

## NOTICE OF LAND DEVELOPMENT APPLICATION

### **APPLICATION FOR CONSENT USE FOR A FUNCTION VENUE IN TERMS OF SECTION 15(2)(O) OF THE STELLENBOSCH MUNICIPALITY LAND USE PLANNING BY-LAW (2023): PORTION 10 OF FARM 1674, PAARL DIVISION**

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

Application Property Address: Boschendal Estate, Pniel Main Road, Groot Drakenstein, 7690

Application Property Number: Portion 10 of Farm 1674, Paarl Division

Applicant: Jody Paterson (NM & Associates Planners and Designers)  
Email: [jody@visionplan.co.za](mailto:jody@visionplan.co.za)  
Tel: 021 671 1138

Owner: Boschendal (Pty) Ltd. (Representative: William George)  
Email: [specialproject1@boschendal.co.za](mailto:specialproject1@boschendal.co.za)

Application Reference: LU/17147 (TP732/2024)

#### **Description of land development proposal:**

Application for Consent is being made in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-law (2023) to permit the use of an existing barn on Portion 10 of Farm 1674 Paarl, as a Function Venue in terms of the Stellenbosch Municipality Zoning Scheme By-law (2023). The Function Venue (existing Olive Press Function Venue) of ±930m<sup>2</sup> accommodates about 200 people.

Notice is hereby given in terms of the provisions 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 must 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. Written comment, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person who submits the comment in the application, may be submitted to the Applicant by electronic mail as follows:

**Jody Paterson**

Email: [jody@visionplan.co.za](mailto:jody@visionplan.co.za)

By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **16 August 2024**.

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 **021 671 1138** during normal office hours.

Yours faithfully

**Jody Paterson**

**NM & Associates planners and designers**



## KENNISGEWING VAN GRONDONTWIKKELINGS AANSOEK

### **AANSOEK VIR TOESTEMMING VIR 'N FUNKSIELOKAAL INGEVOLGE ARTIKEL 15(2)(O) VAN DIE STELLENBOSCH MUNISIPALITEIT VERORDENING OP GRONDGEBRUIKBEPLANNING (2023): GEDEELTE 10 VAN PLAAS 1674, AFDEELING PAARL**

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

|                             |                                                                                                                                                           |
|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Adres van aansoek eiendom:  | Boschendal Landgoed, Pniel Hoof Weg, Groot Drakenstein, 7690                                                                                              |
| Aansoek eiendom beskrywing: | Gedeelte 10 van Plaas 1674, Afdeling Paarl                                                                                                                |
| Aansoeker:                  | Jody Paterson (NM & Associates Planners and Designers)<br>E-pos: <a href="mailto:jody@visionplan.co.za">jody@visionplan.co.za</a><br>Tel: 021 671 1138    |
| Eienaar:                    | Boschendal (Pty) Ltd. (Verteenwoordiger: William George)<br>E-pos: <a href="mailto:specialproject1@boschendal.co.za">specialproject1@boschendal.co.za</a> |
| Aansoek Verwysing:          | LU/17147 (TP732/2024)                                                                                                                                     |

#### **Besonderhede van die grondgebruiksaansoek:**

Aansoek word gedoen vir Toestemming ingevolge Artikel 15(2)(o) van die Stellenbosch Munisipaliteit Verordening op Grondgebruikbeplanning (2023) om die gebruik van 'n bestaande skuur op gedeelte 10 van Plaas 1674, Paarl, as 'n Funksielokaal ingevolge die Stellenbosch Munisipaliteit Soneringskema-verordening (2023) toe te laat. Die Funksielokaal (bestaande Olive Press Funksielokaal) van ±930m<sup>2</sup> akkommodeer ongeveer 200 mense.

Kennis word hiermee gegee in terme van die voorskrifte 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 tydskuur van die publieke deelname proses by die volgende adres:

<https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>.

Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, moet die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening. Skriftelike kommentaar, wat besonderhede ten opsigte

van die verwysings nommer van de aansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, die redes vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die aansoek, by die Aansoeker ingedien word by wyse van elektroniese pos as volg:

**Jody Paterson**

**E-pos:** [jody@visionplan.co.za](mailto:jody@visionplan.co.za)

Deur 'n beswaar, kommentaar of verhoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **16 August 2024**.

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 voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by **021 671 1138** gedurende normale kantoor ure.

Die uwe

**Jody Paterson**

**NM & Associates planners and designers**

0.00



Receipt Nr: 288 077

Enquiries Phone Number

Nicole Katts 0218088318

E-mail

Nicole.Katts@stellenbosch.gov.za

BTW/VAT Invoice No: 15607

Invoice VAT Reference: 4700102181

Name: Jody Paterson

Invoice Date: 2024/6/10

Reference No: TP732/2024

Payment Due Date: 2024/7/10

Client Street address: The Studio 4 Grove Walk,  
Claremont Cape Town Western Cape South Africa 7708

Municipality street address: PLEIN STREET  
STELLENBOSCH STELLENBOSCH Western Cape 7600

Client Postal address: PO Box 44386 Claremont Cape  
Town Western Cape South Africa 7735

Municipality postal address: PLEIN STREET  
STELLENBOSCH STELLENBOSCH Western Cape 7600

Client VAT No: 4510165428

### Town Planning Application Fees

| Vote No        | Description            | Qty | Rate     | UoM                          | Amount (Incl VAT) |
|----------------|------------------------|-----|----------|------------------------------|-------------------|
| 20220630081392 | Consent Use ito Zoning | 1   | 2 600.00 | Per application per property | 2 600.00          |
| Total Excl VAT |                        |     |          |                              | 2 260.87          |
| VAT            |                        |     |          |                              | 339.13            |
| Invoice Total  |                        |     |          |                              | 2 600.00          |

\*VAT Exempt

Created By: Petersen, Nicole

Signature: NKatts

Verified By: Petersen, Nicole

Signature: \_\_\_\_\_

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

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

**Please use the following as reference number:** TP732/2024

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



## Nicole Katts

**From:** Sharise De Klerk  
**Sent:** Wednesday, 12 June 2024 09:16  
**To:** Bulelwa Mdoda  
**Cc:** Nicole Katts; Salome Newman  
**Subject:** RE: RECEIPTS NUMBERS

VS-Q010A 1:01:03      Votes History Enquiry Listing      Page: 1  
24/06/12

Local Authority : STB Stellenbosch Municipality LIVE      Vote : 12200103450000  
Financial Year : 2023      Period : 12      Level : 4

| Pr Post. | Date       | TC | LV | Reference  | Amount    | Lt.          | Comment             |
|----------|------------|----|----|------------|-----------|--------------|---------------------|
| 12       | 03/06/2024 | 11 | 4  | 1000257260 | 1130.44-  | N A:DIR1     | 4332 TP642/2024 T   |
| 12       | 03/06/2024 | 11 | 4  | 0000403801 | 2260.87-  | N A:CASH3    | 2694B202406050016   |
| 12       | 03/06/2024 | 11 | 4  | 0000231646 | 2260.87-  | N A:CASH6    | 3089B202406050016   |
| 12       | 04/06/2024 | 11 | 4  | 1000257495 | 2260.87-  | N A:DIR1     | 4332 TP692/2024 T   |
| 12       | 04/06/2024 | 11 | 4  | 1000257505 | 5676.75-  | N A:DIR1     | 4332 LU/17114 ERF   |
| 12       | 04/06/2024 | 11 | 4  | 0000387635 | 2260.87-  | N A:CASH1    | 1875B202406050016   |
| 12       | 05/06/2024 | 11 | 4  | 1000257533 | 37845.00- | N A:DIR1     | 4332 LU17114/2024   |
| 12       | 05/06/2024 | 11 | 4  | 1000257593 | 2260.87-  | N A:DIR1     | 4332 TP683/2024 B   |
| 12       | 05/06/2024 | 11 | 4  | 1000257594 | 2260.87-  | N A:DIR1     | 4332 LU/16958 FAR   |
| 12       | 05/06/2024 | 12 | 4  | 1000257496 | 2260.87-  | N TP86/2022  | (LU15B202406050015  |
| 12       | 07/06/2024 | 11 | 4  | 1000257756 | 478.27-   | N A:DIR1     | 4332 INV768181 LA   |
| 12       | 07/06/2024 | 11 | 4  | 1000257781 | 200.01-   | N A:DIR1     | 4332 P28 NOUVEAU    |
| 12       | 07/06/2024 | 11 | 4  | 1000257822 | 2260.87-  | N A:DIR1     | 4332 TP712/2024 T   |
| 12       | 07/06/2024 | 11 | 4  | 1000257823 | 2260.87-  | N A:DIR1     | 4332 TP727/2024 E   |
| 12       | 11/06/2024 | 11 | 4  | 1000258048 | 478.27-   | N A:DIR1     | 4332 LU17140 PTN    |
| 12       | 11/06/2024 | 11 | 4  | 1000258077 | 2260.87-  | N A:DIR1     | 4332 TP732/2024 F ✖ |
| 12       | 11/06/2024 | 12 | 4  | 1000257894 | 2260.87-  | N TP612/2023 | TOWNB202406110013   |
| 12       | 03/06/2024 | 11 | 4  | 0000231646 | 4521.74-  | N A:CASH6    | 3089B202406050016   |
| 12       | 10/06/2024 | 11 | 4  | 1000257895 | 4521.74-  | N A:DIR1     | 4332 TP727/2024 E   |
| 12       | 11/06/2024 | 12 | 4  | 1000257894 | 4521.74-  | N TP612/2023 | TOWNB202406110013   |
| 12       | 11/06/2024 | 12 | 4  | 1000257894 | 2260.87-  | N TP612/2023 | TOWNB202406110013   |

**From:** Bulelwa Mdoda <Bulelwa.Mdoda@ Stellenbosch.gov.za>  
**Sent:** Wednesday, June 12, 2024 8:13 AM  
**To:** Sharise De Klerk <Sharise.Deklerk@ Stellenbosch.gov.za>  
**Cc:** Nicole Katts <Nicole.Katts@ Stellenbosch.gov.za>; Salome Newman <Salome.Newman@ Stellenbosch.gov.za>  
**Subject:** RECEIPTS NUMBERS

Morning Sharise;

Can we please have receipt numbers.



**Standard Bank**

Customer Care: 0860 123 000  
Website: [www.standardbank.co.za](http://www.standardbank.co.za)  
10 June 2024

## Payment Instruction

This document is a payment instruction and not a proof of payment. Your proof of payment will be available after we've processed your payment instruction.

**Beneficiary name**  
STELLENBOSCH MUNICIP

**Beneficiary reference**  
TP732/2024-FARM-1674/10

**Your reference**  
STELL MUNI

**Payment date**  
10 June 2024

**Amount**  
R 2 600.00

The Standard Bank of South Africa Limited (Reg. No. 1962/000738/06, Authorised financial services provider, VAT Reg No. 4100105461 Registered credit provider (NCRCP15)). We subscribe to the Code of Banking Practice of the Banking Association South Africa and, for unresolved disputes, support resolution through the Ombudsman for Banking Services.





**DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT**

| <b>LAND USE APPLICATION<br/>COMPLIANCE CHECKLIST ITO S38 OF THE LAND<br/>USE PLANNING BYLAW, 2015</b> |                                                                  |                     |                       | <b>Date of<br/>Submission<br/>of<br/>Application</b> | <b>27/05/2024</b>              |                                            |
|-------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|---------------------|-----------------------|------------------------------------------------------|--------------------------------|--------------------------------------------|
| <b>Erf No</b>                                                                                         |                                                                  | <b>Town</b>         |                       | <b>Suburb</b>                                        |                                |                                            |
| <b>Farm No</b>                                                                                        | <b>1674</b>                                                      | <b>Farm Portion</b> | <b>10</b>             | <b>Nearest<br/>Town</b>                              | <b>Paarl Division</b>          |                                            |
| <b>Owner / Applicant</b>                                                                              | Jody Paterson – Vision Plan                                      |                     | <b>Contact number</b> |                                                      | 021 671 1138 /<br>074 500 3903 |                                            |
| <b>Email address</b>                                                                                  | <a href="mailto:jody@visionplan.co.za">jody@visionplan.co.za</a> |                     |                       |                                                      |                                |                                            |
| <b>INDICATE WHICH OF THE FOLLOWING FORM PART OF THE<br/>DOCUMENTATION</b>                             |                                                                  |                     |                       | <b>ADMIN TO VERIFY<sup>1</sup></b>                   |                                | <b>PLANNER TO<br/>EVALUATE<sup>2</sup></b> |
|                                                                                                       |                                                                  |                     |                       | <b>YES</b>                                           | <b>NO</b>                      |                                            |
| 1. Completed application form that is signed                                                          |                                                                  |                     |                       | ✓                                                    |                                | ✓                                          |
| 2. Power of Attorney / Owners' Consent if the applicant is an agent and Company Resolution            |                                                                  |                     |                       | ✓                                                    |                                | ✓                                          |
| 3. Bondholders' consent                                                                               |                                                                  |                     |                       |                                                      |                                |                                            |
| 4. Proof that applicant is authorized to act on behalf of an entity                                   |                                                                  |                     |                       |                                                      |                                |                                            |
| 5. Proof of ownership or rights held in land                                                          |                                                                  |                     |                       |                                                      |                                |                                            |
| 6. Motivation based on criteria in s65                                                                |                                                                  |                     |                       | ✓                                                    |                                | ✓                                          |
| 7. SG diagram or General Plan                                                                         |                                                                  |                     |                       | ✓                                                    |                                | ✓                                          |
| 8. Locality plan                                                                                      |                                                                  |                     |                       |                                                      |                                |                                            |
| 9. Site development plan or plan showing the land development                                         |                                                                  |                     |                       | ✓                                                    |                                | ✓                                          |
| 10. Subdivision plan                                                                                  |                                                                  |                     |                       |                                                      |                                |                                            |
| 11. Permission for required servitude                                                                 |                                                                  |                     |                       |                                                      |                                |                                            |
| 12. Title Deed                                                                                        |                                                                  |                     |                       | ✓                                                    |                                | ✓                                          |

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

<sup>2</sup> Technical evaluation by Planner of the documentation attached for completeness and correctness thereof.



|                                                                                                                                                                                                                                                                                         |                                            |                             |                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|-----------------------------|---------------------------|
| 13. Conveyancer's certificate                                                                                                                                                                                                                                                           |                                            |                             |                           |
| 14. Feedback on Pre-application scrutiny                                                                                                                                                                                                                                                |                                            |                             |                           |
| 15. Minutes of Pre-consultation Meeting                                                                                                                                                                                                                                                 |                                            |                             |                           |
| 16. Consolidation plan                                                                                                                                                                                                                                                                  |                                            |                             |                           |
| 17. Street name and numbering plan                                                                                                                                                                                                                                                      |                                            |                             |                           |
| <b>INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION</b>                                                                                                                                                                                                                   | <b>ADMIN TO VERIFY</b>                     | <b>PLANNER TO EVALUATE</b>  |                           |
| 18. Land use plan / zoning plan                                                                                                                                                                                                                                                         |                                            |                             |                           |
| 19. Landscaping / tree plan                                                                                                                                                                                                                                                             |                                            |                             |                           |
| 20. Flood line plan                                                                                                                                                                                                                                                                     |                                            |                             |                           |
| 21. Neighbours' consent                                                                                                                                                                                                                                                                 |                                            |                             |                           |
| 22. HOA / Body Corporate consent                                                                                                                                                                                                                                                        |                                            |                             |                           |
| 23. Assessments: EIA, HIA, <b>TIA</b> , TIS, MHIA, EA/ROD                                                                                                                                                                                                                               |                                            |                             |                           |
| 24. Services report (Engineers report)                                                                                                                                                                                                                                                  |                                            |                             |                           |
| 25. Previous approvals                                                                                                                                                                                                                                                                  |                                            |                             |                           |
| 26. Proof of failure of HOA                                                                                                                                                                                                                                                             |                                            |                             |                           |
| 27. Proof of lawful use right / zoning certificate                                                                                                                                                                                                                                      |                                            |                             |                           |
| 28. Other documents<br>Specify:                                                                                                                                                                                                                                                         |                                            |                             |                           |
| <b>VERIFIED &amp; SIGNED BY ADMIN</b>                                                                                                                                                                                                                                                   | NAME<br><b>Nicole Katts</b>                | SIGNATURE<br><i>NKatts</i>  | DATE<br><b>27/05/2024</b> |
| Outstanding information (to be completed by Planner):                                                                                                                                                                                                                                   |                                            |                             |                           |
|                                                                                                                                                                                                                                                                                         |                                            |                             |                           |
|                                                                                                                                                                                                                                                                                         |                                            |                             |                           |
| Applications to be invoiced (to be completed by Planner):                                                                                                                                                                                                                               |                                            |                             |                           |
| <i>Consent use application</i>                                                                                                                                                                                                                                                          |                                            | <i>R 2600 - ∞</i>           |                           |
| <b>EVALUATED &amp; SIGNED BY PLANNER</b>                                                                                                                                                                                                                                                | NAME<br><b>Robert Fooy</b><br>(28.05.2024) | SIGNATURE<br><i>RF Fooy</i> | DATE<br><b>03/06/2024</b> |
| NOTES:                                                                                                                                                                                                                                                                                  |                                            |                             |                           |
| 1. The documentation is not considered as a registered application until such time as it has been scrutinized, all outstanding information (if any) has been submitted and payment is reflected in Council's bank account, after Applicant has been requested by Admin to make payment. |                                            |                             |                           |
| 2. Should it be found that the application is not complete, the Applicant will be notified of outstanding information [s41(1)(c)(ii)].                                                                                                                                                  |                                            |                             |                           |
| 3. Once payment has been confirmed and the application has been registered, the Applicant will be notified of the complete application [s41(1)(c)(i)] and will receive instructions to advertise [s48(4)].                                                                              |                                            |                             |                           |
| 4. Should the outstanding information and/or payment of fees not be received, the applicant will be notified that the application will not proceed due to failure to submit required information [s41(4)].                                                                              |                                            |                             |                           |





# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

## DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

[www.stellenbosch.gov.za/planning-portal/](http://www.stellenbosch.gov.za/planning-portal/)

FOR ENQUIRIES CONTACT [landuse.enquiries@stellenbosch.gov.za](mailto:landuse.enquiries@stellenbosch.gov.za) or 021- 808 8606

SUBMIT APPLICATION BY UPLOADING COMPLETED FORM AND RELEVANT INFO TO THE  
**Town Planning Application Management System (TPAMS)**

[AFLA Portal \(stellenbosch.gov.za\) /](http://AFLA Portal (stellenbosch.gov.za) /)

<https://citymaps.stellenbosch.gov.za/aflaportal/home>

**NOTE:** In terms of section 69 of the Bylaw on Municipal Land Use Planning 2023 the Municipality may categorise applications for consideration by either an authorised employee or the Municipal Planning Tribunal (Categorisation Model for Decision-making July 2023). These land use applications are subject to prescribed administrative and public participation processes and depending on the type of application, *Land Use Application Form A* or *Form B* must be completed. *Land Use Application Form B* can be used if the application ONLY comprises of a permanent departure. If any other type of application is also required, *Land Use Application Form A* must be completed. *Land Use Application Form C* must be used if the application comprises of an application for permission either in terms of the zoning scheme or in terms of a condition of approval or in terms of the title deed.

### LAND USE PLANNING APPLICATION FORM A

Section 15 of the Municipal Bylaw on Land Use Planning 2023 and other relevant legislation

Complete form using BLOCK letters and ticking the appropriate boxes

#### PART A: APPLICANT DETAILS

|                                 |                                                                  |
|---------------------------------|------------------------------------------------------------------|
| First name(s)                   | JODY                                                             |
| Surname                         | PATERSON                                                         |
| Company name<br>(if applicable) | VISIONPLAN CC T/A NM & ASSOCIATES PLANNERS AND DESIGNERS         |
| Postal Address                  | PO BOX 44386<br>CLAREMONT, 7735                                  |
| Email Address                   | <a href="mailto:jody@visionplan.co.za">jody@visionplan.co.za</a> |
| Contact Number(s)               | 021 671 1138 OR 074 500 3903                                     |

#### PART B: REGISTERED LANDOWNER(S) DETAILS (If different from applicant)

|                          |                                                                                        |
|--------------------------|----------------------------------------------------------------------------------------|
| Registered owner(s) Name | BOSCHENDAL (PTY) LTD. (REPRESENTATIVE: WILLIAM GEORGE)                                 |
| E-mail Address           | <a href="mailto:specialproject1@boschendal.co.za">specialproject1@boschendal.co.za</a> |
| Contact Number           | 082 559 9100                                                                           |

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

|         |      |              |    |              |             |
|---------|------|--------------|----|--------------|-------------|
| Erf No  |      | Suburb       |    | Town         |             |
| Farm no | 1674 | Farm Portion | 10 | Nearest Town | FRANSCHHOEK |



|                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                         |        |                                                                                                                                                                                                                                                                                                                                                   |                                                                                                         |                                                                                                                   |
|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| Physical or Street Address                                                            | BOSCHENDAL ESTATE, PNIEL MAIN ROAD, GROOT DRAGENSTEIN                                                                                                                                                                                                                                                                                                                                                   |        | Property / Business / Farm known as                                                                                                                                                                                                                                                                                                               | BOSCHENDAL ESTATE                                                                                       |                                                                                                                   |
| Current Zoning                                                                        | AGRICULTURE AND RURAL                                                                                                                                                                                                                                                                                                                                                                                   |        |                                                                                                                                                                                                                                                                                                                                                   |                                                                                                         |                                                                                                                   |
| Additional or Consent Uses                                                            | Consent use for a farm store and various tourist facilities (picnic area, restaurant, café, museum, tourist-related retail, an informal market, beauty/health salon and wine tasting and sales facility)                                                                                                                                                                                                |        |                                                                                                                                                                                                                                                                                                                                                   |                                                                                                         |                                                                                                                   |
| Current activities                                                                    | Agriculture, farm store, tourist facilities including: Museum (in Manor House), Werf Restaurant (including wine tasting and sales), Café / Deli, 7 guest cottages (for 14 people), picnic area, occasional informal market, ablutions and parking, tourist accommodation reception office and other tourist related retail, beauty/health salon, Olive Press function venue, farm buildings and offices |        |                                                                                                                                                                                                                                                                                                                                                   |                                                                                                         |                                                                                                                   |
| Property Size / Extent                                                                | 91,1053 m <sup>2</sup> / ha                                                                                                                                                                                                                                                                                                                                                                             |        |                                                                                                                                                                                                                                                                                                                                                   | Are there existing buildings?                                                                           | Y<br>✓ N                                                                                                          |
| Title Deed number                                                                     | T17497/2004                                                                                                                                                                                                                                                                                                                                                                                             |        |                                                                                                                                                                                                                                                                                                                                                   |                                                                                                         |                                                                                                                   |
| Any restrictions in the Conveyance's Certificate?                                     | Y<br>✓                                                                                                                                                                                                                                                                                                                                                                                                  | N      | If yes, list condition(s) as per certificate.<br>T17501/2004 Condition (i)(B)<br>T17501/2004 Condition (vii)(B) and (vi)(C)<br>T17501/2004 Condition (viii)(B)<br>T17501/2004 Condition (ix)(B)(1)<br>T17501/2004 Condition (ix)(B)(3)<br>T17501/2004 Condition (ix)(B)(4)<br>T17501/2004 entitled to pipeline servitudes over various properties |                                                                                                         |                                                                                                                   |
| Are the restrictive conditions in favour of a third party?                            | Y                                                                                                                                                                                                                                                                                                                                                                                                       | N<br>✓ | If yes, list the party(ies).                                                                                                                                                                                                                                                                                                                      |                                                                                                         |                                                                                                                   |
| Is the property owned by Council?                                                     | Y                                                                                                                                                                                                                                                                                                                                                                                                       | N<br>✓ | If yes, <u>attach a power of attorney</u> signed by the Municipal Manager or delegated authority                                                                                                                                                                                                                                                  |                                                                                                         |                                                                                                                   |
| Is the building located within the historical core?                                   | Y                                                                                                                                                                                                                                                                                                                                                                                                       | N<br>✓ | Is the building older than 60 years?                                                                                                                                                                                                                                                                                                              | Y                                                                                                       | N<br>✓                                                                                                            |
|                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                         |        |                                                                                                                                                                                                                                                                                                                                                   | Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) <sup>1</sup> | Y<br>✓ N                                                                                                          |
|                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                         |        |                                                                                                                                                                                                                                                                                                                                                   |                                                                                                         | If yes, indicate which section are triggered and attach relevant permit.<br><b>Section 38(4). See Appendix 7.</b> |
| Any existing unauthorized buildings and/or land use on the subject property(ies)?     | Y                                                                                                                                                                                                                                                                                                                                                                                                       | N<br>✓ | If yes, is this application to legalise the building / land use??                                                                                                                                                                                                                                                                                 |                                                                                                         | Y N                                                                                                               |
| Are there any pending court case(s) / order(s) relating to the subject property(ies)? | Y                                                                                                                                                                                                                                                                                                                                                                                                       | N<br>✓ | Are there any land claim(s) registered on the subject property(ies)?                                                                                                                                                                                                                                                                              |                                                                                                         | Y N<br>✓                                                                                                          |
| <b>PART D: PRE-APPLICATION CONSULTATION AND OR SCRUTINY</b>                           |                                                                                                                                                                                                                                                                                                                                                                                                         |        |                                                                                                                                                                                                                                                                                                                                                   |                                                                                                         |                                                                                                                   |
| Has there been any pre-application consultation?                                      | Y<br>✓                                                                                                                                                                                                                                                                                                                                                                                                  | N      | If yes, attach the minutes of the pre-application consultation.                                                                                                                                                                                                                                                                                   |                                                                                                         |                                                                                                                   |

<sup>1</sup> 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

<sup>2</sup> 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



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |   |        |                                               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--------|-----------------------------------------------|
| Has the pre-application scrutiny form been submitted?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Y | N<br>✓ | If yes, attach the written feedback received. |
| <p>The submission of a pre-application scrutiny form to <a href="mailto:Landuse.Applications@stellenbosch.gov.za">Landuse.Applications@stellenbosch.gov.za</a> is compulsory for the following type of applications* and written feedback must be attached to the land use planning application form: rezoning, subdivision and consolidation of land, removal, suspension or amendment of restrictive title deed conditions, the amendment, deletion, or imposition of conditions of approval and the cancellation of an approved subdivision plan.</p> |   |        |                                               |

### PART E: LAND USE PLANNING APPLICATIONS AND PAYMENT OF FEES

#### APPLICATIONS IN TERMS OF SECTION 15 OF THE MUNICIPAL BYLAW ON LAND USE PLANNING 2023

| Type of application                                                                                                                                                                                                                | Tick |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 15(2)(a) rezoning of land*                                                                                                                                                                                                         |      |
| 15(2)(b) a permanent departure from the development parameters of the zoning scheme                                                                                                                                                |      |
| 15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land                                                                  |      |
| 15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement*                                                                                          |      |
| 15(2)(e) a consolidation of land that is not exempted in terms of section 24*                                                                                                                                                      |      |
| 15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit*                                                                                                                                   |      |
| 15(2)(g) a permission required in terms of the zoning scheme                                                                                                                                                                       |      |
| 15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval*                                                                                                                                    |      |
| 15(2)(i) an extension of the validity period of an approval                                                                                                                                                                        |      |
| 15(2)(j) an approval of an overlay zone as contemplated in the zoning scheme                                                                                                                                                       |      |
| 15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram*                                                                                                        |      |
| 15(2)(l) a permission required in terms of a condition of approval                                                                                                                                                                 |      |
| 15(2)(m) a determination of a zoning                                                                                                                                                                                               |      |
| 15(2)(n) a closure of a public place or part thereof                                                                                                                                                                               |      |
| 15(2)(o) a consent use contemplated in the zoning scheme                                                                                                                                                                           | ✓    |
| 15(2)(p) to disestablish a homeowners' association                                                                                                                                                                                 |      |
| 15(2)(q) to rectify a failure by a homeowners' association to meet its obligations in respect of the control over or maintenance of services                                                                                       |      |
| 15(2)(r) 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 |      |

#### OTHER APPLICATIONS

|                                                                                                                                                                                |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Deviation from Council Policies/By-laws                                                                                                                                        |  |
| Consent / Permission required in terms of a title deed (includes where permission is required in terms of the Advertising on Roads and Ribbon Development Act, Act 21 of 1940) |  |

#### DETAILS FOR INVOICE

|                                                |                                                          |
|------------------------------------------------|----------------------------------------------------------|
| Name & Surname (party responsible for payment) | VISIONPLAN CC T/A NM & ASSOCIATES PLANNERS AND DESIGNERS |
| Postal Address                                 | PO BOX 44386, CLAREMONT, CAPE TOWN, 7735                 |
| Vat Number (where applicable)                  | 4510165428                                               |

1. Application fees are per the Council Approved Tariffs. 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 as per the Tariff Rules. Once proof of payment is received, the application will be regarded as duly submitted.



2. All indigent residents who are registered as such with the Municipality and with proof submitted together with application will be exempted from applicable fees for Permanent Departure applications including but not limited to building lines, coverage, parking. Contact: [indigent.office@ Stellenbosch.gov.za](mailto:indigent.office@ Stellenbosch.gov.za) or 021 808 8501 or 021 808 8579
3. The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable, and the applicant will be informed accordingly.

**BANKING DETAILS**

Account Holder Name: Stellenbosch Municipality  
 Bank: FIRST NATIONAL BANK (FNB)

Branch no.: 210554

Account no.: 62869253684

Payment reference: LU/\_\_\_\_\_ and ERF/FARM \_\_\_\_\_

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

**PART F: DETAILS OF PROPOSAL** (Brief description of intent of development)

A Temporary Departure approval was granted in 2021 to permit the use of an existing barn ( $\pm 600\text{m}^2$ ) as a function venue (Olive Press Function Venue) with an outside seating area of  $\pm 330\text{m}^2$  on Farm 1674/10, Paarl. This approval lapses on 24 February 2028.

This application for Consent for a Tourist Facility (Function Venue) is being made to obtain permanent use rights for the existing Olive Press Function Venue on Farm 1674/10, Paarl.

Name and Date of design guidelines (if applicable)

Adjoining erf  
number



|                                                                   |                |  |      |   |    |   |
|-------------------------------------------------------------------|----------------|--|------|---|----|---|
| Building line encroachment                                        | Street         |  | From | m | To | m |
|                                                                   | Street         |  | From | m | To | m |
|                                                                   | Side           |  | From | m | To | m |
|                                                                   | Side           |  | From | m | To | m |
|                                                                   | Aggregate side |  | From | m | To | m |
|                                                                   | Rear           |  | From | m | To | m |
| Exceeding permissible site coverage / footprint                   |                |  | From | % | To | % |
| Exceeding maximum permitted bulk / floor factor / habitable rooms |                |  | From |   | To |   |
| Exceeding height restriction                                      |                |  | From | m | To | m |
| Exceeding maximum storey height                                   |                |  | From | m | To | m |

### 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<br>✓                                 | N      | Power of attorney / Owner's consent if applicant is not owner                                |                                                         | Y<br>✓ | N<br>✓ | Proof of any other relevant right held in the land concerned                                                     |                                                                                 |
| Y                                      | N<br>✓ | Resolution or other proof that applicant is authorised to act on behalf of a juristic person |                                                         | Y<br>✓ | N      | S.G. diagram / General plan extract (A4 or A3 only)                                                              |                                                                                 |
| Y<br>✓                                 | N      | Written motivation pertaining to the need and desirability of the proposal                   |                                                         | Y<br>✓ | N      | Site development plan or conceptual layout plan (A4 or A3 only) to scale                                         |                                                                                 |
| Y<br>✓                                 | N      | Locality plan (A4 or A3 only) to scale                                                       |                                                         | Y      | N<br>✓ | Proof of agreement or permission for required servitude                                                          |                                                                                 |
| Y                                      | N<br>✓ | Proposed subdivision plan (A4 or A3 only) to scale                                           |                                                         | Y<br>✓ | N      | Proof of registered ownership ( <b>Full copy of the title deed</b> )                                             |                                                                                 |
| Y<br>✓                                 | N      | Conveyancer's certificate                                                                    |                                                         | Y<br>✓ | N      | Written feedback of pre-application scrutiny and Minutes of pre-application consultation meeting (if applicable) |                                                                                 |
| Y                                      | N      | N/A<br>✓                                                                                     | Consolidation plan (A4 or A3 only) to scale             | Y      | N      | N/A<br>✓                                                                                                         | Land use plan / Zoning plan (A4 or A3 only) to scale                            |
| Y                                      | N      | N/A<br>✓                                                                                     | Street name and numbering plan (A4 or A3 only) to scale |        |        |                                                                                                                  |                                                                                 |
| Y                                      | N      | N/A<br>✓                                                                                     | Landscaping / Tree plan (A4 or A3 only) to scale        | Y      | N      | N/A<br>✓                                                                                                         | 1: 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale |
| Y                                      | N<br>✓ | N/A                                                                                          | Abutting owner's consent                                | Y      | N      | N/A<br>✓                                                                                                         | Owners' Association consent                                                     |



|        |   |          |                                                                                                                                                                                                                                                           |   |   |          |                                                                                                               |
|--------|---|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|----------|---------------------------------------------------------------------------------------------------------------|
| Y<br>✓ | N | 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) | Y | N | N/A<br>✓ | Services Report or indication of all municipal services / registered servitudes                               |
| Y<br>✓ | N | N/A      | Copy of original approval and conditions of approval                                                                                                                                                                                                      | Y | N | N/A<br>✓ | Proof of failure of owner's association                                                                       |
| Y      | N | N/A<br>✓ | Proof of lawful use right                                                                                                                                                                                                                                 | Y | N | N/A<br>✓ | Any additional documents or information required as listed in the pre-application consultation form / minutes |
| Y<br>✓ | N | N/A      | Required number of documentation copies                                                                                                                                                                                                                   | Y | N | N/A<br>✓ | Other (specify):                                                                                              |

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

|        |          |                                                                                                                                                                           |                                                                                                               |
|--------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| Y<br>✓ | N        | If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.                             | Specific Environmental Management Act(s) (SEMA) (e.g., Environmental Conservation Act, 1989 (Act 73 of 1989): |
| Y      | N/A<br>✓ | Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)                                                                                                               | Y N/A<br>✓ National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)                          |
| Y      | N/A<br>✓ | Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)                                                                                              | Y N/A<br>✓ National Environmental Management: Waste Act, 2008 (Act 59 of 2008)                                |
| Y      | N/A<br>✓ | Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations                                                                         | Y N/A<br>✓ National Water Act, 1998 (Act 36 of 1998)                                                          |
| Y      | N/A<br>✓ | Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)                                                                                                                        | Y N/A<br>✓ Other (specify)                                                                                    |
| Y      | N<br>✓   | 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, attach motivation. |                                                                                                               |

**SECTION I: DECLARATION**

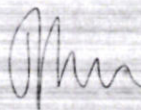
I hereby wish to confirm the following:

- That the information contained in this application form and accompanying documentation is complete and correct.
- I'm aware that it is an offense in terms of section 86(1)(e) of said bylaw 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 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 if 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:

13 May 2024

Full name:

Jody Paterson

Professional capacity:

Professional Planner and Urban Designer



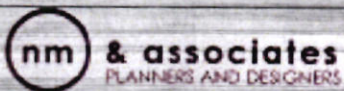
**APPLICATION FOR CONSENT FOR A TOURIST FACILITY ON PORTION 10 OF FARM 1674,  
PAARL AT BOSCHENDAL**

Prepared for Boschendal (Pty) Ltd

**May 2024**



Compiled by:



P.O. Box 44386  
Claremont  
7753  
Tel: 021 671 1138

Prepared for:



P.O Box 35  
Pniel Main Road  
7681  
Tel: 021 870 4200

## Contents

|                                                                                   |    |
|-----------------------------------------------------------------------------------|----|
| 1. Introduction.....                                                              | 1  |
| 1.1 Locality .....                                                                | 1  |
| 1.2 Application Details .....                                                     | 4  |
| 1.3 Consultation with Stellenbosch Municipality .....                             | 4  |
| 1.4 Public participation stakeholders and interested and affected parties .....   | 4  |
| 2. Context and Proposal .....                                                     | 6  |
| 2.1 Existing land use.....                                                        | 6  |
| 2.2 Existing Access.....                                                          | 9  |
| 2.3 Biophysical context .....                                                     | 9  |
| 2.4 Existing structures .....                                                     | 9  |
| 3. Development Proposal .....                                                     | 11 |
| 3.1 Description of development .....                                              | 11 |
| 3.2 Proposed Access.....                                                          | 13 |
| 3.3 Parking.....                                                                  | 13 |
| 3.4 Engineering Services .....                                                    | 13 |
| 3.3.1 Storm water infrastructure.....                                             | 13 |
| 3.3.2 Potable Water infrastructure .....                                          | 13 |
| 3.3.3 Sewer infrastructure.....                                                   | 14 |
| 3.3.4 Solid waste services.....                                                   | 14 |
| 3.3.5 Electrical infrastructure.....                                              | 14 |
| 4. Legal and Policy Framework .....                                               | 15 |
| 4.1 Legal Context .....                                                           | 15 |
| 4.1.1 Spatial Planning and Land Use Management Act (SPLUMA), No. 16 of 2013 ..... | 15 |
| 4.1.2 Western Cape Land Use Planning Act (LUPA), No. 3 of 2014 .....              | 15 |
| 4.1.3 National Environmental Management Act (No. 107 of 1998) (NEMA) .....        | 15 |
| 4.1.4 National Heritage Resources Act (No. 25 of 1999) (NHRA) .....               | 16 |
| 4.1.5 Stellenbosch Municipality Land Use Planning By-law (09 June 2023) .....     | 16 |
| 4.1.6 Stellenbosch Municipality Zoning Scheme By-law (2019) .....                 | 16 |
| 4.2 Policy Context .....                                                          | 18 |
| 4.2.1 Western Cape Provincial Spatial Development Framework, 2014 (PSDF) .....    | 18 |



|                                                                                                                                       |    |
|---------------------------------------------------------------------------------------------------------------------------------------|----|
| 4.2.2 Stellenbosch Municipality Integrated Development Plan (IDP) 2022-2027: 1 <sup>st</sup> Amendment October 2023.....              | 19 |
| 4.2.3 Stellenbosch Municipality Spatial Development Framework (SM SDF) – approved 27 June 2023 .....                                  | 19 |
| 4.2.4 Stellenbosch Municipality Heritage Inventory.....                                                                               | 20 |
| 5. Motivation for Consent .....                                                                                                       | 22 |
| 5.1 The application is compliant with relevant national, provincial and municipal legal and policy frameworks.....                    | 22 |
| 5.2 The application's contribution to agri-tourism.....                                                                               | 24 |
| 5.3 The application supports current agricultural land use .....                                                                      | 25 |
| 5.4 The application supports and enhances the natural environment .....                                                               | 25 |
| 5.5 The application protects and preserves the heritage and cultural landscape .....                                                  | 25 |
| 5.6 The application uses existing building footprints and retains the primary use of the property as Agriculture and Rural Zone ..... | 26 |
| 5.7 Socio-economic impact.....                                                                                                        | 26 |
| 5.8 The impact of the application on municipal engineering services .....                                                             | 26 |
| 5.9 Impact on traffic, parking, access and other transport related considerations .....                                               | 26 |
| 5.10 The land use principles referred to in LUPA and SPLUMA.....                                                                      | 27 |
| 6. References .....                                                                                                                   | 28 |
| 6.1 Legislation .....                                                                                                                 | 28 |
| 6.2 Policies and Planning Frameworks.....                                                                                             | 28 |
| 6.3 Project Reports .....                                                                                                             | 28 |

## LIST OF FIGURES

|                                                                                                        |    |
|--------------------------------------------------------------------------------------------------------|----|
| Figure 1.1: Location of Boschendal Estate in its municipal context.....                                | 2  |
| Figure 1.2: Locality plan of Farm 1674/10-RE and subject building within Boschendal Estate .....       | 3  |
| Figure 2.1: Surrounding land uses .....                                                                | 7  |
| Figure 2.2: Existing land uses on Farm 1674/10-RE and access .....                                     | 8  |
| Figure 2.3: Aerial view of the existing Olive Press Function Venue located east of Werf Cottages ..... | 9  |
| Figure 2.4: Existing building on site.....                                                             | 10 |

|                                                                                                     |    |
|-----------------------------------------------------------------------------------------------------|----|
| Figure 3.1: Site Development Plan.....                                                              | 12 |
| Figure 4.1: Stellenbosch Municipal Heritage Inventory Grading Map (extracted from RSAA, 2019) ..... | 21 |

#### LIST OF TABLES

|                                                                             |    |
|-----------------------------------------------------------------------------|----|
| Table 1.1: Application and Property Details .....                           | 4  |
| Table 1.2 : Surrounding Boschendal farm portions.....                       | 5  |
| Table 1.3 : Other Surrounding farm portions .....                           | 5  |
| Table 3.1: Olive Press Function Venue .....                                 | 11 |
| Table 5.1: Extracts from the Stellenbosch Zoning Scheme By-law (2019) ..... | 23 |

#### LIST OF ANNEXURES

|                                                                  |  |
|------------------------------------------------------------------|--|
| Annexure A: Application Form                                     |  |
| Annexure B: Power of Attorney                                    |  |
| Annexure C: Title Deed                                           |  |
| Annexure D: Conveyancer's Certificate                            |  |
| Annexure E: SG Diagram and Noting Sheet                          |  |
| Annexure F: Minutes of Pre-application Meeting dated 29 May 2019 |  |

#### LIST OF APPENDICES

|                                                                                                                                 |  |
|---------------------------------------------------------------------------------------------------------------------------------|--|
| Appendix 1: Olive Press Temporary Departure Approval Letter (05 October 2021) and Final Notification Letter (24 February 2023)  |  |
| Appendix 2: Consent for Outdoor Dining Areas Approval Letter (09 November 2023)                                                 |  |
| Appendix 3: Traffic Impact Statement                                                                                            |  |
| Appendix 4: Civil Engineering Services Report                                                                                   |  |
| Appendix 5: Electrical Engineering Services Report                                                                              |  |
| Appendix 6: Minutes of meeting with the Western Cape Department of Environmental Affairs and Development Planning (16 May 2019) |  |
| Appendix 7: Heritage Impact Assessment (04 November 2013) and Heritage Western Cape Record of Decision (16 January 2014)        |  |



## 1. Introduction

The Stellenbosch Municipality approved a Temporary Departure application in its decision letter dated 05 October 2021 and Final Notification Letter dated 24 February 2023 to permit the use of an existing barn ( $\pm 600 \text{ m}^2$ ) as a function venue with an outside seating area of  $\pm 330 \text{ m}^2$  which will accommodate  $\pm 200$  persons on Remainder Portion 10 of Farm 1674, Paarl Division. Refer to the attached Appendix 1.

NM & Associates Planners and Designers (registered as Visionplan cc) were appointed by Boschendal (Pty) Ltd. to apply for Consent in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-law (2023) to obtain permanent use rights for the existing Tourist Facility (Function Venue) with a total coverage of approximately  $930 \text{ m}^2$  in extent, in terms of the Stellenbosch Municipality Zoning Scheme By-law (2019).

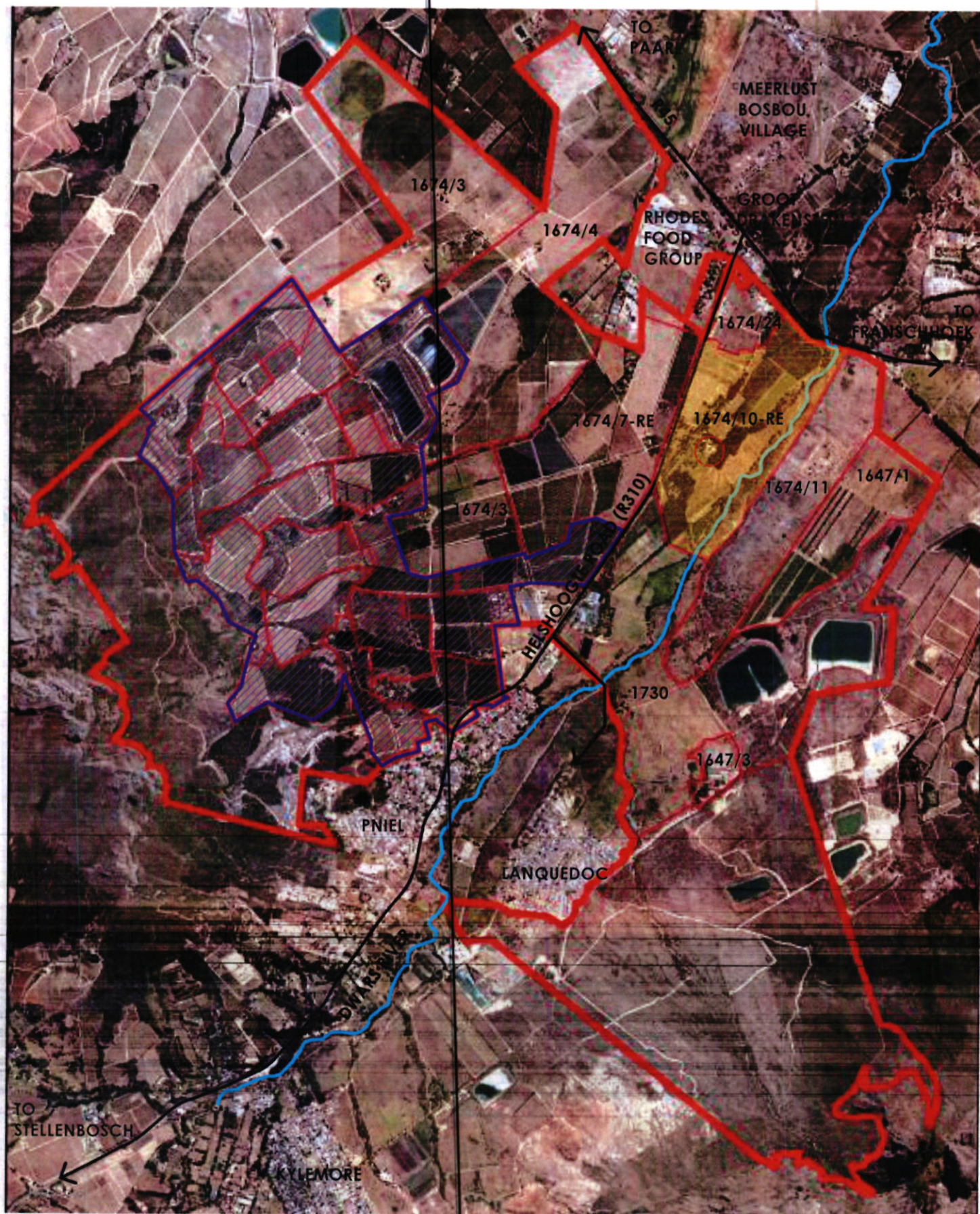
It should be noted that on the 09 November 2023 (refer to Appendix 2) Stellenbosch Municipality approved an application for Consent to expand the existing tourist facilities in the form of outside dining areas on Farm 1674/10, Paarl. As per this approval, there are rights that permit the use of a  $\pm 1.08 \text{ ha}$  outdoor area situated on the grass lawn adjacent to the Olive Press Function Venue for outdoor seating, picnics and functions.

### 1.1 Locality

The Olive Press Function Venue is situated on a portion of Remainder Portion 10 of Farm 1674, Paarl which forms part of the larger Boschendal Estate. This Estate consists of 28 farm portions, which together measure approximately  $1800 \text{ ha}$  in extent. Boschendal is situated between Stellenbosch and Paarl, in the Dwars River Valley. Refer to Figure 1.1 for the location of the Boschendal Estate within the Stellenbosch Municipal area. Figure 1.2 locates the subject building on Remainder Portion 10 of Farm 1674, Paarl.







# Key

- Boschendal Estate
- Farm portion boundaries
- Founders' Estate
- Farm 1674/10-RE
- Subject area

BOSCHENDAL ESTATE  
Olive Press Function Venue

Figure 1.2: Locality of Farm 1674/10-RE within Boschendal Estate



May 2024





## 1.2 Application Details

Application for Consent is being made in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-law (2023) to permit the use of an existing barn on Farm 1674/10-RE Paarl, as a Function Venue in terms of the Stellenbosch Municipality Zoning Scheme By-law (2019).

**Table 1.1: Application and Property Details**

|                             |                                                                                                                                                                    |                                                   |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| <b>Application details</b>  | Application for Consent in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-law (2023)                                              | Refer to Annexure A: Application Form             |
| <b>Applicant</b>            | NM & Associates Planners & Designers, on behalf of Boschendal (Pty) Ltd                                                                                            | Refer to Annexure B: Power of Attorney            |
| <b>Land Owner</b>           | Boschendal (Pty) Ltd                                                                                                                                               | Refer to Annexure C: Title Deed T17497_2004       |
| <b>Conditions of Title</b>  | There are no restrictive conditions of title that would prohibit the proposed establishment of a permanent use right for a function venue on the subject property. | Refer to Annexure D: Conveyancers' certificate    |
| <b>Bond</b>                 | There is no bond registered against the property.                                                                                                                  |                                                   |
| <b>Property Description</b> | Remainder Portion 10 of Farm 1674, Paarl Division                                                                                                                  | Refer to Annexure E: SG Diagrams and Noting Sheet |
| <b>Farm Portion Extent</b>  | Approximately 91.1033ha                                                                                                                                            |                                                   |
| <b>Current Zoning</b>       | Agriculture and Rural Zone                                                                                                                                         |                                                   |
| <b>Impact Assessments</b>   | Traffic Impact Statement                                                                                                                                           | Refer to Appendix 3                               |
|                             | Heritage Impact Assessment                                                                                                                                         | Refer to Appendix 7                               |

## 1.3 Consultation with Stellenbosch Municipality

No formal pre-application meetings were held with the Stellenbosch Municipality as a pre-application consultation is not compulsory for a Consent Use application as per Stellenbosch Municipality's Pre-application Scrutiny Form. However, the Stellenbosch Municipality: Land Use Management confirmed on 29 May 2019 that a Consent Use application would be required to establish permanent rights for the Olive Press Function Venue in terms of the Stellenbosch Municipality Zoning Scheme By-law (refer to Item 2.3 in Annexure F: Minutes of pre-application discussion).

## 1.4 Public participation stakeholders and interested and affected parties

The identified stakeholders and affected parties previously advertised to for the Temporary Departure Application approved in 2021, include 3 properties owned by



Boschendal (See Table 1.2) and the neighbouring farms (See Table 1.3). Given that there were no objections received from neighbouring farms listed in Table 1.3 below, as well as any other interested and affected parties, **the Applicant requests that this application not be circulated and/or advertised externally for public comment.**

**Table 1.2 : Surrounding Boschendal farm portions**

| <b>Farm Portion</b>                         | <b>Land Owner</b>    | <b>Municipal Jurisdiction</b> |
|---------------------------------------------|----------------------|-------------------------------|
| Portion 10 of 1674<br>(Application portion) | Boschendal (Pty) Ltd | Stellenbosch Municipality     |
| Portion 7 of Farm 1674                      | Boschendal (Pty) Ltd | Stellenbosch Municipality     |
| Portion 11 of Farm 1674                     | Boschendal (Pty) Ltd | Stellenbosch Municipality     |
| Farm 1730                                   | Boschendal (Pty) Ltd | Stellenbosch Municipality     |

**Table 1.3 : Other Surrounding farm portions**

| <b>Farm Portion</b>   | <b>Land Owner</b>                      | <b>Municipal Jurisdiction</b> |
|-----------------------|----------------------------------------|-------------------------------|
| Portion 1 of Farm 991 | Republic of South Africa               | Stellenbosch Municipality     |
| Portion 5 of Farm 997 | National Department of<br>Public Works | Stellenbosch Municipality     |
| Remainder of Farm 998 | Transnet SOC Ltd                       | Stellenbosch Municipality     |
| Portion 3 of Farm 999 | Transnet SOC Ltd                       | Stellenbosch Municipality     |
| Farm 1181             | Transnet SOC Ltd                       | Stellenbosch Municipality     |
| Farm 990              | Public Road                            | Stellenbosch Municipality     |

## 2. Context and Proposal

### 2.1 Existing land use

The part of the Boschendal Estate to which Farm 1674/10-RE belongs is predominantly under fruit orchard, vine, pasture and poultry farming.

Boschendal Estate has two main hospitality hubs comprising restaurants, tourist-related retail, wine tasting facilities, tourist accommodation; and a winery. The two hospitality hubs are associated with the historic Boschendal and Rhone Manor Houses.

Land uses on the adjacent land portions owned by Boschendal include the following (refer to Figure 2.1):

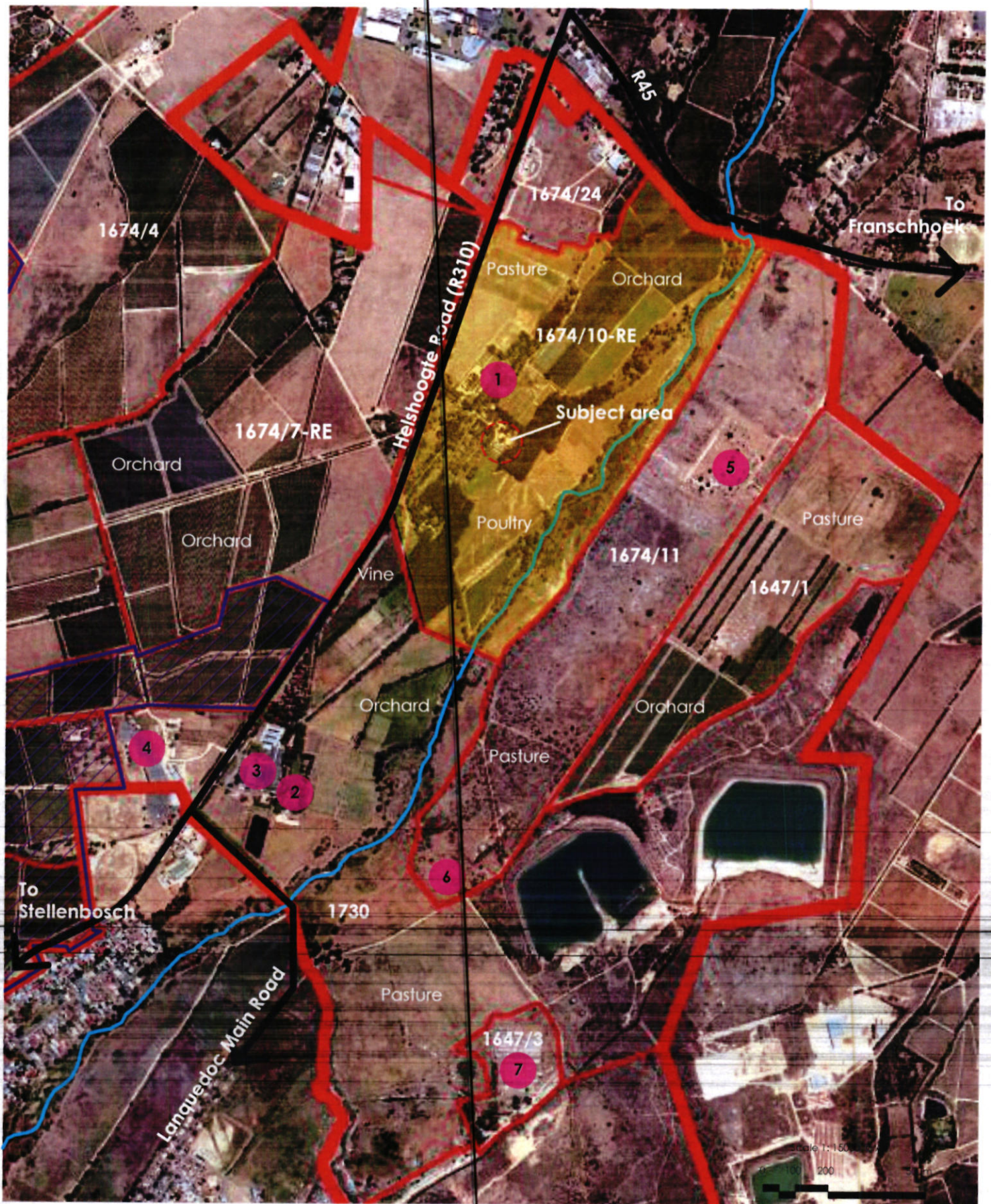
- Rhone Manor House hospitality hub (conference facility, picnic facility, wine tasting, farm offices)
- Winery
- Farm-related buildings
- Vacant derelict labourers' cottages
- Old Piggery (derelict)
- Farm Dams
- Bertha Retreat (tourist accommodation and conference facility)
- Thembaletu Hostel (derelict)

The Olive Press Function Venue (the subject of this application) falls within the Boschendal Manor House hospitality hub which is located on Farm 1674/10-RE. This hospitality hub also contains the following land uses of which rights are in place for:

- Tourist Facilities (wine tasting and sales, café, restaurant, farm shop/butchery)
- Picnic area
- Museum (Manor House)
- Tourist Accommodation (Werf Cottages)
- Informal market
- Outdoor dining areas

Refer to Figure 2.2 for the location of these land uses.





