



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15018 (TP146/2022)

Our File Reference Number: Farm 127/40, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL [REDACTED]

Sir

APPLICATION FOR CONSENT USE: FARM 127/40, STELLENBOSCH DIVISION

1. The above application refers. This letter replaces my previous letter dated 31 July 2024, in terms of Section 63(1) of the Land Use Planning By law 2023, in that it addresses the error in the wording in paragraph 3.5 of the conditions of approval to change the reference from Farm No. 124/34 to Farm No. 127/34.

2. The duly authorised decision maker has decided on the above application as follows.

2.1 That the application in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning Bylaw (2023) for a consent use to establish a tourist accommodation establishment in the existing main dwelling and outbuildings with a maximum number of ten (10) tourist accommodation bedrooms and one (1) managers room, on Farm No. 127/40, Stellenbosch Division.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.

3. The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:

3.1 The approval applies only to the consent use application and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council and external authorities.

- 3.2 The development must be undertaken generally in accordance with the building plan as referenced; Drawing No A01-01, B02-01, B02-02, E02-01, dated 2021/03/19 and drawn by Erik Grobler Argitek (EDMS) BPK, attached as **Appendix 2**.
- 3.3 Parking for the approved facility at all times be provided on site, at the required ratio as per the zoning scheme bylaw.
- 3.4 The conditions listed from the Western Cape Government: Infrastructure (Chief Directorate: Roads Planning) in their letter dated 24 June 2024, attached as **Appendix 6**, be adhered to.
- 3.5 The owner of Farm No. 127/40, Stellenbosch must obtain the power of attorney from the owner of Farm No 1312/6, Stellenbosch Division to register a right of way servitude over Farm No. 1312/6, Stellenbosch Division in favour of Farm No 127/34 and Farm No 127/2, Stellenbosch Division to link-up with the existing right of way servitude in favour of Farm No. 127/40, Stellenbosch Division over Farm No 127/34.
- 3.6 That the proposed Access Design Plan, Project: De Zeven Guest Lodge Access, Drawing Number 3912/CL/01 dated 2022/11/15 and drawn by Innovative Transport Solutions attached as **APPENDIX 6** be implemented and satisfactorily completed within six (6) months from the date of final notification of this decision, and written confirmation of compliance as endorsed by the Provincial Roads Authority be submitted to the Stellenbosch Municipality prior to the submission of any revised building plans for the change in use rights.
- 3.7 No directional signage be erected without the prior approval of the Provincial Roads Engineer and the Municipality, where applicable.
- 3.8 Building plans for the change in use rights be submitted within two (2) months after compliance to Condition 2.6 and which building plan(s) must be approved and the associated occupancy certificates be issued prior to the vesting of the use right for the tourist accommodation establishment.
- 3.9 The conditions listed from the Municipal Directorate: Infrastructure Services (Civil Engineering Services) in their memorandum dated 24 July 2023, attached as **Appendix 8**, be adhered to.
- 3.10 Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the approval of any building plans or as may be agreed on in writing with the Municipal Director Infrastructure Services.

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

- 4.1 The aesthetic appearance of the site and surrounding environment will not be altered and the proposal will not have a negative visual impact from the nearby scenic routes or surrounding properties, considering that the existing dwelling and ancillary outbuildings will be used.
- 4.2 The existing services is regarded as sufficient by all relevant authorities, to accommodate the proposed land use.
- 4.3 The proposal is in line with the surrounding land uses and the rural character of the area.
- 4.4 Sustainable agriculture is not compromised by the proposal as only an existing dwelling will be used for tourist accommodation and the remaining land is still set aside for agricultural purposes.
- 4.5 The proposed agri-tourism activities are in line with the municipal vision and objectives as set out in terms of the relevant municipal and provincial policy provisions.
- 4.6 The proposal will contribute to the expansion and diversification of the economic and tourism base of the property and the region.

5. Matters to be noted:

- 5.1 The authorised official of the Municipality will, after following due process exercise his/her discretion in terms of Section 90(c) of the Stellenbosch Municipal By-law on Land Use Planning to withdraw the subject approval granted and revert the use of the tourist accommodation establishment to its original approved use should the following be the case; -
 - 5.1.1 The subject approval remains in breach of complying with any of the conditions of approval required for the vesting of the subject approval, and/ or
 - 5.1.2 The operational use of the tourist accommodation establishment be in breach of any of the conditions of approval, and/ or
 - 5.1.3 The traffic levels with ineffective control over the access point of Minor Road 5227 become a potential traffic nuisance or safety hazard, and/ or
 - 5.1.4 The tourist accommodation establishment be used for any unauthorised uses not permitted in terms of this approval.

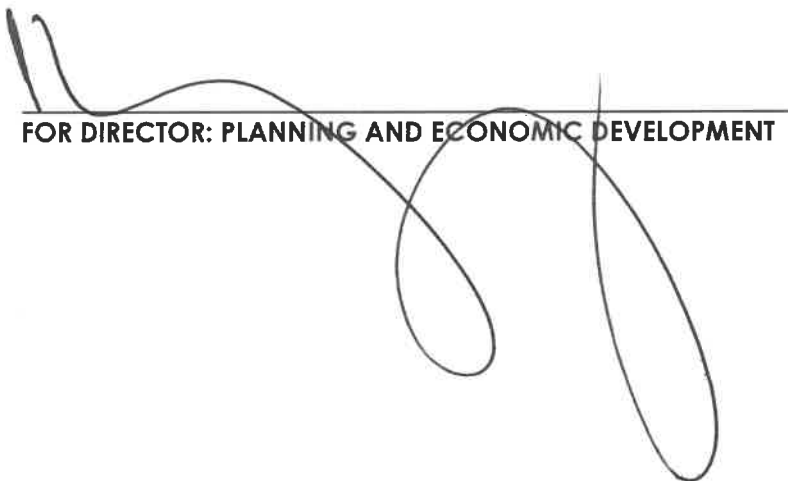
- 5.2 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.
- 5.3 All electrical requirements must be directed to Eskom, considering that the property is outside the Stellenbosch area of supply.
- 5.4 All business and liquor licenses be obtained from the relevant authorities.
- 5.5 The conditions listed from the Cape Winelands District Municipality Health Section in their letter dated 26 May 2023, attached as **Appendix 7**, be noted.
- 5.6 The operation hours as specified in the respective liquor licences and relevant municipal liquor trading hours bylaws will be applicable for the respective use.
6. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.
7. Appeals must be submitted by completing the required form with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law.
8. **Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@ Stellenbosch.gov.za**
9. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
10. The appeal form and approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@ Stellenbosch.gov.za or 021- 808 8684.
11. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
- (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.

- (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
- (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
- (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.

12. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

13. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully



FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

7/8/2024
DATE



Appendix 2

Site and building plans

Partition Schedule		
Partition Number	Partition Date	Partition Description

Guest rooms: Bedrooms 1, 2 and 4 - 7

p.9.

C.F. (ERIK) GROBLER
PR ARCH 21339
PROFESSIONAL ARCHITECT

B02-01

COUNCIL

ERIK GRÖBLER[illegible]

**GUEST HOUSE RYDER PLANS -
UPFRONT INVESTMENTS**

References

Portion 40 of Farm 127 Stellenbosch

Abstract

MAIN BUILDING GROUND FLOOR PLANS

PROJECT NO.

