

NOTICE OF LAND DEVELOPMENT APPLICATION

Dear Adjoining Property Owner / Interested and Affected Party - Institution

**CONSENT USE AND PERMANENT DEPARTURE IN RESPECT OF AN EXISTING BUILDING STRUCTURE:
PORTION 11 OF FARM 266 (BLOEMENDAL), BONNIE MILE ROAD, VLOTTENBURG, STELLENBOSCH**

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

Application Property Address: Wedge View Guesthouse, Bonnie Mile Road, VloTTenburg, Stellenbosch

Application Property Number: Portion 11 of Farm 266 (Bloemendal), Stellenbosch

Applicant: TV3 Architects and Townplanners (Pty) Ltd; thys@tv3.co.za; 0834417003

Owner: Sunwealth (Pty) Ltd; dave@wegdevview.co.za; 0795268093

Application Reference: LU/16630 (TP 589/2023)

Description of land development proposal:

- a) A Consent Use in respect of an existing building structure as depicted on **Plan No. 3** attached hereto, so as to utilise the structure as an extension of the existing approved Wedge View Guest House / Tourist Accommodation Establishment so as to operate and additional five bedrooms; and
- b) A permanent departure, with reference to the existing building structure as depicted on **Plan No. 3**, from the prescribed 5m common boundary building line with Portion 10 of Farm 266, so as to allow for a common boundary building line setback along a line starting at point **(a)** set back at 0,3m to a point **(b)** set back at 0,9m, as depicted on **Plan No. 3** attached hereto.

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-notices/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: **TV3 Architects and Townplanners (Pty) Ltd; thys@tv3.co.za; 0834417003**. 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 **3 June 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: **083 441 7003 / 021 861 3800** during normal office hours.

Yours faithfully

A handwritten signature in black ink, appearing to read 'M. M. Walters', with a long horizontal stroke extending to the right.

TV3 ARCHITECTS AND TOWNPLANNERS (PTY) LTD

KENNISGEWING VAN GRONDONTWIKKELINGS AANSOEK

Geagte Aanliggende Grondeienaar / Belanghebbende Party - Instansie

**VERGUNNINGSGEBRUIK EN PERMANENTE AFWYKING TEN OPSIGTE VAN 'N BESTAANDE GEBOU
STRUKTUUR: GEDEELTE 11 VAN PLAAS 266 (BLOEMENDAL), BONNIE MILE PAD, VLOTTENBURG,
STELLENBOSCH**

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

Adres van aansoek eiendom: Wedge View Gastehuis, Bonnie Mile Pad, Vloppenburg, Stellenbosch

Aansoek eiendom beskrywing: Gedeelte 11 van Plaas 266 (Bloemendal), Stellenbosch

Aansoeker: TV3 Argitekte en Stadsbeplanners Edms.) Bpk., thys@tv3.co.za; 083 441 7003

Eienaar: Sunwealth (Edms.) Bpk.; dave@wedgeview.co.za; 0795268093

Aansoek Verwysing: LU/16630 (TP 589/2023)

Besonderhede van die grondgebruiksaansoek:

- a) 'n Vergunningsgebruik ten opsigte van 'n bestaande gebou struktuur soos aangetoon op **Plan No. 3** hierby aangeheg, om die struktuur as 'n uitbreiding tot die bestaande goedgekeurde Wedge View Gastehuis / Toeriste Akkommodasie fasiliteit ten einde 'n addisionele vyf kamers te bedryf; en
- b) 'n Permanente afwyking ten opsigte van die bestaande gebou struktuur soos aangetoon op **Plan No. 3**, van die voorgeskrewe 5m gemeenskaplike grens boulyn met Gedeelte 10 van Plaas 266, ten einde toe te laat vir 'n gemeenskaplike grens boulyn terugset langs 'n lyn met begin punt **(a)** terug geset tot 0,3m tot en met punt **(b)** terug geset tot 0,9m, soos aangetoon op **Plan No. 3** hierby aangeheg.

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 tydskedule van die publieke deelname proses by die volgende adres:

<https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, 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 terme van Artikel 50 van die tersaaklike Verordening. Skriftelike kommentaar, wat besonderhede ten opsigte van die verwysings nommer van die 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: **TV3 Argitekte en Stadsbeplanners**

(Edms.) Bpk.; thys@tv3.co.za; 0834417003. Deur 'n beswaar, kommentaar of vertoë 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 **3 Junie 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 voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by: **083 441 7003 / 021 861 3800** gedurende normale kantoor ure.

Die uwe

A handwritten signature in black ink, appearing to read 'M. M. W. A. B.' with a long horizontal stroke extending to the right.

TV3 ARGITEKTE EN STADBEPLANNERS (EDMS.) BPK.



ARCHITECTS & TOWN PLANNERS
ARGITEKTE & STADSBEPLANNERS

**APPLICATION FOR CONSENT USE AND DEPARTURE
PORTION 11 OF FARM 266, BLOEMENDAL,
STELLENBOSCH**

Date: 29 November 2023

Our ref: P3130: Portion 11 of Farm 266
Bloemendal, Stellenbosch

Inquiries: Mr. T. Walters

FIRST FLOOR
LA GRATITUDE
OFFICE BUILDING
97 DORP STREET
STELLENBOSCH 7600
TEL 021 861 3800

PLANNING BY-LAW APPLICATION FOR:
PROPOSED CONSENT USE AND DEPARTURE PORTION 11 OF
FARM 266, BLOEMENDAL, STELLENBOSCH

Prepared on behalf of:

Sunwealth Prop (Pty) Ltd



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SECTION 1

This Section sets out the application made in terms of the relevant subsections of Section 15(2) of the Stellenbosch Municipal Planning By-Law (2015).

1. THE APPLICATION

Application is made for the following:

- 1.1 A Consent Use in respect of an existing building structure as depicted on **Plan No. 3** attached hereto, so as to utilise the structure as an extension of the existing approved Wedge View Guest House / Tourist Accommodation Establishment so as to operate and additional five bedrooms; and
- 1.2 A permanent departure, with reference to the existing building structure as depicted on **Plan No. 3**, from the prescribed 5m common boundary building line with Portion 10 of Farm 266, so as to allow for a common boundary building line setback along a line starting at point **(a)** set back at 0,3m to a point **(b)** set back at 0,9m, as depicted on **Plan No. 3** attached hereto.

SECTION 2

This section provides the relevant property information and planning context for the proposed application.

2. PROPERTY INFORMATION

2.1 Locality (Plan No. 1)

Portion 11 of Farm 266 Bloemendal (The Application Property) is located approximately 8km to the West of the Stellenbosch CBD, North of the Polkadraai (M12) Route and South of the Stellenboschkloof Road. The Application Property is in turn accessed from the Polkadraai (M12) Route and Bonniemile Road via a registered right-of-way over Remainder Portion 1 of Farm 393 and Remainder Farm 266 as depicted on **Plan No. 1** hereto.

2.2 Property description, ownership and extent

Details relating to the description, ownership, and size of the subject property, are provided in **Table 1** below.

Table 1: Property description

PROPERTY DESCRIPTION	REGISTERED OWNER	DEED OF TRANSFER NUMBER	SIZE (ha)
Portion 11 of Farm 266, Bloemendal, Stellenbosch	Sunwealth Prop (Pty) Ltd	T14491/2007	1.0765ha

2.2.1 The application property constitutes Portion 11 of Farm 266, Bloemendal, Stellenbosch, 1.0765 ha in extent.

2.2.2 The application property is currently registered in the name of Sunwealth Prop (Pty) Ltd, by virtue of deed of transfer T14491/2007. A copy of the Title Deed is attached hereto to as **Annexure A**.

2.2.3 The subject property is depicted on SG Diagram No. 8261/1985, a copy of which is attached hereto as ***Annexure B***.

2.2.4 The property owner signed a Company Resolution which authorises TV3 Architects and Townplanners to prepare and submit the application on his behalf, a copy of which is attached hereto as ***Annexure C***.

2.3 Mortgage Bonds, Conditions of Title and Servitudes

2.3.1 Mortgage Bonds

The property inquiries details search shows no Mortgage Bonds registered against the property in question.

2.3.2 Conditions of Title

No conditions of title exist that prohibits the proposed consent use and departure being applied for.

2.3.3 Servitudes

There are no servitudes registered over the application property as confirmed by virtue of the attached SG-diagram.

3. EXISTING ZONING, LAND USE, POLICY AND LEGISLATIVE CONTEXT

3.1 Existing Zoning

The property is currently zoned as Agricultural and Rural Zone in terms of the Stellenbosch Municipal Zoning Scheme By-Law (2023).

In terms of a 2013 Zoning Certificate issued under the previous Section 8 Zoning Scheme Regulations, the property was subject to an approved Residential Zone V “Spot Zoning” which allowed for the operation of an approximate 520m² Guesthouse and an approximate 112m² Spa Facility. The approvals in question are confirmed as per the Stellenbosch Municipal Rezoning Approval dated 2 May 2005 and DEA&DP Approval dated 12 December 2011, copies of which are attached hereto as part of **annexure D**.

In terms of the current Stellenbosch Zoning Scheme (2023) provisions, the above Residential Zone V “Spot Zoning” has been replaced / converted to a Consent Use approval.

In addition, the approved Guesthouse has historically and to date been utilised for the operation of 13 rooms which exceeds the maximum prescribed number of seven bedrooms allowed for in terms of the current Stellenbosch Zoning Scheme for a Bed and Breakfast, Guest House or a Tourist Dwelling Unit Establishment, accordingly for the purposes of this application the current activity is now by definition considered to be a Tourist Accommodation Establishment.

3.2 Existing and Surrounding Land Uses (Plan No. 1 and 4)

Portion 11 of Farm 266 constitutes a rural smallholding with a limited extent of 1,0765ha which came about as a result of a consolidation of Portion 4 of Farm 266 and Portion 12 of Farm 266 in 1987, approximately 36 years ago. The property as a result of its limited extent has never been utilised as a productive commercial agricultural entity. Instead, the property has since 1996 been utilised as rural based tourist accommodation facility, first as a Bed and Breakfast establishment and after the 2005 Residential Zone V rezoning approval, as a formal Guesthouse. Accordingly, the enterprise has been in operation for 26-years and currently provide employment on average to between 21 and 23 people.

The application property is currently utilised exclusively for the purposes of the Guesthouse / Tourist Accommodation Establishment with a number of ancillary facilities i.e. spa, swimming pools etc. The current number of bedrooms offered on the

basis of a transient guest room with breakfast included totals 18 bedrooms, which total includes the additional five bedrooms no being applied for in terms of this application. The full extent of the utilisation of the property in this regard is depicted on **Plan No. 4** which represents a composite Site Development Plan of the current operations conducted on site. A photo compilation depicting the main structures currently present on the application property is in turn attached hereto as reference.

The application property due to its limited extent and the fact that the property is exclusively utilised for Guesthouse / Tourist Accommodation Establishment and related ancillary purposes cannot be considered on the basis of being subservient to any agricultural activity conducted on the application property itself, as it has never constituted an agricultural entity as such. In this regard the application property given its own limited extent, is considered to be a limited tourist node set within a surrounding agricultural context represented by a number of larger farms / agricultural entities as depicted in **Plan No. 1**. As such the application property as a tourist node is considered as a subservient use to the wider abutting agricultural context, rather than being subservient to any agricultural activity conducted on-site.

3.3 Spatial Development Framework Context

In terms of the Stellenbosch Municipality's Spatial Development Framework (MSDF) agricultural / rural based tourist facilities / establishments are generally supported as part of growing the tourism industry in the Winelands and the in doing so supporting the local economy amongst others by means of providing job opportunities.

In addition, the Stellenbosch Municipal Spatial Development Framework (SDF) promotes tourism as a major economic driver of the municipal economy, as the town represents "a key tourism destination" in the Winelands area. Consequently, the Municipality has stressed the importance of the sustainable use of its spatial assets. This includes "safeguarding and celebrating the Western Cape's unique cultural, scenic and coastal resources, on which the tourism economy depends" and promotes the importance of "the protection and expansion of tourism assets".

More specifically under the theme of 'Rural Accommodation', the Thematic land use guidelines for rural areas regarding 'Tourist accommodation' states that

- *In recognition of the prospects of tourism to diversify and strengthen the rural economy, the provision of a variety of short-term tourism accommodation across the rural landscape that is in keeping with the local character is supported; and*
- *Tourist accommodation situated outside of the urban edge should be clustered in visually discreet nodes, preferably make use of existing buildings or new buildings on disturbed footprints, located within or peripheral to the farmstead, reinforce rural landscape qualities, and cater exclusively for the temporary accommodation for in transit visitors.*

In the above regard the Wedge View Guesthouse / Tourist Accommodation Establishment as operated successfully for the last 26 years and contributed to the local economy amongst others by currently providing job between 21 to 23 job opportunities. To this extent the establishment inclusive of the additional five bedrooms now being applied for is considered to be aligned with the provisions of the MSDF in this regard.

3.4 Other legal application requirements

For the purposes of determining whether the application for a Consent Use so as to utilise the existing building structure in question as part of the existing Guest House / Tourist Establishment operations would require an application in terms of the NEMA Environmental Regulations, an Applicability Checklist Application was prepared by Cornerstone Environmental Consultants and submitted to DEA&DP. DEA&DP in turn confirmed by letter dated 25 January 2023 that the application does not required authorisation in terms of the NEMA Environmental Regulations. A copy of the abovementioned documentation is attached hereto as **Specialist Report No. 1**.

The application is considered not to be subject to the provisions of Section 38 of the Heritage Resources Act (Act 25 of 1998) as no rezoning is intended, no new structures

are proposed and the application does not implicate a building structure older than 60 years.

4. THE APPLICATION PROPOSAL

Wedge View was first established as a Bed and Breakfast Establishment in 1996. The latter establishment was then formally converted to a Guest House establishment by virtue of a Stellenbosch Municipal Rezoning Approval dated 2 May 2005 and further DEA&DP Approval dated 12 December 2011 so as to include a an approximate 112m² extension of the Spa Facility.

At the time of the abovementioned approvals the establishment operated 13 rooms that could sleep 28 people.

In 2013 the owners constructed a further dwelling which structure is the subject of this particular application. The latter structure was built on the approximate footprint of three existing structures as well as four water tanks located on the site, integrating said structures into one formalised multi-functional building which was considered to be an aesthetic improvement on the previous arrangement. The existing structures context that existed prior to the 2013 construction is indicated on **Plan No. 2** for reference purposes. For the purposes of the application it is noted that the structure in question was constructed / established without approval of the building plans as prepared at the time. Copies of the building plans as prepared are attached hereto as reference.

This Consent Use Application specifically refers to the abovementioned existing building structure erected in 2013 as depicted on **Plan No. 3** attached hereto, with the view to legalise the utilisation thereof as an extension of the existing approved Wedge View Guest House / Tourist Accommodation Establishment, so as to operate an additional five bedrooms.

The abovementioned 2013 dwelling constructed provides for the following Guest House / Tourist Establishment related uses:

- Five additional guest rooms thereby expanding the accommodation to 18 rooms with a capacity to sleep 40 guests in total;
- Laundry Facilities;
- Staff Restroom;
- General Workshop and Store which include a battery backup system with solar panels as well as hot water heating system;
- Four under roof water tanks; and
- A single enclosed garage parking

In the above regard it should be noted that all of the 18 rooms operate and are exclusively marketed on a bed and breakfast basis. Three of the rooms included as part of the dwelling structure which is the subject of this particular application can however potentially, by design, also occasionally be utilised as self-catering units if so requested. In addition, it is noted that meals are only served to transient guests booked at the establishment and not the general public.

Copies of the unapproved building plans which depicts the as built structure described above, is attached hereto as reference. In terms of the draft building plans the structures in question comprises a ground floor (coverage footprint) of 340m² with a first-floor area extent of 283m². Accordingly, the structure which is the subject of this particular application constitutes a total floor area of 623m² in extent. In addition to the above, the table below depicts the consolidated existing development parameter context for all of the structures on-site, inclusive of the abovementioned 623m², erected on the application property. This serves to illustrate that the existing development footprint context expressed in terms of coverage and floor area, even taking into consideration the limited extent of the application property itself, is fairly low and therefore confirms that the property has not been “over developed”.

Table: Consolidated existing development parameter context

	Zoning Scheme Provision	Existing Development	
Zoning	Agricultural and Rural Zone		
Size	1.07ha		
Building Line	5m	As per Plan	
Coverage	NA	±1750m ²	16%
Floor Area	NA	±2840m ²	0.28
Parking	14	24	

In addition, application is made for a permanent departure, with reference to the abovementioned existing building structure as depicted on **Plan No. 3**, from the prescribed 5m common boundary building line with Portion 10 of Farm 266, so as to allow for a common boundary building line setback along a line starting at point **(a)** set back at 0,3m to a point **(b)** set back at 0,9m, as depicted on **Plan No. 3** attached hereto. In turn, the land owner undertakes to obtain a letter of no objection from the abutting land owner of Portion 10 of Farm 266 in this regard.

5. ENGINEERING SERVICES / ACCESS AND PARKING

The main existing engineering services infrastructure and connection points as depicted on the Site Development Plan which currently serve Guest House / Tourist Accommodation Establishment, inclusive of the of the proposed five additional rooms being applied for in terms of this application, include the following:

Bulk Water

The application property has access to municipal water supply which supplies the buildings on-site directly. The municipal water supply in turn also feeds 4 x 5 kl storage tanks with a booster pump to supply the buildings. The application property also has access to an on-site borehole pump, coupled to a 10kl reverse osmosis system which also serves to additionally supply the abovementioned 4 x 5 kl storage tanks.

In addition, the application property has water rights from the Theewaterskloof water supply scheme which can be utilised for irrigation purposes. The application property has a further additional 2 x 5 kl rainwater tanks installed which is utilised for the re-fill of the swimming pools as well as for irrigation purposes.

Sewer

The application property is currently serviced by four conservancy tanks as depicted on the SDP with an estimated capacity of 77kl. The conservancy tanks are currently serviced by a private service provider.

Solid Waste

General waste is being generated during the operation of the Guest House / Tourist Accommodation Establishment. This waste is adequately managed on the site and removed once a week to the municipal waste site.

Electricity

The application property is located in an Eskom supply area and is currently duly serviced with an Eskom connection point. In addition, the application property has a battery back-up and solar panel system installed to keep the Guest House / Tourist Accommodation Establishment operational during load shedding.

Access and Parking

The Application Property is accessed from the Polkadraai (M12) Route and Bonniemile Road via a registered right-of-way over Remainder Portion 1 of Farm 393 and Remainder Farm 266 as depicted on **Plan No. 1** hereto. There are currently two separate entrances leading from the right-of-way servitude which services the application property.

There are currently 24 open parking bays provide on-site and one closed garage parking for the purposes of operating the existing establishment.

In terms of the Zoning Scheme provisions for a Tourist Accommodation Establishment parking is to be provide at a ratio of 0,7 bays per room and 1 bay per self-catering room. The required parking allocation calculated on the basis of 15 bed and breakfast rooms and three self-catering rooms equates to a total parking bay requirement of 14 bays. Accordingly, sufficient parking is provided on-site to duly service the existing Tourist Accommodation Establishment, inclusive of the proposed five additional rooms being applied for in terms of this application.

6. MOTIVATION AND BURDEN OF PROOF

6.1 Need

In terms of the Stellenbosch Municipality's Spatial Development Framework (MSDF) agricultural / rural based tourist facilities / establishments are general supported as part of growing the tourism industry in the Winelands and in doing so supporting the local economy amongst others by means of providing job opportunities.

The approval for an additional five guest bedrooms has / will improve the guest house's continued financial viability as well as ability to continue to contribute to the municipal economy. In addition, the facilities specifically provided for the staff as part of the dwelling in question, also served to improve the general working conditions for staff employed at the establishment.

6.2 Desirability

The following considerations are deemed relevant to the assessment as to whether the proposed departures and consent use would be desirable:

6.2.1 Socio-economic impact

In this regard the Wedge View Guesthouse / Tourist Accommodation Establishment has operated successfully for the last 26 years and contributed to the local economy amongst others by currently providing employment to between 21 to 23 individuals. To this extent the establishment inclusive of the additional five bedrooms now being applied for is considered to have had and will continue to have a positive socio-economic impact.

6.2.1 Compatibility with surrounding uses

Portion 11 of Farm 266 constitutes a property with a limited extent of 1.0765ha which came about as a result of a consolidation of in 1987 approximately 36 years ago. The property as a result of its limited extent has never represented or has been utilised as a productive commercial agricultural entity. The application property has for the last 26 years and is currently utilised exclusively for the purposes of operating an agricultural / rural based Guesthouse / Tourist Accommodation Establishment with a number of

ancillary facilities i.e. spa, swimming pools etc. During the past 26 years there has been no complaints from any of the abutting land owners with reference to Guesthouse / Tourist Accommodation Establishment operations which could serve to suggest that the establishment is either incompatible with or has a negative impact on its directly abutting surrounding environment.

6.2.2 Impact on the external engineering services

The Guesthouse / Tourist Accommodation Establishment, inclusive of the additional five bedrooms now being applied for, is currently duly provided with engineering services as described above.

6.2.3 Impact on safety, health and wellbeing of the surrounding community

There is no evidence that negative impacts have in the past or will in future be generated by the operations of the establishment that could be considered as detrimental to the safety, health and wellbeing of the surrounding community.

6.2.4 Impact on heritage

The application is considered not to be subject to the provisions of Section 38 of the Heritage Resources Act (Act 25 of 1998) as no rezoning is intended, no new structures are proposed and the application does not implicate a building structure older than 60 years.

*In addition, the visual impact of the existing structures on the application property specifically as viewed from the Polkadraai (M12) route is mitigated as a result of a number of mature trees on-site. The latter is illustrated by the view point photo taken from the Polkadraai (M12) route towards the Wedge View Guest House as depicted on **Plan No. 5** attached hereto, as well as the photo below which depicts the existing development context of the application property.*

Photo: Existing Wedge View Development Context



6.2.5 Impact on the biophysical environment

As confirmed as part of the NEMA Applicability Checklist submission, there are no Critical Biodiversity Areas (CBAs) nor Ecological Support Areas (ESAs) on the application property. Although the application property is mapped as the Critically Endangered Swartland Granite Renosterveld (Cape Farm Mapper, 2022), the terrestrial vegetation on the site has been completely transformed from its natural state, and no longer represents indigenous vegetation. Instead, the garden facilities on the site contains kikuyu grass and a mixture of exotic and indigenous garden plants.

6.2.6 Traffic impacts, parking, access and other transport related considerations

The existing Guest House / Tourist Accommodation Establishment is duly served by the existing access / entrance points as described above. In addition, sufficient on-site parking is provided so as to serve the existing operations including the additional five bedrooms being applied for. It is also considered that the additional five rooms will have a limited traffic impact and can accordingly can be accommodated within the existing access arrangement.

6.2.7 The imposition of conditions can mitigate an adverse impact of the proposed land use
None

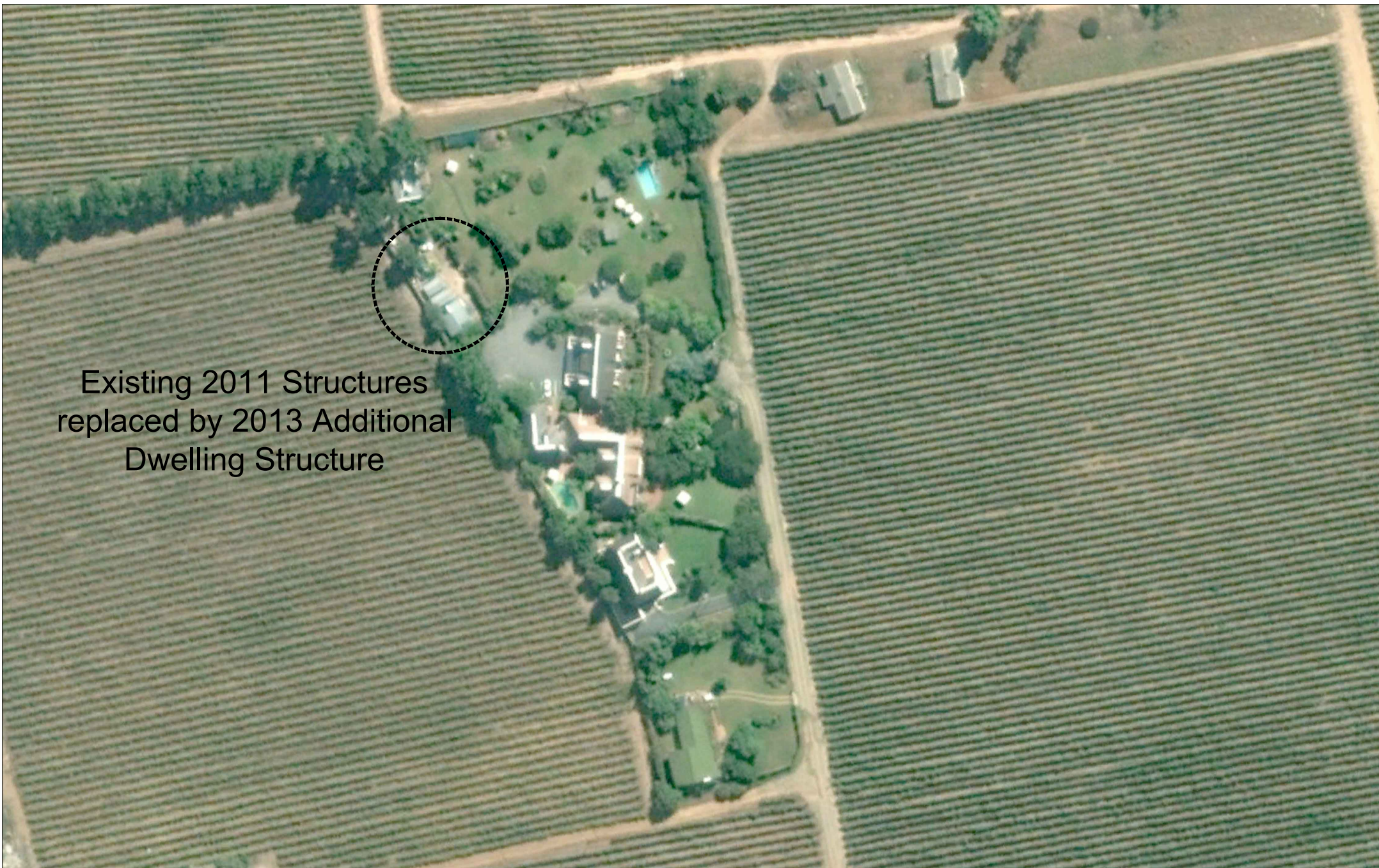
7. CONCLUSION

Application is made in terms of section 15(2) of the Stellenbosch Municipal Land Use Planning By-law (2015), for a Consent Use in respect of an existing building structure as depicted on **Plan No. 3** attached hereto, so as to utilise the structure as an extension of the existing approved Wedge View Guest House / Tourist Accommodation Establishment, so as to operate and additional five bedrooms.