### Key

- |                         |                                   |                          |
|-------------------------|-----------------------------------|--------------------------|
| Boschendal Estate       | 1 Boschendal Werf Hospitality Hub | 6 Bertha Retreat         |
| Farm Portion Boundaries | 2 Rhone Werf Hospitality Hub      | 7 Old Piggery (Derelict) |
| Founders' Estate        | 3 Boschendal Winery               |                          |
| Farm 1674/4             | 4 Farm Support Activities         |                          |
| Subject Area            | 5 Thembaletu Hostel (Derelict)    |                          |

**BOSCHENDAL ESTATE**  
Olive Press Function Venue

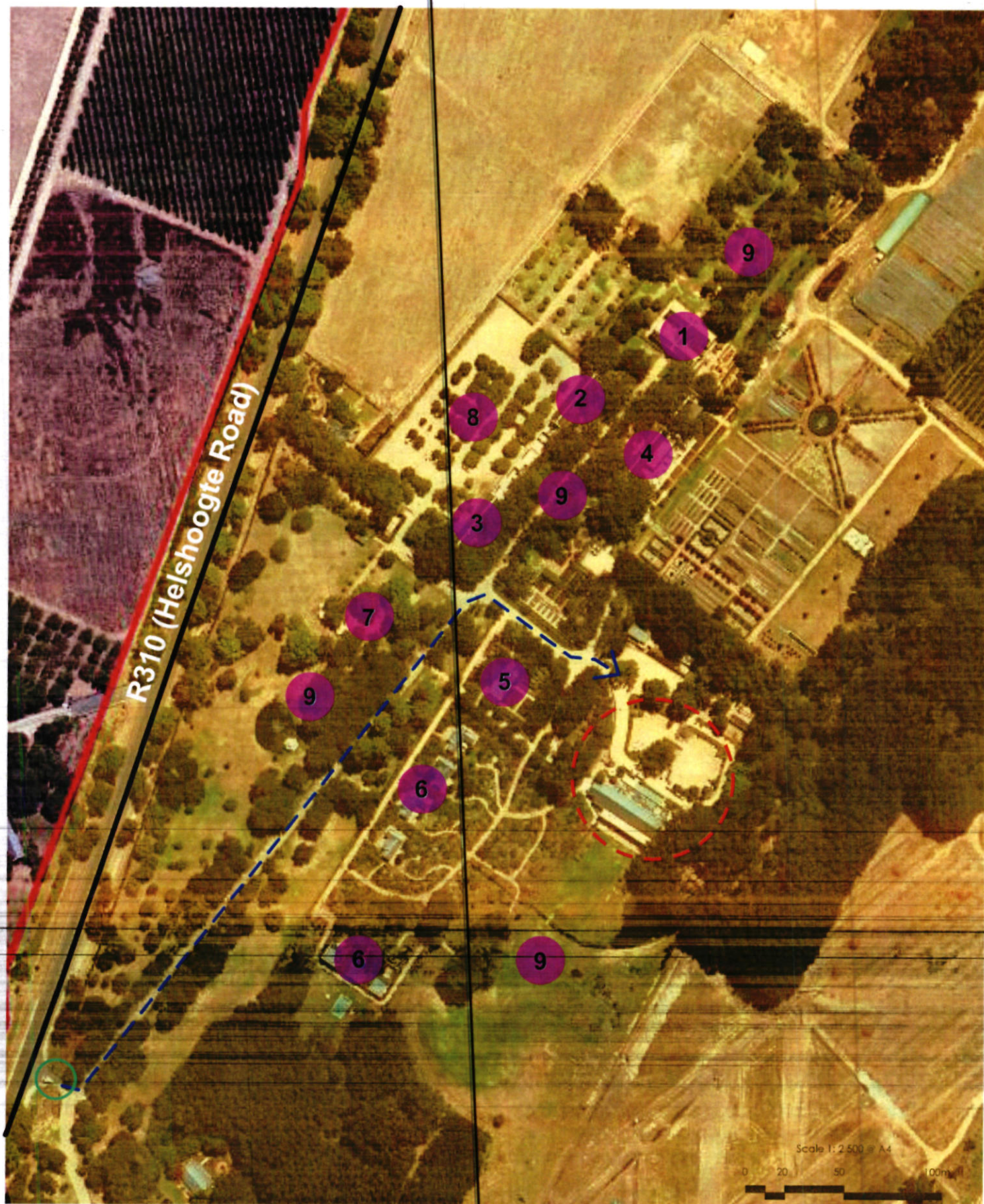
Figure 2.1: Surrounding land uses



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May 2024





### Key

- |                         |                          |                             |
|-------------------------|--------------------------|-----------------------------|
| Farm portion boundaries | Access route             | Reception area              |
| Founders' Estate        | Boschendal Werf (Museum) | Werf Cottages               |
| Farm 1674/4             | The Deli café            | Picnic area                 |
| Subject area            | Farm shop                | Parking                     |
| Access point            | The Werf Restaurant      | Outdoor dining/seating area |

### BOSCHENDAL ESTATE Olive Press Function Venue

Figure 2.2: Farm 1674/10-RE -  
existing land uses and access





## 2.2 Existing Access

The site is located within the eastern part of the Boschendal Estate, east of the R310. Access to the site itself is obtained directly off the Helshoogte Road (R310) which is a Provincial Main Road (Class 2). See Figure 2.2 above for the access point and route to the subject building.

## 2.3 Biophysical context

The subject building is located on the foot slopes of the Drakenstein Mountains with dramatic views of the top slopes of both the Simonsberg and Drakenstein Mountains. The Dwars River is located approximately 220m east of the subject building.

## 2.4 Existing structures

The Olive Press Function Venue is located south of the Boschendal Manor House and east of the Werf Cottages. It currently accommodates up to 200 guests.

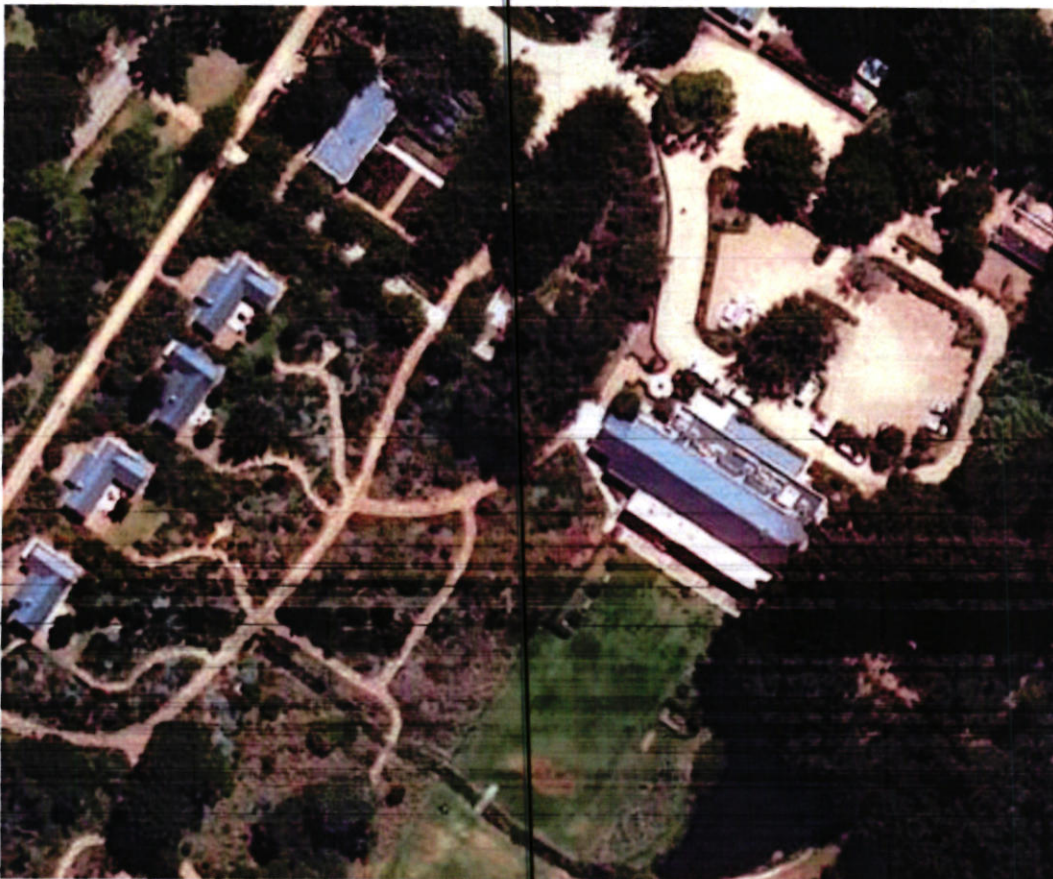


Figure 2.3: Aerial view of the existing Olive Press Function Venue located east of Werf Cottages





Olive Press Function Venue



Parking area



View of Drakensberg Mountains



View of Simonsberg Mountains

**Figure 2.4: Existing building on site**



### 3. Development Proposal

#### 3.1 Description of development

The Olive Press Function Venue already exists on the site and operates in terms of a Temporary Departure approval which expires on 24 February 2028. As this development already exists, its viability and desirability as a tourist facility has already been established in the last few years with a high demand for its reservation for various events including weddings.

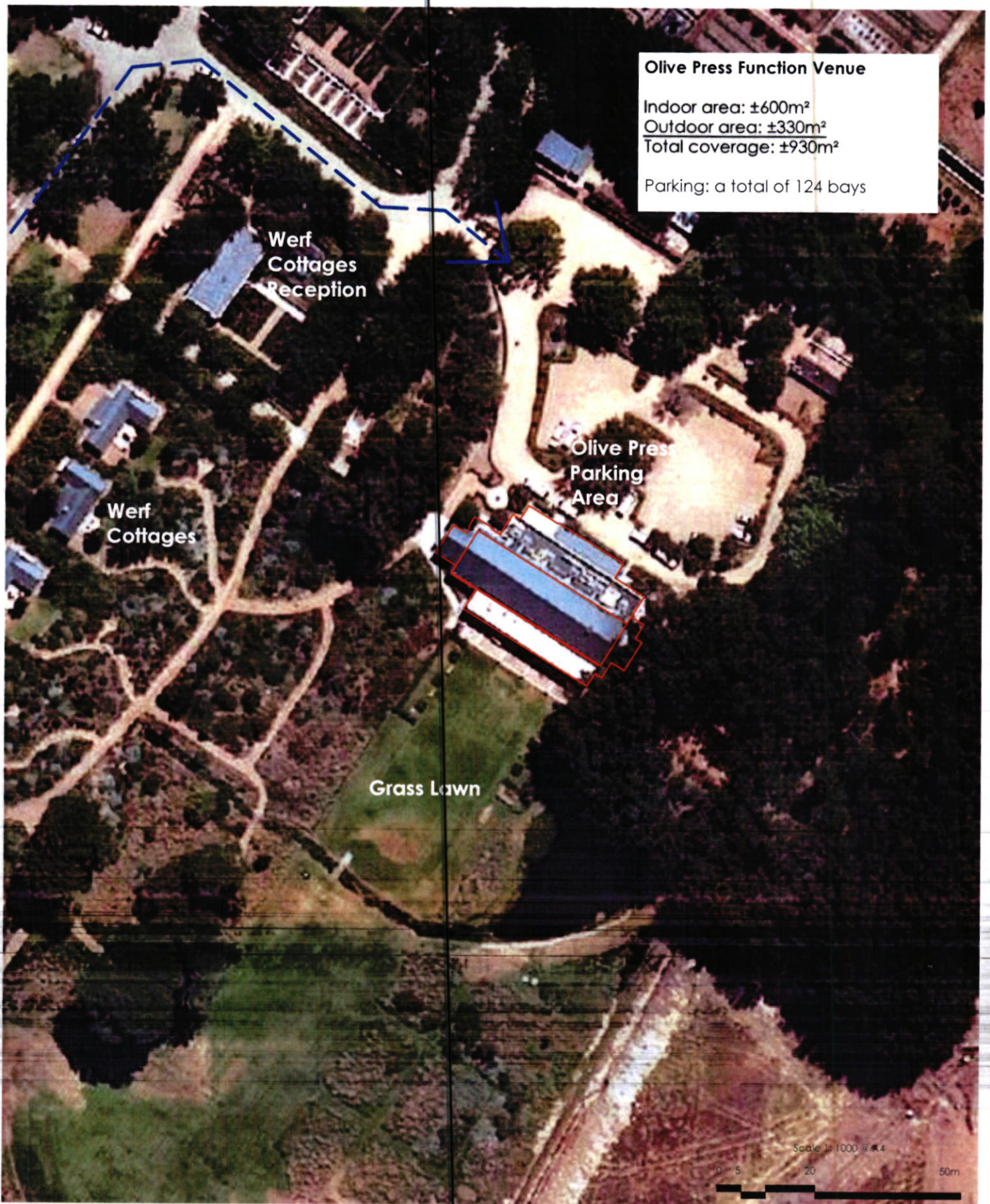
The table below provides details of the existing Olive Press Function Venue.

**Table 3.1: Olive Press Function Venue**

| Proposal                                     | Area (m <sup>2</sup> ) |
|----------------------------------------------|------------------------|
| Indoor area                                  | ±600                   |
| Outdoor area                                 | ±330                   |
| <b>Total coverage for the function venue</b> | <b>±930</b>            |
| Number of guests that can be accommodated    | ±200                   |

Figure 3.1 illustrates the Site Development Plan for the Olive Press Function Venue, showing the footprint of the existing structure as at 2024, parking and access. The footprint is generally in accordance with the approved SDP (Plan No: 1674-10-09-2021) dated August 2019 (refer to Appendix 1).





### Olive Press Function Venue

Indoor area:  $\pm 600\text{m}^2$

Outdoor area:  $\pm 330\text{m}^2$

Total coverage:  $\pm 930\text{m}^2$

Parking: a total of 124 bays

Werf  
Cottages  
Reception

Werf  
Cottages

Olive Press  
Parking  
Area

Grass Lawn

Scale 1:1000 @ A4

0 5 20 50m

### Key

Subject building (Olive Press Function Venue)

--- Access route off the R310

BOSCHENDAL ESTATE  
Olive Press Function Venue

Figure 3.1: Site Development Plan  
(BOSCH\_OPFV\_20240510\_01)



May 2024



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### **3.2 Proposed Access**

Access to the Olive Press Function Venue remains as it is currently, directly off the R310 via the existing farm road. The subject building is located in close proximity to other main distributor roads, with the R45 situated to the northeast (refer to Section 2.2 above).

A Traffic Impact Statement (TIS) was prepared by iCE Group in March 2014 (refer to Appendix 3) to assess the cumulative impact on Boschendal Farm and the external road network in support of the previous Temporary Departure application. The TIS found that there were no significant impacts on the Boschendal Farm and the external road network or access / egress points to and from the farm as a result of the Olive Press Function Venue.

### **3.3 Parking**

The Stellenbosch Municipality: Zoning Scheme By-law (2019) requires a parking ratio of 0.25 parking bays per seat for a Conference Facility which implies that 50 bays are required for the 200 seats accommodated by the Olive Press Function Venue.

It must be noted that at the time that the Olive Press development was established the current ZSBL had not been proclaimed as yet. As a result, the old Stellenbosch Integrated Zoning Scheme was used to establish parking requirements for the function venue. Based on a parking ratio of 1 bay per 6 seats for Conference Facilities, it was determined in the TIS that 34 parking bays were required for the function venue. However, 124 bays are presently provided which is more than adequate for the ±200 guests that can be accommodated by the function venue.

### **3.4 Engineering Services**

The following section is a brief summary of the proposed engineering services based on inputs from Nadeson Consulting Services' report on the civils aspects (refer to Appendix 4) and Nako Triocon Professional Services on the electrical component (refer to Appendix 5).

#### **3.3.1 Storm water infrastructure**

The site drains via a system of lined and unlined open channels towards the Dwars River, east of the Olive Press development (Nadeson, 2019).

#### **3.3.2 Potable Water infrastructure**

The Olive Press Function Venue receives its potable water supply from the Wemmershoek Municipal connection located on the R310 (Helshoogte Road). The existing irrigation supply is pumped from various dams on Boschendal Estate. The current system will be retained (Nadeson, 2019).



### **3.3.3 Sewer infrastructure**

The current sewer system consists of vitrified clay pipes that drain into an existing conservancy tank with a package treatment plant. The treated effluent water is used for irrigating landscaping (Nadeson, 2019).

### **3.3.4 Solid waste services**

Refuse is collected at the site by Boschendal's maintenance department and disposed of by a private contractor appointed by Boschendal (Nadeson, 2019).

### **3.3.5 Electrical infrastructure**

The Olive Press Function Venue receives supply from an existing 500VA mini substation and this will be retained as is (Nako Triocon, 2018).



## **4. Legal and Policy Framework**

### **4.1 Legal Context**

The following section gives an overview of the national, provincial and local legal frameworks that are relevant to the application.

#### **4.1.1 Spatial Planning and Land Use Management Act (SPLUMA), No. 16 of 2013**

The following principles are pertinent to the application:

*(b) the principle of spatial sustainability, whereby spatial planning and land use management systems must-*

*(ii) ensure that special consideration is given to the protection of prime and unique agricultural land;*

*(vi) promote land development in locations that are sustainable and limit urban sprawl; and*

*(c) the principle of efficiency, whereby-*

*(i) land development optimises the use of existing resources and infrastructure;*

#### **4.1.2 Western Cape Land Use Planning Act (LUPA), No. 3 of 2014**

The land use planning principles in LUPA pertaining to spatial sustainability, states in section 59 (2)(a)(ii), amongst other things, that "land use planning should – ensure that special consideration is given to the protection of prime, unique and high potential agricultural land".

The existing development contributes to the sustainability of the farming on high value agricultural land on Boschendal Estate.

#### **4.1.3 National Environmental Management Act (No. 107 of 1998) (NEMA)**

A previous Temporary Departure application in 2014 determined that the Olive Press development did not trigger any listed activities in terms of the Environmental Impact Assessment (EIA) regulations of NEMA and therefore, a Basic Assessment or EIA was not required.

In a meeting held with the Department of Environmental Affairs and Development Planning (DEADP) on 16 May 2019 regarding the 2019 Temporary Departure application for the Olive Press, DEADP confirmed that no EIA was required provided that no changes were made to the subject building since the 2014 Temporary Departure was approved (refer to Appendix 6). As no changes have been made to



the subject building since 2019 and this application is the same proposal as was approved by Stellenbosch Municipality in 2019, the DEADP confirmation still stands.

#### **4.1.4 National Heritage Resources Act (No. 25 of 1999) (NHRA)**

The entirety of Boschendal Estate is covered by a Section 27 overlay in terms of the NHRA, and a portion of the subject site, known as the "Boschendal Werf" is a declared Provincial Heritage Site. The Stellenbosch Municipal Area Heritage Inventory and Management Plan (Todeschini and Jansen, 2017) locates the subject building within a Grade II Landscape Unit. The sitting, form, massing, architectural character and use of the Olive Press development as a function venue has minimal heritage impact (Winter and Baumann, 2013).

A Heritage Impact Assessment (HIA) was submitted as a requirement of the 2014 Temporary Departure application. Subsequently, a Heritage Western Cape (HWC) approval for the function venue was issued on 16 January 2014 (refer to Appendix 7 for HIA and HWC Record of Decision). As this application does not entail any further development or alterations to the Olive Press Function Venue, the HWC approval still applies.

#### **4.1.5 Stellenbosch Municipality Land Use Planning By-law (09 June 2023)**

The current Stellenbosch Municipality Land Use Planning By-law (LUPBL) was promulgated in 2023 and all land use and / or land development applications or amendment applications for the Stellenbosch Municipal Area must be submitted in terms of this By-law and follow procedures outlined in Chapter IV of the By-law. This application for Consent is made in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-law (2023).

#### **4.1.6 Stellenbosch Municipality Zoning Scheme By-law (2019)**

Portion 10 of Farm 1674 is zoned Agriculture and Rural Zone in terms of Stellenbosch Municipality Zoning Scheme By-law.

This application for a Tourist Facility requires an application for Consent. The definition of "tourist facilities" in the Zoning Scheme By-law (ZSBL) is as follows:

*"tourist facilities" describes land uses that provide facilities, amenities and activities, aimed at tourists and visitors, such as shops, markets, restaurants and places of entertainment (which may be licensed to sell alcohol), outdoor sport, conference facilities, place of assembly, wellness centres and/or open spaces, and may also include ancillary uses, limited industry only related to the manufacturing of clothing, food, beverages or making of craft items and/or art, a liquor store for the sale of alcoholic beverages for off-site consumption, provided that the alcoholic beverages are produced under license on the land unit, and examples include farm stalls, farm shops, farmer's markets, farm deli's, wine sales,*



wine tasting facilities, 4x4 or mountain bike trails, cycle and hiking trails, picnic facilities, **function venues**, brew-pubs, craft gin distilleries, coffee roasteries, bakeries, charcuteries but excludes tourist accommodation, guest houses, bed-and-breakfast establishments and hotels"

Furthermore, section 209 (6) of the ZSBL states that:

**The total coverage of all buildings plus any external use areas which are used for tourist facilities (excluding parking areas) as an additional use, including the area which is used for manufacturing as envisaged in subsection (8), shall not exceed 250m<sup>2</sup> for the entire land unit.**

As the total floor area of all buildings which are used as tourist facilities on Farm 1674/10-RE already exceed the permissible threshold of 250m<sup>2</sup> in terms of the ZSBL, with the Olive Press function venue itself being 905m<sup>2</sup> (refer to Table 3.1 in Section 3.1 above), a Consent Use is required to regularise the use of the function venue as a permanent use right.

In terms of the ZSBL, the council of Stellenbosch Municipality may designate an area as Urban or Rural Conservation Overlay Zone. Farm 1674/10-RE falls within the Dwars River Valley Rural Conservation Area. The development complies with the applicable requirements of the overlay as per section 246(2) of the Zoning Scheme By-Law, as none of the under-mentioned activities that may not commence without the Municipality's permission, are triggered:

- (a) addition of any new building or structure, including any boundary wall, gate posts, security or refuse structure which is visible from a public road;
- (b) external demolition or alteration to an existing building or structure which is visible from a public road;
- (c) removal, felling, lopping, topping or otherwise damaging of any mature tree, other than removal of dangerous branches or bona fide pruning, which are visible from a public road in the area;
- (d) alteration or removal of any significant landscape feature which contributes to the character of the area, including mature hedges and rows of mature plantings which are visible from a public road in the area;
- (e) the removal of any garden space for paving or parking, where such space is visible from a public road;
- (f) installation of general area lighting against buildings or on masts which is visible from a public road or from a distance, and which is regarded by the Municipality to be potentially obtrusive.

This application is already compliant with these requirements as it does not entail any additions of new structures or alterations to the existing Olive Press Function Venue. The existing function venue is not visible from a public road as it is



embedded within Farm 1674/10-RE, approximately 222m from the closest public road and is screened by rows of mature trees. There will be no removal of mature plantings or new external lighting.

## **4.2 Policy Context**

The purpose of this section is to review the key policies and planning frameworks, and their implications for the site.

### **4.2.1 Western Cape Provincial Spatial Development Framework, 2014 (PSDF)**

The purpose of the PSDF is among other things, to guide the location and form of public investment. The PSDF promotes the principles of diversification and strengthening of the rural economy. Both these principles are strongly advocated for in the Western Cape's agricultural areas generally, including the Stellenbosch Municipal area within which Boschendal is located. The PSDF promotes the tourism and hospitality industry to allow for the diversification of the agricultural and rural economy, particularly through farming, heritage, and eco- and agri-tourism.

However, the challenges and risks outlined in the PSDF require careful consideration when investing in farms such as Boschendal. These include an understanding of:

- The realities of climate change and its socio-spatial and economic implications;
- Energy insecurity, high levels of carbon emissions, and the economic impacts of the introduction of a carbon tax;
- Water quality and quantity deficits;
- Exclusionary land markets;
- Food insecurity; and
- The sustainability of municipal finances.

Biodiversity, heritage, scenic landscape and agricultural considerations should also be assessed in evaluating the suitability of sites for bulk infrastructure projects.

The PSDF encourages economic growth and the protection of biodiversity, heritage, scenic landscapes and agricultural areas. This application promotes economic opportunities for the local area (Dwars River Valley) and economic diversification of the Boschendal farm to be more financially sustainable, while acknowledging the importance of the heritage, landscapes and environmental and agricultural importance of the area.



#### **4.2.2 Stellenbosch Municipality Integrated Development Plan (IDP) 2022-2027: 1<sup>st</sup> Amendment October 2023**

The Stellenbosch Municipality IDP proposes a vision for the SDF described as follows: "we envisage a municipal area even more special than it is today; a place of natural beauty, rich in the way it preserves and exposes elements of history and culture, its produce from the land, the quality of its institutions, and the mindfulness and innovations of its people". In this regard the following focus areas of the IDP are relevant (with their associated SDF implications):

- Valley of possibility (Containment of settlements to protect nature/agricultural areas and enable public and non-motorised transport and movement).
- Green and sustainable valley (Protection of nature areas, agricultural areas, and river corridors).
- Safe valley (Denser settlements with diverse activity to ensure surveillance).
- Dignified living (A specific focus on the needs of "ordinary" citizens, experiencing limited access to opportunity because of restricted available material resources).
- Good governance and compliance (Presenting information, including opportunities and choices in a manner that assists its internalization by all).

This application incorporates the vision, focus areas and objectives of the IDP, and aims to make a positive contribution to the Cape Winelands District. Through land uses such as tourist facilities, Boschendal aims to diversify income from the farm through utilising its current building assets and infrastructure. Income from this use can support the protection of nature areas, agricultural areas, and river corridors on the farm.

#### **4.2.3 Stellenbosch Municipality Spatial Development Framework (SM SDF) – approved 27 June 2023**

The aim of the SM SDF is to guide spatial form in the Stellenbosch Municipal Area (SMA) and outline associated strategies and policies to achieve the desired spatial outcomes, in alignment with the IDP's vision and objectives discussed above.

The SM SDF identifies 7 principles to guide the spatial development of Stellenbosch and provides planning and design guidelines to direct spatial form in the SMA. The principles include the following:

- Maintain and grow natural assets
- Respect and grow cultural heritage
- Direct growth to areas of lesser natural and cultural significance as well as movement opportunity



- Clarify and respect the different roles and functions of settlements
- Clarify and respect the role and functions of different elements of movement structure
- Ensure balanced, sustainable communities
- Focus collective energy on critical lead projects

The SM SDF states that agriculture and tourism are the Municipality's most competitive economic sectors and encourages the diversification of Stellenbosch's local economy. The SDF also encourages the conservation of Stellenbosch's natural environment and heritage assets. The SDF is clear that the sense of place of an area must be protected at all costs. Against this background, the SM SDF proposes principles with respect to heritage conservation and protection among others listed above; the most relevant of these directly inform this application.

The use of the existing building and infrastructure as a function venue contributes to the local economy, both in terms of the agriculture and tourism sectors, as well as its benefit for the surrounding communities of Lanquedoc and Priel. Additionally, by using an existing structure, the function venue has minimal ecological impact.

#### **4.2.4 Stellenbosch Municipality Heritage Inventory**

The Stellenbosch Municipality Heritage Inventory (SMHI) (Todeschini and Jansen, 2017) supports the NHRA, and is a tool to encourage the protection of the tangible and intangible resources found within the municipal boundaries. This resource has been used to inform the heritage specialists on the project team and also to inform this application.

The SMHI identifies the significant heritage buildings scattered across the Boschendal Estate. The SMHI has also identified intangible heritage resources on the farm in the form of landscape units. The SMHI locates the subject site within a Grade II Landscape Unit with Boschendal Werf identified as a Grade II Provincial Heritage Site (see Figure 4.1 below):



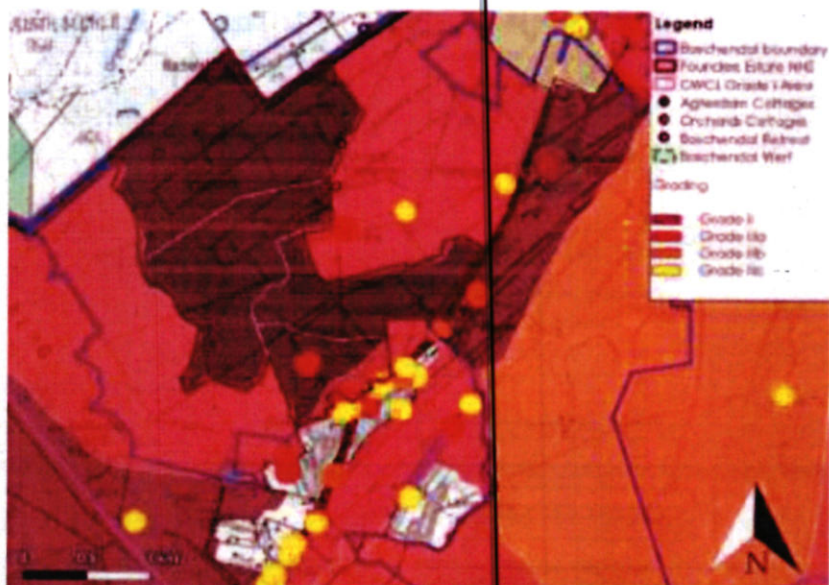


**Figure 4.1: Stellenbosch Municipal Heritage Inventory Grading Map (extracted from RSAA, 2019)**

The Olive Press building has not been identified as a significant building in the SMHI, however it is located within a Grade II Landscape Unit. The landscape and cultural heritage of the larger area have been used to inform the design of the existing building. As noted above, HWC approved the development of the function venue in the RoD dated 16 January 2014 (refer to Appendix 7).



## **5. Motivation for Consent**

This application is being made for Consent in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-law (2023) to permit the use of an existing building as a Tourist Facility (Function Venue) with a total coverage of approximately 930m<sup>2</sup> in extent, on Farm 1674/10-RE, Paarl. The application is motivated in terms of Section 65 of the Land Use Planning By-law and the desirability of the development.

### **5.1 The application is compliant with relevant national, provincial and municipal legal and policy frameworks**

This application complies with the relevant national, provincial and municipal legislation and policy frameworks outlined in Chapter 4 of this report.

The Olive Press development contributes to the protection of prime and unique agricultural land; and by making use of an existing structure's footprint, sustainability will be enhanced and urban sprawl, limited. The use of an existing footprint also optimises the use of existing resources and infrastructure. The development thus aligns with the principles of spatial sustainability and efficiency in SPLUMA and LUPA.

- National Environmental Management Act (NEMA), No. 107 of 1998

As part of the 2014 Temporary Departure application, it was determined that the Olive Press development did not trigger any listed activity and therefore, a Basic Assessment or EIA was not required in terms of NEMA. Furthermore, DEADP confirmed in a meeting on 16 May 2019, that no EIA is required provided that no changes have been made to the subject building since the 2014 Temporary Departure approval (refer to Appendix 6).

As this application is the same as the approved 2019 Temporary Departure, the requirements of NEMA have been complied with and DEADP's confirmation still stands.

- National Heritage Resources Act (NHRA), No. 25 of 1999

The site is located in an important heritage and cultural landscape which the application does not detract from. By utilising an existing building footprint and through appropriate design, the cultural landscape is preserved. As a result, this application acknowledges and affirms the principles of the NHRA. It also brings more people into contact with the rich and complex heritage of the farm and the greater Dwars River Valley by promoting tourism and attracting visitors to Boschendal.

An HIA was undertaken as part of the initial Temporary Departure application and approval from HWC for the function venue was obtained (refer to Appendix 7).



- Stellenbosch Municipality Land Use Planning By-law, 2023

This application is submitted in terms of the provisions of the Stellenbosch Municipality Land Use Planning By-law, from a procedural point of view. The application is therefore compliant with the provisions of this By-law.

- Stellenbosch Municipality Zoning Scheme By-law, 2019

The primary and consent uses permitted in an Agriculture and Rural Zone are illustrated in Table 5.1 below:

**Table 5.1: Extracts from the Stellenbosch Zoning Scheme By-law (2019)**

|                    | <b>SM ZONING SCHEME BY-LAW, 2019</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>APPLICATION PROPOSAL</b>                                                 | <b>COMPLIANCE</b>              |
|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|--------------------------------|
| <b>PRIMARY USE</b> | <ul style="list-style-type: none"> <li>• Agricultural Building</li> <li>• Agriculture</li> <li>• Dwelling house</li> <li>• Forestry</li> <li>• Natural environment</li> <li>• Occasional use (one event/year)</li> <li>• Private road</li> <li>• Polytunnel (&lt;2000m<sup>2</sup>)</li> <li>• Second dwelling</li> <li>• Employee housing (one unit)</li> </ul>                                                                                                                                                                                                                                                                                                                                                    | Primary use remains Agriculture for Farm 1674/10-RE, Paarl                  | Complies                       |
| <b>CONSENT USE</b> | <ul style="list-style-type: none"> <li>• Abattoir</li> <li>• Additional dwelling units (max 4)</li> <li>• Airfield</li> <li>• Airstrip</li> <li>• Agricultural industry (≥2000m<sup>2</sup>)</li> <li>• Camping site</li> <li>• Day care centre</li> <li>• Freestanding base telecommunication station</li> <li>• Helicopter landing pad</li> <li>• Intensive feed farming</li> <li>• Kennel</li> <li>• Market</li> <li>• Occasional use (&gt; one event/year)</li> <li>• Plant nursery</li> <li>• Polytunnel (&gt;5000m<sup>2</sup>)</li> <li>• Renewable energy structure</li> <li>• Service trade</li> <li>• Tourist accommodation establishment</li> <li>• <b>Tourist facility (new buildings or</b></li> </ul> | Tourist Facility (Function Venue) measuring approximately 930m <sup>2</sup> | Complies – Consent Application |



|                                        |                             |                                        |                                      |
|----------------------------------------|-----------------------------|----------------------------------------|--------------------------------------|
|                                        | <b>exceeding threshold)</b> |                                        |                                      |
| <b>Building development parameters</b> | As approved by Municipality | Site Development Plan – See Figure 3.1 | Complies on approval by Municipality |

The development also complies with the applicable requirements of the Dwars River Valley Rural Conservation Area Overlay Zone as per section 246 (2) of the Zoning Scheme By-law, as none of the activities that may not commence without the Municipality's permission, are triggered.

- Western Cape Provincial Spatial Development Framework, 2014 (PSDF)

The PSDF encourages economic growth and the protection of biodiversity, heritage, scenic landscapes and agricultural areas. This application promotes economic opportunities for the local area (Dwars River Valley) and economic diversification of the Boschendal farm to be more financially sustainable, while acknowledging the importance of the heritage, landscape, environmental and agricultural significance of the area. The application therefore supports the objectives of the PSDF.

- Stellenbosch Municipality Integrated Development Plan (IDP) 2022-2027: 1<sup>st</sup> Amendment October 2023

This application incorporates the vision, focus areas and objectives of the IDP, and aims to make a positive contribution to Stellenbosch and the Cape Winelands District. Boschendal aims to diversify income from the farm through utilising its current building assets for tourism purposes. Income from using the existing function venue can support the protection of local nature areas, agricultural areas and ecological corridors on the farm. This application therefore supports the intent of the IDP.

- Stellenbosch Municipality Spatial Development Framework (SM SDF) – approved 27 June 2023

The Olive Press Function Venue aligns with the SDF as it supports both agriculture and tourism and therefore encourages the diversification of the local economy. It also promotes the conservation of Boschendal's natural environment and heritage assets and protects its sense of place. The development takes note of the SDF principles in the SDP presented in Chapter 3, above. The use of the existing building as a function venue contributes to the local economy, both in terms of the agriculture and tourism sectors, as well as its benefits to the surrounding communities of Lanquedoc, Priel and Kylemore. The application therefore supports the provisions of the SM SDF.

## 5.2 The application's contribution to agri-tourism

A key part of Boschendal Estate's vision is to create a healthy and sustainable food system to produce naturally grown food while improving soil health. However, with regard to the impact of climate change and global market trends on the viability of



farming generally in South Africa and the Western Cape; it is prudent to pursue other means to support the agricultural component of the estate. This echoes the 2014 Western Cape Provincial Spatial Framework's encouragement of strengthening and diversifying the rural economy through agri-tourism.

This application supports the predominant agricultural land use on the farm, through utilising an existing structure and diversifying Boschendal's income. Furthermore, the use of an existing building as a function venue attracts local and international visitors to the areas surrounding Boschendal and as such, supports the local economy by creating job opportunities for residents of Pniel, Lanquedoc and Kylemore.

### **5.3 The application supports current agricultural land use**

The application does not impact the current agricultural activities at Boschendal but aims to utilise existing assets and infrastructure to diversify income to support agricultural activities on the Boschendal farm.

The Olive Press development does not negatively impact on the natural environment as it makes use of an existing building within a transformed site which is presently operational as a function venue in terms of a Temporary Departure application approved in 2021. This aligns with the principles of spatial sustainability and efficiency contained in Section 7 of SPLUMA by protecting valuable agricultural land and optimising the use of existing resources.

### **5.4 The application supports and enhances the natural environment**

As the site is already disturbed from an environmental perspective, the Olive Press development does not impact ecologically sensitive areas.

DEADP confirmed that no EIA is required in terms of NEMA provided that nothing changes in terms of footprint or services. The development is therefore desirable insofar as impacts on the biophysical environment are concerned.

### **5.5 The application protects and preserves the heritage and cultural landscape**

This application complies with the provisions of the National Heritage Resource Act of 1999 by preserving existing heritage resources.

The existing use of the barn as a function venue also brings more people into contact with the rich and complex heritage of the farm and the greater Dwars River Valley by promoting tourism and attracting visitors. Furthermore, the siting, form, massing, architectural character and use of the existing building as a function venue does not detract from the heritage and cultural landscape within which Farm 1674/10-RE is located.



## **5.6 The application uses existing building footprints and retains the primary use of the property as Agriculture and Rural Zone**

The use of an existing building for the Olive Press Function Venue contributes to the protection of valuable agricultural land. Furthermore, the establishment of permanent use rights for the Olive Press makes sense from the point of view that it is located within the Boschendal hospitality hub which offers a variety of tourist facilities, thereby strengthening the hospitality offering in this location within an Agriculture and Rural Zone.

## **5.7 Socio-economic impact**

Boschendal Estate plays a significant role in the Dwars River Valley addressing past ecological and social injustices. Boschendal's vision includes a commitment to conserve, preserve and restore the environmental and social aspects of the farm and positively contribute to its surrounding context. This vision aligns with the vision expressed in the Stellenbosch Municipality Integrated Development Plan where residents experience "dignified living" through the creation of new job opportunities and promoting economic growth. It also builds on the IDP, as it aims to promote economic growth while protecting and enhancing environmental assets and natural resources.

Establishing permanent use rights for the function venue on Farm 1674/10-RE will allow continued use of the existing building for an extended period and enable job creation. This will have a positive socio-economic impact at a local and valley scale.

## **5.8 The impact of the application on municipal engineering services**

The Olive Press Function Venue makes use of existing engineering services, including Municipal water, as described in Section 3.3, which will be retained. Therefore, this application is desirable from an engineering services perspective.

## **5.9 Impact on traffic, parking, access and other transport related considerations**

The impacts on traffic, parking, access and other transport related considerations are minimal given that the Olive Press Function Venue has been in existence for a long time.

The 124 parking bays currently provided for the operation of the Olive Press Function Venue are not only in accordance with the ZSBL provisions, but also more than adequately serves the function venue (refer to Section 3.3, above).



#### **5.10 The land use principles referred to in LUPA and SPLUMA**

The land use and development principles outlined in Section 7 of SPLUMA and Chapter VI, Section 59 of LUPA, respectively have informed this land use application.

The development contributes to the protection of prime and unique agricultural land; and by making use of existing structures, sustainability will be enhanced and urban sprawl, limited. The use of an existing structure also optimises the use of existing resources and infrastructure, including engineering services. The Olive Press development thus aligns with the relevant principles of spatial sustainability and efficiency in SPLUMA and LUPA.

Based on the information presented in this application and the above motivation, we recommend that this application for Consent in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-law (2023), to permit the use of an existing barn as a Function Venue with a total coverage of approximately 930m<sup>2</sup> in extent, be considered for approval.



## **6. References**

### **6.1 Legislation**

Republic of South Africa. 1998. *National Environmental Management Act, No. 107 of 1998*. Pretoria: Republic of South Africa.

Republic of South Africa. 1999. *National Heritage Resources Act, No. 25 of 1999*. Pretoria: Republic of South Africa.

Republic of South Africa. 2013. *Spatial Planning and Land Use Management Act, No. 16 of 2013*. Pretoria: Republic of South Africa.

Stellenbosch Municipality. 2023. *Stellenbosch Municipality Land Use Planning By-law*. Stellenbosch: Stellenbosch Municipality.

Stellenbosch Municipality. 2019. *Stellenbosch Municipality Zoning Scheme By-law (ZSBL)*. Stellenbosch: Stellenbosch Municipality.

Western Cape Government. 2014. *Western Cape Land Use Planning Act, No. 3 of 2014*. Cape Town: Western Cape Government.

### **6.2 Policies and Planning Frameworks**

Stellenbosch Municipality. 2023. *Stellenbosch Municipality Integrated Development Plan 2022 – 2027: 1<sup>st</sup> Amendment*. Stellenbosch: Stellenbosch Municipality.

Stellenbosch Municipality. 2023. *Stellenbosch Municipality Spatial Development Framework approved 27 June 2019*. Stellenbosch: Stellenbosch Municipality.

Western Cape Government. 2014. *Western Cape Provincial Spatial Development Framework*. Cape Town: Western Cape Government.

Todeschini, F. and Jansen, L. 2017. *Stellenbosch Municipal Area Heritage Inventory and Management Plan: Phase 2a Report Revised*. Cape Winelands Professional Practices in Association.

### **6.3 Project Reports**

iCE Group. 2014. *Application for Consent Use and Temporary Departure of Portion 10 of Farm 1674 - Boschendal Guest and Function Venue: Traffic Impact Statement*. Stellenbosch: iCE Group.

Nadeson Consulting Services. 2019. *Boschendal Estate Preliminary Engineering Report for Bulk Civil Services*. Cape Town: Nadeson Consulting Services.



Nako Triocon. 2018. *Boschendal Electrical Masterplan: Medium Voltage and Low Voltage Electrical Infrastructure Status Quo Report*. Cape Town: Nako Triocon.

Rennie Scurr Adendorff Architects (RSA). 2019. *Heritage Inputs for Boschendal Farm Conceptual Framework: Boschendal Farm, R310 Dwars River Valley, Stellenbosch*. Cape Town: Rennie Scurr Adendorff Architects.

Winter, S. and Baumann, N. 2013. *Draft Heritage Impact Assessment: Proposed Expansion and Upgrade of Hospitality and Tourist Facilities at Boschendal Farm, Portion 10. No.1674, Dwars River Valley, Stellenbosch*. Cape Town: Sarah Winter and Nicholas Baumann.



**Annexure A:**

Application Form





# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

## DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

[www.stellenbosch.gov.za/planning-portal/](http://www.stellenbosch.gov.za/planning-portal/)

FOR ENQUIRIES CONTACT [landuseenquiries@stellenbosch.gov.za](mailto:landuseenquiries@stellenbosch.gov.za) or 021- 808 8606

SUBMIT APPLICATION BY UPLOADING COMPLETED FORM AND RELEVANT INFO TO THE  
**Town Planning Application Management System (TPAMS)**

[AFLA Portal \(stellenbosch.gov.za\) /](http://AFLA Portal (stellenbosch.gov.za) /)

<https://citymaps.stellenbosch.gov.za/aflaportal/home>

**NOTE:** In terms of section 69 of the Bylaw on Municipal Land Use Planning 2023 the Municipality may categorise applications for consideration by either an authorised employee or the Municipal Planning Tribunal (Categorisation Model for Decision-making July 2023). These land use applications are subject to prescribed administrative and public participation processes and depending on the type of application, *Land Use Application Form A* or *Form B* must be completed. *Land Use Application Form B* can be used if the application ONLY comprises of a permanent departure. If any other type of application is also required, *Land Use Application Form A* must be completed. *Land Use Application Form C* must be used if the application comprises of an application for permission either in terms of the zoning scheme or in terms of a condition of approval or in terms of the title deed.

### LAND USE PLANNING APPLICATION FORM A

Section 15 of the Municipal Bylaw on Land Use Planning 2023 and other relevant legislation

Complete form using BLOCK letters and ticking the appropriate boxes

#### PART A: APPLICANT DETAILS

|                                 |                                                                  |
|---------------------------------|------------------------------------------------------------------|
| First name(s)                   | JODY                                                             |
| Surname                         | PATERSON                                                         |
| Company name<br>(if applicable) | VISIONPLAN CC T/A NM & ASSOCIATES PLANNERS AND DESIGNERS         |
| Postal Address                  | PO BOX 44386<br>CLAREMONT, 7735                                  |
| Email Address                   | <a href="mailto:jody@visionplan.co.za">jody@visionplan.co.za</a> |
| Contact Number(s)               | 021 671 1138 OR 074 500 3903                                     |

#### PART B: REGISTERED LANDOWNER(S) DETAILS (If different from applicant)

|                          |                                                                                        |
|--------------------------|----------------------------------------------------------------------------------------|
| Registered owner(s) Name | BOSCHENDAL (PTY) LTD. (REPRESENTATIVE: WILLIAM GEORGE)                                 |
| E-mail Address           | <a href="mailto:specialproject1@boschendal.co.za">specialproject1@boschendal.co.za</a> |
| Contact Number           | 082 559 9100                                                                           |

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

|         |      |              |    |              |             |
|---------|------|--------------|----|--------------|-------------|
| Erf No  |      | Suburb       |    | Town         |             |
| Farm no | 1674 | Farm Portion | 10 | Nearest Town | FRANSCHHOEK |



|                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                         |        |                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                     |                                                                                                                                          |
|------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| Physical or Street Address                                                               | BOSCHENDAL ESTATE, PNIEN<br>MAIN ROAD, GROOT<br>DRAKENSTEIN                                                                                                                                                                                                                                                                                                                                             |        | Property / Business /<br>Farm known as                                                                                                                                                                                                                                                                                                            | BOSCHENDAL ESTATE                                                                                                   |                                                                                                                                          |
| Current Zoning                                                                           | AGRICULTURE AND RURAL                                                                                                                                                                                                                                                                                                                                                                                   |        |                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                     |                                                                                                                                          |
| Additional or<br>Consent Uses                                                            | Consent use for a farm store and various tourist facilities (picnic area, restaurant, café, museum, tourist-related retail, an informal market, beauty/health salon and wine tasting and sales facility)                                                                                                                                                                                                |        |                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                     |                                                                                                                                          |
| Current activities                                                                       | Agriculture, farm store, tourist facilities including: Museum (in Manor House), Werf Restaurant (including wine tasting and sales), Café / Deli, 7 guest cottages (for 14 people), picnic area, occasional informal market, ablutions and parking, tourist accommodation reception office and other tourist related retail, beauty/health salon, Olive Press function venue, farm buildings and offices |        |                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                     |                                                                                                                                          |
| Property Size /<br>Extent                                                                | 91.1053 m <sup>2</sup> / ha                                                                                                                                                                                                                                                                                                                                                                             |        |                                                                                                                                                                                                                                                                                                                                                   | Are there existing<br>buildings?                                                                                    | Y<br>✓<br>N                                                                                                                              |
| Title Deed<br>number                                                                     | T17497/2004                                                                                                                                                                                                                                                                                                                                                                                             |        |                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                     |                                                                                                                                          |
| Any restrictions to<br>Conveyance's<br>Certificate?                                      | Y<br>✓                                                                                                                                                                                                                                                                                                                                                                                                  | N      | If yes, list condition(s) as per certificate.<br>T17501/2004 Condition (i)(B)<br>T17501/2004 Condition (vii)(B) and (vi)(C)<br>T17501/2004 Condition (viii)(B)<br>T17501/2004 Condition (ix)(B)(1)<br>T17501/2004 Condition (ix)(B)(3)<br>T17501/2004 Condition (ix)(B)(4)<br>T17501/2004 entitled to pipeline servitudes over various properties |                                                                                                                     |                                                                                                                                          |
| Are the restrictive<br>conditions in<br>favour of a third<br>party?                      | Y                                                                                                                                                                                                                                                                                                                                                                                                       | N<br>✓ | If yes, list the party(ies).                                                                                                                                                                                                                                                                                                                      |                                                                                                                     |                                                                                                                                          |
| Is the property<br>owned by<br>Council?                                                  | Y                                                                                                                                                                                                                                                                                                                                                                                                       | N<br>✓ | If yes, <u>attach a power of attorney</u> signed by the Municipal Manager or delegated authority                                                                                                                                                                                                                                                  |                                                                                                                     |                                                                                                                                          |
| Is the building<br>located within<br>the historical<br>core?                             | Y                                                                                                                                                                                                                                                                                                                                                                                                       | N<br>✓ | Is the building<br>older than 60<br>years?                                                                                                                                                                                                                                                                                                        | Y                                                                                                                   | N<br>✓                                                                                                                                   |
|                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                         |        |                                                                                                                                                                                                                                                                                                                                                   | Is the application<br>triggered by the<br>National Heritage<br>Resources Act, 1999<br>(Act 25 of 1999) <sup>1</sup> | Y<br>✓<br>N                                                                                                                              |
|                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                         |        |                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                     | If yes, indicate<br>which section<br>are triggered<br>and attach<br>relevant<br>permit.<br><b>Section 38(4).<br/>See Appendix<br/>7.</b> |
| Any existing unauthorized buildings and/or land use<br>on the subject property(ies)?     | Y                                                                                                                                                                                                                                                                                                                                                                                                       | N<br>✓ | If yes, is this application to<br>legalise the building / land use <sup>2</sup> ?                                                                                                                                                                                                                                                                 | Y                                                                                                                   | N                                                                                                                                        |
| Are there any pending court case(s) / order(s)<br>relating to the subject property(ies)? | Y                                                                                                                                                                                                                                                                                                                                                                                                       | N<br>✓ | Are there any land claim(s)<br>registered on the subject<br>property(ies)?                                                                                                                                                                                                                                                                        | Y                                                                                                                   | N<br>✓                                                                                                                                   |
| <b>PART D: PRE-APPLICATION CONSULTATION AND OR SCRUTINY</b>                              |                                                                                                                                                                                                                                                                                                                                                                                                         |        |                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                     |                                                                                                                                          |
| Has there been any pre-<br>application consultation?                                     | Y<br>✓                                                                                                                                                                                                                                                                                                                                                                                                  | N      | If yes, attach the minutes of the pre-application<br>consultation.                                                                                                                                                                                                                                                                                |                                                                                                                     |                                                                                                                                          |

<sup>1</sup> 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

<sup>2</sup> 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



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |   |   |                                               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|-----------------------------------------------|
| Has the pre-application scrutiny form been submitted?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Y | N | If yes, attach the written feedback received. |
| <p>The submission of a pre-application scrutiny form to <a href="mailto:Landuse.Applications@stellenbosch.gov.za">Landuse.Applications@stellenbosch.gov.za</a> is compulsory for the following type of applications* and written feedback must be attached to the land use planning application form: rezoning, subdivision and consolidation of land, removal, suspension or amendment of restrictive title deed conditions, the amendment, deletion, or imposition of conditions of approval and the cancellation of an approved subdivision plan.</p> |   |   |                                               |

| PART E: LAND USE PLANNING APPLICATIONS AND PAYMENT OF FEES                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                          |      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|------|
| APPLICATIONS IN TERMS OF SECTION 15 OF THE MUNICIPAL BYLAW ON LAND USE PLANNING 2023                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                          |      |
| Type of application                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                          | Tick |
| 15(2)(a) rezoning of land*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                          |      |
| 15(2)(b) a permanent departure from the development parameters of the zoning scheme                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                          |      |
| 15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land                                                                                                                                                                                                                                                                                                                                                                   |                                                          |      |
| 15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement*                                                                                                                                                                                                                                                                                                                                                                                           |                                                          |      |
| 15(2)(e) a consolidation of land that is not exempted in terms of section 24*                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                          |      |
| 15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit*                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                          |      |
| 15(2)(g) a permission required in terms of the zoning scheme                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                          |      |
| 15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval*                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                          |      |
| 15(2)(i) an extension of the validity period of an approval                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                          |      |
| 15(2)(j) an approval of an overlay zone as contemplated in the zoning scheme                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                          |      |
| 15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram*                                                                                                                                                                                                                                                                                                                                                                                                         |                                                          |      |
| 15(2)(l) a permission required in terms of a condition of approval                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                          |      |
| 15(2)(m) a determination of a zoning                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                          |      |
| 15(2)(n) a closure of a public place or part thereof                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                          |      |
| 15(2)(o) a consent use contemplated in the zoning scheme                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                          | ✓    |
| 15(2)(p) to disestablish a homeowners' association                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                          |      |
| 15(2)(q) to rectify a failure by a homeowners' association to meet its obligations in respect of the control over or maintenance of services                                                                                                                                                                                                                                                                                                                                                                                        |                                                          |      |
| 15(2)(r) 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                                                                                                                                                                                                                                                                                                  |                                                          |      |
| OTHER APPLICATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                          |      |
| Deviation from Council Policies/By-laws                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                          |      |
| Consent / Permission required in terms of a title deed (includes where permission is required in terms of the Advertising on Roads and Ribbon Development Act, Act 21 of 1940)                                                                                                                                                                                                                                                                                                                                                      |                                                          |      |
| DETAILS FOR INVOICE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                          |      |
| Name & Surname (party responsible for payment)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | VISIONPLAN CC T/A NM & ASSOCIATES PLANNERS AND DESIGNERS |      |
| Postal Address                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | PO BOX 44386, CLAREMONT, CAPE TOWN, 7735                 |      |
| Vat Number (where applicable)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4510165428                                               |      |
| <p>1. Application fees are per the Council Approved Tariffs. 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 as per the Tariff Rules. Once proof of payment is received, the application will be regarded as duly submitted.</p> |                                                          |      |



2. All indigent residents who are registered as such with the Municipality and with proof submitted together with application will be exempted from applicable fees for Permanent Departure applications including but not limited to building lines, coverage, parking. Contact: [Indigent.office@stellenbosch.gov.za](mailto:Indigent.office@stellenbosch.gov.za) or 021 808 8501 or 021 808 8579
3. The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable, and the applicant will be informed accordingly.

**BANKING DETAILS**

Account Holder Name: Stellenbosch Municipality  
 Bank: FIRST NATIONAL BANK (FNB)

Branch no.: 210554

Account no.: 62869253684

Payment reference: LU/\_\_\_\_\_ and ERF/FARM \_\_\_\_\_

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

**PART F: DETAILS OF PROPOSAL** (Brief description of intent of development)

A Temporary Departure approval was granted in 2021 to permit the use of an existing barn ( $\pm 600\text{m}^2$ ) as a function venue (Olive Press Function Venue) with an outside seating area of  $\pm 330\text{ m}^2$  on Farm 1674/10, Paarl. This approval lapses on 24 February 2028.

This application for Consent for a Tourist Facility (Function Venue) is being made to obtain permanent use rights for the existing Olive Press Function Venue on Farm 1674/10, Paarl.

Name and Date of design guidelines (if applicable)

Adjoining erf  
number



|                                                                   |                |  |      |   |    |   |
|-------------------------------------------------------------------|----------------|--|------|---|----|---|
| Building line encroachment                                        | Street         |  | From | m | To | m |
|                                                                   | Street         |  | From | m | To | m |
|                                                                   | Side           |  | From | m | To | m |
|                                                                   | Side           |  | From | m | To | m |
|                                                                   | Aggregate side |  | From | m | To | m |
|                                                                   | Rear           |  | From | m | To | m |
| Exceeding permissible site coverage / footprint                   |                |  | From | % | To | % |
| Exceeding maximum permitted bulk / floor factor / habitable rooms |                |  | From |   | To |   |
| Exceeding height restriction                                      |                |  | From | m | To | m |
| Exceeding maximum storey height                                   |                |  | From | m | To | m |

### 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<br>✓                                 | N      | Power of attorney / Owner's consent if applicant is not owner                                |                                                         | Y      | N<br>✓ | Proof of any other relevant right held in the land concerned                                                     |                                                                                 |
| Y                                      | N<br>✓ | Resolution or other proof that applicant is authorised to act on behalf of a juristic person |                                                         | Y<br>✓ | N      | S.G. diagram / General plan extract (A4 or A3 only)                                                              |                                                                                 |
| Y<br>✓                                 | N      | Written motivation pertaining to the need and desirability of the proposal                   |                                                         | Y<br>✓ | N      | Site development plan or conceptual layout plan (A4 or A3 only) to scale                                         |                                                                                 |
| Y<br>✓                                 | N      | Locality plan (A4 or A3 only) to scale                                                       |                                                         | Y      | N<br>✓ | Proof of agreement or permission for required servitude                                                          |                                                                                 |
| Y                                      | N<br>✓ | Proposed subdivision plan (A4 or A3 only) to scale                                           |                                                         | Y<br>✓ | N      | Proof of registered ownership ( <b>Full copy of the title deed</b> )                                             |                                                                                 |
| Y<br>✓                                 | N      | Conveyancer's certificate                                                                    |                                                         | Y<br>✓ | N      | Written feedback of pre-application scrutiny and Minutes of pre-application consultation meeting (if applicable) |                                                                                 |
| Y                                      | N      | N/A<br>✓                                                                                     | Consolidation plan (A4 or A3 only) to scale             | Y      | N      | N/A<br>✓                                                                                                         | Land use plan / Zoning plan (A4 or A3 only) to scale                            |
| Y                                      | N      | N/A<br>✓                                                                                     | Street name and numbering plan (A4 or A3 only) to scale |        |        |                                                                                                                  |                                                                                 |
| Y                                      | N      | N/A<br>✓                                                                                     | Landscaping / Tree plan (A4 or A3 only) to scale        | Y      | N      | N/A<br>✓                                                                                                         | 1: 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale |
| Y                                      | N<br>✓ | N/A                                                                                          | Abutting owner's consent                                | Y      | N      | N/A<br>✓                                                                                                         | Owners' Association consent                                                     |



|        |   |          |                                                                                                                                                                                                                                                           |   |   |          |                                                                                                               |
|--------|---|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|----------|---------------------------------------------------------------------------------------------------------------|
| Y<br>✓ | N | 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) | Y | N | N/A<br>✓ | Services Report or indication of all municipal services / registered servitudes                               |
| Y<br>✓ | N | N/A      | Copy of original approval and conditions of approval                                                                                                                                                                                                      | Y | N | N/A<br>✓ | Proof of failure of owner's association                                                                       |
| Y      | N | N/A<br>✓ | Proof of lawful use right                                                                                                                                                                                                                                 | Y | N | N/A<br>✓ | Any additional documents or information required as listed in the pre-application consultation form / minutes |
| Y<br>✓ | N | N/A      | Required number of documentation copies                                                                                                                                                                                                                   | Y | N | N/A<br>✓ | Other (specify):                                                                                              |

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

|        |          |                                                                                                                                                                           |                                                                                                               |
|--------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| Y<br>✓ | N        | If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.                             | Specific Environmental Management Act(s) (SEMA) (e.g., Environmental Conservation Act, 1989 (Act 73 of 1989): |
| Y      | N/A<br>✓ | Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)                                                                                                               | Y<br>N/A<br>✓<br>National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)                    |
| Y      | N/A<br>✓ | Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)                                                                                              | Y<br>N/A<br>✓<br>National Environmental Management: Waste Act, 2008 (Act 59 of 2008)                          |
| Y      | N/A<br>✓ | Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations                                                                         | Y<br>N/A<br>✓<br>National Water Act, 1998 (Act 36 of 1998)                                                    |
| Y      | N/A<br>✓ | Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)                                                                                                                        | Y<br>N/A<br>✓<br>Other (specify)                                                                              |
| Y      | N<br>✓   | 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, attach motivation. |                                                                                                               |

**SECTION I: DECLARATION**

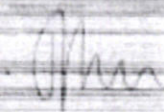
I hereby wish to confirm the following:

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) of said bylaw 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 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 if 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:

13 May 2024

Full name:

Jody Paterson

Professional capacity:

Professional Planner and Urban Designer



**Annexure B:**

Power of Attorney





**BOSCHENDAL**

FOUNDED IN 1881

## **SPECIAL POWER OF ATTORNEY**

I, the undersigned, William George who by my signature hereto warrant that I am duly authorised, as representative of Boschendal (Pty) Ltd, Reg no. 2002/023534/07, registered owner of the below-mentioned property:

Hereby nominate and appoint **VISIONPLAN CC t/a NM & Associates Planners and Designers** with power of Substitution to be my lawful representative in the application in terms of the Land Use Planning Act (No.3 of 2014), the Stellenbosch Municipality Land Use Planning By-law (P.N.354/2015) and the Stellenbosch Municipality Zoning Scheme By-law (27 September 2019) for the Council to consider granting approval for the required Land Use Application/s including the amendment / deletion / imposition of conditions in respect of an existing approval and associated approved Site Development Plan to obtain permission to develop tourist related facilities, on the below mentioned property:

**PORTION 10 OF FARM 1674 BOSCHENDAL  
SITUATED IN THE STELLENBOSCH MUNICIPALITY, DIVISION OF PAARL,  
WESTERN CAPE PROVINCE,  
HELD UNDER THE TITLE DEED NO. T17497/2004**

In addition to the above, **NM & Associates Planners and Designers** may obtain all documents, make all other necessary applications in accordance with any other law to achieve the approval of a land use application as outlined above, and may engage with the authorities on my behalf in all matters relating to this abovementioned application and further may represent me at any inquiry in relation to the abovementioned matters and generally do whatever may be necessary or desirable to procure the approval of the application.