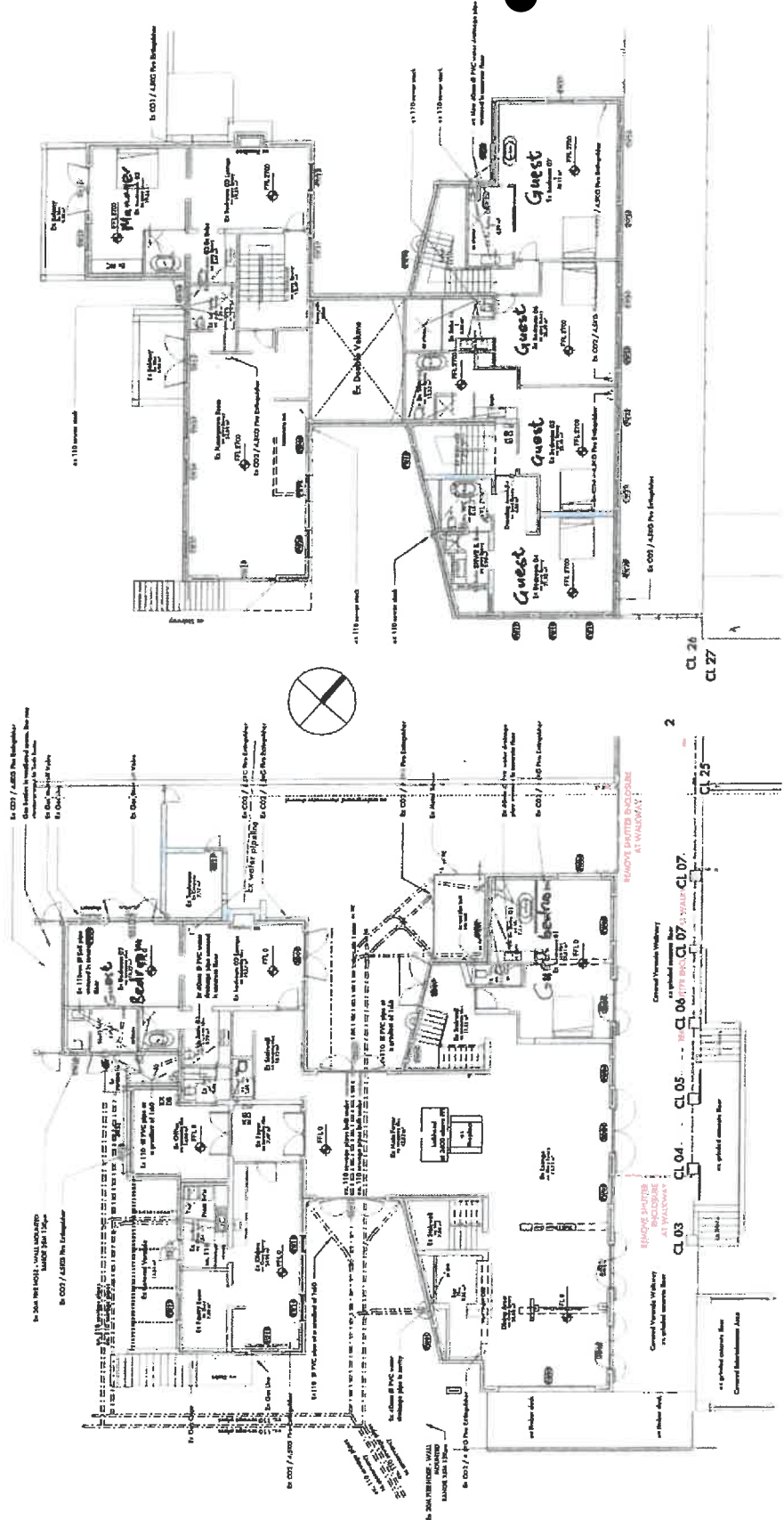
19

1. **NAME** _____
 2. **ADDRESS** _____
 3. **CITY** _____
 4. **STATE** _____
 5. **ZIP** _____
 6. **PHONE** _____
 7. **DATE** _____
 8. **SIGNATURE** _____
 9. **PRINT NAME** _____
 10. **PRINT ADDRESS** _____
 11. **PRINT CITY** _____
 12. **PRINT STATE** _____
 13. **PRINT ZIP** _____
 14. **PRINT PHONE** _____
 15. **PRINT DATE** _____
 16. **PRINT SIGNATURE** _____
 17. **PRINT NAME** _____
 18. **PRINT ADDRESS** _____
 19. **PRINT CITY** _____
 20. **PRINT STATE** _____
 21. **PRINT ZIP** _____
 22. **PRINT PHONE** _____
 23. **PRINT DATE** _____
 24. **PRINT SIGNATURE** _____
 25. **PRINT NAME** _____
 26. **PRINT ADDRESS** _____
 27. **PRINT CITY** _____
 28. **PRINT STATE** _____
 29. **PRINT ZIP** _____
 30. **PRINT PHONE** _____
 31. **PRINT DATE** _____
 32. **PRINT SIGNATURE** _____
 33. **PRINT NAME** _____
 34. **PRINT ADDRESS** _____
 35. **PRINT CITY** _____
 36. **PRINT STATE** _____
 37. **PRINT ZIP** _____
 38. **PRINT PHONE** _____
 39. **PRINT DATE** _____
 40. **PRINT SIGNATURE** _____
 41. **PRINT NAME** _____
 42. **PRINT ADDRESS** _____
 43. **PRINT CITY** _____
 44. **PRINT STATE** _____
 45. **PRINT ZIP** _____
 46. **PRINT PHONE** _____
 47. **PRINT DATE** _____
 48. **PRINT SIGNATURE** _____
 49. **PRINT NAME** _____
 50. **PRINT ADDRESS** _____
 51. **PRINT CITY** _____
 52. **PRINT STATE** _____
 53. **PRINT ZIP** _____
 54. **PRINT PHONE** _____
 55. **PRINT DATE** _____
 56. **PRINT SIGNATURE** _____
 57. **PRINT NAME** _____
 58. **PRINT ADDRESS** _____
 59. **PRINT CITY** _____
 60. **PRINT STATE** _____
 61. **PRINT ZIP** _____
 62. **PRINT PHONE** _____
 63. **PRINT DATE** _____
 64. **PRINT SIGNATURE** _____
 65. **PRINT NAME** _____
 66. **PRINT ADDRESS** _____
 67. **PRINT CITY** _____
 68. **PRINT STATE** _____
 69. **PRINT ZIP** _____
 70. **PRINT PHONE** _____
 71. **PRINT DATE** _____
 72. **PRINT SIGNATURE** _____
 73. **PRINT NAME** _____
 74. **PRINT ADDRESS** _____
 75. **PRINT CITY** _____
 76. **PRINT STATE** _____
 77. **PRINT ZIP** _____
 78. **PRINT PHONE** _____
 79. **PRINT DATE** _____
 80. **PRINT SIGNATURE** _____
 81. **PRINT NAME** _____
 82. **PRINT ADDRESS** _____
 83. **PRINT CITY** _____
 84. **PRINT STATE** _____
 85. **PRINT ZIP** _____
 86. **PRINT PHONE** _____
 87. **PRINT DATE** _____
 88. **PRINT SIGNATURE** _____
 89. **PRINT NAME** _____
 90. **PRINT ADDRESS** _____
 91. **PRINT CITY** _____
 92. **PRINT STATE** _____
 93. **PRINT ZIP** _____
 94. **PRINT PHONE** _____
 95. **PRINT DATE** _____
 96. **PRINT SIGNATURE** _____
 97. **PRINT NAME** _____
 98. **PRINT ADDRESS** _____
 99. **PRINT CITY** _____
 100. **PRINT STATE** _____
 101. **PRINT ZIP** _____
 102. **PRINT PHONE** _____
 103. **PRINT DATE** _____
 104. **PRINT SIGNATURE** _____
 105. **PRINT NAME** _____
 106. **PRINT ADDRESS** _____
 107. **PRINT CITY** _____
 108. **PRINT STATE** _____
 109. **PRINT ZIP** _____
 110. **PRINT PHONE** _____
 111. **PRINT DATE** _____
 112. **PRINT SIGNATURE** _____
 113. **PRINT NAME** _____
 114. **PRINT ADDRESS** _____
 115. **PRINT CITY** _____
 116. **PRINT STATE** _____
 117. **PRINT ZIP** _____
 118. **PRINT PHONE** _____
 119. **PRINT DATE** _____
 120. **PRINT SIGNATURE** _____
 121. **PRINT NAME** _____
 122. **PRINT ADDRESS** _____
 123. **PRINT CITY** _____
 124. **PRINT STATE** _____
 125. **PRINT ZIP** _____
 126. **PRINT PHONE** _____
 127. **PRINT DATE** _____
 128. **PRINT SIGNATURE** _____
 129. **PRINT NAME** _____
 130. **PRINT ADDRESS** _____
 131. **PRINT CITY** _____
 132. **PRINT STATE** _____
 133. **PRINT ZIP** _____
 134. **PRINT PHONE** _____
 135. **PRINT DATE** _____
 136. **PRINT SIGNATURE** _____
 137. **PRINT NAME** _____
 138. **PRINT ADDRESS** _____
 139. **PRINT CITY** _____
 140. **PRINT STATE** _____
 141. **PRINT ZIP** _____
 142. **PRINT PHONE** _____
 143. **PRINT DATE** _____
 144. **PRINT SIGNATURE** _____
 145. **PRINT NAME** _____
 146. **PRINT ADDRESS** _____
 147. **PRINT CITY** _____
 148. **PRINT STATE** _____
 149. **PRINT ZIP** _____
 150. **PRINT PHONE** _____
 151. **PRINT DATE** _____
 152. **PRINT SIGNATURE** _____
 153. **PRINT NAME** _____
 154. **PRINT ADDRESS** _____
 155. **PRINT CITY** _____
 156. **PRINT STATE** _____
 157. **PRINT ZIP** _____
 158. **PRINT PHONE** _____
 159. **PRINT DATE** _____
 160. **PRINT SIGNATURE** _____
 161. **PRINT NAME** _____
 162. **PRINT ADDRESS** _____
 163. **PRINT CITY** _____
 164. **PRINT STATE** _____
 165. **PRINT ZIP** _____
 166. **PRINT PHONE** _____
 167. **PRINT DATE** _____
 168. **PRINT SIGNATURE** _____
 169. **PRINT NAME** _____
 170. **PRINT ADDRESS** _____
 171. **PRINT CITY** _____
 172. **PRINT STATE** _____
 173. **PRINT ZIP** _____
 174. **PRINT PHONE** _____
 175. **PRINT DATE** _____
 176. **PRINT SIGNATURE** _____
 177. **PRINT NAME** _____
 178. **PRINT ADDRESS** _____
 179. **PRINT CITY** _____
 180. **PRINT STATE** _____
 181. **PRINT ZIP** _____
 182. **PRINT PHONE** _____
 183. **PRINT DATE** _____
 184. **PRINT SIGNATURE** _____
 185. **PRINT NAME** _____
 186. **PRINT ADDRESS** _____
 187. **PRINT CITY** _____
 188. **PRINT STATE** _____
 189. **PRINT ZIP** _____
 190. **PRINT PHONE** _____
 191. **PRINT DATE** _____
 192. **PRINT SIGNATURE** _____
 193. **PRINT NAME** _____
 194. **PRINT ADDRESS** _____
 195. **PRINT CITY** _____
 196. **PRINT STATE** _____
 197. **PRINT ZIP** _____
 198. **PRINT PHONE** _____
 199. **PRINT DATE** _____
 200. **PRINT SIGNATURE** _____
 201. **PRINT NAME** _____
 202. **PRINT ADDRESS** _____
 203. **PRINT CITY** _____
 204. **PRINT STATE** _____
 205. **PRINT ZIP** _____
 206. **PRINT PHONE** _____
 207. **PRINT DATE** _____
 208. **PRINT SIGNATURE** _____
 209. **PRINT NAME** _____
 210. **PRINT ADDRESS** _____
 211. **PRINT CITY** _____
 212. **PRINT STATE** _____
 213. **PRINT ZIP** _____
 214. **PRINT PHONE** _____
 215. **PRINT DATE** _____
 216. **PRINT SIGNATURE** _____
 217. **PRINT NAME** _____
 218. **PRINT ADDRESS** _____
 219. **PRINT CITY** _____
 220. **PRINT STATE** _____

