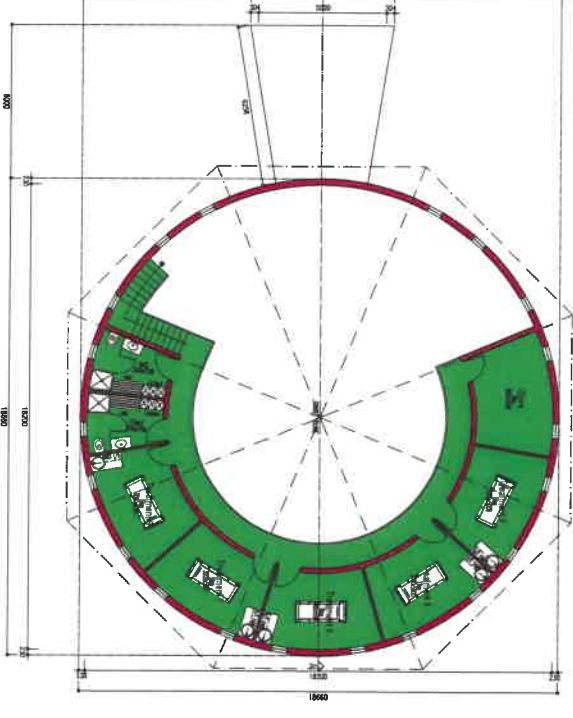
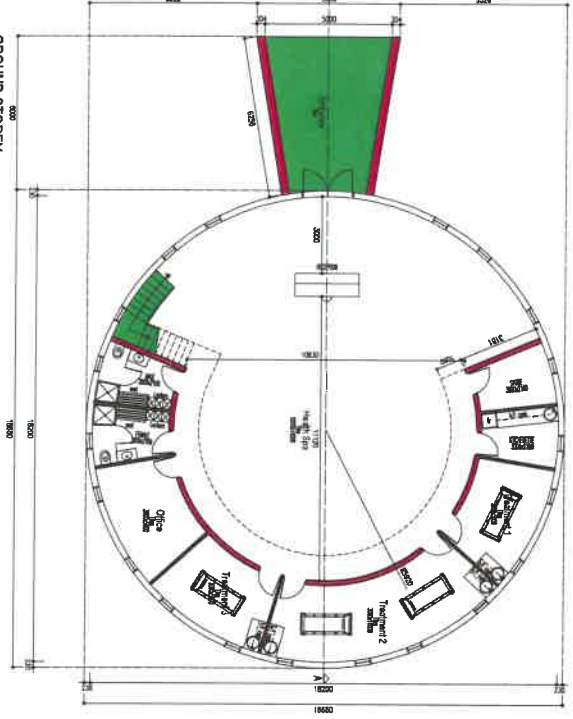
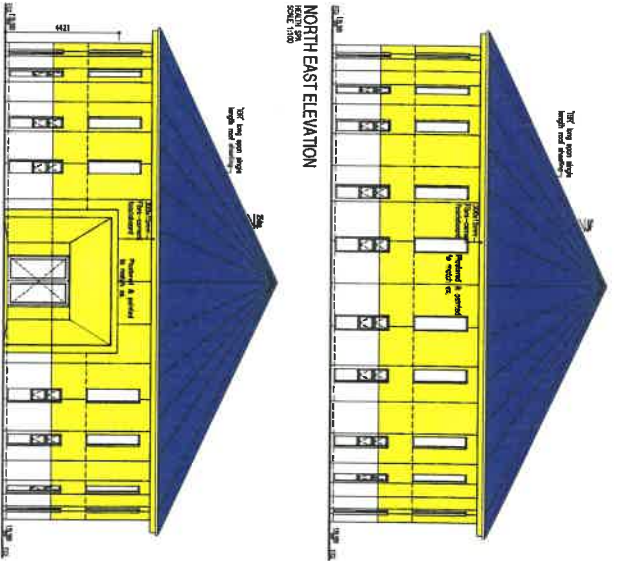
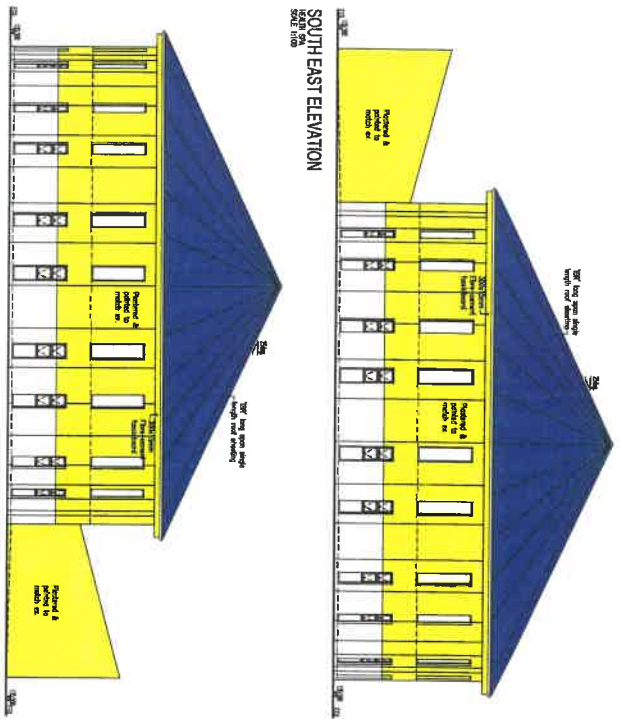
SHEET:	SCALE:	REVISION:
4 OF 11	As SHOWN	2.0
DATE:	FILE:	DRAWING BY:
08/09/2023	528-4017	22-30