Authorised Signatory

Date:

14 October 2021



**Annexure C:**

Title Deed



21  
CLIFFE DEKKER INC  
10TH FLOOR - NBS WALDORF  
80 ST GEORGE'S MALL  
CAPE TOWN  
8001

Prepared by me

*[Signature]*  
CONVEYANCER  
PLUMMER A J N



VR ENDORSEMENTS: KMK ELADSY 61  
FOR ENDORSEMENTS SEE PAGE 61

|                         |                |                     |                    |
|-------------------------|----------------|---------------------|--------------------|
| VERBOND                 |                | MORTGAGED           |                    |
| VR FOR R 309,000,000.00 |                |                     |                    |
| B                       | 000014344/2004 | 14                  | <i>[Signature]</i> |
| 02 MAR 2004             |                | REGISTRAR/REGISTRAR |                    |

Reference waived  
in favour of notarial  
deed of lease  
no K 785/2005 L  
in favour of  
landholder

FOR RELEASES SEE

Bond

T000017501/2004

## DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

ANTHONY JOHN NOYES PLUMMER

appeared before me, REGISTRAR OF DEEDS, at CAPE TOWN, the said  
appearer being duly authorised thereto by a Power of Attorney which said  
Power of Attorney was signed at SOMERSET WEST on 19<sup>th</sup> December  
2003 granted to him by

ANGLO AMERICAN FARMS LIMITED  
No. 1902/000387/06





|                  |                                |                        |
|------------------|--------------------------------|------------------------|
| DIE NAAM VAN DIE | tree                           | THE NAME OF THE        |
| IS VERANDER NA   | BOSCHENDAL PROPRIETARY LIMITED | HAS BEEN CHANGED TO    |
| 2 BC 62167105    |                                |                        |
| 30 AUG 2005      |                                | REGISTRATEUR/REGISTRAR |

|                  |                    |                        |
|------------------|--------------------|------------------------|
| DIE NAAM VAN DIE | tree               | THE NAME OF THE        |
| IS VERANDER NA   | BOSCHENDAL LIMITED | HAS BEEN CHANGED TO    |
| 3 BC 6216812005  |                    |                        |
| 30 AUG 2005      |                    | REGISTRATEUR/REGISTRAR |

PARA 7

|                                           |                        |
|-------------------------------------------|------------------------|
| VERHUUR AAN                               | LEASED TO              |
| DGP (PROPRIETARY) LIMITED                 |                        |
| VIR FOR 99 YEARS YEARS FROM 1 AUGUST 2005 |                        |
| 4 K 0000000085-2005                       |                        |
| 30 AUG 2005                               | REGISTRATEUR/REGISTRAR |



6. **PORTION 10 OF THE FARM BOSCHENDAL NO. 1674, IN THE STELLENBOSCH MUNICIPALITY, DIVISION OF PAARL, WESTERN CAPE PROVINCE**

**IN EXTENT : 106,6539 (ONE HUNDERD AND SIX COMMA SIX FIVE THREE NINE) HECTARES**

**FIRST REGISTERED** and still held by Certificate of Registered Title No. T 17497/2004 with Diagram No. 2863/2003 relating thereto.

(i) **AS REGARDS the figures C1C1Bf and bde1C on said Diagram No. 2863/2003:**

A. **SUBJECT** to the following conditions contained in Deed of Grant dated 13 December 1922 (Paarl Quittrents Volume 7 No. 3):

1. That all roads and thoroughfares being or existing on the said land, described in the plan or diagram of the same, shall remain free and uninterrupted: unless the same be closed or altered by competent authority.
2. That if at any time it should appear to the governor-General upon petition of any adjacent or neighbouring proprietor, that such adjacent or neighbouring proprietor requires a way or road of necessity to or from the land of such adjacent or neighbouring proprietor, the owner of the land hereby granted, upon which such road is required, shall be bound to grant such way or road of necessity, and to point out the direction or width thereof; Provided that in case of a dispute or difference regarding such road, or its sufficiency, the direction and width of the road shall be decided upon by the Divisional Council of the Division in which the land is situated; Provided, further, that the said owner shall not be bound to allow such road or thoroughfare across land which shall at the time be in a state of cultivation or improvement, and that compensation for the right of way and any damage done shall be paid for by the person or persons for whose benefit and upon whose application the said road is made according to determination and arbitration.

9



3. That the Governor-General shall at all times have the right to make roads, railways, dams, aqueducts, drains, and to conduct telegraphs over the said land for the benefit of the public, and to take materials for these purposes; also to establish convenient outspans for the use of travellers, on payment to the proprietor of such sum of money as compensation as may be determined by arbitration; Provided that the arbitrators may set off against the loss or damage caused to the proprietor, the benefit, instant or prospective, which he shall or may derive in consequence of the construction of any of the said works.
4. That the Governor-General shall at all times have the right of resuming the whole or a portion of the said land, if required for public purposes, in payment to the proprietor of such sum of money in compensation as may be mutually agreed upon by the parties concerned, or failing such agreement as may be determined by arbitration.
5. That all rights to gold, silver, and precious stones found or discovered at any time on or in the said land shall be reserved to the Crown, together with a right of ingress to and egress from any mines or works undertaken for mining or prospecting purposes by any person or persons authorised by the Minister; but subject always to the provisions of any law for the time being regulating the prospecting and mining for precious stones and minerals.
6. That all rights to minerals, mineral products, mineral oils, and precious stones, precious or base metals on or under the land hereby granted are expressly reserved to the Crown together with the right of access to any mines or works undertaken for mining or prospecting purposes by any person duly authorised in that behalf. The land is subject to such further rights as the public or the government now, may, or may hereafter have or be entitled to obtain under or by virtue of any law relating to the prospecting, digging, mining or exploitation of minerals, mineral products, mineral oils, precious stones, precious or base metals, on or under the land hereby granted, which rights shall not be impaired or in any way affected by the title-deed.



- B. **SUBJECT** further to the terms of the following endorsement dated 27 April 1987 on Deed of Grant dated 13 December 1922 (Paarl Quilrents Volume 7 NO. 3):

Two Portions of the hereinmentioned property together measuring  $\pm$  330 square metres has been expropriated by Divisional Council Paarl in terms of Section 27 of Roads Ordinance 19/1976.

Vide Notice of Expropriation No. RMR 7/2/23 dated 13/4/87 Filed as exprop. caveat EX 344/87 plans in duplicate filed Ex 344/87.

- (ii) **AS REGARDS** the figure DEgedb said Diagram No. 2863/2003:

- A. **SUBJECT** to the conditions referred to in Deed of Transfer No. T 9363/1906.

- B. **SUBJECT FURTHER** to the following condition contained in Deed of Grant dated 26 June 1923 (Paarl Quilrents Volume 7 No. 5):

"The land hereby granted is further subject to such servitudes and encumbrances as are registered against the said Deed of Transfer or prior Deeds of Transfer, in so far as they may effect the land hereby granted."

- C. **BY Notarial Deed No. K 190/2001S ENTITLED to:-**

1. A water pipeline servitude 2,00 metres wide, the north western boundary whereof is represented by the line w1x1y1G on Diagram No. 3176/2000 annexed to Deed of Transfer No. T 17276/ 2001

2



together with a general right of way to gain access to the said pipeline servitude over Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl in extent 102,4981 Hectares held by Deed of Transfer No. T 17276/ 2001.

2. A water pipeline servitude 2,00 metres wide the western boundary whereof is represented by the line bodegh on Diagram No. 3179/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares held by Deed of Transfer No. T 17276/ 2001.

- 3.1. A pipeline servitude 2 metres wide the north western boundary whereof is represented by the line Aa on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

- 3.2. A pipeline servitude 2 metres wide the north eastern boundary whereof is represented by the line ab on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

- 3.3. A pipeline servitude 2 metres wide the south western boundary whereof is represented by the line AM on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001

9



together with a general right of way to gain access to the said pipeline servitudes, over Portion 1 of the Farm No. 1632, Stellenbosch Municipality, Division of Paarl, in extent 4274 square metres held by Deed of Transfer No. T 17276/ 2001

Subject to conditions as will more fully appear from said Notarial Deed.

(iii) **AS REGARDS** the figures **ABCf1E1DgEFja** and **1F1G1L1M** on said Diagram No. 2863/2003:

**A. SUBJECT** to the conditions referred to in Deed of Transfer No. T 11413/1897.

**B. SUBJECT FURTHER** to the terms of the following endorsement dated 27 April 1987 on Deed of Transfer No. T 2582/1902:

Endorsement in terms of Section 31(6) of Act No. 47 of 1937, as amended:

"A portion of the hereinmentioned property in Para 26 measuring  $\pm$  1412 square metres has been expropriated by Paarl Divisional council in terms of Section 27 of the Roads Ordinance 19 of 1976.

Vide Notice of Expropriation No. RMR 7/2/22 .d.d 13/4/1987 filed as exprop caveat Ex 342/87. Plans in duplicate filed EX 342/87.

9

C. BY Notarial Deed No. K 190/2001S ENTITLED to:-

1. A water pipeline servitude 2,00 metres wide, the north western boundary whereof is represented by the line w1x1y1G on Diagram No. 3176/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl in extent 102,4961 Hectares held by Deed of Transfer No. T 17276/ 2001.

2. A water pipeline servitude 2,00 metres wide the western boundary whereof is represented by the line bdefgh on Diagram No. 3179/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares held by Deed of Transfer No. T 17276/ 2001.

- 3.1. A pipeline servitude 2 metres wide the north western boundary whereof is represented by the line Aa on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

- 3.2. A pipeline servitude 2 metres wide the north eastern boundary whereof is represented by the line ab on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.





3.3. A pipeline servitude 2 metres wide the south western boundary whereof is represented by the line AM on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain access to the said pipeline servitudes, over Portion 1 of the Farm No. 1632, Stellenbosch Municipality, Division of Paarl, in extent 4274 square metres held by Deed of Transfer No. T 17276/2001

Subject to conditions as will more fully appear from said Notarial Deed.

(iv) **AS REGARDS** the figures FGHSJ, 1G1H1J1K1L, 1m1ny1g1fW, 1e1f1g, 1pkLmn1q, LM1zm, tPwusr, rsuvyz and uwQRSTU1c1b1a on said Diagram No. 2863/2003:

**A. SUBJECT** to the conditions referred to in Deed of Transfer No. T 11413/1897.

**B. SUBJECT FURTHER** to the servitude referred to in the following endorsement dated 17 March 1931 on Deed of Transfer No. T 2582/1902:

The within described land is subject to a servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District No. 1) dated 13 May 1921 as will more fully appear on reference to the copy of the said Order, filed with Transfer No. T 8939/1899.



C. BY Notarial Deed No. K 190/2001S ENTITLED to:-

1. A water pipeline servitude 2,00 metres wide, the north western boundary whereof is represented by the line w1x1y1G on Diagram No. 3176/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl in extent 102,4981 Hectares held by Deed of Transfer No. T 17276/ 2001.

2. A water pipeline servitude 2,00 metres wide the western boundary whereof is represented by the line bcdefgh on Diagram No. 3179/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares held by Deed of Transfer No. T 17276/ 2001.

- 3.1. A pipeline servitude 2 metres wide the north western boundary whereof is represented by the line Aa on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

- 3.2. A pipeline servitude 2 metres wide the north eastern boundary whereof is represented by the line ab on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

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3.3. A pipeline servitude 2 metres wide the south western boundary whereof is represented by the line AM on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain access to the said pipeline servitudes, over Portion 1 of the Farm No. 1632, Stellenbosch Municipality, Division of Paarl, in extent 4274 square metres held by Deed of Transfer No. T 17276/2001

Subject to conditions as will more fully appear from said Notarial Deed.

(v) AS REGARDS the figures vx1dV1e, nmpqrz1q and m1zNtrpq on said Diagram No. 2863/2003:

A. SUBJECT to the conditions referred to in Deed of Transfer No. T 11413/1897.

B. By Notarial Deed No. K 190/2001S the above property is ENTITLED to:

1. A water pipeline servitude 2,00 metres wide, the north western boundary whereof is represented by the line w1x1y1G on Diagram No. 3176/2000 annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain access to the said pipeline servitude over Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl in extent 102,498 Hectares held by Deed of Transfer No. T 17276/2001.

2. A water pipeline servitude 2,00 metres wide the western boundary whereof is represented by the line bcdefgh on Diagram No. 3179/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares held by Deed of Transfer No. T 17276/ 2001.

- 3.1. A pipeline servitude 2 metres wide the north western boundary whereof is represented by the line Aa on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

- 3.2. A pipeline servitude 2 metres wide the north eastern boundary whereof is represented by the line ab on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

- 3.3. A pipeline servitude 2 metres wide the south western boundary whereof is represented by the line AM on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain access to the said pipeline servitudes, over Portion 1 of the Farm No. 1632, Stellenbosch Municipality, Division of Paarl, in extent 4274 square metres held by Deed of Transfer No. T 17276/ 2001

Subject to conditions as will more fully appear from said Notarial Deed.

l



(vi) **AS REGARDS** the figure xu1a1b1c1d on said Diagram No. 2863/2003:

A. **SUBJECT** to the conditions referred to in Deed of Transfer No. T 11413/1897.

B. **SUBJECT FURTHER** to the servitude referred to in the following endorsement dated 17 March 1931 on Deed of Transfer No. T 2582/1902:

The within described land is subject to a servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District No. 1) dated 13 May 1921 as will more fully appear on reference to the copy of the said Order, filed with Transfer No. T 8939/1899.

C. **SUBJECT FURTHER** to the terms of the following endorsement dated 15 October 1995 on Deed of Transfer No. T 2582/1902.

Endorsement in terms of Section 13(3) of Act 28/1969 (National Monuments Act).

In terms of Section 10(1) of Act 28/1969, the Dwelling-house known as Rhone and its historic outbuildings together with a surrounding area bounded to the different directions as more fully set out in proclamation referred to herein, has been proclaimed a National Monument by Proclamation No. 476 dated 16.3.79 as published in Government Gazette No. 6348/79.

For further particulars refer to said Proclamation from the Director N.M.C. on File A.C. 6/3/3/16 - (24/4/6/16).

2

D. BY Notarial Deed No. K 190/2001S ENTITLED to:-

1. A water pipeline servitude 2,00 metres wide, the north western boundary whereof is represented by the line w1x1y1G on Diagram No. 3176/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl in extent 102,4981 Hectares held by Deed of Transfer No. T 17276/ 2001.

2. A water pipeline servitude 2,00 metres wide the western boundary whereof is represented by the line bodefgh on Diagram No. 3179/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares held by Deed of Transfer No. T 17276/ 2001.

- 3.1. A pipeline servitude 2 metres wide the north western boundary whereof is represented by the line Aa on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

- 3.2. A pipeline servitude 2 metres wide the north eastern boundary whereof is represented by the line ab on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.





- 3.3. A pipeline servitude 2 metres wide the south western boundary whereof is represented by the line AM on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain access to the said pipeline servitudes, over Portion 1 of the Farm No. 1632, Stellenbosch Municipality, Division of Paarl, in extent 4274 square metres held by Deed of Transfer No. T 17276/2001

Subject to conditions as will more fully appear from said Notarial Deed.

(vii) **AS REGARDS** the figure HJKk1p1n1mXY1r on said Diagram No. 2863/2003:

- A. **SUBJECT** to the conditions referred to in Deed of Transfer No. T 11413/1897.
- B. **SUBJECT FURTHER** to the following endorsement dated 17 November 1976 on Deed of Transfer No. T 2582/1902:

Endorsement in terms of Section 13(3) of Act 28 of 1969:

In terms of Section 10(1) of Act 28 of 1969 the historic Boschendal homestead at Groot-Drakenstein, bounded by the ringwall on the southern, western and north sides by the historic water furrow on the Eastern side including the manor-house and ringwall as well as all the other outbuildings and structures herein, measuring 55 morgen and 450 square roods situated on the property in para 38 herein has been proclaimed a national monument by proclamation No. 2044 dated 5-11-76 published in the Government Gazette of the same date.

For further particulars refer to said proclamation and Minute No. RNG 10/2/467 dated 12.11.76 from the Director of Archives, Pretoria filed in file 24.4.6.16.

**C. BY Notarial Deed No. K 190/2001S ENTITLED to:-**

1. A water pipeline servitude 2,00 metres wide, the north western boundary whereof is represented by the line w1x1y1G on Diagram No. 3176/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl in extent 102,4981 Hectares held by Deed of Transfer No. T 17276/ 2001.

2. A water pipeline servitude 2,00 metres wide the western boundary whereof is represented by the line bdefgh on Diagram No. 3179/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares held by Deed of Transfer No. T 17276/ 2001.

- 3.1. A pipeline servitude 2 metres wide the north western boundary whereof is represented by the line Aa on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

*[Handwritten signature]*



3.2. A pipeline servitude 2 metres wide the north eastern boundary whereof is represented by the line ab on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

3.3. A pipeline servitude 2 metres wide the south western boundary whereof is represented by the line AM on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain access to the said pipeline servitudes, over Portion 1 of the Farm No. 1632, Stellenbosch Municipality, Division of Paarl, in extent 4274 square metres held by Deed of Transfer No. T 17276/2001

Subject to conditions as will more fully appear from said Notarial Deed.

(viii) AS REGARDS the figure 1r1s1t on said Diagram No. 2863/2003:

A. SUBJECT to the conditions referred to in Deed of Transfer No. T 11413/1897.

B. SUBJECT FURTHER to the terms of the following endorsement dated 27 April 1987 on Deed of Transfer No. T 2582/1902:

Endorsement in terms of Section 31(6) of Act No. 47 of 1937, as amended:

"A portion of the hereinmentioned property in Para 26 measuring  $\pm$  2281 square metres has been expropriated by Paarl Divisional council in terms of Section 27 of the Roads Ordinance 19 of 1976.

P

Vide Notice of Expropriation No. RMR 7/2/22 .d.d 13/4/1987 filed as exprop caveat Ex 342/87. Plans in duplicate filed EX 342/87.

**C. BY Notarial Deed No. K 190/2001S ENTITLED to:-**

1. A water pipeline servitude 2,00 metres wide, the north western boundary whereof is represented by the line w1x1y1G on Diagram No. 3176/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl in extent 102,4981 Hectares held by Deed of Transfer No. T 17276/ 2001.

2. A water pipeline servitude 2,00 metres wide the western boundary whereof is represented by the line bcdefgh on Diagram No. 3179/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares held by Deed of Transfer No. T 17276/ 2001.

- 3.1. A pipeline servitude 2 metres wide the north western boundary whereof is represented by the line Aa on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

l



3.2. A pipeline servitude 2 metres wide the north eastern boundary whereof is represented by the line ab on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

3.3. A pipeline servitude 2 metres wide the south western boundary whereof is represented by the line AM on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain access to the said pipeline servitudes, over Portion 1 of the Farm No. 1632, Stellenbosch Municipality, Division of Paarl, in extent 4274 square metres held by Deed of Transfer No. T 17276/2001

Subject to conditions as will more fully appear from said Notarial Deed.

(ix) **AS REGARDS the figure as1t1sZ1A on said Diagram No. 2863/2003:**

**A. SUBJECT** to the conditions referred to in Deed of Transfer No. T 11413/1897.

**B. SUBJECT FURTHER** to the following conditions contained in Certificate of Registered title No. T 17275/2001 imposed imposed by the Controlling Authority in terms of Section 11(6) of Act No. 21 of 1940 when approving the subdivision of the Farms No. 1631 and 1632, Division of Paarl:



1. the property may not be subdivided without the written approval of the Controlling authority as defined in Act 21/1940;
2. no building and additions thereto apart from those in existence on the property at the date of transfer shall be erected or undertaken without the written approval of the Controlling Authority as defined in terms of Act 21/1940;
3. no store or place of business whatsoever apart from those in existence on the date of transfer may be opened or conducted on the property without the written approval of the Controlling Authority as defined in terms of Act 21/1940;
4. no building or structure whatsoever apart from those in existence on the date of transfer shall be erected within a distance of 95 metres from the centreline of Main Road 172 and 191 without the written approval of the Controlling authority as defined in Act 21/1940.

**7. PORTION 12 OF THE FARM BOSCHENDAL NO. 1674, IN THE  
STELLENBOSCH MUNICIPALITY, DIVISION OF PAARL,  
WESTERN CAPE PROVINCE**

**IN EXTENT : 188,3148 (ONE HUNDRED AND EIGHTY EIGHT  
COMMA THREE ONE FOUR EIGHT) HECTARES**

**FIRST REGISTERED** and still held by Certificate of Registered Title  
No. T 17497/2004 with Diagram No. 2864/2003 relating  
thereto.

- (i) **AS REGARDS the figures kKmnABChj and 3TrMNuts on  
said Diagram No. 2864/2003:**
- l



**Annexure D:**

Conveyancer's Certificate



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### CONVEYANCER CERTIFICATE

1/We Lucille Geldenhuys

(conveyancer's name and surname)

Practising at:

1st Floor Merlot House, Brandwacht  
Office Park, Trumali Street, Stellenbosch  
7600

(firm and place of practice)

In respect of:

Portion 10 of the farm Boskuenderaal No.  
1674, in the Stellenbosch Municipality,  
Division Paarl, Western Cape Province,  
in extent 106,6539 hectares

(full property description (est / farm) as it appears 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. T17501/2004
2. T17497/2004
3. \_\_\_\_\_
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)





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="radio"/> Y           | <input type="radio"/> N            | T17501/2004 (ix)(B)(3)                                                               |
| 2.         | Building lines                                                      | <input checked="" type="radio"/> Y           | <input type="radio"/> N            | T17501/2004 (ix)(B)(4)                                                               |
| 3.         | Height                                                              | <input type="radio"/> Y                      | <input checked="" type="radio"/> N |                                                                                      |
| 4.         | Number of Dwellings                                                 | <input type="radio"/> Y                      | <input checked="" type="radio"/> N |                                                                                      |
| 5.         | Bulk floor area                                                     | <input type="radio"/> Y                      | <input checked="" type="radio"/> N |                                                                                      |
| 6.         | Coverage/built upon area                                            | <input type="radio"/> Y                      | <input checked="" type="radio"/> N |                                                                                      |
| 7.         | Subdivision                                                         | <input checked="" type="radio"/> Y           | <input type="radio"/> N            | T17501/2004, condition (ix)(B)(1)                                                    |
| 8.         | Servitudes that may be registered over or in favour of the property | <input checked="" type="radio"/> Y           | <input type="radio"/> N            | T17501/2004, entitled to pipeline servitudes over various properties                 |
| 9.         | Other Restrictive Conditions                                        | <input checked="" type="radio"/> Y           | <input type="radio"/> N            | T17501/2004, condition (vii)(B) + (vi)(C)<br>Condition (i)(B)<br>Condition (viii)(B) |



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

In respect of which it was found that there ~~was~~ 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                                                        | Heritage Committee |
| b. A person whose rights or legitimate expectations will be affected by the removal/suspension/amendment of a restriction condition. | N/A                |
| c. All persons mentioned in the deed for whose benefit the restrictive condition applies                                             | N/A                |

## C. PROCESS BY WHICH RELEVANT CONDITIONS WILL BE ADDRESSED

(Please tick appropriate box)

| Application in terms of Section 15 of the Stellenbosch Municipal Land Use Planning By-Law (2015) | Notarial Deed of Cancellation (Submit Copy of Signed Agreement) | Action by way of court order (Submit Copy of the Court Order) | If Other, Please Specify |
|--------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|---------------------------------------------------------------|--------------------------|
|--------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|---------------------------------------------------------------|--------------------------|

Signed at Stellenbosch (Place) on this 29 (Day) August (Month) of 2019

Full names and Surname: Lucille Geldenhuys

Signature: [Signature]

PO Box 12669  
Die Baai  
7613

Firm Postal Address:

**LUCILLE GELDENHUYS ATTORNEYS**  
**LUCILLE GELDENHUYS**  
DEPUTY MINISTER OF OATHS/NOTARY  
PUBLIC/DEPUTY MINISTER OF OATHS/NOTARY  
PUBLIC  
DRIVE/MAIN OFFICE/PRIV. TRUMALI STREET  
STELLENBOSCH, WESTERN CAPE PROVINCE  
REPUBLIC OF SOUTH AFRICA  
CELL: 083 232 4507

Tel: 021 8879449

Email: Lucy@Geldenhuys-co.za

Cell: 0832324507



**Annexure E:**

**SG Diagram and Noting Sheet**

**Dgm. No.2863/2003**

**DUMMY TRIPLICATE**

**Designation : portion 10 of the farm no 1674  
Paarl**

**NOW file as: PLAN 2863/2003**



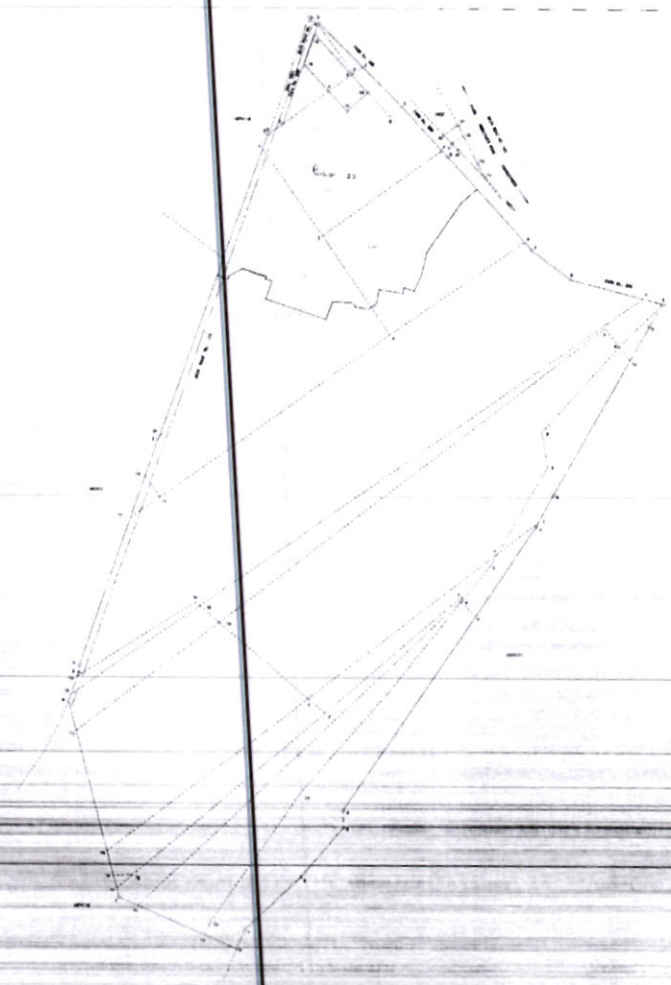
2863/2003

PLAN NO: 2863/2003

| NO. | AREA (SQ. M.) | AREA (SQ. YD.) | AREA (SQ. FT.) | AREA (SQ. IN.) | AREA (SQ. CM.) | AREA (SQ. MM.) | AREA (SQ. MIC.) |
|-----|---------------|----------------|----------------|----------------|----------------|----------------|-----------------|
| 1   | 100.00        | 121.37         | 107.64         | 10764.00       | 1076400.00     | 107640000.00   | 10764000000.00  |
| 2   | 200.00        | 242.74         | 215.28         | 21528.00       | 2152800.00     | 215280000.00   | 21528000000.00  |
| 3   | 300.00        | 364.11         | 322.92         | 32292.00       | 3229200.00     | 322920000.00   | 32292000000.00  |
| 4   | 400.00        | 485.48         | 430.56         | 43056.00       | 4305600.00     | 430560000.00   | 43056000000.00  |
| 5   | 500.00        | 606.85         | 538.20         | 53820.00       | 5382000.00     | 538200000.00   | 53820000000.00  |
| 6   | 600.00        | 728.22         | 646.88         | 64688.00       | 6468800.00     | 646880000.00   | 64688000000.00  |
| 7   | 700.00        | 849.59         | 759.52         | 75952.00       | 7595200.00     | 759520000.00   | 75952000000.00  |
| 8   | 800.00        | 970.96         | 862.16         | 86216.00       | 8621600.00     | 862160000.00   | 86216000000.00  |
| 9   | 900.00        | 1092.33        | 974.80         | 97480.00       | 9748000.00     | 974800000.00   | 97480000000.00  |
| 10  | 1000.00       | 1213.70        | 1076.44        | 107644.00      | 10764400.00    | 1076440000.00  | 107644000000.00 |

PORTION TO OF THE FARM NO. 1674 BOSCHENAL

Notes: 1. All areas are in square meters. 2. All areas are in square feet. 3. All areas are in square inches. 4. All areas are in square centimeters. 5. All areas are in square millimeters. 6. All areas are in square micrometers.



Scale 1:2500

North Arrow

T N

| NO. | AREA (SQ. M.) | AREA (SQ. YD.) | AREA (SQ. FT.) | AREA (SQ. IN.) | AREA (SQ. CM.) | AREA (SQ. MM.) | AREA (SQ. MIC.) |
|-----|---------------|----------------|----------------|----------------|----------------|----------------|-----------------|
| 1   | 100.00        | 121.37         | 107.64         | 10764.00       | 1076400.00     | 107640000.00   | 10764000000.00  |
| 2   | 200.00        | 242.74         | 215.28         | 21528.00       | 2152800.00     | 215280000.00   | 21528000000.00  |
| 3   | 300.00        | 364.11         | 322.92         | 32292.00       | 3229200.00     | 322920000.00   | 32292000000.00  |
| 4   | 400.00        | 485.48         | 430.56         | 43056.00       | 4305600.00     | 430560000.00   | 43056000000.00  |
| 5   | 500.00        | 606.85         | 538.20         | 53820.00       | 5382000.00     | 538200000.00   | 53820000000.00  |
| 6   | 600.00        | 728.22         | 646.88         | 64688.00       | 6468800.00     | 646880000.00   | 64688000000.00  |
| 7   | 700.00        | 849.59         | 759.52         | 75952.00       | 7595200.00     | 759520000.00   | 75952000000.00  |
| 8   | 800.00        | 970.96         | 862.16         | 86216.00       | 8621600.00     | 862160000.00   | 86216000000.00  |
| 9   | 900.00        | 1092.33        | 974.80         | 97480.00       | 9748000.00     | 974800000.00   | 97480000000.00  |
| 10  | 1000.00       | 1213.70        | 1076.44        | 107644.00      | 10764400.00    | 1076440000.00  | 107644000000.00 |

Notes: 1. All areas are in square meters. 2. All areas are in square feet. 3. All areas are in square inches. 4. All areas are in square centimeters. 5. All areas are in square millimeters. 6. All areas are in square micrometers.

**Annexure F:**

Minutes of Pre-application Meeting dated 29 May 2019



**PRE-APPLICATION MEETING: BOCHENDAL ESTATE (BE)**  
**PROPOSED LAND USE APPLICATION – FARM 1674/10 - OLIVE PRESS**

**PRE APPLICATION MEETING No 1**

**Date:** Wednesday, 29 May 2019  
**Time:** 11h00 – 11h30  
**Venue:** 3rd Floor Boardroom, Eikestad Mall, Stellenbosch  
**Pages:** 2 (including this page)

| Name          |    | Organisation                      | Email                            |
|---------------|----|-----------------------------------|----------------------------------|
| Nisa Mammon   | NM | NM & Associates (NMA)             | nisa@visionplan.co.za            |
| Jody Paterson | JP | NM & Associates (NMA)             | jody@visionplan.co.za            |
| Robert Fooy   | RF | SM: Land Use Management (SM: LUM) | Robert.Fooy@ Stellenbosch.gov.za |

**1. Welcome and Introduction**

|     | Notes                                                                                                                                                                                                                                               | Action  |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| 1.1 | NM thanked RF for making the time to meet with NMA and introduced JP to RF.                                                                                                                                                                         | To note |
| 1.2 | NM gave a brief overview of the background to Olive Press located on Farm 1674/10 at Boschendal Estate (BE) stating that it presently has a temporary departure in place for a functions venue, in terms of LUPO which expires on 02 December 2019. | To note |
| 1.3 | NM stated that the BE wishes to establish a permanent use right on the property for Olive Press as a functions venue.                                                                                                                               | To note |

**2. Application/s being made**

|     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 2.1 | Application is being made in terms of LUPA (regulation), Section 8.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | NMA for attention |
| 2.2 | RF advised that it is very likely that the SM: ZS By-law will be approved by Council today (29 May 2019). NM can confirm this with RF via email.                                                                                                                                                                                                                                                                                                                                                                                                                                                        | NMA               |
| 2.3 | Assuming the ZS is approved, application will be made in terms of LUPA, using the ZS By-law parameters. This would mean either an additional use (SDP) application within an Agriculture Zone or if the total floor area exceeds the threshold i.e. > 2000m <sup>2</sup> for the entire Portion (not only Olive Press component), including all existing structures; then a consent use application will be required. RF stated that in the application of the ZS By-law, the applicant and SM: LUM will be taking things step by step and learn together with applicants, to implement the new scheme. | To note           |
| 2.4 | RF advised NMA to peruse the latest version of the ZS By-law as Chapter 20 pertaining to the Agriculture and Rural Zone in particular, was revised. Copies are available on the SM's website.                                                                                                                                                                                                                                                                                                                                                                                                           | NMA for attention |
| 2.5 | NM asked what the application would be should the ZS By-law not be                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | NMA to note       |



|                                   |                                                                                                                                                                                                                                                     |                   |
|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
|                                   | approved? RF stated that a new temporary departure application in terms of LUPA be made. If approved, this temporary departure will automatically be converted to an additional use or consent use once the ZS By-law is approved.                  |                   |
| 2.6                               | RF stated that as long as the application is submitted before the expiry date of 02 December 2019 even if not decided by then, the use may continue.                                                                                                | To note           |
| 2.7                               | RF confirmed that Olive Press will be a stand-alone application and the Draft CF for the BE will not be a requirement of this application.                                                                                                          | NMA to note       |
| <b>3. Application Information</b> |                                                                                                                                                                                                                                                     |                   |
| 3.1                               | RF advised that the old report and annexures to be appended to the new application.                                                                                                                                                                 | NMA to note       |
| 3.2                               | RF also advised that a new Conveyancer's Certificate be obtained as SM only accepts certificates dated up to 6 months prior to the application being submitted.                                                                                     | NMA to note       |
| 3.3                               | RF noted that the building plan must also be regularised or that an approved building plan will be requested as a condition of approval.                                                                                                            | NMA to note       |
| 3.4                               | RF stated that updated information such as a new TIS, only be submitted if requested by SM.                                                                                                                                                         | NMA to note       |
| 3.5                               | An SDP is required. The existing one can be used with additional drawings / photographic evidence that no additions / alterations have been made since the temporary departure was approved in 2014.                                                | NMA for attention |
| 3.6                               | Bulk infrastructure contributions will be payable.                                                                                                                                                                                                  | To note           |
| 3.7                               | The 2014 HWC letter is sufficient for the application and must be appended to the application.                                                                                                                                                      | NMA for attention |
| 3.8                               | NM stated that DEADP confirmed that no EIA is required in terms of NEMA provided that there are no changes since the 2014 temporary departure application was approved. NM will attach minutes of meeting held with DEADP where this was confirmed. | RF to note        |
| <b>4. General</b>                 |                                                                                                                                                                                                                                                     |                   |
| 4.1                               | RF advised that the SM will be conducting an audit of farms to record all buildings and activities after the ZS By-law has been approved.                                                                                                           |                   |

Notes recorded by Nisa Mammon of NM & Associates.



**Appendix 1:**

Olive Press Temporary Departure Approval Letter (05 October 2021) and Final  
Notification Letter (24 February 2023)



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INNOVATION CAPITAL • ISIXEKO ESIZA NENQUQU • INNOVASIESTAD

Application Number: LU/10322

Our File Reference Number: Farm 1674/10, Paarl

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 808 8682

Email address: [Ulrich.VonMolendorff@stellenbosch.gov.za](mailto:Ulrich.VonMolendorff@stellenbosch.gov.za)

PER E-MAIL: [niso@visionplan.co.za](mailto:niso@visionplan.co.za)

Madam,

## APPLICATION FOR TEMPORARY DEPARTURE: FARM 1674/10, PAARL DIVISION

1. This Municipality's decision letter dated 05/10/2021, refers.
2. Approval was granted for a Temporary Departure to use an existing barn on Portion 10 of Farm 1674, Paarl as a Function Venue with an outside seating area. The internal comment / memorandum received from the Development Infrastructure Services department, during the advertising period, required the applicant to pay a development contribution which was incorrect, as no development contribution is applicable in respect of Temporary Departure applications in terms of Council Development Contribution Tariff / Policy.
3. Attached, please find the revised comments dated 11/02/2021 received from the Development Infrastructure Services department for your information.
4. You may now act on the above decision subject to compliance with the conditions of approval.

Yours faithfully

FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

DATE: 24/2/2023







**STELLENBOSCH MUNICIPALITY**  
STELLENBOSCH·PNIEL·FRANSCHHOEK

# **MEMORANDUM**

**DIREKTEUR: INGENIEURSDIENSTE**  
**DIRECTORATE: INFRASTRUCTURE SERVICES**

---

|                             |                                                                           |
|-----------------------------|---------------------------------------------------------------------------|
| <b>To » Aan:</b>            | <b>Director; Planning + Economic Development</b>                          |
| <b>Aff. Aandag:</b>         | <b>N Kats</b>                                                             |
| <b>From » Van:</b>          | <b>Abdullah Daniels (Development)</b>                                     |
| <b>Date » Datum:</b>        | <b>11/02/2021</b>                                                         |
| <b>Our Ref » Ons Verw.:</b> | <b>Civil Lu 1961</b>                                                      |
| <b>Re » Insake:</b>         | <b>Farm 1674/10 Boschendal estate Paarl division: Temporary departure</b> |

---

The application is for the following items:

Temporary departure to permit the use of existing barn as function venue of portion 10 of farm 1674, Paarl Division.

Comments from the Transport, Roads and Stormwater, Water Services, Traffic Engineering and Development Departments will be reflected in this memo and is to be regarded as development conditions to be reflected in the land-use approval.

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

**1. Water**

- 1.1 The quality of the water stored and distributed by the owner has to comply with SANS 241 Drinking Water Quality Standards. Current proof of compliance must be available on request.

**2. Waste Water and Sewage**

- 2.1 The use of Soak Aways are not allowed. Conservancy tanks or alternative solution must be provided; details and drainage layout plans must be provided at building plan stage.

**3. Solid Waste**

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

**4. Roads**

- 4.1 Refer to district roads engineer for comments and approval.

**5. General**

- 5.1 Civil engineering plans must be submitted before the construction of services.

**6. Electrical**

- 6.1 See annexure A for electrical comments



**ABDULLAH DANIELS**

**PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)**

V/S/O DEVELOPMENT/00 Developments/1998 (AD) Farm 1674-10 PAM (LU-10322)/1998 (AD) Farm 1674-10, Boedhendal Function  
Vimue.doc





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MUNISIPALITEIT • UMASHIPALA • MUNICIPALITY

Application Number: LU/10322

Our File Reference Number: Farm 1674/10, Paarl

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: [Ulrich.Vonmolendorff@stellenbosch.gov.za](mailto:Ulrich.Vonmolendorff@stellenbosch.gov.za)

PER E-MAIL: [nisa@visionplan.co.za](mailto:nisa@visionplan.co.za)

Sir / Madam

**APPLICATION FOR TEMPORARY DEPARTURE: FARM 1674/10, PAARL DIVISION**

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
  - 2.1 The application for a Temporary Departure in terms of section 152(c) of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, in order to permit the use of an existing barn (±600m²) for a function venue with an outside seating area of ±330m² which will accommodate ±200 persons on Farm 1674 Portion 10, Paarl Division

**BE APPROVED** in terms of Section 60 of the said bylaw, subject to conditions in terms of Section 66 of the said Bylaw.

**3. Conditions of approval:**

- 3.1 The approval applies only to the proposal under consideration as noted in the Site Development Plan as attached as **Annexure C**, dated: 11/09/2019; Plan No 1674-10-09-2021 and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.

3.2 That the building plans do not differ from the Site Development Plan attached as **Annexure C**, dated: 11/09/2019; Plan No: 1674-10-09-2021

3.3 That the conditions of approval as imposed by the Directorate Infrastructure Services in their Memo dated 11/02/2021 attached as **Annexure F**, be complied with.

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

4.1 The proposal will have no impact on the character of the area as an existing building is to be converted to a function venue with an outside seating area.

4.2 The proposed use of the building as function venue with an outside seating area will not alter the existing character of the area as the existing barn forms part of the existing "Werk" on the subject property and the use is ancillary to the primary agricultural land use.

4.3 The proposal will facilitate employment opportunities within the tourism sector.

4.4 The proposal will have no impact on the existing agricultural potential of the subject properties as an existing building will be used to accommodate the function venue with an outside seating area which is located within the existing farm "Werk".

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

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

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

(I) First names and surname;

(II) ID number;

(III) Company of legal person's name (if applicable);

(IV) Physical Address;

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

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

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



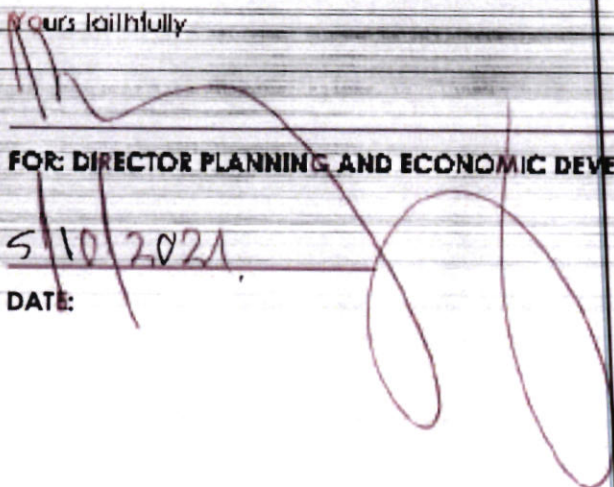
- (i) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 [Act 3 of 2000];
- (ii) grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.
- (d) whether the appeal is lodged against the whole decision or a part of the decision;
- (e) if the appeal is lodged against a part of the decision, a description of the part;
- (f) if the appeal is lodged against a condition of approval, a description of the condition;
- (g) the factual or legal findings that the appellant relies on;
- (h) the relief sought by the appellant; and
- (i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;
- (j) That the appeal includes the following declaration by the Appellant:
  - (i) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
  - (ii) That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.

7. 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](mailto:landuse.appeals@ Stellenbosch.gov.za)
8. 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 Frl/ Farm Number must be used as the reference for the payment of the appeal fee.
9. The approved tariff structure may be accessed and viewed on the municipal website [\[http://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs\]](http://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs) and the banking

details for the General Account can also be accessed on the municipal website (<https://www.stellenbosch.gov.za/documents/general/8314-stellenbosch-municipality-banking-details-1/file>).

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

Yours faithfully

  
\_\_\_\_\_  
**FOR: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT**

5/10/2021  
\_\_\_\_\_  
**DATE:**





**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

## **ANNEXURE C**





#### Olive Press

Proposed Permanent Use:  
Function Venue  
Indoor Area:  $\pm 575\text{m}^2$   
Outdoor Covered:  $\pm 330\text{m}^2$   
Total:  $\pm 905\text{m}^2$

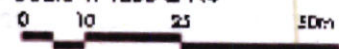
#### Key

- Application Area (Olive Press function venue) - as built  
(Source: Philip Brief Architecture, 2014)
- Access route for Olive Press off R310

Date: 11/09/2019

Plan No: 1674-10-D9-2021

Scale 1: 1000 @ A4



BOSCHENDAL  
OLIVE PRESS

HOUSE & SITE DEVELOPMENT PLAN







**STELLENBOSCH**

STELLENBOSCH • PNIEL • FRANSCHHOEK

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## ANNEXURE F



**STELLENBOSCH MUNICIPALITY**  
STELLENBOSCH · PNIEL · FRANSCHHOEK

# **MEMORANDUM**

**DIREKTEUR: INFRASTRUKTUURDIENSTE**  
**DIRECTORATE: INFRASTRUCTURE SERVICES**

---

|                            |                                                                  |
|----------------------------|------------------------------------------------------------------|
| <b>To - Aan:</b>           | <b>Director: Planning + Economic Development</b>                 |
| <b>Att Aandag</b>          | <b>N Kats</b>                                                    |
| <b>From - Van:</b>         | <b>Abdullah Daniels (Development)</b>                            |
| <b>Date - Datum:</b>       | <b>11/02/2021</b>                                                |
| <b>Our Ref - Ons Verw:</b> | <b>Civil Lu 1961</b>                                             |
| <b>Re - Insake:</b>        | <b>Farm 1674/4 Boschendal estate Paarl division: Consent use</b> |

---

The application is for the following items:

Consent use to permit the use of existing barn as function venue of portion 10 of farm 1674, Paarl Division.

Comments from the Transport, Roads and Stormwater, Water Services, Traffic Engineering and Development Departments will be reflected in this memo and is to be regarded as development conditions to be reflected in the land-use approval.

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

**1. Water**

- 1.1 The quality of the water stored and distributed by the owner has to comply with SANS 241 Drinking Water Quality Standards. Current proof of compliance must be available on request.

**2. Waste Water and Sewage**

- 2.1 The use of Soak Aways are not allowed. Conservancy tanks or alternative solution must be provided, details and drainage layout plans must be provided at building plan stage.

**3. Solid Waste**

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



**4. Roads**

- 4.1 Refer to district roads engineer for comments and approval

**5. Development Charges (DCs)**

- 5.1 Based on the information provided, the Development Charges payable by the developer is R722 754.42 (Vat incl.) as per attached Development Charges calculation.
- 5.2 The DC's were calculated for the 2020/2021 financial year. If the account is paid after 30 June 2021 it has to be recalculated using the then applicable tariffs.
- 5.3 The appropriate DC's are payable before a Clearance certificate can be issued

**6. General**

- 6.1 Civil engineering plans must be submitted before the construction of services.

**7. Electrical**

- 7.1 See annexure A for electrical comments.



**ABDULLAH DANIELS**

**PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)**

W:\2.0 DEVELOPMENT\00 Developments\1958 (AD) Farm 1674-4 Part (LU-10408)\Civil\1958 (AD) Farm 1674-4. Boschendal, 8  
collages.doc

**Appendix 2:**

Consent for Outdoor Dining Areas Approval Letter (09 November 2023)





# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/11084

Our File Reference Number: Farm 1674/10, Paarl

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: [Ulrich.Vonmolendorff@stellenbosch.gov.za](mailto:Ulrich.Vonmolendorff@stellenbosch.gov.za)

PER E-MAIL: [petergm@fibresky.co.za](mailto:petergm@fibresky.co.za)

Sir / Madam

## APPLICATION FOR PERMISSION REQUIRED IN TERMS OF SECTION 15(2)(1) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING ON FARM 1674/10, PAARL DIVISION

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

2.1 The application made in terms of Section 15(2)(a) of the Stellenbosch Land Use Planning By-Law, 2023, for a Consent Use to expand the existing tourist facilities in the form of an outside dining area within the waf of the existing Boschendal Homestead, a picnic area, 2 outdoor function facility and a new reception area for the existing tourist accommodation facilities within an existing building of ±150m<sup>2</sup> on Farm 1674/10, Paarl Division.

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

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

2.2.1 The approval only applies to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.

2.2.2 Building plans must be submitted for approval for all internal alterations and all new building work. The building plans must be generally in accordance with the Site Development Plan / Floor Layout Plan, attached as Annexure B, drawing no: 1674/10- PAARL-2022- PAGES 1 of 5.



2.2.3 The approval granted shall only be applicable to the areas denoted on the Site Development Plans attached as **Annexure B**, drawing no: 1674/10-PAARL-2022- PAGES 1 to 5.

2.2.4 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 land use.

2.2.5 The following conditions of approval as noted by the Directorate Infrastructure Services be complied with.

- i. The quality of the water stored and distributed by the owner has to comply with SANS 241 Drinking Water Quality Standards and proof of compliance must be available on request.
- ii. Conservancy tanks or alternative solution must be provided. details and drainage layout plans must be provided at building plan stage.
- iii. All solid waste must be removed from the site to a lawful solid waste disposal site in accordance with the requirements of section 26 of the National Environmental Management Waste Act 2008 (Act 59 of 2008).
- iv. Any changes to any existing civil engineering services of Stellenbosch Municipality are for the account of the owner.

2.2.6 Development contributions are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first property or submission of any building plans, whichever occurs first, or as may be agreed on in writing with the Director Infrastructure Services.

2.2.7 The conditions of approval as noted in the letter dated 10 February 2021 imposed by the Western Cape Government Department Transport & Public Works: Roads, attached as **Annexure C**, be complied with.

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

3.1 The proposal will ensure that the existing infrastructure is optimally used.

3.2 The proposal is located within the existing erf and is seen to be complimentary to the existing land uses already approved and located within the historical erf and on the farm.



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

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

4.1 The personal particulars of the Appellant, including:

- i. First names and surname
- ii. ID number
- iii. Company or legal person's name (if applicable)
- iv. Physical Address
- v. Contact details, including a Cell number and E-Mail address

4.2 Reference to this correspondence and the relevant property details on which the appeal is submitted.

4.3 The grounds of the appeal which may include the following grounds:

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

4.4 Whether the appeal is lodged against the whole decision or a part of the decision.

4.5 If the appeal is lodged against a part of the decision, a description of the part.

4.6 If the appeal is lodged against a condition of approval, a description of the condition

4.7 The factual or legal findings that the appellant relies on

4.8 The relief sought by the appellant.

4.9 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.

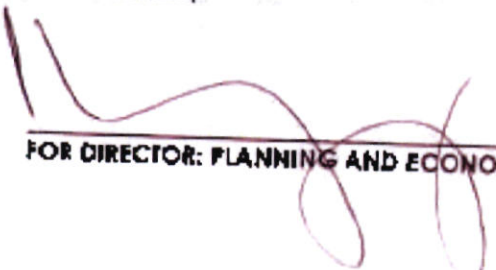
4.10 That the appeal includes the following declaration by the Appellant:

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



- ii. That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.
5. 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](mailto:landuse.appeals@stellenbosch.gov.za)
6. 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.
7. The 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](mailto:landuse.appeals@stellenbosch.gov.za)
8. 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.
9. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
10. 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

9/11/2023  
DATE

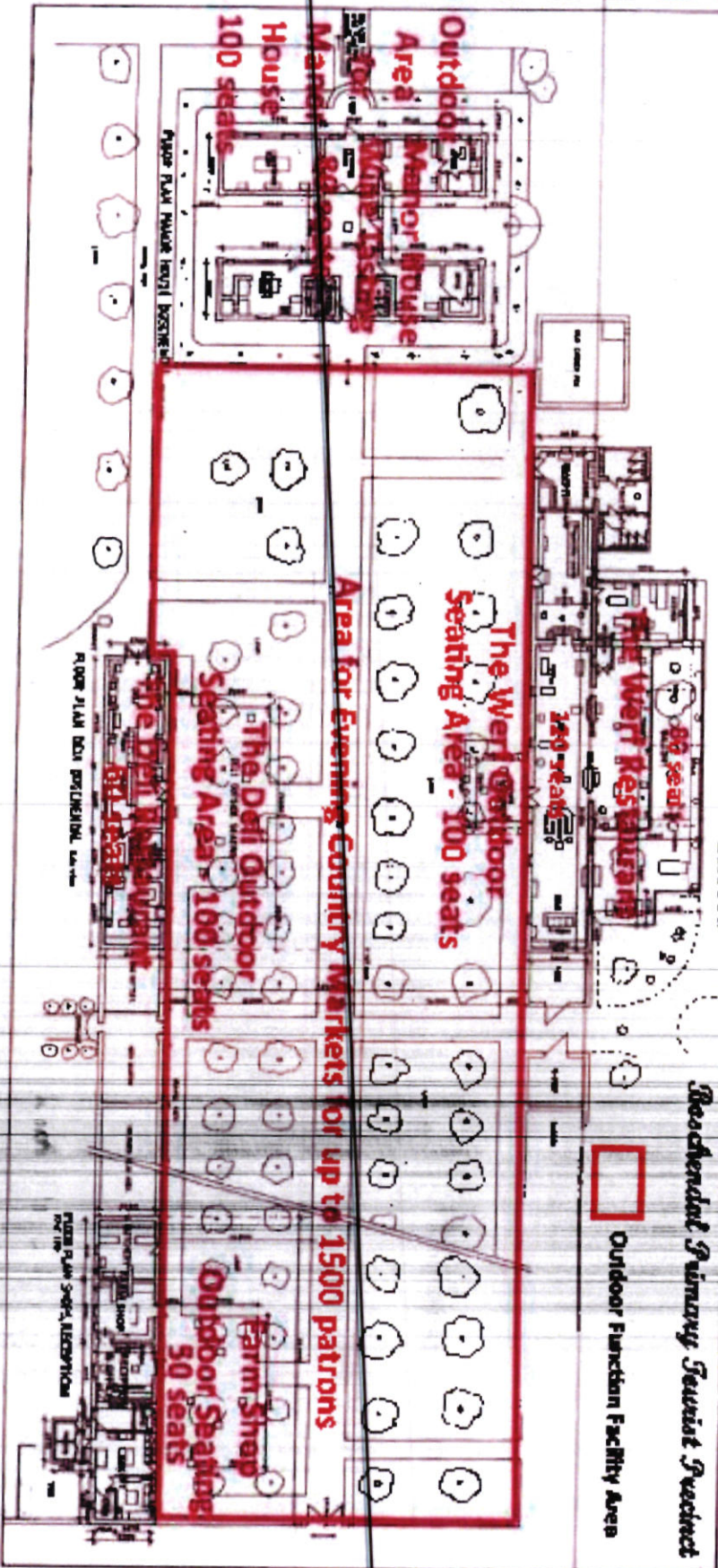


**ANNEXURE B**

[illegible]

Drawing No: 1674/10-PAARL-2022 - PAGE 1 of 5.

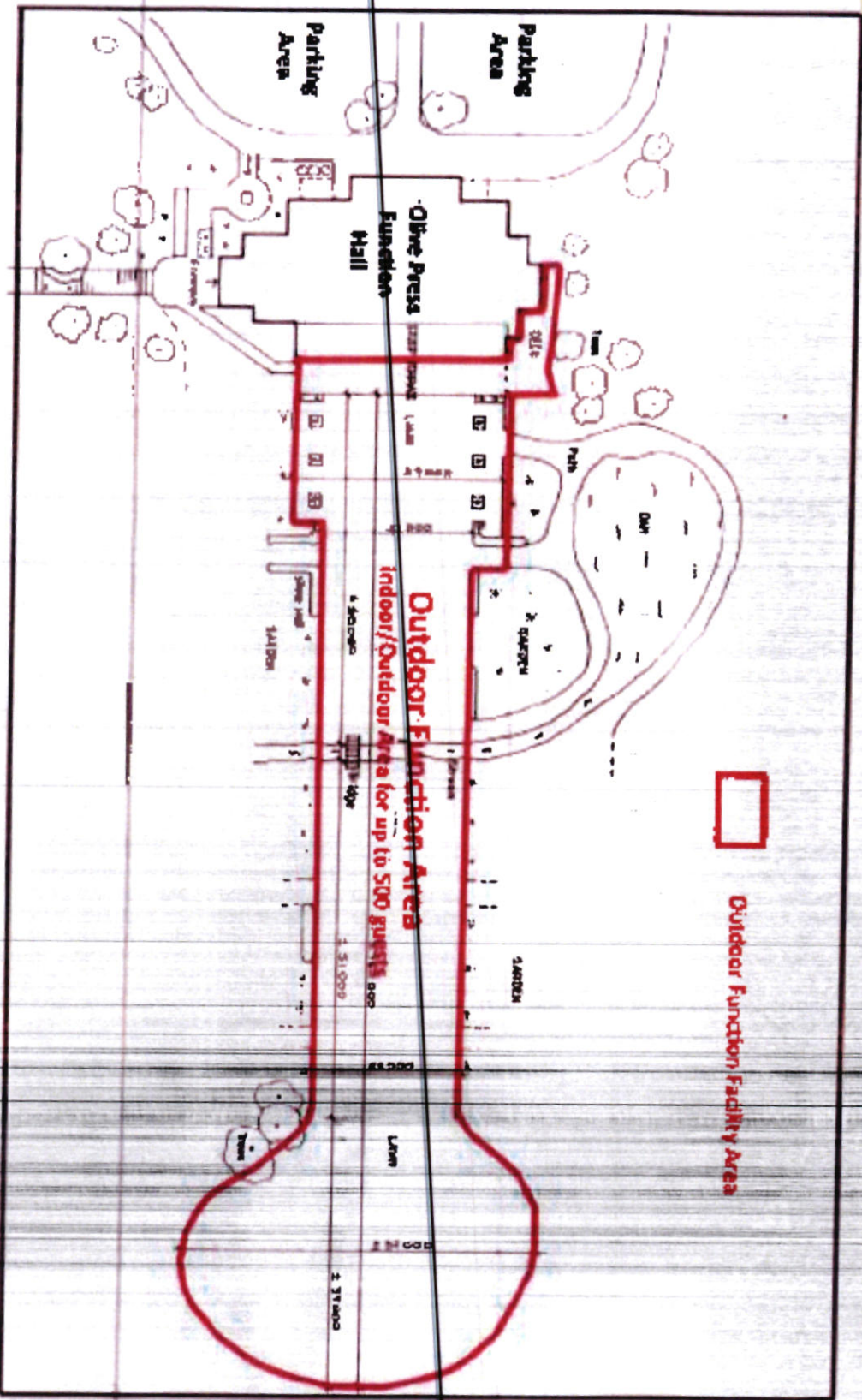












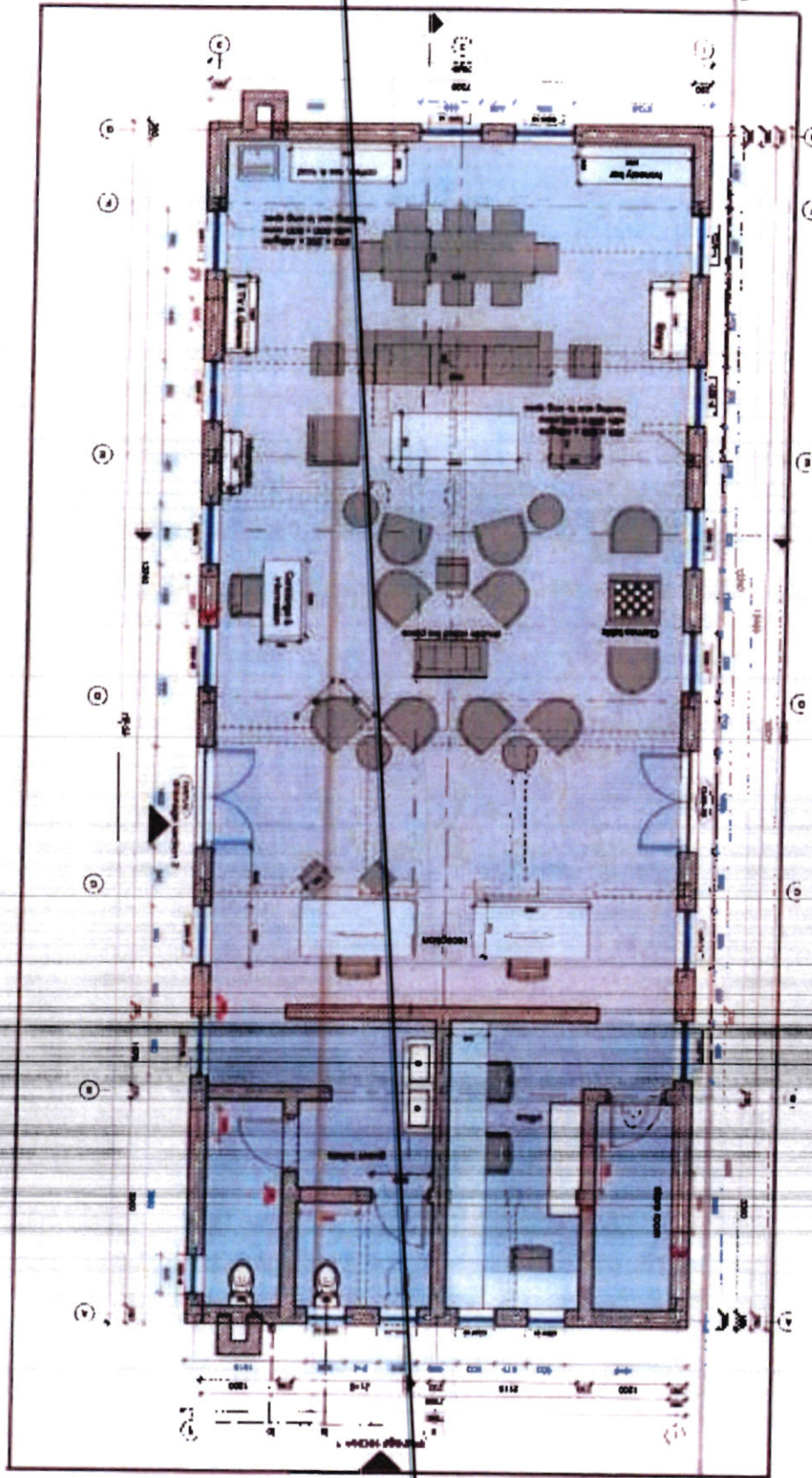
Outdoor Function Facility Area

Drawing No: 1674/10-PAARL-2022 - PAGE 4 of 5.