C:\Users\Edie Candler\Desktop\De Zurea Completed3.rtf

2008年10月10日 星期五
 10月10日 星期五
 10月10日 星期五

B02-01



① 0 MAIN BUILDING GROUND FLOOR PLAN

MAIN BUILDING FIRST FLOOR PLAN
1/100

Revision	Number	Date	Description
1	1	1901/07/18	1901/07/18 15:55

GUEST ROOMS: Bedrooms 08 - 11

C.F. (ERIK) GROBLER
PR ARCH 21339
PROFESSIONAL ARCHITECT

B02-02

COUNCIL

ERIK GROBLER
ARCHITECT

ALL RIGHTS RESERVED. THIS DRAWING IS THE PROPERTY OF ERIK GROBLER ARCHITECT. NO PART OF THIS DRAWING MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF ERIK GROBLER ARCHITECT. THE CLIENT AGREES TO HOLD ERIK GROBLER ARCHITECT HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE ASSERTED AGAINST ERIK GROBLER ARCHITECT BY ANY THIRD PARTY AS A RESULT OF THE CLIENT'S USE OF THIS DRAWING. THE CLIENT AGREES TO HOLD ERIK GROBLER ARCHITECT HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE ASSERTED AGAINST ERIK GROBLER ARCHITECT BY ANY THIRD PARTY AS A RESULT OF THE CLIENT'S USE OF THIS DRAWING.

GUEST HOUSE RYDER PLANS -
UPFRONT INVESTMENTS

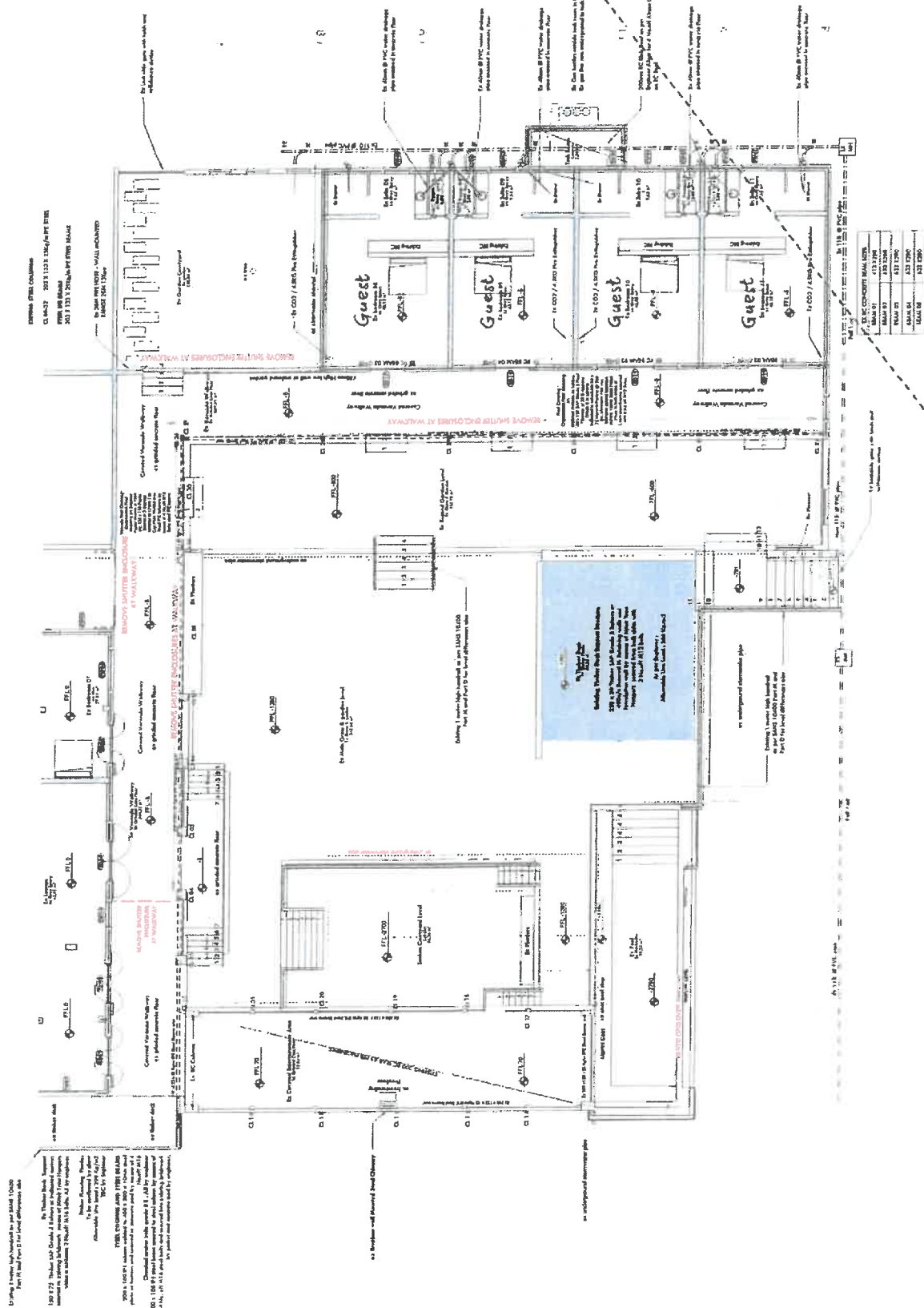
Portion 40 of Farm 127 Stellenbosch

SUITES & WALKWAY FLOOR PLAN

PROJECT NO.	190
CLIENT	O. Smit (Pty) Ltd. / O. Smit (Pty) Ltd. / O. Smit (Pty) Ltd.
DATE	1901/07/18 15:55
BY	ERIK GROBLER

B02-02

P F N C U G H I



1 O SUITES, LINK & ENTERTAINMENT PLAN
1:100



EO2-01

COUNCIL



ERIK GROBLER

[illegible]

**GUEST HOUSE RYDER PLANS -
UPFRONT INVESTMENTS**

Partion 40 of Farm 127 Stellenbosch

VERANDA WALKWAY ELEVATIONS

[illegible]