As stated in the motivation above the Wedge View Guest House / Tourist Accommodation Establishment currently employs between 21 to 23 staff members. In addition, the establishment has been previously rated as number one out of 97 Stellenbosch guesthouses on Tripadvisor, as well as the winner of the 2013 Certificate of Excellence. It is therefore concluded that the development and related operations undertaken on the site to date contributed to the economic value of the municipal area without undermining the agricultural value of the surrounding farmlands, is visually discreet and has maximised the use of existing disturbed footprints on the site for the development of tourist accommodation over time.

In view of the above motivating considerations there are deemed to be no elements that render the application as being undesirable and accordingly the application should be duly considered for approval by your Council.





Existing 2011 Structures
replaced by 2013 Additional
Dwelling Structure



ARCHITECTS
TOWN PLANNERS
URBAN DESIGNERS

FIRST FLOOR LA GRATITUDE OFFICE BUILDING | 97 DORP STREET
STELLENBOSCH 7600 | TEL +27 (21) 861 3800 | www.tv3.co.za

Wedge View

Property Description:

Portion 11 of Farm 266, Stellenbosch

Drawing:		Plan no.:
Wedgeview 2011 Land Use		2
Date:	Scale:	
24/11/2023	1:1000(A4)	
Project no.:	Drawn:	Checked:
P3130	WH	MW

Notation:

Google Earth Imagery.

* All areas and dimensions are approximate and should be verified by a professional land surveyor.

* This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved





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Wedge View

Property Description:
Portion 11 of Farm 266, Stellenbosch

Drawing: Consent Use and Building Line Departure Plan		Plan no.: 3
Date: 24/11/2023	Scale: 1:1000/250(A4)	
Project no.: P3130	Drawn: WH	Checked: MW

Notation:

Cadastral information obtained from Surveys and Mapping (DRDLR).
Figure A,B,C,D represents Portion 11 of Farm 266, Stellenbosch.

* All areas and dimensions are approximate and should be verified by a professional land surveyor.

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260

Conservancy Tank 60kl

B

5m Building Line

A

SPA

Water Tank

0.3m Building Line

Water Tanks

Building with 5 rooms, laundry facilities, staff quarters, plant room and workshop (2013)

Water Tank

0.9m Building Line

Addition of a cottage for the previous owner (2004/5)

WedgeView Country House and Spa (1996)

Pool

Conservancy Tank 5kl

Additional Dwelling Unit (2007)

Access road to house (2007)

D

Braai/Lapa Entertainment Area

Pool

Entrance

Bore Hole

Conservancy Tank 5kl

5m ROW Servitude over Farm 266

Conservancy Tank 7kl

ESCOM Supply

Power Line

C

RE/266

	Zoning Scheme Provision	Existing Development	
Zoning	Agricultural and Rural Zone		
Size	1.07ha		
Building Line	5m	As per Plan	
Coverage	NA	±1750m ²	16%
Floor Area	NA	±2840m ²	0.28
Parking	14	24	

10/266



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Wedge View

Property Description:

Portion 11 of Farm 266, Stellenbosch

Drawing:

Site Development Plan

Plan no.:

4

Date:

24/11/2023

Scale:

1:1000(A4)

Project no.:

P3130

Drawn:

WH

Checked:

MW

Notation:

Cadastral information obtained from Surveys and Mapping (DRDLR).

* All areas and dimensions are approximate and should be verified by a professional land surveyor.

* This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved



Google Earth

<div><div>tv3</div><div>ARCHITECTS TOWN PLANNERS URBAN DESIGNERS</div><div>FIRST FLOOR LA GRATITUDE OFFICE BUILDING 97 DORP STREET STELLENBOSCH 7600 TEL +27 (21) 861 3800 www.tv3.co.za</div></div>	<div>Wedge View</div> <div>Property Description:</div> <div>Portion 11 of Farm 266, Stellenbosch</div>	Drawing:		Plan no.:	Notation: Google Earth Streetview Imagery. <div>* All areas and dimensions are approximate and should be verified by a professional land surveyor. * This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved</div>	
		Polkadraai M12 View Point		5		
		Date:	Scale:			
		24/11/2023	1:1000(A4)			
		Project no.:	Drawn:	Checked:		
		P3130	WH	MW		



TAX INVOICE

STELLENBOSCH

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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

PO BOX 17, STELLENBOSCH, 7599

PLANNING & ECONOMIC DEVELOPMENT: PLANNING

DATE:	2024-02-12	DOCUMENT NO:	763018
ERF / FARM NO:	266/11	CREATED BY:	Nicole Katts
LOCALITY:	Bonnie Mile Road , STELLENBOSCH	APPLICATION NO:	LU/16630
OWNER'S NAME:	Sunwealth Pty Ltd	APPLICATION VAT NO:	4820232280
ADDRESS:	PO Box 62 Vlottenburg 7604	VAT NO:	4700102181
		APPLICANT:	Matthys Walters - TV3 Architects and Townplanners (Pty) Ltd
		TEL NO:	0834417003

[illegible]

NEW TARIFFS IMPLEMENTED ON 1 JULY ANNUALLY

CALCULATED BY

NAME: Nicole Kattis

SIGNATURE

DATE: 12.02.2024.

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

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

VERIFIED BY

NAME:

SIGNATURE

DATE:

BANKING DETAILS FOR EFT PAYMENT:

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

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

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

19 FEB 2024

RECEIVED

0.00

0



Received receipt nr : 248967.

Enquiries

Phone Number

E-mail

Nicole Katts

Nicole.Katts@stellenbosch.gov.za

BTW/VAT Invoice No: 14995

Invoice VAT Reference: 4700102181

Name: Wagener Hanekom

Invoice Date: 2024/2/12

Reference No: TP589/2023

Payment Due Date: 2024/3/13

Client Street address: PO Box 62 Vlottenburg
Stellenbosch Western Cape South Africa 7604

Municipality street address: PLEIN STREET
STELLENBOSCH STELLENBOSCH Western Cape 7600

Client Postal address: PO Box 62 Vlottenburg
Stellenbosch Western Cape South Africa 7604

Municipality postal address: PLEIN STREET
STELLENBOSCH STELLENBOSCH Western Cape 7600

Client VAT No: 4820232280

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
20220630081392	Departure applications including but not limited to building lines, coverage, height, bulk, parking.	1	2 600.00	Per application per property	2 600.00
Total Excl VAT					4 521.74
VAT					678.26
Invoice Total					5 200.00

*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: TP589/2023

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

Nicole Katts

From: Bulelwa Mdoda
Sent: Friday, 16 February 2024 14:33
To: Nicole Katts; Annecke Hardouin; Nolusindiso Momoti; Salome Newman
Subject: RECEIPTS

From: Sharise De Klerk <Sharise.Deklerk@ Stellenbosch.gov.za>
Sent: Friday, February 16, 2024 1:56 PM
To: Bulelwa Mdoda <Bulelwa.Mdoda@ Stellenbosch.gov.za>; Nolusindiso Momoti <Nolusindiso.Momoti@ Stellenbosch.gov.za>; Nicole Katts <Nicole.Katts@ Stellenbosch.gov.za>; Salome Newman <Salome.Newman@ Stellenbosch.gov.za>
Subject:

PS-Q010A 1:01:03 Votes History Enquiry Listing
24/02/16

Local Authority : STB Stellenbosch Municipality LIVE Vote : 12200103450000
Financial Year : 2023 Period : 8 Level : 4

Pr	Post	Date	TC	LV	Reference	Amount	Lt.	Comment
8	01/02/2024	11	4	1000247904	478.27-	N A:DIR1	4332	LU/16563 ERF
8	02/02/2024	11	4	1000248026	478.27-	N A:DIR1	4332	LU/16618 POR
8	02/02/2024	11	4	1000248080	913.05-	N A:DIR1	4332	LU/16611 ERF
8	06/02/2024	11	4	1000248389	2260.87-	N A:DIR1	4332	LU/14922 TP8
8	06/02/2024	11	4	1000248390	2260.87-	N A:DIR1	4332	LU/16613 LAN
8	07/02/2024	11	4	1000248437	478.27-	N A:DIR1	4332	LU/16620 ERF
8	12/02/2024	11	4	1000248798	478.27-	N A:DIR1	4332	LU16632 / 73
8	13/02/2024	11	4	1000248887	2260.87-	N A:DIR1	4332	TP609/2023 T ●
8	13/02/2024	11	4	0000382610	2260.87-	N A:CASH1	1801B202402130016	
8	14/02/2024	11	4	1000248928	2260.87-	N A:DIR1	4332	TP618/2024 T
8	14/02/2024	11	4	1000248962	2260.87-	N A:DIR1	4332	TP607/2023 E ●
8	14/02/2024	11	4	1000248963	2260.87-	N A:DIR1	4332	TP627/2024 T
8	14/02/2024	11	4	1000248967	4521.74-	N A:DIR1	4332	TP589/2023 T ●
8	16/02/2024	12	4	1000248970	4521.74-	N TP597/2023	TOWNB202402160014	

Total: 27695.70-

Grand Total: 27695.70-

of Report: Stellenbosch Municipality *



Kind regards,

Sharise De Klerk

Electronic Payments

Income/Finance Department

T: +27 21 808 8547 | F: +27 8867318

Plein Street, Stellenbosch, 7600

www.stellenbosch.gov.za

Date: 14/02/2024 Time: 10:38:41 AM

Profile name:	TV3 ARCHITECTS AND TOWN PLANNERS (PTY) L
Batch reference number:	1703920866
Reference number:	000000004462581346
Payment date:	14/02/2024
From account name:	TV3 ARCHITECTS AND TOWN PLANNE
From account description:	TV3 ARCHITECTS AND TOWN PLANNE
From account statement description:	Stb Mun Apl Fees Inv 14995
Beneficiary account / cell phone number:	62869253684
Beneficiary/ Recipient name:	Stellenbosch Municipality
Beneficiary statement description:	TP589/2023
Branch code:	250655
Amount:	5,200.00

Additional comments by payer:

View your account to **confirm that you have received this payment.**

- All payments are subject to clearing rules.

Please refer to landing page for cut off times and telephone numbers.



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DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

TP589/2023

LAND USE APPLICATION COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW, 2015				Date of Submission of Application	23/01/2024	
Erf No		Town		Suburb		
Farm No	266	Farm Portion	11	Nearest Town	Stellenbosch	
Owner / Applicant	Tv3 Architects and Townplanners (Pty) Ltd		Contact number	083 441 7003		
Email address	Thys@tv3.co.za					
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION				ADMIN TO VERIFY ¹		PLANNER TO EVALUATE ²
				YES	NO	
1. Completed application form that is signed				✓		✓
2. Power of Attorney / Owners' Consent if the applicant is an agent and Company Resolution				✓		✓
3. Bondholders' consent						—
4. Proof that applicant is authorized to act on behalf of an entity						—
5. Proof of ownership or rights held in land						—
6. Motivation based on criteria in s65				✓		✓
7. SG diagram or General Plan				✓		✓
8. Locality plan				✓		✓
9. Site development plan or plan showing the land development				✓		✓
10. Subdivision plan						—
11. Permission for required servitude						—
12. Title Deed				✓		✓
13. Conveyancer's certificate						—
14. Feedback on Pre-application scrutiny						—
15. Minutes of Pre-consultation Meeting						—

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

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

16. Consolidation plan			—
17. Street name and numbering plan			—
INDICATE WHICH OF THE FOLLOWING FORM PART OF THE DOCUMENTATION	ADMIN TO VERIFY		PLANNER TO EVALUATE
18. Land use plan / zoning plan			—
19. Landscaping / tree plan			—
20. Flood line plan			—
21. Neighbours' consent			—
22. HOA / Body Corporate consent			—
23. Assessments: EIA, HIA, TIA , TIS, MHIA, EA/ROD			✓
24. Services report (Engineers report)			—
25. Previous approvals	✓		✓
26. Proof of failure of HOA			
27. Proof of lawful use right / zoning certificate	✓		✓
28. Other documents Specify:			
VERIFIED & SIGNED BY ADMIN	NAME Nicole Katts	SIGNATURE <i>NKatts</i>	DATE 23/01/2023
Outstanding information (to be completed by Planner):			
N/A			
Applications to be invoiced (to be completed by Planner):			
① Consent Use = R2600 ② Depature = R2600			
EVALUATED & SIGNED BY PLANNER	NAME Louise Engelbrecht (05.02.2024)	SIGNATURE <i>Engelbrecht</i>	DATE 07/02/2024
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)].			



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DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

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

FOR ENQUIRIES CONTACT 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)	Matthys
Surname	Walters
Company name (if applicable)	TV3 Architects and Townplanners (Pty) Ltd
Postal Address	97 Dorp Street, 1 st Floor la Gratitude Office Block, Stellenbosch, 7600
Email Address	thys@tv3.co.za
Contact Number(s)	0834417003

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

Registered owner(s) Name	Sunwealth (Pty) Ltd
E-mail Address	dave@wegdevview.co.za
Contact Number	0795268093

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

Erf No		Suburb		Town	
Farm no	266	Farm Portion	11	Nearest Town	Stellenbosch

Physical or Street Address	Bonnie Mile Road, Vlotenburg, Stellenbosch	Property / Business / Farm known as	Wedge View Country House & Spa					
Current Zoning	Agriculture and Rural Zone							
Additional or Consent Uses	Guest House							
Current activities	Guest House and Spa							
Property Size / Extent	1,0756 / ha				Are there existing buildings?	Y N		
Title Deed number	T14491/2007							
Any restrictions to Conveyance's Certificate?	Y	N	If yes, list condition(s) as per certificate.					
Are the restrictive conditions in favour of a third party?	Y	N	If yes, list the party(ies).					
Is the property owned by Council?	Y	N	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	Is the building older than 60 years?	Y	N	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹	Y N	If yes, indicate which section are triggered and attach relevant permit.
Any existing unauthorized buildings and/or land use on the subject property(ies)?				Y	N	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	Are there any land claim(s) registered on the subject property(ies)?	Y N	

PART D: PRE-APPLICATION CONSULTATION AND OR SCRUTINY

Has there been any pre-application consultation?	Y	N	If yes, attach the minutes of the pre-application consultation.
Has the pre-application scrutiny form been submitted?	Y	N	If yes, attach the written feedback received.

The submission of a pre-application scrutiny form to Landuse.Applications@ Stellenbosch.gov.za 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.*

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

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

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	X
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	X
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)	Sunwealth Prop (Pty) Ltd
Postal Address	P O Box 62, Vloottenburg, 7604
Vat Number (where applicable)	4820232280
<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> <p>2. All indigent residents who are registered as such with the Municipality and <u>with proof submitted together</u> with application will be exempted from applicable fees for Permanent Departure applications including but not limited to building lines, coverage, parking. Contact: Indigent.office@stellenbosch.gov.za or 021 808 8501 or 021 808 8579</p> <p>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.</p>	
BANKING DETAILS	
Account Holder Name:	Stellenbosch Municipality
Bank:	FIRST NATIONAL BANK (FNB)
Branch no.:	210554
Account no.:	62869253684
Payment reference:	LU/_____ and ERF/FARM _____
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)*

- 1.1 A Consent Use in respect of an existing building structure as depicted on **Plan No. 3** attached hereto, so as to utilise the structure as an extension of the existing approved Wedge View Guest House / Tourist Accommodation Establishment so as to operate and additional five bedrooms; and
- 1.2 A permanent departure, with reference to the existing building structure as depicted on **Plan No. 3**, from the prescribed 5m common boundary building line with Portion 10 of Farm 266, so as to allow for a common boundary building line setback along a line starting at point **(a)** set back at 0,3m to a point **(b)** set back at 0,9m, as depicted on **Plan No. 3** attached hereto.

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	Portion 10 of Farm 266	From	5m	To	0,3 to 0,9 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	N	Power of attorney / Owner's consent if applicant is not owner	Y	N	Proof of any other relevant right held in the land concerned
----------	----------	---	----------	----------	--

Y	N	Resolution or other proof that applicant is authorised to act on behalf of a juristic person		Y	N	S.G. diagram / General plan extract (A4 or A3 only)	
Y	N	Written motivation pertaining to the need and desirability of the proposal		Y	N	Site development plan or conceptual layout plan (A4 or A3 only) to scale	
Y	N	Locality plan (A4 or A3 only) to scale		Y	N	Proof of agreement or permission for required servitude	
Y	N	Proposed subdivision plan (A4 or A3 only) to scale		Y	N	Proof of registered ownership (Full copy of the title deed)	
Y	N	Conveyancer's certificate		Y	N	Written feedback of pre-application scrutiny and Minutes of pre-application consultation meeting (if applicable)	
Y	N	N/A	Consolidation plan (A4 or A3 only) to scale	Y	N	N/A	Land use plan / Zoning plan (A4 or A3 only) to scale
Y	N	N/A	Street name and numbering plan (A4 or A3 only) to scale	Y	N	N/A	1: 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale
Y	N	N/A	Landscaping / Tree plan (A4 or A3 only) to scale	Y	N	N/A	Owners' Association consent
Y	N	N/A	Abutting owner's consent	Y	N	N/A	Services Report or indication of all municipal services / registered servitudes
Y	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	Proof of failure of owner's association
Y	N	N/A	Copy of original approval and conditions of approval	Y	N	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes
Y	N	N/A	Proof of lawful use right	Y	N	N/A	Other (specify):
Y	N	N/A	Required number of documentation copies				

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

Y	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	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)

Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)	Y	N/A	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)	Y	N/A	National Water Act, 1998 (Act 36 of 1998)
Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations	Y	N/A	Other (specify)
Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)			
Y	N	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, attach motivation.			

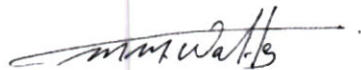
SECTION I: DECLARATION

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:

29 / 11 / 2023

Full name:

Matthys Michiel Walters

Professional capacity:

Pr Pln A A967 - Townplanner

Existing 2011 Structures
replaced by 2013 Additional
Dwelling Structure



ARCHITECTS
TOWN PLANNERS
URBAN DESIGNERS

FIRST FLOOR LA GRATITUDE OFFICE BUILDING | 97 DOOR STREET
STELLENBOSCH 7600 | TEL +27 (0) 841 3800 | www.tv3.co.za

Wedge View

Property Description:
Portion 11 of Farm 266, Stellenbosch

Drawing:	Wedgeview 2011 Land Use	Plan no.:	2
Date:	24/11/2023	Scale:	1:1000(A4)
Project no.:	P3130	Drawn:	WH
		Checked:	MW

Notation:

Google Earth Imagery:

- All areas and dimensions are approximate and should be verified by a professional land surveyor.
- This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved

ALL PAPER ENDS TO DESTROY
RECORDS - 180 mm
TIME/ACIS - 250 mm

101

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PRELIMINARY

WEDGEVIEW
country house & spa

Proposed new service area and additional dwelling to existing guest house on farm 266 portion 11, Stellenbosch, for Wedgeview country house & spa project

Project No	1000	Drawing
Drawing No	1001	
Date	Jan 2018	
Scale	1:100	
Drawn	RC	Revision
PLANS ELEVATIONS SECTIONS		

RCAD
Robert Cupido Architectural Design

Contact nos : 0864 596 0222
021 964 2972
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e-mail : rcad@rcad@gmail.com
Website Registered : rcad.net

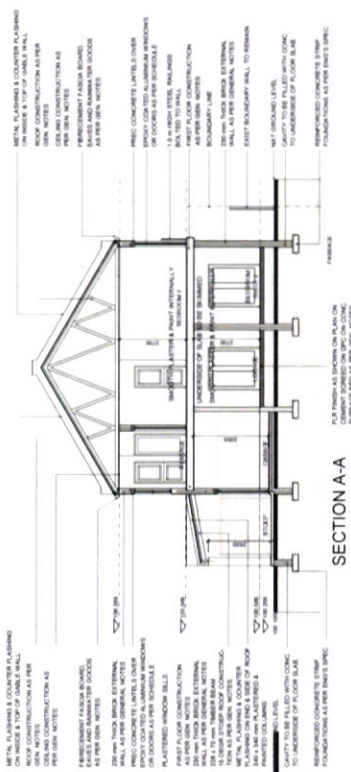
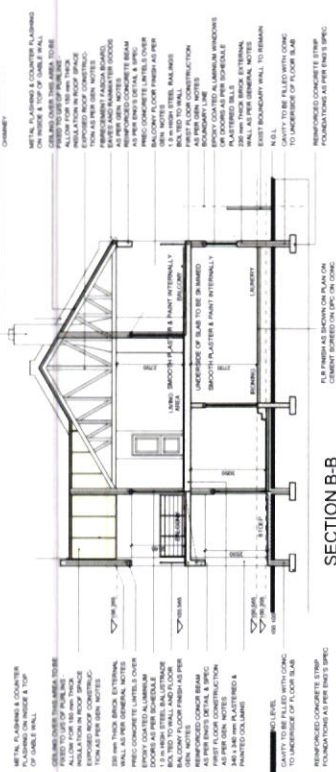
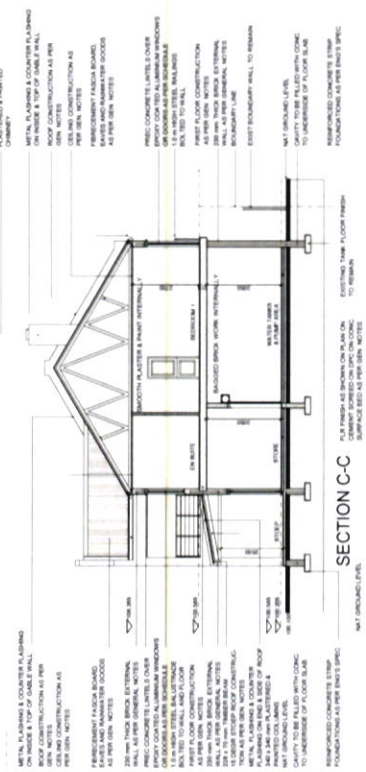
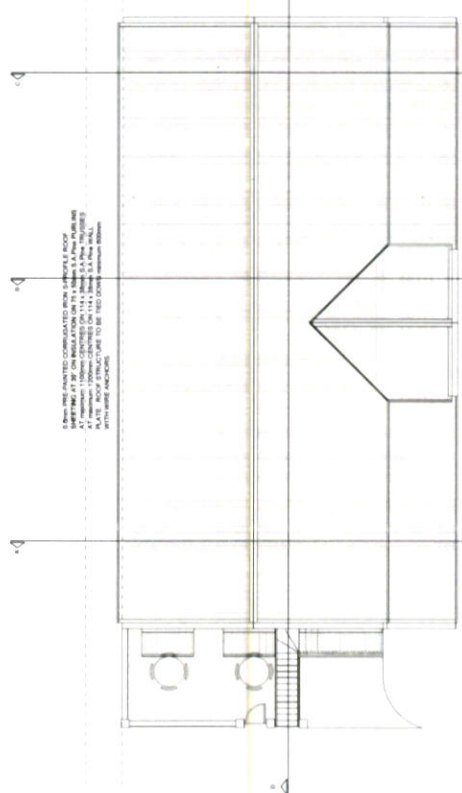
PRELIMINARY

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SOUTH WEST ELEVATION

NORTH EAST ELEVATION

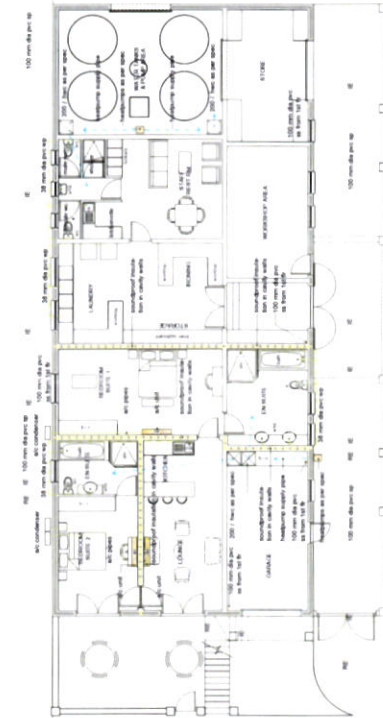
ROOF PLAN

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FIRST FLOOR PLAN

FIRST FLOOR PLAN



GROUND FLOOR PLAN

GROUND FLOOR PLAN

ELECTRICAL LEGEND

- | | |
|---|--|
|  | DOUBLE 15 A PLUG POINT |
|  | ISOLATOR POSITION |
|  | FAN / LIGHT POINT |
|  | CEILING LIGHT POINT |
|  | DOWNLIGHTER |
|  | WALL MOUNTED LIGHT POINT |
|  | FLUORESCENT LIGHT FITTING |
|  | A/C CONDENSOR |
|  | A/C UNIT POSITION |
|  | STOVE CONN POINT |
|  | FANLIGHT SWITCH |
|  | LIGHT SWITCH |
|  | 2 - 2 way switch |
|  | h - 1000 mm a f f l |
|  | l - 200 mm a f f l |
|  | d - dimmer switch |
|  | c - ceiling point for electr Garage door |
|  | TV - TELEVISION |
|  | T - TELEPHONE |

OTHER

- ★ - OUTSIDE TAP POSITIONS

WEDGEVIEW
country house & spa

Proposed new service area and additional dwelling to existing guest house on farm 266 portion 11, tellenbosch, for Wedgeview country house & spa

Printed no	00-000013	Drawing	SERVICES LAYOUT	Revision
Drawing no	104			
Date	June 2013			
Scale	1 : 100			
Drawn				PC