Olive Press Function Facility



# *New Reception Facility*



Drawing No: 1674/10-PAARL-2022 - PAGE 5 of 5.



# Untitled Map

Write a description for your map.

## Legend

- Boschendal
- Boschendal Accommodation
- Boschendal Farm Shop & Butchery
- Boschendal Wine Estate
- Boschendal Wine Estate
- Rose Garden Picnic at Boschendal
- The Olive Press at Boschendal
- The Werf Restaurant at Boschendal
- Tree house
- Werf Farm Picnic at Boschendal

Google Earth

100m



**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

## **ANNEXURE C**





# STELLENBOSCH MUNICIPALITY

STELLENBOSCH-PNIEL-FRANSCHHOEK

## MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE  
DIRECTORATE: INFRASTRUCTURE SERVICES

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|                     |                                                                      |
|---------------------|----------------------------------------------------------------------|
| To - Aan:           | Director: Planning + Economic Development                            |
| Att Aandag:         | Nicole Kerts                                                         |
| From - Van:         | Principal Technician: Development (Infrastructure Services)          |
| Author - Skrywer:   | Colin Taylor                                                         |
| Date - Datum:       | 6 January 2023                                                       |
| Our Ref - Ons Verw: | Civil LU 2318                                                        |
| Your Ref:           | LU/11054                                                             |
| Re - Insaake:       | Farm 1647/10, Paarl: Additional Use to expand the Tourist Facilities |

---

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

1. **Water**
  - 1.1 The quality of the water stored and distributed by the owner has to comply with SANS 241 Drinking Water Quality Standards. Current proof of compliance must be available on request.
2. **Waste Water and Sewage**
  - 2.1 The owner must dispose of the waste water and sewage in such a manner that it does not pollute any surface water, ground water, stormwater or create a health nuisance.
3. **Solid Waste**
  - 3.1 Please note: Solid waste must be removed from the site to a lawful solid waste disposal site in accordance with the requirements of section 26 of the National Environmental Management Waste Act 2008 (Act 59 of 2008).

**4. Roads**

- 4.1 The application has to be referred to the District Roads Engineer for comments and conditions.
- 4.2 All the conditions set by the District Roads Engineer will be applicable.
- 4.3 Sufficient parking must be provided and indicated on the SDP at building plan submission stage.

**5. Municipal Infrastructure (Civil Engineering Services)**

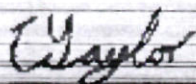
- 5.1 Any changes to any existing civil engineering services of Stellenbosch Municipality is for the account of the owner.

**6. Development Charges (DCs)**

- 6.1 The following DC's are payable: See Development Charge Calculation attached.
- 6.2 The DC's were calculated by using the 2022/2023 tariff structure. If DC's are paid after 30 June 2023 it will have to be recalculated by using the tariff structure applicable at date of payment.
- 6.3 The appropriate DC's are payable before building plan approval.

**7. Electrical**

- 7.1 Refer to Annexure: Electrical

**Colin Taylor Pr Tech Eng****PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)**V:\2.0 DEVELOPMENT\20 Development\2219 (CT) Farm 1647-10 Paarl (LU-11084)\2219 (CT) Farm 1647-10 Paarl (LU-11084)  
rev1.doc





Western Cape  
Government

**TRANSPORT & PUBLIC WORKS: ROADS**

Chief Directorate: Road Planning

Email: [grace.swanepoel@westerncape.gov.za](mailto:grace.swanepoel@westerncape.gov.za)

Tel: +27 21 483 4669

Room 335, 9 Dorp Street, Cape Town, 8001

PO Box 2603, Cape Town, 8000

**REFERENCE:** TPW/CFS/RP/LUD/REZ/SUB-25/47 (Job 22262)

**ENQUIRIES:** Ms G Swanepoel

**DATE:** 10 February 2021

Peter Mons, Professional Planning Consultant

PO Box 851

**ROBERTSON**

6705

Attention: Mr Peter Mons

Dear Sir

**PORTION 10 OF FARM BOSCHENDAL 1674, PAARL: MAIN ROAD 172 HELSHOOGTE ROAD:  
APPLICATION FOR ADDITIONAL USES**

1. The following refer:
  - 1.1 Your e-mail and attachments dated 5 January 2021 and the Notice of Land Development, Land Use Application ref. LU/11084 dated 14 December 2021;
  - 1.2 E-mail to you dated 9 February from Harry Thompson of this Branch and your e-mail response of the same date.
2. Portion 10 of Farm 1674 is part of the large Boschendal complex and is located a short distance north of Priel, taking access from Main Road 172, the R310 Helshoogte Road.
3. The application is for Additional Use for Tourist Facilities, to permit outdoor areas to be used in conjunction with approved existing facilities in adjacent buildings, such as outdoor functions, restaurant seating and picnic areas, and including the Olive Press function facility for up to 500 guests and a weekend/evening country market catering for up to 1500 patrons. A further additional use is a 150m<sup>2</sup> reception area in a renovated existing building.
4. The existing access to Boschendal Estate from Main Road 172 Helshoogte Road has adequate shoulder sight distance. When a northbound right-turning vehicle is waiting to enter the property, there may at times be sufficient space to enable other northbound vehicles to pass on the left by using the shoulder and a section of the sloping concrete drainage channel, although if large numbers of vehicles are attempting to enter in a relatively short time frame, eg. for a large function, significant delays could occur to through traffic on Main Road 172.



5. It appears that the majority of the application relates to the regularising of uses which have been in place for some time. The times when most of these additional uses will be utilised will generally be off-peak and spread throughout the day and are therefore not likely to cause congestion. Larger functions may, however, impact traffic on Main Road 172.
6. Of concern is the internal road layout at the entrance. The access road has a T-intersection almost directly in front of the property boundary, with the road on the right-hand side taking traffic to Le Rhone and the road to the left taking traffic to Boschendal. This only provides space for 2 to 3 vehicles and the front vehicle would obstruct any following vehicle if the occupants are new to the property and have to read the notice boards on each side of the entry wall listing the many venues/facilities at Le Rhone and Boschendal respectively. The extent of the information on the signs and the relatively small size of the lettering means that they can only be read at close range. This could easily take 15 to 30 seconds and even if a staff member is on duty to direct visitors, that would take some time. This could result in queues spilling over into Main Road 172, possibly creating a safety hazard. This would be of particular concern when large events such as an evening market are scheduled.
7. In light of these concerns, it is recommended that the internal roads be changed so that the decision point at which visitors need to decide whether to proceed to Le Rhone or Boschendal be relocated further from the entrance gate, providing queuing space for following vehicles. As an interim measure, it is strongly recommended that in advance of any large function at the Olive Press or the weekend/evening market, a large temporary sign be erected at the entrance to direct attendees with minimal delay.
8. This Branch offers no objection to the application for Additional Uses on Portion 10 of Farm Boschendal 1674 Paarl as detailed above and in the land use application.
9. Should any future land use application for additional rights be received by this Branch, it is likely that a traffic study would be required to assess the functioning of the access, which may indicate the need for road upgrades at the Applicant's expense.

Yours Sincerely



**SW CARSTENS**  
For DEPUTY DIRECTOR-GENERAL: ROADS



## Appendix 3:

### Traffic Impact Statement

**Contact Address:**

iCE Group (Stellenbosch),  
P O Box 131,  
Stellenbosch, 7599

**Tel No:** +27 (0) 21 880 0443  
**Fax No:** +27 (0) 21 880 0390  
**e-mail:** piet@icegroup.co.za



**Contact Person:** Piet van Blerk

**Your Ref:** Boschendal Guest & Function Venue

**Our Ref:** iCE/B/1022

**Date:** 5 March 2014

The Municipal Manager  
Stellenbosch Municipality  
P.O. Box 17  
STELLENBOSCH  
7599

**Attention:** Mr N Winter

Sir

**APPLICATION FOR CONSENT USE AND TEMPORARY DEPARTURE OF  
PORTION 10 OF FARM 1674 - BOSCHENDAL GUEST AND FUNCTION VENUE:  
TRAFFIC IMPACT STATEMENT**

This company was appointed by Boschendal Pty Ltd (Mr Raymond Herron) to prepare a Traffic Impact Statement (TIS) for the proposed development on Boschendal Wine Estate.

## 1. BACKGROUND

Portion 10 of farm 1674, or Boschendal Wine Estate, is located adjacent to the Helshoogte Road, between Stellenbosch and Franschhoek: approximately 12,5 kilometres north east of Stellenbosch and approximately 20,0 kilometres west of Franschhoek. See the attached **Locality Plan**. This estate currently has varied land uses, including tourist facilities (wine tasting and restaurant), museum, cottages (currently un-used), vineyards and wine production. The proposed development is to expand on these uses.

The majority of the proposed site is currently zoned Agriculture Zone 1, with a portion zoned Resort Zone 1. According to the planner, there are no conditions registered in the title deed that will prohibit the proposed development on the site.

This TIS is in support of the application for consent to expand the existing tourist facility, consent for guest house accommodation and temporary departure (5 year validity) for the function venue in a newly constructed farm shed, all on a portion of Boschendal Wine Estate.

## 2. PROPOSED DEVELOPMENT

The proposed further development of Boschendal Wine Estate includes the following:

- The renovation of the existing seven cottages to accommodate 14 people;
- The renovation and expansion of the existing restaurant/wine tasting facilities which will, according to the planner, not result in an increase in the number of seated patrons in the restaurant; and
- The construction of a new function venue with coverage of 905m<sup>2</sup> (575m<sup>2</sup> indoor space and 330m<sup>2</sup> outdoor space to accommodate 200 people).

### Consulting Services

- Civil Engineering
- Electrical Engineering
- Structural Engineering
- GIS Applications
- Traffic Engineering

### Head Office:

#### Tygerberg:

PO Box 3970  
Tyger Valley  
7536  
Tel: 021 914 2833  
Fax: 021 914 0916

### Branch Offices:

#### Athlone:

Tel: 021 699 1377

#### Crawford:

Tel: 021 697 3116

#### Stellenbosch:

Tel: 021 8800 443

### Directors:

B. Sydow, PrEng. (Chairman)  
W.M.E. Van Deijl, PrEng.  
P.J. Van Blerk, PrEng.  
M. Cerfonteyn, PrEng.  
M.M. Kriel, Eng Tech.

Reg No: 1999/008/261/07

www.icegroup.co.za





See the attached **Site Development Plan (SDP)** prepared by Philip Briel Architecture & Urban Design.

### 3. TRAFFIC

#### 3.1 Access to the property

Access to the property is obtained from Main Road 172 (Helshoogte Road). The main access to the Boschendal Estate is located approximately 12,0 kilometres north east along Helshoogte Road from the Cluver Road/Rustenberg Road/Helshoogte Road intersection in Stellenbosch and approximately 1,5 kilometers south west of the Main Road 191 (R45)/Helshoogte Road intersection (to Franschoek).

#### 3.2 Existing Traffic Volumes

Available traffic volumes were obtained from 2009 traffic counts done at the Boschendal Main Entrance/Helshoogte Road intersection.

The peak hour volumes derived from these counts are shown in **Figure 1** attached (Available 2009 AM/PM Peak Hour Traffic Volumes).

#### 3.3 Traffic Growth

For the purpose of traffic analyses it was assumed that the development will be in operation by 2015 and that a 3% per annum traffic growth rate will be applicable. The 2009 traffic counts were therefore increased by 3% per annum for six (6) years to obtain the 2015 peak hour traffic volumes.

The Estimated 2015 AM/PM Peak Hour Traffic Volumes (excluding the proposed development) are as indicated in **Figure 2** attached.

#### 3.4 Traffic Generation and Distribution

The traffic expected to be generated by the proposed development was calculated based on trip generation rates obtained from the South African Trip Generation Rates manual (SATGR). Potential trips will only be generated by the cottages and the new function venue – the expansion of the restaurant will not change the number of seated patrons, therefore no additional trips are generated. The SATGR suggests a trip generation rate for General Lodging of 0,7 trips per occupied room with an in/out distribution of 55/45 during the AM peak hour and vice versa during the PM peak hour. Normally an occupation rate of 75% is used but in this case it was assumed that the cottages will be fully occupied (worst case scenario). A trip generation rate of 0,6 trips/available seat with a 100/0 directional split during the PM peak hour is suggested by the SATGR for Conference Centres. Although the proposed development makes provision for a function venue, the trip generation rate for a conference facility is considered as similar to that of a function venue. The directional split was taken as 100/0 (in/out).

The traffic expected to be generated by the proposed development is as follows:

|                       | AM          |    |     | PM          |     |     |
|-----------------------|-------------|----|-----|-------------|-----|-----|
|                       | Total Trips | In | Out | Total Trips | In  | Out |
| <b>Cottages</b>       | 5           | 3  | 2   | 5           | 2   | 3   |
| <b>Function Venue</b> | 0           | 0  | 0   | 120         | 120 | 0   |
| <b>Total</b>          | 5           | 3  | 2   | 125         | 122 | 3   |

The trips generated by the proposed development were distributed based on the distribution pattern of existing traffic.





The distribution of traffic generated by the proposed development is shown in **Figure 3** attached.

### **3.5 Traffic Analysis**

The traffic analyses were done by means of the SIDRA Intersection 6.0 software. Service levels A to D are considered acceptable, with D the critical.

#### **3.5.1 Analysis of Existing Traffic Volumes**

Analyses of the available 2009 peak hour traffic volumes at the stop-controlled Boschendal Main Entrance/Helshoogte Road intersection showed a level of service A for the movements on Helshoogte Road (northern and southern approaches – free flow conditions) and a service level B for movements on the Boschendal Main Entrance (eastern approach – stop-controlled), during both peak hours. These results are acceptable.

#### **3.5.2 Analysis of Estimated Traffic Volumes**

Analyses of the estimated 2015 peak hour traffic volumes (excluding the proposed development) at the stop-controlled Boschendal Main Entrance/Helshoogte Road intersection showed no change in level of service on Helshoogte Road (northern and southern approaches), but movements at the Boschendal Main Entrance (eastern approach) changed from a level of service B to C, during both peak hours. These changes in service levels are acceptable.

#### **3.5.3 Analysis of Expected Traffic Volumes**

The traffic expected to be generated by the proposed development (**Figure 3**) was added to the Estimated 2015 peak traffic volumes (**Figure 2**) to obtain the Expected 2015 peak hour traffic volumes (**Figure 4**).

Analyses of the expected peak hour traffic volumes (including the proposed development) at the stop-controlled Boschendal Main Entrance/Helshoogte Road intersection showed no change in service level. The proposed development therefore has a negligible impact on the level of service of the intersection.

The Expected 2015 AM/PM Peak Hour Traffic Volumes are as shown in **Figure 4**.

## **4. GEOMETRY**

The speed limit on Main Road 172 in the vicinity of the access to Boschendal is 80 km/h.

As previously mentioned, access to the proposed development on the Boschendal Wine Estate can be obtained from the main entrance to the estate from Helshoogte Road. Main Road 172 (Helshoogte Road) was recently upgraded and is currently a two-lane road with surfaced shoulders. The width per direction is around 5,1 metres (total road width, black top of 10,1 metres). The existing access to Boschendal is surfaced with one lane per direction and a security gate. The security gate is left open during the day and only closed in the evening. No problem with regard to stacking is thus anticipated. The lane layout at the intersection is as indicated on the photos below.

The access road to Boschendal splits as one enters. The vehicles entering Boschendal have priority with stop-control on both the side roads. No problem with regard to stacking is thus anticipated.





**Photo 1 :** MR 172 looking southwest from the access towards Stellenbosch – note the barrier kerb and side drain



**Photo 2 :** Main Road 172 looking southwest from the access towards Stellenbosch – note sight distance





**Photo 3 :** Main Road 172 looking northeast from the access towards Main Road 191 (Franschhoek Road) – note the sight distance and public transport embayment (where vehicle is parked on right)



**Photo 4 :** The existing access to Boschendal





The traffic expected to turn into the development from Stellenbosch during a function (peak time) is estimated at around 96 vehicles. This amounts to around 3 vehicles every 2 minutes – thus one vehicle every 40 seconds. Together with the fact that a surfaced shoulder exists for a vehicle to pass a turning vehicle, it is the opinion that a dedicated right turn lane is not warranted. It must further be taken into account that a function venue normally operates outside the peak hour of the arterial road.

According to the planner, refuse will be handled as per current arrangements.

## **5. PARKING**

Parking should be provided in accordance with the requirements of the Local Authority. The Stellenbosch Integrated Zoning Scheme requires 0,7 bays/guest room for the Bed and Breakfast and Guesthouse land uses categories and 1 bay/6 seats for Conference Facilities. This would imply parking bays required as follows:

Cottages – 5 parking bays

Function Venue – 34 parking bays

According to the SDP, 124 parking bays will be provided at the function venue, which conforms to the requirements of the zoning scheme. It is assumed that guests to the cottages will park at the individual cottages.

The parking provided will be unmarked as to stay in line with the heritage indicators and conditions. Parking bays are notionally indicated on the SDP as approximately 2,5 metres wide and 5,0 metres deep with an isle width of between 7,0 and 9,0 metres. This should be sufficient.

## **6. PUBLIC AND NON-MOTORISED TRANSPORT**

Public transport is provided for along Main Road 172 (an embayment is located just to the northeast of the access to Boschendal). It is thus not considered required to provide any additional facilities as a result of the proposed development. It also needs to be mentioned that the proposed development expands on an already **established clientele which would not utilise public transport such as minibus taxi's or scheduled busses** (except buses for tourists).

A footway exists along Main Road 172 and it is thus not considered required to provide any further facilities for non-motorised transport.

## **7. CONCLUSIONS**

The following can be concluded from the traffic investigation for Boschendal Wine Estate:

- 1) That the TIA is in support of the application for consent use and temporary departure of portion 10 of farm 1674 – Boschendal Guest and Function Venue;
- 2) That the proposed development is located adjacent to Helshoogte Road, approximately 12,5 kilometres north east of Stellenbosch and approximately 20,0 kilometres west of Franschhoek;
- 3) That the proposed development includes the renovation of the existing seven cottages, the renovation and expansion of the restaurant/wine facility and the construction of a new function venue;
- 4) That access to the property can be obtained from Helshoogte Road, approximately 12,0 kilometres north east along Helshoogte Road from the Cluver Road/Rustenburg Road/Helshoogte Road intersection and approximately 1,5 kilometers south west of the R45/Helshoogte Road intersection;



- 5) That for the purpose of traffic analyses it was assumed that the development will be in operation by 2015 and that a 3% per annum traffic growth rate will be applicable. The 2009 traffic counts were therefore increased by 3% per annum for six (6) years to obtain the 2015 peak hour traffic volumes
- 6) That the analyses of available 2009 peak hour traffic volumes showed acceptable levels of service at the stop-controlled Boschendal Main Entrance/Helshoogte Road (free flow conditions on Helshoogte Road) intersection;
- 7) That the analyses of the estimated 2015 peak hour traffic volumes (excluding the proposed development) showed acceptable changes in level of service at the Boschendal Main Entrance/Helshoogte Road intersection;
- 8) That the analyses of the expected 2015 peak hour traffic volumes (including the proposed development) showed no change in service levels and does therefore not warrant any changes to the intersection as result of the proposed development;
- 9) That The speed limit on Main Road 172 in the vicinity of the access to Boschendal is 80 km/h;
- 10) That Main Road 172 (Helshoogte Road) was recently upgraded and is currently a two-lane road with surfaced shoulders with the width per direction around 5,1 metres (total road width, black top of 10,1 metres);
- 11) That the existing access to Boschendal is surfaced with one lane per direction and a security gate, that the security gate is left open during the day and only closed in the evening and that no problem with regard to stacking is thus anticipated;
- 12) That the access road to Boschendal splits as one enters and that vehicles entering Boschendal have priority with stop-control on both the side roads. No problem with regard to stacking is thus anticipated;
- 13) That the traffic expected to turn into the development from Stellenbosch will be one vehicle every 40 seconds and that this together with the fact that a surfaced shoulder exists for a vehicle to pass a turning vehicle and that It must be taken into account that a function venue normally operates outside the peak hour of the arterial road a dedicated right turn lane is not warranted;
- 14) That, according to the planner, refuse will be handled as per current arrangements;
- 15) That 124 unmarked parking bays will be provided at the function venue and parking for the cottages at each individual cottage, which conforms to the requirements of the zoning scheme;
- 16) That the size and layout of the unmarked parking provided as notionally indicated on the SDP should be sufficient; and
- 17) That public transport is provided for along Main Road 172 (an embayment is located just to the northeast of the access to Boschendal) and it is thus not considered required to provide any additional facilities as a result of the proposed development; and
- 18) That a footway exists along Main Road 172 and it is thus not considered required to provide any further facilities for non-motorised transport.

## 8. RECOMMENDATIONS

From the report and conclusions it is recommended that the proposed development be supported.





We trust that the above-mentioned will be to your satisfaction and will gladly provide any additional information required on request.

Yours faithfully

---

**Yolandi Lewis (B. Eng Civil, US)**  
**ICE GROUP (STELLENBOSCH)**

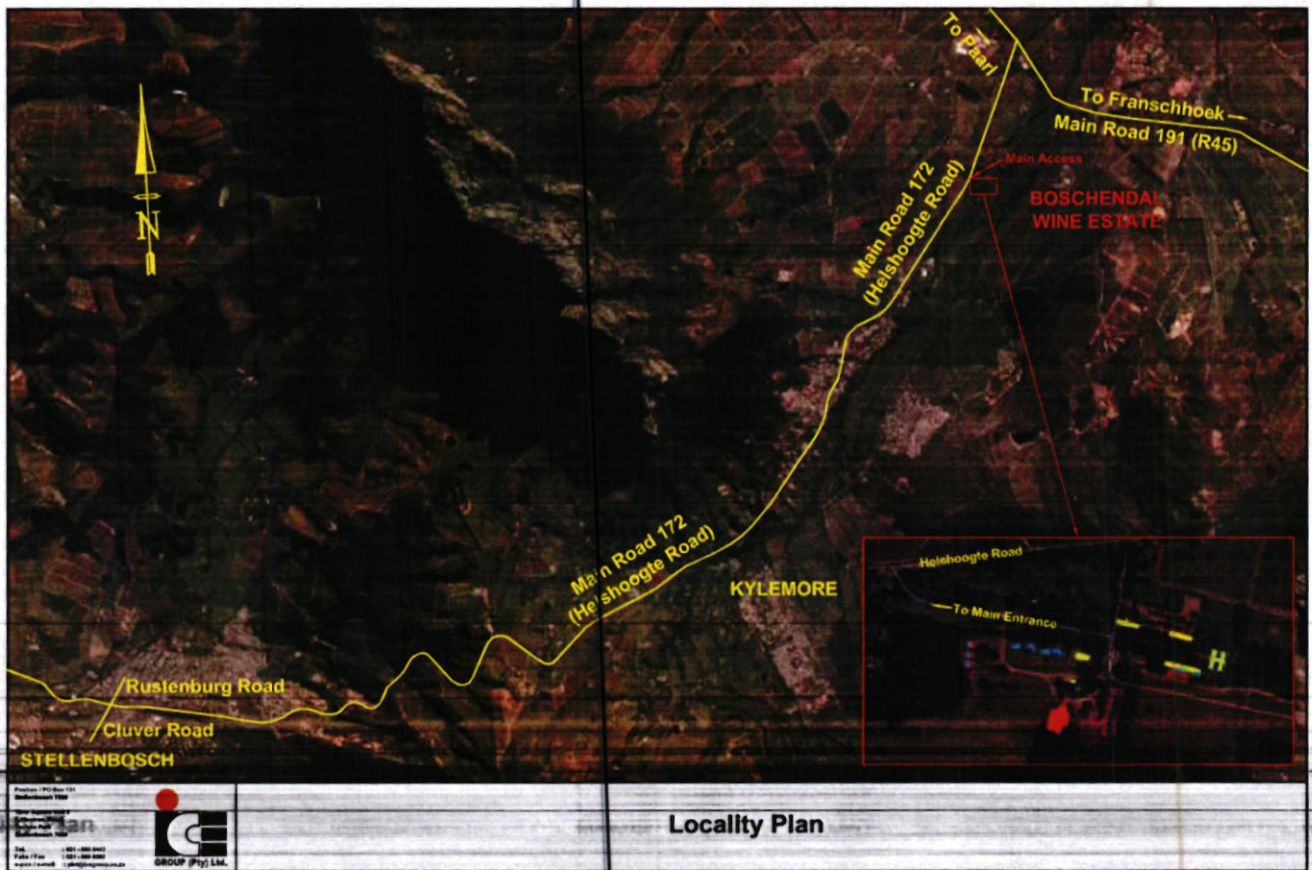
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**Piet van Blerk Pr. Eng**  
**ICE GROUP (STELLENBOSCH)**

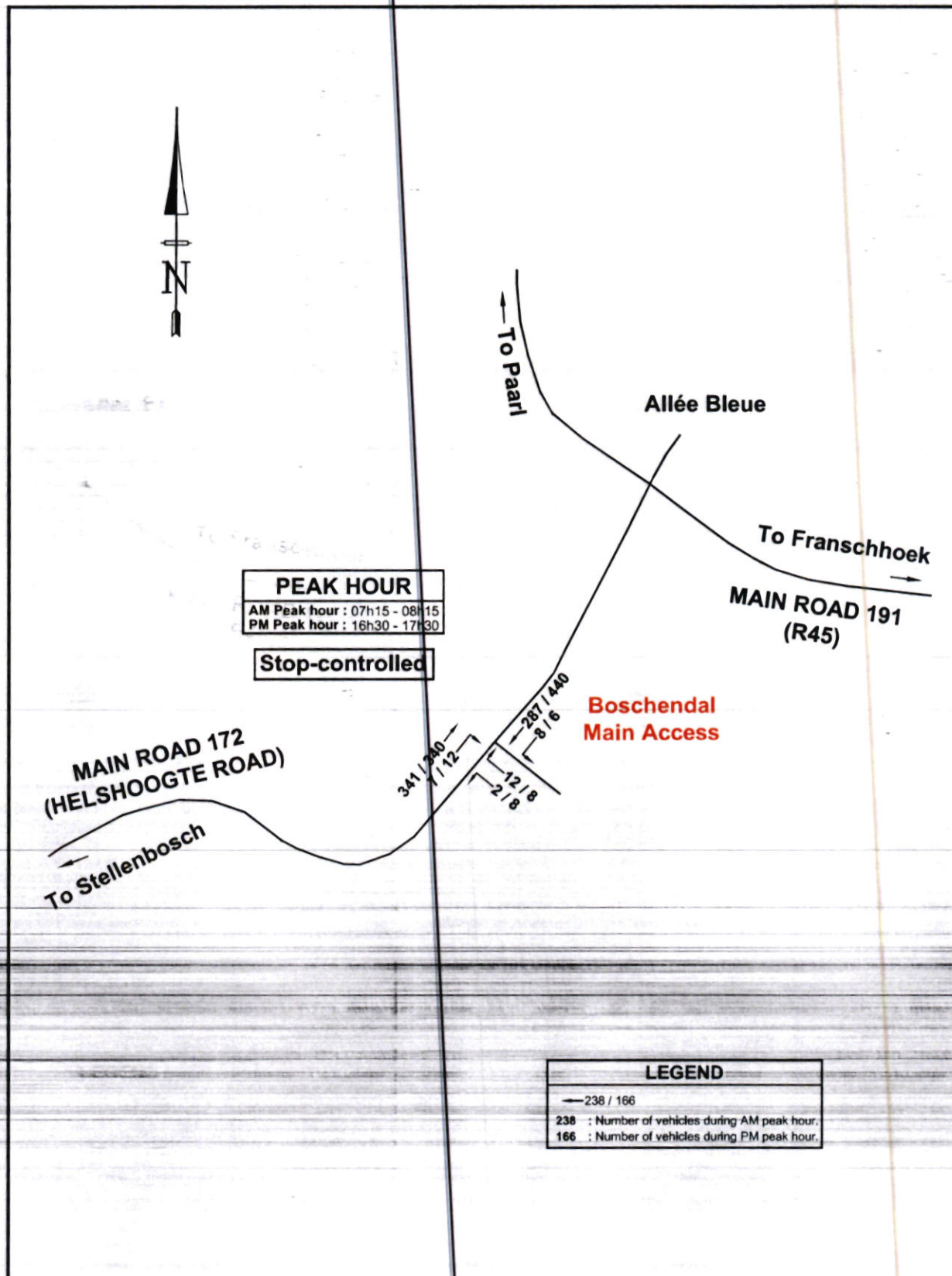
#### **Attachments**

- Figure 1 – Available 2009 AM/PM Peak Hour Traffic Volumes (Thursday, 21 May 2009)
- Figure 2 – Estimated 2015 AM/PM Peak Hour Traffic Volumes (3% per annum traffic growth)
- Figure 3 – Distribution of Traffic Generated by Proposed Development
- Figure 4 – Expected 2015 AM/PM Peak Hour Traffic Volumes (3% per annum traffic growth and full development)

Locality Plan  
Site Development Plan







Postbus / PO Box 131  
 Stellenbosch 7599

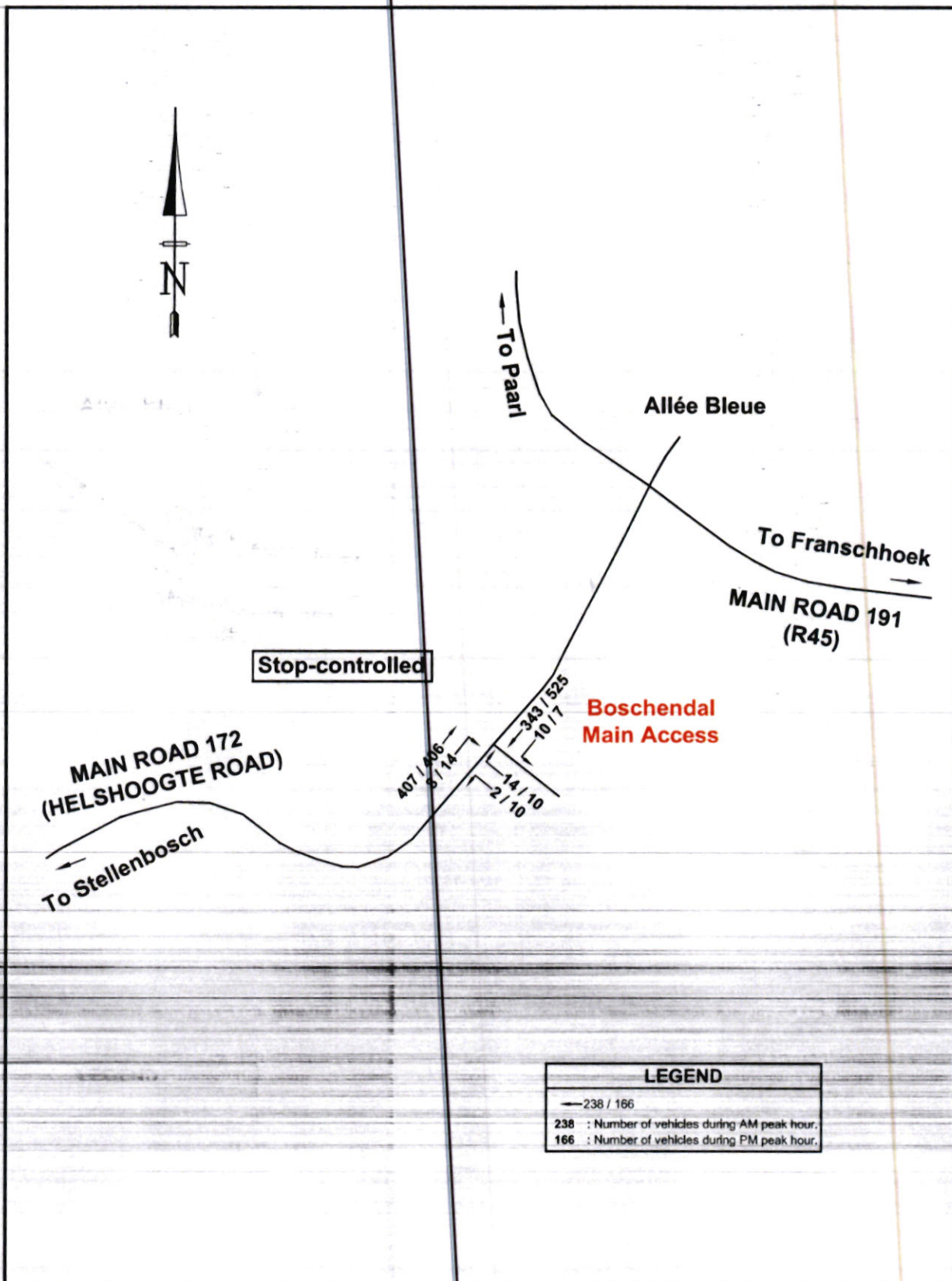
Time Square Unit 8  
 9 Electron Street  
 Techno Park  
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Tel. : 021 - 880 0443  
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 e-pos / e-mail : [piet@icegroup.co.za](mailto:piet@icegroup.co.za)



**Available 2009 AM/PM Peak Hour Traffic  
 Volumes  
 (Thursday, 21 May 2009)**

**Figure 1**



Postbus / PO Box 131  
Stellenbosch 7599

Time Square Unit 6  
9 Electron Street  
Techno Park  
Stellenbosch

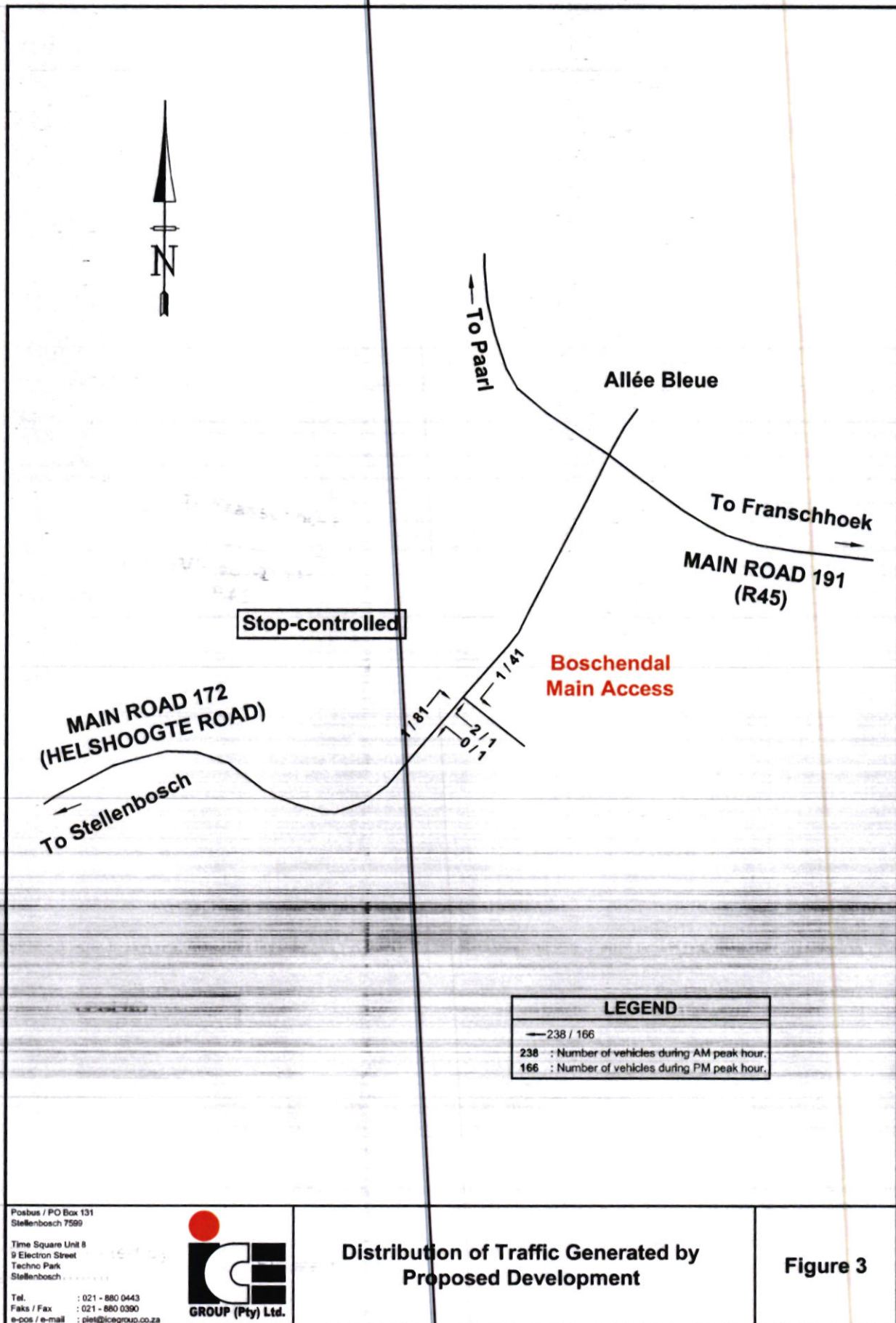
Tel. : 021 - 880 0443  
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e-pos / e-mail : piet@icgroup.co.za

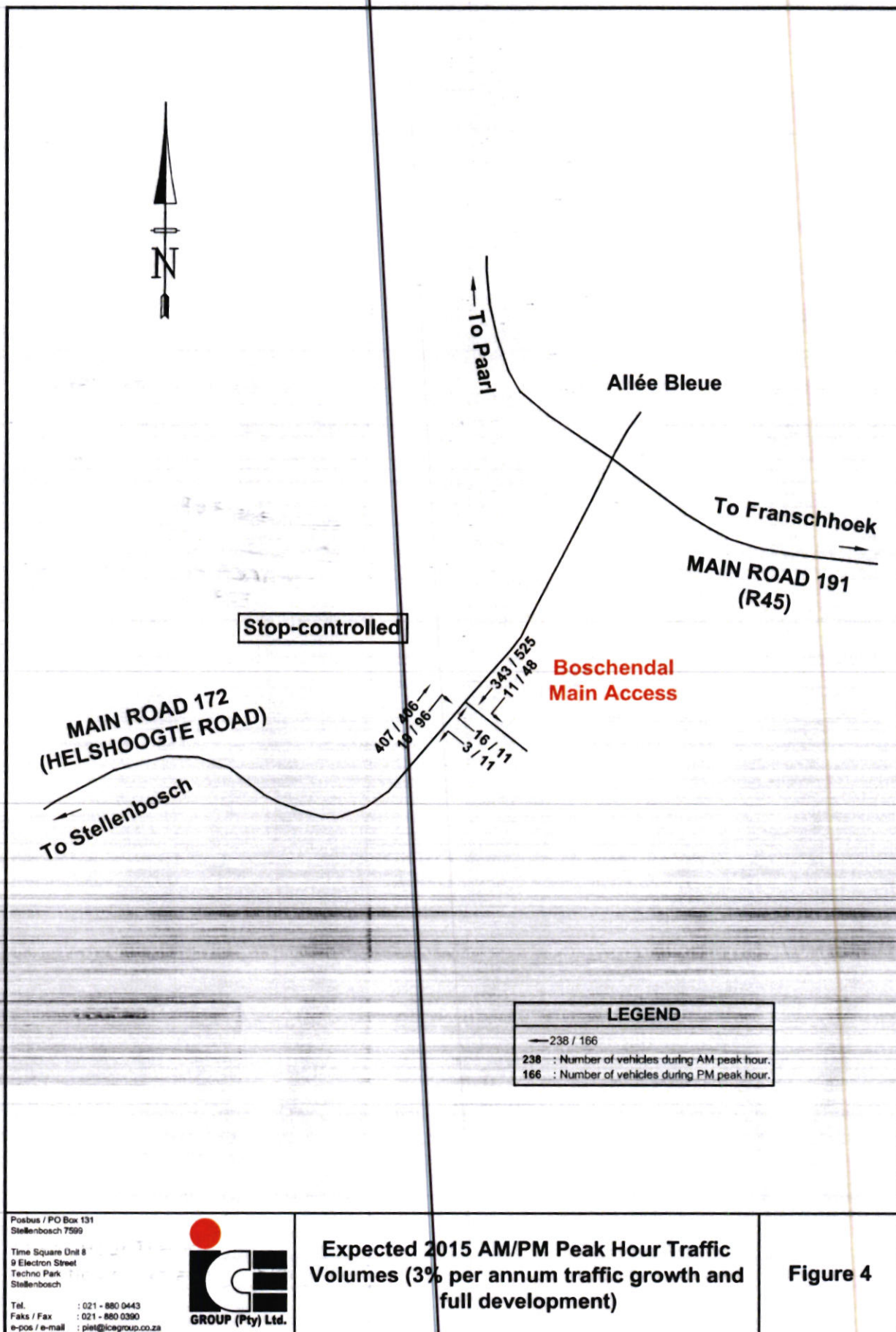


**Estimated 2015 AM/PM Peak Hour  
Traffic Volumes  
(3% per annum traffic growth)**

**Figure 2**







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Stellenbosch 7599

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**Expected 2015 AM/PM Peak Hour Traffic Volumes (3% per annum traffic growth and full development)**

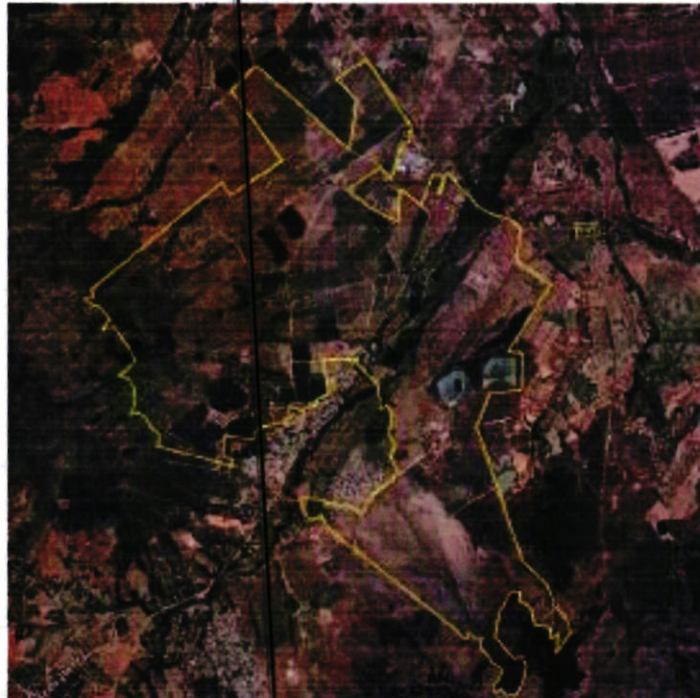
**Figure 4**



## Appendix 4:

### Civil Engineering Services Report

**BOSCHENDAL ESTATE**  
PRELIMINARY ENGINEERING REPORT  
**FOR BULK CIVIL SERVICES**



DOCUMENT NO: C815/OD/001 REV 1

**Prepared for:**

Boschendal Estate  
Pniel Road  
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7690

**Prepared by:**

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**JANUARY 2019**



## Revision Summary

Project Name: Boschendal Estate

Contract No: C815

This document has gone through a line of checking procedure, which forms part of our Quality Management System.

.....  
Signature of Project Leader

.....  
Signature of Department Director

|          |                |    |         |                         |
|----------|----------------|----|---------|-------------------------|
|          |                |    |         |                         |
|          |                |    |         |                         |
|          |                |    |         |                         |
|          |                |    |         |                         |
| 1        | January 2019   | ML | AD      | Comments incorporated   |
| 0        | September 2018 | ML | AD      | For comment             |
| Revision | Date           | By | Checked | Description of Revision |

## TABLE OF CONTENTS

|          |                                                 |           |
|----------|-------------------------------------------------|-----------|
| <b>1</b> | <b>INTRODUCTION .....</b>                       | <b>5</b>  |
| 1.1      | <i>Background .....</i>                         | 5         |
| 1.2      | <i>Site Location .....</i>                      | 6         |
| 1.3      | <i>Climate .....</i>                            | 6         |
| 1.4      | <i>Topography .....</i>                         | 6         |
| <b>2</b> | <b>STORMWATER MANAGEMENT .....</b>              | <b>7</b>  |
| 2.1      | <i>Existing Stormwater Infrastructure .....</i> | 7         |
| 2.2      | <i>Stormwater Drainage Plan .....</i>           | 7         |
| <b>3</b> | <b>WATER RETICULATION.....</b>                  | <b>7</b>  |
| 3.1      | <i>Existing Water Infrastructure .....</i>      | 7         |
| 3.2      | <i>Proposed Water Infrastructure .....</i>      | 8         |
| 3.3      | <i>Fire Supply .....</i>                        | 8         |
| <b>4</b> | <b>SEWER RETICULATION .....</b>                 | <b>8</b>  |
| 4.1      | <i>Existing Sewer Infrastructure .....</i>      | 8         |
| 4.2      | <i>Proposed Sewer Infrastructure.....</i>       | 8         |
| <b>5</b> | <b>SOLID WASTE.....</b>                         | <b>11</b> |
| <b>6</b> | <b>EXISTING SERVICES .....</b>                  | <b>11</b> |
| <b>7</b> | <b>ENVIRONMENTAL CONSIDERATIONS .....</b>       | <b>11</b> |
| <b>8</b> | <b>FUTURE SERVICES RECOMMENDATIONS.....</b>     | <b>11</b> |
| 8.1      | <i>Droëbaan.....</i>                            | 11        |
| 8.1.1    | <i>Stormwater Infrastructure .....</i>          | 12        |
| 8.1.2    | <i>Water Infrastructure .....</i>               | 12        |
| 8.1.3    | <i>Sewer Infrastructure .....</i>               | 12        |
| 8.2      | <i>Rhone Space Planning .....</i>               | 12        |
| 8.2.1    | <i>Stormwater Infrastructure .....</i>          | 12        |
| 8.2.2    | <i>Water Infrastructure .....</i>               | 13        |
| 8.2.3    | <i>Sewer Infrastructure .....</i>               | 13        |
| 8.3      | <i>Existing Laundry Alterations.....</i>        | 13        |
| 8.4      | <i>Olive Press Loading Area .....</i>           | 13        |
| 8.5      | <i>York Farm Backpackers .....</i>              | 13        |
| 8.5.1    | <i>Stormwater Infrastructure .....</i>          | 13        |
| 8.5.2    | <i>Water Infrastructure .....</i>               | 13        |
| 8.5.3    | <i>Sewer Infrastructure .....</i>               | 14        |
| 8.6      | <i>Thembaletu Accommodation.....</i>            | 14        |
| 8.6.1    | <i>Stormwater Infrastructure .....</i>          | 14        |
| 8.6.2    | <i>Water Infrastructure .....</i>               | 14        |
| 8.6.3    | <i>Sewer Infrastructure .....</i>               | 15        |
| 8.7      | <i>Agterdam Cottages .....</i>                  | 15        |



|                                                              |                                       |           |
|--------------------------------------------------------------|---------------------------------------|-----------|
| 8.7.1                                                        | Stormwater Infrastructure .....       | 15        |
| 8.7.2                                                        | Water Infrastructure .....            | 15        |
| 8.7.3                                                        | Sewer infrastructure .....            | 16        |
| 8.8                                                          | <i>Werf Cottages</i> .....            | 16        |
| 8.9                                                          | <i>The Retreat</i> .....              | 16        |
| 8.10                                                         | <i>Werf Parking</i> .....             | 16        |
| 8.11                                                         | <i>Ouwapad Integration Plan</i> ..... | 17        |
| 8.12                                                         | <i>Trout Dam Cottages</i> .....       | 17        |
| 8.12.1                                                       | Stormwater Infrastructure .....       | 17        |
| 8.12.2                                                       | Water Infrastructure .....            | 17        |
| 8.12.3                                                       | Sewer infrastructure .....            | 17        |
| <b>ANNEXURE A: PROPOSED SITE LAYOUT .....</b>                |                                       | <b>19</b> |
| <b>ANNEXURE B: BOSCHENDAL EXISTING SERVICES LAYOUT .....</b> |                                       | <b>20</b> |

## 1 INTRODUCTION

### 1.1 Background

Nadeson Consulting Services has been appointed by Boschendal Estate to report on the civil engineering infrastructure requirements necessary to service the land parcel referred to as Boschendal Estate. A layout showing the location of the proposed site redevelopment is shown on Annexure A which includes the following projects:

1. Droëbaan
2. Rhone Space planning
3. Exiting laundry Alterations
4. Olive Press Loading Area
5. York Farm Backpackers
6. Thembaletu Accommodation
7. Agterdam Cottages
8. Werf Cottages
9. The Retreat
10. Werf Parking
11. Ouwapad Integration Plan
12. Trout Dam Cottages

The scope of work for the proposed developments includes roads, stormwater, water and sewerage infrastructure upgrades.

The objective of this report is to provide a desktop assessment of the Boschendal Farm, with focus on the status quo of existing services and possible connection points to accommodate the upgrading of the facilities. Further communication with Stellenbosch Municipality will be required to determine the suitability of these proposals in terms of connectivity, servicing and capacity.



## 1.2 Site Location

Boschendal farm is located south of R45 and adjacent to R310 Helshoogte Road. The coordinates for the site are S 33° 59' 9.29", E 18° 58' 40.82".



Figure 1.1: Location of the Boschendal Estate

## 1.3 Climate

Drakenstein falls within the Mediterranean climatic zone which is characterised by rainy winters and dry summers.

Based on records from the Drakenstein weather station the town can experience an average rainfall of approximately 903mm. Average weather temperature in summer is 22.5°C and drop to roughly 11.6°C in winter.

## 1.4 Topography

The site is predominantly undeveloped except for existing asphalt road ways that traverse through the site. The present ground cover consists of sparsely covered short grass and localised clumps of shrubs with rock throughout the sites. The site slopes from a Southern to Northern direction.



## **2 STORMWATER MANAGEMENT**

### **2.1 Existing Stormwater Infrastructure**

The site is drained via open channels lined and unlined which drain to Dwars River. There are numerous natural watercourses that traverse the site.

Boschendal is divided by R310 Helshoogte Road traversing the centre of the site. Eastern catchment of the site drains to Dwars River and the Western catchment drains via open channels which crosses R45 and eventually joins Dwars River.

### **2.2 Stormwater Drainage Plan**

Stormwater runoff for the development will generally be managed on a catchment-wide basis and will take into account the surrounding built and natural environment. Stormwater infrastructure proposed for the sites will comprise of underground piped system where open channels cannot be used. The network will be sized to accommodate a 2 year flood recurrence interval. Stormwater will as far as possible be drained into surrounding landscaping. The new development will have to be designed to allow surface runoff that prevents flooding during larger storm events.

Stormwater drainage flow will be managed in terms of the Sustainable Urban Drainage Systems (SUDS) criteria.

## **3 WATER RETICULATION**

### **3.1 Existing Water Infrastructure**

Based on the GIS information provided by the Boschendal Team, a number of sites (Agterdam, Orchard Extension, Trout Dam and Droebaai) receive its potable water from the underground natural springs surrounding the farm. The water is stored in pvc tanks which gravity to the various facilities and the supply stops at Agterdam. The system is in working order with sufficient static pressure and emergency storage, therefore it will be retained. Water quality is frequently tested by the maintenance team to ensure it adheres to the minimum criteria defined as class II SANS241 2006 standards.

Olive Press Loading, Werf Cottages, Werf Parking, and Thembaletu receive water from Wemmershoek Municipal connection located in R310 Helshoogte Road and The Retreat receives water from Wemmershoek Municipality supply located in R45 Franshoek Road.

Rhone receives water from the dam south west of the site and York Farm Backpackers receive water from the dam that is situated south east of the site. The treated water must meet the minimum criteria defined as class II in SANS241: 2006 standards.



The existing irrigation supply is pumped from various dams in Boschendal.

Majority of the existing pipe systems servicing cottages or facilities are old and damaged.

### **3.2 Proposed Water Infrastructure**

The sites supplied by spring water will require completely new water pipe system as the existing system is old and cannot be reused. The individual sites will be metered to monitor water usage.

The sites services by municipality supply will be retained and any new development will connect to existing infrastructure.

Rhone has no water supply in close proximity and the closest water source is from a dam. In order to supply potable water as a minimum the water will have to be filtered. Final treatment requirement is subject to water quality testing.

### **3.3 Fire Supply**

Fire supply requirements will be advised by the fire consultant.

## **4 SEWER RETICULATION**

### **4.1 Existing Sewer Infrastructure**

Based on the information received from Boschendal Maintenance Team, the farm has a self-sufficient sewerage system. Each site has sewerage draining to septic tanks, where solids separate from the liquids. Soap scum or fat will float to the top creating a scum layer. Heavier solids settle to the bottom of the tank as sludge. A natural process of anaerobic decomposition transpires resulting in a reduction of solid matter and treatment of waste. The remaining waste flows out of the tank infiltrating into the soil. Enzymes are added to the septic tanks to breakdown organic matter; this is done to help the system work effectively. The use of septic tanks is no longer practised due to risk of ground water contamination.

Majority of the sewer pipe systems are vitrified clay pipes which are damaged and overgrown in areas that is abandoned.

### **4.2 Proposed Sewer Infrastructure**

For the proposed sewerage system a conservancy tank will be installed as an interim solution for all the sites identified in the report. We propose an underground concrete structure to be constructed with only manholes visible. The sewerage is retained for a period and pumped out on a weekly basis using a honey-sucker waste truck. Boschendal Maintenance Team mentioned that a private contractor is used for the removal. A maintenance agreement will have to be considered as the various facilities are upgraded.



The interim solution will allow the facilities to function while authorisation is given for the installation of a treatment package plant for all the sites. There will be multiple treatment package plants on the estate to avoid any triggers. The locations of the sites are far apart to create a sewerage system to service all the sites.

Various options will be explored for a sewerage treatment system which will be governed by cost, maintenance and environmental impact. The final design will be concluded at detail design stage.

The treatment options are as follows:

- **Treewell** – Biological sewerage treatment system that mimics the decomposition and purification process of nature, using a microbial food web i.e. water movement, bacteria, microbes, larvae and insects. This is a sludge and chemical free process.

The treatment plant consists of two tanks. Raw sewerage flows into Tank 1 this is where the anaerobic pre-treatment occurs. The wastewater is broken down by micro-organisms thereafter denitrification occurs. The formation of sludge doesn't occur due to the water flowing in a wave like motion. TreeWell is therefore a completely sludge-free wastewater treatment system, which does not require any chemicals to function. The final treatment occurs in an open tank by enzymatic degradation or micro-consumers.