THE

NOT DATE

©2011 OpenStax

E02-01



1,100

glass with double pane & glass
with external shutters

2000



Room Data	Room Data	Room Data	Room Data
Room Number	Bedroom 2 Door with Shutters	Room Number	Bedroom 2 Door with Shutters
Room Name	EW11	Room Name	EW11
Frame Material	Timber	Frame Material	Timber
Dimensions	2000 wide x 2400 high	Dimensions	2000 wide x 2400 high
Area - SANS 204	4.80	Area - SANS 204	4.80
U-value	0.86	U-value	0.86
Conductance	1.16	Conductance	1.16

with external shutters

with external shutters



Room Data	Room Data	Room Data	Room Data
Room Number	Bedroom 2 Door with Shutters	Room Number	Bedroom 2 Door with Shutters
Room Name	EW11	Room Name	EW11
Frame Material	Timber	Frame Material	Timber
Dimensions	1040 wide x 1180 high	Dimensions	1040 wide x 1180 high
Area - SANS 204	1.23	Area - SANS 204	1.23
U-value	0.77	U-value	0.77
Conductance	1.30	Conductance	1.30

with low E glass

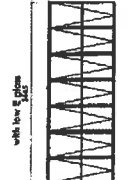


Room Data	Room Data	Room Data	Room Data
Room Number	Bedroom 2 Door with Shutters	Room Number	Bedroom 2 Door with Shutters
Room Name	EW11	Room Name	EW11
Frame Material	Timber	Frame Material	Timber
Dimensions	1040 wide x 1180 high	Dimensions	1040 wide x 1180 high
Area - SANS 204	1.23	Area - SANS 204	1.23
U-value	0.77	U-value	0.77
Conductance	1.30	Conductance	1.30

with external shutters

with low E glass

2000



Room Data	Room Data	Room Data	Room Data
Room Number	Bedroom 2 Door with Shutters	Room Number	Bedroom 2 Door with Shutters
Room Name	EW11	Room Name	EW11
Frame Material	Timber	Frame Material	Timber
Dimensions	2000 wide x 2400 high	Dimensions	2000 wide x 2400 high
Area - SANS 204	4.80	Area - SANS 204	4.80
U-value	0.86	U-value	0.86
Conductance	1.16	Conductance	1.16

with external shutters

with external shutters



Room Data	Room Data	Room Data	Room Data
Room Number	Bedroom 2 Door with Shutters	Room Number	Bedroom 2 Door with Shutters
Room Name	EW11	Room Name	EW11
Frame Material	Timber	Frame Material	Timber
Dimensions	1040 wide x 1180 high	Dimensions	1040 wide x 1180 high
Area - SANS 204	1.23	Area - SANS 204	1.23
U-value	0.77	U-value	0.77
Conductance	1.30	Conductance	1.30

ORIGINAL MAIN BUILDING GROUND FLOOR SANS 204 CALCULATIONS

Area of Ground Floor Internal Area = 210.4 m²
 Area of Ground Floor External Area = 210.4 m²
 Area of Ground Floor External Area = 210.4 m²
 Area of Ground Floor External Area = 210.4 m²

Area of Ground Floor Internal Area = 210.4 m²
 Area of Ground Floor External Area = 210.4 m²
 Area of Ground Floor External Area = 210.4 m²
 Area of Ground Floor External Area = 210.4 m²

Low E Glass

2000



Room Data	Room Data	Room Data	Room Data
Room Number	Bedroom 2 Door with Shutters	Room Number	Bedroom 2 Door with Shutters
Room Name	EW11	Room Name	EW11
Frame Material	Timber	Frame Material	Timber
Dimensions	2000 wide x 2400 high	Dimensions	2000 wide x 2400 high
Area - SANS 204	4.80	Area - SANS 204	4.80
U-value	0.86	U-value	0.86
Conductance	1.16	Conductance	1.16

with external shutters

with external shutters



Room Data	Room Data	Room Data	Room Data
Room Number	Bedroom 2 Door with Shutters	Room Number	Bedroom 2 Door with Shutters
Room Name	EW11	Room Name	EW11
Frame Material	Timber	Frame Material	Timber
Dimensions	1040 wide x 1180 high	Dimensions	1040 wide x 1180 high
Area - SANS 204	1.23	Area - SANS 204	1.23
U-value	0.77	U-value	0.77
Conductance	1.30	Conductance	1.30

Low E Glass

2000



Room Data	Room Data	Room Data	Room Data
Room Number	Bedroom 2 Door with Shutters	Room Number	Bedroom 2 Door with Shutters
Room Name	EW11	Room Name	EW11
Frame Material	Timber	Frame Material	Timber
Dimensions	1040 wide x 1180 high	Dimensions	1040 wide x 1180 high
Area - SANS 204	1.23	Area - SANS 204	1.23
U-value	0.77	U-value	0.77
Conductance	1.30	Conductance	1.30

with external shutters

Revision Schedule

Revision Number

Revision Description

P.D.

C.F. (ERIK) GROBLER

PR ARCH 2139

PROFESSIONAL ARCHITECT

H02-02

COUNCIL

ERIK GROBLER
ARGTEK (EDMS) BPK

PROJECT
GUEST HOUSE RYDER PLANS -
UPFRONT INVESTMENTS

Portion 40 of Farm 127 Stellenbosch

MAIN BUILDING & SUITES 8-11
GROUND FLOOR SANS 204
CALCULATIONS

H02-02

Appendix 6

Comments from Western Cape
Government: Infrastructure (Drt
Roads Planning)



Ref: TPW/CFS/RP/LUD/REZ/SUB-25/217 (Job 25144-3)

The Director: Planning and Development
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7600

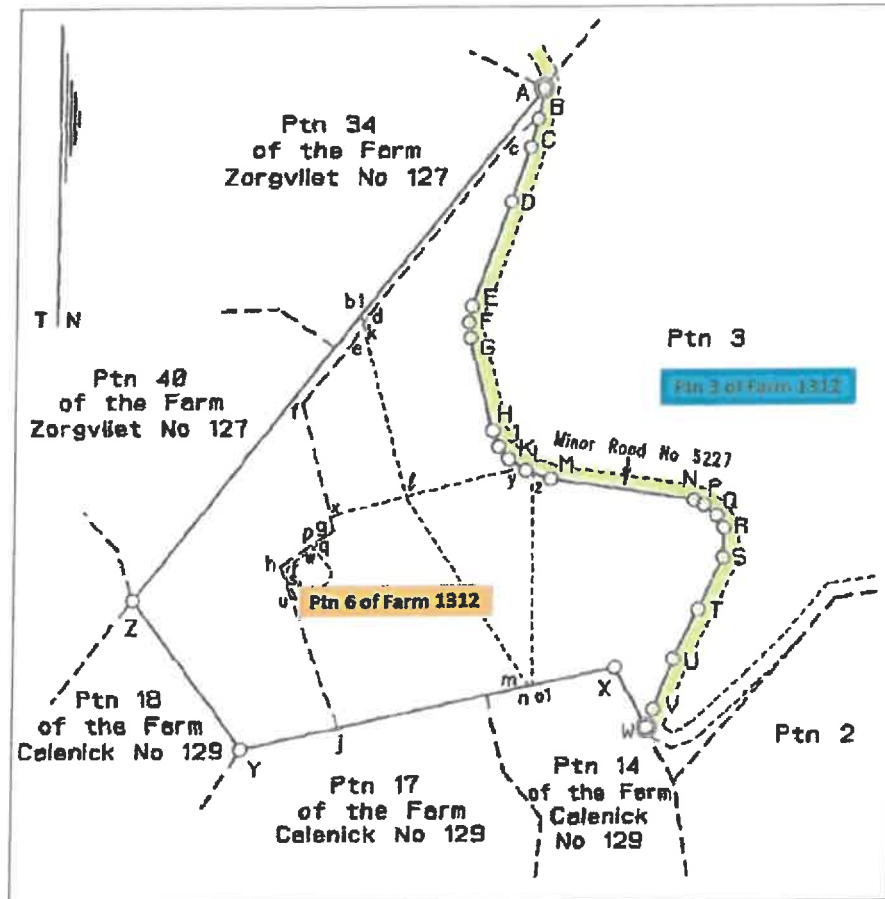
Attention: Mr Stiaan Carstens

PORTION 40 OF FARM 127, STELLENBOSCH: MINOR ROAD 5227: APPLICATION FOR CONSENT USE

1. The following refer:
 - 1.1. Your email dated 11 June 2024 requesting an updated comment;
 - 1.2. The undated and unsigned MS Word document received from Mr Derek Brugman under the name of Solstice Trading CC on 17 November 2023 (this document/letter was seen as an unofficial letter and treated as such);
 - 1.3. Our letter TPW/CFS/RP/LUD/REZ/SUB-25/217 (Job 25144) to Solstice Trading CC dated 20 October 2023 requesting the removal of vegetation in the road reserve of Minor Road 5227 (OP5227);
 - 1.4. Your email dated 20 September 2023;
 - 1.5. Our email dated 20 September 2023;
 - 1.6. The site visit attended by this Branch and Innovative Transport Solutions (ITS) on 5 September 2023;
 - 1.7. The email from ITS to Mr Uys Meyer dated 10 August 2023;
 - 1.8. The site visit held by ITS on 4 August 2023;
 - 1.9. Email from ITS dated 7 July 2023 containing the minutes of the meeting held on 29 June 2023;
 - 1.10. The meeting held by ITS on 29 June 2023;
 - 1.11. The email from Viridus Works dated 25 May 2023 containing the public notice regarding this land development application;