PROJECT MANAGER: BENEDICTO TRUST PTN 5 OF FARM
 EMAIL: benedicto@benedicto.co.za



NOTES

- 1. All structural work to be verified by engineer.
- 2. All structural work to be verified by engineer.
- 3. All structural work to be verified by engineer.
- 4. All structural work to be verified by engineer.
- 5. All structural work to be verified by engineer.
- 6. All structural work to be verified by engineer.
- 7. All structural work to be verified by engineer.
- 8. All structural work to be verified by engineer.
- 9. All structural work to be verified by engineer.
- 10. All structural work to be verified by engineer.



REVISIONS TO APPROVED PLAN FOR CONSTRUCTION			
NO.	DATE	DESCRIPTION	BY
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

PROJECT :
PROPOSED SITE DEVELOPMENT PLAN FOR THE BENEDETTO TRUST ON PTN 5 OF FARM 528 STELLENBOSCH

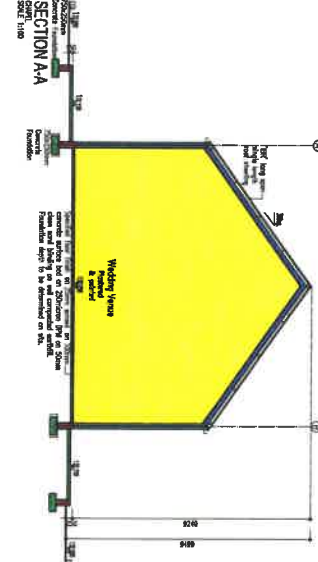
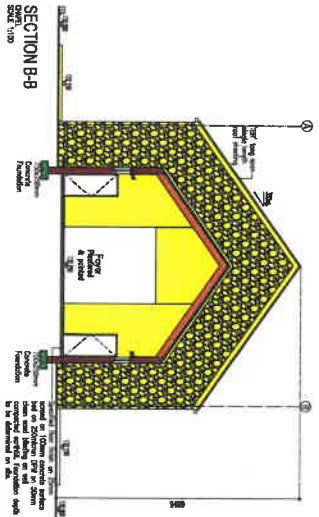
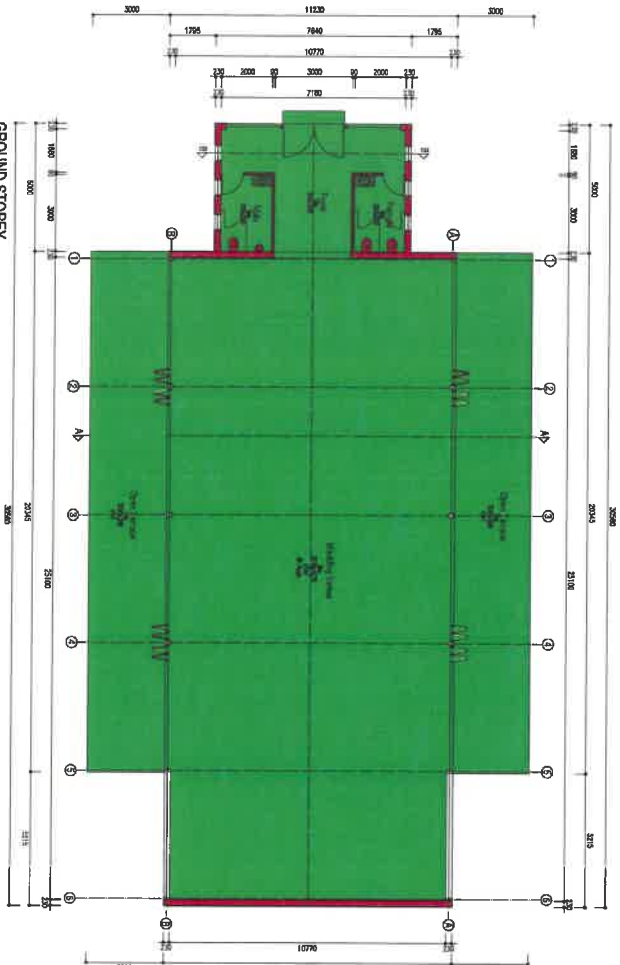
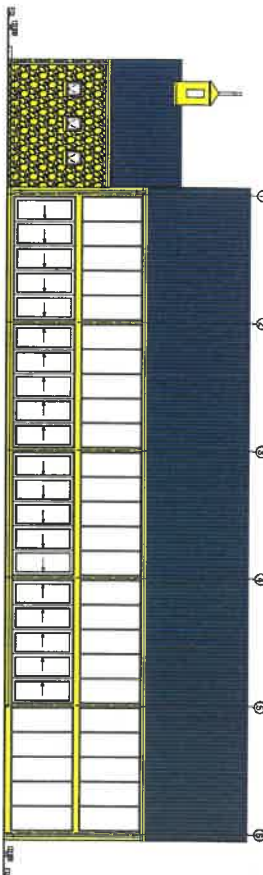
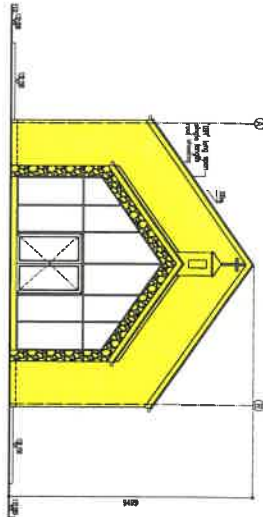
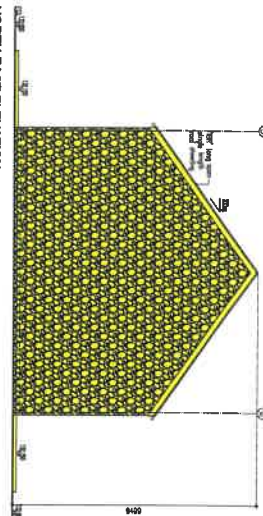
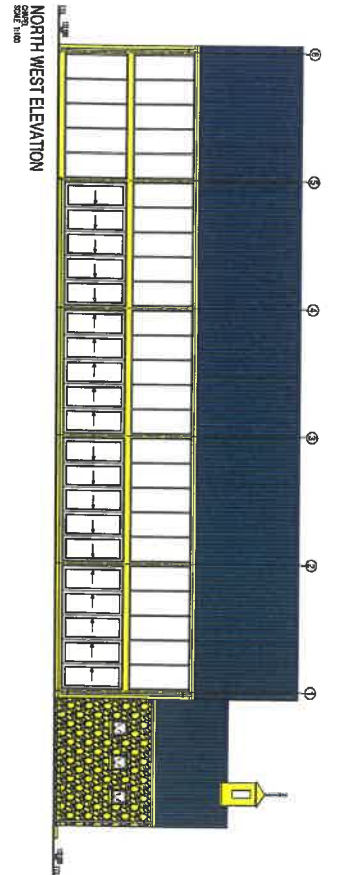
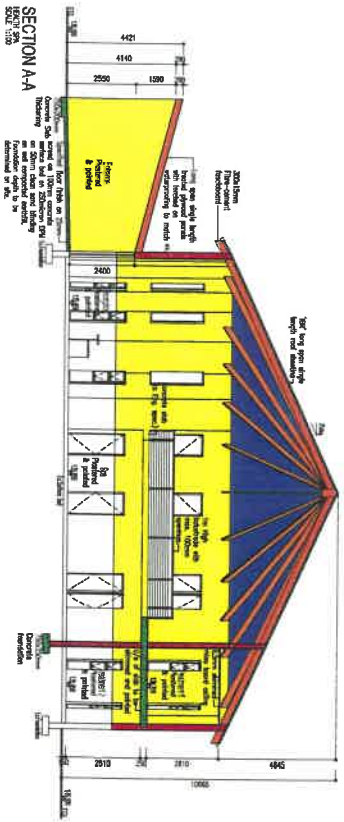
DRAWING :
SITE DEVELOPMENT PLAN

SHEET : 5 OF 11
SCALE : As Shown
REVISION : 2.0

DATE : 08/09/2023
FILE # : 528-MDNZ
DRAWING NO. : 22-30

PROJECT MANAGER : TLOU 23961 WEST RIVERDALE, 7725 PAK, 664 667
CONTACT : 021 458 4626 / 021 458 4627





VERIFICATIONS TO APPROVED PLANS FOR CONSTRUCTION	
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DESIGNER:	DATE: HOUSE AREAS: 423sqm/4m
CLIENT:	SITE AREA: 423sqm/4m