RCAD
Robert Cupido Architectural Design

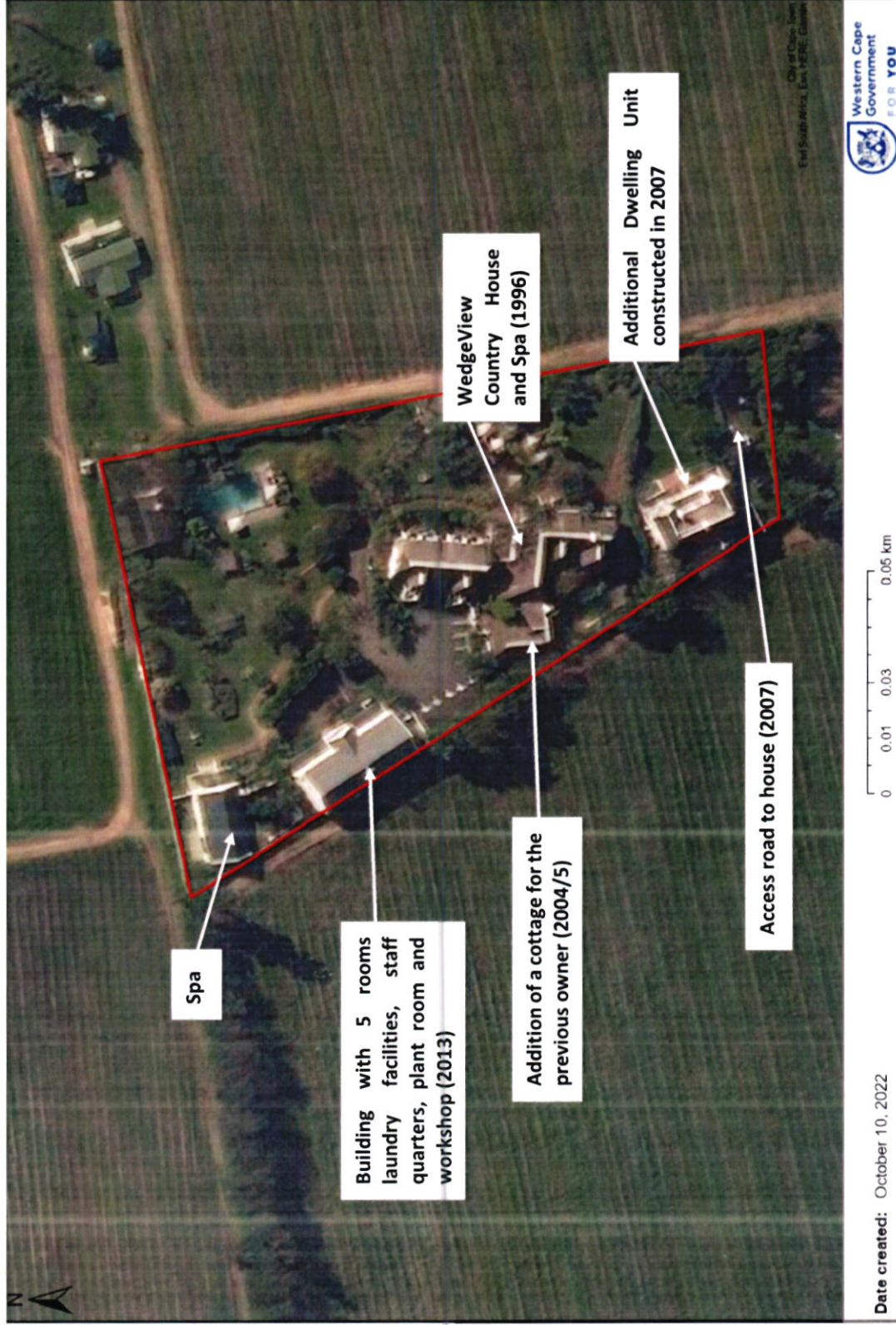
Contact nos. 064 936 9222
021 904 2572
Fax no. 066 948 9222
e-mail robertcupido@gmail.com
Suzie Registered Pricafact

PRELIMINARY

Services Layout

Electrical Layout

APPENDIX D2: PROPOSED SITE LAYOUT PLAN



Appendix D2: SITE LAYOUT MAP

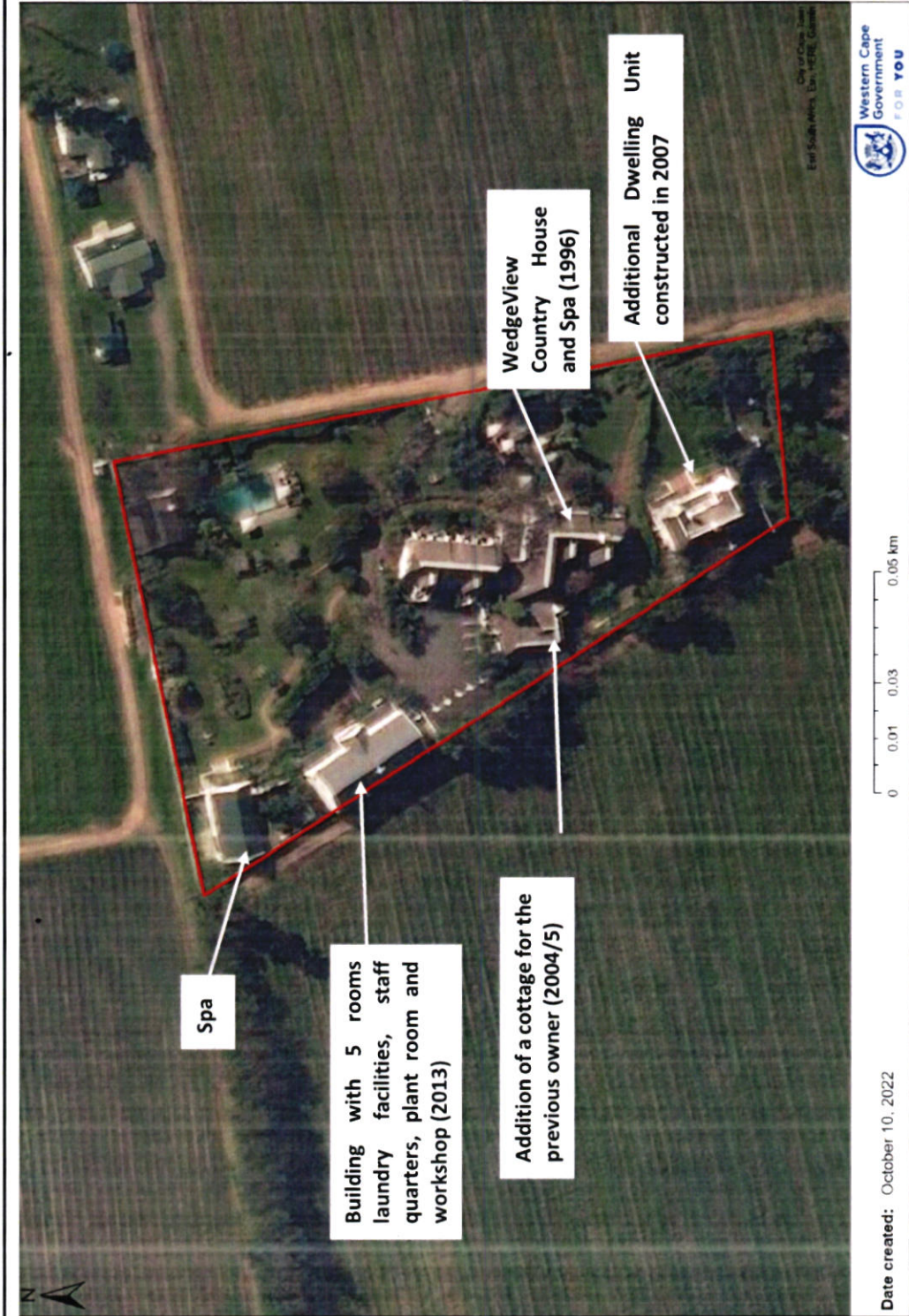
Aerial image indicating WedgeView Country House & Spa on Portion 11 of the Farm Bloemendal No. 266, Stellenbosch RD, Western Cape Province

Scale: As per CapeFarmMapper Image



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APPENDIX D3: PHOTO SHEET



Date created: October 10, 2022

Appendix D3: PHOTO SHEET

Aerial image indicating WedgeView Country House & Spa on Portion 11 of the Farm Bloemendal No. 266, Stellenbosch RD, Western Cape Province

Scale: As per Image



Postal: PO Box 12606, Die Boord, Stellenbosch, 7613
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 Email: info@cornerstoneenviro.co.za
 Web: www.cornerstoneenviro.co.za



Photo 1: WedgeView Country House and Spa – main building



Photo 2: The Additional Dwelling Unit constructed in 2007 (Managers' House)



Photo 3: The cottage for the previous owner (added in 2004/5)



Photo 4: The Building with 5 rooms laundry facilities, staff quarters, plant room and workshop (added in 2013)



Photo 5: The Spa in the north-western corner.



Photo 6: The gardens of the estate. There are no indigenous vegetation present.



ARCHITECTS & TOWN PLANNERS
ARGITEKTE & STADTBEPLANNERS

**APPLICATION FOR CONSENT USE AND DEPARTURE
PORTION 11 OF FARM 266, BLOEMENDAL,
STELLENBOSCH**

Date: 29 November 2023

Our ref: P3130: Portion 11 of Farm 266
Bloemendal, Stellenbosch

Inquiries: Mr. T. Walters



FIRST FLOOR
LA GRATITUDE
OFFICE BUILDING
97 DORP STREET
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PLANNING BY-LAW APPLICATION FOR:
PROPOSED CONSENT USE AND DEPARTURE PORTION 11 OF
FARM 266, BLOEMENDAL, STELLENBOSCH

Prepared on behalf of:

Sunwealth Prop (Pty) Ltd



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PLANS / PHOTOS

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 - PLAN 4 - PORTION 11 OF FARM 266 SITE DEVELOPMENT PLAN
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 - PHOTO COMPILATION OF EXISTING STRUCTURES - 2023
-

ANNEXURES

- ANNEXURE A - DEED OF TRANSFER
 - ANNEXURE B - SG DIAGRAM
 - ANNEXURE C - COMPANY RESOLUTION
 - ANNEXURE D - EXISTING APPROVALS
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-

SPECIALIST REPORTS

- REPORT NO. 1 - DEA&DP NEMA APPLICABILITY CONFIRMATION

SECTION 1

This Section sets out the application made in terms of the relevant subsections of Section 15(2) of the Stellenbosch Municipal Planning By-Law (2015).

1. THE APPLICATION

Application is made for the following:

- 1.1 A Consent Use in respect of an existing building structure as depicted on **Plan No. 3** attached hereto, so as to utilise the structure as an extension of the existing approved Wedge View Guest House / Tourist Accommodation Establishment so as to operate and additional five bedrooms; and
- 1.2 A permanent departure, with reference to the existing building structure as depicted on **Plan No. 3**, from the prescribed 5m common boundary building line with Portion 10 of Farm 266, so as to allow for a common boundary building line setback along a line starting at point **(a)** set back at 0,3m to a point **(b)** set back at 0,9m, as depicted on **Plan No. 3** attached hereto.

SECTION 2

This section provides the relevant property information and planning context for the proposed application.

2. PROPERTY INFORMATION

2.1 Locality (Plan No. 1)

Portion 11 of Farm 266 Bloemendal (The Application Property) is located approximately 8km to the West of the Stellenbosch CBD, North of the Polkadraai (M12) Route and South of the Stellenboschkloof Road. The Application Property is in turn accessed from the Polkadraai (M12) Route and Bonniemile Road via a registered right-of-way over Remainder Portion 1 of Farm 393 and Remainder Farm 266 as depicted on **Plan No. 1** hereto.

2.2 Property description, ownership and extent

Details relating to the description, ownership, and size of the subject property, are provided in **Table 1** below.

Table 1: Property description

PROPERTY DESCRIPTION	REGISTERED OWNER	DEED OF TRANSFER NUMBER	SIZE (ha)
Portion 11 of Farm 266, Bloemendal, Stellenbosch	Sunwealth Prop (Pty) Ltd	T14491/2007	1.0765ha

2.2.1 The application property constitutes Portion 11 of Farm 266, Bloemendal, Stellenbosch, 1.0765 ha in extent.

2.2.2 The application property is currently registered in the name of Sunwealth Prop (Pty) Ltd, by virtue of deed of transfer T14491/2007. A copy of the Title Deed is attached hereto to as **Annexure A**.

2.2.3 The subject property is depicted on SG Diagram No. 8261/1985, a copy of which is attached hereto as ***Annexure B***.

2.2.4 The property owner signed a Company Resolution which authorises TV3 Architects and Townplanners to prepare and submit the application on his behalf, a copy of which is attached hereto as ***Annexure C***.

2.3 Mortgage Bonds, Conditions of Title and Servitudes

2.3.1 Mortgage Bonds

The property inquiries details search shows no Mortgage Bonds registered against the property in question.

2.3.2 Conditions of Title

No conditions of title exist that prohibits the proposed consent use and departure being applied for.

2.3.3 Servitudes

There are no servitudes registered over the application property as confirmed by virtue of the attached SG-diagram.

3. EXISTING ZONING, LAND USE, POLICY AND LEGISLATIVE CONTEXT

3.1 Existing Zoning

The property is currently zoned as Agricultural and Rural Zone in terms of the Stellenbosch Municipal Zoning Scheme By-Law (2023).

In terms of a 2013 Zoning Certificate issued under the previous Section 8 Zoning Scheme Regulations, the property was subject to an approved Residential Zone V "Spot Zoning" which allowed for the operation of an approximate 520m² Guesthouse and an approximate 112m² Spa Facility. The approvals in question are confirmed as per the Stellenbosch Municipal Rezoning Approval dated 2 May 2005 and DEA&DP Approval dated 12 December 2011, copies of which are attached hereto as part of **annexure D**.

In terms of the current Stellenbosch Zoning Scheme (2023) provisions, the above Residential Zone V "Spot Zoning" has been replaced / converted to a Consent Use approval.

In addition, the approved Guesthouse has historically and to date been utilised for the operation of 13 rooms which exceeds the maximum prescribed number of seven bedrooms allowed for in terms of the current Stellenbosch Zoning Scheme for a Bed and Breakfast, Guest House or a Tourist Dwelling Unit Establishment, accordingly for the purposes of this application the current activity is now by definition considered to be a Tourist Accommodation Establishment.

3.2 Existing and Surrounding Land Uses (Plan No. 1 and 4)

Portion 11 of Farm 266 constitutes a rural smallholding with a limited extent of 1,0765ha which came about as a result of a consolidation of Portion 4 of Farm 266 and Portion 12 of Farm 266 in 1987, approximately 36 years ago. The property as a result of its limited extent has never been utilised as a productive commercial agricultural entity. Instead, the property has since 1996 been utilised as rural based tourist accommodation facility, first as a Bed and Breakfast establishment and after the 2005 Residential Zone V rezoning approval, as a formal Guesthouse. Accordingly, the enterprise has been in operation for 26-years and currently provide employment on average to between 21 and 23 people.

The application property is currently utilised exclusively for the purposes of the Guesthouse / Tourist Accommodation Establishment with a number of ancillary facilities i.e. spa, swimming pools etc. The current number of bedrooms offered on the

basis of a transient guest room with breakfast included totals 18 bedrooms, which total includes the additional five bedrooms no being applied for in terms of this application. The full extent of the utilisation of the property in this regard is depicted on **Plan No. 4** which represents a composite Site Development Plan of the current operations conducted on site. A photo compilation depicting the main structures currently present on the application property is in turn attached hereto as reference.

The application property due to its limited extent and the fact that the property is exclusively utilised for Guesthouse / Tourist Accommodation Establishment and related ancillary purposes cannot be considered on the basis of being subservient to any agricultural activity conducted on the application property itself, as it has never constituted an agricultural entity as such. In this regard the application property given its own limited extent, is considered to be a limited tourist node set within a surrounding agricultural context represented by a number of larger farms / agricultural entities as depicted in **Plan No. 1**. As such the application property as a tourist node is considered as a subservient use to the wider abutting agricultural context, rather than being subservient to any agricultural activity conducted on-site.

3.3 Spatial Development Framework Context

In terms of the Stellenbosch Municipality's Spatial Development Framework (MSDF) agricultural / rural based tourist facilities / establishments are generally supported as part of growing the tourism industry in the Winelands and the in doing so supporting the local economy amongst others by means of providing job opportunities.

In addition, the Stellenbosch Municipal Spatial Development Framework (SDF) promotes tourism as a major economic driver of the municipal economy, as the town represents "a key tourism destination" in the Winelands area. Consequently, the Municipality has stressed the importance of the sustainable use of its spatial assets. This includes "safeguarding and celebrating the Western Cape's unique cultural, scenic and coastal resources, on which the tourism economy depends" and promotes the importance of "the protection and expansion of tourism assets".

More specifically under the theme of 'Rural Accommodation', the Thematic land use guidelines for rural areas regarding 'Tourist accommodation' states that

- *In recognition of the prospects of tourism to diversify and strengthen the rural economy, the provision of a variety of short-term tourism accommodation across the rural landscape that is in keeping with the local character is supported; and*
- *Tourist accommodation situated outside of the urban edge should be clustered in visually discreet nodes, preferably make use of existing buildings or new buildings on disturbed footprints, located within or peripheral to the farmstead, reinforce rural landscape qualities, and cater exclusively for the temporary accommodation for in transit visitors.*

In the above regard the Wedge View Guesthouse / Tourist Accommodation Establishment as operated successfully for the last 26 years and contributed to the local economy amongst others by currently providing job between 21 to 23 job opportunities. To this extent the establishment inclusive of the additional five bedrooms now being applied for is considered to be aligned with the provisions of the MSDF in this regard.

3.4 Other legal application requirements

For the purposes of determining whether the application for a Consent Use so as to utilise the existing building structure in question as part of the existing Guest House / Tourist Establishment operations would require an application in terms of the NEMA Environmental Regulations, an Applicability Checklist Application was prepared by Cornerstone Environmental Consultants and submitted to DEA&DP. DEA&DP in turn confirmed by letter dated 25 January 2023 that the application does not required authorisation in terms of the NEMA Environmental Regulations. A copy of the abovementioned documentation is attached hereto as **Specialist Report No. 1.**

The application is considered not to be subject to the provisions of Section 38 of the Heritage Resources Act (Act 25 of 1998) as no rezoning is intended, no new structures

are proposed and the application does not implicate a building structure older than 60 years.

4. THE APPLICATION PROPOSAL

Wedge View was first established as a Bed and Breakfast Establishment in 1996. The latter establishment was then formally converted to a Guest House establishment by virtue of a Stellenbosch Municipal Rezoning Approval dated 2 May 2005 and further DEA&DP Approval dated 12 December 2011 so as to include a an approximate 112m² extension of the Spa Facility.

At the time of the abovementioned approvals the establishment operated 13 rooms that could sleep 28 people.

In 2013 the owners constructed a further dwelling which structure is the subject of this particular application. The latter structure was built on the approximate footprint of three existing structures as well as four water tanks located on the site, integrating said structures into one formalised multi-functional building which was considered to be an aesthetic improvement on the previous arrangement. The existing structures context that existed prior to the 2013 construction is indicated on **Plan No. 2** for reference purposes. For the purposes of the application it is noted that the structure in question was constructed / established without approval of the building plans as prepared at the time. Copies of the building plans as prepared are attached hereto as reference.

This Consent Use Application specifically refers to the abovementioned existing building structure erected in 2013 as depicted on **Plan No. 3** attached hereto, with the view to legalise the utilisation thereof as an extension of the existing approved Wedge View Guest House / Tourist Accommodation Establishment, so as to operate an additional five bedrooms.

The abovementioned 2013 dwelling constructed provides for the following Guest House / Tourist Establishment related uses:

- Five additional guest rooms thereby expanding the accommodation to 18 rooms with a capacity to sleep 40 guests in total;
- Laundry Facilities;
- Staff Restroom;
- General Workshop and Store which include a battery backup system with solar panels as well as hot water heating system;
- Four under roof water tanks; and
- A single enclosed garage parking

In the above regard it should be noted that all of the 18 rooms operate and are exclusively marketed on a bed and breakfast basis. Three of the rooms included as part of the dwelling structure which is the subject of this particular application can however potentially, by design, also occasionally be utilised as self-catering units if so requested. In addition, it is noted that meals are only served to transient guests booked at the establishment and not the general public.

Copies of the unapproved building plans which depicts the as built structure described above, is attached hereto as reference. In terms of the draft building plans the structures in question comprises a ground floor (coverage footprint) of 340m² with a first-floor area extent of 283m². Accordingly, the structure which is the subject of this particular application constitutes a total floor area of 623m² in extent. In addition to the above, the table below depicts the consolidated existing development parameter context for all of the structures on-site, inclusive of the abovementioned 623m², erected on the application property. This serves to illustrate that the existing development footprint context expressed in terms of coverage and floor area, even taking into consideration the limited extent of the application property itself, is fairly low and therefore confirms that the property has not been "over developed".

Table: Consolidated existing development parameter context

	Zoning Scheme Provision		Existing Development	
Zoning	Agricultural and Rural Zone			
Size	1.07ha			
Building Line	5m	As per Plan		
Coverage	NA	±1750m ²		16%
Floor Area	NA	±2840m ²		0.28
Parking	14	24		

In addition, application is made for a permanent departure, with reference to the abovementioned existing building structure as depicted on **Plan No. 3**, from the prescribed 5m common boundary building line with Portion 10 of Farm 266, so as to allow for a common boundary building line setback along a line starting at point **(a)** set back at 0,3m to a point **(b)** set back at 0,9m, as depicted on **Plan No. 3** attached hereto. In turn, the land owner undertakes to obtain a letter of no objection from the abutting land owner of Portion 10 of Farm 266 in this regard.

5. ENGINEERING SERVICES / ACCESS AND PARKING

The main existing engineering services infrastructure and connection points as depicted on the Site Development Plan which currently serve Guest House / Tourist Accommodation Establishment, inclusive of the of the proposed five additional rooms being applied for in terms of this application, include the following:

Bulk Water

The application property has access to municipal water supply which supplies the buildings on-site directly. The municipal water supply in turn also feeds 4 x 5 kl storage tanks with a booster pump to supply the buildings. The application property also has access to an on-site borehole pump, coupled to a 10kl reverse osmosis system which also serves to additionally supply the abovementioned 4 x 5 kl storage tanks.

In addition, the application property has water rights from the Theewaterskloof water supply scheme which can be utilised for irrigation purposes. The application property has a further additional 2 x 5 kl rainwater tanks installed which is utilised for the re-fill of the swimming pools as well as for irrigation purposes.

Sewer

The application property is currently serviced by four conservancy tanks as depicted on the SDP with an estimated capacity of 77kl. The conservancy tanks are currently serviced by a private service provider.

Solid Waste

General waste is being generated during the operation of the Guest House / Tourist Accommodation Establishment. This waste is adequately managed on the site and removed once a week to the municipal waste site.

Electricity

The application property is located in an Eskom supply area and is currently duly serviced with an Eskom connection point. In addition, the application property has a battery back-up and solar panel system installed to keep the Guest House / Tourist Accommodation Establishment operational during load shedding.

Access and Parking

The Application Property is accessed from the Polkadraai (M12) Route and Bonniemile Road via a registered right-of-way over Remainder Portion 1 of Farm 393 and Remainder Farm 266 as depicted on **Plan No. 1** hereto. There are currently two separate entrances leading from the right-of-way servitude which services the application property.

There are currently 24 open parking bays provide on-site and one closed garage parking for the purposes of operating the existing establishment.

In terms of the Zoning Scheme provisions for a Tourist Accommodation Establishment parking is to be provide at a ratio of 0,7 bays per room and 1 bay per self-catering room. The required parking allocation calculated on the basis of 15 bed and breakfast rooms and three self-catering rooms equates to a total parking bay requirement of 14 bays. Accordingly, sufficient parking is provided on-site to duly service the existing Tourist Accommodation Establishment, inclusive of the proposed five additional rooms being applied for in terms of this application.

6. MOTIVATION AND BURDEN OF PROOF

6.1 Need

In terms of the Stellenbosch Municipality's Spatial Development Framework (MSDF) agricultural / rural based tourist facilities / establishments are general supported as part of growing the tourism industry in the Winelands and in doing so supporting the local economy amongst others by means of providing job opportunities.

The approval for an additional five guest bedrooms has / will improve the guest house's continued financial viability as well as ability to continue to contribute to the municipal economy. In addition, the facilities specifically provided for the staff as part of the dwelling in question, also served to improve the general working conditions for staff employed at the establishment.

6.2 Desirability

The following considerations are deemed relevant to the assessment as to whether the proposed departures and consent use would be desirable:

6.2.1 Socio-economic impact

In this regard the Wedge View Guesthouse / Tourist Accommodation Establishment has operated successfully for the last 26 years and contributed to the local economy amongst others by currently providing employment to between 21 to 23 individuals. To this extent the establishment inclusive of the additional five bedrooms now being applied for is considered to have had and will continue to have a positive socio-economic impact.

6.2.1 Compatibility with surrounding uses

Portion 11 of Farm 266 constitutes a property with a limited extent of 1.0765ha which came about as a result of a consolidation of in 1987 approximately 36 years ago. The property as a result of its limited extent has never represented or has been utilised as a productive commercial agricultural entity. The application property has for the last 26 years and is currently utilised exclusively for the purposes of operating an agricultural / rural based Guesthouse / Tourist Accommodation Establishment with a number of

ancillary facilities i.e. spa, swimming pools etc. During the past 26 years there has been no complaints from any of the abutting land owners with reference to Guesthouse / Tourist Accommodation Establishment operations which could serve to suggest that the establishment is either incompatible with or has a negative impact on its directly abutting surrounding environment.

6.2.2 Impact on the external engineering services

The Guesthouse / Tourist Accommodation Establishment, inclusive of the additional five bedrooms now being applied for, is currently duly provided with engineering services as described above.

6.2.3 Impact on safety, health and wellbeing of the surrounding community

There is no evidence that negative impacts have in the past or will in future be generated by the operations of the establishment that could be considered as detrimental to the safety, health and wellbeing of the surrounding community.

6.2.4 Impact on heritage

The application is considered not to be subject to the provisions of Section 38 of the Heritage Resources Act (Act 25 of 1998) as no rezoning is intended, no new structures are proposed and the application does not implicate a building structure older than 60 years.

*In addition, the visual impact of the existing structures on the application property specifically as viewed from the Polkadraai (M12) route is mitigated as a result of a number of mature trees on-site. The latter is illustrated by the view point photo taken from the Polkadraai (M12) route towards the Wedge View Guest House as depicted on **Plan No. 5** attached hereto, as well as the photo below which depicts the existing development context of the application property.*

Photo: Existing Wedge View Development Context



6.2.5 Impact on the biophysical environment

As confirmed as part of the NEMA Applicability Checklist submission, there are no Critical Biodiversity Areas (CBAs) nor Ecological Support Areas (ESAs) on the application property. Although the application property is mapped as the Critically Endangered Swartland Granite Renosterveld (Cape Farm Mapper, 2022), the terrestrial vegetation on the site has been completely transformed from its natural state, and no longer represents indigenous vegetation. Instead, the garden facilities on the site contains kikuyu grass and a mixture of exotic and indigenous garden plants.

6.2.6 Traffic impacts, parking, access and other transport related considerations

The existing Guest House / Tourist Accommodation Establishment is duly served by the existing access / entrance points as described above. In addition, sufficient on-site parking is provided so as to serve the existing operations including the additional five bedrooms being applied for. It is also considered that the additional five rooms will have a limited traffic impact and can accordingly can be accommodated within the existing access arrangement.

6.2.7 The imposition of conditions can mitigate an adverse impact of the proposed land use
None

7. CONCLUSION

Application is made in terms of section 15(2) of the Stellenbosch Municipal Land Use Planning By-law (2015), for a Consent Use in respect of an existing building structure as depicted on **Plan No. 3** attached hereto, so as to utilise the structure as an extension of the existing approved Wedge View Guest House / Tourist Accommodation Establishment, so as to operate and additional five bedrooms.