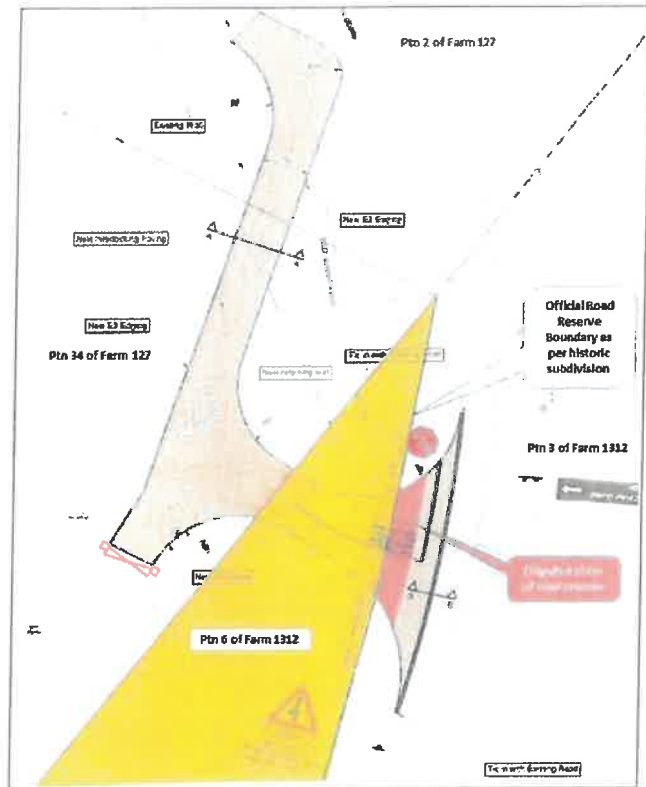
- 1.12. Our letter TPW/CFS/RP/LUD/REZ/SUB-25/217 (Job 25144) dated 8 May 2023 approving an alternative access layout;
- 1.13. The Access Design Drawing (Drawing Number: 3912 / CL / 01) prepared by ITS dated 14 November 2022;
- 1.14. Our letter 16/9/6/1-25/217 (Job 25144) dated 13 August 2018 approving an access proposal;
- 1.15. Our letter 16/9/6/1-25/217 (Job 25144) dated 10 November 2017 offering a conditional no objection; and
- 1.16. The Access Report (ITS 3912) prepared by ITS dated October 2017 proposing four access locations.
2. OP5227 (Zevenrivieren Road) is directly affected by this application at ±km0.43 where the current access to Portion 2 of Farm 127, the Portion 34 of Farm 127 and Portion 40 of Farm 127 (via a servitude right of way (SG Diagram No. 5526/2000) over the Portion 34 of Farm 127) is located.
3. The application for consent use pertains to the utilization of existing buildings (the main dwelling and an attached outbuilding) on the property for a tourist accommodation establishment consisting of ten bedrooms - six in the main dwelling and four in the attached outbuilding - rather than the previously approved guest accommodation. This application aims to address and remove the obstacles to approving the as-built building plan.
4. First, through a decision by the Municipal Planning Tribunal in 2019, and later with the Appeal Authority confirming this decision in 2020, you granted approval for the consent use to establish De Zeven Guest Accommodation.
5. The Access Report (ITS 3912) prepared by ITS in October 2017 identified four access options. Option 4 was deemed the safest location; however, the owner of Portion 6 of Farm 1312 opposed the creation of a right of way servitude over his property to serve Portion 40 of Farm 127. Consequently, Option 3, located opposite the existing access to Portion 3 of Farm 1312, is the safest available location. In this case, the owner of Portion 6 of Farm 1312 agreed to the registration of a right of way servitude in favour of Portion 34 of Farm 127 and Portion 2 of Farm 127. The owners of Portion 34 of Farm 127 and Portion 2 of Farm 127 also agreed to this registration. Implementing Option 3 will also eliminate the existing unsafe access at approximately km0.43 off OP5227.
6. In our letter 16/9/6/1-25/217 (Job 25144) dated 13 August 2018 this Branch wrongly indicated that a tiny sliver of Portion 3 of Farm 1312 was still part of the Farm.
7. With further investigation it was confirmed that the sliver of land is located within the road reserve of OP5227. The reasons why the sliver of land in question is part of the road reserve of OP5227 are:
 - 7.1 OP5227 was proclaimed on 21 September 1956 in accordance with the general description contained in P.N. 618/1956, which occurred long before the subdivision of the Parent Farm 1312

- 7.2. It is evident from the SG Diagram No. 2399/2008 for Portion 6 of Farm 127 dated 5 June 2008, that the subdivision line between Point A and W on the SG Diagram follows the western road reserve boundary of OP5227 which is the common boundary between Portion 6 of Farm 127 and Portion 3 of Farm 1312 as indicated in the clip of the SG Diagram below.



- 7.3. It should also be noted that the road reserve width of a proclaimed road is impacted by the alignment of the road, especially where the road is in a fill or a cutting. In a fill, the road reserve boundary extends to at least the toe of the fill or 1.5m wider, and in a cutting, it reaches the crest, which can result in a width greater than the proclaimed width. In this case, the portion in question, although minor, is in a cutting. Moreover, it is important to consider that the road reserve was established during the subdivision, as previously explained.

- 7.4. The sliver of land in question is too small to be utilized for bona fide farming purposes or any other legal land use. The portion affected by the proposed access is approximately 30 m², as shown on the adjacent plan. Additionally, it is important to note that the road reserve was established during the subdivision, as explained above.



8. Currently Portion 40 of Farm 127 gains access off OP5277 via a right of way servitude (SG Diagram No. 1820/1997) over Portion 2 of Farm 127 and the right of way servitude (SG Diagram No. 5526/2000) over the Remainder of Portion 34 of Farm 127.
9. This Branch offers no objection to the application for Consent Use, subject to the following conditions:
 - 9.1. The existing buildings may only accommodate 10 bedrooms as a tourist accommodation establishment;
 - 9.2. The existing right of way (SG Diagram No. 1820/1997) must be cancelled;
 - 9.3. A new right of way servitude must be registered over Portion 6 of Farm 1312 in favour of Portion 34 of Farm 127 and Portion 2 of Farm 127, as indicated on the Design Drawing (Drawing Number: 3912 / CL / 01) prepared by ITS dated 14 November 2022;
 - 9.4. The existing access off OP5227 at approximately km0.43 must be permanently closed to the satisfaction of the District Roads Engineer in Paarl (Mr. E. Smith - 021 863 2020);
 - 9.5. A new access must be constructed at approximately km0.45, opposite the existing driveway access to Portion 3 of Farm 1312;

- 9.6. If required, the pillars and fence along the boundary of Portion 6 of Farm 1312 must be relocated to provide maximum shoulder sight distance (SSD) to the south (extent of pillars and fence to be moved to be agreed with the DRE in Paarl (Mr E Smith - 021 863 2020));
- 9.7. The existing embankment to the north of the proposed new access at approximately km0.45 must be cut back to provide maximum SSD northwards;
- 9.8. All trees and vegetation obstructing the line of sight within the road reserve of OP5227 must be removed to maximize SSD to the north;
- 9.9. A "Concealed Driveway" sign with supplementary Advisory Speed 40 km/h must be erected at a location advised by the DRE in Paarl (Mr E Smith - 021 863 2020) before the new access;
- 9.10. The geometrics and materials design plans for the new access must be approved by this Branch's Directorate: Road Design (Mr M Hendrickse - 021 483 3107) prior to the commencement of any construction;
- 9.11. Approval and handover of the site to work within the road reserve and statutory 5m building line of OP5227 must be obtained from the DRE (Mr E Smith - 021 863 2020), who will also issue the Practical Completion Certificate once construction has been completed; and
- 9.12. The removal of the trees and obstructing vegetation in the road reserve, the relocation of the pillars and fence, the closure of the existing access and the construction of the new access are the responsibility of the owner of Portion 40 of Farm 127.