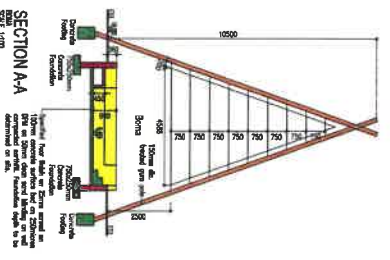
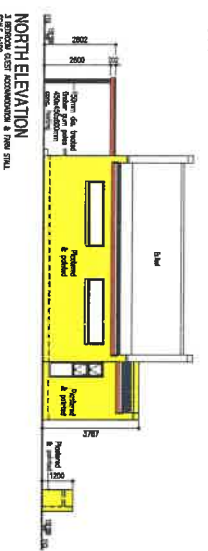
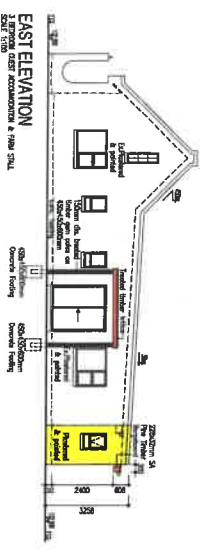
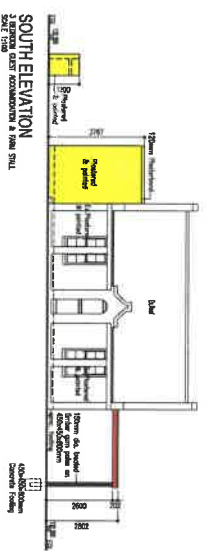
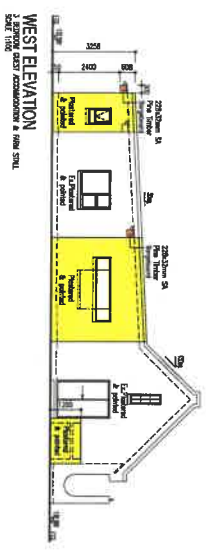
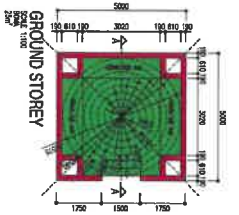
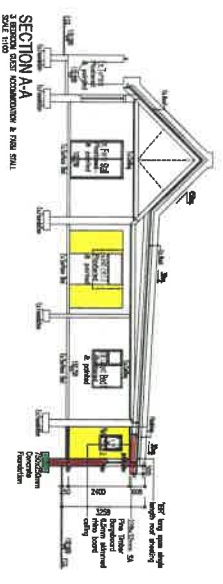
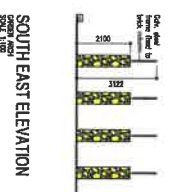
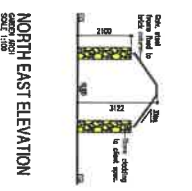
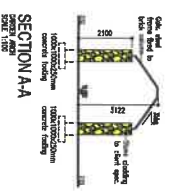
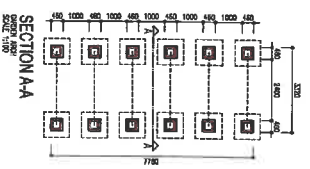
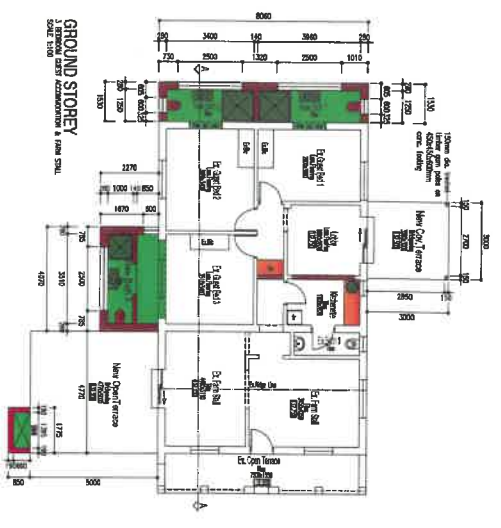
PROJECT:
PROPOSED SITE DEVELOPMENT
PLAN FOR THE BENEDETTO
TRUST ON PTN 5 OF FARM
528 STELLENBOSCH

DRAWING: SITE DEVELOPMENT PLAN	
SHEET:	SCALE:
6 OF 11	As Shown
DATE:	VERSION:
08/09/2023	2.0
FILE:	DRAWING NO.:
528-DEVT	22-30
FOR DOCUMENT REVIEW: TEL: +27 21 953 1877 FAX: 06 461 162	
EMAIL: info@design-architects.co.za	



NOTES

1. All structural work to be verified by Engineer.
2. The client is responsible for providing all necessary information and documents for the design of the structure.
3. The client is responsible for providing all necessary information and documents for the design of the structure.
4. The client is responsible for providing all necessary information and documents for the design of the structure.
5. The client is responsible for providing all necessary information and documents for the design of the structure.
6. The client is responsible for providing all necessary information and documents for the design of the structure.
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10. The client is responsible for providing all necessary information and documents for the design of the structure.