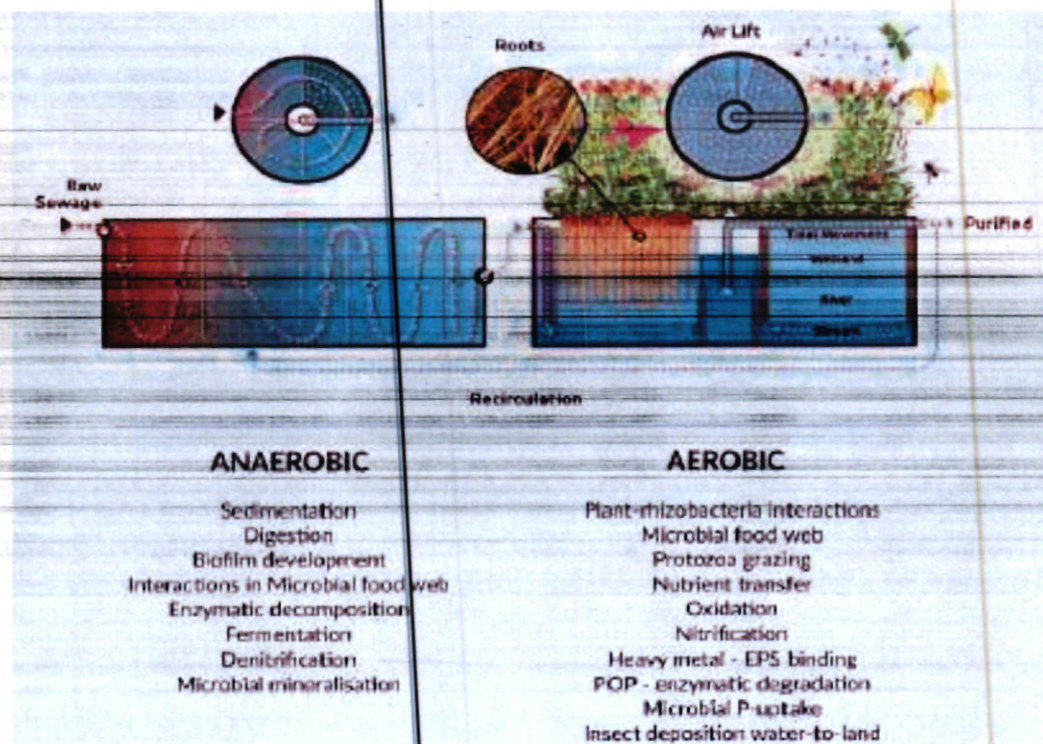


Figure 4.1: Anaerobic and Aerobic treatment process



- **Sewer package plant system** – A three compartment septic and aeration tank with four manholes for the installation of filtration and process equipment. The tank to have a minimum 2m depth.

The three compartments: Solids -3m x 5m  
Effluent – 3m x 2m  
Aeration – 3m x 3m with an overall capacity of 60 000 litres (See diagram below).

Aeration equipment and a transfer pump into the tank as well as slurry control pipework. A 2000 litre clarifier which is fed by the transfer pump and gravity charges into the irrigation tank. The conservancy tank will be used as the irrigation tank for the final effluent. The system require maintenance in terms of chemicals to assist the breakdown of solids.

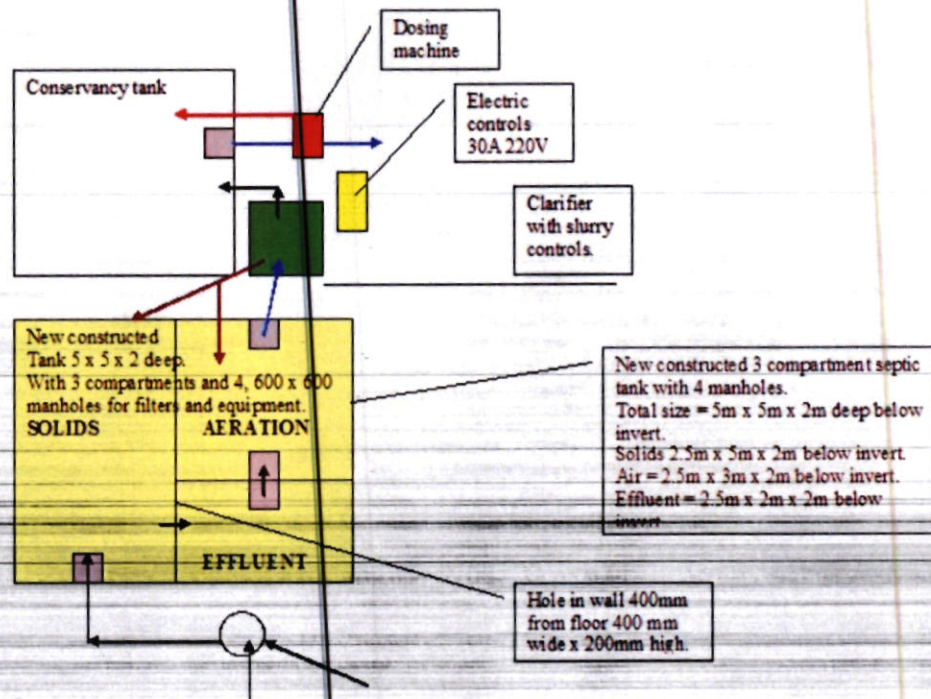


Figure 4.2: Sewage package plant system

The treated effluent generated can be used for irrigation or infiltration into the ground depending on environmental authorisation.



## 5 SOLID WASTE

Refuse is collected by Boschendal maintenance department, recycled and bins cleaned at the Droëbaan site. The remaining waste is disposed of by a private contractor appointed by Boschendal. To facilitate smooth functioning of the solid waste collection, roadways and turning shunts must be designed to accommodate easiest movement possible for refuse vehicles. An estimate of 1.5kg/day can be used for each building unit. Final calculation will be given during detail design stage when more information on the upgrades are finalised.

## 6 EXISTING SERVICES

Refer to annexure B for the extent of existing bulk services information which is based on GIS, topographical survey and historical data received.

The proposed sites are located far from each other which make incorporating combined sewer systems very difficult and not viable. Water sources are available in close proximity to all the sites which does not require any major infrastructure upgrades.

## 7 ENVIRONMENTAL CONSIDERATIONS

Installation of new underground services as well as services upgrades may require authorisation in terms of the National Environmental Management Act (Act No. 107 of 1998), and the Environmental Impact Assessment is undertaken in accordance with the Environmental Impact Assessment Regulations. Potential environmental triggers were supplied by the environmental consultant to ensure future proposals do not trigger any listed activity. For the proposed stormwater, water and sewer upgrades for Agterdam Cottages, Trout Dam Cottages and York Farm Backpackers the pipelines does not exceed the 1000 meters in length. A maximum 160mm internal diameter pipe will be used for sewer and maximum 360mm internal diameter pipe will be used for stormwater and water. Infrastructure will be designed not to encroach within 32m of any watercourse. The throughput calculated will not exceed 120l/s for all the sites. Response to the activities is reported in letter dated 30<sup>th</sup> November 2018 for Agterdam Cottages, Trout Dam Cottages and York Farm Backpackers.

## 8 FUTURE SERVICES RECOMMENDATIONS

### 8.1 Droëbaan

There are various existing facilities at Droëbaan that are currently operational the rest of the facilities proposed to being upgraded to a central facility for various departments of Boschendal. The facilities to be accommodated are:

- Central offices
- Farming facilities
- Bulk Store
- Maintenance department



- Recycling station
- Bakery
- Prep Kitchen
- Butchery
- Food lab
- Laundry
- Crèche
- Ventral electrical and mechanical services

#### **8.1.1 Stormwater Infrastructure**

Droebaan is situated off the Helshoogte Road R310, all stormwater runoff discharge into the open channels. With future upgrades more hard surfaces will be created and attenuation pond is proposed to treat runoff and prevent downstream flooding.

#### **8.1.2 Water Infrastructure**

Droebaan receives its water from the natural spring situated south west of the site. The water supply will be retained for future development as it saves on municipal supply. The availability of spring water will be assessed during design stage.

#### **8.1.3 Sewer Infrastructure**

Two options will be considered to improve the existing sewerage system. Option 1 will be to upgrade the existing septic tank systems that are currently in place. It will be upgraded to a conservancy tank system and future treatment plant. The treated effluent can be used for cleaning of bins or toilet flushing.

Due to the large scale development an alternative solution will be considered, we propose during design stage exploring constructing a new pump station with rising main pumping sewer to an existing pump station approximately 650m away. A larger treatment facility will be required for this facility and the viability will have to be checked in terms of cost and maintenance. We will have to engage with local authorities to ascertain whether there is capacity at the Waste Water Treatment Plant for the size of development.

### **8.2 Rhone Space Planning**

Rhone is situated between the Helshoogte Road R310 and the Dwarsrivier, with a dam south west of the site.

#### **8.2.1 Stormwater Infrastructure**

Stormwater runoff will be routed via open channels discharging into the nearest watercourse. The Dwars River is located east of the site.



### 8.2.2 Water Infrastructure

Water will be supplied to the cottages via the dam. The water will need to be treated to potable standards. It's envisaged that minimal treatment will be required but will be dependant water quality results.

### 8.2.3 Sewer Infrastructure

There are septic tanks currently in place; this will be upgraded to a conservancy tank system with future treatment plant

### 8.3 Existing Laundry Alterations

A minor alteration to the existing laundry facilities is proposed and forms part of the Droëbaan site. Water system is functional and supplied from the spring water. Future waste discharge will be accommodated in the upgrade of Droëbaan site.

### 8.4 Olive Press Loading Area

The projects will require investigation into improving the loading area and only stormwater management will be assessed. Vehicle specifications will be required to run vehicle simulation to ease loading off zones. No major services upgrades will be required.

### 8.5 York Farm Backpackers

York farm involves abandoned buildings to be converted to cottages. Refer to Annexure C for services layout.

#### 8.5.1 Stormwater Infrastructure

All stormwater runoff will be discharged into open channels ultimately discharging into the stream situated east of the site.

#### 8.5.2 Water Infrastructure

There are two wetlands that surround the site and two dams that provide Boschendal with irrigation water. There is an existing water connection close to the service road which will have to be confirmed. It is proposed that the connection is refurbished to supply water to the York Farm. Water supply will be from the dam and will require minor treatment to potable standards. Services are placed in front of the cottages to avoid the 32 meter watercourse buffer zone.

#### **Estimated water demand**

The instantaneous peak flow (peak AADD) for the proposed development amounts to approximately 0.084 l/s. The derivation of this value is given below.



$$Q_{PAADD} = \frac{\text{No. Units} \times \text{AADD}}{24 \times 60 \times 60} = 0.084 \text{ l/s}$$

Where:

- $Q_{PAADD}$  = Instantaneous Peak Average Annual Daily Demand (l/s)
- No. Units = 26
- Average Annual Daily Demand (AADD) = 280 l/day

### 8.5.3 Sewer Infrastructure

There are existing sewer system is vitrified clay pipes servicing cottages that discharge into septic tanks. It is proposed that the entire sewer system be re-laid and discharge into a new conservancy with a future treatment plant.

The effluent generated for the proposed development amounts to 6.9kl/day. The derivation of this value is given below.

$$\text{Effluent Generated} = \frac{\text{min. capacity} + (\text{No. of units} \times \text{AADD})}{1000} = 6.9 \text{ kl/day}$$

Where:

- Minimum capacity = 1700 litres
- Average annual daily demand (AADD) = 200 litres
- No. Units = 26

The conservancy tank 5 x 5 x 2m, is sized to accommodate effluent for 7 days

## 8.6 Thembaletu Accommodation

Existing buildings are proposed to be upgraded into guest accommodation along with related amenities and services.

### 8.6.1 Stormwater Infrastructure

The site is generally flat, surface runoff will be collected via open channels along the cottages which will drain to Dwars River west of the site.

### 8.6.2 Water Infrastructure

There is existing water tanks which is used for storage on the site, although Thembaletu receives there water from Wemmershoek municipal supply. The municipal pressure will need to be confirmed. It is likely that a booster pump will be required to supply adequate pressure to the development.



### 8.6.3 Sewer Infrastructure

The existing sewer system is vitrified clay pipes that discharge into septic tanks with a soak-away. This system will need to be upgraded to a conservancy tank system and future treatment plant.

### 8.7 Agterdam Cottages

Agterdam project involves converting existing cottages for guest accommodation which included parking facilities with connected outdoor areas and link between the existing orchards cottages. Refer to Annexure D for services layout.

#### 8.7.1 Stormwater Infrastructure

The site drains towards an open lined channel along an existing gravel road which connects to an existing earth channel downstream.

We propose formalising the channel which should be pedestrian friendly and allow for additional flow from the development. Outdoor areas will drain in a new pipe network that connects to the new lined channel.

#### 8.7.2 Water Infrastructure

A new 75mm diameter pipe will be connected onto the existing water connection north of the cottages which is supplied by spring water.

##### **Estimated water demand**

The instantaneous peak flow (peak AADD) for the proposed development amounts to approximately 0.84 l/s. The derivation of this value is given below.

$$Q_{PAADD} = \frac{\text{No. Units} \times \text{AADD}}{24 \times 60 \times 60} = 0.084 \text{ l/s}$$

Where:

- $Q_{PAADD}$  = Instantaneous Peak Average Annual Daily Demand (l/s)
- No. Units = 26
- Average Annual Daily Demand (AADD) = 280 l/day

The proposed demand (per dwelling category) used above was aligned with the recommended range specified in the "Guidelines for Human Settlement Planning and Design" (Red Book).



### 8.7.3 Sewer infrastructure

The existing sewer system is clay pipes that drains to a septic tank with a soak-away that infiltrates into the ground.

The proposed system will be a waterborne system that drains to a conservancy tank which will be serviced by a honey sucker on a weekly basis. The effluent generated for the proposed development amounts to 6.9kl/day. The derivation of this value is given below.

$$\text{Effluent Generated} = \frac{\text{min. capacity} + (\text{No. of units} \times \text{AADD})}{1000} = 6.9\text{kl/day}$$

Where:

- Minimum capacity = 1700 litres
- Average annual daily demand (AADD) = 200 litres
- No. Units = 26

The conservancy tank 5 x 5 x 2m is sized to accommodate effluent for 7 days

Once authorisation for the treatment plant has been granted, Orchard cottages will be linked to Agterdam system. The treatment plant will service both sites.

### 8.8 Werf Cottages

The proposed project entails incorporating landscaping alterations to the existing cottages and improving the existing service facilities. The entire facility sewer drains to an existing sewer treatment package plant which is functional. No major service upgrades is envisaged other than adequately managing stormwater drainage from landscaping alterations.

### 8.9 The Retreat

The complex was recently upgraded and managed by others. The existing water is supplied via Wemmershoek municipal supply. It is not envisaged that further service upgrades will be required.

### 8.10 Werf Parking

The project aims to improve and rationalise the current parking logic and layout. The existing parking area has no demarcation of parking bays and there are areas where erosion occurs making some parking bays inaccessible by some vehicles.

The proposal will include assessing the layout which will incorporate existing trees positions to maximise on parking bays and provide an adequate surface for vehicles to park with demarcation lines. Stormwater drainage will also have to be addressed.



### 8.11 Ouwapad Integration Plan

The project will focus on landscaping strategy to link Lanquedoc and BTT lands along Dwars River. No services upgrade is envisaged for the projects other than providing an environmentally friendly walkway surface incorporated with the landscape design. The route must be designed to not encroach on environmentally sensitive areas and must not be within the 1 in 100 year floodline.

### 8.12 Trout Dam Cottages

The project entails converting existing barn and manor house into a medium scale wedding venue offering catering and accommodation facilities. Refer to Annexure E for services layout.

#### 8.12.1 Stormwater Infrastructure

All stormwater runoff will discharge into open channels draining to stream running south of the site.

#### 8.12.2 Water Infrastructure

There is currently an existing water point available to the development with the spring water system. A new 75mm water system will be connected to service the site and positioned outside of the watercourse buffer zone.

#### **Estimated water demand**

The instantaneous peak flow (peak AADD) for the proposed development amounts to approximately 0.08 l/s. The derivation of this value is given below.

$$Q_{PAADD} = \frac{\text{No. Units} \times \text{AADD} + (\text{No of people} \times \text{l/d})}{24 \times 60 \times 60} = 0.08 \text{ l/s}$$

Where:

- $Q_{PAADD}$  = Instantaneous Peak Average Annual Daily Demand (l/s)
- No. Units = 16
- Average Annual Daily Demand (AADD) = 280l/day
- Wedding Venue: No of people = 120
- Litres per person per day = 20 l/day

#### 8.12.3 Sewer infrastructure

The existing sewer system is clay pipes that drains to a septic tank with a soak-away that infiltrates into the ground. There are a number of existing septic tanks on the site, all



within the 32m watercourse buffer zone. A new sewer network will be constructed outside of the areas to avoid environmental triggers.

The proposed system will be a waterborne system that drains to a conservancy tank which will be serviced by a honey sucker on a weekly basis. The effluent generated for the proposed development amounts to 7.3kl/day. The derivation of this value is given below.

$$\text{Effluent Generated} = \frac{\text{min.capacity} + (\text{No. of units} \times \text{AADD}) + (\text{No of people} \times \text{l/d})}{1000} = 7.3\text{kl/day}$$

Where:

- Minimum capacity = 1700 litres
- Average annual daily demand (AADD) = 200 litres
- No. Units = 16
- Wedding Venue: No of people = 120
- Litres per person per day = 20 l/day

The conservancy tank 5 x 5 x 2m is sized to accommodate effluent for 7 days

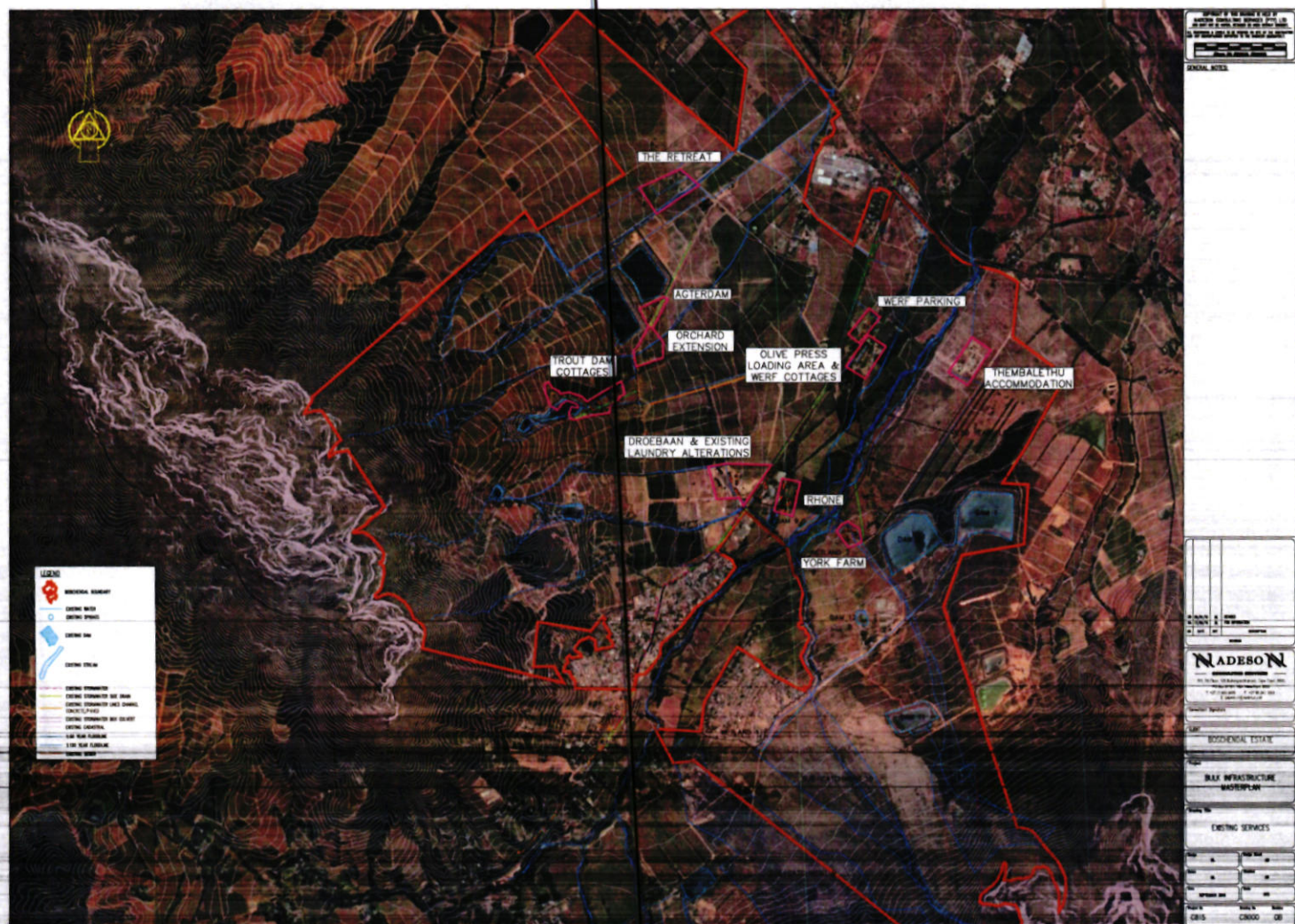
## **ANNEXURE A: PROPOSED SITE LAYOUT**





**ANNEXURE B: BOSCHENDAL EXISTING SERVICES LAYOUT**





**Appendix 5:**

**Electrical Engineering Services Report**





## **C3386 BOSCHENDAL ELECTRICAL MASTERPLAN**



## **MEDIUM VOLTAGE AND LOW VOLTAGE ELECTRICAL INFRASTRUCTURE STATUS QUO REPORT Rev 1**

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Date Issued: December 2018

ECSA No:

## Contents

|       |                                                                  |    |
|-------|------------------------------------------------------------------|----|
| 1     | Introduction .....                                               | 1  |
| 2     | Assessment of Existing Infrastructure .....                      | 1  |
| 2.1   | Boschendal Point of Supply .....                                 | 1  |
| 2.2   | 11kV Feeders .....                                               | 2  |
| 2.3   | Substations .....                                                | 2  |
| 2.4   | Transformers .....                                               | 3  |
| 2.5   | MV Poles .....                                                   | 5  |
| 2.6   | MV Pole Top Structures .....                                     | 5  |
| 2.7   | MV Fuse links .....                                              | 6  |
| 2.8   | MV Support Anchors .....                                         | 6  |
| 2.8.1 | MV Stay .....                                                    | 6  |
| 2.8.2 | MV Strut .....                                                   | 6  |
| 2.9   | MV Conductors .....                                              | 7  |
| 2.10  | Low Voltage Cables .....                                         | 7  |
| 2.11  | Electrical Distribution Kiosks .....                             | 8  |
| 2.12  | Low Voltage Poles .....                                          | 9  |
| 2.13  | Low Voltage Overhead Line Support Structures .....               | 9  |
| 2.14  | Distribution Boards .....                                        | 9  |
| 3     | Future development plans .....                                   | 10 |
| 4     | Boschendal Future Development Forecast and Recommendations ..... | 10 |
| 4.1   | Droëbaan .....                                                   | 10 |
| 4.2   | Rhone Space Planning .....                                       | 10 |
| 4.3   | Existing Laundry Alterations .....                               | 11 |
| 4.4   | Olive Press Loading area .....                                   | 11 |
| 4.5   | York Farm Backpackers .....                                      | 11 |
| 4.6   | Thembaletu Accommodation .....                                   | 11 |
| 4.7   | Agterdam Cottages .....                                          | 11 |
| 4.8   | Werf Cottages .....                                              | 12 |
| 4.9   | The Retreat .....                                                | 12 |
| 4.10  | Werf Parking .....                                               | 12 |



|      |                                                                    |    |
|------|--------------------------------------------------------------------|----|
| 4.11 | Ouwapad Integration Plant .....                                    | 12 |
| 4.12 | Trout Dam Cottages.....                                            | 12 |
| 4.13 | Boschendal Electrical Infrastructure Upgrades and Maintenance..... | 12 |
| 5    | Conclusion.....                                                    | 13 |

### Executive Summary

This report summarises the findings of the electrical infrastructure status quo assessment that was conducted at the Boschendal Farm. The findings in this report is based on visual inspections under energised conditions and discussions with the maintenance manager. No formal electrical tests were conducted.

The MV and LV infrastructure is functional, safe and in fair condition. However, the existing MV and LV overhead lines require attention. The age of the infrastructure could not be determined, however wooden poles show signs of splitting and some are rotten inside. It is recommended that the overhead MV and LV reticulation be upgraded over a phased period of time, 10-15 years.

Currently, there are 9 feeders feeding the Boschendal farm from the Paarl Municipality. All feeders are on spurs, with no provision for ring feeders to allow isolation of small portions of the network in case of maintenance or fault conditions. There are four points of supply from Eskom, they are low voltage supplies at 400V.

Some transformers on the site was manufactured between 1970 and 1984, and no record of transformer routine maintenance exist. It will be required to perform DGA testing of an oil sample of each transformer to determine the way forward. Some non-compliance defects have been identified:

- No barrier exists between the MV switchgear and transformer in brick-built substation (E1)
- No fencing around floor standing transformers as per SANS 10142-2
- Distribution boards in pump stations are in a wet environment where live open terminals of circuit breakers exist
- OHSA notices and labelling not present at substations, LV kiosks, floor standing transformers

New Electrical Infrastructure installations will be required at some of the future development upgrades at the Farm. This will include the installation of additional transformers, MV and LV cabling, trenching, distribution kiosks and/or distribution boards. Additional infrastructure installations will be required at the following planned project locations:

- Droëbaan
- Rhone Space Planning
- Agterdam Cottages
- The Retreat
- Trout Dam Cottages



### List of Acronyms and Abbreviations

|      |                                      |
|------|--------------------------------------|
| AC   | Alternating Current                  |
| ABC  | Aerial Bundle Conductor              |
| ACSR | Aluminium Conductor Steel Reinforced |
| ADMD | After Diversity Maximum Demand       |
| BTU  | Battery Tripping Unit                |
| CBD  | Central Business District            |
| CT   | Current Transformer                  |
| DC   | Direct Current                       |
| kV   | Kilo Volt                            |
| kA   | Kilo Amps                            |
| kVA  | Kilo Volt Ampere                     |
| kWh  | Kilo Watt Hour                       |
| LV   | low Voltage                          |
| MCB  | Main Circuit Breaker                 |
| MCCB | Moulded Case Circuit Breaker         |
| MD   | Maximum Demand                       |
| MV   | Medium Voltage                       |
| NMD  | Notified Maximum Demand              |
| OHL  | Overhead Line                        |
| OHSA | Occupational Health and Safety Act   |
| POS  | Point of Supply                      |
| Pu   | Per Unit                             |
| PV   | Photo Voltaic                        |
| SF6  | Sulphur Hexafluoride                 |
| TRFR | Transformer                          |
| Tx   | Transformer                          |

## 1 Introduction

Nako Triocon were appointed for the assessment of the existing electrical infrastructure at the Boschendal farm. The primary purpose of this assessment is to provide the client with a long-term plan for the development and strengthening of the existing electrical infrastructure. The study shall note technical constraints of the electrical network to sustain the development of future upgrades, while conforming to the Occupational Health and Safety Act.

The goals of this report are as follows:

- Inform the client of the strengths and weaknesses of the network.
- Improving the reliability of the electrical infrastructure.
- Improving the strength of the electrical infrastructure.
- Identify technical constraints of the network.

The scope of professional services included:

- Visual inspection of the medium and low voltage infrastructure forming a part of the study
- Assess the capacity and loading of the electrical infrastructure.
- Master Planning based on the assessment of existing infrastructure. The study presents the "as-built" situation with a network development plan.
- The preparation of provisional cost estimates based on the recommendations included in the master plan

## 2 Assessment of Existing Infrastructure

The assessment was limited to a visual inspection under energised conditions. The primary purpose of the site inspection was to ascertain which electrical infrastructure should be replaced or upgraded as part of the master plan and future developments/upgrades at the farm. The condition of the infrastructure was kept in mind when considering future network development plans.

The visual inspections were performed on the 28<sup>th</sup> of August, and Nako Triocon was accompanied by the resident maintenance manager Werner Von Finkenstein. The assessments and recommendations will be derived directly from the visual inspection and calculated network capacity of the electrical infrastructure. During the site inspection, the team collected nameplate data and photographs for inclusion of the network assessment. The team further noted general observations that has been included in the report for information and should be considered in future routine maintenance. The site inspection was completed on the 22<sup>nd</sup> of November 2018.

### 2.1 Boschendal Point of Supply

The Boschendal farm is supplied from several points of supplies via the existing 11kV council overhead line. This existing 11kV overhead line reticulates along the erf boundary of the farm on the R310, also known as Helshoogte Road. In liaison with the supply authority, the spare capacity on the council OHL is approximately 1,8MVA. Electrical supply to the farm is via T-offs from the council overhead line and is then reticulated within the farm via 11kV overhead lines on 11m MV poles. The internal 11kV overhead line supplies power to multiple 11kV/400V transformers/substations.

There are four Eskom low voltage points of supply, namely at the York farm backpackers, a pump station, Thembaletu accommodation and a supply to existing housing.



## 2.2 11kV Feeders

Currently, there are 9 feeders feeding the Boschendal farm from the Drakenstein Municipality. All feeders are on spurs, with no provision for ring feeders to allow isolation of small portions of the network in case of maintenance or fault conditions. It should be noted that the 11kV overhead lines located close to the Thembaletu Accommodation and York farm backpackers' developments are owned by Eskom, and is not maintained by Boschendal.

A PV farm exists on the Droëbaan site, DC power is generated via the solar panels and is then inverted to AC power and stepped up to 11kV via a 400V/11kV step-up transformer. From the step-up transformer, two MV feeders are reticulated to Feeder A and B respectively to reduce power consumption from the council supply. It should be noted that power compensation via renewable resources will not be considered when calculating the demand of specific areas on the site.

## 2.3 Substations

Only 1 brick-built substation exists on the Boschendal estate, this substation is located at the back of the restaurant and deli on the farm. The transformer and ABB Safeplus MV switchgear is located in the same room whilst the Low Voltage distribution board is located in an adjacent room. No barrier exists between the metalclad switchgear and transformer and no adequate provision has been made for containing the transformer oil in the case of leakage and spillage.

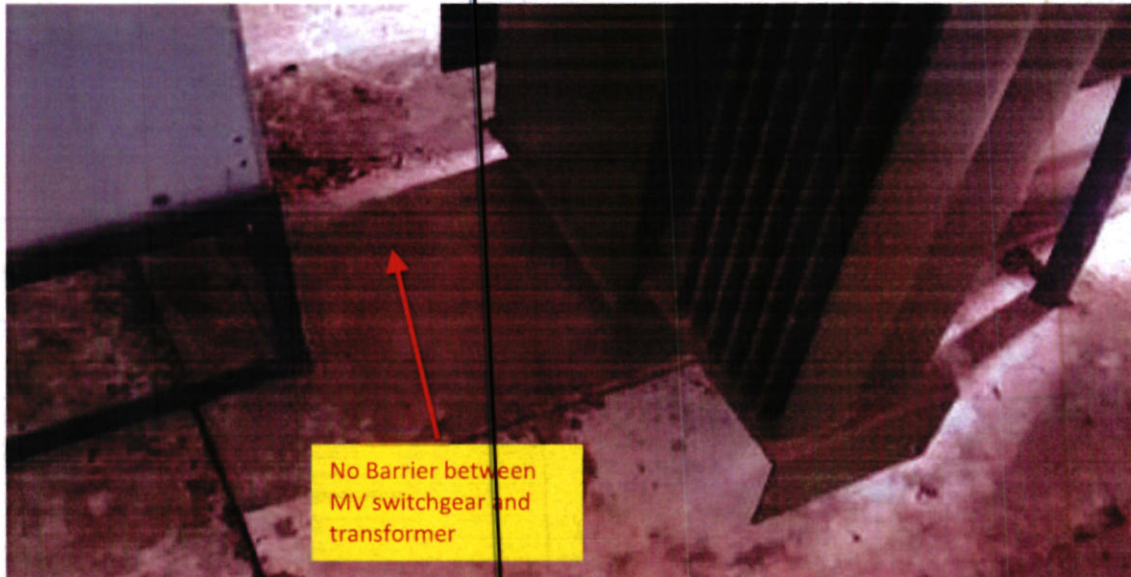
Other non-compliance defects are as follows:

- No signs and notices which identifies the substation and warn of hazards exists on the exterior walls of the substation
- No log book or record of persons entering the substation present
- No log book or record of maintenance on switchgear or transformer present
- OHSA notices and labelling not present



Brick built substation,  
no OHSA warning  
notices and labels, no  
identification of  
substation





#### 2.4 Transformers

Majority of the transformers located on the farm is the floor standing and pole mounted type. Floor standing transformers located throughout the farm have manufactured dates ranging from 1970 to 1984, with transformers located at Droëbaan been manufactured as recent as 2015. Although in fair condition, there is no record of maintenance and servicing of transformers on the farm. Transformers are protected by pole mounted fuses located on an 11m pole in close proximity to the transformer.

It is recommended that an oil sample of each transformer is sent to a reputable transformer oil testing laboratory for dissolve gas analysis (DGA), and a general service should be performed on all transformers.

Due to the age and remaining lifespan of some transformers and down time if a unit fails, it may be worthwhile replacing transformers from an operational viewpoint (depending on DGA results).

Refer to annexure A, transformers A7 (supplies Rhodes and Trout cottage) and J2 (supplies 3.3kV network, excelsior and the retreat) are in a very poor condition and require replacement. Some floor standing transformers do not have external fencing, where fencing of transformers does exist, they are damaged and do not have unauthorised access and the relevant OHS Act notices. As per SANS 10142-2, all floor standing transformer installations require unauthorised access by means of external fences, access to these doors and gates at the floor standing transformers must be equipped with security locks.





| POWER ENGINEERS (PTY.) LTD.<br>PAARDEN EILAND, CAPE. |            |                   |       |
|------------------------------------------------------|------------|-------------------|-------|
| TRANSFORMER TO                                       |            | S.A.B.S. 780-1968 |       |
| KVA                                                  | 300        | TYPE OF COOLING   | ONAN  |
| VOLTS AT H.V.                                        | 11500      | FREQUENCY         | 50    |
| NO. LEAD L.V.                                        | 400        | IMPEDANCE VOLTS   | 7.5   |
| AMPERES L.V.                                         | 5.82       | VECTOR GROUP      | Dyn11 |
| PHASES H.V.                                          | 3          | CORE + WDG'S LBS. | 870   |
| PHASES L.V.                                          | 3          | WT. OF OIL LBS.   | 700   |
| DIAGRAM DES. No.                                     | DELS - 100 | TOTAL WT. LBS.    | 2400  |
| MAKER'S SERIAL No.                                   | PE 100001  | OIL GALLS.        | 80    |
| ORDER No.                                            |            | MANUFACTURED      | 1970  |
|                                                      |            | OWNERS No.        |       |
| SUITABLE FOR DRYING UNDER FULL VACUUM                |            |                   |       |
| LOW VOLTAGE                                          |            | VECTOR GROUP      |       |

Manufactured  
1970



## 2.5 MV Poles

The wooden poles are the primary support structure for the overhead line and the current state of the poles offers a great risk to the overhead line falling or collapsing, causing massive outages. The age of the MV overhead lines could not be determined, the poles convey a hollow sound when thumping the base of pole, this shows signs of a rotten core. In addition, approximately 40% of the poles show signs of splitting as shown in the picture below.



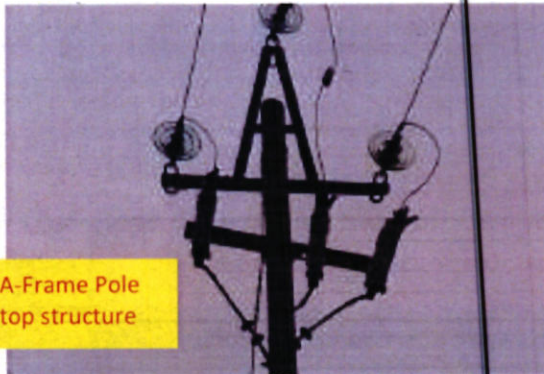
## 2.6 MV Pole Top Structures

The MV pole top structure is the delta configuration, where two types of this pole top structure exist on the farm.

The first type is the delta configuration with a steel crossarm. Post insulators are installed on the crossarm, and the centre insulator is installed on the top of the pole. Over a long period of time, the insulators tend to bend, causing mechanical stress on the insulator. This can result in mechanical failure, causing the conductor to detach from the insulator resulting in outages.

The second type is the delta A-Frame configuration. This type is now the Eskom standard for MV overhead lines across the Western Cape. It uses a galvanised steel A-frame, where strain or post insulators are fixed to the frame and provides more mechanical strength for the overhead line. It appears as though the A-Frame was used for Ad Hoc maintenance or repairs on the line and used as T-off's to portions of the network.





A-Frame Pole  
top structure



Delta structure  
with steel  
crossarm

## 2.7 MV Fuse links

MV fuse links are installed at the tie-in points of the network and it serves as overload protection of the overhead line. Fuse links are also installed at T-offs to allow isolation to portions of the network for maintenance purposes. It should be noted that there is no fuse links at the T-off that supplies the pump station at transformer A6 (refer to annexure A). Should there be a fault condition or maintenance required downstream from the T-off, it will be required that the overhead line is de-energised at the fuse links upstream. This will result in outages at transformer A6 (refer to annexure A) as well as A7 (refer to annexure A), therefore the supply to Rhodes cottage, Trout cottage and future Trout Dam Cottages will be compromised.

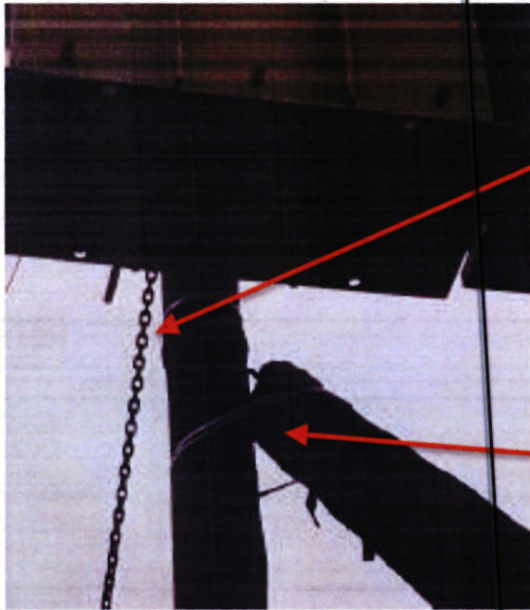
## 2.8 MV Support Anchors

### 2.8.1 MV Stay

The MV stays assessed were in good condition, stays are tensioned correctly with insulators in the correct position. At transformers A4 (refer to annexure A) and transformer J8 (refer to annexure A), there is a linked chain fixed to a caged pump area that is used as a stay (no insulator present). This is a violation of the OHS Act as it does not provide electrical isolation for the steel mounted on the pole and the steel cage. This needs to urgently be replaced by conventional MV stays.

### 2.8.2 MV Strut

MV Struts are wooden poles used as support structures to MV poles. They are in similar condition to the existing MV poles as they show signs of splitting. It is recommended that these be replaced.



Steel Linked chain  
used as a stay with  
no insulator

Strapping used to secure MV strut to  
pole mounted transformer structure

## 2.9 MV Conductors

There are 2 MV 11kv feeders on the farm, namely Feeder A and Feeder J (refer to annexure A). It is estimated that Feeder-A has approximately 70% spare capacity with an estimated existing MV load of 25A. Similarly, Feeder-J has approximately 40% spare capacity with an estimated existing MV load of 47A.

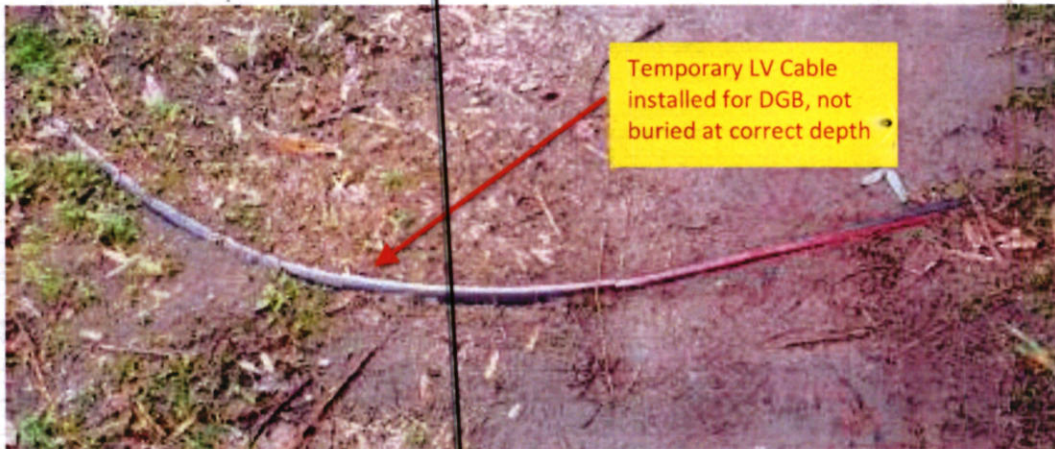
Therefore, the existing MV conductors can accommodate additional electrical load.

## 2.10 Low Voltage Cables

~~The feeder cables that are underground could not be inspected. Cables that are underground and converted into an overhead line were inspected and noted, these cables are in good condition.~~

Low voltage overhead lines consist of open wire conductor in a flat configuration. Some of these overhead lines are reticulated through tree branches, during strong winds this could cause outages and some damage to conductors, it is recommended that trees are trimmed where these conductors are present. If trimming of trees is not viable, it is further recommended that the open wires are replaced by aerial bundled conductors.





#### 2.11 Electrical Distribution Kiosks

Most of the low voltage distribution kiosks are in a good condition. However, all kiosks lack the standard OHS Act notices and warning labels. The distribution kiosk (supplies the SPA area) supplied from transformer C1 (refer to annexure A) requires replacement.





Old dilapidated kiosk in  
spa area, with untidy  
cabling and older  
switchgear



#### 2.12 Low Voltage Poles

All existing LV wooden poles are in a similar condition to the MV poles. The wooden poles are the primary support structure for the overhead line and the current state of the poles offers a great risk to the overhead line falling or collapsing, causing massive outages.

#### 2.13 Low Voltage Overhead Line Support Structures

Inspections were conducted on most of the stays on struts on the network. The struts are in similar condition to the 9m long wooden poles as they are of the same age. The greater portion of the low voltage stays are in good condition. Stays are tensioned to the correct force with the correct size stay wire used for low voltage overhead lines. However, there were no stay guards present.

#### 2.14 Distribution Boards

The LV distribution boards in the pump station areas are in a very poor condition. Some boards consist of very old switchgear where spare parts are no longer available on the market. The pump station at transformer J7 is a safety hazard with open circuit breaker terminals present in a wet environment. Boards in these areas should at least be an IP65 (minimum) rated enclosure (all pump stations).

The LV panel in the brick-built substation (E1, refer to annexure A) is in a very good condition. It should be noted that the 500kVA transformer that supplies the LV panel is approximately 5m away, and therefore the fault level at the LV panel is estimated at 20kA. However, the miniature circuit breaker fault breaking capacity in the panel range between 3kA and 6kA respectively, and therefore does not conform to SANS 10142-1 (no signs of cascading present).



### 3 Future development plans

The following future planned developments/projects have been identified at Boschendal farm:

- Droëbaan – development of a central facility for various departments at Boschendal, such as offices, storage etc
- Rhone Space Planning – staff offices
- Existing Laundry alterations – alterations to existing laundry services
- Olive press loading area – improvements to existing loading area to improve circulation
- York farm backpackers – guest accommodation
- Thembaletu accommodation – guest accommodation
- Agterdam cottages – guest accommodation
- Werf cottages – landscaping of existing cottages
- The retreat – construction of two yoga studios and alterations to existing facility
- Werf parking – improve and rationalise existing parking logic
- Ouwapad Integration plant – envisioned as a spine/corridor for future development of the farm
- Trout dam cottages – conversion of existing structures into a medium scale wedding venue

### 4 Boschendal Future Development Forecast and Recommendations

The impact of each project/development on the existing electrical infrastructure will need to be assessed in terms of maximum demand and future additional electrical load. The final electrical infrastructure design shall be determined after all aspects of each project/development is confirmed. Therefore, the recommendations below are referred to as the worse possible future outcomes derived from SANS 204.

#### 4.1 Droëbaan

The existing 315kVA floor standing transformer supplies the Droëbaan area. As per the "Orientation and Briefing Document" issued by Wolff Architects, it states that the future Droëbaan area will be approximately 8000m<sup>2</sup>, therefore the future demand for Droëbaan is estimated as 500kVA.

Therefore, the MV and LV electrical infrastructure will require upgrades to accommodate the future load. This will include additional transformers, MV and LV cabling, trenching and distribution kiosks.

#### 4.2 Rhone Space Planning

The existing Rhone development is supplied from a 400kVA transformer. The transformer supplies a 400A pump room and a temporary supply to the DGB site. In addition, it supplies the offices and a homestead.

As per the "Orientation and Briefing Document" issued by Wolff Architects, it states that the future Droëbaan area will be approximately 8000m<sup>2</sup>, therefore the future demand for Rhone Farm is estimated as 500kVA. Electrical infrastructure upgrades will be required to accommodate the additional load. This site will require additional transformers, MV and LV cabling, trenching and distribution kiosks.



#### 4.3 Existing Laundry Alterations

The existing laundry is located on the Droëbaan site, the demand calculation of the laundry extension has been included at 4.1 above.

#### 4.4 Olive Press Loading area

The proposed project would investigate improvements to existing loading area behind the venue, in order to improve circulation, and create a more legible route to the entrance of the building from the parking area.

It is envisaged that no significant electrical infrastructure upgrades are required for this project. If additional lighting is required, supply from the existing 500kVA mini substation will be assessed. This will include additional lamp posts and trenching.

#### 4.5 York Farm Backpackers

There is an existing transformer that supplies this area. The site is earmarked as a location for accommodation, specifically for backpackers. Existing LV cabling could not be confirmed as the 8 buildings are abandoned. If LV infrastructure is present, the safety and integrity of the infrastructure is to be tested and assessed. It is recommended that the existing LV infrastructure is serviced and tested according the OHS Act.

If existing LV infrastructure is deemed unsafe, it is recommended that new low voltage infrastructure be installed to service this area. This will include new LV underground cables, trenching and exterior lighting.

#### 4.6 Thembaletu Accommodation

This area is supplied by the existing floor standing 100kVA transformer. The transformer supplies the main distribution board located in a room adjacent to the transformer. The main board supplies the buildings within the Thembaletu Accommodation development, the safety and integrity of the main board is to be tested and assessed. It is recommended that the existing LV infrastructure is serviced and tested according the OHS Act.

If existing LV infrastructure is deemed unsafe, it is recommended that new low voltage infrastructure be installed to service this area. This will include new LV underground cables, trenching and exterior lighting.

#### 4.7 Agterdam Cottages

The closest power source to supply the proposed cottages is at the floor standing transformer (J5, refer to annexure A) located next to the pump room. The transformer supplies the 400A pump room and does not have spare capacity to supply the proposed cottages. Upgrade of the existing 250kVA transformer is required. With new underground LV cables to be installed via cable trenches and distribution kiosks to the cottages.



#### 4.8 Werf Cottages

The scope of the proposed project on this site includes incorporating landscaping alterations around the cottages and improving the existing service facilities.

It is envisaged that no significant electrical infrastructure upgrades are required for this project. However, the electrical distribution kiosk supplying the cottages requires replacement.

#### 4.9 The Retreat

This site is earmarked for the construction of two yoga studios along with other alterations and additions. The existing supply to the Retreat is via the underground LV cables supplied from transformer J2 (refer to annexure A). Historical load data will determine if there is spare capacity at the transformer. It is calculated that the retreat will require an additional 100kVA supply. Therefore, a transformer upgrade, LV cabling and trenching will be required.

#### 4.10 Werf Parking

This project aims to improve and rationalise the current parking logic layout. It is envisaged that no significant electrical infrastructure upgrades are required for this project. If additional lighting is required, supply from the existing 500kVA mini substation will be assessed. This will include additional lamp posts and trenching.

#### 4.11 Ouwapad Integration Plant

It is envisaged that no significant electrical infrastructure upgrades are required for this project. If additional lighting is required, supply from the existing infrastructure will be assessed. This will include additional lamp posts and trenching.

#### 4.12 Trout Dam Cottages

The closest power source to supply the proposed Trout Dam Cottages is at the floor standing transformer (A7, refer to annexure A) located next to the pump room. The transformer supplies the pump room and does not have spare capacity to supply the proposed cottages. Additional MV and LV infrastructure is required, this will include transformers, MV and LV cabling, trenching and distribution kiosks.

#### 4.13 Boschendal Electrical Infrastructure Upgrades and Maintenance

The following Infrastructure upgrades and maintenance is recommended:

- An oil sample of all transformers should be sent to a reputable oil transformer laboratory testing facility. This will determine if there is a fault within the transformer and if it needs replacement.
- Perform a service on all transformers.
- Construct a barrier between the MV switchgear and transformer in brick-built substation (E1, refer to annexure A).
- Install fencing around floor standing transformers according to SANS 10142-2.

- Further specialist assessments are required to determine the state of the existing MV and LV overhead lines.
- Adopt the A-Frame pole top structure if upgrading the MV network.
- Install MV fuse links at the T-off to transformer A6 (refer to annexure A)
- Install new IP65 rated distribution boards in pump stations that require attention

## 5 Conclusion

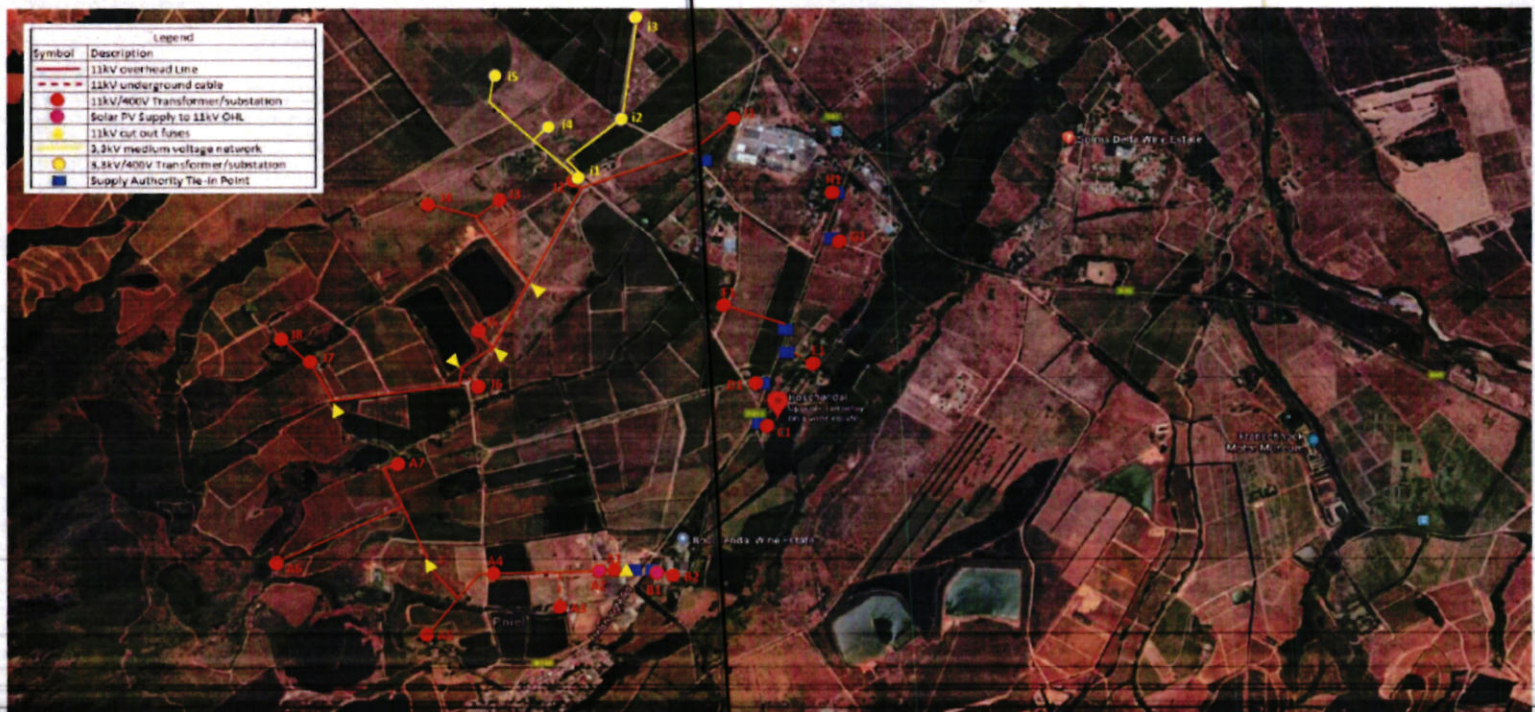
In conclusion, the existing medium voltage and low voltage infrastructure is in fair condition but requires further assessment by an overhead line specialist. It is further recommended that capital funds be made available for routine maintenance and repairs on the network.

Where planned developments of the farm have been identified, an assessment of existing electrical infrastructure will occur to determine if additional MV and LV infrastructure is to be installed. The final electrical infrastructure design shall be determined after all aspects of each project/development is confirmed. This will include the possible installation of new transformers/upgrades, MV and LV cabling, trenching, distribution kiosks and distribution boards.



## Annexure A







Feeder 1

- A1 315kVA Floor Standing TRFR - Supplies Droe Baan and existing laundry
- A2 Solar PV Supply to 11kV OHL
- A3 50kVA Floor standing TRFR - Supplies Oak Cottages
- A4 Unknown Size pole mounted TRFR - Supplies pumps and old Gym (no longer used)
- A5 Goodhope Estate - Private Property
- A6 Pump Station - Unknown TRFR Size
- A7 100kVA Floor Standing TRFR - Supplies Rhodes pump station, Rhodes cottage, Trout cottage

Feeder 2

- B1 Solar PV Supply to 11kV OHL
- B2 Supply to DGB site, supplies Boschendal Property via 400kVA floor standing TRFR

Feeder 3

- C1 50kVA Pole Mounted TRFR - supplies Clarances and spa area

Feeder 4

- D1 50kVA Pole mounted TRFR - supplies 3x cottages and guard house

Feeder 5

- E1 500kVA Brick Built substation - supplies werf cottages, olive press, deli, restaurant, offices

Feeder 6

- F1 Assumed 50kVA pole mounted TRFR - supplies Sun Hemp area (4 housing connections)

Feeder 7

- G1 100kVA pole mounted TRFR - supplies farm area, charity shop and offices

Feeder 8

- H1 500kVA mini sub - Supplies Cannary site (staff accommodation)

Feeder 9

- J1 50kVA pole mounted TRFR - supplies student accommodation
- J2 315kVA floor standing TRFR - supplies 400V/3,3kV TRFR, Excelsior workshop and offices, the retreat
- J3 100kVA floor standing TRFR - supplies pump station only
- J4 Assumed 50kVA pole mounted TRFR - supplies swinka house and swinka cottage
- J5 250kVA floor standing TRFR - supplies pump room
- J6 315kVA floor standing TRFR - supplies existing Orchards cottages
- J7 100kVA floor standing TRFR - supplies pump station and 1 house
- J8 Assumed 50kVA pole mounted TRFR - supplies 2xhousing connections

Eskom Supply

- X1 100kVA pole mounted TRFR, supplies abandoned buildings and 1xhouse
- X2 unknown TRFR, supplies York Farm Backpackers
- X3 200kVA TRFR, Supplies Thembaletu development
- X4 50kVA TRFR, Supplies pump station

**Appendix 6:**

**Minutes of meeting with the Western Cape Department of Environmental Affairs and  
Development Planning (16 May 2019)**



Doc Ref: 03005  
3 June 2019

**THE PROPOSED REFURBISHMENT AND EXPANSION OF THE AGTERDAM COTTAGES AND ASSOCIATED  
INFRASTRUCTURE ON PORTION 4 OF THE FARM NO. 1674 BOSCHENDAL  
PRE-APPLICATION MEETING WITH THE DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND  
DEVELOPMENT PLANNING (DEA&DP)**

## MINUTES- FINAL

**MEETING DATE:** 16 May 2019  
**VENUE:** Department of Environmental Affairs and Development Planning  
1 Dorp Street  
Cape Town  
8000  
**TIME:** 10h00 – 11h00  
**ARRANGED BY:** Chand  
**CHAIR:** Ms. Marielle Penwarden

### 1. Attendees

| FULL NAME              | INITIAL |                                                                         |
|------------------------|---------|-------------------------------------------------------------------------|
| Ms. Andrea Thomas      | AT      | Department of Environmental Affairs & Development Planning              |
| Ms. Samorney Smidt     | SS      | Department of Environmental Affairs & Development Planning              |
| Ms. Nisa Mammon        | NM      | NM & Associates                                                         |
| Ms. Jody Patterson     | JP      | NM & Associates                                                         |
| Ms. Marielle Penwarden | MP      | Chand Environmental Consultants (Environmental Assessment Practitioner) |

### 2. Agenda

1. Welcome and Introduction
2. Proposed Development
3. DEA&DP's requirements for the process (specialist studies and PPP)
4. Other
  - a. Entire farm (which is within 5km of a nature reserve) and 15 person threshold applicability to portions of the farm vs the entire farm;
  - b. S&EIA process for development of a farm-wide SDP and how it would relate to existing EAs on the farm; and
  - c. All EAs pertaining to the farm.
5. Close



### 3. Discussion

#### 3.1 Welcome and Introduction

- a) MP welcomed all attendees to the meeting and thanked them for the time.
- b) All attendees introduced themselves.

#### 3.2 Proposed Development

- a) MP summarised the key points of the scope of the proposed development as follows:
  - i) There are eight existing cottages which would be refurbished and expanded upon to provide each with a kitchen and a hard-landscaped area;
  - ii) There would also be three additional units;
  - iii) There would be two additional buildings for servicing the site;
  - iv) The accommodation capacity would include up to 70 people;
  - v) The soft landscaping would fill the remaining area of the site, but would comprise appropriate indigenous species (the species would be informed by the botanist conducting the impact assessment); and
  - vi) Existing services to the farm would be utilised in terms of water and power supply; and Sanitation (sewage) services would be provided through a small conservancy tank adjacent to the site, to be located within the existing road reserve.
- b) MP also indicated that Boschendal is presently engaged in developing a Conceptual Framework (CF) at a farm-wide level and specialist baseline studies have been carried out in this regard. MP added the following points regarding the baseline environment on the site, in light of the recent assessments which were carried out to inform the CF:
  - i) There are no watercourses located on the site, however the site is adjacent to two farm dams;
  - ii) There are no important ecological areas mapped on the site; and
  - iii) There are sensitive botanical areas adjacent to the site.
- c) MP asked whether an amendment application to the Orchards Cottages Environmental Authorisation (EA) could be submitted for the proposed development and AT stated that it is unlikely, but that she would confirm with her colleagues and revert. **Post-meeting note:** The response to the NOI received from the Department confirmed that such an amendment application would not be possible.
- d) With respect to the Basic Assessment process, MP confirmed that a botanist had been appointed to conduct a Botanical Impact Assessment for the site, given the close proximity of the site to sensitive botanical areas as well as the fact that it is located within 5km of a Nature Reserve.
- e) MP also added that a Notification of Intent to Develop (NID) has been submitted to Heritage Western Cape (HWC) and their feedback is awaited with regard to the need for a Heritage Impact Assessment (HIA). NM added that the Heritage Practitioner has met with HWC who have indicated that no HIA would be required; however their written feedback in this regard remains outstanding.
- f) MP added that, given the absence of freshwater resources/ watercourses on the site, it is not believed that a freshwater impact assessment would be necessary. AT confirmed this, with the assumption that no watercourses occur on the site.
- g) In addition to the above, AT also confirmed that Listed Activity no. 12 and 48 of Listing Notice 1 would not be triggered as there are no watercourses within 32m of the site, given that the (man-made) farm dams do not constitute a "watercourse" in terms of NEMA and the EIA Regulations, as amended.