Yours Sincerely



SW CARSTENS

For DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE BRANCH

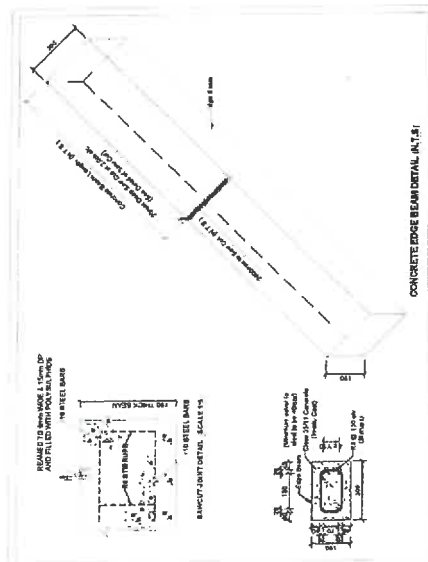
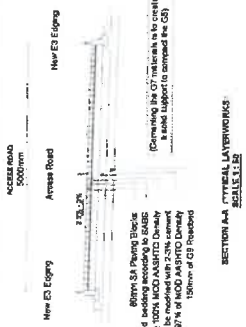
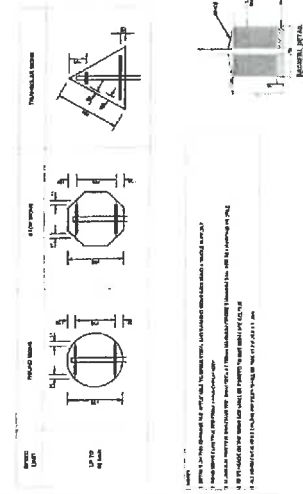
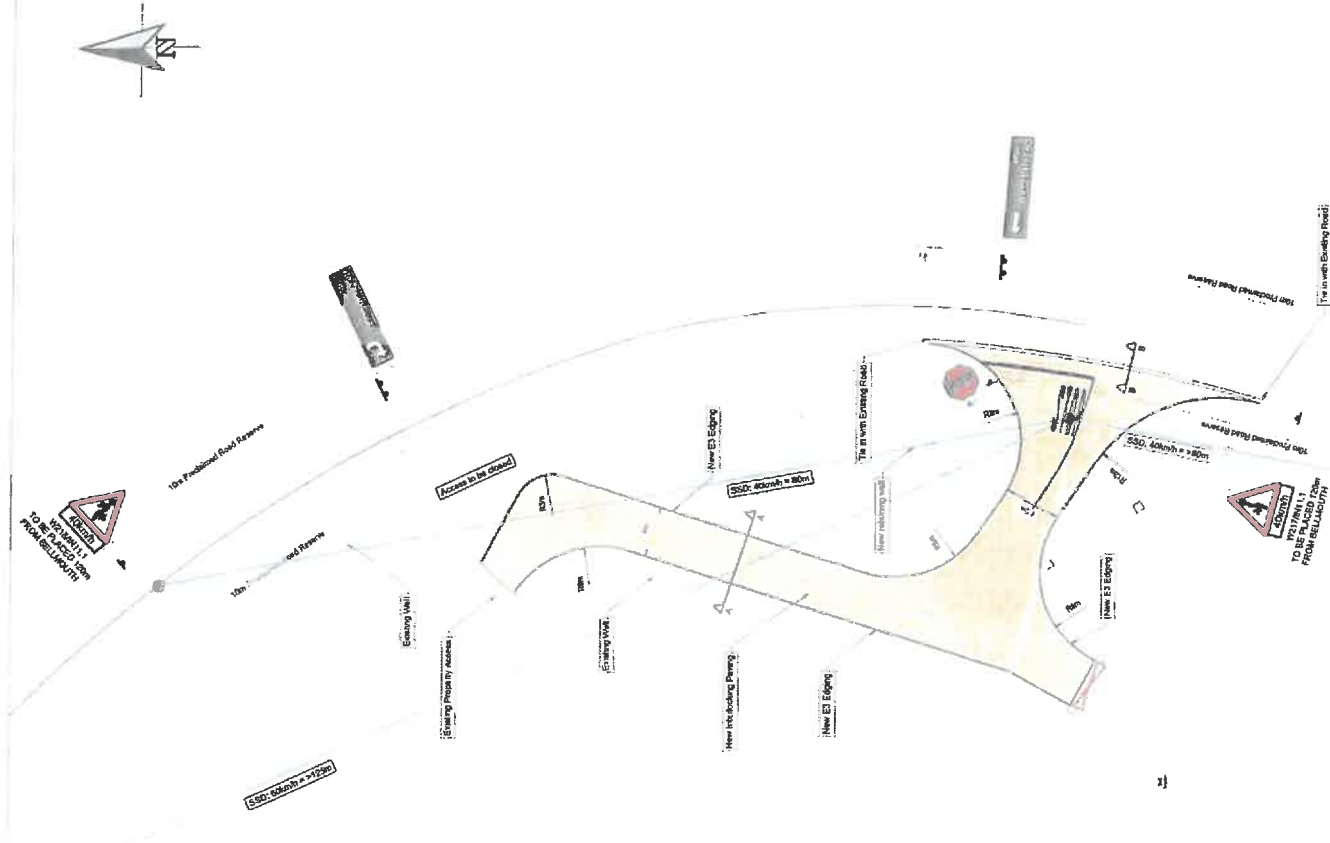
DATE: 24 June 2024

ENDORSEMENTS

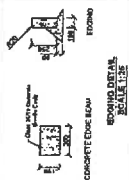
1. Stellenbosch Municipality
Attention: Mr S Carstens (e-mail: stiaan.carstens@stellenbosch.gov.za)
Attention: Mr U von Molendorff (e-mail: ulrich.vonmolendorff@stellenbosch.gov.za)
2. Viridus Works
Attention: Mr D Lombaard (e-mail: dupre.lombaard@viridus.com)
3. Innovative Transport Solutions
Attention: Mr J Brink (e-mail: johanb@itsglobal.co.za)
4. Mr SW Carstens (e-mail)
5. Mr E Smith (e-mail)
6. Mr F Hunter (e-mail)
7. Mr B du Preez (e-mail)



Page No.	Sketch of BGL & WE	Dimensions (Dm)	Material	Weight
1		100mm x 100mm	Aluminum	150g
1		100mm x 100mm	Aluminum	150g
1		100mm x 100mm	Aluminum	150g
2		100mm x 100mm	Aluminum	150g



- [illegible]



LEADLINE

Brinkley Road
New 50mm Paving
New ES Easing
New Edge Beaten

REV -
DATE 12/00
BY A1
DRAWING CHECKED
3912/CL/01

SERVITUDE DGM.

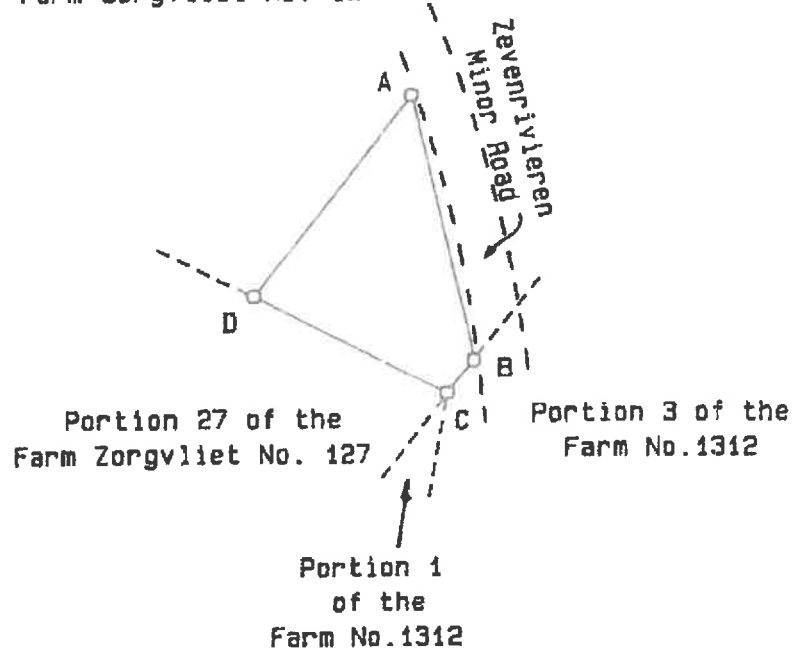
OFFICE COPY

SIDES Metres	ANGLES OF DIRECTION	CO-ORDINATES System Lo19				S.G. No. 1820/1997
		Y	X			
	Constant:	+	0,00	+3 700 000,00		
A B	19,47	346 58 40	A +	5 822,56	+ 54 372,40	Approved <i>[Signature]</i> Surveyor-General 1997-04-10
B C	3,00	37 21 10	B +	5 818,17	+ 54 391,38	
C D	15,22	117 35 30	C +	5 819,99	+ 54 393,76	
D A	18,00	217 21 10	D +	5 833,48	+ 54 386,71	
	493 Joubert	△ +	5 681,17	+ 51 659,98		
	66 Stel 8	△ +	6 958,78	+ 56 242,25		

Description of Beacons.