VARIATIONS TO APPROVED PLANS FOR CONSTRUCTION	
REV:	DATE: DOWN: DESIGN:
ROOM: L A	HOUSE AREAS
ISSUES:	SITE AREA 4320sq/m
CLIENT:	

PROJECT:
PROPOSED SITE DEVELOPMENT
PLAN FOR THE BENEVOLENT
TRUST ON PTN 5 OF FARM
528 STELLENBOSCH

DRAWING:
SITE DEVELOPMENT PLAN

SHEET: 7 OF 11
SCALE: As Shown
BRUSH: 2.0

DATE: 08/09/2023
FILE: 528-HB17
DRAWING NO.: 22-30

FOR MORE INFORMATION CONTACT: 0772616694/0772616695
E-MAIL: info@designarchitects.co.za



NOTES

1. ALL STRUCTURAL WORK TO BE VERIFIED BY ENGINEER

2. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED

3. ALL MATERIALS TO BE USED AS SPECIFIED IN THE DRAWINGS

4. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS

5. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL REGULATIONS

6. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL PLUMBING REGULATIONS

7. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL MECHANICAL REGULATIONS

8. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL FIRE REGULATIONS

9. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL ENVIRONMENTAL REGULATIONS

PROJECT INFORMATION

PROJECT: PROPOSED SITE DEVELOPMENT PLAN FOR THE BENEDICTO TRUST ON PTN 5 OF FARM 528 STELLENBOSCH

DRAWING: SITE DEVELOPMENT PLAN

SHEET: 9 OF 11

DATE: 08/09/2023

SCALE: As Shown

EXTENSION: 2.0

FILE: 528-HEITZ

DRAWING NO: 22-30

REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	08/09/2023

FOR: 528 STELLENBOSCH TRUST

DATE: 08/09/2023

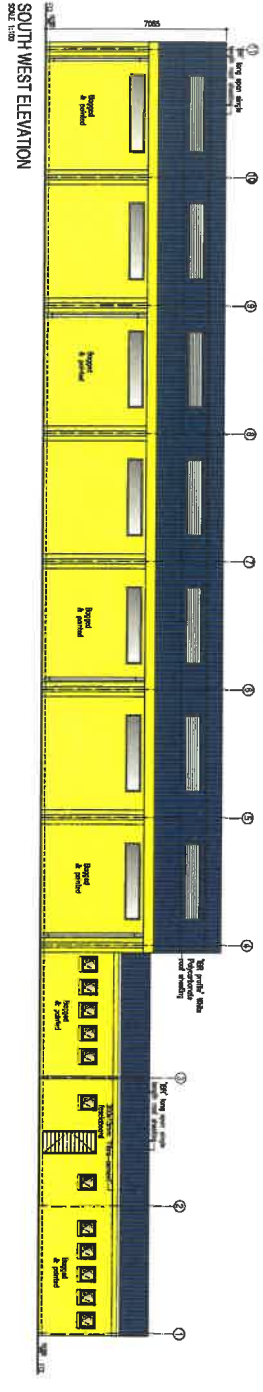
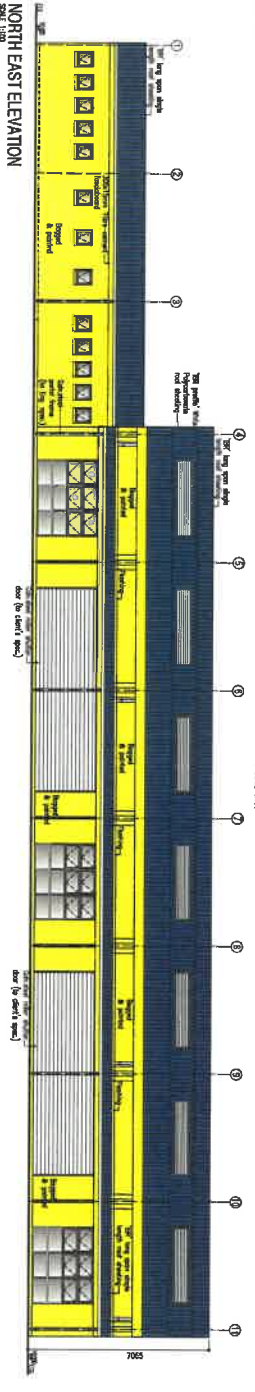
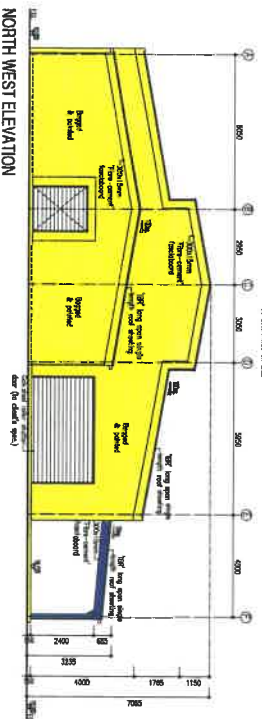
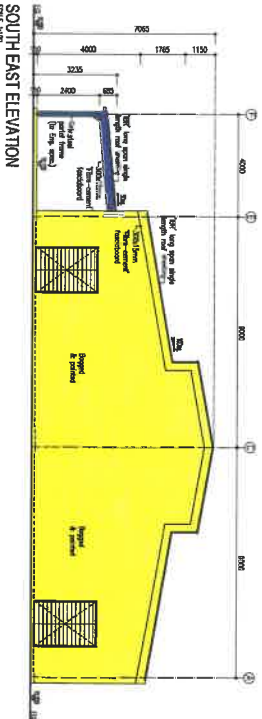
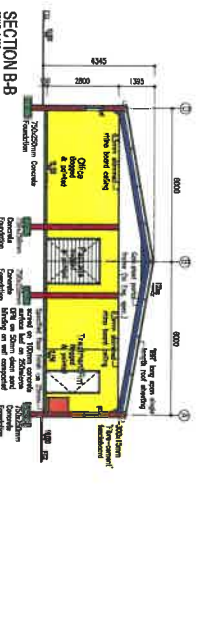
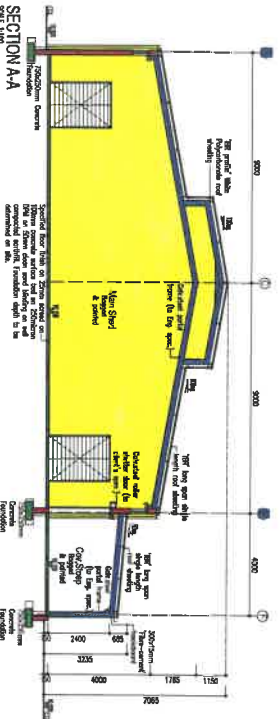
SCALE: As Shown