As stated in the motivation above the Wedge View Guest House / Tourist Accommodation Establishment currently employs between 21 to 23 staff members. In addition, the establishment has been previously rated as number one out of 97 Stellenbosch guesthouses on Tripadvisor, as well as the winner of the 2013 Certificate of Excellence. It is therefore concluded that the development and related operations undertaken on the site to date contributed to the economic value of the municipal area without undermining the agricultural value of the surrounding farmlands, is visually discreet and has maximised the use of existing disturbed footprints on the site for the development of tourist accommodation over time.

In view of the above motivating considerations there are deemed to be no elements that render the application as being undesirable and accordingly the application should be duly considered for approval by your Council.



REFERENCE: 16/3/3/6/1/B4/45/1534/22

DATE: 25 January 2023

The Board of Directors
Sunwealth (Pty) Ltd
P. O. Box 62
Vlottenburg
STELLENBOSCH
7602

Attention: Mr. Dave Bakker

Tel.: 021 881 3525

Email: dave@wedgeview.co.za

Dear Sir

APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) TO THE DEVELOPMENT OF WEDGEVIEW COUNTRY HOUSE ON PORTION 11 OF FARM BLOEMENDAL NO. 266, STELLENBOSCH.

1. The electronic copy of the abovementioned document dated 29 November 2022, as received by this Department on 1 December 2022, refers.
2. This letter serves as an acknowledgement of receipt of the correspondence by this Department.
3. According to the information contained in the correspondence, this Department notes the following:
 - 3.1. The Wedgeview Country House with 13 rooms that could accommodate 28 people was established on Portion 11 of Farm Bloemendal No. 266, Stellenbosch in 1996.
 - 3.2. Between 2004 and 2005, an additional cottage was constructed for the previous owner.
 - 3.3. In 2007, a main house of approximately 427m² was constructed for the manager.
 - 3.4. A new access road to this house was also constructed, which was approximately 3.3 m wide and shorter than 30m in length.
 - 3.5. In 2013, an existing building was converted and expanded into 5 rooms and associated facilities that could accommodate an additional 12 people, thereby **expanding** the existing facility and increasing the accommodation capacity to 40 guests in total.
 - 3.6. These additions expanded the existing development footprint of approximately 366m² to approximately 829m².
 - 3.7. The nearest watercourses are the Sand River, which is approximately 480m north of the site and a non-perennial tributary of the Sand River approximately 320m south of the site.
 - 3.8. Although the site is mapped to contain critically endangered Swartland Granite Renosterveld vegetation, the site has been completely transformed from its natural state, and no longer represents indigenous vegetation.

4. Your attention is therefore drawn to the listed activities in terms of the NEMA EIA Regulations, 2014 (as amended) as defined in Listing Notices ("LN") 1, 2 & 3 of 7 April 2017. Be advised that the construction of the additional structures and infrastructure during 2007 and the expansion of the Wedgeview Country House during 2013 on the said farm portion **did not** trigger any listed activity(ies) as defined in terms of the 2006 and 2010 EIA Regulations that were in place at the respective times. Environmental Authorisation was therefore not required prior to the construction of the additional structures and infrastructure and the expansion of the Wedgeview Country House on Portion 11 of Farm Bloemendal No. 266, Stellenbosch.
5. The above is based on the following:
- 5.1 The initial establishment of the Wedgeview Country House in 1996 preceded the promulgation EIA Regulations on 5 September 1997.
 - 5.2 The access road that was constructed in 2007 did not exceed the applicable threshold for the construction of a road, as specified in the 2006 EIA Regulations.
 - 5.3 The development footprint of the Wedgeview Country House that was expanded during 2013 was not located within 100m of a watercourse, and therefore did not trigger the specified geographical area of Activity 18 of Listing Notice 3 of the 2010 EIA Regulations.
 - 5.4 The development footprint was transformed, and the construction of the additional structures and infrastructure did not result in the clearance of the mapped critically endangered indigenous vegetation.
6. Should any future changes to the existing development on the said farm portion trigger any listed activity(ies) as defined terms of Listing Notice 1, 2 & 3, an application must be submitted and environmental authorisation obtained before such activity(ies) may commence
7. The applicant is reminded of his/her general duty of care and the remediation of environmental damage, Section 28(1) of NEMA specifically states that – "Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."
8. The Department reserves the right to revise its comments and request further information from you based on any new or revised information received.

Yours faithfully

PP HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Cc: (1) Schalk van der Merwe (Schalk Stellenbosch Municipality)

(2) Pieter de Villiers (Cornerstone Environmental Consultants)

Email: Schalk.vandermerwe@stellenbosch.gov.za

Email: pieter@cornerstoneenviro.co.za

CHECKLIST FOR THE DETERMINATION OF THE APPLICABILITY OF THE NEMA EIA REGULATIONS, 2014, AS AMENDED

PROJECT:

WEDGEVIEW COUNTRY HOUSE: DETERMINATION
OF THE APPLICABILITY OF NEMA EIA
REGULATIONS ON PORTION 11 OF THE FARM
BLOEMENDAL NO.266, STELLENBOSCH
REGISTRATION DIVISION, WESTERN CAPE

APPLICANT:

MR. DAVE BAKKER

PREPARED BY:



CORNERSTONE
ENVIRONMENTAL CONSULTANTS

29 November 2022

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D5:	Map Indicating Aquatic Features
Appendix E:	Adoption of <i>ad hoc</i> setback lines (where applicable) – Not applicable
Appendix F:	Directives under Section 28 of the NEMA (where applicable) – Not applicable
Appendix G:	Directives under Section 30A (where applicable) – Not applicable
Appendix H:	Directives under Section 24G of the NEMA (where applicable) – Not applicable
Appendix I:	Other – Not applicable



**Western Cape
Government**

Environmental Affairs and
Development Planning

FORM NO. AC10/2019

**CHECKLIST FOR THE DETERMINATION OF THE APPLICABILITY OF THE NEMA
EIA REGULATIONS, 2014 (AS AMENDED)**

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998)
ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS.**

NOVEMBER 2019

(For official use only)	
NEMA Applicability Reference Number:	
Date received by Department:	
Date received by Directorate:	
Date received by Case officer:	

GENERAL PROJECT DESCRIPTION

(This must include an overview of the project including the Farm name/Portion/Erf number)

WEDGEVIEW COUNTRY HOUSE: DETERMINATION OF THE APPLICABILITY OF NEMA EIA
REGULATIONS ON PORTION 11 OF THE FARM BLOEMENDAL NO. 266, STELLENBOSCH
REGISTRATION DIVISION, WESTERN CAPE

IMPORTANT INFORMATION TO BE READ PRIOR TO COMPLETING THIS APPLICABILITY CHECKLIST:

1. **Purpose**
The purpose of this checklist is to provide baseline information for the determination of the applicability of the National Environmental Management Act, 19998 (Act No. 107 of 1998) ("NEMA"), Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended) to the development proposal.
2. **General**
 - 2.1 The EIA Regulations is defined in terms of Chapter 5 of NEMA EIA Regulations.
 - 2.2 The required information must be typed within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. The tables may be expanded where necessary.
 - 2.3 Unless protected by law all information contained in, and attached to this checklist, will become public information on receipt by the Department.
 - 2.4 This checklist is current as of **November 2019**. It is the responsibility of the Proponent/Environmental Assessment Practitioner (EAP) to ascertain whether subsequent versions of the form have been released by the Department. Visit the Department's website at <http://westerncape.gov.za/eadp> to check for the latest version of this applicability checklist.
 - 2.5 This checklist must be **duly dated and originally signed** by the Proponent/EAP and must be submitted to the Department at the details provided below.
 - 2.6 No faxed or e-mailed checklists will be accepted.
 - 2.7 The Competent Authority will respond in writing and provide the determination of the applicability of the NEMA EIA Regulations. The Competent Authority's response will be based on the information provided by you. As such, the quality, correctness and detail of information submitted by you is extremely important and it remains your responsibility to interrogate the specifics of your proposed development in order to report on the potential listed activities in this checklist.
 - 2.8 This **checklist is a guide** to the information that must be submitted. Any additional information, pictorial evidence or explanations prompted by the checklist must be submitted along with this checklist in order to ensure that the Competent Authority does not need to request additional information from you. Incomplete checklists will result in a request for additional information.
 - 2.9 It is an offence in terms of Section 24F of the NEMA to provide incorrect or misleading information to the Competent Authority.
 - 2.10 Section 28(1) of the NEMA must always be taken into account. Section 28 deals with the Duty of Care and the remediation of environmental damage.
 - 2.11 Any proposed development must always be designed in a water wise and conscious manner.
3. **Administrative requirements**
This checklist must be used to request the Competent Authority to determine the applicability of the NEMA EIA Regulations.
4. **Circulars, Guidelines and Tools**
 - 4.1 The Department's latest Circulars pertaining to the "One Environmental Management System" and the EIA Regulations, and guidelines must be taken into account when completing this applicability checklist.
 - 4.2 The Screening Tool developed by the National Department of Environmental Affairs must be used to generate a screening report. Please use the Screening Tool link <https://screening.environment.go.za/screeningtool> to generate the Screening Report. The Screening Report must be attached to this checklist as Appendix A.
5. **Other Legislative requirements**
 - 5.1 If this checklist relates to waste management activities, which will be the primary activity, then this checklist must be submitted for the attention of the Director: Waste Management (tel: 021 483 2756 and fax: 021 483 4425) at the same postal address as the Cape Town Office to determine the applicability of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008).

DEPARTMENTAL DETAIL

CAPE TOWN OFFICE: REGION 1 AND REGION 2 (City of Cape Town, West Coast District, Cape Winelands District & Overberg District)	GEORGE OFFICE: REGION 3 (Central Karoo District & Garden Route District)
<p>Applicability checklists must be sent to the following details:</p> <p>Western Cape Government Department of Environmental Affairs and Development Planning</p> <p>Attention: Directorate: Development Management (Region 1) Private Bag X 9086 Cape Town, 8000</p> <p>Registry Office 1st Floor Utilitas Building 1 Dorp Street, Cape Town</p> <p>Queries should be directed to the Directorate: Development Management (Region 1) at: Tel: (021) 483-5829 Fax (021) 483-4372</p>	<p>Applicability checklists must be sent to the following details:</p> <p>Western Cape Government Department of Environmental Affairs and Development Planning</p> <p>Attention: Directorate: Development Management (Region 3) Private Bag X 6509 George, 6530</p> <p>Registry Office 4th Floor, York Park Building 93 York Street George</p> <p>Queries should be directed to the Directorate: Development Management (Region 3) at: Tel: (044) 805-8600 Fax (044) 805 8650</p>

GENERAL REQUIREMENTS

1. Locality Map

A locality map must be attached to this applicability checklist, as **Appendix D**. The scale of the locality map must be at least 1:50 000. For linear activities of more than 25 kilometres, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map. The map must include the following:

- an accurate indication of the project site position as well as the positions of the alternative sites, if any;
- road names or numbers of all the major roads as well as the roads that provide access to the site(s)
- a north arrow;
- a legend;
- the prevailing wind direction; and
- GPS co-ordinates (Indicate the position of the proposed activity with the latitude and longitude at the centre point for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should be to at least three decimal places. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection)

ATTACHMENTS

NOTE: The appendices must be attached to the applicability checklist as per the list below. Please use a ✓ (tick) or a x (cross) to indicate whether the Appendix is attached to the applicability checklist.

The following appendices must be attached to this applicability checklist:

APPENDIX		✓ (tick) x (cross)
Appendix A:	Screening Tool Report & Additional assessments undertaken by DEA&DP	✓
Appendix B:	Existing approval(s)	✓
Appendix C:	Zoning Certificate	✓
Appendix D:	Locality map and figures	✓
Appendix E:	Adoption of ad hoc setback lines (where applicable)	N/A
Appendix F:	Directives under Section 28 of the NEMA (where applicable)	N/A
Appendix G:	Directives under Section 30A (where applicable)	N/A
Appendix H:	Directives under Section 24G of the NEMA (where applicable)	N/A
Appendix I:	None	N/A

SECTION A: ADMINISTRATIVE DETAILS

Highlight the Departmental Region in which the intended application will fall		CAPE TOWN OFFICE		GEORGE OFFICE	
		REGION 1 (City of Cape Town, West Coast District)	REGION 2 (Cape Winelands District & Overberg District)	REGION 3 (Central Karoo District & Garden Route District)	
1.	Duplicate this section where there is more than one Proponent Name of Proponent:	Mr. R.A.H. van Weelde			
	Name of contact person for Proponent (if other):	Mr. Dave Bakker			
	Company / Trading name / State Department / Organ of State:	Sunwealth (Pty) Ltd.			
	Company Registration Number:	2006/029257/07			
	Postal address:	WedgeView Country House & Spa P.O. Box 62, Vlottenburg, Stellenbosch			
	Postal code:	7604	Cell:	079 526 8093	
	Telephone:	021 881 3525	Fax:	-	
	E-mail:	dave@wedgeview.co.za (Web: www.wedgeview.co.za)			
2.	Company of EAP:	Cornerstone Environmental Consultants (Pty) Ltd.			
	EAP name:	Pieter de Villiers			
	Postal address:	PO Box 12606, Die Boord			
	Postal code:	7613	Cell:	083 243 0994	
	Telephone:	021 887 9099	Fax:	086 435 2174	
	E-mail:	pieter@cornerstoneenviro.co.za			
	Qualifications:	B. Tech Environmental Sciences			
3.	EAPASA registration no:	EAPASA Registration No. 2019/1372 Environmental Scientist (Pr. Sci. Nat. 400210/15)			
	Duplicate this section where there is more than one landowner Name of landowner:	Sunwealth (Pty) Ltd.			
4.	Name of contact person for landowner (if other):	Mr. R.A.H. van Weelde			
	Name of Person in control of the land:	Mr. Dave Bakker			
	Name of contact person for person in control of the land:	Mr. Dave Bakker			
	Postal address:	WedgeView Country House & Spa P.O. Box 62, Vlottenburg, Stellenbosch			
	Postal code:	7604	Cell:		
	Telephone:	021 881 3525	Fax:		
	E-mail:	dave@wedgeview.co.za			
5.	Municipality in whose area of jurisdiction the proposed activity will fall:	Stellenbosch Municipality			
	Contact person:	Schalk van der Merwe			
	Postal address:	PO Box 17, Stellenbosch			
	Postal code:	7601	Cell:	-	
	Telephone:	021 808 8679	Fax:	-	
	E-mail:	Schalk.vandermerwe@stellenbosch.gov.za			

SECTION B: DETAILS OF CURRENT ACTIVITIES/EXISTING DEVELOPMENT

1.	Is the development part of a bigger lawfully approved and commenced with development? If yes, provide details of all approvals and attach a copy/ies as Appendix B.	YES	NO
<p>The Wedgeview Country House was established in 1996 on Portion 11 of the Farm Bloemendal No. 266, Stellenbosch Registration Division (RD), hence forth referred to as the site.</p> <p>The site has been exclusively utilised for the purposes of running a guesthouse for almost 30 years and at commencement had 13 rooms that could sleep 28 people. Refer to Appendix B for the land use planning approvals.</p> <p>The lawfulness in terms of NEMA is being determined by the completion of this checklist because an additional building with 5 rooms, laundry facilities, staff quarters, plant room and workshop was constructed and completed in 2013, which expanded the accommodation capacity to 40 guests.</p>			
2.	Have any activities physically commenced on the site/s?	YES	NO
3.	List the date of commencement of these activities (dd/mm/yy).	The Wedgeview Country House was established on the site in 1996 and expanded in 2013.	
4.	Clearly describe the commencement of these activities.		
<ul style="list-style-type: none"> 1996: The WedgeView Country House was established and had 13 rooms that sleep 28 people; 2004/2005: Addition of a cottage for the previous owner; 2007: Addition of the main house of $\pm 427\text{m}^2$ for the manager, Mr Dave Bakker. A new road to this house was also constructed, which was $\pm 3.3\text{ m}$ wide and 40 m long; 2013: Conversion and expansion of a building with 5 rooms, laundry facilities, staff quarters to sleep 12 people, plant room and workshop, which expanded the accommodation capacity to 40 guests in total. <p>This additional dwelling unit effectively replaced and integrated three existing structures as well as four water tanks located on the site into one formalised building. The previously existing footprint of $\pm 366\text{ m}^2$ was expanded to $\pm 829\text{ m}^2$.</p>			
5.	Clearly describe the current state of the site/s/route (This must be supported by recent colour photographs).		
<p>The site consists predominantly of accommodation buildings with associated parking spaces, walkways, and garden facilities with several scattered trees. The site can be considered as completely transformed with no representation of indigenous vegetation.</p> <p>Refer to the photo sheet under Appendix D3.</p>			
6.	Describe the existing vegetation/ground cover.		
<p>The garden facilities on the application site contains kikuyu grass and a mixture of exotic and indigenous garden plants. The terrestrial vegetation on the site has been completely transformed from its natural state, same as the surrounding agricultural areas, even though the Ecosystem Threat Status is indicated as the Critically Endangered Swartland Granite Renosterveld (CapeFarmMapper, 2022 – Appendix D4).</p> <p>Refer to the photo sheet under Appendix D3.</p>			
7.	Describe the ground slope, drainage and any on-site watercourses/wetlands.		
<p>The site is level, with a gentle downwards slope from the west-to-east direction of the site. The site is surrounded on all edges by cultivated lands and there are no watercourses or wetlands on the site. The nearest watercourses are the perennial Sand River, which is $\pm 480\text{ m}$ north of the site and a non-perennial tributary of the Sand River $\pm 320\text{ m}$ south of the site as well as several artificial dams constructed on neighbouring farmlands.</p> <p>Refer to Appendix D5 for a map that indicates all aquatic features near the site.</p>			
8.	Describe the proximity to the high-water mark of the sea or any watercourses.		

The sea is not close to the site. The nearest watercourses are the perennial Sand River, which is ± 480 m north of the site and a non-perennial tributary of the Sand River ± 320 m south of the site			
9.	Have any <i>ad hoc</i> setback lines in terms of the NEMA EIA Regulations, been adopted by the Competent Authority for the subject site/s/route? (If yes, copies must be attached as Appendix E).	YES	NO
N/A			
10.	Have any Directives under Section 28 of the NEMA (as amended) been issued by the Competent Authority for the subject site/s/route? (If yes, copies Must be attached as Appendix F).	YES	NO
N/A			
11.	Have any Directives under Section 30A of the NEMA (as amended) been issued by the Competent Authority for the subject site/s/route? (If yes, copies must be attached as Appendix G).	YES	NO
N/A			
12.	Have any Directives under Section 24G of the NEMA (as amended) been issued by the Competent Authority for the subject site/s/route? (If yes, copies must be attached as Appendix H). Explain:		
No			
13.	Describe the current land use of the proposed site(s) for the proposed development.		
The current land use for the site remains a guest house, predominantly providing accommodation for tourists, as it has provided since its establishment in 1996.			
14.	Describe all the surrounding and abutting land uses.		
The site is located within an agricultural area with the surrounding and abutting lands being cultivate.			
15.	Is the current land use lawful? Explain:	YES	NO
		UNCERTAIN	
Partially yes with reference to the above approved guesthouse and spa facilities. Application is however to be made for a further consent use so as to include the additional dwelling as erected in 2013 as part of the guest house facility's rentable rooms.			
Refer to the existing documents attached as Appendix B .			

SECTION C: PROPOSED DEVELOPMENT

1.	Provide a detailed description of the proposed development and its associated infrastructure. A clear, accurate and comprehensive description will obviate any requests for additional information by the Competent Authority.
<ul style="list-style-type: none"> 1996: The WedgeView Country House was established and had 13 rooms that sleep 28 people; 2004/2005: Addition/construction of a cottage for the previous owner; 2007: Addition/ construction of the main house of $\pm 427\text{m}^2$ for the new owner, Mr Dave Bakker. A new access road to this house was also constructed, which was ± 3.3 m wide and is less than 30 m in length; 2013: Conversion and expansion of a building to 5 rooms, laundry facilities, staff quarters to sleep 12 people, plant room and workshop, which expanded the accommodation capacity to 40 guests in total. <p>This additional dwelling unit effectively replaced and integrated three existing structures as well as four water tanks located on the site into one formalised building. The previously existing footprint of $\pm 366\text{ m}^2$ was expanded to $\pm 829\text{ m}^2$.</p>	

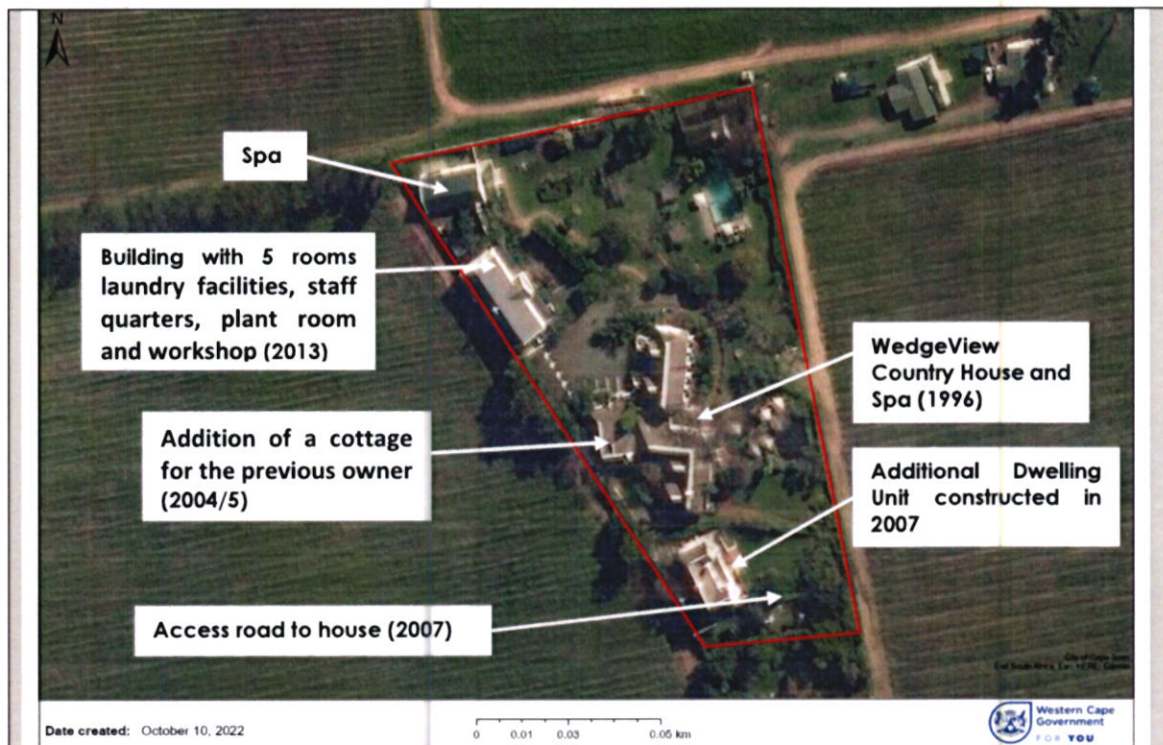


Figure 1: Site Layout

2.	Is the proposed development:		
2.1	a linear activity?	YES	NO
2.2	an activity directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral resource?	YES	NO
2.3	Is this a strategic infrastructure project (SIP) as contemplated in the Infrastructure Development Act, 2014 (Act No. 23 of 2014)?	YES	NO
3.	Property location of all proposed sites:	WedgeView Service Road off Bonniemile Road, Stellenbosch, 7604	
4.	Farm/Erf name(s) & number(s) (including portion) of all proposed sites:	Portion 11 of the Farm Bloemendal No. 266, Stellenbosch Registration Division	
5.	Property size(s) (m ²) of all proposed sites:	10 700 m ² (1.07 ha)	
6.	What is the existing lawfully development footprint size in m ² ?	± 4 000 m ² (is comprised of the buildings and associated walkways) ± 6 700 m ² (remaining open areas and gardens)	
7.	Development footprint size(s) in m ² (i.e. the total area of land to be physically cleared for the proposed development (including associated infrastructure). Provide clear details of the required footprint).	The development is complete. ± 4 000 m ² (is comprised of the buildings and associated walkways).	
8.	SG 21 Digit code(s) of all proposed sites:	C 0 6 7 0 0 0 0 0 0 0 0 0 2 6 6 0 0 0 1 1	
9.	Coordinates of all proposed sites:	Latitude (S)	33° 56' 55.88"
		Longitude (E)	18° 46' 18.97"
9.	Does the proposed development entail the expansion or changes to an existing lawful facility or the development of a new facility? Explain.		

The only expansion that took place was in 2013 when the conversion and expansion of a building to 5 rooms, laundry facilities, staff quarters to sleep 12 people, plant room and workshop took place.			
10.	Does the proposed development entail the expansion of an existing lawful development footprint or the "like for like replacement" of anything existing? Explain.		
It is our opinion that the developments undertaken on the site were expansions of the existing lawful development footprint of the WedgeView Country House.			
11.	Specifically list any dangerous goods that are listed in terms of the South African National Standard No. 10234 supplement 2008 1.00 and volumes thereof that will be stored on the site during development or operational activities.		
Not applicable since the developments are complete.			
12.	Does the site/s/route form part of a Critical Biodiversity Area or critically endangered or endangered ecosystem or contain any indigenous vegetation? Explain.		
No, there are no Critical Biodiversity Areas (CBAs) nor Ecological Support Areas (ESAs) on the site. Although the site is mapped as the Critically Endangered Swartland Granite Renosterveld (CapeFarmMapper, 2022), the terrestrial vegetation on the site has been completely transformed from its natural state, and no longer represents indigenous vegetation. Instead, the garden facilities on the site contains kikuyu grass and a mixture of exotic and indigenous garden plants. Refer to Appendix D4 for the Biodiversity Overlay Map.			
13.	Will the proposed development entail the infilling of a watercourse/wetland? If yes, explain.	YES	NO
N/A			
14.	Will the proposed development be located within 32m of a watercourse/wetland? If yes, explain.	YES	NO
No, the nearest watercourses to the site are the perennial Sand River, which is ± 481 m north of the site and a non-perennial tributary of the Sand river ± 320 m south of the site.			
15.	Will the proposed development be located within 100m of the highwater-mark of the sea? If yes, explain.	YES	NO
N/A			

SECTION D: LIST THE POTENTIAL LISTED ACTIVITIES THAT YOU MAY REGARD TO BE APPLICABLE TO THE PROPOSED DEVELOPMENT

All activities listed in terms of the NEMA EIA Regulations that may be associated with the proposed project must be provided below.

Important note:

The following three definitions as contained in the EIA Regulations of 2014, as amended, should be taken into account when considering the listed activities associated with the proposed project:

"development" means the building, erection, construction or establishment of a facility, structure or infrastructure, including associated earthworks or borrow pits, that is necessary for the undertaking of a listed or specified activity, but excludes any modification, alteration or expansion of such a facility, structure or infrastructure, including associated earthworks or borrow pits, and excluding the redevelopment of the same facility in the same location, with the same capacity and footprint;

"expansion" means the modification, extension, alteration or upgrading of a facility, structure or infrastructure at which an activity takes place in such a manner that the capacity of the facility or the footprint of the activity is increased; and

"development footprint", means any evidence of physical alteration as a result of the undertaking of any activity.