All are 20mm round iron pegs

Portion 2 of the
Farm Zorgvliet No. 127



Scale 1:500

The figure A B C D
represents a Servitude right of way over
REMAINDER PORTION 2 OF THE FARM ZORGVLIET NO.127
situate in the
Administrative District of Stellenbosch,
Surveyed in July 1996 - February 1997
by me,

Province of the Western Cape.

B. J. Mellon (PLS 0396) Professional Land Surveyor

This diagram is annexed to
No.
dated 10/12/97
i.f.o.

The original diagram is
No. 878/1914
annexed to Transfer
No. 1914 - 94 - 6086

File No. Stel 127
S.R. No. E 731/1997
Comp. BH-808/Y3 (1488)

Registrar of Deeds

127/2 11

Pedro April

From: barend@pescasa.co.za
Sent: Friday, 12 July 2024 08:18
To: Pedro April
Cc: Chrizelle Kriel; Stiaan Carstens; 'Vanessa Stoffels'; Elroy.Smith@westerncape.gov.za; Schalk Carstens
Subject: [EX] Job 25144-3: Application for Consent Use: De Zeven Guest Accommodation: Farm No. 127/40, Stellenbosch Division
Attachments: 3912_Zorgvliet Guest House Access_Sight Distance_Option C_MT_2022-11-15.pdf

Dear Pedro,

1. The following refer:
 - a. Your email dated 4 July 2024 has reference;
 - b. Our reply email dated 5 July 2024; and
 - c. Our letter TPW/CFS/RP/LUD/REZ/SUB-25/217 (Job 25144-3) dated 24 June 2024.
2. This Branch confirms the following:
 - a. The reference to Portion 6 of Farm 127 in Paragraph 7.2 is incorrect and should be Portion 6 of Farm 1312, as indicated on the SG Diagram in the same paragraph;
 - b. Please see the attached copy of the Design Drawing (Drawing Number: 3912 / CL / 01) prepared by ITS, dated 14 November 2022; and
 - c. Regarding Paragraph 9.8, the District Roads Engineer (DRE) will identify the trees and vegetation within the road reserve of OP5227 that need to be removed to maximise the shoulder sight distance (SSD) to the north.
3. I trust that we have addressed your query satisfactorily.
4. Please do not hesitate to contact us if you have any further questions.

Kind regards | Vriendelike groete

Barend du Preez Pr Eng

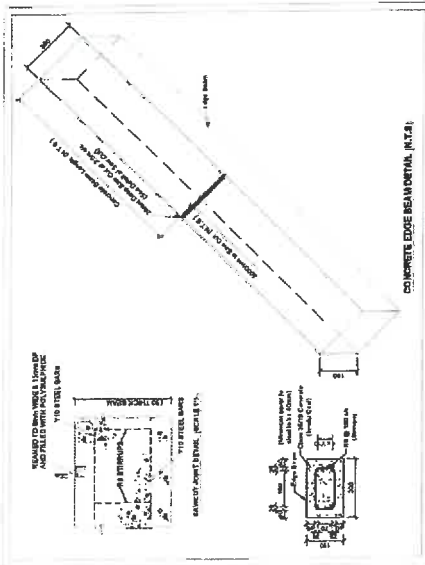
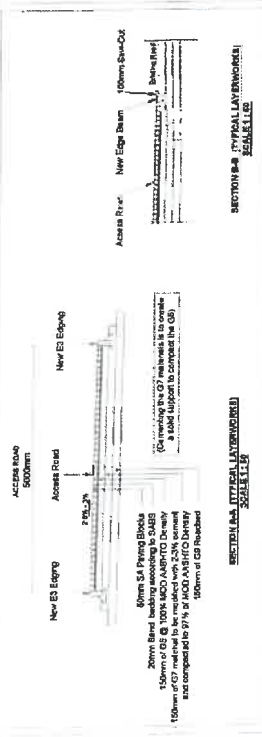
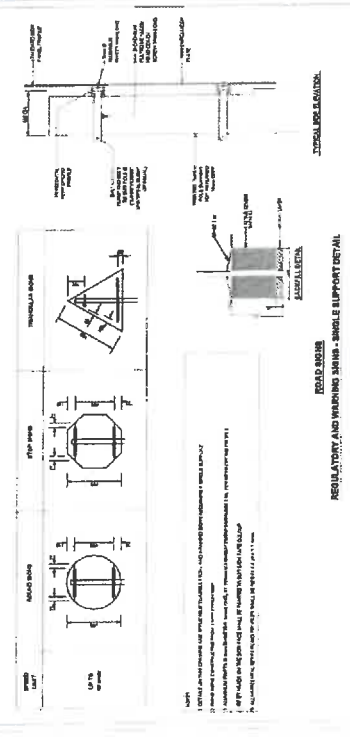
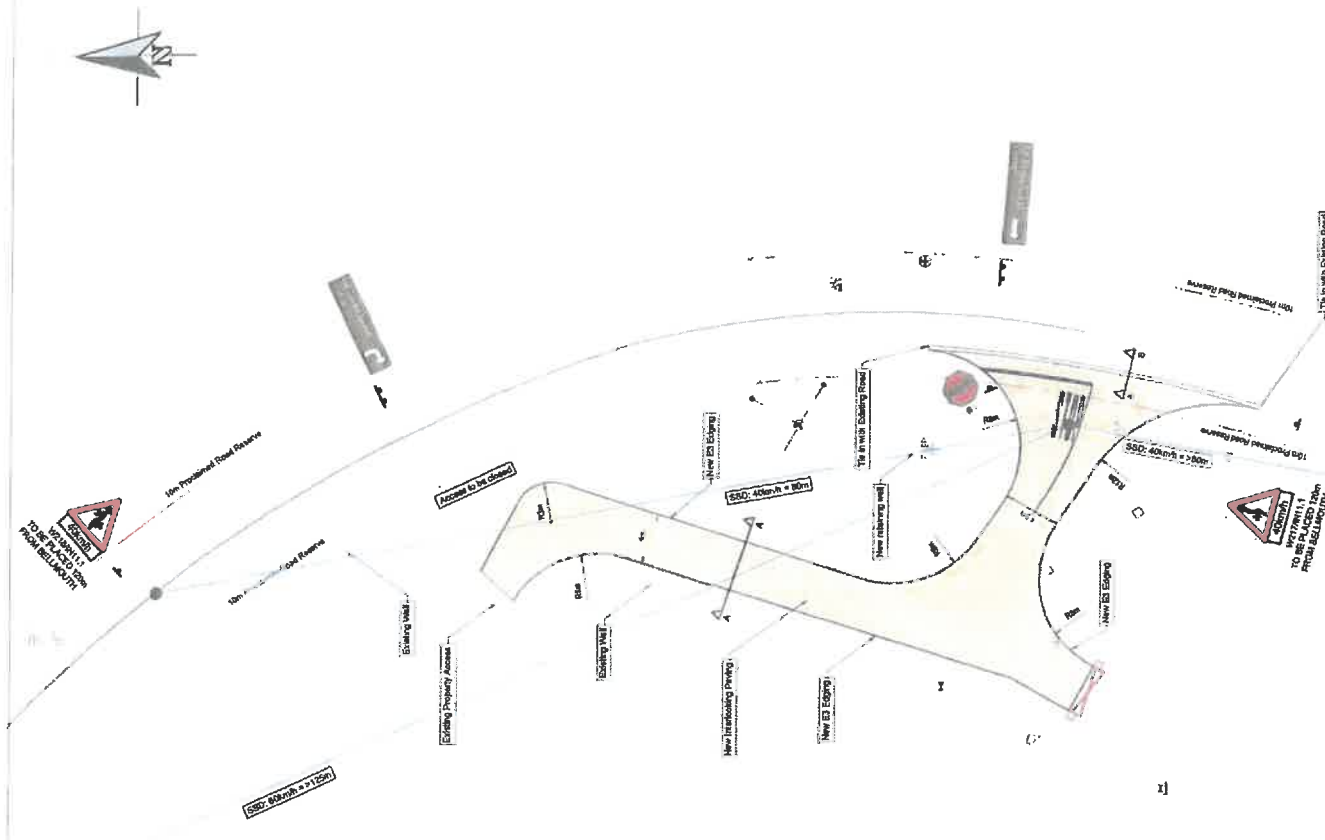
On behalf of:
Chief Engineer: Road Use Management
Chief Directorate Road Planning
Transport Infrastructure Branch
Department of Infrastructure
Western Cape Government