#### 3.3 DEA&DP's Requirements for the Process

- a) AT advised that HWC becomes a commenting authority if an HIA is required in conjunction with a NEMA process and stressed that the comments received from HWC must be addressed through the process.
- b) MP stated that the public participation process (PPP) employed for the Basic Assessment process would largely depend on the final response to the NID from HWC as well as the findings of the Botanical Impact Assessment, however these are anticipated to confirm that no HIA is required and that impacts on biodiversity would be low. With this as a key assumption, AT confirmed agreement with the following approach to the PPP:



- i) Minimum statutory requirements in terms of necessary PPP would be acceptable and appropriate (assuming few significant issues are anticipated);
- ii) A site notice would be placed at the site as well as at the farm entrance;
- iii) The Interested and Affected Party (I&AP) database from the Orchards (updated with latest contacts) would be an appropriate starting point for developing a list of potential I&APs, noting that the full database from the Village project may not be suitable, given that it is a very different project with a very different scope to the proposed Agterdam Cottages. AT added that the newspaper adverts would serve to elicit I&AP registrations beyond those included in the preliminary database;
- iv) Newspaper adverts would be placed in one local newspaper and MP would compare the newspapers used in the Village and Orchards EA processes and make use of the same newspaper (noting that only one newspaper would be used). MP added that it was her intention to use the "Eikestadnuus", as was done with the Orchards EA process;
- v) AT confirmed that it would be necessary to notify adjacent landowners as well as occupiers (i.e. farm workers who work or live there) of the process, however stated that this applies to those adjacent to the site boundary and not the boundaries of the farm. Given that the Applicant (i.e. Boschendal) is the landowner for the site and adjacent land, AT further added that it would be acceptable to the Department for the Applicant to issue MP with a list of relevant occupiers of the site in the area to be included in the I&AP database;
- vi) MP queried whether an exemption may be obtained in this regard and AT stated that it would be possible, however that the approval thereof requires a significant process, which also includes a PPP. MP noted this and confirmed that no exemption for notifying occupiers adjacent to the site would be applied for;
- vii) AT advised that the Department of Water and Sanitation (DWS) should be engaged to determine whether there are any triggers under the National Water Act (No. 36 of 1998) (NWA). MP responded by confirming that it is her intention to submit a pre-application on DWS's online system; and
- viii) AT also stated that the following parties should be included in the I&AP database:
  - (1) CapeNature;
  - (2) Department of Agriculture;
  - (3) Department of Economic Development and Tourism;
  - (4) Stellenbosch Municipality; and
  - (5) Cape Winelands District Municipality.

### 3.4 Other

#### 15 Person Threshold and Applicability Thereof

- a) AT confirmed that the Listed Activity pertaining to the 15 person threshold applies to each portion of the farm, however it would apply to the entire farm if/when a Scoping and Environmental Impact Assessment (S&EIA) process is undertaken.

#### Farm-wide CF and Associated EA

- b) AT advised that the Department would prefer that an EA be granted for the entire farm CF as this would negate the need for piecemeal applications and allow impacts to be considered holistically. She added that it would most likely need an S&EIA process and pointed out that it would probably be a complicated, long but ultimately worthwhile endeavor. AT advised that Boschendal apply for the maximum possible scope in that regard in order to avoid amendments down the line if the scope changes.
- c) AT also added that, while the whole farm is under an S&EIA process, anything related to the scope described (i.e. related to a listed activity) would not be permitted to commence until the process is concluded and the EA granted. Therefore, from a strategic perspective, it was noted that if there are certain projects which Boschendal would prefer to "fast-track", then they could do one of two things:
  - i) First obtain an EA for the individual projects, then go ahead with the S&EIA process; or
  - ii) Keep the individual projects separate from that defined in the scope of the S&EIA process and run the S&EIA process concurrently.
- d) AT confirmed that, in spite of the above, the Department would continue to accept piecemeal applications for specific projects on the farm, where Listed Activities are triggered.



#### **Obtaining Copies of other EAs**

- e) AT confirmed that other EAs applicable to Boschendal are obtainable from the Department, but one would have to go through a Promotion of Access to Information Act (No. 2 of 2000)(PAIA) process even if Boschendal as the Holder requests it.
- f) To assist with this, AT confirmed that the Department could conduct a search on their database using the farm portions and provide a list of the EA reference numbers to use when completing the PAIA form.

#### **Olive Press**

- g) NM queried whether the Olive Press proposal would trigger any Listed Activities, clarifying that no physical changes would be made on the ground and that a land-use application is being undertaken to regularise the facility from a temporary departure to a permanent use right. AT confirmed that, as long as nothing changes in terms of footprint or services, there are no NEMA triggers for the Olive Press and thus no EIA application is required.

#### **Thembaletu Educational Facility**

- h) MP explained that Boschendal is considering converting the existing Thembaletu buildings to an educational facility. MP clarified that the footprint would not be expanded upon, there are no watercourses within 32m of the site and there are no botanical sensitivities (including indigenous vegetation) on the site. She added, however, that the servicing requirements are uncertain at present.
- i) AT confirmed that, given what MP had explained, there do not appear to be any NEMA triggers for the proposal, however it is recommended that, once the full scope is clarified, an EIA Applicability Checklist is to be submitted to the Department for final confirmation on the matter.

#### **3.5 Close**

- a) MP thanked all attendees for their time and inputs and closed the meeting at 11:00.



THE PROPOSED REFURBISHMENT AND EXPANSION OF THE AGTERDAM COTTAGES AND ASSOCIATED INFRASTRUCTURE ON PORTION 4 OF THE  
FARM NO. 1674 BOSCHENDAL  
CHAND REFERENCE NO: 03005

## ATTENDANCE REGISTER

DATE: 16 May 2019  
VENUE: Department of Environmental Affairs and Development Planning  
TIME: 10:00 - 11:00

| FULL NAME         | ORGANISATION    | CONTACT NO.   | EMAIL                             | SIGNATURE                                                                           |
|-------------------|-----------------|---------------|-----------------------------------|-------------------------------------------------------------------------------------|
| Mariele Renwarden | Chand           | 021 762 3050  | mariele@chand.co.za               |    |
| Andrea Thomas     | DEA&DP          | 021-483 2700  | Andrea.Thomas@westerncape.gov.za  |    |
| Samornay Smidt    | DEA&DP          | 021 483 5828  | Samornay.Smids@westerncape.gov.za |   |
| NISA mammien      | NM& ASSOCIATES  | (021) 6711138 | nisa@visionplan.co.za             |  |
| J. Paterson       | NM & Associates | 021 6711138   | jody@visionplan.co.za             |  |



## Appendix 7:

Heritage Impact Assessment (04 November 2013) and Heritage Western Cape  
Record of Decision (16 January 2014)





Enquiries: Troy Smuts  
Tel: 021 483 9543

Email: [troy.smuts@westerncape.gov.za](mailto:troy.smuts@westerncape.gov.za)

Date: 18 December 2013  
Case No: 131024TS48  
Auto IDs: 2363 - 2761

**FINAL COMMENT**

In terms of section 38(4) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003

Attention: Mr Boschendal (Proprietary) Ltd  
P O Box 25  
Groot Drakenstein  
7680

**CASE NUMBER: 131024TS48**

**HIA: PROPOSED CONVERSION OF SEVEN COTTAGES, CONSTRUCTION OF A MULTI-PURPOSE WEDDING VENUE AND ALTERATIONS AND ADDITIONS TO THE HISTORIC WINE CELLAR ON BOSCHENDAL FARM, STELLENBOSCH**

The matter above has reference.

Heritage Western Cape is in receipt of your correspondence on the above matter, dated 25 November 2013 and the following was discussed:

1. The proposal is for the conversion of seven cottages for tourism accommodation use including a new communal pool, gravel driveway and clearing, and landscaping.
2. The proposal is for the construction of a new multipurpose building (olive press and wedding venue) measuring approximately 650m<sup>2</sup> in extent and including a new gravel driveway, new parking area and expansion of an existing parking area to accommodate 75 bays in total. Bulk services are yet to be finalised.
3. Additionally for alterations and additions to the historic wine cellar currently in use as a restaurant including the demolition of a 1970s utility and service addition, its replacement with a lightweight structure and extension of a deck over an existing service yard, and new kitchen extension.

**Decision:**

Heritage Western Cape supports the recommendations: The proposed alterations and additions to the wine cellar restaurant be approved by HWC in terms of Section 27 on condition that:

1. The development is in accordance with the plans, elevations and sections dated October 2013, drawing nos. 21.01 and COMP 01
2. Final or amended building plans must be submitted for approval by HWC.
3. The location, size and number of new openings into the historical fabric must be informed by fabric analysis undertaken by a conservation architect to establish the possibility of earlier openings.
4. Structural interventions to the historic fabric must be supervised with the input of a conservation architect, who must submit a completion report to HWC.
5. Any demolition or excavation work around the wine cellar must be subject to archaeological monitoring by a professional archaeologist.





Enquiries Troy Smuts  
Tel: 021 483 9543  
Email: [troy.smuts@westerncape.gov.za](mailto:troy.smuts@westerncape.gov.za)

Date: 18 December 2013  
Case No: 131024TS48  
Auto IDs: 2363 - 2761

The new farm shed (to be used as a function venue) and adaption and re-use of the historical cottages be approved in terms of section 38(4) of the NHRA, on condition that:

1. This is in accordance with the site development plan dated October 2013, drawing no. SDP/BOSCH. The proposed new farm shed and its future as a function venue is in accordance with sketch plans, elevations and sections dated October 2013, drawing nos. SK.01, SK.02 and COMP.01. Final or amended drawings must be submitted to HWC for approval;
2. The proposed alterations and additions to the seven cottages and their future use as guest accommodation is largely in accordance with plans, elevations and sections dated October 2013, drawing nos. SKP01/BOSCH, SKP02/BOSCH, SKP03/BOSCH, 21.01 and 21.02;
3. The landscaping interventions and parking are largely in accordance with the site development plan dated October 2013, drawing no SDP/BOSCH.

**Terms and Conditions:**

1. Heritage Western Cape reserves the right to request additional information as required.
2. This letter does not constitute conclusion of processes under the National Heritage Resources Act (Act 25 of 1999). These processes may only proceed further once the contents of this letter have been adhered to. Please note that no final documentation may be submitted to the Environmental Authority until the process under the NHRA has been concluded.

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

Yours faithfully

Andrew B Hall  
Chief Executive Officer  
Heritage Western Cape



**DRAFT HERITAGE IMPACT ASSESSMENT:  
SECTION 38 (4) of the NATIONAL HERITAGE RESOURCES ACT**



**PROPOSED EXPANSION AND UPGRADE OF HOSPITALITY AND TOURIST FACILITIES AT BOSCHENDAL FARM, PORTION 10. NO.1674,  
DWARS RIVER VALLEY, STELLENBOSCH**

**Prepared for Boschendal Proprietary Ltd.**

**Prepared by Sarah Winter and Nicolas Baumann**

**4<sup>th</sup> November 2013**

## TABLE OF CONTENTS

### SECTION A: INTRODUCTION

- A.1 Legal framework
- A.2 Site description
- A.3 Project description and motivation
  - A.3.1 New barn / function venue
  - A.3.2 Cottages
  - A.3.3 Wine cellar restaurant

### SECTION B: HISTORICAL OVERVIEW

### SECTION C: STATEMENT OF HERITAGE SIGNIFICANCE

- C.1 Landscape context
- C.2 Werf context
- C.3 Individual buildings and groupings
  - C.3.1 Wine cellar
  - C.3.2 Cottages

### SECTION D: HERITAGE RELATED DESIGN INDICATORS

- D.1 Cultural landscape
- D.2 Boschendal werf
- D.3 Individual buildings and groupings
  - D.3.1 Wine cellar
  - D.3.2 Cottages

### SECTION E: ASSESSMENT OF THE PROPOSALS

- E.1 New barn and function venue
- E.2 Wine cellar restaurant
- E.3 Cottages

### SECTION F: CONCLUSIONS

### SECTION G: RECOMMENDATIONS

- G.1 Wine Cellar Section 27 of the NHRA
- G.2 New barn / function venue and historical cottages Section 38 (4) of NHRA

### REFERENCES

## LIST OF FIGURES

- Figure 1: Site location within the context of the Dwars River Valley
- Figure 2: Aerial oblique of the Dwars River Valley
- Figure 3: Grade I landscape context
- Figure 4: Site location within the context of Boschendal farm werf (PHS)
- Figure 5: Landscape Analysis: Farm Werf Scale
- Figure 6: Landscape analysis: Cottage precinct scale
- Figure 7: Photographic Survey - View Locations
- Figure 8: Photographs of Boschendal farm werf
- Figure 9: Photographs of early 20th century cottages
- Figure 10: Photographs of mid-20th century cottages
- Figure 11: Photographs of surrounding context
- Figure 12: Site Development Plan
- Figure 13: Site Development Plan
- Figure 14: 17th and 18th Century Land Grants in the Drakenstein Valley
- Figure 15: Map of Drakenstein Valley 1650-1795 showing position of land grants and dominant patterns of ownership.
- Figure 16: Photograph of Boschendal werf in the late 19th early 20th century
- Figure 17: Sketch of Boschendal wine cellar 1896-1898
- Figure 18: Surveyor General's Compilation of the Dwars River Valley 1820 to 1880.
- Figure 19: Extract from 1901 Inch Series showing Cape, Paarl and Stellenbosch Districts
- Figure 20: Photographs of Lanquedoc cottages
- Figure 21: 1923 Topographical Plan of Rhodes Fruit Farms Ltd
- Figure 22: 1949 aerial photograph
- Figure 23: 1953 aerial photograph
- Figure 24: 1966 topographical plan
- Figure 25: Photograph of wine cellar front gable – pre restoration
- Figure 26: Photograph of wine cellar façade – post restoration
- Figure 27: Boschendal werf in the context of the Dwars River Valley Cultural Landscape
- Figure 28: Boschendal werf in the context of the historic core
- Figure 29: Architectural drawings of new barn, upgrades and renovations

## LIST OF APPENDICES

- Appendix A: Section 27 Application form
- Appendix B: HWC Response to NID



## SECTION A: INTRODUCTION

Sarah Winter and Nicolas Baumann have been appointed by Boschendal (Proprietary) Ltd to prepare a Heritage Impact Assessment (HIA) for the upgrade and expansion of hospitality and tourist facilities at Boschendal werf situated on Farm No. 1674 Portion 10, Stellenbosch. The site is located in the Dwars River Valley which falls within the Grade I Cape Winelands Cultural Landscape. The proposals include alterations and additions to the historic wine cellar which is located within a Provincial Heritage Site (PHS). They also include the renovation of seven farm cottages which will be used for guest accommodation and the construction of a new farm shed, which will be used as a function venue. These proposals trigger an HIA and require Heritage Western Cape approval in terms of Section 38 (4) of the National Heritage Resources Act (Act No 25 of 1999; NHRA).

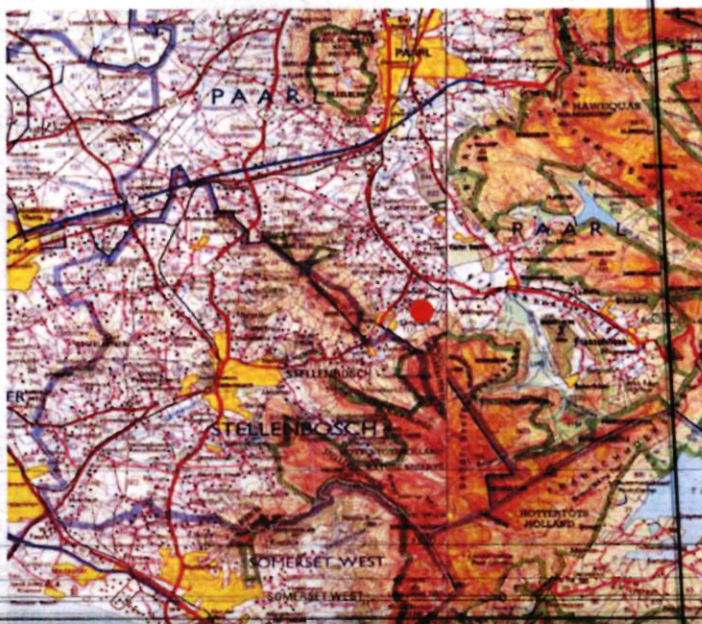


Figure 1: Site location within the context of the Dwars River Valley



Figure 2: Aerial oblique of the Dwars River Valley looking south. The Valley is framed by the Simonsberg (west), the Groot Drakenstein Mountains (east) and the Jonkershoek Mountains (south). Boschendal werf is located in the foreground (centre). It is located adjacent to the R310 prominently lined by flowering gum and oak trees (Source: Boschendal Collection 2005)







## A.1 Legal framework

The Boschendal farm werf was declared a national monument in 1979, thus automatically becoming a NHR in terms of the NHRA. The proposed interventions to the wine cellar are located within the declared area and are thus subject to a NHRA Section 27 application to HWC, attached as Annexure A.

The renovation of seven farm cottages which will be used for guest accommodation and the construction of a new farm shed which will be used as a function venue trigger Section 38 (1) of the NHRA in that it involves the change in character of the site exceeding 5000m<sup>2</sup> in extent as listed under S 38 (1) (c) (i). Accordingly, a Notification of Intent to Develop (NID) was submitted to HWC. Given that a range of heritage resources will be affected, HWC has requested a HIA including a cultural landscape and built environment assessment. Refer to Annexure B: HWC Response to NID.

The proposed development does not trigger a listed activity in terms of the Environmental Impact Assessment (EIA) regulations of the National Environmental Management Act (NEMA).

A separate Section 27 approval is required for the wine cellar proposals. However, given that these proposals form part of a larger hospitality upgrade of the broader werf precinct, it was considered preferable to assess the proposals in their entirety.

The proposed development is situated within a Grade 1 site and is therefore subject to the Memorandum of Agreement (MoA) between the HWC and the South African Heritage Resources Agency (SAHRA) regarding the handling of Grade I sites dated 2012.

In terms of local authority approval, the following sequence of submissions is required (Anine Trümpelman of Planning; pers. com October 2013):

1. Submission of building plans to Council will be made for:
  - Renovation of 7 labourers' cottages
  - Construction of a new farm shed
2. Once approved, it is then intended to submit an application in terms of Section 8 of the Scheme regulation (applicable planning legislation) for the following land uses:
  - Consent for a guesthouse (utilising the 7 existing cottages for accommodation of up to 14 guests)
  - 5 year Temporary Departure for a function venue (utilising proposed new farm shed for up to 200 guests)

Furthermore a consent use application will be need to be made for the extension of the existing wine cellar restaurant and which will require planning approval prior to building plan submission.

It should be noted that planning approval was granted in 2009 for the tourism retail use of the cottages and a new wine tasting facility located immediately to the east of the cottages. Planning approval has since lapsed.

## A.2 Site description

The Boschendal werf is accessed off the R310, and is approached from the south. The establishment of this approach as the primary and singular 'public' entrance to the werf and its associated parkland setting dates to the mid-1970s when the Boschendal farm werf and gardens were subject to a major restoration/renovation project and its re-conceptualization as a museum, tourist venue and institutional flagship for Amfarms. Its restoration and landscaping was carried out by Gabriel and Gwen Fagan (Fagan 1974).

The layout of the werf is unique with outbuildings forming two long parallel rows behind the homestead. The position of the wine cellar is indicated on Figures 5 and 6. The building is split at two levels with the lower northern section originally used as a cooper and carpentry room and the upper southern section comprising the gabled cellar, opposing and matching the gable of the coach house. The cellar dates to circa 1802. Its restoration/reconstruction included the front and 'holbol' end gables, reinstatement of thatched roof, reed ceilings and poplar ceiling beams and reinstatement of arched door openings. Its windows are single casements along the western façade with a one double casement along the eastern façade. Their provenance is uncertain, presumably part of the 1970s restoration. Its adaptive reuse as a restaurant dates to the late 1970s including the addition of kitchen, ablutions and service yard to the rear. Its floor is cement screed (Fagan 1974).

The cottages are situated to the south of the primary farm werf and to the east of the approach road to the werf. The cottages are screened from view from the approach road by a mature 6-7m high Hakea hedge. Situated directly west of the approach road is a lawned area currently used as an outdoor restaurant facility (le picnique).

The cottages are aligned along the western and southern edges overlooking an "open space" with the land form sloping down towards Dwars River to the east and set against the impressive backdrop of the Groot Drakenstein Mountains.

The cottages are accessed via an existing narrow gravel road. The space is framed to the north, west and south by mature vegetation which acts as a visual buffer in relation to the primary werf. An existing nursery and old poplar grove is located to the north-east. Apart from a grouping of mature stone pines to the south, a Norfolk pine to the rear of one of the cottages and a few shrubs, the space is generally devoid of significant planted or traditional "cottage garden" landscape features. Two tree stumps are remaining physical evidence of a heavily treed setting that historically existed from at least the early 20th until fairly recently.

The four cottages aligned almost parallel to the approach road date to the early 20th century. These cottages are 'L shaped' with plinths and are similar in style though configured differently and alternately. They possess double pitched corrugated iron roofs, steel windows (probably replacements), vertically battened stable doors and loft doors in the gable ends (Aikman Associates 2005). Their internal configuration accommodates two bedrooms, a living area, kitchen and bathroom. Floors are concrete and ceilings are of narrow timber boards and poplar beams. A simple hearth with plastered masonry surround occupies the kitchen space.

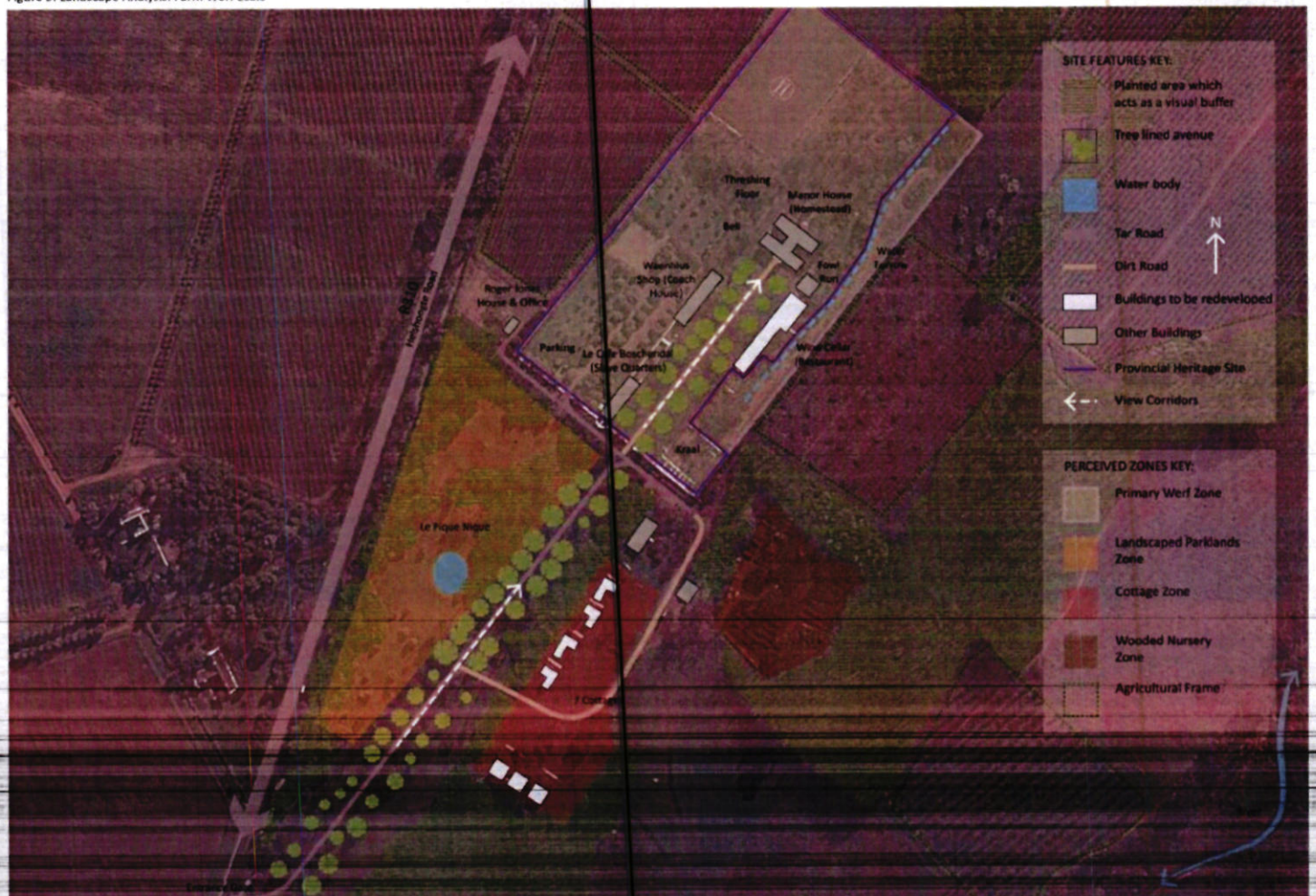
The exact date of the above mentioned cottages is unknown but they display characteristics dating to the late 19th/early 20th century. This date is also confirmed by Aikman Associates (2005) and Hennie Vos (pers.com 2013) who inspected the buildings in 2007.

Perpendicular to the early 20th century cottages and defining the open space to the south are three cottages dating to the mid-20th century. These are box-like structures with unplastered brick plinths, projecting chimneys and mono-pitched roofs sloping towards the open space. Parapets have substantial mouldings. Windows are timber casements. Front garden walls have moulded copings and gateposts. A similar structure is located to the far north of the open space in line with the early 20th century cottages. This structure has been modified and extended to service le picnique. There is also a structure of possible 19th century origin situated on the north-east corner of the site. This building has a stone plinth and is part stone and brick construction. It has a bakoond and chimney and is currently used as a store (Aikman 2005). These latter two buildings do not form part of the proposed development.

The exact date of the above mentioned cottages is unknown but they display Cape Revival, Cape Georgian characteristics dating to the mid-20th century. Based on aerial photography, they were constructed between 1949 and 1953. They share some stylistic qualities with the design of the Thembalethu black hostel which is located on the opposite eastern side of the Dwars River. The hostel was constructed post 1976, more than a decade later (Source: unsigned drawings dated 1976 for proposed "Bantu Dormitories", Boschendal Collection). All seven cottages have been vacant for the last 8 years or more. Their condition is fair to poor and in need of repair and maintenance especially with respect to gutters, fascia boards and joinery.



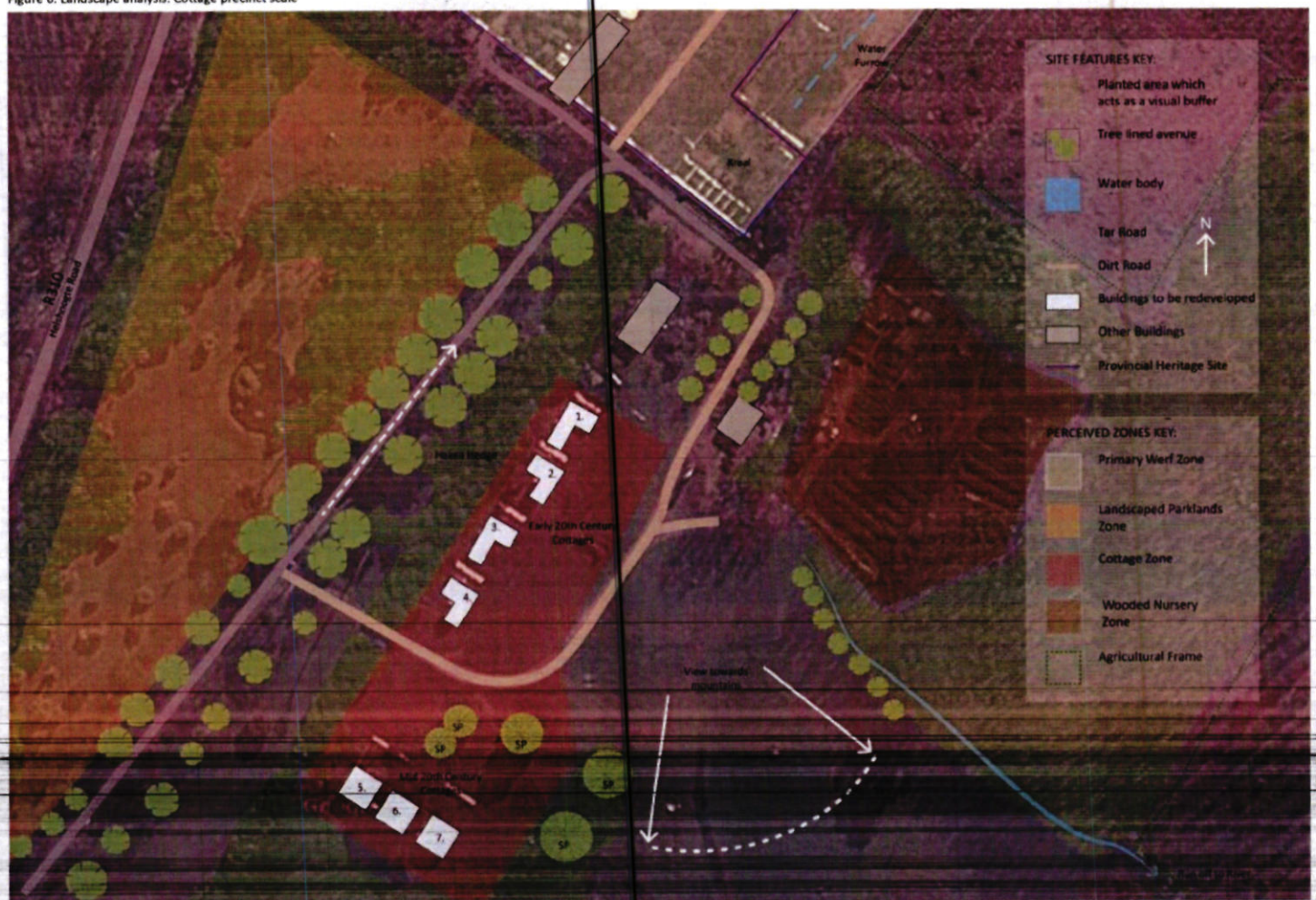
Figure 5: Landscape Analysis: Farm Werf Scale



Draft Heritage Statement: Section 36 (4) of the NHA, Boschendal Farm Portion 10 of Farm No. 1674, Stellenbosch  
Proposed Upgrade and Expansion of Tourism Facilities, prepared by Sarah Winter and Nicolas Baumann dated November 2011



Figure 6: Landscape analysis: Cottage precinct scale



Draft Heritage Statement: Section 86 (4) of the NHA, Boschendal Farm Portion 30 of Farm No. 1674, Stellenbosch.  
Proposed Upgrade and Expansion of Tourism Facilities, prepared by Sarah Winter and Nicolas Baumann dated November 2013



Figure 7: Photographic Survey: View Locations



Draft Heritage Statement: Section 38 (4) of the NHA, Boschendal Farm Portion 10 of Farm No. 1674, Stellenbosch  
 Proposed Upgrade and Expansion of Tourism Facilities, prepared by Sarah Winters and Nicolas Reimann dated November 2013



Figure 8: Photographs of Boschendal farm werf

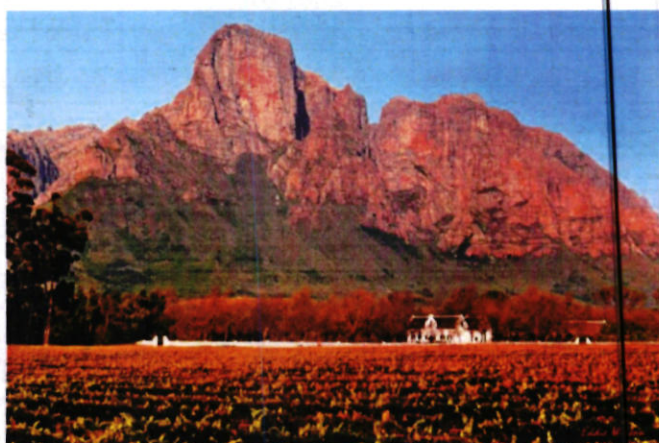


Figure 8.1 Homestead with backdrop of Drakenstein



Figure 8.2 View towards homestead with wine cellar (right) and coach-house (left)



Figure 8.3 Wine cellar front elevation

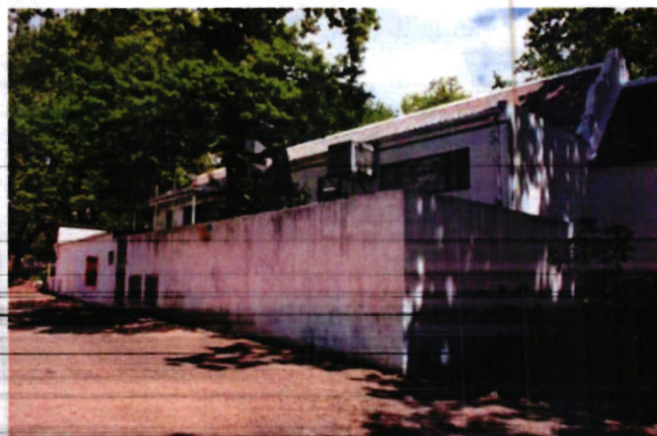


Figure 8.4 Wine cellar rear elevation with 1970s additions



Figure 9: Photographs of early 20th century cottages



Figure 9.1



Figure 9.2



Figure 9.3



Figure 9.4

Figure 9: Photographs of early 20th century cottages



Figure 9.5



Figure 9.6



Figure 9.7



Figure 9.8



Figure 9.9



Figure 10: Photographs of mid-20th century cottages



Figure 10.1



Figure 10.2



Figure 10.3



Figure 10.4



Figure 11: Photographs of surrounding context



Figure 11.1 View of cottages and surrounding context



Figure 11.2 Entrance View Corridor



### A.3 Project description and motivation

Outlined below is summary of the motivation and description of the proposals. Refer to accompanying Site Development Plan (Figures 12-13). A full set of proposals including architectural plans, elevations and sections for the new farm shed, cottages and the wine cellar is included in Section E. Refer to Figure 29: Proposals.

#### A.3.1 New barn / function venue

As part of a business strategy to expand tourism facilities at Boschendal, the need has been identified for a new, flexible and functional building that could serve as a function venue. The old nursery site has been identified for the new building in terms of its being visually screened from the primary werf, yet still being associated with the Boschendal werf. The new structure has been positioned to avoid the reinforcement of any formal axis, yet still respecting orthogonal geometries. The architecture of the new building is intended to differentiate from the historical buildings, yet still maintaining an agricultural character. Based on a combination of its architecture and discrete wooded location the building is intended to be recessive and to allow for the use of a contemporary, practical space without affecting the character of the werf.

Landscaping interventions include the expansion of an existing olive grove to reinforce the agricultural setting of the new building. No structured hard surfaces or decorative planting is envisaged. Additional parking has been fragmented and screened by existing and new hedges and planting.

#### A.3.2 Cottages

The proposed interventions to the four early 20th century cottages include the following:

- The demolition of internal walls combining the existing kitchen and living rooms as a single enlarged living space.
- The demolition of internal walls combining two existing bedrooms into a single bedroom space with the relocation the existing bathroom within the existing bedroom wing.
- The opening up of the roof structure by the selective removal of ceiling boards.
- New windows and doors of similar proportions to existing openings.
- New stairs and limited stoep extensions to line up with the existing plinth.
- A new extension to the rear of the cottages with doors and fixed glazed panels to accommodate a new kitchen and mudroom.

The main interventions to the three mid-20th century cottages include a new pergola covered stoep, double doors to the front elevation, and the replacement of the asbestos roof.

Landscaping interventions include a new gravel driveway and organic reed bed pool situated in a clearing of an existing wooded area.

#### A.3.3 Wine cellar restaurant

The main focus of the intervention is the 1970s services block at the back of the cellar. The strategy is to remodel the services block into a contemporary habitable space by opening up views and connections to the southern portion of the farm. The utilities will be moved downstairs to an existing basement and the existing yard wall will be covered in a deck to be used as an outdoor dining area. The existing kitchen block will be demolished and replaced with a simple, glass walled box and connected to the original cellar by limited additional openings in the exterior wall. Their position, number and size are still to be determined by historical fabric analysis. The entire extension will be within the existing footprint of the service block. An open area between the service block and existing 1970s ablution block will be filled in, in order to increase the kitchen area.

Figure 12: Site Development Plan



SAFETY FORM

# PHILIP BRIEL

SAFETY FORM

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_

STATE \_\_\_\_\_

ZIP \_\_\_\_\_

SAFETY

SIGNATURE \_\_\_\_\_



Figure 13: Site Development Plan



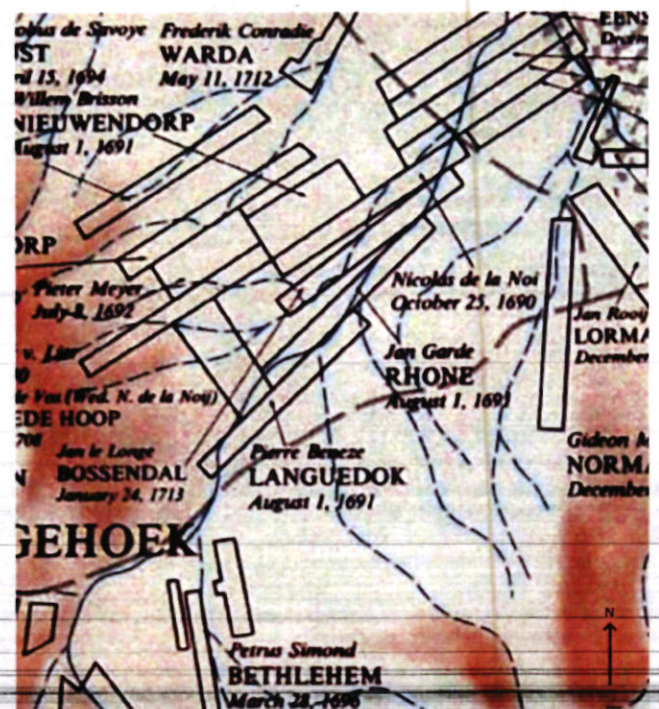


## SECTION B: HISTORICAL OVERVIEW

The purpose of this section of the report is to provide an overview of the evolution of the place in order to establish the chronological context of the Boschendal werf and its broader landscape context.

During the late 17th century Dutch, Huguenot, German settlers and 'freed blacks' were granted freehold land along the banks of the Berg and Dwars Rivers. These grants were typically thin rectangular plots of land measuring 60 morgen. It was during this time that the farm Boschendal was first granted to Jean le Long in 1685. Title deeds issued a few years later indicate 'Boschendal A' being issued to Huguenot Nicolaas de la Noij in 1690 and 'Boschendal B' being issued to Jean Le Long in 1713. These two farms were joined in 1715 when they were both acquired by Abraham de Villiers. Boschendal remained in the ownership of the de Villiers family until 1879 (Boschendal Museum Research 2008).

Figure 14: Extract from composite map showing 17th and 18th century lands grants in the Drakenstein Valley (Source: Leonard Guelke Cape Colony 1657-1750, Department of Geographical Publication series, University of Waterloo, 1987). Grants followed the river courses and were concentrated in well water fertile valleys. Routes connected the farm werfs.





In 1717 Abraham de Villiers sold Boschendal to his brother Jacob, who subsequently sold it to his son Jan in 1738. It was during 1717 and 1738 that the first buildings were probably erected. Jan's widow sold the property to their son Paul in 1807. Given an increase in the price of the property, it is assumed that extensive improvements were made to the werf between 1738 and 1807. The cellar was constructed in circa 1802 and the wagon house opposite was probably built at the same time. Further substantial improvements were made during Paul de Villier's ownership (Fagan 1974).

The early 19th century was associated with a period of agricultural prosperity in the wine industry at the Cape. It was during this period that many of the architectural set pieces of the Valley were established including Boschendal, Rhone, Goede Hoop and Bethlehem. This included the construction of more elaborate homesteads and a range of outbuildings (Baumann & Winter 2006; Titlestad 2008).

The present homestead was constructed in circa 1818 incorporating the foundations of an earlier dwelling (Fagan 1974).

A census of returns of farmers in the Stellenbosch District reveal that in 1823-1824 93 000 wine stocks had been planted on Boschendal and that 102 leaguers of wine and 5 leaguers of brandy had been produced. Paul de Villiers owned 31 slaves which had to be housed and 10 horses which had to be stabled. Furthermore he had 100 oxen and 17 sheep and for which kraals had to be provided. He owned the property until 1840, when the property was transferred to his sons Jan Jacobus and Hendrik Francois (Fagan 1974)



Figure 16: Boschendal werf in the late 19th early 20th century with threshing floor (foreground) and gabled wine cellar (centre) (Source: Boschendal Private Collection) The cellar has a corrugated iron roof, damaged central gable, two arched door openings and a single window.



Figure 17: Alys Fane Trotter sketch of Boschendal wine cellar 1896-1898 (Source: Fagan 1974)



In 1886 the outbreak of phylloxera virtually destroyed all the Cape vineyards, leaving many farmers bankrupt and the Cape economy in ruin. Boschendal was one of twenty-six farms in the Drakenstein Valley to be acquired by Cecil John Rhodes from 1897 and consolidated under Rhodes Fruit Farms (RFF). Rhodes instructed his agents to give preference to those farms with examples of Cape Dutch homesteads and set aside substantial sums for their maintenance. The historical homesteads such as Boschendal, Good Hope and Rhone became RFF managerial residences. RFF was initially established as an experiential and training centre for the development of a Cape fruit industry and was soon to become the centre of a thriving export industry (Baumann & Winter 2006; Titlestad 2008).

The early 20th century valley landscape was characterized by a dramatic shift from wine farming to fruit farming with extensive orchards and windbreaks being planted. It was also associated with the introduction of corporate farming methods and new employment opportunities resulting from the growth and diversification of the fruit industry. This necessitated the construction of new farm managers' and workers' houses. Herbert Baker's extensive architectural intervention in the Valley began at Rhodes' request. The village of Lanquedoc c 1902 was designed by Baker and is highly representative of a planned labourers' village influenced by the Arts and Crafts Movement and the concept of the "garden village" (Baumann & Winter 2006; Titlestad 2008).

It was during this early 20th century period that the cottages located parallel to the approach road to Boschendal werf were constructed. Notwithstanding the fact that these cottages do not reflect the same detailing and design quality as the Lanquedoc cottages (refer to Figure 20) they are characteristic and representative of this early RFF period. The intimate grouping of these four simple family cottages and their physical proximity to the Boschendal werf is in strong contrast to Lanquedoc village in terms of scale and the spatial separation of the village from the historical precinct by the Dwars River. This differentiation in attitudes to RFF workers' housing is most likely a reflection of employee status and the nature of employee-RFF relations.

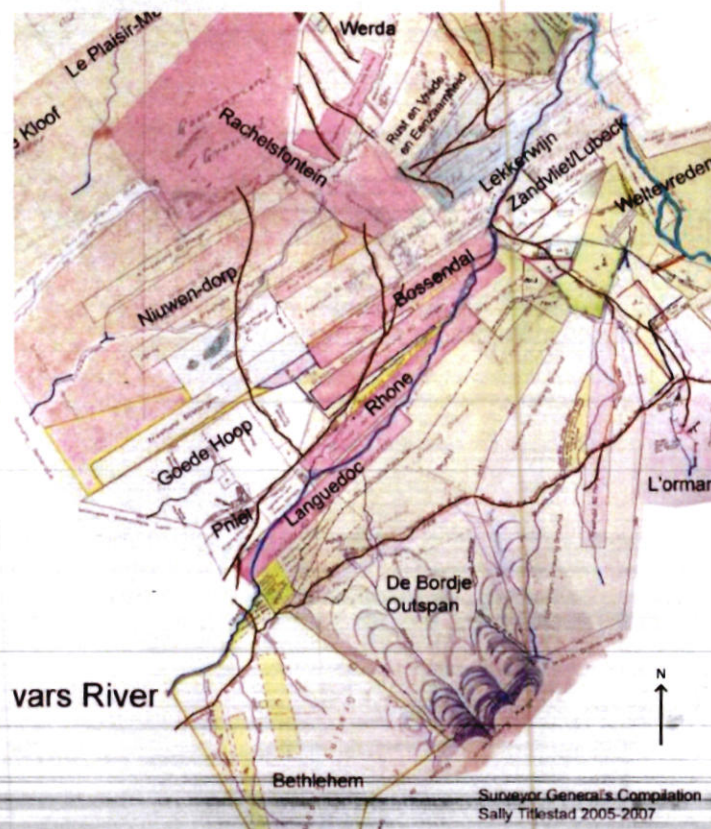


Figure 18: Surveyor General's Compilation of the Dwars River Valley 1820 to 1880. (Source: Sally Titlestad 2005 In Baumann & Winter 2006)



Figure 19: Extract from 1901 Inch Series showing Cape, Paarl and Stellenbosch Districts (Source: KR CPA, 1901). The village of Lanquedoc to the south of Boschendal is clearly depicted.

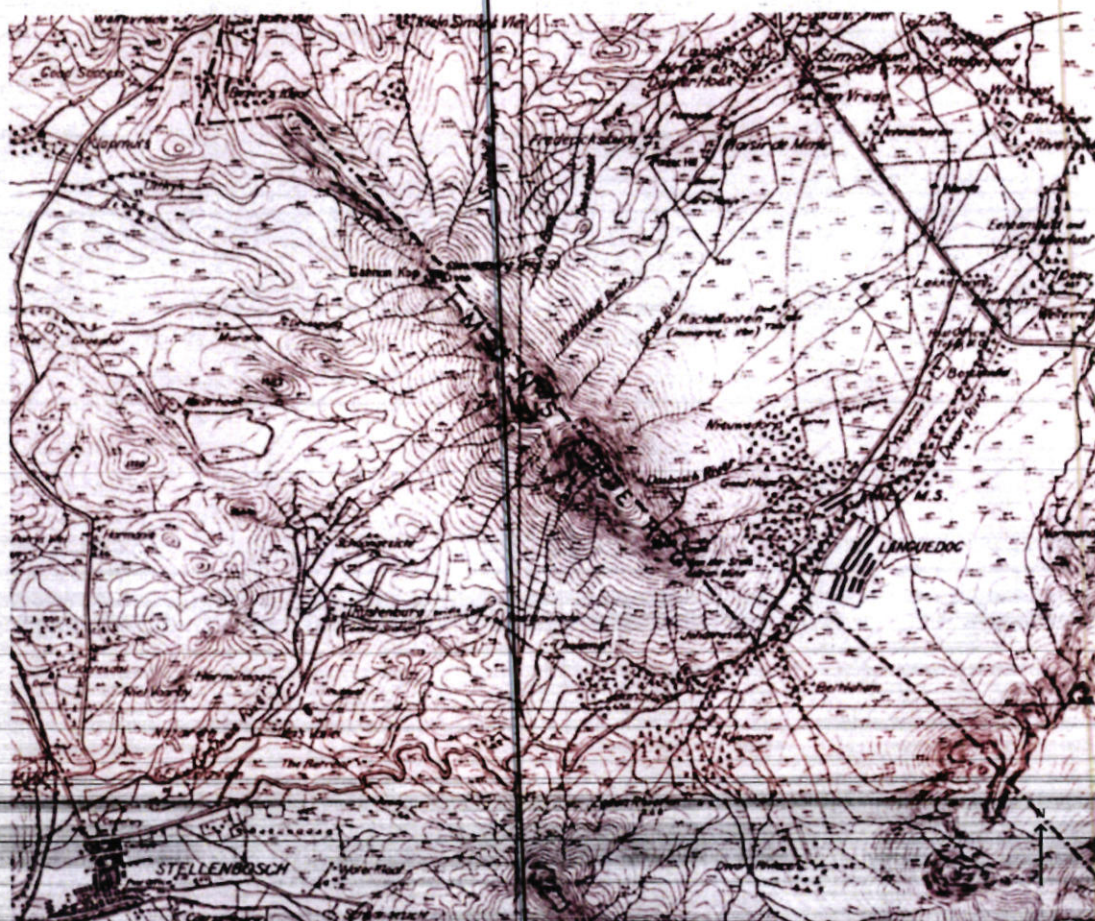


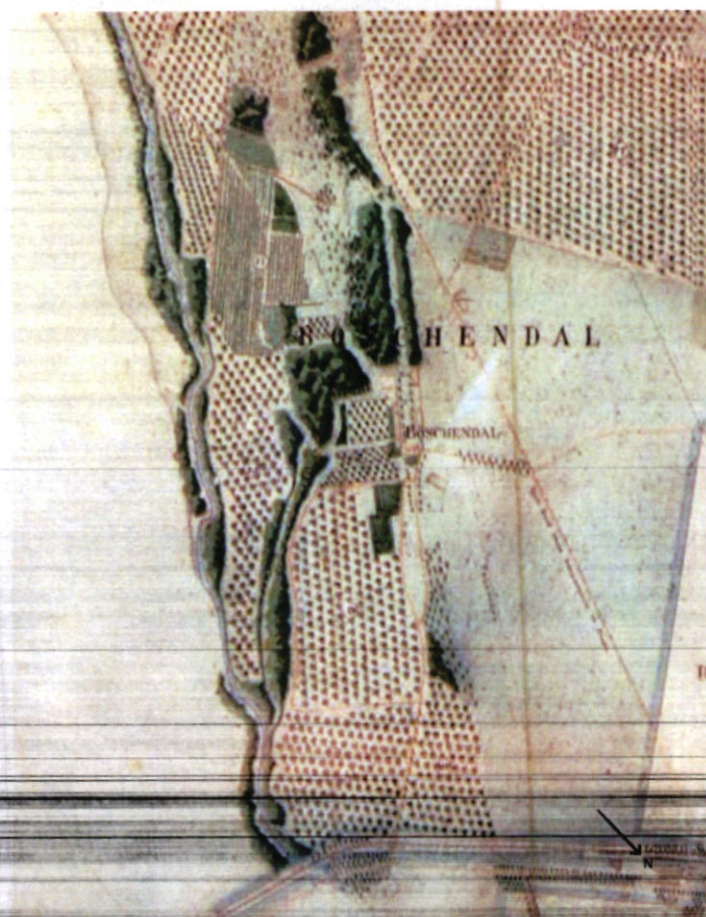


Figure 20: Photographs of Lanquedoc cottages





Figure 21: Extract of 1923 Topographical Plan of Rhodes Fruit Farms Ltd (Good Hope, Nieuwe Dorp, Rhone and Boschendal) (Source: Surveyor General, author unknown, Boschendal Collection). Diagrammatic representation focusing on "set pieces". The early 20th century cottages are not depicted. Insert enlargement of Boschendal farm werf showing strong tree lined avenue to the south of the werf and forested agricultural setting of the early 20th century cottages.





De Beers took over RFF in 1925 and appointed an internal expert in the fruit industry, Alfred Appelyard, as Managing Director with the aim of consolidation and restructuring of the business operation. In 1937 De Beers sold RFF to Abe Bailey and after his death in 1940 a syndicate of business interests acquired RFF and they owned and developed it for the next 28 years. Jack Manning was appointed Managing Director after the death of Appelyard in 1949. It was during the 1950s and 1960s under his management, that massive expansions and improvements were undertaken – new dams and irrigation doubled the productive agricultural area and increased yields by 700%, new workers cottages were constructed, transport was mechanized, refrigeration technology improved and the export markets boomed. By 1968 RFF employed hundreds of people and produced and packaged large scale export crops (Baumann & Winter 2006; Titlestad 2008). It was during this mid-20th century period that the cottages perpendicular to four early 20th century cottages were constructed. The garden walls and gate posts were added post 1973.

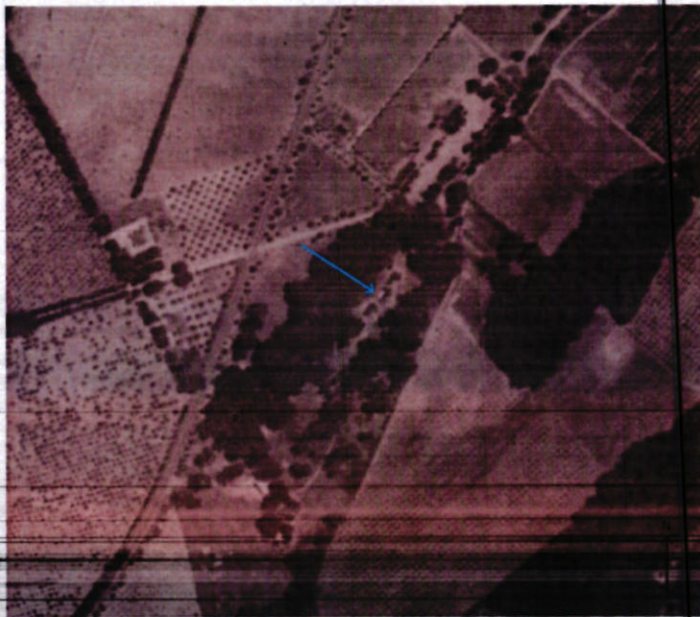


Figure 22: 1949 aerial photograph showing the four early 20th century cottages (blue arrow) (Source: Trig Surveys and Mapping, Mowbray). The three mid-20th century cottages to the south appear not to have yet been built by this period.

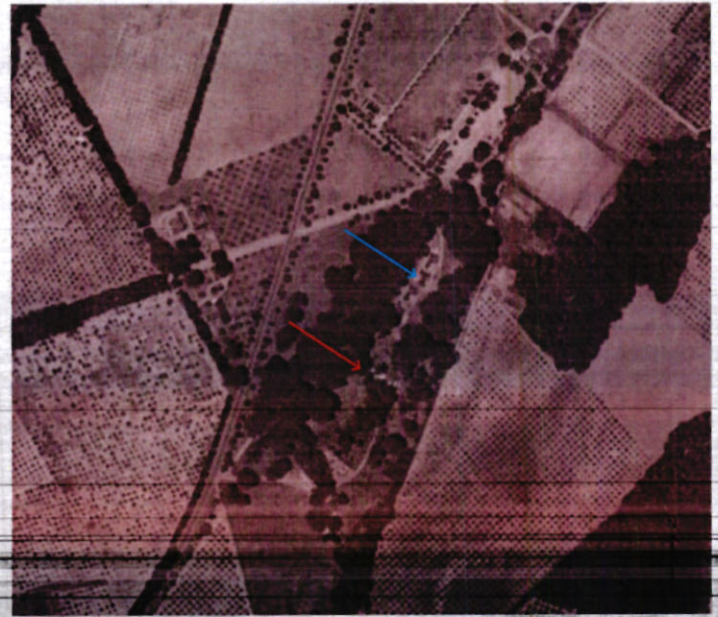


Figure 23: 1953 aerial photograph showing the four early 20th century cottages (blue arrow) as well as the mid-20th century cottages (red arrow) (Source: Trig Surveys and Mapping, Mowbray).



In 1969 Anglo American and de Beers purchased RFF to become Amfarms for the next 31 years. In 1976 the homestead, outbuildings and gardens were restored/renovated to their 19th century appearance under the supervision of Gabriel and Gwen Fagan. Amongst the interventions undertaken were the reconstruction of the matching and facing gables of the "modernised" wine cellar and coach-house/stables. The northern entrance to the front of Boschendal homestead was made redundant by the reinstatement/reinforcement of the southern access situated on axis with the homestead. Boschendal werf was declared a national monument in 1978. In the late 1970s it was established as a museum/tourism/restaurant facility, one of the first establishments of its kind in the Cape Winelands. The wine cellar was adapted for use as a restaurant with the addition of ablution facilities, kitchen and services yard along the rear eastern elevation (Fagan 1974; Franssen 2004; Titlestad 2008).

In 2003 a consortium of investors (Boschendal Ltd) purchased the Boschendal farms ([www.Boschendal.com](http://www.Boschendal.com)). By then most of Amfarms' employees living on Boschendal farmlands had been relocated to Lanquedoc and the numerous vacated workers' cottages have been unoccupied since.

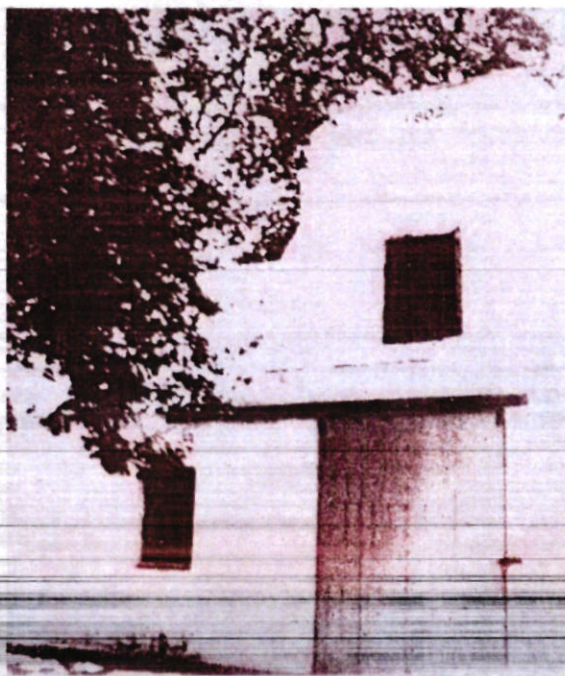


Figure 25: Front gable of the wine cellar – pre restoration (Source: Fagan 1974)

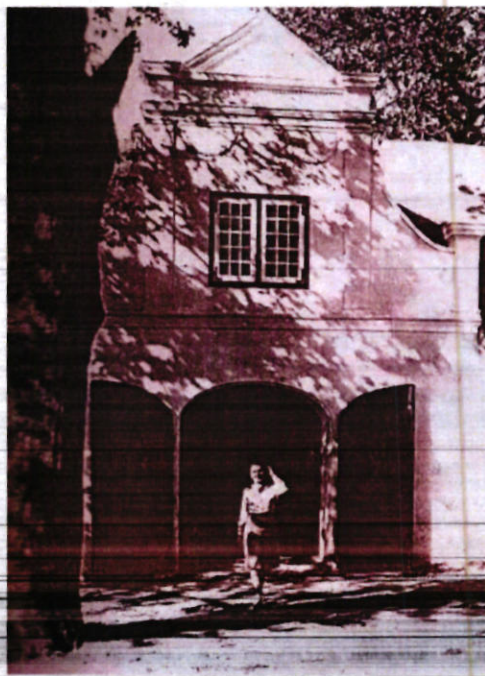


Figure 26: Western façade of the wine Cellar; post restoration in 1974 (Source: Fagan 1974)

## SECTION C: STATEMENT OF HERITAGE SIGNIFICANCE

The following statement of significance is framed at three scales, namely the overall landscape, werf and individual building scales.