"lodge" in the context of this activity and for the purpose of this document is understood to mean -

- a) a house providing rented accommodation;
- b) a hotel or rest camp in a game reserve; (source: Oxford Dictionary); or
- c) a small country house occupied in season for sports such as hunting and shooting (source: Oxford Dictionary)

"tourism accommodation facilities" for the purpose of this document is understood to refer to accommodation facilities associated with rental units, resorts, lodges or hotels that provide reception and/or entertainment to tourists and guests (e.g., conference facilities and restaurants).

"resort" for the purpose of this document is understood to refer to-

- a) holiday or recreational facilities which provide associated accommodation facilities;
- b) facilities which carry, or require, a resort zoning in terms of the relevant zoning scheme and provide associated accommodation facilities;
- c) facilities that provide reception and/or entertainment or recreation to tourists and guests (e.g. recreational theme parks, conference facilities and restaurants) and provide associated accommodation facilities; or
- d) a tourism enterprise consisting of a number of accommodation units whether situated on a single cadastral unit or separate cadastral units;

Environment Conservation Act, No. 73 of 1989, as amended (ECA) Environmental Impact Assessment (EIA) contraventions between 08 September 1997 and 09 May 2002

Activities commenced with on or after 08 September 1997 and before 09 May 2002: EIA regulations promulgated in terms of the ECA

Government Notice No. ("GN") R1182 Activity No(s):	Describe the relevant listed activity/ies in writing as per GN No. 1182 of 1997, as amended	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
1	The construction, erection or upgrading of- (n) public and private resorts and associated infrastructure;	<p>The Guesthouse had 13 rooms when it was established in 1996 and could sleep 28 people at the time.</p> <p>The guesthouse was established in 1996, before the promulgation of R1182 on 5 September 1997.</p>	1996

		This listed activity was therefore not triggered.	
ECA EIA Contraventions: between 10 May 2002 and end of 02 July 2006			
Activities unlawfully commenced with on or after 10 May 2002 and before end 02 July 2006: EIA regulations promulgated in terms of the ECA, Act 73 of 1989,			
None			
NEMA EIA Contraventions: between 03 July 2006 and 01 August 2010			
Activities unlawfully commenced with on or after 03 July 2006 and before 01 August 2010: EIA regulations promulgated in terms of the NEMA			
GN R386 Activity No(s): (Listing Notice 1 of 2006)	Describe the relevant listed activity/ies in writing as per GN No. R. 386 of 2006 ("NEMA 2006 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
1	The construction of facilities or infrastructure , including associated structures or infrastructure, for - (d) resorts, lodges, hotels or other tourism and hospitality facilities in a protected area contemplated in section 42 (1) of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003).	The Guesthouse had 13 rooms when it was bought in 2007 by the Applicant and could sleep 28 people at the time. However, this listed activity was not triggered since the property does not fall within a protected area.	Established guesthouse in 1996.
15	The construction of a road that is <u>wider than 4 metres</u> or that has a reserve wider than 6 metres, excluding roads that fall within the ambit of another listed activity or which are access roads of less than 30 metres long.	An access road was constructed with the construction of the main house. However, this activity was not triggered since the new road is only ± 3.3 m wide and is less than 30 m in length.	2007
Government Notice No. R387 Activity No(s): (Listing Notice 2 of 2006)	Describe the relevant listed activity/ies in writing as per GN No. R. 387 of 2006 ("NEMA 2006 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
None			
NEMA EIA Contraventions: between 02 August 2010 and 07 December 2014			
Activities unlawfully commenced with on or after 02 August 2010 and before 07 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,			
GN No. R. 544 Activity No(s): (Listing Notice 1 of 2010)	Describe the relevant listed activity(ies) in writing as per GN No. R. 544 of 2010 ("NEMA 2010 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
None	(i)		
GN No. R. 545 Activity No(s): (Listing Notice 2 of 2010)	Describe the relevant listed Activity(ies) in writing as per GN No. R. 545 of 2010	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
None			
GN No. R. 546 Activity No(s): (Listing Notice 3 of 2010)	Describe the relevant listed Activity(ies) in writing as per GN No. R. 546 of 2010	Describe the portion of the development as per the project description that relates to the applicable	State the date of commencement of each activity

2010)		listed activity.	
5	<p>The construction of resorts, lodges or other tourism accommodation facilities that sleep less than 15 people.</p> <p>(a) A protected area identified in terms of the NEMPAA.</p> <p>(b) In an estuary.</p> <p>(c) Within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve.</p> <p>(h) In Western Cape:</p> <ol style="list-style-type: none"> In an estuary; Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined. 	<p>This listed activity was not triggered because the conversion and expansion of the dwelling unit did not constitute construction and the lodge can sleep more than 15 people.</p>	Main house 2007 Conversion 2013
6	<p>The construction of resorts, lodges or other tourism accommodation facilities that <u>sleep 15 people or more</u>.</p> <p>In Western Cape:</p> <ul style="list-style-type: none"> All areas outside urban areas. 	<p>The Guesthouse had 13 rooms when it was established in 1996 and could sleep 28 people at the time.</p> <p>However, this activity was not triggered because the conversion and expansion of the existing building did not constitute construction.</p>	2013
7	<p>The conversion of existing structures to resorts, lodges or tourism accommodation facilities that <u>sleep 15 people or more</u>.</p>	<p>The Guesthouse had 13 rooms when it was established in 1996 and could sleep 28 people at the time.</p>	Construction took place in 2013.

	<p>In Western Cape:</p> <p>i. In an estuary;</p> <p>ii. All areas outside urban areas;</p> <p>iii. In urban areas:</p> <p>(aa) Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;</p> <p>(bb) Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined.</p>	<p>The conversion and expansion of an existing building to tourism accommodation. 5 rooms that sleeps 12 tourists/people in total, laundry facilities, staff quarters, plant room and workshop were added. No staff sleeps on the property.</p> <p>This listed activity is not triggered by the conversion in 2013, by itself.</p> <p>However, this addition pushed the total accommodation up to 40 people, but the initial guesthouse establishment occurred before the need for Environmental Approval, which, in our opinion, eliminates the applicability for a phased activity.</p> <p>We are therefore of the opinion that this listed activity is not triggered.</p> <p>The DEA&DP's confirmation is required in this regard.</p>	
12	<p>The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation.</p> <p>In Western Cape:</p> <ul style="list-style-type: none"> • Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; • Within critical biodiversity areas identified in bioregional plans; • Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuary, whichever distance is 	<p>The construction of the new dwelling unit in 2013 required the clearance of approximately 463 m² of vegetation. Although the vegetation mapped on the site is Critically Endangered Swartland Granite Renosterveld as has been listed in terms of section 52 of the NEMBA, the site was and still is completely transformed and consist predominantly of kikuyu grass and other indigenous garden plant types, not representative of the mapped renosterveld vegetation. Therefore, this activity is not triggered.</p>	2013

	the greater, excluding where such removal will occur behind the development setback line on erven in urban areas.		
NEMA EIA Contraventions: between 08 December 2014 and 07 April 2017			
Activities unlawfully commenced with on or after 08 December 2014 and 07 April 2017: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998			
GN No. R. 983 Activity No(s): (Listing Notice 1 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.983 of 2014("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
None			
GN No. R. 984 Activity No(s): (Listing Notice 2 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.984 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
None			
GN No. R. 985 Activity No(s): (Listing Notice 3 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.985 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
None			
NEMA EIA Contraventions: on or after 07 April 2017			
Activities unlawfully commenced with on or after 07 April 2017: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998, as amended			
GN No. R. 327 Activity No(s): (Listing Notice 1 of 2014, as amended)	Describe the relevant listed activity(ies) in writing as per GN No. R.327 of 2014("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
None			
GN No. R. 325 Activity No(s): (Listing Notice 2 of 2014, as amended)	Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
None			
GN No. R. 324 Activity No(s): (Listing Notice 3 of 2014, as amended)	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
None			

Please ensure that you have provided the similarly listed activities if the listed activities were commenced before the period the EIA Regulations came into effect, i.e. before 08 December 2014.

SECTION E: OTHER LEGISLATION/APPROVALS

1. Applicability of Specific Environmental Management Acts ("SEMA")

1.	Does the proposed project require an application for a waste management license in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)? If yes, explain:	YES	NO
N/A			
2.	Does the proposed project require an application for a Water Use License in terms of the National Water Act, 1998 (Act No. 36 of 1998)? If yes, explain:	YES	NO

Note: where a WULA is required, the WULA/EIA Synchronisation process must be followed.		
No		
3.	Does the proposed project require an application for an Atmospheric Emissions License in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004)? If yes, explain:	YES NO
N/A		
4.	Does the proposed project require a Heritage permit in terms of Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999)? If yes, explain:	YES NO
The developments undertaken on the site did not trigger any activities in terms of Section 38 of the National Heritage Resources Act, 1999 (Act 25 of 1999), as amended (NHRA).		
5.	Does the proposed project require an application for a Coastal Waters Discharge Permit in terms of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008)? If yes, explain:	YES NO
N/A		

2. Existing approvals

2.1.	Explain if there are any existing approval(s) linked to the property? If so, indicate which approvals were granted (attach approvals as Appendix B).
There were no environmental approvals required. The relevant approvals from the Stellenbosch Municipality concerning the rezoning and consent use departures for the land use for the guest house have been received (refer to Appendices B and C). Application is however to be made for a further consent use so as to include the additional dwelling as erected in 2013 as part of the guest house facility's rentable rooms.	
2.2.	Explain whether the above approval(s) will be in conflict with the proposed development.
N/A	

SECTION F: PLANNING CONTEXT

Note: In instances where more than one zoning is applicable, attach a list or map of the properties that indicates their respective zoning as Appendix C.

1.	What is the current zoning of the property?		
Agricultural Zone with a Consent use Approval to operate the main dwelling guest house and spa facility respectively 775m ² and 112m ² extent as per the formal Zoning Certificate issued; Please note that the reference to Residential Zone V zoning has subsequent being changed to reflect a Consent Use under the base zoning Agricultural Zone. The latter has come about as a result of the adoption of the new Stellenbosch Integrated Zoning Scheme dispensation (refer to Appendix C).			
2.	Is a rezoning application required?	YES	NO
3.	Is any other land use approval(s) (e.g. consent) required? If yes, provide details:	YES	NO
N/A			
4.	Will the proposed development be located in an urban area?	YES	NO
5.	Is the activity permitted in terms of the property's existing land use rights? Please explain:	YES	NO
Partially yes with reference to the above approved guesthouse and spa facilities. Application is however to be made for a further consent use so as to include the additional dwelling as erected in 2013 as part of the guest house facility's rentable rooms.			
6.	Are there any building restrictions in terms of the applicable Municipal By-laws? Please explain:	YES	NO
None that the EAP is aware of.			
7.	Will the activity be aligned with the following?		
7.1	The Provincial Spatial Development Framework (PSDF)? Please explain:	YES	NO
The Western Cape PSDF, 2014 promotes rural development investment in tourism, and states that "the integrity of the Province's natural and built environments is of critical importance to the further			

development of tourism, as the Western Cape's tourism economy is nature and heritage based, and built on a foundation of a high quality and unique environment".

Furthermore, two of the objectives set out in the Western Cape Rural Areas Land Use Planning (RALUP) Guidelines, 2019 are as follows:

- to diversify the Western Cape's rural economic base into the tourism and recreation sectors, and develop these sectors on a sustainable and equitable basis, and
- to offer a range of appropriate nature, cultural and agri-based rural tourism facilities, and recreational opportunities across the rural landscape.

The developments undertaken on the site for the WedgeView Country House are well-aligned with the spatial planning and other themes and objectives of the Western Cape PSDF, 2014 as well as the Western Cape RALUP Guidelines, 2019.

7.2.	The Spatial Development Framework of the Local Municipality? Please explain:	YES	NO
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According to the Stellenbosch Municipal Spatial Development Framework (SDF), tourism is a major economic driver of the municipal economy, as the town represents "a key tourism destination" (Stellenbosch SDF, p. 25) in the Winelands area. Consequently, the Municipality has stressed the importance of the sustainable use of its spatial assets. This includes "safeguarding and celebrating the Western Cape's unique cultural, scenic and coastal resources, on which the tourism economy depends" (Stellenbosch SDF, p. 23) and promotes the importance of "the protection and expansion of tourism assets" (Stellenbosch SDF, p. 27).

Moreover, the SDF argues for the diversification of income on farms and the economic value that tourism can contribute to rural areas.

"In agricultural areas, associated building structures are permitted, as well as dwelling units to support rural tourism, and ancillary rural activities that serve to diversify farm income. However, these should not undermine the sustainability of agricultural production, and adhere to the guidelines contained in the SEMF and "Western Cape Land Use Planning: Rural Guidelines" (Stellenbosch SDF, p. 62).

More specifically under the theme of 'Rural Accommodation' on p. 194 of the SDF, the Thematic land use guidelines for rural areas regarding 'Tourist accommodation' expressed that;

- "Recognising the prospects of tourism to diversify and strengthen the rural economy, the provision of a variety of short-term tourism accommodation across the rural landscape that is in keeping with the local character is supported.
- Tourist accommodation situated outside of the urban edge should be clustered in visually discreet nodes, preferably make use of existing buildings or new buildings on disturbed footprints, located within or peripheral to the farmstead, reinforce rural landscape qualities, and cater exclusively for the temporary accommodation for in transit visitors."

As explained in the question 7.1 above, the developments undertaken on the site are well aligned with the Western Cape RALUP Guidelines, 2019, and provide for the employment of more than 19 staff members. In addition, the Wedgeview Country House has been previously rated as number one out of 97 Stellenbosch guesthouses on Tripadvisor, as well as the winner of the 2013 Certificate of Excellence. It is therefore concluded that the developments undertaken on the site align well with the SDF as the development contributes to the economic value of the municipal area without undermining the agricultural value of the surrounding farmlands, is visually discreet and has maximised the use of existing disturbed footprints on the site for further development of tourist accommodation.

7.3	The urban edge as delineated in the Municipality's Spatial Development Framework Please explain:	YES	NO
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The property falls outside the urban edge of Stellenbosch and the urban edge is therefore not relevant to this development.

7.4	An Environmental Management Framework (EMF)? Please explain:	YES	NO
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The Stellenbosch EMF also poses a strong argument for the significance that tourism holds for the municipal area. The EMF promotes the active support of the development of land-use plans that promote collaborative action in fields such as tourism since the EMF argues that;

"Tourism in its various forms (e.g., culture tourism, nature-related tourism, wine-related, and general hospitality) represents a viable economic sector. It is therefore imperative that all land-use decisions should enhance the integrity of both the natural and the cultural environment as an important form of capital." (Stellenbosch EMF, p. 46).

Again, it is argued that the developments undertaken on the site contributed to the economic value that the WedgeView Country House holds for the municipal area by enhancing the aesthetic value of the guest house, improving the guest house's ability to contribute to the municipal economy by creating additional dwelling units to accommodate more tourists, improving the staff working conditions and creating opportunity for further employment within the guest house. The development investigated in this checklist are well aligned to the municipal EMF.

7.5	Any other Policies, Plans, Guidelines, Spatial Tools, Development Planning Frameworks and instruments applicable to the development. Please explain:	YES	NO
N/A			
7.6	Are any Amendments of the above-mentioned required? Please explain:	YES	NO
N/A			
8.	Will the proposed development lie within coastal public property, the coastal protection zone, or coastal access land as defined in terms of the NEW: ICMA, 2008? Please explain:	YES	NO
N/A			

SECTION G: GENERAL INFORMATION

1. Solid waste management

Solid waste management				
(i)	Will the activity produce any solid waste (including rubble/sewage) during the development or operational phases?	YES	NO	UNCERTAIN
(ii)	If YES or UNCERTAIN, explain.			
General waste is being generated during the operation of the guest house. This waste is adequately managed on the site and removed once a week to the municipal waste site.				
Confirmation of adequate capacity from the local municipal authority has already been obtained for the developments that were undertaken on the site.				
(iii)	If YES, will it feed into a municipal waste stream?	YES	NO	UNCERTAIN
(iv)	If NO to (iii) above, describe how each type of waste will be treated / disposed of.			
N/A				

2. Hazardous Waste Management

7. Hazardous Waste Management:				
(i)	Will the activity produce any hazardous waste?	YES	NO	UNCERTAIN
If YES or UNCERTAIN, explain.				
N/A				
(ii)	Indicate whether or not the hazardous waste will be treated and/or disposed of into a municipal system?	YES	NO	UNCERTAIN
(iii)	If NO, describe how it will be treated and/or disposed of:			
N/A				

3. Effluent Waste Management

Effluent Waste Management:				
(i)	Will the activity produce any effluent?	YES	NO	UNCERTAIN
(ii)	If YES or UNCERTAIN, explain.			
Effluent waste (sewage) is being generated by the operation of the guest house.				
(iii)	Indicate whether or not the effluent will be treated and/or disposed of into a municipal system?	YES	NO	UNCERTAIN
(iv)	If NO, describe how it will be treated and/or disposed of:			
N/A				

4. Emissions into the atmosphere

(i)	Will the activity produce emissions that will be vented into the atmosphere?	YES	NO	UNCERTAIN
(ii)	If YES or UNCERTAIN, explain. Describe the emissions in terms of type and concentration and how it will be treated/mitigated prior to venting:			
N/A				

5. Water Requirements

Please indicate the source(s) of water for the proposed development by highlighting the appropriate box(es)

Municipal	Water board	Groundwater	River, Stream, Dam or Lake	Other	The activity will not use water
2.1.	Please explain your selection above.				
The operation of the guest house uses municipal and borehole water. The use of the borehole will be confirmed with the Department of Water and Sanitation.					
2.2.	The volume of water required per month is:			According to the Municipal account, the water use varies between 150 and 300 units per month.	

6. Power/Electricity Requirements

3.1	Please indicate the source of power supply e.g. Municipality / Eskom / Renewable energy source/ Self
	Eskom
3.2	Explain clearly how power will be generated/transmitted/distributed?
	N/A

SECTION H: DECLARATIONS**DECLARATION OF THE PROPONENT**

Note: Duplicate this section where there is more than one proponent.

I R.A.H. VAN WEEDE ID number NTCDPDJ60 in my personal capacity or duly authorised thereto hereby declare/affirm that:

- the information provided or to be provided as part of this checklist, is true and correct;
- I am fully aware of my responsibilities in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment Regulations, as defined in Chapter 5 of NEMA (as amended) and any relevant Specific Environmental Management Acts and that failure to comply with these requirements may constitute an offence in terms of relevant environmental legislation;
- I am aware that it is an offence in terms of Section 24F of the NEMA should I commence with a listed activity prior to obtaining an Environmental Authorisation;
- I am aware of my general duty of care in terms of Section 28 of the NEMA; and
- I will be responsible for the costs incurred in complying with the NEMA EIA Regulations and other environmental legislation including but not limited to –
 - costs incurred for the appointment of an EAP or any person legitimately contracted by the EAP; and
 - costs in respect of specialists (if any).

Signature of the Proponent:

Date:

29th Nov 2022

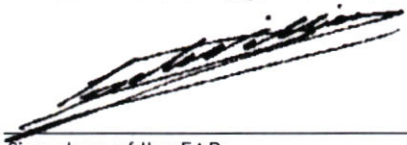
Name of company (if applicable):

SUNWEALTH PTY LTD

DECLARATION OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

I Pieter de Villiers EAPASA registration no: 2019/1372 as the appointed EAP hereby declare/affirm that:

- the information provided or to be provided as part of this checklist, is true and correct;
- I have disclosed/will disclose, to the Proponent, the specialist (if any) and the Competent Authority, all material information that have or may have the potential to influence the determination of the applicability of the NEMA EIA Regulations with respect to the proposed development;
- I have ensured/will ensure the inclusion of inputs and recommendations from any specialists in respect of the checklist, where relevant;
- I am aware that it is an offence in terms of Section 24F of the NEMA should the proponent commence with a listed activity prior to obtaining an Environmental Authorisation; and
- I am aware of my general duty of care in terms of Section 28 of the NEMA.



Signature of the EAP:

29/11/2022

Date:

Cornerstone Environmental Consultants (Pty) Ltd.

Name of company (if applicable):

APPENDIX A: SCREENING TOOL REPORT

**SCREENING REPORT FOR AN ENVIRONMENTAL AUTHORIZATION AS
REQUIRED BY THE 2014 EIA REGULATIONS – PROPOSED SITE
ENVIRONMENTAL SENSITIVITY**

EIA Reference number: N/A

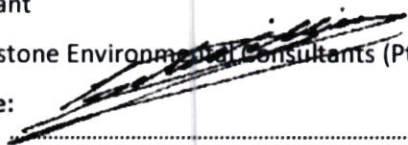
Project name: WedgeView Guesthouse Applicability Checklist

Project title: WedgeView Guesthouse Applicability Checklist

Date screening report generated: 06/10/2022 11:03:30

Applicant: Applicant

Compiler: Cornerstone Environmental Consultants (Pty) Ltd.

Compiler signature: 

Application Category: Services|Hospitality

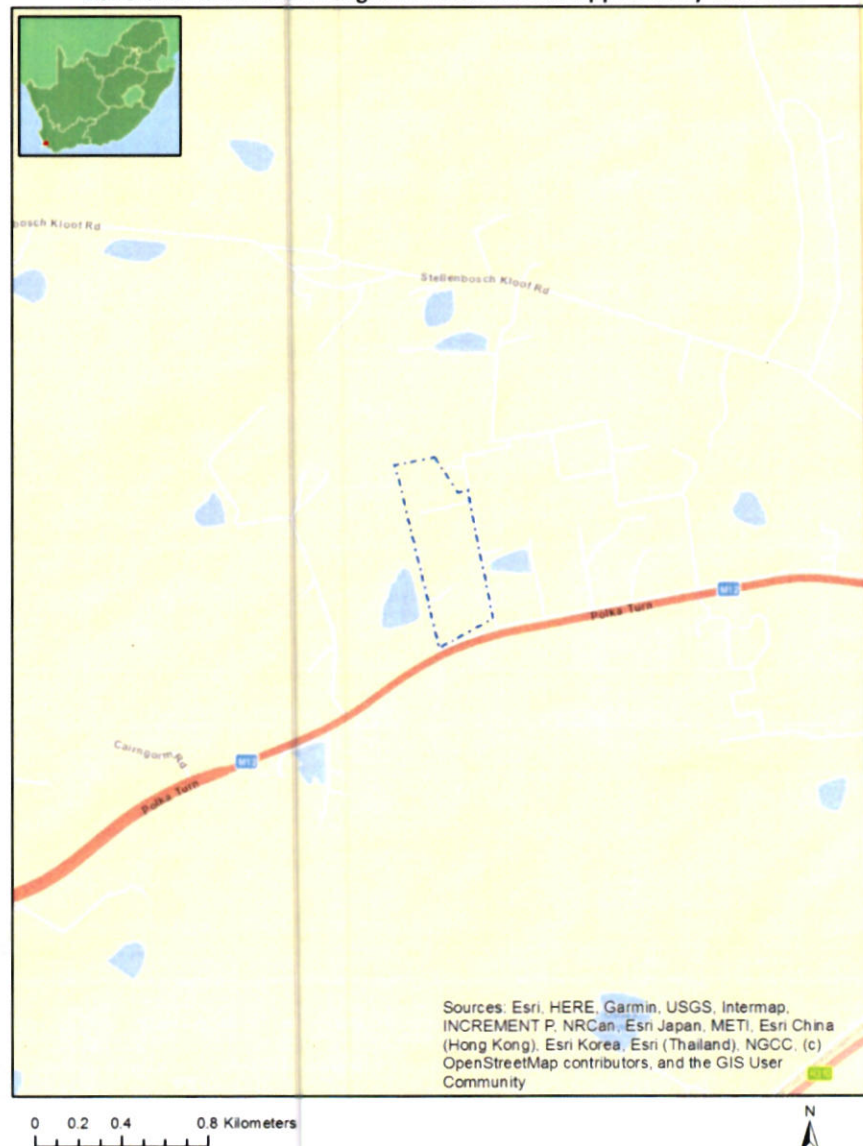
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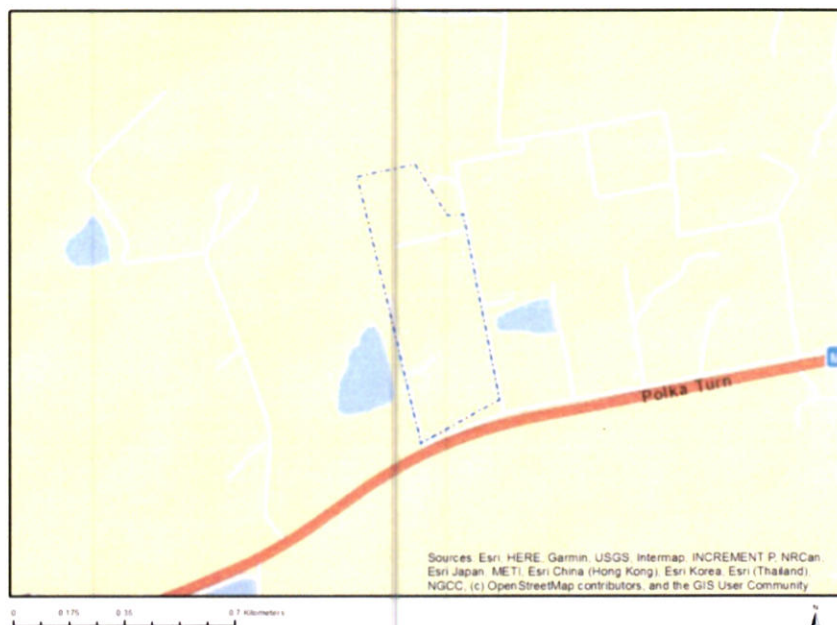
Proposed Project Location

Orientation map 1: General location

General Orientation: WedgeView Guesthouse Applicability Checklist



Map of proposed site and relevant area(s)



Cadastral details of the proposed site

Property details:

No	Farm Name	Farm/ Erf No	Portion	Latitude	Longitude	Property Type
1	BLOEMENDAL	266	0	33°57'1.17S	18°46'30.18E	Farm
2	BLOEMENDAL	266	10	33°57'5.19S	18°46'17.46E	Farm Portion

Development footprint¹ vertices:

No development footprint(s) specified.

Wind and Solar developments with an approved Environmental Authorisation or applications under consideration within 30 km of the proposed area

No nearby wind or solar developments found.

Environmental Management Frameworks relevant to the application

No intersections with EMF areas found.

¹ "development footprint", means the area within the site on which the development will take place and includes all ancillary developments for example roads, power lines, boundary walls, paving etc. which require vegetation clearance or which will be disturbed and for which the application has been submitted.