The Box - 24th floor, 9 Lower Burg St, Cape Town

PO Box 2603, Cape Town 8000
Tel: +27 21 483 6996
Mobile: +27 83 701 2299
Email: barend@pescasa.co.za
Website: www.westerncape.gov.za



Fig. No.	Sketch of BM	Size	Material	Length (mm)	Weight (kg)
1		90mm	Aluminum	100mm x 100mm	0.12
2		90mm	Aluminum	100mm x 100mm	0.12
3		90mm	Aluminum	100mm x 100mm	0.12
4		90mm	Aluminum	100mm x 100mm	0.12



-
- Figure 10 shows two views of a concrete edge member. The elevation view (top) shows a cross-section of a wall with a height of 1000 mm, a base width of 150 mm, and a top width of 100 mm. A 100 mm wide concrete edge member is shown at the top. The plan view (bottom) shows a square base with dimensions 200 mm by 200 mm. A 100 mm wide concrete edge member is shown around the perimeter. The concrete is labeled 'CONCRETE' and the reinforcement is labeled 'REINFORCEMENT'.

SCALE 1:200
DATE 28/11/01
REV -
DRAWING NUMBER 3812/CL/01

Appendix 7

Comments from Cape Winelands
District Municipality Health Section.



CAPE WINELANDS DISTRICT
MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

DEPARTEMENT/DEPARTMENT/CANDELO:
NAVRAE/ENQUIRIES/IMBUZO:
TELEFOON/TELEPHONE/UMXEBE:
FAXS/FAX/FEKSE:
E-POS/E-MAIL/E-MAIL:
U VERW/YOUR REF/REF YAKHO:
ONS VERW/OUR REF/REF YETHU:

MUNISIPALE GESONDHEIDSDIENSTE

Mrs. J Kriger
021-8885800
021-8878345

julian@capewinelands.gov.za

Farm 127/40P)
Plaas 127/40, Banhoek

Alexanderstraat 48 Alexander Street
78100
STELLENBOSCH
7800

All correspondence must be addressed to the Municipal Manager/yonke imbelelwano mayithunyiselwe kumhlawuli kumunipale
All correspondence to be addressed to the Municipal Manager

26-05-2023

Munisipale Bestuurder
Munisipaliteit Stellenbosch
Posbus 17
Stellenbosch
7599

Vir aandag: Beplanning en Ekonomiese Ontwikkelingsdienste

Meneer

**AANSOEK OM VERGUNNINGSGEBRUIK: PLAAS, NO. 127/40, AFDELING
STELLENBOSCH**

Daar is geen beswaar vanuit 'n gesondheidsoogpunt ten opsigte van die aansoek nie,
onderworpe aan die volgende voorwaardes :

1. Alle riool –en afloop/ waswater moet gekoppel word aan die stelsel en so beskik word dat dit nie 'n oorlas veroorsaak nie.
2. Alle waswater vanaf die kombuise moet deur 'n vetvanger gaan voordat dit in die rioolsisteem vloei.
3. 'N Voldoende aantal toilette en hande wasbakke moet voorsien word volgens die getal gaste waarvoor voorsiening gemaak word.
4. In die geriewe vir dames moet voorsiening gemaak word vir die wegdoen van sanitêre doekies.
5. Die applikant moet aansluit by die Raad se vullisverwyderingsdiens.
6. Indien voedsel op die perseel voorberei word vir verkoop aan die publiek moet die applikant aansoek doen by Stellenbosch Munisipaliteit vir die nodige lisensie asook by die Kaapse Wynland Distriksmunisipaliteit vir 'n geskiktheidsertifikaat ingevolge R638 van 22 Junie 2018.
7. Alle voedselvoorbereiding/hanteringspersele moet voldoen aan die vereistes van R638 wat betrekking het op voedselpersele.

2.

8. 'n Voldoende voorraad veilige skoon gepyppte drinkwater moet voorsien word.
9. Indien enige aktiwiteit op die perseel geraas genereer berus die onus by die eienaar om die nodige klanktoetse te laat neem en die uitslae aan hierdie Departement voor te lê. (Die SABS Gebruikskode 0103 van 1994 asook die Regulasies van die Wet op Omgewingsbewaring Nr.73 van 1989 moet as riglyn dien.)

Die uwe



nms. Municipale Bestuurder

Appendix 8

Comments from Municipal Director:
Infrastructure Services.



STELLENBOSCH MUNICIPALITY

STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

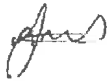
To ▫ Aan:	Director: Planning + Economic Development
Att ▫ Aandag:	Bulelwa Mdoda
From ▫ Van:	Principal Technician: Development (Infrastructure Services)
Author ▫ Skrywer:	Ilze Fillies
Date ▫ Datum:	24 July 2023
Our Ref ▫ Ons Verw:	Civil LU 2515
Town Planning Ref:	LU/11809
Re ▫ Insake:	Farm 127/40, Stellenbosch: Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning Bylaw (2015) for a consent use to establish a tourist accommodation establishment, consisting of 10 guest bedrooms in existing buildings (existing dwelling and outbuildings) on Farm No. 127/40, Stellenbosch Division.

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

- 1. Civil Engineering services**
 - 1.1 No objection, no municipal services are affected.

- 2. Development Charges (DCs)**
 - 2.1 The following DC's are payable: See **Development Charge Calculation** attached. Please note that this calculation is indicative at this stage and will be amended based on the detail information provided on subsequent applications ie building plans.

- 2.2 The DC's were calculated by using the 2023/2024 tariff structure. If DC's are paid after 30 June 2024 it will have to be recalculated by using the tariff structure and DC Policy principles applicable at date of payment.
- 2.3 The appropriate DC's are payable before building plan approval.
- 2.4 The appropriate DC's are payable before the facility is put to its approved use (where building plans are not applicable).



Ilze Fillies

Principal Technician: Development (Infrastructure Services)

N:\2.0 DEVELOPMENT\01 Land Use applications\2515 (IF) Farm 127-40 Stellenbosch (LU-15018 TP146-2022)\2515 (IF) Farm 127-40 Stellenbosch (LU-15018 TP146-2022).doc



Stellenbosch Municipality

Development Charge Calculation



APPLICATION INFORMATION	
Application Number:	2516 (F) Farm 127-40 Stellenbosch (LU-15016 TP140-2022)
Development Name:	
Date:	24 July 2023
Financial Year:	2023/2024
Erf Location (Select from 7 Locations):	Stellenbosch Town
Erf Region (Select Urban or Rural):	Rural
Erf No. / Farm No.:	Farm 127 pt 40
DC Parameters Reference:	Guest house ryder plan upfront investment Bts Plan AD1-01 dated 18/08/2021 Erik Grabler Arglist

SUMMARY OF DC CALCULATION									
Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Tenets	
Unit(s):	l/day	M/day	he°C	t/week	trips/day		persons		
Total Increased Services Usage:	1,4	1,15	0,012	0,11	16		6		
Total Service Usage Reduction:	0	0	0	0	0,0		0		
Total Service Usage after Reduction:	1,40	1,15	0,01200	0,110	0,0		6		
Charges before adjusting for positive only, before Deductions	R 43 672,88	R 39 664,39	R 2 485,99	R 10 759,28	R 96 563,60	R 193 340,34	R 23 145,48	R 216 491,80	
Charges adjusted for positive only, before Deductions	R 43 672,88	R 39 664,39	R 2 485,99	R 10 759,28	R 96 563,60	R 193 340,34	R 23 145,48	R 216 491,80	
Total Deductions:	R -	R -	R -	R -	R -	R 48 281,80	R -	R 48 281,80	
Total Development Charges Payable (excluding VAT):	R 43 672,88	R 39 664,39	R 2 485,99	R 10 759,28	R 48 281,80	R 145 058,44	R 23 145,48	R 168 203,92	
VAT:	R 6 590,93	R 5 949,66	R 372,90	R 1 613,89	R 7 242,28	R 21 759,67	R 3 471,82	R 25 231,49	
Total Development Charges Payable (including VAT):	R 50 263,81	R 45 614,05	R 2 858,89	R 12 373,17	R 55 524,08	R 166 818,11	R 26 617,30	R 193 435,41	

APPLICANT INFORMATION	
Application Processed by:	Bos Ffies
Signature:	
Notes:	

Stollenbach Town

[illegible][illegible]