### C.1 Landscape context

The Boschendal werf is located within a Grade I landscape. It is located within the Dwars River Valley which is an integral component of this landscape and of outstanding heritage value in terms of the following (Drakenstein Landscape Group 2012):

- It is highly representative of the Cape Winelands Cultural Landscape in terms of the visual dominance of a productive agricultural landscape, dramatic mountain-valley setting, its collection of historical farm werfs, cottages and villages, and pattern of historical tree alignments.
- It reflects a pattern of early colonial settlement and expansion during the late 17th and 18th centuries with an emphasis on agricultural production concentrated in the well watered fertile valleys.
- It has played a key role in the history of the fruit industry with the establishment of Rhodes Fruit Farms and its association with important figures in the development of the export fruit industry at the turn of the 20th century.
- It has the strong presence of a major corporate institution (Rhodes Fruit Farms-Amfarms) spanning more than a century and its associated impacts on the landscape in terms of farming methods, infrastructure, built form, patterns of labour and institutional memory.
- It has a concentration of highly important heritage places with Boschendal and Rhone and their landscape settings providing a pivotal set piece within the valley system. Its rich architectural and settlement history reflects the evolution of the Cape farm werf tradition from the 18th century, the influence of the Arts and Crafts Movement and the work of one of South Africa's foremost architects, Herbert Baker. It also reflects a range of built form and settlement typologies, e.g. farm werfs, managerial residences, farm cottages, planned labourers' village (Lanquedoc) and mission settlement (Pniel).
- It has a distinctive and legible pattern of agricultural settlement which has evolved in response to fertile soils, water availability and movement routes, and has resulted in a pattern of farm werfs strung out along the Dwars and Berg Rivers. The riverine corridor contributes significantly to the setting and provides strong edge conditions to heritage places, e.g. Rhone and Boschendal.
- It has a strong relationship with a regional scenic route network, e.g. the R310, and variation of views ranging from dramatic distant views towards the mountains and focused views on landmark buildings, e.g. Boschendal.
- It reflects the history of farm labour, i.e. slavery, indentured labour, wage labour, migrant labour, and related shifts from a feudal to a corporate to a democratic order. Its community has worked and inhabited the landscape for generations resulting in strong linkages between place and identity.

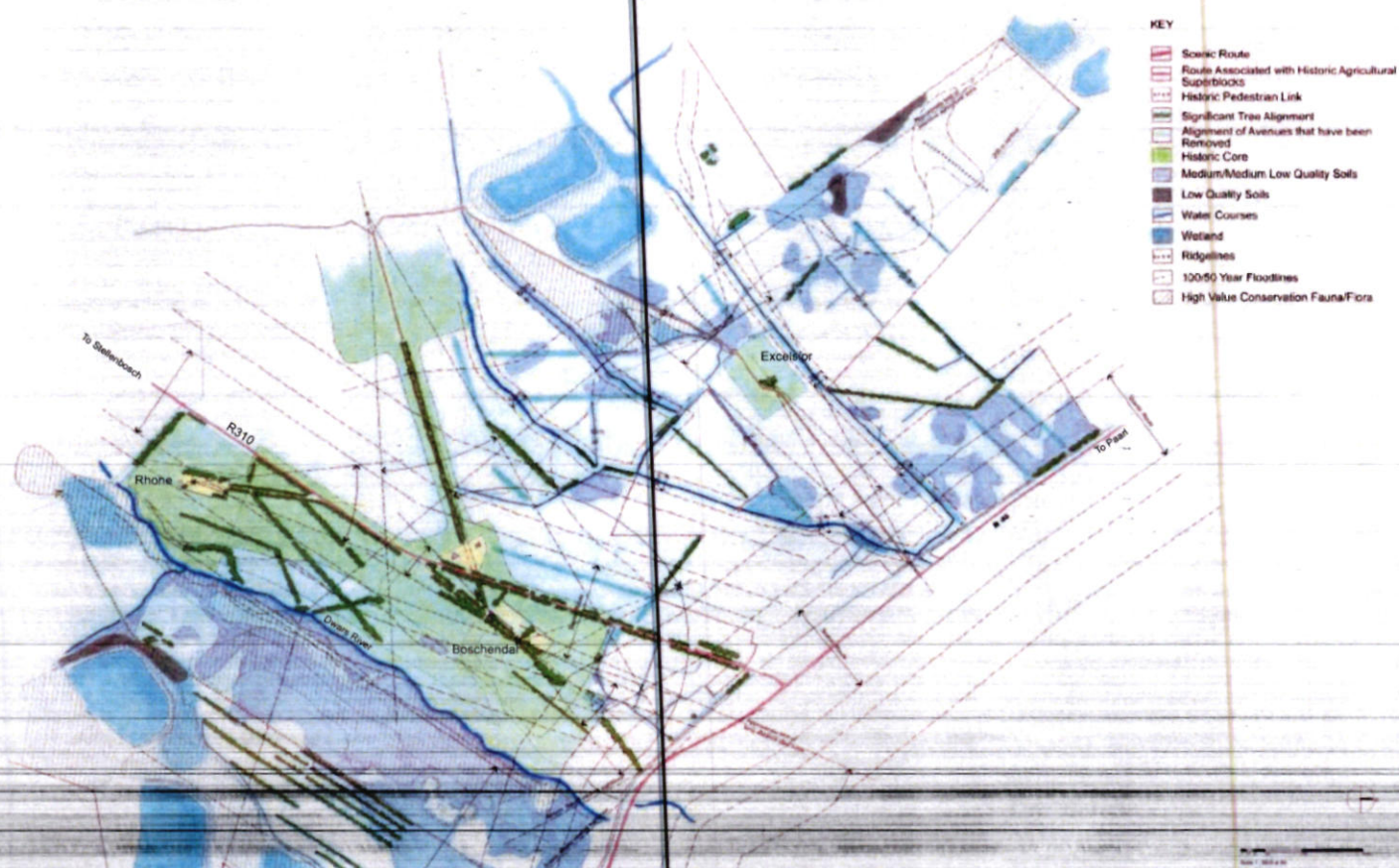


Figure 27: Boschendal werf in the context of the Dwars River Valley Cultural Landscape (Source: Baumann, Winter, Dewar & Louw 2012).





Figure 28: Boschendal werf in the context of the historic core (Source: Baumann, Winter, Dewar & Louw 2012).





## C.2 Werf context

Boschendal forms part of a historical core incorporating the farm werfs of Boschendal and Rhone and their agricultural frames, as well as the R310 scenic corridor and the Dwaars River. (Refer to Figures 27 and 28). The werf is a PHS and is of outstanding intrinsic, associational and contextual heritage value, one of the most iconic farm werfs within the Cape Winelands. It is worthy of Grade II, possibly even Grade I heritage status for reasons outlined below.

- It has high historical value in terms of its association with a pattern of early colonial settlement dating to the late 17th century.
- It has outstanding architectural value demonstrating key design principles of the Cape farm werf tradition with an emphasis on symmetry, orthogonality, axiality, hierarchy and enclosure. It is highly representative of the grand set pieces of the Cape Winelands dating to the early 19th century and incorporating a range of built elements, e.g. homestead, wine cellar/cooper, coach house/stables, slave quarters, kraals, fowl-run, werf walling, farm cottages. Its linear street-like layout is unique with outbuildings forming two long parallel rows behind the homestead. Its 1970s restoration to an early 19th century 'Cape Dutch' appearance reflects prevailing conservation attitudes at the time. The authenticity of its historical fabric and architectural character is variable ranging from a relatively high degree of authenticity of the homestead to its more heavily restored outbuildings, e.g. the wine cellar.
- It possesses distinctive landscape character zones that have evolved over time. This includes the spatial dominance and formality of the primary werf set within a strong agricultural frame with its central werf space characterised by a simple, albeit restored, landscape character i.e. levelled and lawned, gravel pathways and tree lined avenue situated on axis with the homestead. This is in contrast to the parkland setting and associated tree lined approach route to the south. This is also in contrast to the subsidiary and discrete nature of the cottage and nursery zone to the south-east and its associated sylvan and meadow setting.
- It has a distinctive pattern of tree planting which reinforces its settlement structure in terms of axial relationships and contributes to its treed setting.
- It has high aesthetic value in terms of relationships with its landscape setting – its strong linearity parallel to a riverine corridor, strong agricultural edges and magnificent mountain backdrop.
- It has a prominent landmark status along the R310 scenic route with dominant views towards the homestead and the Drakenstein Mountains beyond.
- It has high social value in terms of its associations with the De Villiers family and institutional memory as one of the historical set pieces consolidated under Rhodes Fruit Farm in the late 19th century. Also, its role as a major tourism destination, one of the first establishments of its kind in the Cape Winelands.
- It has associations with the history of slavery and farm labour which is manifested in various ways, e.g. slave quarters, farm workers' cottages.

## C.3 Individual buildings and groupings

### C.3.1 Wine cellar

The wine cellar contributes significantly to the werf ensemble in terms of its age of construction dating to early 19th century (possibly earlier), the subsidiary nature its built form in relation to the homestead and its contribution to the enclosure of the central space. Its degree of authenticity and integrity is difficult to determine due to an absence of complete documentation of its 1970s restoration/reconstruction. Available documentary evidence indicates it has been significantly restored in terms of roof, ceiling, front and end gables and arched door openings along the western façade (Fagan 1974). Its adaptive reuse as a restaurant during the 1970s has been recessively located to accommodate kitchen and ablution facilities to the rear and thus not to detract from the simplicity and intactness, albeit restored 'pristine' character of the central werf space.

### C.3.2 Cottages

The grouping of four early 20th century cottages has heritage value in terms of the following:

- They are fairly intact examples of farm workers housing dating to the early RFF period.
- They reflect an attitude to farm worker's housing during an important period in the history of the Valley.
- They possess distinctive settlement qualities in terms of their strong linearity and alternating 'L shaped' configuration.
- They possess a positive relationship with their landscape setting defining the edges of a green open space with dramatic views eastwards towards the Drakenstein Mountains.
- They are of suggested Grade IIIB value. The adjacent mid-20th century cottages contribute spatially and historically to the grouping and are of suggested Grade IIIC value.

Of considerable importance is the location of this grouping in proximity to the Boschendal werf. Of direct relevance is their deliberate subservience within the context of the primary werf in terms of their built form and being consistently tucked away and visually screened from view from the primary werf within a treed environment since at least the early 20th century. Similarly, of significance also is the manner in which the cottages have responded to landscape patterns and geometries over time - the linearity of the early 20th century cottages 'parallel' to the approach road and 'continuing' the alignment of the eastern arm of the primary werf enclosure. Furthermore, the arrangement of the mid-20th century cottages in order to enclose the space and further define its role as a distinct environmental room different in character from the primary werf is of relevance.



## SECTION D: HERITAGE RELATED PLANNING AND DESIGN INDICATORS

The following heritage indicators are derived from an understanding of heritage significance at various scales as well as best practice in heritage management as contained in various International Charters and a number of local adaptations (see references). They form the evaluation framework for the assessment of the proposals included in Section E of the report.

### D.1 Cultural landscape

At the broader landscape scale and with particular emphasis on the Grade I heritage status of the Dwars River Valley and its collection of highly significant heritage places, the following overarching principles and guidelines should apply:

- Protect and enhance the authenticity and integrity of the landscape including its unique collection of historical architectural set pieces and their settings, e.g. Boschendal, Rhone, Goede Hoop, Bethlehem and Rhodes Cottage/Nieuwedorp.
- Protect and enhance the collection of built form and landscape elements which contribute to the significance of these heritage places, e.g. farm werfs, farm cottages, water furrows and tree lined avenues.
- Retain and enhance the significance of historical fabric and associated features. Ensure minimal intervention to this fabric. Demolition, damage or removal of historic fabric should be avoided unless justified in heritage management terms.
- Respect all periods of history as opposed to undue emphasis on one era. The stripping away of layers can only be condoned when what is removed is of no or limited low significance or detracts from significance, and when its removal and/or adaptation can contribute to significance of the whole.
- Ensure that new building development is of a high quality design, workmanship and landscaping appropriate to the significance of these places, and thus ensuring a tradition of design excellence.
- Avoid replication and recreation. Modern insertions or additions should be clearly identified as such without causing visual contrast or dissonance.
- Ensure a positive response to the underlying logic of historical settlement patterns in relation to land form, good soils, water availability and flood plains, and movement routes. Thus ensure that new building development does not occur in an adhoc manner but rather in response to carefully considered and environmentally based set of structural principles.
- New building development, land uses and activities which are not in conflict with the significance of a heritage place should be supported. However, such development should always remain subsidiary to the primary heritage resource. This should be reflected in the scale, massing and architectural treatment of any new development, and in terms of movement likely to be generated.
- Ensure minimal visual intrusion into the R310 scenic route corridor. Ensure that critical view cones towards and from heritage places are unobstructed and uncluttered.
- The landscape setting of significant heritage places should be retained. This ranges from the broader landscape context in which the place is embedded (e.g. topographical setting, productive agriculture and riverine corridor) to its immediate landscape context (e.g. where a place forms part of ensemble with historical and visual-spatial relationships between places and elements).
- Historical patterns in the settlement design and morphology should be respected rather than the introduction of new or alien building forms and elements. This refers to the siting and orientation of new buildings, as well as architecture and landscaping treatment.
- Respect traditional elements or components related to the Cape farm werf, e.g. axial relationships, orthogonal form, symmetry, hierarchical structure, scale and modulation in the built form.
- Protect and reinforce planting patterns and trees of stature. Planting patterns and types which contribute substantially to the aesthetic and historical character of the landscape should be maintained and enhanced, e.g. tree lined avenues, windbreaks, tree groves, cultivated fields and meadow lands.
- The adaptive reuse of heritage places and structures which will not harm their cultural value and which contributes to their long term survival should be encouraged.
- Enhance the role of heritage as an integral component of the economic base of the Cape Winelands in terms of tourism development and job creation. The development of heritage resources in a responsible way for tourism purposes should be encouraged.



## D.2 Boschendal werf

Given the outstanding heritage significance of the Boschendal werf, a cautious approach to new interventions is required, particularly with respect to ensuring that its authenticity and integrity is not compromised.

Since the 1970s, tourism has contributed to the economic sustainability of the protection and maintenance of the werf. Its use as a popular tourist venue for more than 35 years has ensured a degree of public access, and thus enhanced public appreciation of its heritage value. The principle of upgrading and expanding its tourism facilities in order to sustain its conservation and semi-public use is supported from a heritage management perspective. However, the appropriate siting, scale, massing, form and design of new development should be informed by the following heritage indicators:

- A clear identification of the different historical layering of the werf and the justification for the removal of later additions, and the addition of a contemporary early 21st century layer.
- New building development should be visually discrete from the R310 scenic corridor, primary werf and its main approach route.
- Retain the spatial dominance of the primary werf and hierarchy of subsidiary spaces. The footprint of the historical werf should always remain the dominant element in the landscape.
- The primary role of the werf and its central shaft of space should not be compromised. The activation of new edges to the werf should also remain subsidiary.
- The siting of new building development should be at sufficient distance from primary werf to give it 'breathing space'. It should not erode its agricultural frame and visual-spatial relationship with the Dwars River.
- The werf should form the structural base for new building development as opposed to creating a new development node within the historic core. New buildings should contribute to place-making rather than being conceived as objects in space. Emphasis should be on contributing towards a compact settlement form, and framing views and spaces or environment rooms.
- The siting and orientation new buildings should respect the orthogonal geometries evident in werf layout, as well as its strong linear pattern.
- New development should respond to the landscape character of the werf and its subsidiary spaces, i.e. the strong formality of the primary werf reinforced by tree alignments which is in contrast to the looser arrangement of cottages to the south and their associated sylvan and meadow setting.
- New development should respond to the use of water courses as a form giving element and a system of water furrows which provide edge conditions reinforced by tree alignments.
- Retain the experiential qualities and character of the werf in terms of the scale of any new development, the amount of movement likely to be generated, parking requirements and likely impacts in the form of lighting, noise, etc.

- New buildings should not contrast or compete with the historical buildings in terms of scale, massing, form and architectural treatment. They should be complementary but unmistakably contemporary. They should be background buildings, as unobtrusive and recessive as possible.
- New buildings should reflect the modulated form of historical building, i.e. large monolithic building masses should not be permitted.
- They should reflect a rural architectural character and follow the simple rectangular forms of the existing buildings. The height of new buildings should be single storied and not exceed that of the ridgeline of the wine cellar. Their width should not exceed 7m in width with lean-tos accommodated to the rear.
- The roof silhouette (pitched or flat parapet roof) must be as unobtrusive as possible, particularly in reflecting the horizontality of the landscape. Expressed gable ends, front gables or projecting dormers should not be permitted. Roof pitches should be between 35 and 45 degrees.
- Apertures on the main façade should be vertically proportioned and modest in scale consistent with the tradition of a walled architecture. Extensive openings and glazing should be avoided, unless set back behind veranda elements or front facade.
- New patterns of access should not introduce any new formal axes but should be more organic and rural in character. Vehicular movement should be limited to the edges of the primary werf and its subsidiary spaces.
- New parking should be visually screened and fragmented rather than occurring as broad swathes. Structured parking or hard surfacing of parking areas should be avoided.
- Rural landscaping elements should be used, e.g. water furrows, hedges, tree alignments, gravel pathways. Urban and suburban elements should be avoided, e.g. tarred surfaces.

The Boschendal werf has limited ability to accommodate new building development. Based on the indicators above and programmatic requirements for a new multi-functional facility that is functionally connected to the werf, the best desirable option is for the placement of such a facility in the visually screened zone to the south-east of the primary werf, i.e. the wooded nursery zone.

## D.3 Individual buildings and groupings

### D.3.1 Wine cellar

- No new interventions should be permitted along the main western elevation of the wine cellar.
- The removal and/or adaptive reuse of the 1970s additions along the eastern elevation could be considered. Extensions should be limited to the existing footprint and envelope and should not encroach onto the water furrow running parallel to the building.
- New alterations and additions should be contemporary in nature and recessive in relation to the historic envelop.
- Interventions to the historical fabric including new openings must be limited. The location, size and number of openings need to be informed by historical fabric analysis to establish the possibility of earlier openings. New openings should follow the height and width of traditional proportions.
- Any demolition or excavation work around the wine cellar needs to be subject to archaeological monitoring.
- Structural work to the wine cellar should be supervised with the input of a conservation architect in order to ensure that historical features revealed during the construction process are adequately recorded, documented and conserved, and to give advice on the manner in which any new addition is attached to the historic fabric.
- Existing mature oak trees to the rear of the wine cellar must be retained and given sufficient space to ensure that new development does not damage their root structure. The need to provide for a subterranean root barrier to protect the historic fabric of the wine cellar will need to be confirmed by an arborist in conjunction with a conservation architect.

### D.3.2 Cottages

The cottages are currently vacant and in a degraded condition. Their adaptive reuse for guest accommodation is supported in terms ensuring their long term protection, care and maintenance. While their gentrification is inevitable in this case, the nature and extent of physical changes to the buildings and character of the grouping should be informed by the following heritage indicators:

- The subsidiary domestic scale of the grouping should remain unaltered.
- The envelopes of the cottages should be largely retained, with limited extensions accommodated to the rear.
- Changes to the exterior should be modest in nature and in keeping with traditional architectural elements, proportions and materials.
- The reconfiguration of the interiors should be permitted but distinctive period features should be retained or reused, especially with regard to the early 20th century cottages.
- Limited on-site parking can be accommodated and should preferably be located to the rear of the cottages.
- Landscaping interventions should be in keeping with the broader rural character of the site, its sylvan and open meadow setting, and subsidiary role of the cottage zone in relation to the primary werf.
- Telecommunication attachments such as satellite dishes should not be visible from the front facade.



## SECTION E: ASSESSMENT OF THE PROPOSALS

Outlined below is an assessment of the heritage impacts of the proposals informed by the preceding statement of significance and heritage indicators. A full set of proposals for the new barn, and alterations and additions to the wine cellar and cottages are included in Figure 29 Proposal Series.

In principle, the proposed upgrading and expansion of tourism facilities on Boschendal will have a positive heritage impact in terms of sustaining its long term conservation and semi-public use.

The overall siting, scale and nature of the proposals is regarded as consistent with the carrying capacity of the werf to ensure that its integrity and authenticity is not compromised. Possible long term intentions around the further upgrading and expansion of the hospitality facilities in and around the werf need to be carefully considered in terms of carrying capacity and cumulative impacts and should preferably be informed by an overall precinct plan.

### E.1 New barn and function venue

The heritage impact of the proposed new farm shed (which is to be used as a function venue) is regarded as minimal for the following reasons:

**Siting:** The siting of the new farm shed / function venue is visually discrete from the primary werf. It occupies an environmental room relating to the old nursery site and wooded poplar grove which is spatially distinct and different in character from the primary werf. The siting of the building will thus have minimal impact on the integrity of the primary werf and its setting.

**Orientation and geometry:** The orientation of the building responds positively to the orthogonal geometries of the werf and the principle of framing spaces and views towards the Drakenstein Mountain. Its orientation is at variance with the strong linearity of the werf. However, this occurs at a secondary level without competing with this pattern in terms of its discrete location, not introducing any new formal axes or reinforcing existing axes relating to the primary werf, and responding to the looser geometry and more informal character of the cottage zone. Its orientation is slightly off kilter with the geometry of the primary werf to reflect the geometry of the cottages, thus reinforcing its visual-spatial separation from the primary werf and visual-spatial connectivity with a subsidiary space.

**Form and massing:** The single storied rectangular form of the building is consistent with traditional rural architectural forms. The 10m width of the core structure is wider than traditional proportions. However, the use of scaling elements such as the flat roofed lean-to, veranda and portico, as well as its treed setting reduces the massing of the building to within acceptable limits. The shadow gap between the main shed and the service wing effectively reduces the overall massing of the building on the north elevation. Cross sections also reveal that the ridgeline of the new building does not exceed the height of the ridgeline of the wine cellar due to a falling topography.

**Architectural character:** The contemporary architectural character of the building clearly distinguishes it from the historical buildings. It is a background as opposed to a foreground building. It does not compete with the architectural character of the historical buildings in terms of its walled architecture, simple roof silhouette and nature of its apertures. The wide glazed opening along the front façade is set behind a wide veranda.

**Landscaping and parking:** The reinforcement of the treed setting by additional planting around the site is supported. The proposals respect the informal landscape character of the area as well as the openness of the landscape related to the cottages. The removal of the tarred road surface and its replacement with a gravel surface is positive. The informal and fragmented nature of new parking and its discrete location within existing tree clearings and to the rear of the new building will minimise its impact. New patterns of access do not introduce new formal axes. Vehicular traffic is directed to away from the primary werf and to the periphery of the open space related to the cottage zone.

## E.2 Wine cellar restaurant

The proposed interventions to the wine cellar restaurant will have a positive heritage impact in terms of being a considerable improvement to the existing east elevation and service blocks. The clip-on, transparent and minimalist nature of the 'glass box' addition is visually recessive to the historic core. On the other hand, the solid walled nature of the plinth integrates the new addition to the historical building and achieves a successful balance between contrast and continuity in the relationship between old and new. The principle of providing limited new openings along the western elevation that follow the width and height of traditional proportions is supported. However, the appropriate location, size and number of new openings should be informed by historical fabric analysis to determine the possibility of earlier openings.

## E.3 Cottages

The adaptive reuse of the cottages for guest accommodation will have a positive impact in terms of ensuring their long term protection, care and maintenance. The nature and extent of the proposed alterations and additions, and landscaping interventions will have minimal heritage impact in terms of the following:

**Early 20th century cottages:** The exterior envelopes of the cottages are being retained except for the modest new adak extensions to the rear which will also involve the partial opening up of the western external wall. This extension is discretely located to the rear of the cottages.

The exterior character of the front and side elevations remain largely unaltered with the nature of new interventions (i.e. new windows, doors, stoep extensions) being modest in nature and in keeping with traditional architectural elements, proportions and materials). While the proposals indicate the replacement of all existing steel windows and doors, it is recommended that all existing period doors be reused.

Interior physical changes involving demolition of internal walls and reconfiguration of internal spaces are regarded as acceptable from an adaptive reuse perspective. The partial removal of the ceiling boards to open up the roof space within the living area is acceptable on condition that the ceiling is not entirely removed.

**Mid-20th century cottages:** The physical changes to mid-20th century cottages are modest in nature and in keeping with their existing character and contribution to the ensemble. The changes to the front façades including a new pergola covered verandas with and double glazed doors are in keeping with traditional elements and proportions.

**Landscaping interventions:** The proposed landscaping interventions including new gravel access to the rear of the mid-20th century cottages and the proposed new organic reed bed pool situated within the clearing of an existing wooded area will be screened from view and will thus have minimal heritage impact. Parking will be mostly accommodated within an existing parking area to the north, thus minimising the impact of the vehicular movement across the site.



Figure 29: Architectural drawings of new barn, upgrades and renovations

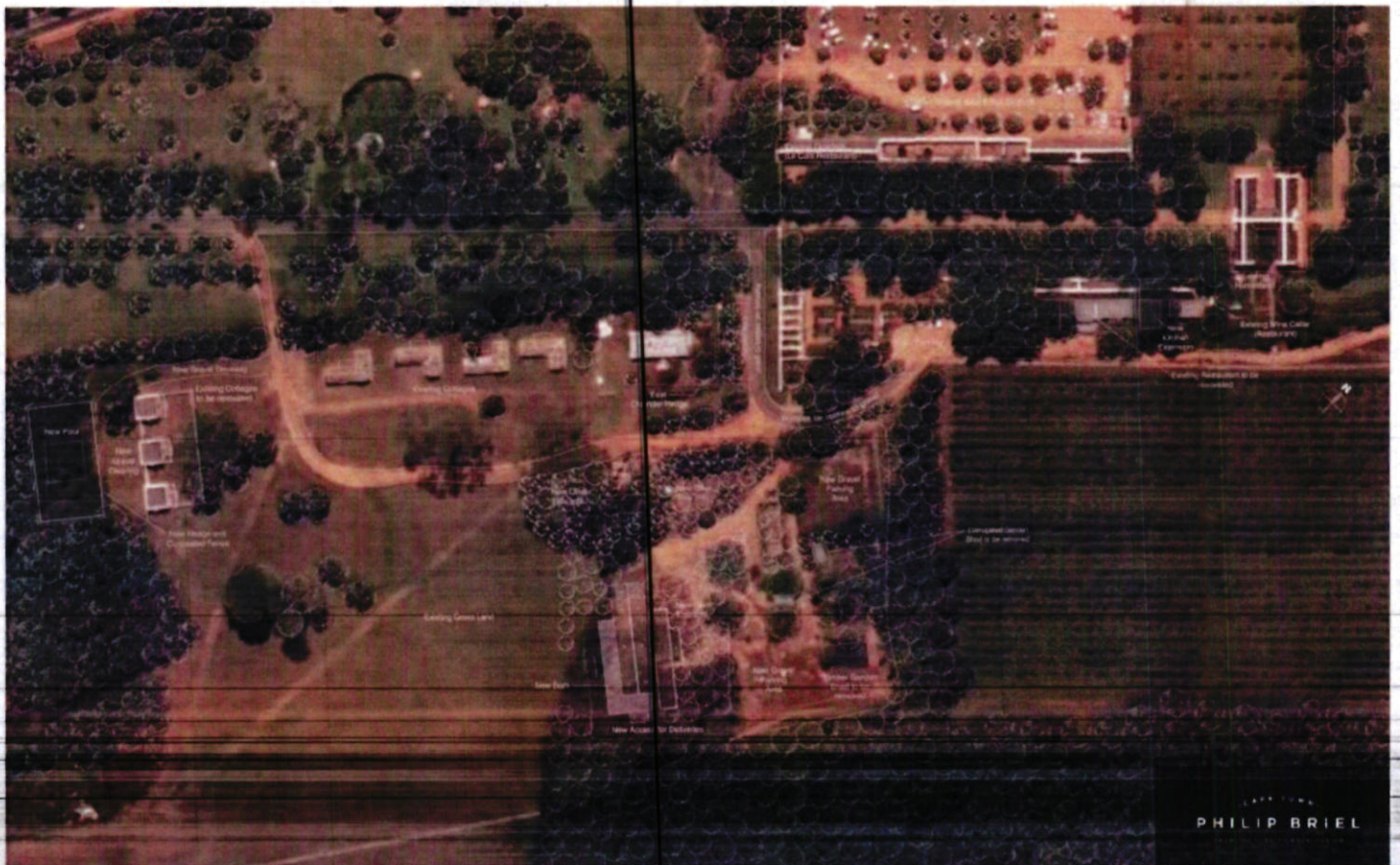
## **BOSCHENDAL**

- NEW BARN
- UPGRADE AND RENOVATION OF EXISTING LABOURERS COTTAGES
- UPGRADE AND EXTENSION TO EXISTING RESTAURANT

CAPE TOWN  
**PHILIP BRIEL**  
ARCHITECTURE + URBAN DESIGN







LARRY TOWNE  
PHILIP BRIEL

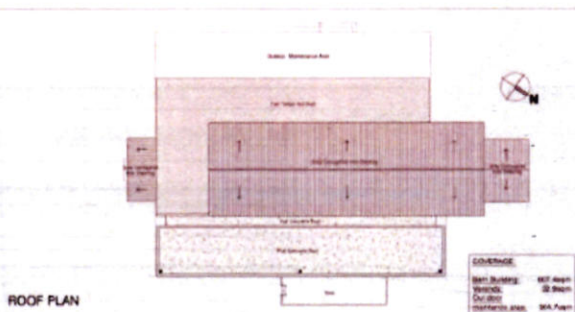
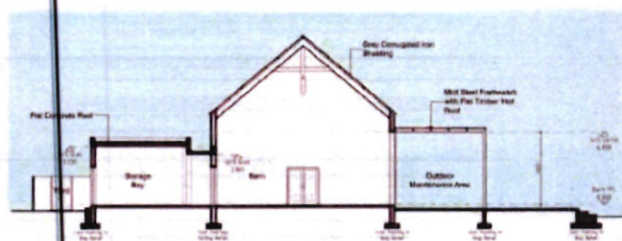
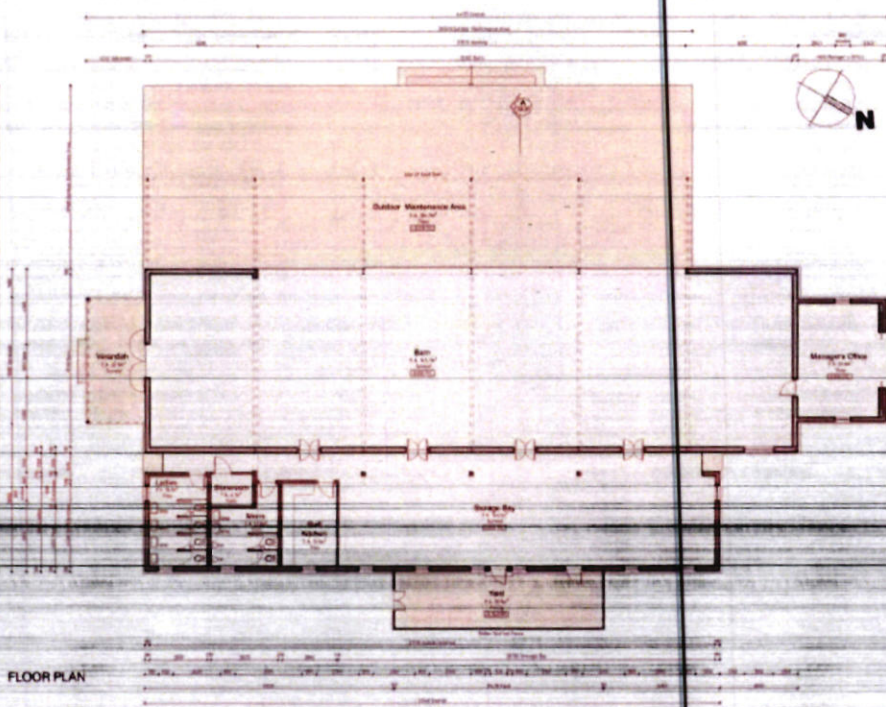
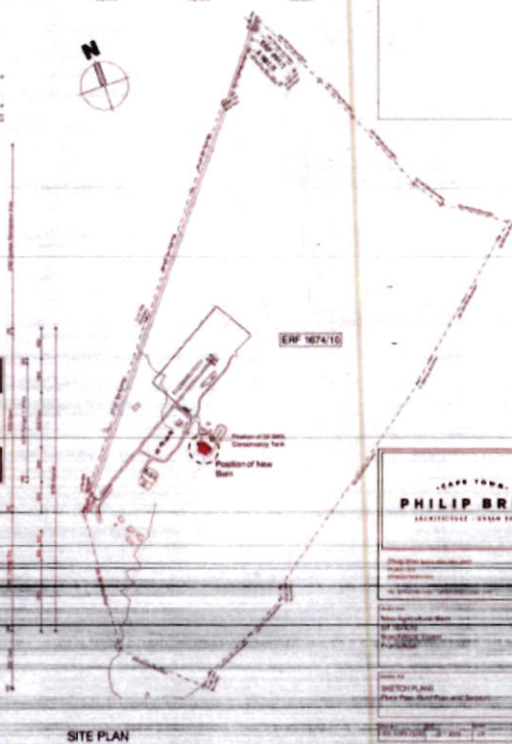
## NEW BARN

The old nursery site had been identified as a suitable site for a new farm barn at Boschendal. It is an area much lower than the main werf, obscured by trees, shrubs and an existing poplar forest. This precinct is thus completely disassociated visually, from the historical werf, therefore avoiding any conflict in terms of altering the character of the historical werf.

Also, the barn had deliberately been positioned in such a manner as to avoid the reinforcement of any formal existing axis, within the historical landscape lay-out. A deliberate effort had been made to differentiate the new building stylistically from any of the existing historical buildings. Yet, at the same time it was regarded as important to refer to the agrarian character of the site, by creating an architectural form that feels comfortable and in harmony with its surroundings. The choice of a simple farm barn like structure, clad in weathered wood, and situated in an obscured, wooded area, hopefully will act in a recessive yet appropriate manner, to allow for the use of a practical space, conveniently located without affecting the broader character of the werf.

The existing, albeit, mature olive grove, will be filled in and expanded somewhat. This will not only provide foreground which obscures the building somewhat, but will also reinforce the existing olive grove. The new trees will be filled in as part of normal farming operations and not as part of an elaborate landscape design. Any decorative planting or structured hard surfaces are avoided in order to create a certain informality, timelessness and simplicity as is expected from a utilitarian amenity.



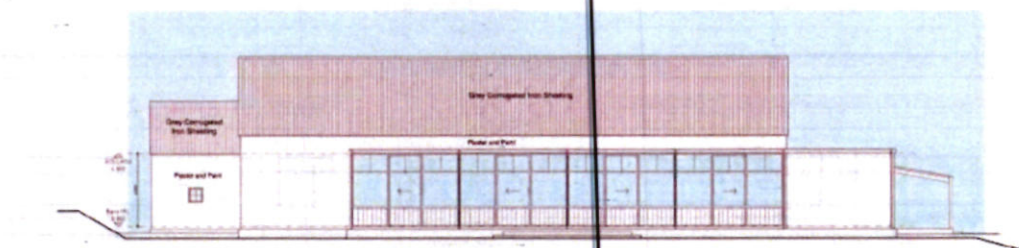


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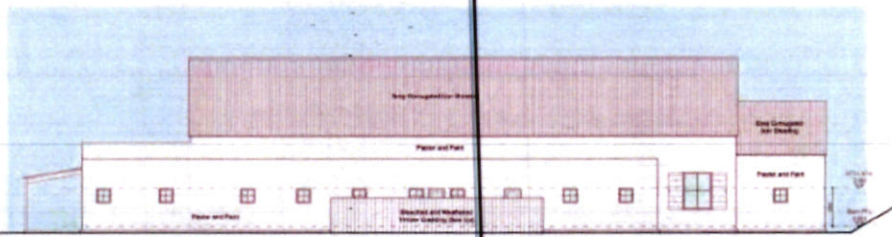
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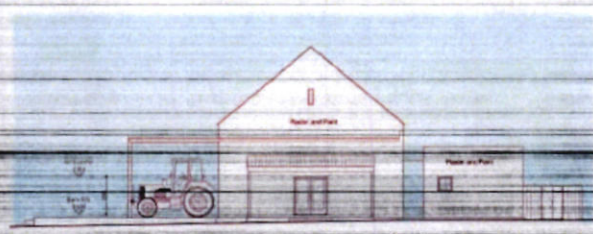
WEST ELEVATION



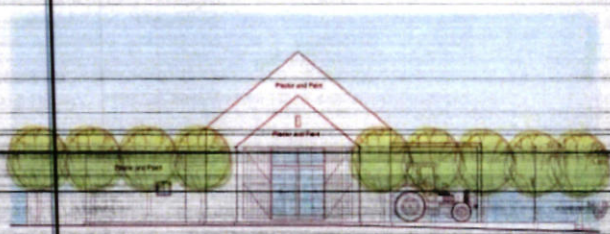
EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION (Seating Area)



**NOTE**  
This drawing is a preliminary sketch and is not to be used for construction purposes without the approval of the architect.

| NO. | DATE    | DESCRIPTION        | BY           |
|-----|---------|--------------------|--------------|
| 1   | 10/1/20 | PRELIMINARY SKETCH | PHILIP BRIEL |

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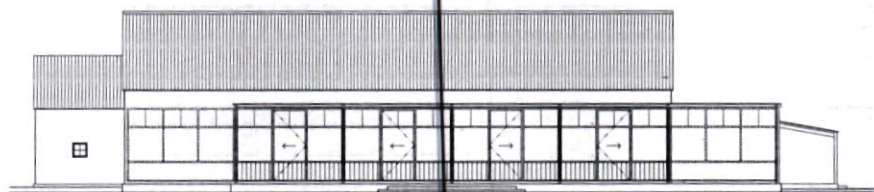
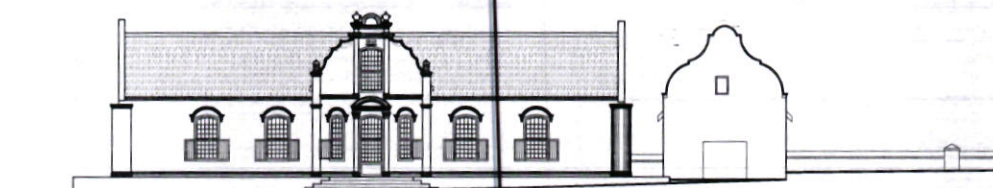
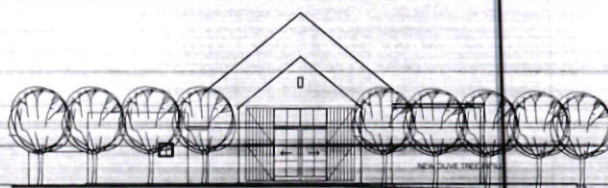
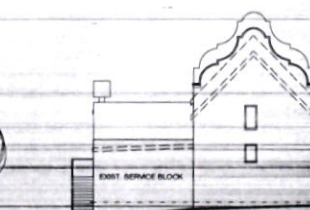
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ARCHITECT: PHILIP BRIEL  
DESIGNER: PHILIP BRIEL  
DATE: 10/1/20

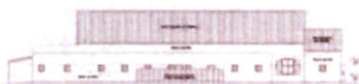
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| 1   | 10/1/20 | PRELIMINARY SKETCH | PHILIP BRIEL |





|                                                                                                                                                           |         |                          |            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|---------|--------------------------|------------|
| <p align="center">LEAVE TOWN.<br/> <b>PHILIP BRIEL</b><br/>         ARCHITECTURE • URBAN DESIGN</p>                                                       |         |                          |            |
| <p>Philip Briel Architects, 2000 West 10th Avenue<br/>         Suite 200, Denver, CO 80202<br/>         303.733.0000<br/>         www.philipbriel.com</p> |         |                          |            |
| <p>Mr. Christopher Ross, International Capital Group</p>                                                                                                  |         | <p>Tel: 303.456.8000</p> |            |
| <p>Address:<br/> <b>1000 North Lincoln Street</b><br/>         Tel: 303.470.1000<br/>         Boardwalk Estate<br/>         Transaction</p>               |         |                          |            |
| <p>Project:<br/> <b>BAR &amp; RESTAURANT FACILITY</b><br/>         Competition between Existing and New Developments</p>                                  |         |                          |            |
| DATE                                                                                                                                                      | 1/20/12 | REVISED                  | 02/12/2012 |
| BY                                                                                                                                                        | PH      | DATE                     | 02/12/2012 |
| NO.                                                                                                                                                       | 210     | COMP                     | 01         |



MAIN HISTORICAL WERF / NEW AGRICULTURAL BARN CONTEXT.



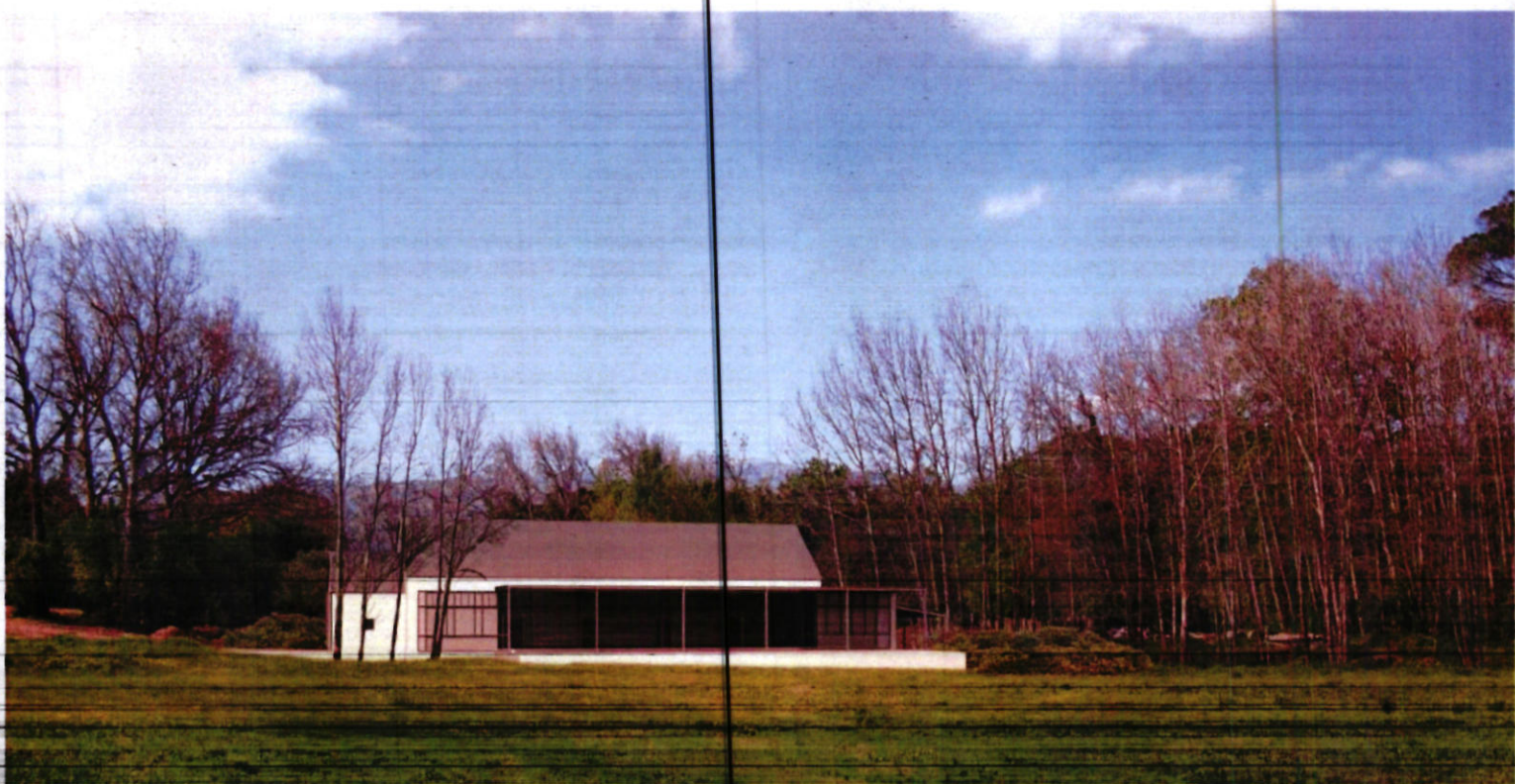
MAIN HISTORICAL WERF / NEW AGRICULTURAL BARN CONTEXT.

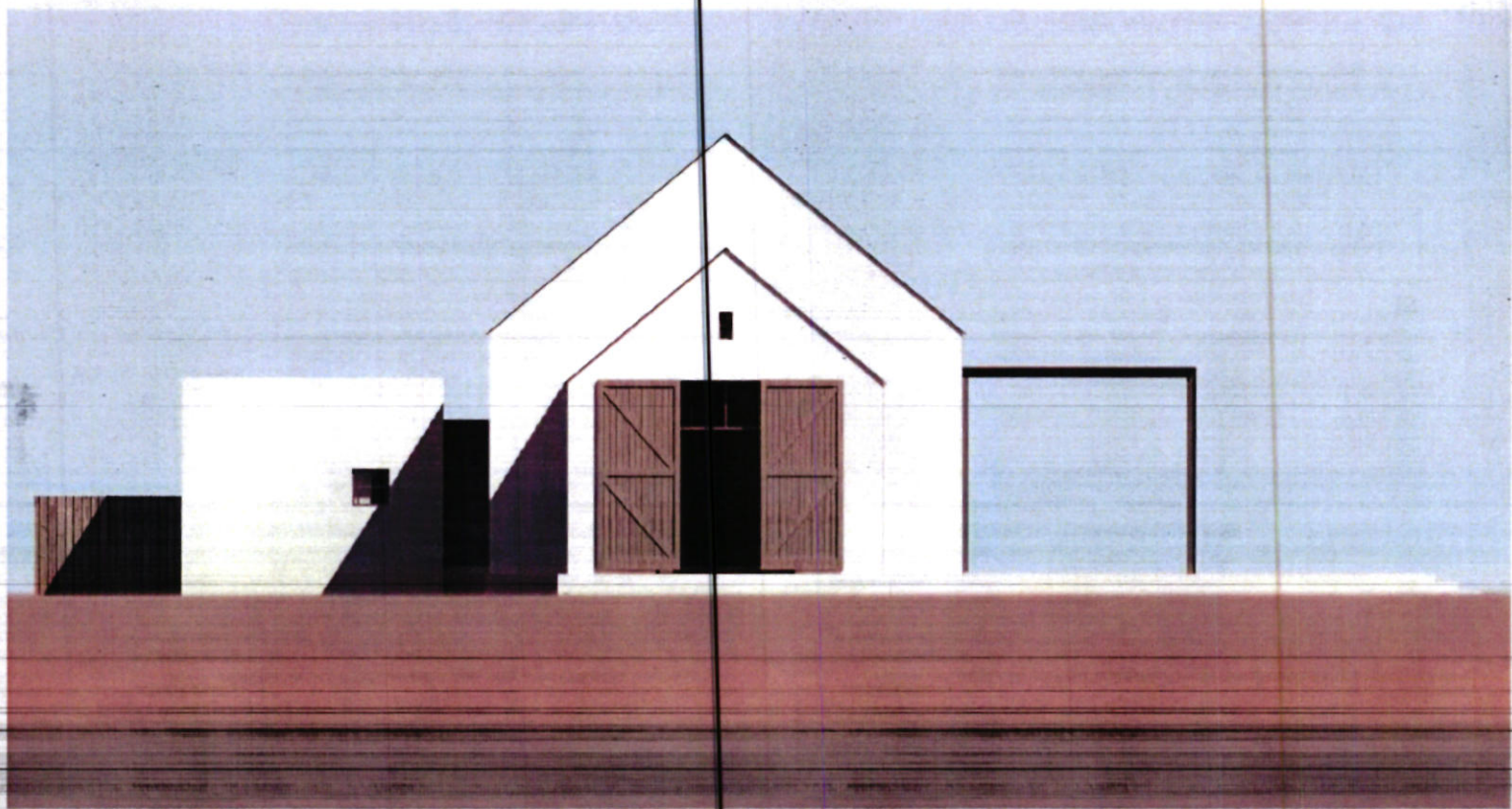


JOHN TAYLOR  
PHILIP BRYCE

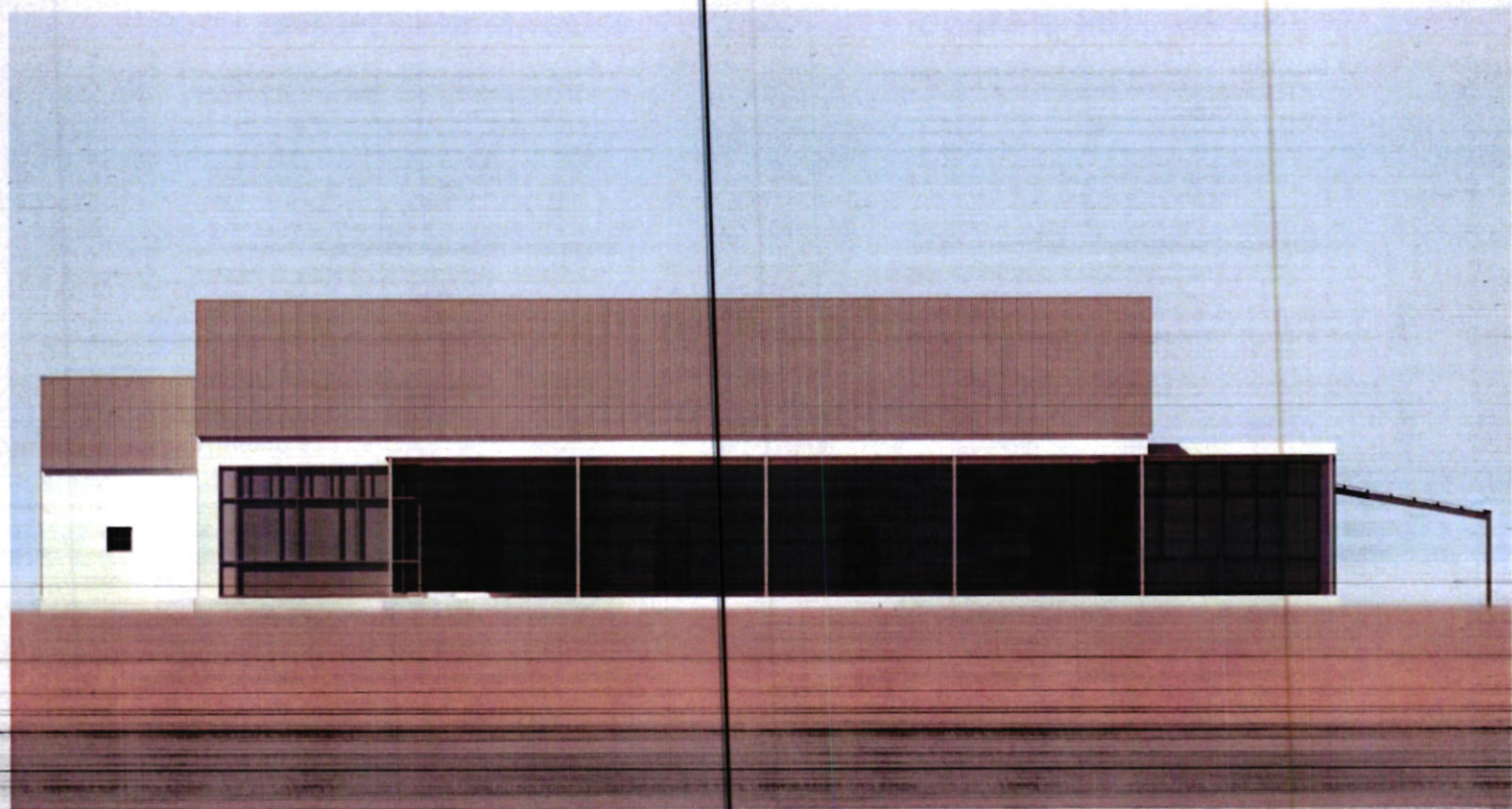
THE ARCHITECTS  
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Email: info@jtb.com  
Website: www.jtb.com

















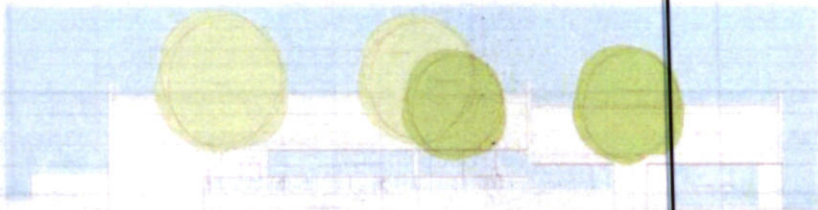


## RESTAURANT UPGRADE AND EXTENSION

The main focus for intervention will be at the dated service blocks at the back of the cellar. The strategy is to remodel the service blocks from closed-in, utilitarian spaces, into contemporary, habitable spaces by opening up views and connections to the southern portion of the farm. The utilities will be moved downstairs to an existing basement and the existing yard wall will be covered in a deck, allowing people an elevated outdoor, dining experience, in a magnificent setting.

Diners will still arrive at the same entrance as before, but will now be able to enjoy the surprising delight, of moving through a traditional, rather austere, Cape Dutch barn entrance, into a space that opens up towards a simple, light-filled, contemporary structure, juxtaposed to the original barn. This simple, glass walled box (in lieu of the solid service block) will be discreetly connected to the original cellar, through carefully punctured, minimal additional openings in the exterior wall. These punctures will be determined through careful architectural fabric analysis, by a specialist. The entire extension will be within the existing footprint of the service block. An open area in between the service block and existing 1970's ablution block will be filled in, in order to increase the kitchen area that was lost.





SOUTH EAST ELEVATION



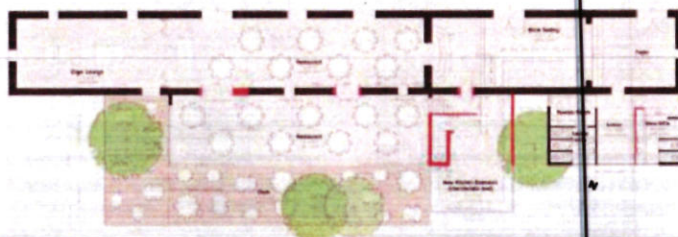
SECTION A



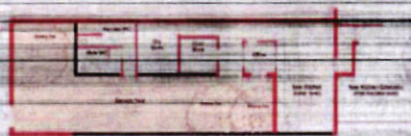
NORTH EAST ELEVATION



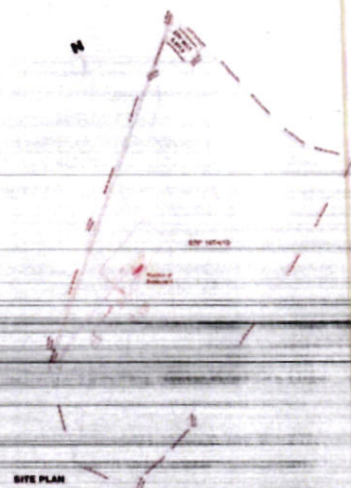
SOUTH WEST ELEVATION



GROUND FLOOR PLAN



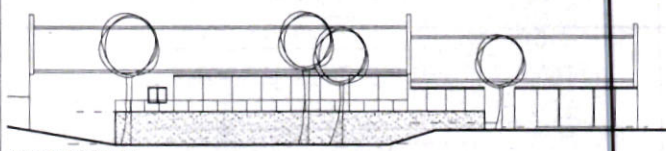
LOWER GROUND FLOOR PLAN



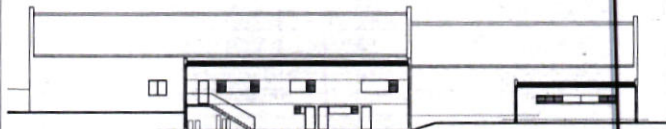
SITE PLAN

NOTES  
1. ALL DIMENSIONS ARE IN METERS  
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED

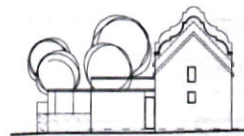
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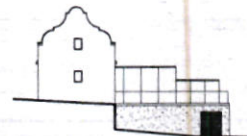
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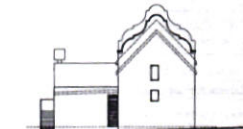
SOUTH EAST ELEVATION (Existing)  
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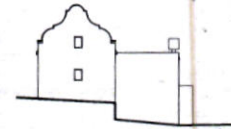
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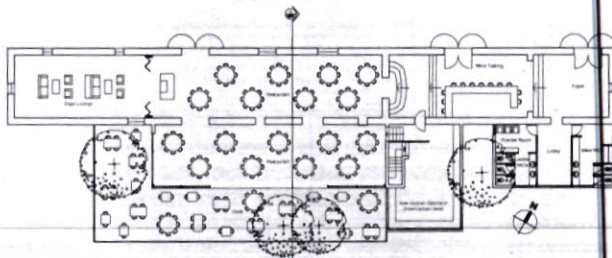
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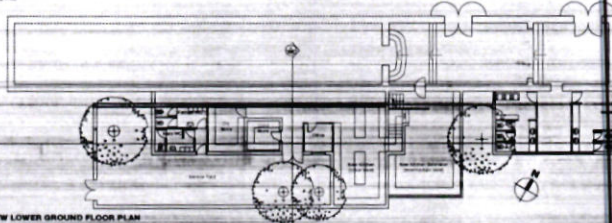
NORTH EAST ELEVATION (Existing)  
SCALE 1:100



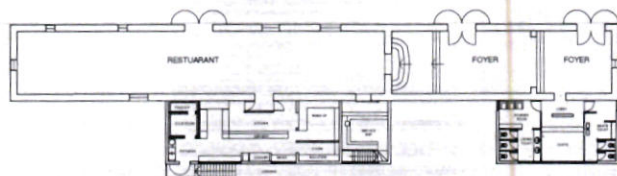
SOUTH WEST ELEVATION (Existing)  
SCALE 1:100



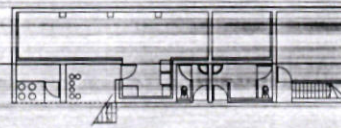
NEW GROUND FLOOR PLAN  
SCALE 1:100



NEW LOWER GROUND FLOOR PLAN  
SCALE 1:100



GROUND FLOOR PLAN (Existing)  
SCALE 1:100



LOWER GROUND FLOOR PLAN (Existing)  
SCALE 1:100

|             |              |
|-------------|--------------|
| DATE        | 10/10/2010   |
| PROJECT     | PHILIP BRIEL |
| CLIENT      | PHILIP BRIEL |
| LOCATION    | 10/10/2010   |
| DESIGNER    | PHILIP BRIEL |
| ARCHITECT   | PHILIP BRIEL |
| ENGINEER    | PHILIP BRIEL |
| PLUMBER     | PHILIP BRIEL |
| ELECTRICIAN | PHILIP BRIEL |
| PAINTER     | PHILIP BRIEL |
| LANDSCAPER  | PHILIP BRIEL |
| CONTRACTOR  | PHILIP BRIEL |
| FINISH      | PHILIP BRIEL |
| STATUS      | PHILIP BRIEL |





## LABOURERS COTTAGES (L-SHAPED)

Simple, straight forward architectural solutions were found in order to improve the quality of these buildings, without altering their character or that of the site. Window and door opening sizes had been kept to an absolute bare minimum and the only addition had been that of a mud room extension towards the rear of the L-shaped cottages. These clip-ons, serve the purpose of light traps, allowing natural light to penetrate the rather dark rooms. This should improve the quality and thermal behaviour of the existing spaces.