Environmental screening results and assessment outcomes

The following sections contain a summary of any development incentives, restrictions, exclusions or prohibitions that apply to the proposed development site as well as the most environmental sensitive features on the site based on the site sensitivity screening results for the application classification that was selected. The application classification selected for this report is: **Services | Hospitality.**

Relevant development incentives, restrictions, exclusions or prohibitions

The following development incentives, restrictions, exclusions or prohibitions and their implications that apply to this site are indicated below.

Incentive, restriction or prohibition	Implication
Strategic Transmission Corridor-Central corridor	https://screening.environment.gov.za/ScreeningDownloads/DevelopmentZones/Combined EGI.pdf
Strategic Gas Pipeline Corridors -Phase 1a & 1b: Saldanha to Ankerlig and Saldanha to Mossel Bay	https://screening.environment.gov.za/ScreeningDownloads/DevelopmentZones/Combined GAS.pdf
South African Conservation Areas	https://screening.environment.gov.za/ScreeningDownloads/DevelopmentZones/SACAD OR 2022 Q1 Metadata.pdf

Map indicating proposed development footprint within applicable development incentive, restriction, exclusion or prohibition zones

Project Location: WedgeView Guesthouse Applicability Checklist



Proposed Development Area Environmental Sensitivity

The following summary of the development site environmental sensitivities is identified. Only the highest environmental sensitivity is indicated. The footprint environmental sensitivities for the proposed development footprint as identified, are indicative only and must be verified on site by a suitably qualified person before the specialist assessments identified below can be confirmed.

Theme	Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
Agriculture Theme	X			
Animal Species Theme		X		

Aquatic Biodiversity Theme	X			
Archaeological and Cultural Heritage Theme	X			
Civil Aviation Theme		X		
Defence Theme			X	
Paleontology Theme			X	
Plant Species Theme				X
Terrestrial Biodiversity Theme	X			

Specialist assessments identified

Based on the selected classification, and the environmental sensitivities of the proposed development footprint, the following list of specialist assessments have been identified for inclusion in the assessment report. It is the responsibility of the EAP to confirm this list and to motivate in the assessment report, the reason for not including any of the identified specialist study including the provision of photographic evidence of the site situation.

N o	Special ist assess ment	Assessment Protocol
1	Agricultural Impact Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted General Agriculture Assessment Protocols.pdf
2	Landscape/Visual Impact Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted General Requirement Assessment Protocols.pdf
3	Archaeological and Cultural Heritage Impact Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted General Requirement Assessment Protocols.pdf
4	Paleontology Impact Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted General Requirement Assessment Protocols.pdf
5	Terrestrial Biodiversity Impact Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted Terrestrial Biodiversity Assessment Protocols.pdf
6	Aquatic Biodiversity Impact Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted Aquatic Biodiversity Assessment Protocols.pdf
7	Traffic Impact	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols

	Assessment	/Gazetted General Requirement Assessment Protocols.pdf
8	Socio-Economic Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted General Requirement Assessment Protocols.pdf
9	Plant Species Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted Plant Species Assessment Protocols.pdf
10	Animal Species Assessment	https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted Animal Species Assessment Protocols.pdf

Results of the environmental sensitivity of the proposed area.

The following section represents the results of the screening for environmental sensitivity of the proposed site for relevant environmental themes associated with the project classification. It is the duty of the EAP to ensure that the environmental themes provided by the screening tool are comprehensive and complete for the project. Refer to the disclaimer.

MAP OF RELATIVE AGRICULTURE THEME SENSITIVITY

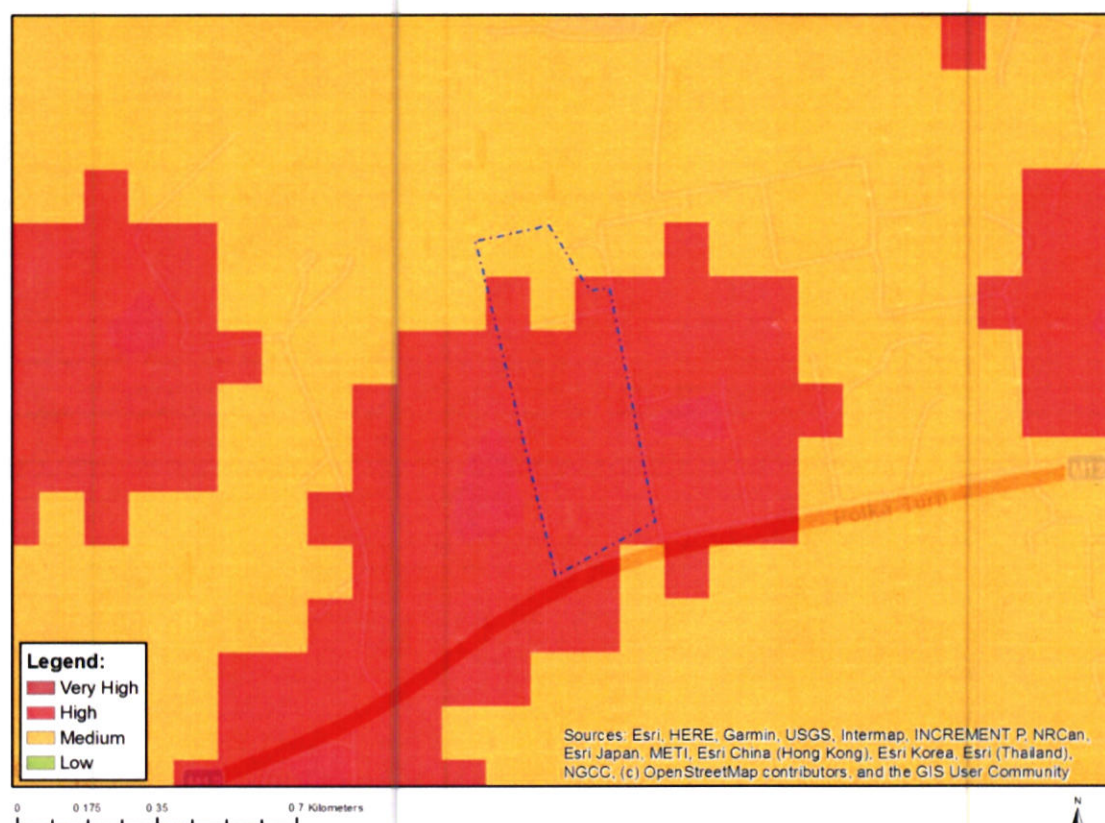


Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
X			

Sensitivity Features:

Sensitivity	Feature(s)
Medium	Land capability;06. Low-Moderate/07. Low-Moderate/08. Moderate
Very High	Viticulture;Land capability;06. Low-Moderate/07. Low-Moderate/08. Moderate

MAP OF RELATIVE ANIMAL SPECIES THEME SENSITIVITY



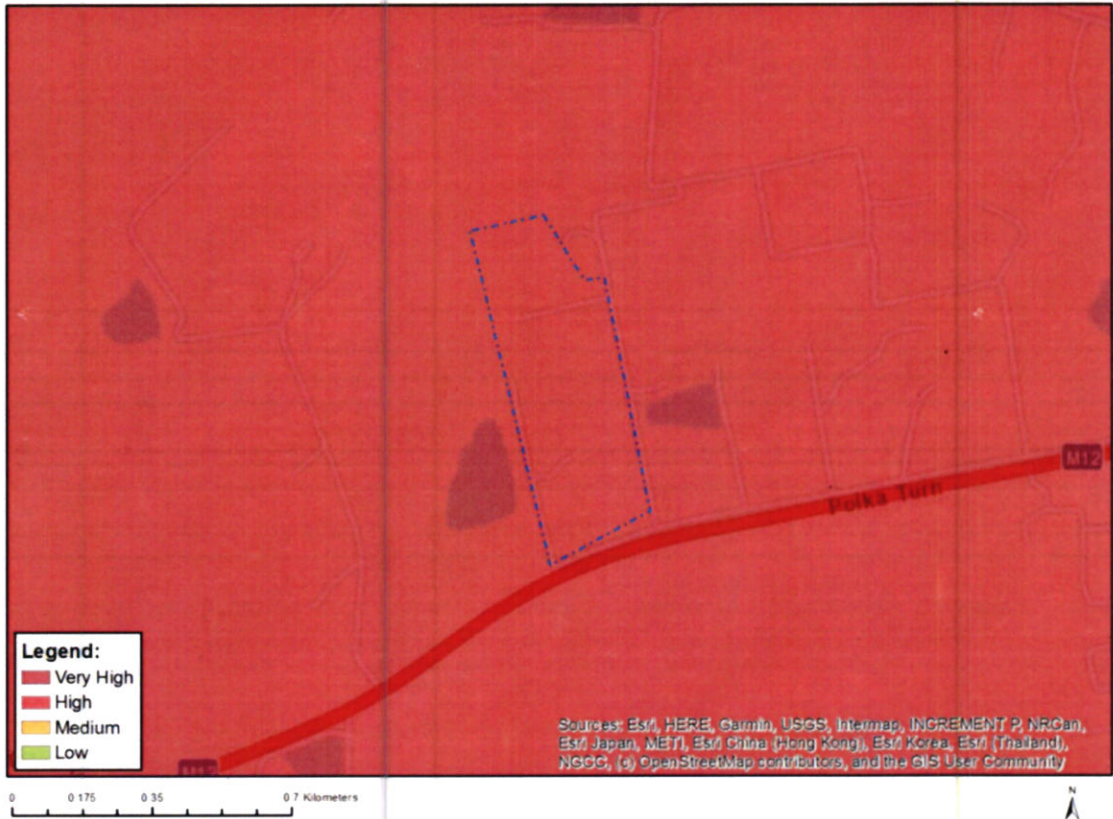
Where only a sensitive plant unique number or sensitive animal unique number is provided in the screening report and an assessment is required, the environmental assessment practitioner (EAP) or specialist is required to email SANBI at eiadatarequests@sanbi.org.za listing all sensitive species with their unique identifiers for which information is required. The name has been withheld as the species may be prone to illegal harvesting and must be protected. SANBI will release the actual species name after the details of the EAP or specialist have been documented.

Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
	X		

Sensitivity Features:

Sensitivity	Feature(s)
High	Aves-Hydroprogne caspia
High	Aves-Pelecanus onocrotalus
Medium	Invertebrate-Pachysoma aesculapius
Medium	Invertebrate-Conocephalus peringueyi
Medium	Invertebrate-Bullacris obliqua
Medium	Invertebrate-Aneuryphymus montanus

MAP OF RELATIVE AQUATIC BIODIVERSITY THEME SENSITIVITY

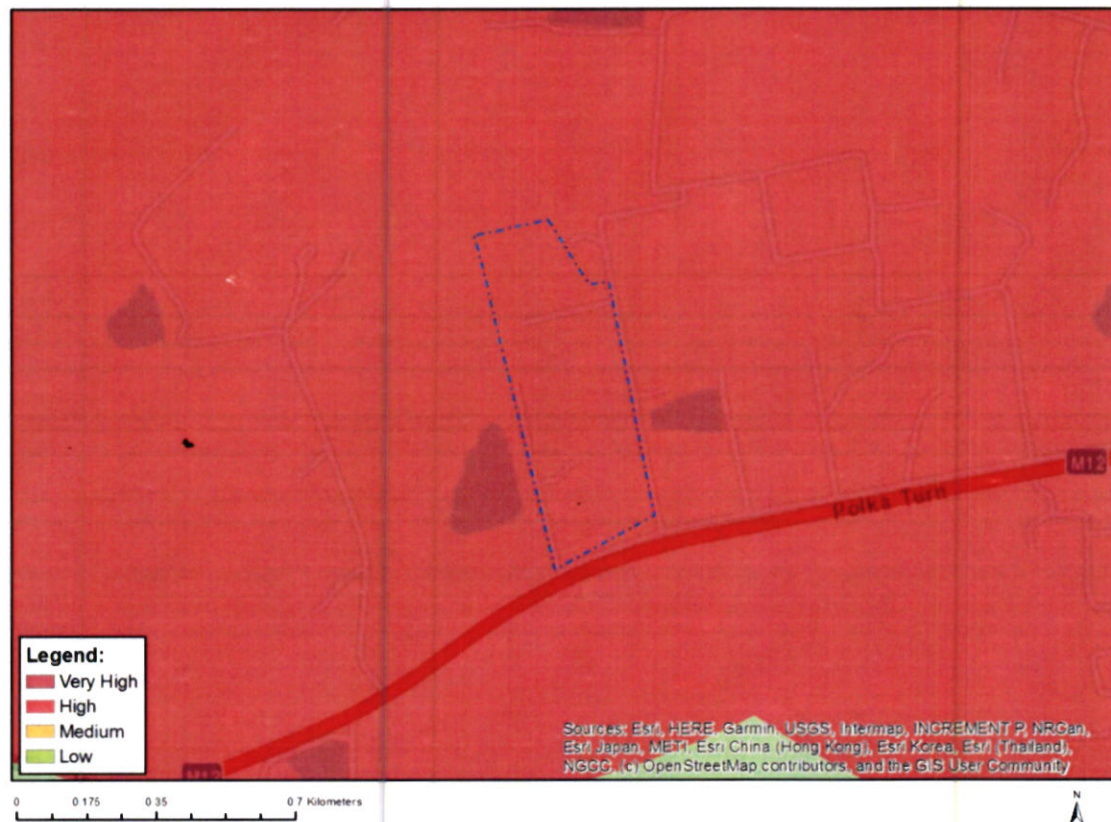


Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
X			

Sensitivity Features:

Sensitivity	Feature(s)
Very High	Strategic water source area

MAP OF RELATIVE ARCHAEOLOGICAL AND CULTURAL HERITAGE THEME SENSITIVITY

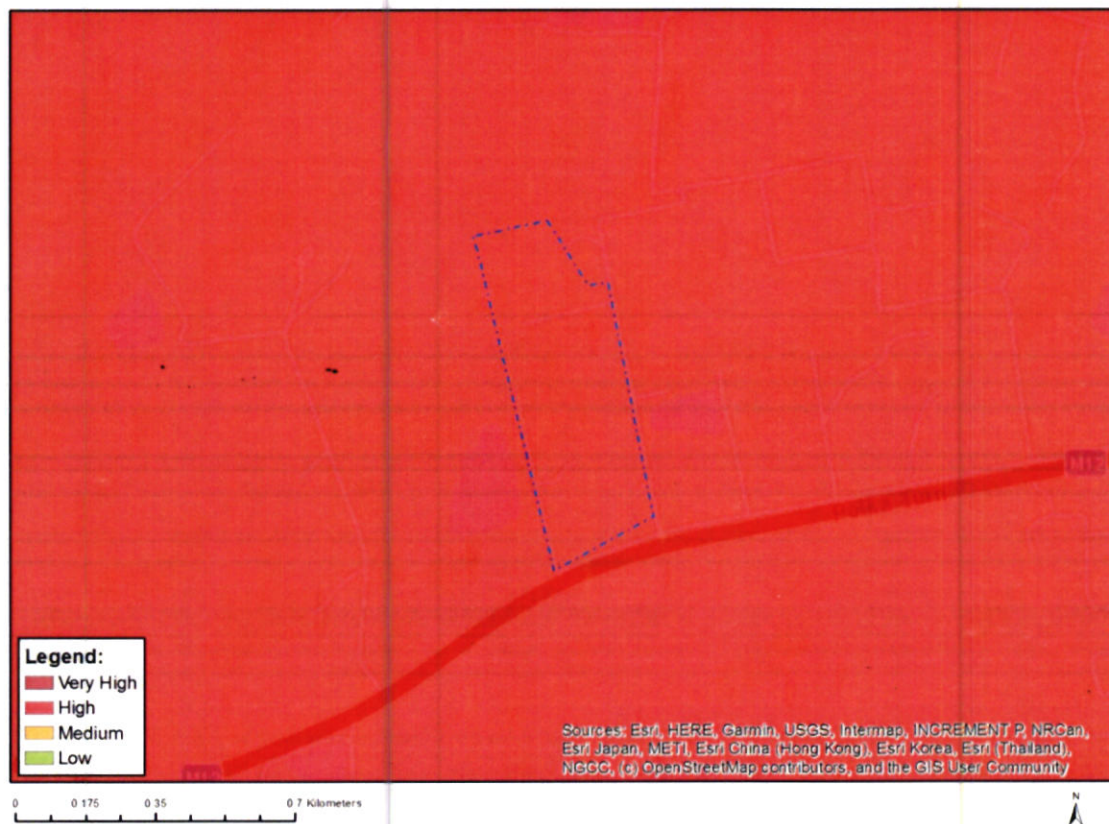


Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
X			

Sensitivity Features:

Sensitivity	Feature(s)
Very High	Within 2km of a Grade II Heritage site

MAP OF RELATIVE CIVIL AVIATION THEME SENSITIVITY



Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
	X		

Sensitivity Features:

Sensitivity	Feature(s)
High	Within 8 km of other civil aviation aerodrome
Medium	Between 15 and 35 km from a civil aviation radar
Medium	Between 15 and 35 km from a major civil aviation aerodrome

MAP OF RELATIVE DEFENCE THEME SENSITIVITY

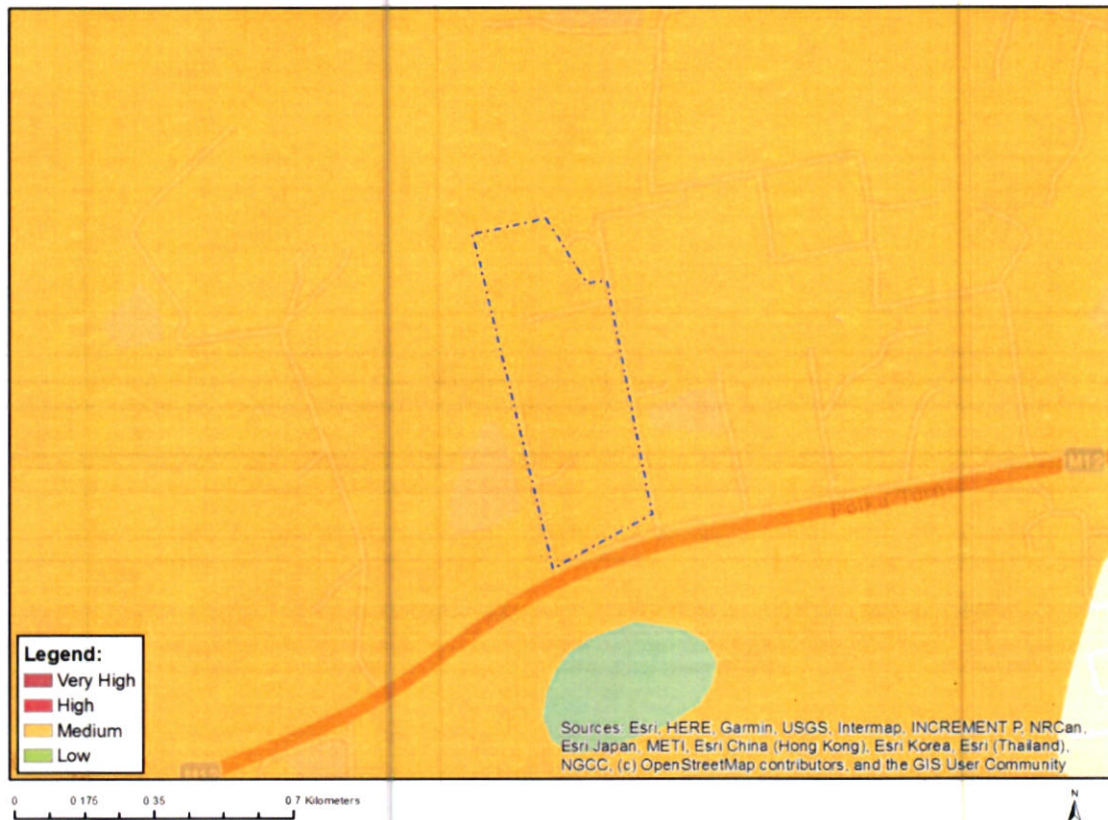


Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
		X	

Sensitivity Features:

Sensitivity	Feature(s)
Medium	Military and Defence Site

MAP OF RELATIVE PALEONTOLOGY THEME SENSITIVITY

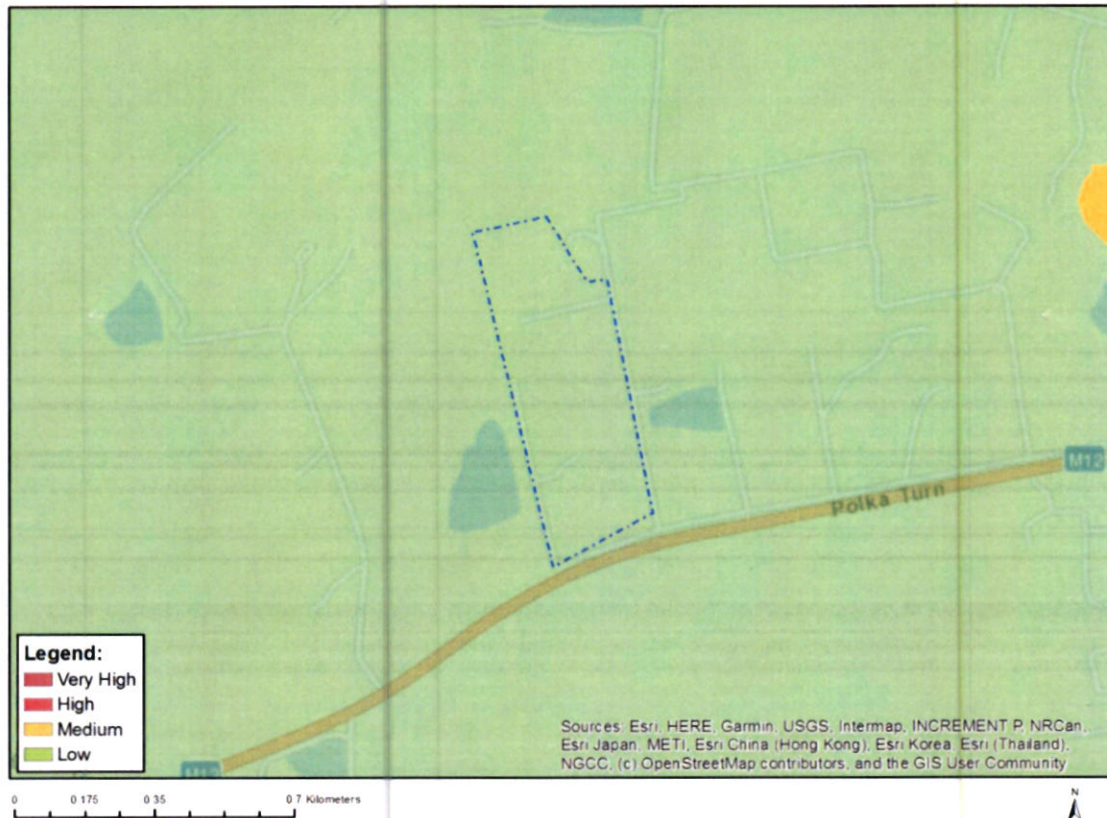


Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
		X	

Sensitivity Features:

Sensitivity	Feature(s)
Medium	Features with a Medium paleontological sensitivity

MAP OF RELATIVE PLANT SPECIES THEME SENSITIVITY



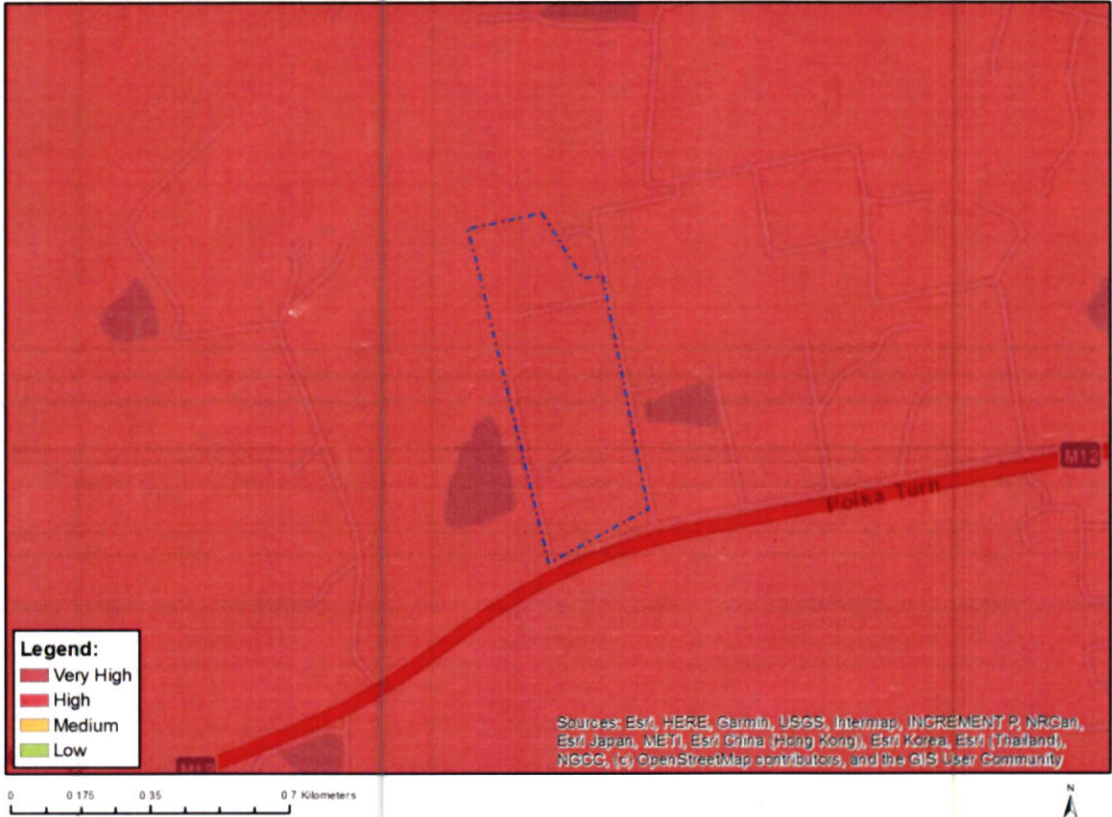
Where only a sensitive plant unique number or sensitive animal unique number is provided in the screening report and an assessment is required, the environmental assessment practitioner (EAP) or specialist is required to email SANBI at eiadatarequests@sanbi.org.za listing all sensitive species with their unique identifiers for which information is required. The name has been withheld as the species may be prone to illegal harvesting and must be protected. SANBI will release the actual species name after the details of the EAP or specialist have been documented.

Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
			X

Sensitivity Features:

Sensitivity	Feature(s)
Low	Low Sensitivity

MAP OF RELATIVE TERRESTRIAL BIODIVERSITY THEME SENSITIVITY



Very High sensitivity	High sensitivity	Medium sensitivity	Low sensitivity
X			

Sensitivity Features:

Sensitivity	Feature(s)
Very High	Critical biodiversity area 1
Very High	Ecological support area 2
Very High	Strategic Water Source Areas
Very High	Critically endangered ecosystem

APPENDIX B: EXISTING APPROVAL(S)

(22)

Navrae / Enquiries
U verwysing / Your ref.
Ons verwysing / Our Ref
Datum / Date
Telefoon / Telephone
Faks / Fax
E-pos / E-mail

U von Molendorff
-
Farm 266/11, Stellenbosch
2005-05-02
021-808 8682
021-808 8651
ulrichm@stellenbosch.org

REGISTERED POST

Wedgeview Trust
P O Box 62
VLOTTENBURG
7604

Sir / Madam

APPLICATION FOR REZONING RESIDENTIAL ZONE V : FARM 266/11, STELLENBOSCH : WEDGEVIEW COUNTRY HOUSE

Your application in the abovementioned regard, refers.

The Acting Director : Planning and Economic Development Services in terms of delegated powers resolved as follows:

That the application to rezone the main dwelling ($\pm 775\text{m}^2$) on Portion 11 of Farm 266 Stellenbosch from Agricultural Zone I to Residential Zone V so as to be used as a guesthouse, be **approved** in terms of Section 16 of the Land Use Planning Ordinance No 15 of 1985 subject to the following conditions imposed in terms of Section 42(1) of the same Ordinance :

- a) That the rezoning will apply only to the footprint of the main dwelling ($\pm 520\text{m}^2$) as shown on **Annexure B**. No extensions are permitted without the further consent of the Council;
- b) That the approval applies only to the rezoning in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
- c) That sufficient suitable parking space is to be provided for guests visiting the guesthouse;
- d) That the owners must ensure that the sewerage system serving the guesthouse is well-maintained and serviced at all times so as not to affect any neighboring properties in any way.
- e) That the owner must inform guests visiting the guesthouse to be aware of agricultural traffic along the access road and to maintain a suitable speed on the roads at all time;
- f) That attention is to be given to minimizing the illumination of the guesthouse so as to prevent light pollution of the rural area. No floodlights or spotlights are to be installed and illumination of the access road is not recommended;
- g) That no pollution, including noise pollution, may take place on the property. All health regulations must be complied with. Where noise is concerned, the Environmental Conservation Act, Act 73 of

1989, as well as the SABS code of conduct 0103-1994, must be used as a guideline and shall be the owner's responsibility;

- h) That the applicant must, if applicable, register for the payment of levies as prescribed in the Regional Services Act No 109 of 1985;
- i) That the necessary license in terms of the Liquor Act No 27 of 1989 must be obtained, if applicable;
- j) That the conditions imposed by the Department of Water Affairs and Forestry as set out in their letter dated 2004/10/01 (**Annexure E**) be complied with;
- k) That the necessary Business License be obtained in terms of the Business Act, Act No 71 of 1991, if applicable; and
- l) That the conditions of the Director : Engineering and Technical Services as set out in his memorandum dated 2005-02-12 (**Annexure F**) be adhered to.

Yours faithfully



**p ACT DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT
SERVICES**

/sm
F266/11

**FARM 266/11, STELLENBOSCH : WEDGEVIEW COUNTRY HOUSE : APPLICATION FOR REZONING :
RESIDENTIAL ZONE V (266/11S-PGM)**

Report by the Acting Director : Planning and Economic Development Services.

Farm Number 266/11, Stellenbosch

Location The property is situated $\pm$ 8km west of Stellenbosch in the vicinity of the Bonniemile smallholdings. The property gain access off the Polkadraai Main Road via a servitude Road (See Annexure A).

Extent 1,0765ha

Zoning Agricultural Zone I – Bed and Breakfast facility has been in operation from the main house for the past 9 years.

Owner Wedgeview Trust

Application

Application is made in terms of Section 17 of the Land Use Planning Ordinance No 15 of 1985 for the rezoning of the main dwelling on the property from Agricultural Zone I to Residential Zone V to accommodate a guesthouse. The extent of the dwelling to which an addition was approved in June 2004, is shown on Annexure B. The applicant's motivation which originally included an application for an additional dwelling, is attached as Annexure C. The application was amended to exclude the additional dwelling (See Annexure D).

Public Participation

The application was advertised in the Eikestad News and the Provincial Gazette. The application was also referred to the relevant institutions, departments and individuals for comment and replies were received from the following :

- i) The Provincial Departments of Agriculture has no objection from an agriculture point of view.
- ii) The Department of Water Affairs and Forestry indicated in their letter dated 2004/10/01 (Annexure E) that they have no objection to the application subject to compliance with a number of conditions.
- iii) The Fire Department of the Cape Winelands District Municipality indicated in a memorandum dated 2004/09/20 that the application is supported subject to the guesthouse not being closer than 4,5m from any boundary if the structure is to have a thatch roof. The structure however, already exists and a building plan for an extension with a thatch roof was previously approved at 3.5m from the boundary. The department's comment cannot therefore be complied with.
- iv) The Districts Roads Engineer has no objection to the application.
- v) The Municipal Manager of the Cape Winelands District Municipality has request that he be informed of Council's decision with regard to the application.

- vi) The Director of Engineering and Technical Services indicated that from the provision of services point of view there is no objection to the application subject to the conditions contained in the memorandum dated 2005-02-12 (Annexure F).
- vii) The Department of Environmental Affairs and Development Planning indicated in a letter dated 2005-03-07 that the proposed development does not constitute a listed activity and that written authorization is therefore not required (See Annexure G).
- viii) A single objection was received from the owner of the abutting property through which the access road passes to the guesthouse (Annexure H). The applicant's reply as well as a letter from the objecting neighbour stating that he has no objection to the extension of the guesthouse, are attached as Annexure I.

Planning comments

The application involves the conversion of a well-established Bed and Breakfast facility which has been operated by the owner for a considerable time (9 years), to a formal guesthouse with 11 rooms (Residential Zone V).

The owner will continue to stay in the guesthouse and no longer wishes to relocate to an additional dwelling as was initially indicated. The existing facility caters mainly for overseas visitors and according to the owner has received a 5-star rating.

The single objection raised refers to the possible interference of the tourism traffic with farming vehicles and a problem with the sewerage. These aspects can however be addressed and the applicant has undertaken to attend to the sewerage problem and to inform guests to be aware of agricultural traffic along the access road. The objector has indicated that he has no objection to the extension of the guesthouse which can be interpreted that he has no objection to the application.

The limited size of the property of namely 1.07ha and its location, makes the property in question suitable for a use as a guesthouse to supplement any agricultural activities and to improve the viability of the property. The guesthouse will make a valuable contribution to tourism in the area and provide much needed work opportunities. The proposal is consistent with the proposals of the Winelands Integrated Development Framework which promotes the development of tourist facilities which are developed in harmony with agriculture.

The proposed guesthouse which involves the extension and formalization of an existing well established Bed and Breakfast facility is not expected to have any detrimental effects on the immediate or wider environment. The guesthouse will benefit from its rural surroundings and ensure the sustainability of the small property. The application is considered to be desirable and can be supported.

Recommended

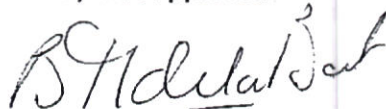
That the application to rezone the main dwelling ($\pm 775\text{m}^2$) on Portion 11 of Farm 266 Stellenbosch from Agricultural Zone I to Residential Zone V so as to be used as a guesthouse, be approved in terms of Section 16 of the Land Use Planning Ordinance No 15 of 1985 subject to the following conditions imposed in terms of Section 42(1) of the same Ordinance :

- a) That the rezoning will apply only to the footprint of the main dwelling ($\pm 520\text{m}^2$) as shown on Annexure B. No extensions are permitted without the further consent of the Council;
- b) That the approval applies only to the rezoning in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;

- c) That sufficient suitable parking space is to be provided for guests visiting the guesthouse;
- d) That the owners must ensure that the sewerage system serving the guesthouse is well-maintained and serviced at all times so as not to affect any neighboring properties in any way.
- e) That the owner must inform guests visiting the guesthouse to be aware of agricultural traffic along the access road and to maintain a suitable speed on the roads at all time;
- f) That attention is to be given to minimizing the illumination of the guesthouse so as to prevent light pollution of the rural area. No floodlights or spotlights are to be installed and illumination of the access road is not recommended;
- g) That no pollution, including noise pollution, may take place on the property. All health regulations must be complied with. Where noise is concerned, the Environmental Conservation Act, Act 73 of 1989, as well as the SABS code of conduct 0103-1994, must be used as a guideline and shall be the owner's responsibility;
- h) That the applicant must, if applicable, register for the payment of levies as prescribed in the Regional Services Act No 109 of 1985;
- i) That the necessary license in terms of the Liquor Act No 27 of 1989 must be obtained, if applicable;
- j) That the conditions imposed by the Department of Water Affairs and Forestry as set out in their letter dated 2004/10/01 (Annexure E) be complied with;
- k) That the necessary Business License be obtained in terms of the Business Act, Act No 71 of 1991, if applicable; and
- l) That the conditions of the Director : Engineering and Technical Services as set out in his memorandum dated 2005-02-12 (Annexure F) be adhered to.

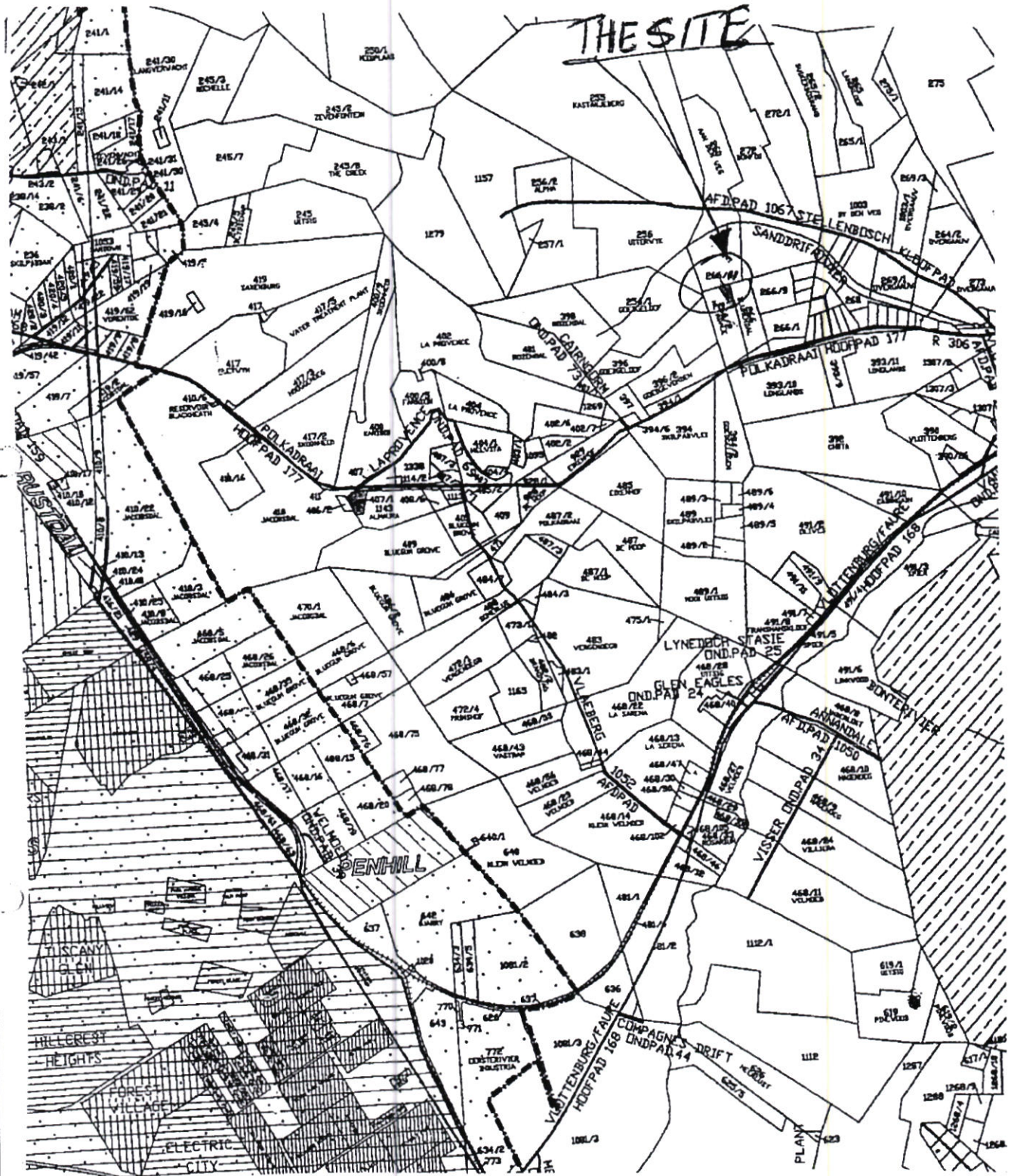
Recommended

Approved / ~~Not approved~~



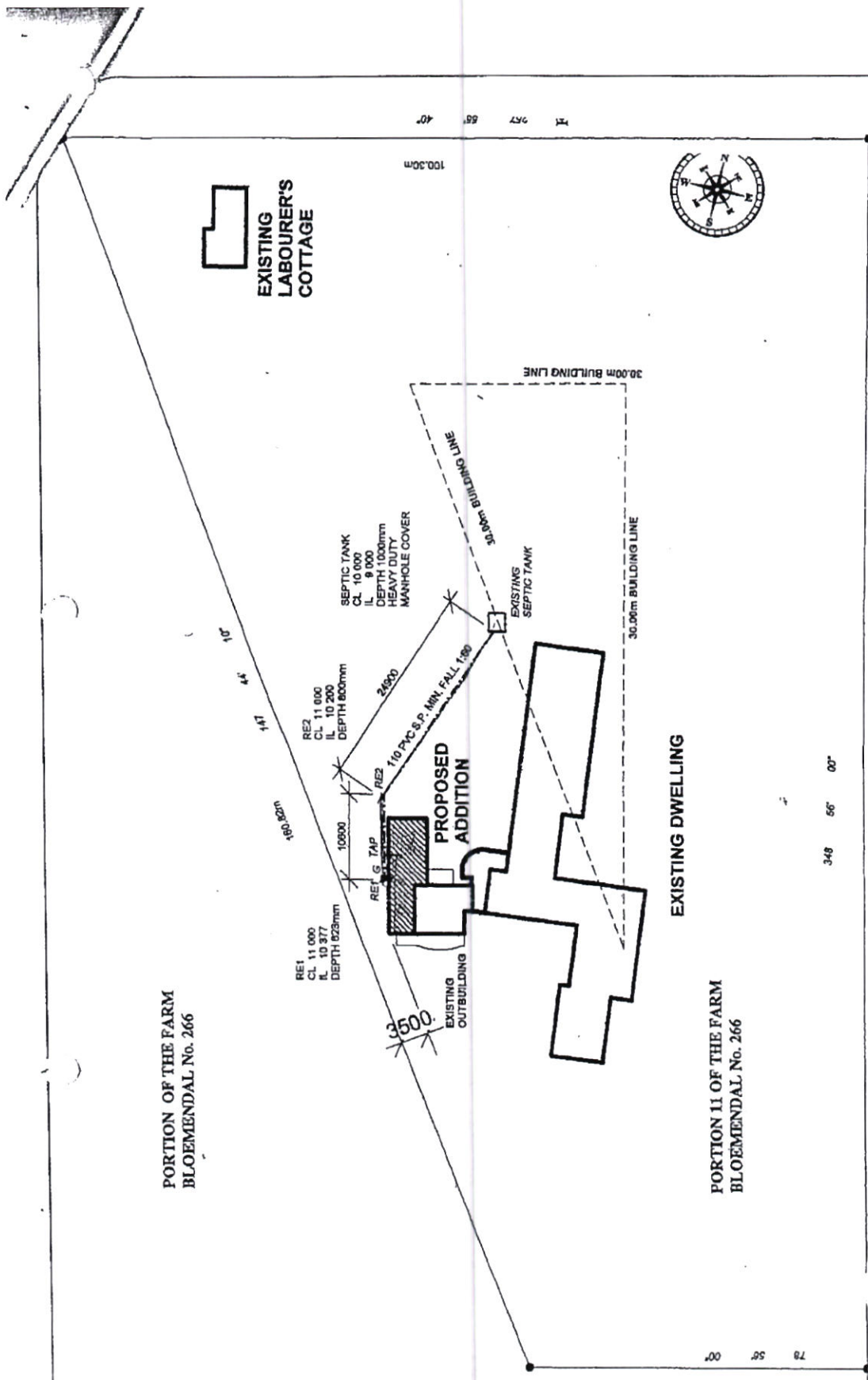
ACTING DIRECTOR : PLANNING AND ECONOMIC DEVELOPMENT SERVICES

Date : 6/4/2005



STELLENBOSCH MUNICIPALITY
DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT SERVICES

SCALE NTS	Locality Plan Farm 266/11, Stellenbosch	SOURCE
FILE Farm 266/11 S		ANNEXURE
DATE June 2004		COMPILED BY



AREAS:	
SITE	1.0765 hectares
PROPOSED NEW ADDITION	58.902 sq. m.
PERGOLAS	3.39 sq. m.
TOTAL	62.292 sq. m.

SCALE NTS	<div style="text-align: center;"> <h1>Site Plan</h1> <h2>Farm 266/11, Stellenbosch</h2> </div>	SOURCE
FILE Farm 266/11 S		ANNEXURE
DATE June 2004		COMPILED BY

MOTIVATION FOR REZONING OUR GUESTHOUSE TO RESIDENTIAL ZONE 5

In making our application for rezoning, we advise that in spite of obtaining your planning authority in 1996, to increase the number of bedrooms, we were unaware that we should have applied at the same time, for rezoning. As such, we belatedly seek your authority for this to now take place.

MOTIVATION FOR ADDITIONAL COTTAGE

Since opening Wedgeview Country House in 1996 we have established a thriving family run TGCSA 5 Star Country House. As a result of a tremendous increase in business for our accommodation from overseas visitors, it has become necessary for us to convert our family living area into rentable rooms. To achieve this, the family needs to relocate and as it is essential to have them on the property at all times, we propose to build a small 120 sq m cottage within the garden area as indicated in the site plan. This would have no adverse effect on surrounding environment and would only enhance the property aesthetically. Sewerage and electricity will be connected to existing facilities.

It will be noted that an existing workers' cottage is situated on the premises, occupied by our Chef, who is required to prepare evening meals, and her husband, who is the Maintenance Manager. Again, to cover a 5 Star Country House requirement for the Tourism Grading Council of South Africa, it is essential to have these employees living on the premises.

The majority of our income is derived from overseas visitors and with the increase in the house capacity this improves the generation of foreign currency for the area as a whole. The increase in rooms will necessitate the employment of additional personnel together with the 11 other local employees.

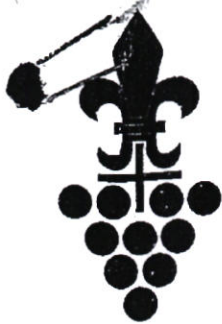
An application to the Western Cape Department of Environmental Affairs has been submitted and their decision will be copied to you in due course.

GENERAL

The proposed building of the cottage will have no effect whatsoever on the traffic flow along the 600 metre access gravel road from the M12 Arterial. Parking within the guesthouse will not be affected.

There will be no impact on surrounding facilities, such as schools, open spaces and other community facilities as there is no increase in the number of residents at WedgeView Country House.

We have consulted with the farmer, our only distant neighbour, Mr L E Van Deventer. He owns the vineyards surrounding our property, as well as the access road to us and he has no problems whatsoever with the proposed development.



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

15

Navrae / Enquiries
U verwysing / Your ref.
Ons verwysing / Our Ref.
Datum / Date
Telefoon / Telephone
Faks / Fax
E-pos / E-mail

U von Molendorff
-
Farm 266/11
2004-10-28
021-808 8682
021-808 8651
ulrichm@stellenbosch.org

REGISTERED POST

Wedgeview Trust
P O Box 62
VLOTTENBURG
7604

Sirs

FARM 266/11, STELLENBOSCH : APPLICATION FOR DEPARTURE : BUILDING LINE RELAXATION

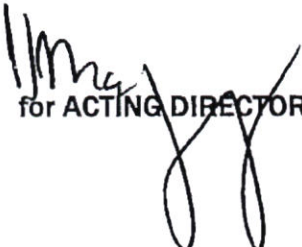
Your application in the above-mentioned regard, refers.

The Director : Planning and Economic Development Services in terms of delegated powers resolved as follows :

1. That a zoning of Agricultural Zone I be determined for Farm 266/11, Stellenbosch in terms of Section 14(1) of the Land Use Planning Ordinance No 15 of 1985.
2. That approval be granted in terms of Section 15(1)(b) of the Land Use Planning Ordinance No 15 of 1985 for the departure from the land use restrictions applicable to Farm 266/11, Stellenbosch, for the relaxation of the 30m building line on the western boundary to 3,5m in order to make an extension to the existing main dwelling . (Annexure B)
3. The approval will be subject to the following conditions in terms of Section 42(1) of Ordinance No. 15 of 1985:
 - (a) Section 15(5) of the Land Use Planning Ordinance No 15 of 1985, whereby this approval shall lapse if it is not exercised within two years from the date of this approval.
 - (b) The approval applies only to the departure in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.
 - (c) Building plans for the proposed building work must be submitted to the Council for approval.

- (d) The utilization of the extension has to be within the parameters determined by the zoning of Agricultural Zone I at all times.
- (e) The extension may not be utilized as an additional dwelling or a separate dwelling without prior approval from the Council.
- (f) The Council reserves the right to request landscaping proposals to screen the development visually should the Council deem it necessary.
- (g) The outside lighting of the building should be done in such a way that it will have to minimum impact on the environment.
- (h) The colour of the building has to be sensitive and reconcilable with the environment, to ensure that the visual impact is minimised as far as possible.
- (i) The main dwelling may not be utilised as a guest house. A bed and breakfast facility is however permissible from the dwelling should the owner reside in building, and only four rooms are utilize for this purpose.

Yours faithfully



for ACTING DIRECTOR : PLANNING AND ECONOMIC DEVELOPMENT SERVICES

Our Reference: P3130 Portion 11 of Farm No 266 Stellenbosch

Your Reference: Portion 11 of Farm No 266 Stellenbosch - Apl No: LU/2929

Inquiries: T Walters (021 8613800)

Date: 30/10/2013

The Municipal Manager
Stellenbosch Municipality
P O Box 17
STELLENBOSCH
7599



ARCHITECTS AND TOWN PLANNERS
ARGITEKTE EN STADSBEPLANNERS

97 DORP STREET
FIRST FLOOR
LA GRATITUDE
OFFICE BUILDING
STELLENBOSCH 7600
TEL +27 (0)21 887 1321
FAX +27 (0)21 882 8025
EMAIL: info@tv3.co.za

For Attention: Mr U Von Mollendorf / Me C. Charles

Sir / Madam

MUNICIPAL SYSTEM APPEAL IN TERMS OF SECTION 62 OF THE MUNICIPAL SYSTEMS ACT, NO 32 OF 2000: APPLICATION FOR CONSENT USE AND DEPARTURE ON PORTION 11 OF FARM NO. 266.

We herewith lodge an appeal on behalf of Sunwealth (Pty) Ltd in terms of Section 62 of the Municipal Systems Act against your refusal, dated 8 October 2013, of the abovementioned application made for a consent use and departure in respect of Portion 11 of Farm 266. The power of attorney duly authorising TV3 in this regard is attached hereto as annexure A.

Motivation for appeal:

- a. As a point of departure it is considered that the reason(s) provided for the refusal of the application is very limited in scope and content, and therefore simply unsatisfactory as the applicant is left with almost no basis for lodging and appeal. Based on the single refusal statement that the application / additional unit applied for is considered as "unjustified", it is concluded / accepted that no quantifiable negative impacts have been identified that may result from the construction of the additional dwelling unit. The basis for the refusal of the application is therefore effectively limited to a single subjective determination of being "unjustified", with no elaboration or explanation thereof.
- b. Simply stating that the manager can occupy part of the guesthouse while the owner occupy the main dwelling on visit clearly does not take into consideration the operational requirements of the quest house, nor does it necessarily take into account the family profile / requirements of the manager and owner as it relates to their respective accommodation requirements. On the logistical side it is simply not practical to move the manager's family, which happens to be a family consisting of five members, forth and back between the main dwelling and the guesthouse when the owner is visiting with his own family, consisting of a wife and two adult children with partners. On the operational side the number of rentable rooms will in the process have to be reduced in order to accommodate the manger and his family with resulting negative financial impact for the quest house operations.

- c. The guesthouse operations currently employ 19 permanent staff members. The additional dwelling unit applied for will not only serve to house the owner and his family when visiting, but also some of the other staff members who are required on site to attend to the requirements and operations of the guesthouse. In addition to the 250sqm allocated for the accommodation of the owner and his family, the additional dwelling will also include additional staff facilities such as ablution facilities / lockers / social space / storage all of which will serve to improve the working conditions of the staff.
- d. The guesthouse has very successfully grown its operations / occupancy / revenue over the last number of years which has led to the permanently employed staff component increasing from 12 (2008) to 19 (2013), and revenue increasing from approximately R2,5 million (2008) to R4,6 million (2013). Copies of the financial statements and occupancy figures to verify the above will be made available on request.

The above operational profile is further supported by the fact that the guesthouse has for some time been rated as number one out of 97 Stellenbosch guesthouses on Tripadvisor, and in addition was the winner of the 2013 Certificate of Excellence.

- e. It is acknowledged that the subject property is limited in extent. The latter however supports the argument that the property whilst located in a rural setting and zoned as agriculture, does not constitute a commercial agricultural entity. The fact that the property has exclusively been utilised for the purposes of running a guesthouse for approximately the last 20 years serves as further confirmation in this regard. Accordingly the application of agricultural related development parameters, i.e. 30m building lines and additional dwelling unit policies effectively relating to properties on the basis of 10ha size increments cannot be done without due recognition of the inherent constraints in this regard. In this context it should be recognised that the additional dwelling unit applied for will serve to function as a general ancillary facility in support of the existing main guesthouse operations which in fact constitute the main / only land use related to the property. The additional dwelling unit applied for can therefore not be evaluated in the same manner as an additional dwelling unit for accommodation purposes on an exclusively commercial agricultural property.
- f. In addition to the above the total coverage inclusive of the proposed new additional dwelling unit totals only 14% (1500sqm), and the floor area ratio only 0,2 (2178sqm). The later development parameters, even taking into account the general rural location of the property, is considered to be reasonable and does not constitute an "over development" of the property.

It should also be noted that the new additional dwelling unit to be erected effectively replaces / integrates three existing structures as well as four water tanks located on the property into one formalised building. The additional structure therefore does not constitute a completely new footprint impact. It should also be noted that the abovementioned existing structures are in fact erected on a 1,5m building line setback. The building line encroachment of 1,5m applied for in order to erect the new additional dwelling unit is therefore in accordance with the positioning of the existing structures. In the above regard it is motivated that the new multi-functional structure with additional dwelling unit on the first floor is in fact an aesthetic improvement on the current arrangement of structures on site.