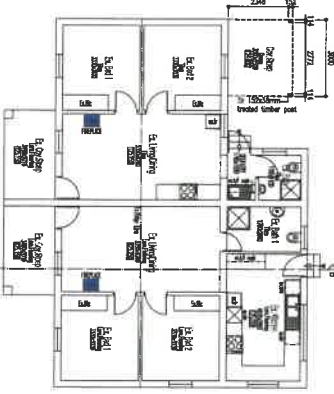
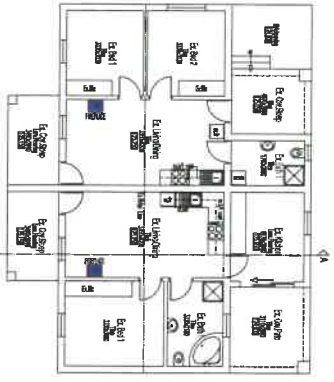
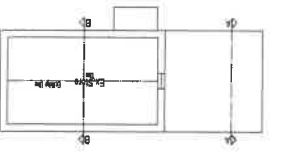
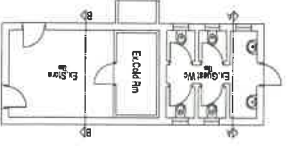
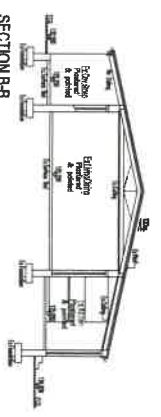
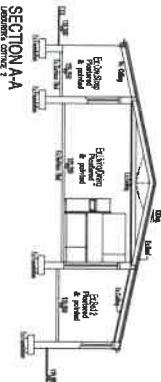
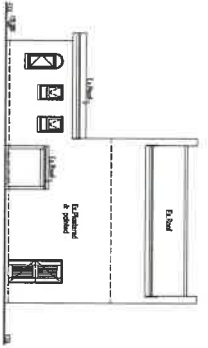
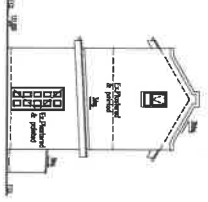
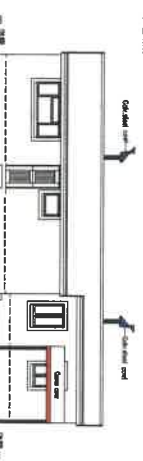
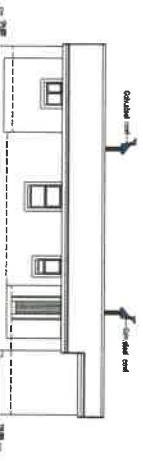
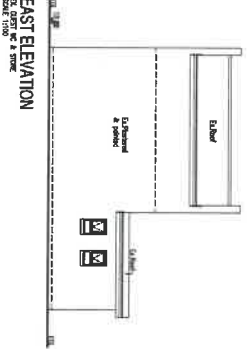
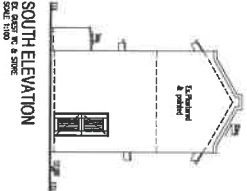
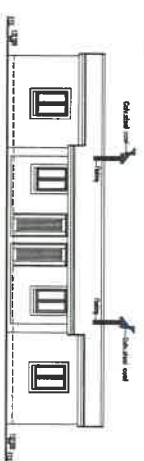
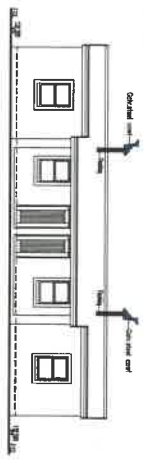
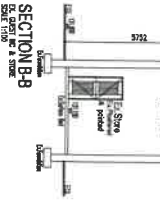
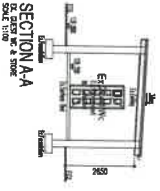
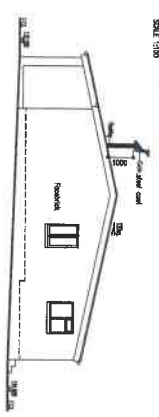
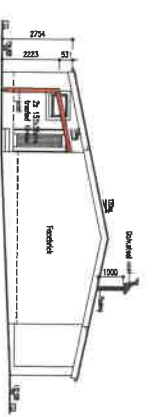
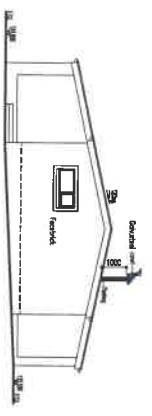
EXTENSION: 2.0