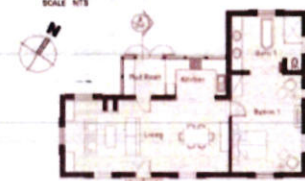




**SOUTH ELEVATION**  
SCALE: NTS



**NORTH ELEVATION**  
SCALE: NTS



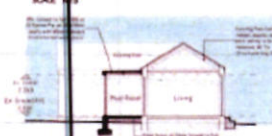
**UNIT 1: FLOOR PLAN**  
SCALE: NTS



**EAST ELEVATION**  
SCALE: NTS



**WEST ELEVATION**  
SCALE: NTS



**SECTION A**  
SCALE: NTS

**NOTES**  
1. ALL DIMENSIONS ARE IN FEET AND INCHES.  
2. ALL MATERIALS AND FINISHES ARE TO BE AS SHOWN ON THE DRAWINGS.  
3. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND STANDARDS.



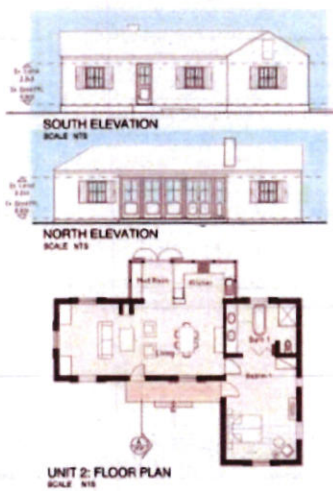
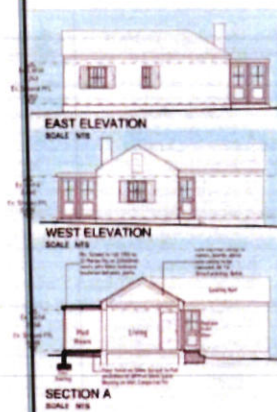
**PHILIP BRILL**  
ARCHITECTURE & DESIGN

**TYPICAL L-SHAPED COTTAGE**

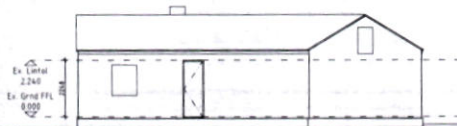
ARCHITECT: PHILIP BRILL  
DESIGNER: PHILIP BRILL  
DATE: 10/1/10  
SCALE: 1/8" = 1'-0"







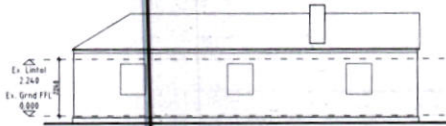
| DATE TOWN                |  |  |  |
|--------------------------|--|--|--|
| PHILIP BRILL             |  |  |  |
| REGISTERED ARCHITECT     |  |  |  |
| TYPICAL T-SHAPED COTTAGE |  |  |  |
| SHEET NO. 101 OF 102     |  |  |  |
| SHEET NO. 102 OF 102     |  |  |  |
| SHEET NO. 103 OF 103     |  |  |  |
| SHEET NO. 104 OF 104     |  |  |  |
| SHEET NO. 105 OF 105     |  |  |  |
| SHEET NO. 106 OF 106     |  |  |  |
| SHEET NO. 107 OF 107     |  |  |  |
| SHEET NO. 108 OF 108     |  |  |  |
| SHEET NO. 109 OF 109     |  |  |  |
| SHEET NO. 110 OF 110     |  |  |  |
| SHEET NO. 111 OF 111     |  |  |  |
| SHEET NO. 112 OF 112     |  |  |  |
| SHEET NO. 113 OF 113     |  |  |  |
| SHEET NO. 114 OF 114     |  |  |  |
| SHEET NO. 115 OF 115     |  |  |  |
| SHEET NO. 116 OF 116     |  |  |  |
| SHEET NO. 117 OF 117     |  |  |  |
| SHEET NO. 118 OF 118     |  |  |  |
| SHEET NO. 119 OF 119     |  |  |  |
| SHEET NO. 120 OF 120     |  |  |  |



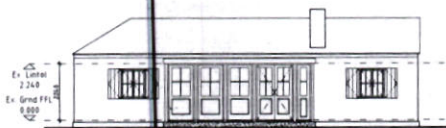
**SOUTH ELEVATION (Existing)**  
SCALE 1:100



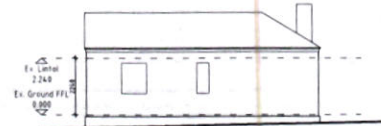
**NEW SOUTH ELEVATION**  
SCALE 1:100



**NORTH ELEVATION (Existing)**  
SCALE 1:100



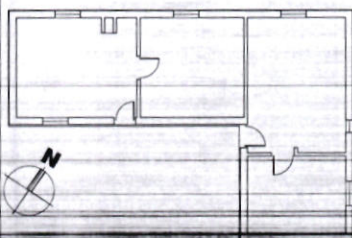
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SCALE 1:100



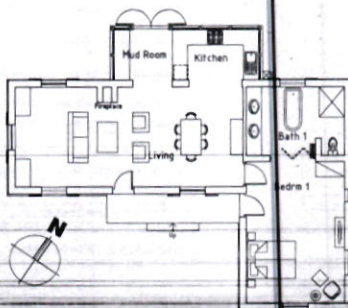
**EAST ELEVATION (Existing)**  
SCALE 1:100



**NEW EAST ELEVATION**  
SCALE 1:100



**UNIT 2: FLOOR PLAN (Existing)**  
SCALE 1:100



**UNIT 2: NEW FLOOR PLAN**  
SCALE 1:100



**WEST ELEVATION (Existing)**  
SCALE 1:100



**NEW WEST ELEVATION**  
SCALE 1:100

CAPE TOWN  
**PHILIP BRIEL**  
ARCHITECTURE • URBAN DESIGN

Philip Briel (SA) Pty Ltd (Pty)  
14 Ave 100  
pretoria@philipbriel.com

No. 22 Roubell Road, Tlokweng, Cape Town

Tel: 021 454 8102

Project:  
Alterations & Additions to:  
Boschendal Cottages  
Erf 1674/10  
Boschendal Estate  
Franschhoek

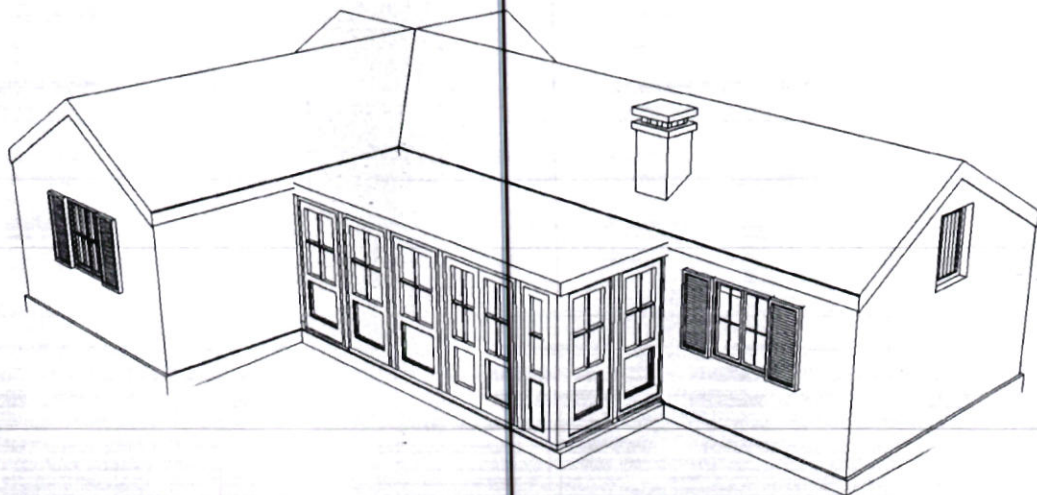
Project Title:  
**TYPICAL L-SHAPED COTTAGES**

UNIT 2  
Comparison between Existing and New Layouts

| Drawn   | Check    | Scale | Rev |
|---------|----------|-------|-----|
| 1:100   | DC1 2010 | 1C    | 10  |
| 80-2010 | Comp 02  |       |     |

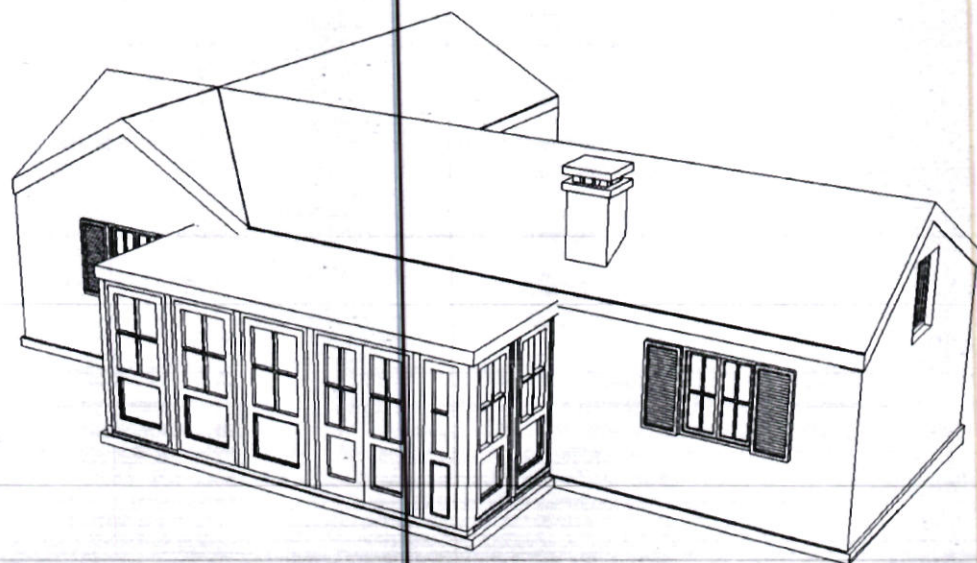






Typical Iso of 'L' Shaped Cottage Unit 1



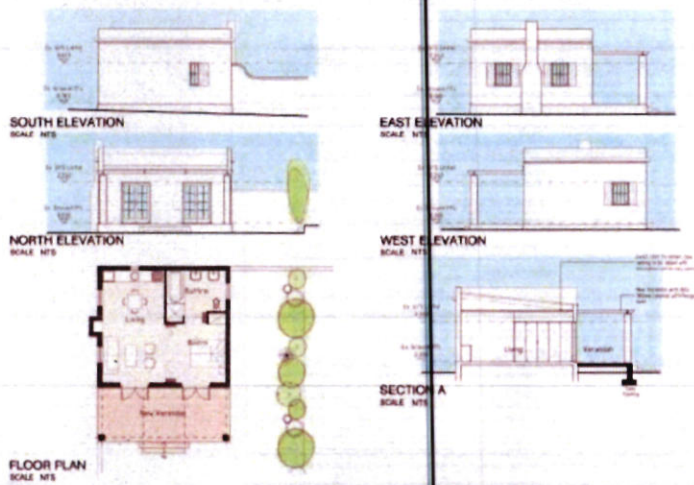


Typical Iso of 'L' Shaped Cottage Unit 2

## LABOURERS COTTAGES (SQUARE)

Simple, straight forward architectural solutions were found in order to improve the quality of these buildings, without altering their character or that of the site. Window and door opening sizes had been kept to an absolute bare minimum. The only addition had been that of a pergola to the rear of the cottages. These clip-ons, serve the purpose of improving the rear facade of the building and provide an outdoor room for its occupants.

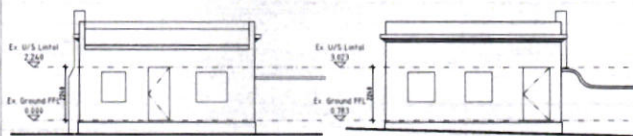




**NOTES**

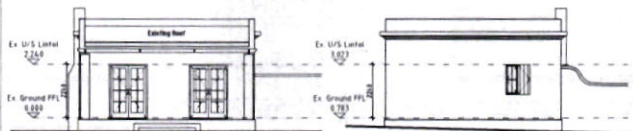
1. SEE SPECIFICATIONS FOR MATERIALS AND FINISHES.
2. SEE SPECIFICATIONS FOR CONSTRUCTION DETAILS.
3. SEE SPECIFICATIONS FOR ELECTRICAL AND PLUMBING.
4. SEE SPECIFICATIONS FOR HEATING AND COOLING.
5. SEE SPECIFICATIONS FOR PAINTS AND STAINES.
6. SEE SPECIFICATIONS FOR FURNITURE AND FIXTURES.
7. SEE SPECIFICATIONS FOR LANDSCAPING.
8. SEE SPECIFICATIONS FOR SIGNAGE.
9. SEE SPECIFICATIONS FOR ACCESSIBILITY.
10. SEE SPECIFICATIONS FOR SAFETY.

| TYPICAL SQUARE FOOTAGES |               |
|-------------------------|---------------|
| Overall                 | 1,200 sq. ft. |
| Living Room             | 300 sq. ft.   |
| Kitchen                 | 150 sq. ft.   |
| Bathroom                | 50 sq. ft.    |
| Bedroom                 | 100 sq. ft.   |
| Hallway                 | 20 sq. ft.    |
| Porches                 | 100 sq. ft.   |
| Roof                    | 1,200 sq. ft. |
| Foundation              | 1,200 sq. ft. |
| Landscaping             | 1,200 sq. ft. |
| Signage                 | 1,200 sq. ft. |
| Accessibility           | 1,200 sq. ft. |
| Safety                  | 1,200 sq. ft. |



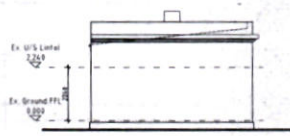
**NORTH ELEVATION (Existing)**  
SCALE 1:100

**SOUTH ELEVATION (Existing)**  
SCALE 1:100

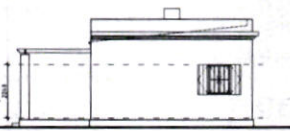


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SCALE 1:100

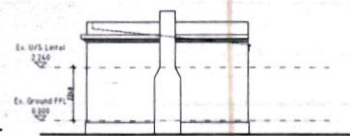
**NEW SOUTH ELEVATION**  
SCALE 1:100



**WEST ELEVATION (Existing)**  
SCALE 1:100



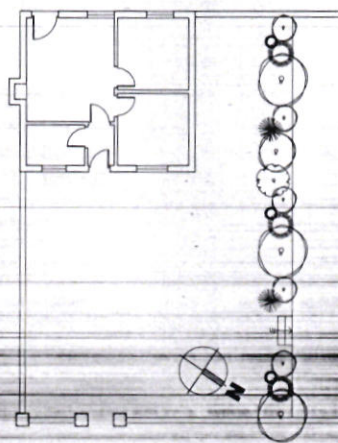
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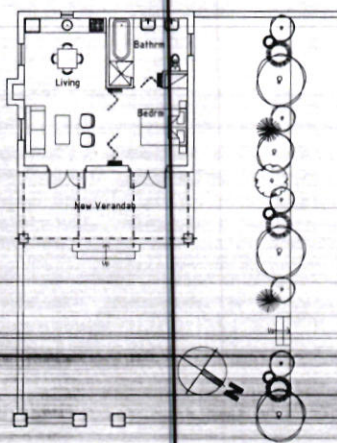
**EAST ELEVATION (Existing)**  
SCALE 1:100



**NEW EAST ELEVATION**  
SCALE 1:100



**FLOOR PLAN (Existing)**  
SCALE 1:100



**NEW FLOOR PLAN**  
SCALE 1:100



Philip Briel Architects (Pty) Ltd  
14 April 2010  
14 April 2010

No. 17 Kestrel Road, Table Mountain, Cape Town

Tel: 021 434 8138

Alterations & Additions to  
Boschendal Cottages  
Est. 1674/10

BOSSCHENDAL ESTATE

BOSSCHENDAL ESTATE

BOSSCHENDAL ESTATE

BOSSCHENDAL ESTATE

BOSSCHENDAL ESTATE

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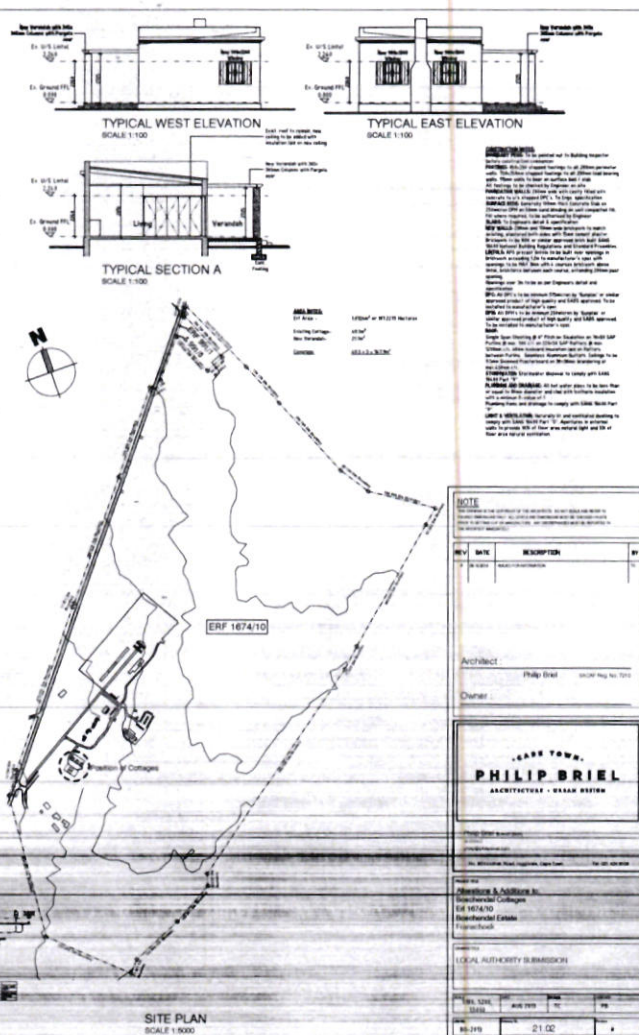
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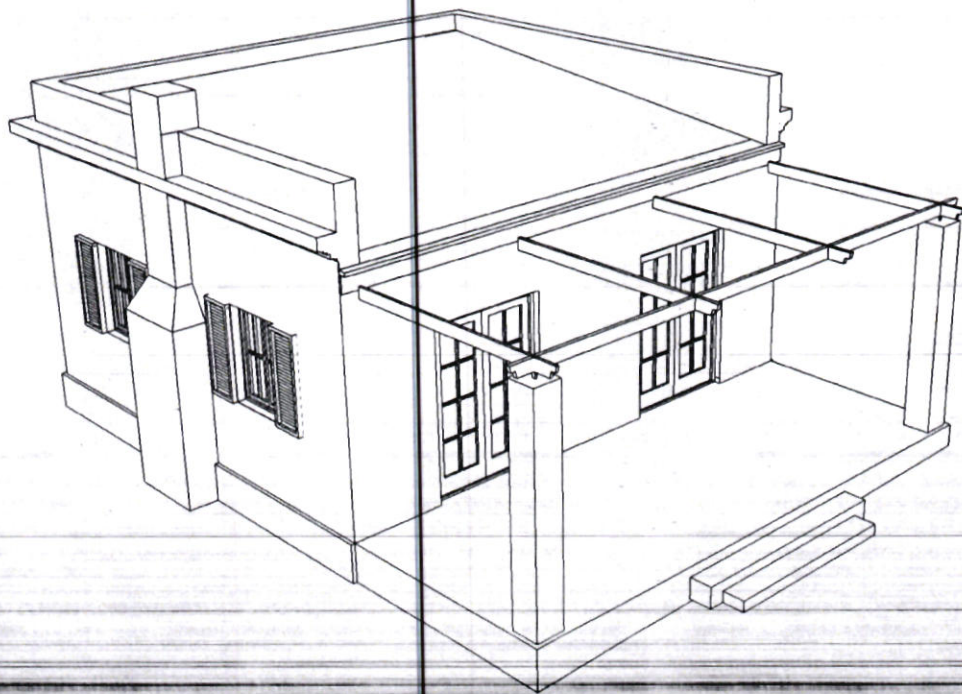
BOSSCHENDAL ESTATE

BOSSCHENDAL ESTATE

BOSSCHENDAL ESTATE







Typical Iso of Square Cottage



## SECTION F: CONCLUSIONS

It is concluded that:

- The Boschendal historic erf is of outstanding heritage significance.
- The proposed upgrading and expansion of its hospitality facilities is regarded as positive in terms of sustaining its conservation and semi-public use.
- The proposed siting, form, massing and architectural character of the proposed new farm shed and its use as a function venue will have minimal heritage impact. The heritage impact of the proposed landscaping treatment and parking is also regarded as being minimal.
- The proposed interventions to the wine cellar restaurant are regarded as having a positive heritage impact in terms of being a great improvement to the existing east elevation of the building and service blocks. The siting, scale, form and architectural treatment of the new addition is well resolved in terms of being recessive to the historical core, and in achieving a balance between contrast and continuity in the relationship between old and new.
- The adaptive reuse of the seven cottages is regarded as having a positive heritage impact in terms of ensuring their long term protection, care and maintenance. The physical interventions are regarded as having minimal heritage impact. The landscaping interventions are minimal and will have negligible heritage impact.

## SECTION G: RECOMMENDATIONS

### G.1 Wine Cellar Section 27 of the NHRA

It is recommended that the proposed alterations and additions to the wine cellar restaurant be approved by HWC in terms of Section 27 on condition that:

- The development is in accordance with the plans, elevations and sections dated October 2013, drawing nos. 21.01 and COMP 01.
- Final or amended building plans must be submitted for approval by HWC.
- The location, size and number of new openings into the historical fabric must be informed by fabric analysis undertaken by a conservation architect to establish the possibility of earlier openings.
- Structural interventions to the historic fabric must be supervised with the input of a conservation architect, who must submit a completion report to HWC.
- Any demolition or excavation work around the wine cellar must be subject to archaeological monitoring by professional archaeologist.

### G.2 New farm shed (to be used as a function venue) and historical cottages Section 38 (4) of NHRA

It is recommended that HWC make a decision in terms Section 38 (4) that:

- The development may proceed on condition that this is in accordance with the site development plan dated October 2013, drawing no. SDP/BOSCH.
- The proposed new farm shed and its future use as a function venue is approved on condition that this is in accordance with sketch plans, elevations and sections dated October 2013, drawing nos. SK.01, SK.02 and COMP.01. Final or amended drawings must be submitted to HWC for approval.
- The proposed alterations and additions to the seven cottages and their future use as guest accommodation is approved on condition that development is largely in accordance with plans, elevations and sections dated October 2013, drawings nos. SKPO1/BOSCH, SKPO2/BOSCH, SKPO3/BOSCH, 21.01 and 21.02.
- The landscaping interventions and parking indicated on the site development plan dated October 2013, drawing no. SDP/BOSCH is approved.



## REFERENCES

### Literature

- Aikman & Associates (2005) Built Environment Survey of Boschendal Farmlands. Prepared by Boschendal Ltd
- Baumann, Nicolas and Winter, Sarah (2006). Boschendal Farmlands Founders Estates Heritage Impact Assessment. Prepared for Boschendal Ltd
- Baumann, Nicolas and Winter, Sarah (2008). Vergelegen Farm 744, Somerset West, Heritage Baseline Study for Possible Training and Associated Facilities. Prepared for Anglo Plc.
- Baumann, Nicolas, Winter, Sarah, Dewar, Dave and Louw, Piet (October 2012). Boschendal Heritage Impact Scoping Report. An In-Principle Review of the Case and the Identification of Composite Heritage Indicators
- Boschendal Museum (2008). Farm research
- Drakenstein Heritage Survey Group (2012). Drakenstein Heritage Survey prepared for the Drakenstein Municipality
- Fagan, GT Architects (1974) Boschendal Simondium 7108 sk1
- Fransen, Hans (2004). The Old Buildings of the Cape. Jonathan Ball Publishers, Cape Town
- Titlestad, Sally (2008). Boschendal Farmlands, Catalogue and Illustrated Timeline. Prepared for Boschendal Ltd

### Historical Images

- Alys Fane Trotter sketch of Boschendal wine cellar 1896-1898 (Fagan 1974)
- Boschendal werf in the late 19th early 20th century (Boschendal Private Collection),
- 1901 Inch Series showing Cape, Paarl and Stellenbosch Districts (KR CPA 1901)
- 1923 Topographical Plan of Rhodes Fruit Farms Ltd (Good Hope, Nieuwe Dorp, Rhone and Boschendal) (Surveyor General, author unknown, Boschendal Collection)
- 1949 and 1953 aerial photographs (enlargements) (Trig Surveys and Mapping, Mowbray)
- 1996 Topographical map (Boschendal collection)

### Websites

- [www.boschendal.com](http://www.boschendal.com)

## APPENDIX A

### Section 27 Application form



## APPENDIX B

### HWC Response to NID



**BOSCHENDAL**

FOUNDED IN 1685

## **SPECIAL POWER OF ATTORNEY**

I, the undersigned, William George who by my signature hereto warrant that I am duly authorised, as representative of Boschendal (Pty) Ltd, Reg no. 2002/023534/07, registered owner of the below-mentioned property:

Hereby nominate and appoint **VISIONPLAN CC t/a NM & Associates Planners and Designers** with power of Substitution to be my lawful representative in the application in terms of the Land Use Planning Act (No.3 of 2014), the Stellenbosch Municipality Land Use Planning By-law (P.N.354/2015) and the Stellenbosch Municipality Zoning Scheme By-law (27 September 2019) for the Council to consider granting approval for the required Land Use Application/s including the amendment / deletion / imposition of conditions in respect of an existing approval and associated approved Site Development Plan to obtain permission to develop tourist related facilities, on the below mentioned property:

**PORTION 10 OF FARM 1674 BOSCHENDAL  
SITUATED IN THE STELLENBOSCH MUNICIPALITY, DIVISION OF PAARL,  
WESTERN CAPE PROVINCE,  
HELD UNDER THE TITLE DEED NO. T17497/2004**

In addition to the above, **NM & Associates Planners and Designers** may obtain all documents, make all other necessary applications in accordance with any other law to achieve the approval of a land use application as outlined above, and may engage with the authorities on my behalf in all matters relating to this abovementioned application and further may represent me at any inquiry in relation to the abovementioned matters and generally do whatever may be necessary or desirable to procure the approval of the application.

Authorised Signatory

Date:

14 October 2021





### Olive Press Function Venue

Indoor area:  $\pm 600\text{m}^2$

Outdoor area:  $\pm 330\text{m}^2$

Total coverage:  $\pm 930\text{m}^2$

Parking: a total of 124 bays

Werf  
Cottages  
Reception

Werf  
Cottages

Olive Press  
Parking  
Area

Grass Lawn

Scale 1:1000 @ A4

0 5 20 50m

### Key

- Subject building (Olive Press Function Venue)
- Access route off the R310

BOSCHENDAL ESTATE  
Olive Press Function Venue

Figure 3.1: Site Development Plan  
(BOSCH\_OPFV\_20240510\_01)



May 2024



**& associates**  
PLANNERS AND DESIGNERS



21  
CLIFFE DEKKER INC  
10TH FLOOR - NBS WALDORF  
80 ST GEORGE'S MALL  
CAPE TOWN  
8001

Prepared by me

  
CONVEYANCER  
PLUMMER A J N



VIR ENDOSSEMENTE KVK BLADSY 61 ET SEC  
FOR ENDORSEMENTS SEE PAGE

|                          |                  |                                                                                     |  |
|--------------------------|------------------|-------------------------------------------------------------------------------------|--|
| VERBOND                  |                  | MORTGAGED                                                                           |  |
| VIR FOR R 209 000 000 PD |                  |                                                                                     |  |
| B                        | 000014344 / 2004 |  |  |
| 02 MAR 2004              |                  | REGISTRATEUR/REGISTRAR                                                              |  |

Reference Waived  
in favour notarial  
deed of lease  
No K 785/2005 L  
in favour of  
bondholder

FOR RELEASES SEE

BOND

T000017501 / 2004

## DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

ANTHONY JOHN NOYES PLUMMER

appeared before me, REGISTRAR OF DEEDS, at CAPE TOWN, the said  
appearer being duly authorised thereto by a Power of Attorney which said  
Power of Attorney was signed at SOMERSET WEST on 19<sup>th</sup> December  
2003 granted to him by

ANGLO AMERICAN FARMS LIMITED  
No. 1902/000387/06





- 68 -

|                                |             |                        |
|--------------------------------|-------------|------------------------|
| DIE NAAM VAN DIE               |             | THE NAME OF THE        |
| tree                           |             |                        |
| IS VERANDER NA                 |             | HAS BEEN CHANGED TO    |
| BOSCHENDAL PROPRIETARY LIMITED |             |                        |
| 2                              | BC 62167105 |                        |
| 30 AUG 2005                    |             | REGISTRATEUR/REGISTRAR |

|                    |               |                        |
|--------------------|---------------|------------------------|
| DIE NAAM VAN DIE   |               | THE NAME OF THE        |
| tree               |               |                        |
| IS VERANDER NA     |               | HAS BEEN CHANGED TO    |
| BOSCHENDAL LIMITED |               |                        |
| 3                  | BC 6216812005 |                        |
| 30 AUG 2005        |               | REGISTRATEUR/REGISTRAR |

PARA 7

|                           |                     |                        |
|---------------------------|---------------------|------------------------|
| VERHUUR AAN               |                     | LEASED TO              |
| DGB (PROPRIETARY) LIMITED |                     |                        |
| VIR                       | JAAR VANAF          |                        |
| FOR                       | 99 YEARS YEARS FROM | 1 AUGUST 2005          |
| 4                         | K000000085-2005     |                        |
| 30 AUG 2005               |                     | REGISTRATEUR/REGISTRAR |

VIR ENDOSSEMENTE KYK BLADSY 69  
FOR ENDORSEMENTS SEE PAGE 69

**6. PORTION 10 OF THE FARM BOSCHENDAL NO. 1674, IN THE  
STELLENBOSCH MUNICIPALITY, DIVISION OF PAARL,  
WESTERN CAPE PROVINCE**

**IN EXTENT : 106,6539 (ONE HUNDERD AND SIX COMMA SIX  
FIVE THREE NINE) HECTARES**

**FIRST REGISTERED** and still held by Certificate of Registered Title  
No. T 17497/2004 with Diagram No. 2863/2003 relating  
thereto.

**(I) AS REGARDS the figures C1C1Bf and bde1C on said  
Diagram No. 2863/2003:**

**A. SUBJECT to the following conditions contained in  
Deed of Grant dated 13 December 1922 (Paarl  
Quitrents Volume 7 No. 3):**

1. That all roads and thoroughfares being or existing on the said land, described in the plan or diagram of the same, shall remain free and uninterrupted: unless the same be closed or altered by competent authority.
2. That if at any time it should appear to the governor-General upon petition of any adjacent or neighbouring proprietor, that such adjacent or neighbouring proprietor requires a way or road of necessity to or from the land of such adjacent or neighbouring proprietor, the owner of the land hereby granted, upon which such road is required, shall be bound to grant such way or road of necessity, and to point out the direction or width thereof; Provided that in case of a dispute or difference regarding such road, or its sufficiency, the direction and width of the road shall be decided upon by the Divisional Council of the Division in which the land is situated; Provided, further, that the said owner shall not be bound to allow such road or thoroughfare across land which shall at the time be in a state of cultivation or improvement, and that compensation for the right of way and any damage done shall be paid for by the person or persons for whose benefit and upon whose application the said road is made according to determination and arbitration.

9



3. That the Governor-General shall at all times have the right to make roads, railways, dams, aqueducts, drains, and to conduct telegraphs over the said land for the benefit of the public, and to take materials for these purposes; also to establish convenient outspans for the use of travellers, on payment to the proprietor of such sum of money as compensation as may be determined by arbitration; Provided that the arbitrators may set off against the loss or damage caused to the proprietor, the benefit, instant or prospective, which he shall or may derive in consequence of the construction of any of the said works.
4. That the Governor-General shall at all times have the right of resuming the whole or a portion of the said land, if required for public purposes, in payment to the proprietor of such sum of money in compensation as may be mutually agreed upon by the parties concerned, or failing such agreement as may be determined by arbitration.
5. That all rights to gold, silver, and precious stones found or discovered at any time on or in the said land shall be reserved to the Crown, together with a right of ingress to and egress from any mines or works undertaken for mining or prospecting purposes by any person or persons authorised by the Minister; but subject always to the provisions of any law for the time being regulating the prospecting and mining for precious stones and minerals.
6. That all rights to minerals, mineral products, mineral oils, and precious stones, precious or base metals on or under the land hereby granted are expressly reserved to the Crown together with the right of access to any mines or works undertaken for mining or prospecting purposes by any person duly authorised in that behalf. The land is subject to such further rights as the public or the government now, may, or may hereafter have or be entitled to obtain under or by virtue of any law relating to the prospecting, digging, mining or exploitation of minerals, mineral products, mineral oils, precious stones, precious or base metals, on or under the land hereby granted, which rights shall not be impaired or in any way affected by the title-deed.

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- B. **SUBJECT** further to the terms of the following endorsement dated 27 April 1987 on Deed of Grant dated 13 December 1922 (Paarl Quitrents Volume 7 NO. 3):

Two Portions of the hereinmentioned property together measuring  $\pm$  330 square metres has been expropriated by Divisional Council Paarl in terms of Section 27 of Roads Ordinance 19/1976.

Vide Notice of Expropriation No. RMR 7/2/23 dated 13/4/87 Filed as exprop. caveat EX 344/87 plans in duplicate filed Ex 344/87.

- (ii) **AS REGARDS** the figure DEgedb said Diagram No. 2863/2003:

- A. **SUBJECT** to the conditions referred to in Deed of Transfer No. T 9363/1906.

- B. **SUBJECT FURTHER** to the following condition contained in Deed of Grant dated 26 June 1923 (Paarl Quitrents Volume 7 No. 5):

"The land hereby granted is further subject to such servitudes and encumbrances as are registered against the said Deed of Transfer or prior Deeds of Transfer, in so far as they may effect the land hereby granted."

- C. **BY** Notarial Deed No. K 190/2001S **ENTITLED** to:-

1. A water pipeline servitude 2,00 metres wide, the north western boundary whereof is represented by the line w1x1y1G on Diagram No. 3176/2000 annexed to Deed of Transfer No. T 17276/ 2001

2



together with a general right of way to gain access to the said pipeline servitude over Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl in extent 102,4981 Hectares held by Deed of Transfer No. T 17276/ 2001.

2. A water pipeline servitude 2,00 metres wide the western boundary whereof is represented by the line bdefgh on Diagram No. 3179/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares held by Deed of Transfer No. T 17276/ 2001.

- 3.1. A pipeline servitude 2 metres wide the north western boundary whereof is represented by the line Aa on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

- 3.2. A pipeline servitude 2 metres wide the north eastern boundary whereof is represented by the line ab on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

- 3.3. A pipeline servitude 2 metres wide the south western boundary whereof is represented by the line AM on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001

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together with a general right of way to gain access to the said pipeline servitudes, over Portion 1 of the Farm No. 1632, Stellenbosch Municipality, Division of Paarl, in extent 4274 square metres held by Deed of Transfer No. T 17276/2001

Subject to conditions as will more fully appear from said Notarial Deed.

(iii) **AS REGARDS** the figures **ABCf1E1DgEFja** and **1F1G1L1M** on said Diagram No. 2863/2003:

**A. SUBJECT** to the conditions referred to in Deed of Transfer No. T 11413/1897.

**B. SUBJECT FURTHER** to the terms of the following endorsement dated 27 April 1987 on Deed of Transfer No. T 2582/1902:

Endorsement in terms of Section 31(6) of Act No. 47 of 1937, as amended

"A portion of the hereinmentioned property in Para 26 measuring  $\pm$  1412 square metres has been expropriated by Paarl Divisional council in terms of Section 27 of the Roads Ordinance 19 of 1976.

Vide Notice of Expropriation No. RMR 7/2/22 .d.d 13/4/1987 filed as exprop caveat Ex 342/87. Plans in duplicate filed EX 342/87.

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**C. BY Notarial Deed No. K 190/2001S ENTITLED to:-**

1. A water pipeline servitude 2,00 metres wide, the north western boundary whereof is represented by the line w1x1y1G on Diagram No. 3176/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl in extent 102,4981 Hectares held by Deed of Transfer No. T 17276/ 2001.

2. A water pipeline servitude 2,00 metres wide the western boundary whereof is represented by the line bcdefgh on Diagram No. 3179/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares held by Deed of Transfer No. T 17276/ 2001.

- 3.1. A pipeline servitude 2 metres wide the north western boundary whereof is represented by the line Aa on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

- 3.2. A pipeline servitude 2 metres wide the north eastern boundary whereof is represented by the line ab on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.



3.3. A pipeline servitude 2 metres wide the south western boundary whereof is represented by the line AM on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain access to the said pipeline servitudes, over Portion 1 of the Farm No. 1632, Stellenbosch Municipality, Division of Paarl, in extent 4274 square metres held by Deed of Transfer No. T 17276/2001

Subject to conditions as will more fully appear from said Notarial Deed.

(iv) AS REGARDS the figures FGHsJ, 1G1H1J1K1L, 1m1ny1g1fW, 1e1f1g, 1pkLmn1q, LM1zm, tPwusr, rsuvyz and uwQRSTU1c1b1a on said Diagram No. 2863/2003:

A. SUBJECT to the conditions referred to in Deed of Transfer No. T 11413/1897.

B. SUBJECT FURTHER to the servitude referred to in the following endorsement dated 17 March 1931 on Deed of Transfer No. T 2582/1902:

The within described land is subject to a servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District No. 1) dated 13 May 1921 as will more fully appear on reference to the copy of the said Order, filed with Transfer No. T 8939/1899.





**C. BY Notarial Deed No. K 190/2001S ENTITLED to:-**

1. A water pipeline servitude 2,00 metres wide, the north western boundary whereof is represented by the line w1x1y1G on Diagram No. 3176/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl in extent 102,4981 Hectares held by Deed of Transfer No. T 17276/ 2001.

2. A water pipeline servitude 2,00 metres wide the western boundary whereof is represented by the line bcdefgh on Diagram No. 3179/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares held by Deed of Transfer No. T 17276/ 2001.

- 3.1. A pipeline servitude 2 metres wide the north western boundary whereof is represented by the line Aa on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

- 3.2. A pipeline servitude 2 metres wide the north eastern boundary whereof is represented by the line ab on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

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3.3. A pipeline servitude 2 metres wide the south western boundary whereof is represented by the line AM on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain access to the said pipeline servitudes, over Portion 1 of the Farm No. 1632, Stellenbosch Municipality, Division of Paarl, in extent 4274 square metres held by Deed of Transfer No. T 17276/2001

Subject to conditions as will more fully appear from said Notarial Deed.

(v) **AS REGARDS the figures vx1dV1e, nmpqrz1q and m1zNtrpq on said Diagram No. 2863/2003:**

A. **SUBJECT to the conditions referred to in Deed of Transfer No. T 11413/1897.**

B. **By Notarial Deed No. K 190/2001S the above property is ENTITLED to:**

1. A water pipeline servitude 2,00 metres wide, the north western boundary whereof is represented by the line w1x1y1G on Diagram No. 3176/2000 annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain access to the said pipeline servitude over Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl in extent 102,4981 Hectares held by Deed of Transfer No. T 17276/2001.



2. A water pipeline servitude 2,00 metres wide the western boundary whereof is represented by the line bcdefgh on Diagram No. 3179/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares held by Deed of Transfer No. T 17276/ 2001.

- 3.1. A pipeline servitude 2 metres wide the north western boundary whereof is represented by the line Aa on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

- 3.2. A pipeline servitude 2 metres wide the north eastern boundary whereof is represented by the line ab on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

- 3.3. A pipeline servitude 2 metres wide the south western boundary whereof is represented by the line AM on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain access to the said pipeline servitudes, over Portion 1 of the Farm No. 1632, Stellenbosch Municipality, Division of Paarl, in extent 4274 square metres held by Deed of Transfer No. T 17276/ 2001

Subject to conditions as will more fully appear from said Notarial Deed.



(vi) **AS REGARDS** the figure xu1a1b1c1d on said Diagram No. 2863/2003:

A. **SUBJECT** to the conditions referred to in Deed of Transfer No. T 11413/1897.

B. **SUBJECT FURTHER** to the servitude referred to in the following endorsement dated 17 March 1931 on Deed of Transfer No. T 2582/1902:

The within described land is subject to a servitude with regard to apportionment of water in terms of an Order of the Water Court (Water Court District No. 1) dated 13 May 1921 as will more fully appear on reference to the copy of the said Order, filed with Transfer No. T 8939/1899.

C. **SUBJECT FURTHER** to the terms of the following endorsement dated 16 October 1995 on Deed of Transfer No. T 2582/1902.

Endorsement in terms of Section 13(3) of Act 28/1969 (National Monuments Act).

In terms of Section 10(1) of Act 28/1969, the Dwelling-house known as Rhone and its historic outbuildings together with a surrounding area bounded to the different directions as more fully set out in proclamation referred to herein, has been proclaimed a National Monument by Proclamation No. 476 dated 16.3.79 as published in Government Gazette No. 6348/79.

For further particulars refer to said Proclamation from the Director N.M.C. on File AC. 6/3/3/16 – (24/4/6/16).

1



**D. BY Notarial Deed No. K 190/2001S ENTITLED to:-**

1. A water pipeline servitude 2,00 metres wide, the north western boundary whereof is represented by the line w1x1y1G on Diagram No. 3176/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl in extent 102,4981 Hectares held by Deed of Transfer No. T 17276/ 2001.

2. A water pipeline servitude 2,00 metres wide the western boundary whereof is represented by the line bodeigh on Diagram No. 3179/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares held by Deed of Transfer No. T 17276/ 2001.

- 3.1. A pipeline servitude 2 metres wide the north western boundary whereof is represented by the line Aa on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

- 3.2. A pipeline servitude 2 metres wide the north eastern boundary whereof is represented by the line ab on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.



- 3.3. A pipeline servitude 2 metres wide the south western boundary whereof is represented by the line AM on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain access to the said pipeline servitudes, over Portion 1 of the Farm No. 1632, Stellenbosch Municipality, Division of Paarl, in extent 4274 square metres held by Deed of Transfer No. T 17276/ 2001

Subject to conditions as will more fully appear from said Notarial Deed

(vii) **AS REGARDS the figure HJKk1p1n1mXY1r on said Diagram No. 2863/2003:**

- A. **SUBJECT** to the conditions referred to in Deed of Transfer No. T 11413/1897.

- B. **SUBJECT FURTHER** to the following endorsement dated 17 November 1976 on Deed of Transfer No. T 2582/1902:

Endorsement in terms of Section 13(3) of Act 28 of 1969:

In terms of Section 10(1) of Act 28 of 1969 the historic Boschendal homestead at Groot-Drakenstein, bounded by the ringwall on the southern, western and north sides by the historic water furrow on the Eastern side including the manor-house and ringwall as will as all the other outbuildings and structures herein, measuring 55 morgen and 450 square roods situated on the property in para 38 herein has been proclaimed a national monument by proclamation No. 2044 dated 5-11-76 published in the Government Gazette of the same date.

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For further particulars refer to said proclamation and Minute No. RNG 10/2/467 dated 12.11.76 from the Director of Archives, Pretoria filed in file 24.4.6.16.

**C. BY Notarial Deed No. K 190/2001S ENTITLED to:-**

1. A water pipeline servitude 2,00 metres wide, the north western boundary whereof is represented by the line w1x1y1G on Diagram No. 3176/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl in extent 102,4981 Hectares held by Deed of Transfer No. T 17276/ 2001.

2. A water pipeline servitude 2,00 metres wide the western boundary whereof is represented by the line bcdefgh on Diagram No. 3179/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares held by Deed of Transfer No. T 17276/ 2001.

- 3.1. A pipeline servitude 2 metres wide the north western boundary whereof is represented by the line Aa on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.



3.2. A pipeline servitude 2 metres wide the north eastern boundary whereof is represented by the line ab on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

3.3. A pipeline servitude 2 metres wide the south western boundary whereof is represented by the line AM on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain access to the said pipeline servitudes, over Portion 1 of the Farm No. 1632, Stellenbosch Municipality, Division of Paarl, in extent 4274 square metres held by Deed of Transfer No. T 17276/2001

Subject to conditions as will more fully appear from said Notarial Deed.

(viii) AS REGARDS the figure 1r1s1t on said Diagram No. 2863/2003:

A. SUBJECT to the conditions referred to in Deed of Transfer No. T 11413/1897.

B. SUBJECT FURTHER to the terms of the following endorsement dated 27 April 1987 on Deed of Transfer No. T 2582/1902:

Endorsement in terms of Section 31(6) of Act No. 47 of 1937, as amended:

"A portion of the hereinmentioned property in Para 26 measuring  $\pm$  2281 square metres has been expropriated by Paarl Divisional council in terms of Section 27 of the Roads Ordinance 19 of 1976.

P



Vide Notice of Expropriation No. RMR 7/2/22 .d.d 13/4/1987 filed as exprop caveat Ex 342/87. Plans in duplicate filed EX 342/87.

**C. BY Notarial Deed No. K 190/2001S ENTITLED to:-**

1. A water pipeline servitude 2,00 metres wide, the north western boundary whereof is represented by the line w1x1y1G on Diagram No. 3176/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl in extent 102,4981 Hectares held by Deed of Transfer No. T 17276/ 2001.

2. A water pipeline servitude 2,00 metres wide the western boundary whereof is represented by the line bcdefgh on Diagram No. 3179/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares held by Deed of Transfer No. T 17276/ 2001.

- 3.1. A pipeline servitude 2 metres wide the north western boundary whereof is represented by the line Aa on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

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3.2. A pipeline servitude 2 metres wide the north eastern boundary whereof is represented by the line ab on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

3.3. A pipeline servitude 2 metres wide the south western boundary whereof is represented by the line AM on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain access to the said pipeline servitudes, over Portion 1 of the Farm No. 1632, Stellenbosch Municipality, Division of Paarl, in extent 4274 square metres held by Deed of Transfer No. T 17276/ 2001

Subject to conditions as will more fully appear from said Notarial Deed.

(ix) **AS REGARDS the figure as1t1sZ1A on said Diagram No. 2863/2003:**

**A. SUBJECT** to the conditions referred to in Deed of Transfer No. T 11413/1897.

**B. SUBJECT FURTHER** to the following conditions contained in Certificate of Registered title No. T 17275/2001 imposed imposed by the Controlling Authority in terms of Section 11(6) of Act No. 21 of 1940 when approving the subdivision of the Farms No. 1631 and 1632, Division of Paarl:





1. the property may not be subdivided without the written approval of the Controlling authority as defined in Act 21/1940;
2. no building and additions thereto apart from those in existence on the property at the date of transfer shall be erected or undertaken without the written approval of the Controlling Authority as defined in terms of Act 21/1940;
3. no store or place of business whatsoever apart from those in existence on the date of transfer may be opened or conducted on the property without the written approval of the Controlling Authority as defined in terms of Act 21/1940;
4. no building or structure whatsoever apart from those in existence on the date of transfer shall be erected within a distance of 95 metres from the centreline of Main Road 172 and 191 without the written approval of the Controlling authority as defined in Act 21/1940.

**7. PORTION 12 OF THE FARM BOSCHENDAL NO. 1674, IN THE STELLENBOSCH MUNICIPALITY, DIVISION OF PAARL, WESTERN CAPE PROVINCE**

**IN EXTENT : 188,3148 (ONE HUNDRED AND EIGHTY EIGHT COMMA THREE ONE FOUR EIGHT) HECTARES**

**FIRST REGISTERED** and still held by Certificate of Registered Title No. T 17497/2004 with Diagram No. 2864/2003 relating thereto.

- (i) **AS REGARDS the figures kKmnABChj and 3TrMNuts on said Diagram No. 2864/2003:**

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**APPLICATION FOR CONSENT USE FOR A FUNCTION VENUE IN TERMS OF SECTION 15(2)(O) OF THE STELLENBOSCH MUNICIPALITY LAND USE PLANNING BY-LAW (2023): PORTION 10 OF FARM 1674, PAARL DIVISION**

Executive summary of the detail and motivation for the application

Application has been made for Consent Use in terms of Section 15(2)(o) (chapters III and IV) of the Stellenbosch Municipality Land Use Planning By-law (2023) to permit the use of an existing barn on Farm 1674/10, Paarl, as a Function Venue in terms of the Stellenbosch Municipality Zoning Scheme By-law (2023).

A Temporary Departure approval was granted in 2021 to permit the use of an existing barn ( $\pm 600\text{m}^2$ ) with an outside seating area of  $\pm 330\text{m}^2$  as a function venue (existing Olive Press Function Venue) to accommodate  $\pm 200$  persons, on Farm 1674/10, Paarl. This approval lapses on 24 February 2028. This application for Consent for a Tourist Facility (Function Venue) is being made to obtain permanent use rights for the existing Olive Press Function Venue on Farm 1674/10, Paarl. No new building work or extension of the footprint or floor area is proposed. The 124 parking bays currently provided in the parking area adjacent to the Olive Press Function Venue will remain and provides bays well in excess of what is required in terms of the SMZSBL provisions.

It should be noted that on the 09 November 2023, Stellenbosch Municipality approved an application for Consent to expand existing tourist facilities in the form of outside dining areas on Farm 1674/10, Paarl. As per this approval, there are rights that permit the use of a  $\pm 1.08\text{ha}$  outdoor area situated on the grass lawn adjacent to the Olive Press Function Venue for outdoor seating, picnics and functions.

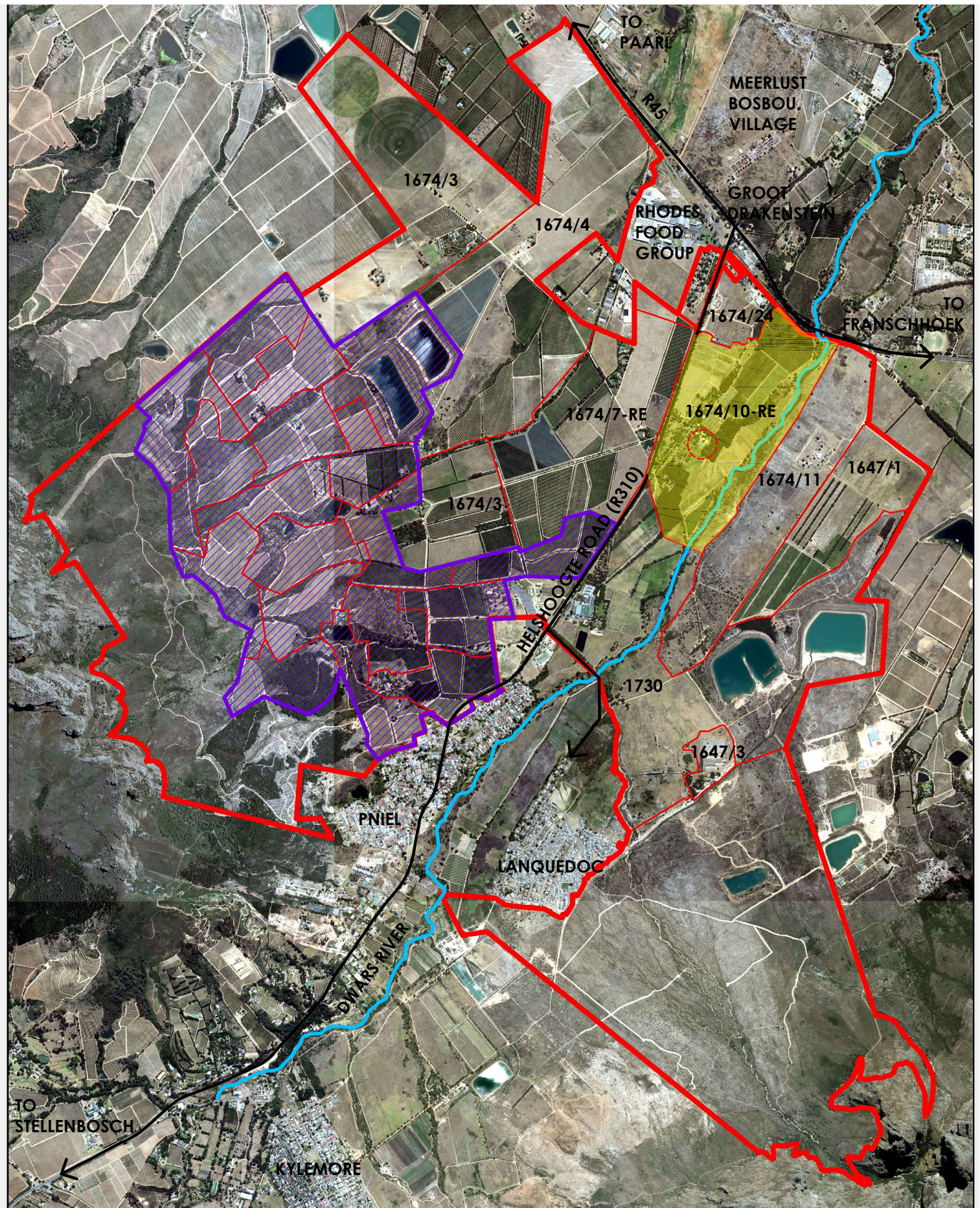
The development contributes to the protection of prime and unique agricultural land by making use of existing structures with an existing farm hospitality node. It contributes to sustainability of the area through maximisation of existing resources and infrastructure. It contributes to the sustainability of the farming entity by diversifying Boschendal's income. Lastly it has a positive socio-economic impact as it creates jobs for members of the local communities. The Olive Press development thus aligns with the relevant principles of spatial sustainability and efficiency in SPLUMA and LUPA.

This application complies with other relevant national, provincial and municipal legislation and policy frameworks. The proposal does not have impact on the heritage context or any environmental resources.

Furthermore, there are limited impacts on the municipal engineering services as the services and infrastructure on which the Olive Press relies, exist already. The access and parking arrangements remain unchanged.

In summary, the proposal contributes to the protection of prime and unique agricultural land; and by making use of existing structures, limits sprawl and promotes sustainability. The activity contributes to upliftment of local communities through job creation and contributes to sustainability of the farming business. The proposal thus aligns with the relevant principles of spatial sustainability and efficiency in terms of both SPLUMA and LUPA.





### Key

- Boschendal Estate
- Farm portion boundaries
- Founders' Estate
- Farm 1674/10-RE
- Subject area

**BOSCHENDAL ESTATE**  
Olive Press Function Venue

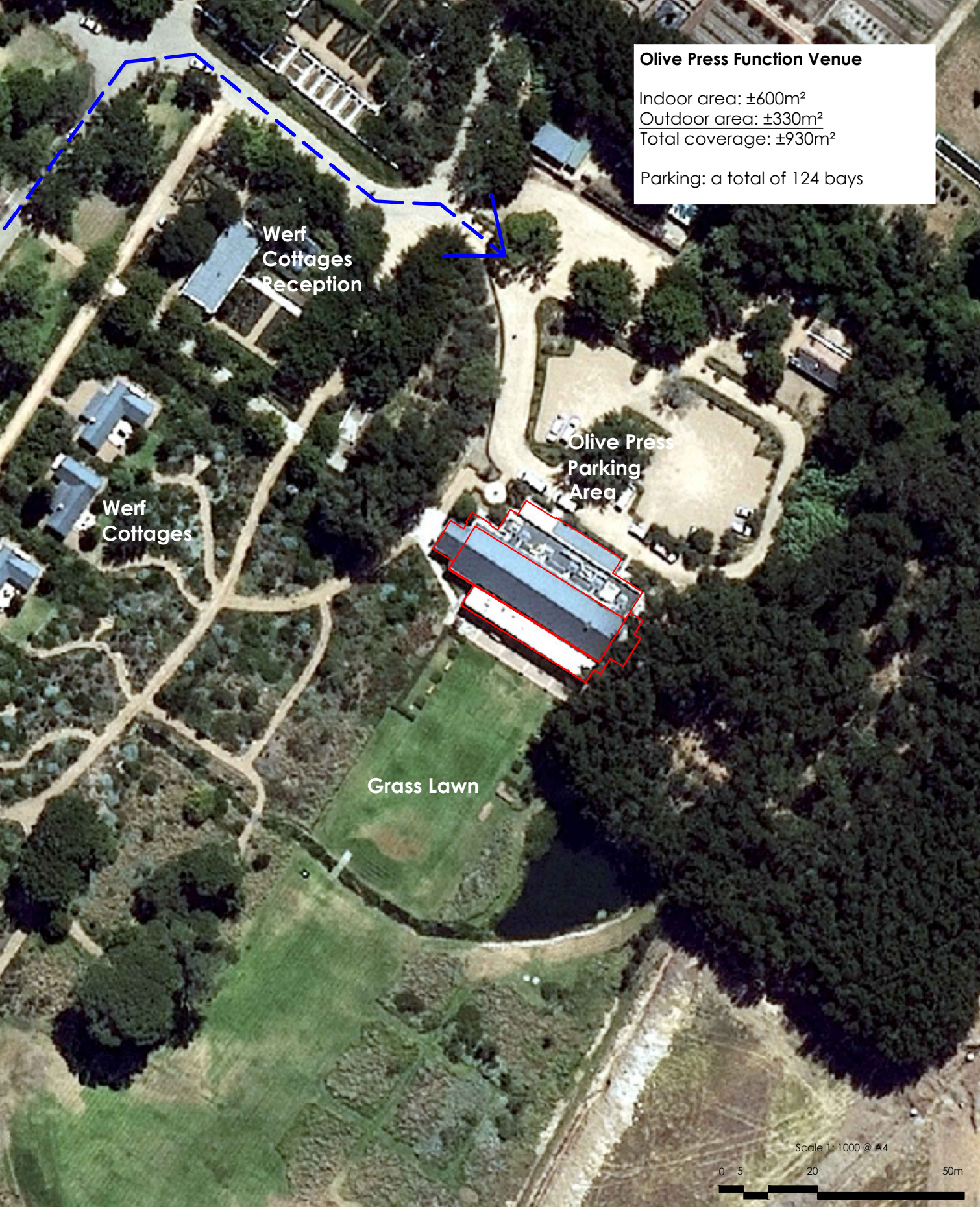
Figure 1.2: Locality of Farm 1674/10-RE within Boschendal Estate



May 2024

**nm & associates**  
PLANNERS AND DESIGNERS





**Key**

-  Subject building (Olive Press Function Venue)
-  Access route off the R310

BOSCHENDAL ESTATE  
Olive Press Function Venue

Figure 3.1: Site Development Plan  
(BOSCH\_OPFV\_20240510\_01)