FILE: 528-HEITZ

DRAWING NO: 22-30

FOR: 528 STELLENBOSCH TRUST



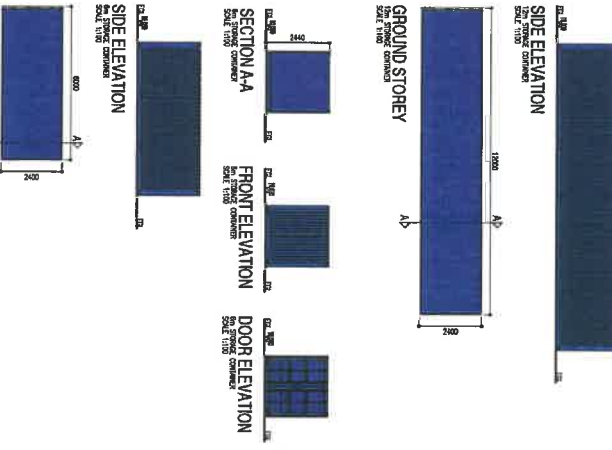
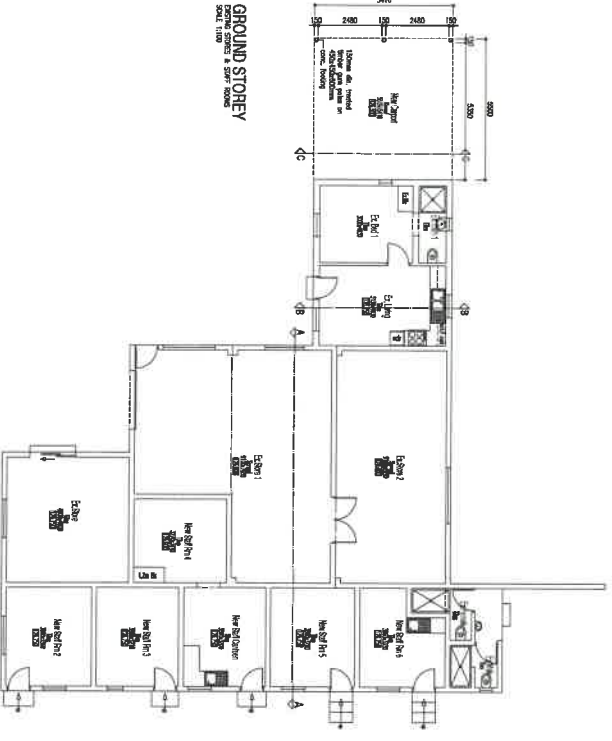
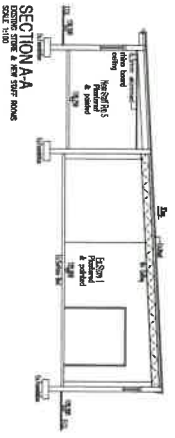
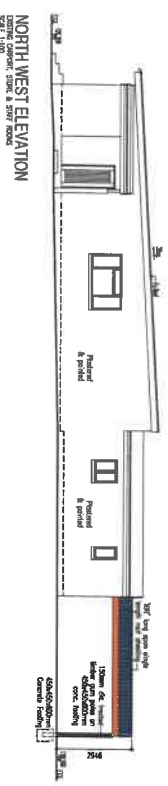
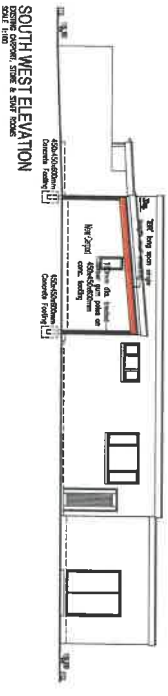
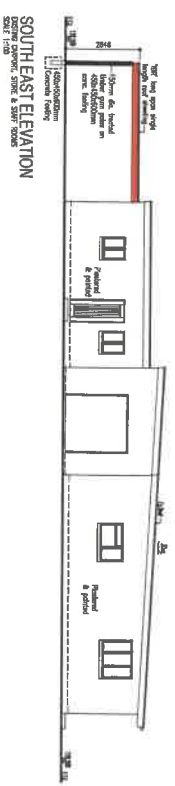
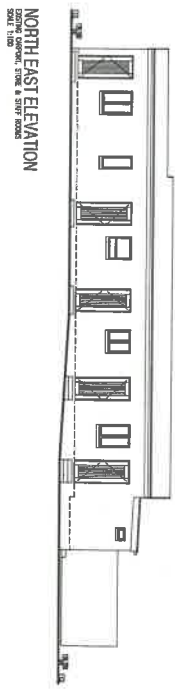


<p>VALIDATIONS TO APPROVED PLANS FOR CONSTRUCTION</p>	
REV:	DATE: DRAWN: DETAILS:
BY:	DATE: HOUSE AREAS:
DESIGNER:	SITE AREA: 4200sq/m
CLIENT:	

PROJECT:
 PROPOSED SITE DEVELOPMENT
 PLAN FOR THE BENEDETTO
 TRUST ON PTN 5 OF FARM
 528 STELLENBOSCH

<p>DRAWING:</p>		
<p>SITE DEVELOPMENT PLAN</p>		
SHEET:	SCALE:	REGION:
10 OF 11	As Shown	2.0
DATE:	TITLE:	DRAWING NO.:
08/09/2023	528-4017	22-30
<p>PO BOX 960161 KENILDEWIDE 7725 FAX: 06 89 167</p>		
<p>ENTER: Verduynweg 101 P.O. BOX 1072</p>		





NOTES

1. All work to be done in accordance with the approved plans.
2. All work to be done in accordance with the approved specifications.
3. All work to be done in accordance with the approved drawings.
4. All work to be done in accordance with the approved details.
5. All work to be done in accordance with the approved materials.
6. All work to be done in accordance with the approved methods.
7. All work to be done in accordance with the approved standards.
8. All work to be done in accordance with the approved codes.
9. All work to be done in accordance with the approved regulations.
10. All work to be done in accordance with the approved laws.

VARIOUS TO APPROVED PLANS FOR CONSTRUCTION

REV.	DATE	BY	DETAILS
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

DESIGNER: L. A. HOUSE AREAS
 SITE AREA: 7250sqm
 CLIENT:

PROJECT:
 PROPOSED SITE DEVELOPMENT
 PLAN FOR THE BENEDETTO
 TRUST ON PTN'S OF FARM
 528 STELLENBOSCH

DRAWING:
 SITE DEVELOPMENT PLAN

SHEET	SCALE	REVISION
11 OF 11	As Shown	2.0
DATE	FILE	DRAWING No.:
08/09/2023	528-MENT	22-30
FO BOX 50451 WEST BEAUFORT CELLAR 97725 FIVE 081 891 1677		
E-MAIL: info@designarchitects.co.za		