- g. For the record it should be noted that no objections were received from either the general public or any official government department on the application. The written consent of both the adjoining neighbours has also been obtained. The latter is deemed to be a fair indication that the application in question did not give rise to any concerns with regard to potential negative impacts that may result from the proposed multi-functional structure to be developed.
- h. The applicant also stated that the application was the subject of more than one pre-consultation meeting with officials at the Stellenbosch Municipality and therefore was not merely submitted without due consideration. Whilst it is accepted that officials can in no manner pre-

empt the outcome of any application process, nor give assurances upfront of any approval of any kind, the applicant is of the opinion that the feedback / information provided at the time of the pre-consultation meetings did not indicate that the application will merely be turned down in the manner it has been.

In conclusion it is argued that guesthouse has been in operation for approximately 20 years with no resulting negative impacts or objections from neighbours. In addition substantial amounts of money has been invested in the guesthouse in order to upgrade the facility to an establishment that currently provides for 19 permanent jobs, contributes to the tourist industry within the Stellenbosch-Winlands region specifically, but also to the local and regional economy in general.

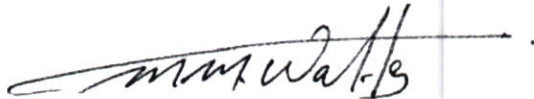
It is further considered that the refusal of the application will impact negatively on the guesthouse as a tourist operation and that this appeal application should therefore be considered favourably in order to allow the guesthouse to effectively continue to conduct its operations on an on going and sustainable basis, to the benefit of the local and regional economy as indicated above.

In addition to the above motivating considerations the applicant herewith also make a formal request to be represented in person before the appeal authority to state their case.

Attached please also find the appeal application fees to the amount of R737 payable.

We trust that you will find the above in order. Should you have any inquiries in the above regard you are welcome to contact Mr T Walters

Kind Regards

A handwritten signature in black ink, appearing to read 'Mr T Walters', with a long horizontal flourish extending to the right.

TVR ARCHITECTS AND PLANNERS PTY (LTD)

POWER OF ATTRONEY



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Application Number: LU/10409

Our File Reference Number: Farm 1674/4, Paarl

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: [REDACTED]

Sir / Madam

APPLICATION FOR TEMPORARY DEPARTURE: FARM 1674/4, 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 15(2)(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 eight (8) existing labourer's cottages to be refurbished for tourist accommodation purposes with ancillary buildings on Portion 4 of Farm 1674, 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: August 2019; SDP No: 1001-04-09-2019, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.

3.2 That a maximum of 32 guests may be accommodated within the 8 building as noted on the Site Development Plan as attached as **Annexure C**. (dated: August 2019; SDP No: 1001-04-09-2019)

3.3 That the condition of approval imposed by the Department of Transport and Public Works, Roads Network Management Section, as noted in their letter Dated 22 May 2020, Attached as **Annexure F**, be complied with.

3.4 Building plans must be submitted to the municipality for approval and that the building plans may not differ from the Site Development Plan attached as **Annexure C**.

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

4.1 The proposed development will not detract from the existing rural character of the area as the buildings will be used for residential purposes as initially approved.

4.2 The proposal will ensure that the existing infrastructure located on the farm is optimally utilized and provide an alternative income stream with employment opportunities.

4.3 The proposal will not have an impact on the existing agricultural potential of the property, as existing buildings will be repurposed to accommodate the proposed use.

4.4 Minimal traffic will be generated by the proposal as the proposed use is still residential in nature and no additional infrastructure will be required as existing buildings are being repurposed.

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)

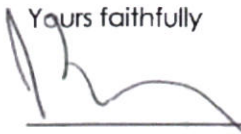
- (IV) Physical Address;
 - (V) Contact details, including a Cell number and E-Mail address;
- (b) Reference to this correspondence and the relevant property details on which the appeal is submitted.
- (c) The grounds of the appeal which may include the following grounds:
- (i) that the administrative 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

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 Erf/ 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 (<https://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.

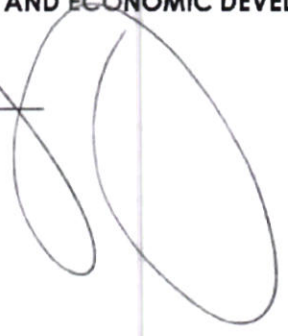
Yours faithfully



FOR: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

5/11/2021

DATE:





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ANNEXURE C

1 : 500



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ANNEXURE F



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

REFERENCE: TPW/CFS/RP/LUD/REZ/SUB/1-25/76 (Job 22738)

ENQUIRIES: Ms GD Swanepoel

DATE: 22 May 2020

Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Attention: Mr U von Molendorff

Dear Sir

PORTION OF PORTION 4 OF FARM 1674, PAARL: MAIN ROAD 172: APPLICATION FOR TEMPORARY DEPARTURE (ORCHARD COTTAGES)

1. The following refer:
 - 1.1. The letter LU/10409 from NM & Associates Planners and Designers dated 2 March 2020;
 - 1.2. The letter 4058 from Innovative Transport Solutions to Wolff Architects (Pty) Ltd dated 22 July 2019 and
 - 1.3. This Branch's letters 16/9/6/1-25/76 (Job 22738) dated 26 and 30 January 2015.
2. This application for temporary departure entails a combination of refurbishment as well as expansion upon existing infrastructure of the seven (7) existing labour cottages (Orchard Cottages) into tourist accommodation (26 bedrooms accommodating 52 people) with the intention to convert it to a consent use as a permanent use right in terms of the Stellenbosch Municipality Zoning Scheme By-law (2019).
3. Portion 4 of Farm 1674 currently gains access via Minor Road 5230 (OP5230) off Main Road 172 (MR172) at ±km14.40 left hand side (LHS).
4. An illegal access control gate on OP5230 is located approximately 40m from the edge of tar on MR172. However, OP5230 provides access to land parcels that all belong to Boschendal Estate.

5. This Branch offers no objection to the application subject to the following conditions:
- 5.1 The access control on OP5230 must be removed immediately to allow public access to the area;
 - 5.2 The owners of all the land parcels that gains access off OP5230 must apply for the closure of the road as a proclaimed road and the subsequent registration of a right of way servitude in favour of the guest houses on Portion 4 of Farm 1674 over the farm portions affected by the access ring road (Portions 6 and 7 of Farm 1674 and Portions 10 and 11 of Farm 1685) and
 - 5.3 The existing access via OP5230 off MR172 at $\pm$ km14.40 LHS must remain the only access to Portion 4 of Farm 1674 and no new accesses may be created off MR172 without the approval of this Branch.

Yours faithfully



SW CARSTENS

For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT

APPENDIX C: ZONING MAP



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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

13 November 2013

Our Ref : SBP266/11
Contact per : C Charles
Contact no : (021) 808 8699

ZONING CERTIFICATE – FARM 266/11, STELLENBOSCH
DIVISION

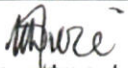
It is hereby certified that the zoning of Farm 266/11, Stellenbosch Division in terms of the Section 8 Zoning Scheme Regulations is:

Agricultural Zone I
(Remainder of property)

PRIMARY USE	CONSENT USES <i>(Land uses allowed only with the consent of Council)</i>
Agriculture	Additional dwelling units Farmstore Farmstall Intensive feed farming Riding school Nursery Service trade Tourist facilities

Residential Zone V
(Guesthouse - ±775m² and Spa facility - ±112m²)

PRIMARY USE	CONSENT USES <i>(Land uses allowed only with the consent of Council)</i>
Residential building	Group house Town house Flats Public housing Professional usage Place of assembly


Department: Planning & Development
ZD/cc

Please Note: Where discrepancies exist between the zoning information contained in this certificate and any Council decision, the Council decision overrides any preceding rights, conditions and restrictions which may have applied or be applicable to the property.

APPENDIX D1: LOCALITY MAP



Date created: October 10, 2022

Appendix D1: Locality Map

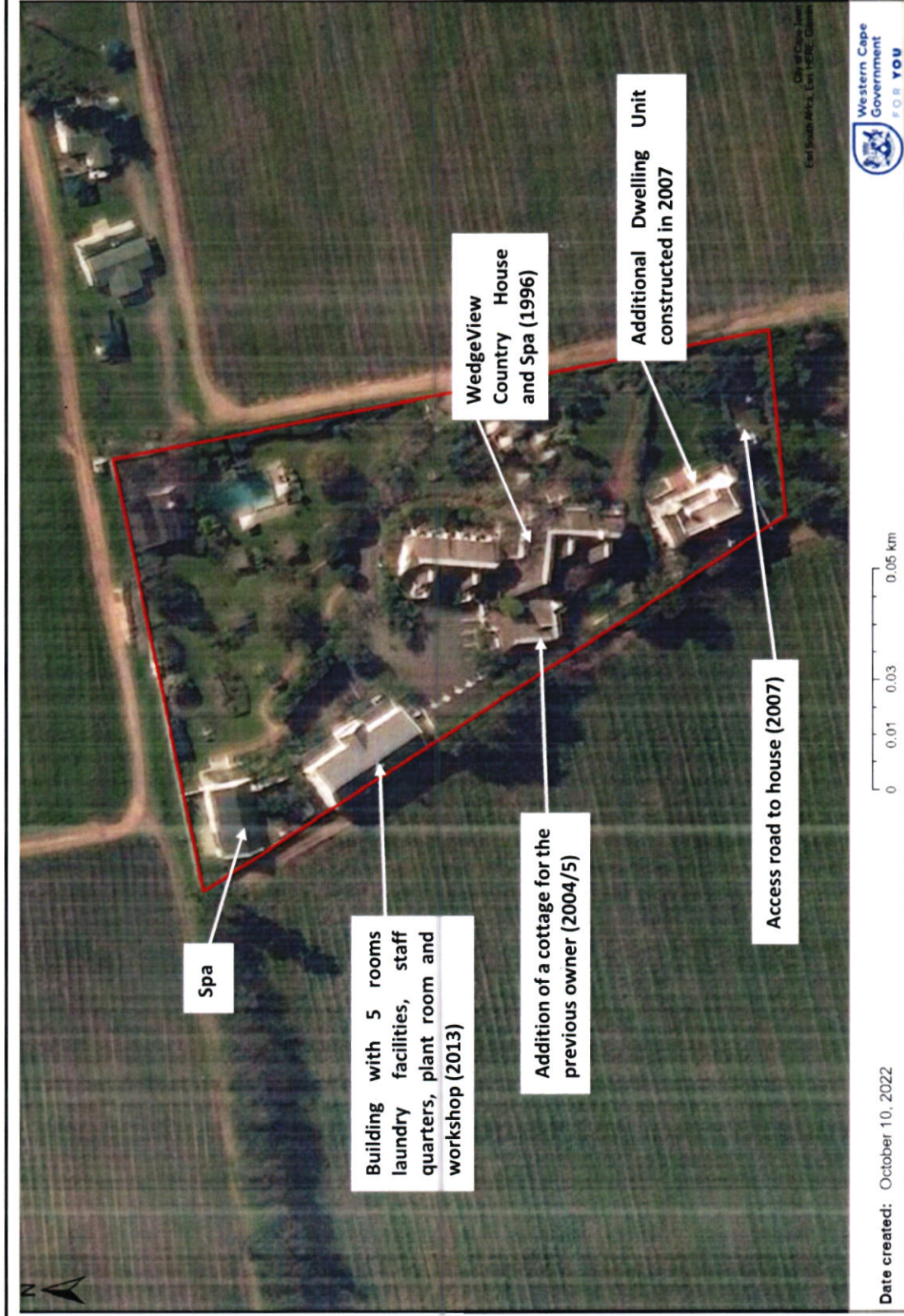
Aerial image indicating Portion 11 of the Farm Bloemendal No. 266, Stellenbosch RD, Western Cape Province

Scale: As per Google Image



Postal: PO Box 12606, Die Boord,
Stellenbosch, 7613
Cell: 083 243 0994
Email: info@cornerstoneenviro.co.za
Web: www.cornerstoneenviro.co.za

APPENDIX D2: PROPOSED SITE LAYOUT PLAN



Appendix D2: SITE LAYOUT MAP

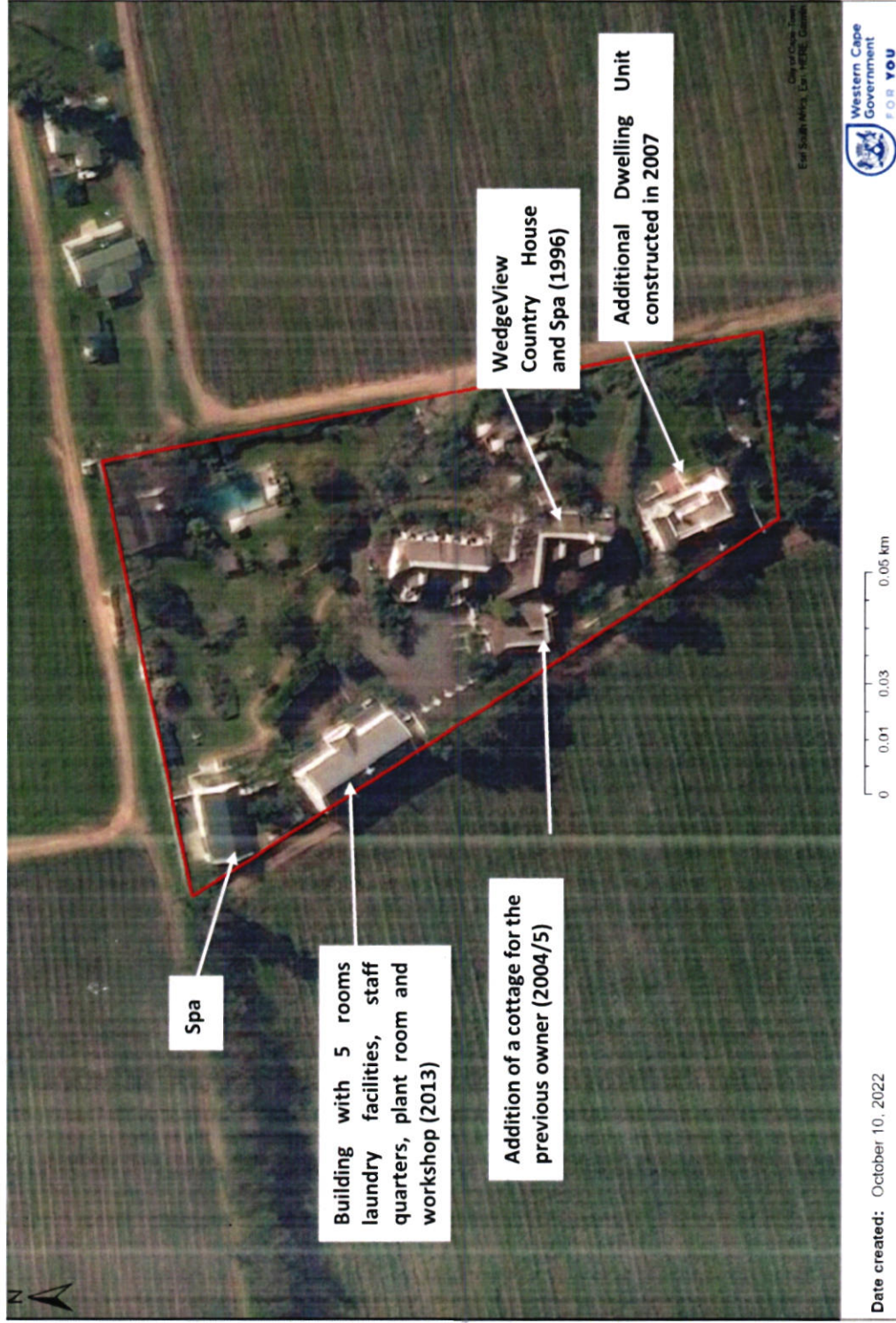
Aerial image indicating WedgeView Country House & Spa on Portion 11 of the Farm Bloemendal No. 266, Stellenbosch RD, Western Cape Province

Scale: As per CapeFarmMapper Image



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Web: www.cornerstoneenviro.co.za

APPENDIX D3: PHOTO SHEET



Appendix D3: PHOTO SHEET

Aerial image indicating WedgeView Country House & Spa on Portion 11 of the Farm Bloemendal No. 266, Stellenbosch RD, Western Cape Province

Scale: As per Image



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Photo 1: WedgeView Country House and Spa – main building



Photo 2: The Additional Dwelling Unit constructed in 2007 (Managers' House)



Photo 3: The cottage for the previous owner (added in 2004/5)



Photo 4: The Building with 5 rooms laundry facilities, staff quarters, plant room and workshop (added in 2013)



Photo 5: The Spa in the north-western corner.



Photo 6: The gardens of the estate. There are no indigenous vegetation present.

APPENDIX D4: BIODIVERSITY OVERLAY MAP

WedgeView Country House - Biodiversity

Legend

- Farm Portions
- Erf
- Wetlands (NFEPA)
- Artificial
- Natural
- BSP ESA: Restore
- ESA2: Restore from other land use
- BSP CBA
- CBA: Terrestrial
- CBA: Wetland
- Rivers
- Non-Perennial
- Dams

Map Center: Lon: 18°46'18.4"E
Lat: 33°56'57.8"S
Scale: 1:4 514
Date created: October 19, 2022



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Stellenbosch, 7613

Cell: 083 243 0994

Email: info@cornerstoneenviro.co.za

Web: www.cornerstoneenviro.co.za



Appendix D4: Biodiversity Overlay Map

Aerial image indicating Portion 11 of the Farm Bloemendal
No. 266, Stellenbosch RD, Western Cape Province

Scale: As per CapeFarmMapper Image

APPENDIX D5: AQUATIC FEATURES MAP



- Legend**
- Wetlands (NFEPA)**
- Artificial
 - Natural
- Rivers**
- Perennial
 - Non-Perennial
- Rivers (DWS)**
- CLASS**
- Unknown type
 - Dams

Map Center: Lon: 18°46'12.1"E
Lat: 33°56'51.7"S

Scale: 1:26 058

Date created: October 10, 2022



Appendix D5: Map Indicating Aquatic Features

Aerial image indicating Portion 11 of the Farm Bloemendal No. 266, Stellenbosch RD, Western Cape Province

Scale: As per CapeFarmMapper Image



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Stellenbosch, 7613
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Web: www.cornerstoneenviro.co.za

**APPENDIX E:
ADOPTION OF AD HOC SETBACK LINES – N/A**

**APPENDIX F:
DIRECTIVES UNDER SECTION 28 OF THE NEMA – N/A**

**APPENDIX G:
DIRECTIVES UNDER SECTION 30A – N/A**

**APPENDIX H:
DIRECTIVES UNDER SECTION 24G OF THE NEMA – N/A**

COMPANY RESOLUTION

We the director(s) of **Sunwealth Properties (Pty) Ltd**, the registered owner of:

Portion 11 of Farm Bloemendal 266, Stellenbosch

resolved at a meeting held on 2/11/ **2023** to appoint:

TV3 Architects and Town Planners (Pty) Ltd
97 Dorp Street
1st floor La Gratitude Offices
STELLENBOSCH
7599

with power of substitution to be our agent in our name in order to in respect of the abovementioned property:

- (a) Prepare any application provided for, or as maybe required by the Municipal Manager, in terms of the Stellenbosch Municipal Planning By-Law;
- (b) submit the above to the relevant authority for approval; and
- (c) negotiate and to act regarding any other relevant matter that may deem to be necessary to finalise any application required in the above regard;

In addition, **Sunwealth Properties (Pty) Ltd** duly authorise **Dave Bakker** to sign any necessary documentation in order to give effect to the above.

Signed at 's-Gravenwezel (Belgium) this 2nd day of November **2023** in the presence of the undersigned witnesses

AS DIRECTORS(S):

R.A.H. Van Weelde

AS WITNESSES:

E.J. Frank



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DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

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

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

LAND USE PRE-APPLICATION CONSULTATION FORM

1. Pre-application consultation is an advisory session and does not in any way pre-empt the outcome of any future application which may be submitted to the Municipality.
2. This **Land Use Pre-Application Consultation Form** is to be submitted along with the **Pre-application Scrutiny Form** prior to the submission of a Land Use and Land Development application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015 (SLUPB).
3. Relevant documents can be accessed at the Planning Portal – Stellenbosch Municipality
<https://stellenbosch.gov.za/planning-portal/>.
4. A signed copy of the form must be submitted by email to landuse.applications@stellenbosch.gov.za.

Applicant Details	
Name	TV3 Architects and Townplanners
E-Mail Address	thys@tv3.co.za
Proposal Details	
Property Description (Erf / Farm Number)	Portion 11 of Farm Bloemendal 266, Stellenbosch
Physical / Street Address or Business Name / Known as	Wedge View Country House & Spa, Bonnie Mile Road, Vlottenburg, Stellenbosch
<p>Details of the Proposal: (Brief description of development proposal. List expected land use activities. Provide details of previous land use approvals.)</p> <p>Application proposes the expansion of the existing Consent Use approval so as to authorise and include the building with 5 rooms, laundry facilities, staff quarters, plant room and workshop as part of the existing Guest House / Tourist Accommodation Facility.</p>	

List documents provided for discussion at the meeting: (Attach copies of relevant documents.)

Locality Plan with Photo Schedule

Site Plan

Building Plans & Elevations

Previous LUPO Approvals

LUPO issued Zoning Certificate

NEMA Applicability Confirmation

Title Deed

Has pre-application consultation been undertaken for a land development application in terms of section 53 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA) and regulation 10 of the Western Cape Land Use Planning Regulations, 2015 (LUP regulations)? (Provide details and attach a copy of the Minutes)

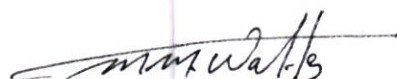
Attendees Required

Organisation / Department	Name & Surname	E-mail Address
Land Use Management	Chrizelle Kriel / Stiaan Carstens	

Proposed Date, Time & Venue

23 March 2023	Any time from 09h00 onwards	Stellenbosch Municipality
24 March 2023	Between 09h00 and 13h00	Stellenbosch Municipality
27, 28 ,29 March 2023	Any time from 09h00 onwards	Stellenbosch Municipality

Applicant's signature:



Date: **15 March 2023**



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DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

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

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

LAND USE PRE-APPLICATION SCRUTINY FORM

1. This Land Use **Pre-Application Scrutiny Form** is to be submitted prior to the submission of a Land Use and Land Development application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015 (SLUPB).
2. It is compulsory to submit a Pre-application Scrutiny Form for any zoning determination, rezoning, subdivision or consolidation of land, the amendment or cancellation of a subdivision plan, the removal of restrictive conditions or an amendment of conditions of approval.
3. It is not a requirement to submit a Pre-Application Scrutiny Form for the other types of applications, although you are advised to do so when any form of guidance is required.
4. Relevant documents can be accessed at the [Planning Portal – Stellenbosch Municipality](https://stellenbosch.gov.za/planning-portal/) <https://stellenbosch.gov.za/planning-portal/>.
5. A signed copy of the form must be submitted by email to landuse.applications@stellenbosch.gov.za.
6. The applicant will receive feedback per e-mail following a weekly internal technical discussion on the pre-application scrutiny submission.
7. A pre-application consultation meeting may be required in terms of Section 37 of the said Bylaw on receipt and consideration of a **Pre-Application Consultation Form**.

PART A: APPLICANT, OWNERSHIP & PROPERTY PARTICULARS

Applicant Name	TV3 Architects and Townplanners
E-Mail Address	thys@tv3.co.za
Tel/ Cell Number	0834417003
Registered Owner	Sunwealth (Pty) Ltd

Property Description (Erf / Farm Number)	Portion 11 of Farm Bloemendal 266, Stellenbosch
Physical / Street Address	Wedge View Country House & Spa, Bonnie Mile Road, Vlottenburg, Stellenbosch
Suburb & Town	Vlottenburg / Stellenbosch
Current Zoning	Previous Split Zoning Agricultural Zone I & Residential Zone V (Guest House) now Agriculture & Rural Zone with deemed Consent Use for Guest House / Tourist Accommodation.
Current Land Use Activities / Buildings	Guest House and Spa

Are there existing buildings on the subject property(ies)?	Yes	No
Are there any existing unauthorized buildings and/or land use on the subject property(ies)?	Yes	No
If yes, is this application to legalize the building/ land use?	Yes	No
Are there any pending court case(s)/ order(s) relating to the subject property(ies)?	Yes	No
Is the property located in a heritage area or contains any heritage significant buildings?	Yes	No
Does the property fall inside the urban edge?	Yes	No

PART B: APPLICATION

1. WHAT LAND USE PLANNING APPLICATIONS ARE REQUIRED IN TERMS OF SECTION 15(2) OF THE SLUPB?

<small>s13 (2)(a)</small>	Rezoning	<small>s13 (2)(a)</small>	Removal / Suspension Amendment of restrictive conditions	<small>s15 (2)(a)</small>	Permission in terms of condition of approval*	<small>s15 (2)(a)</small>	Disestablishment of HOA*
<small>s13 (2)(b)</small>	Permanent Departure*	<small>s13 (2)(b)</small>	Permission in terms of zoning scheme*	<small>s15 (2)(b)</small>	Determination of a zoning	<small>s15 (2)(b)</small>	Rectify failure by HOA*
<small>s13 (2)(c)</small>	Temporary Departure*	<small>s15 (2)(c)</small>	Amendment of condition(s) of approval	<small>s15 (2)(c)</small>	Closure of a public place*	<small>s15 (2)(c)</small>	Permission required for the reconstruction of a building*
<small>s15 (2)(d)</small>	Subdivision	<small>s15 (2)(d)</small>	Extension of validity period of approval*	s15 (2)(d)	Consent use*		Other:
	Consolidation		Amendment / cancellation of approved subdivision plan		Occasional use*		Other:
OTHER	<small>s13 ZSBL</small> Technical Approval*	<small>24(2) SLUPB</small> Exemption*		<small>Title Deed</small> Title Deed consent / permissions*			

*The submission of a pre-application scrutiny is not compulsory for this land use application and a land use planning application form can be submitted, without completing the pre-application scrutiny form.

Details of the Proposal: (Brief description of development proposal. List expected land use activities. Short motivation of intended land use. Detail planned outcome. If change of zoning is required, list which zoning is applied for. Describe additional use planned for. List type of consent use applied for.)

Application proposes the expansion of the existing Consent Use approval so as to authorise and include the building with 5 rooms, laundry facilities, staff quarters, plant room and workshop as part of the existing Guest House / Tourist Accommodation Facility.

2. RELEVANCE OF ANY PLANNING LEGISLATION/ POLICIES AND PLANS

RELEVANT PLANNING CONSIDERATIONS		
(a) Are any Municipal plans/policies/guidelines, or any restrictive title conditions, or other legislation / authorizations applicable to the application, and if yes, is the proposal consistent/ compliant with such?	Yes	No
		X
Details with reference to applicable plans/ policies/ guidelines:		
(b) Does the proposal require the following additional infrastructure / services? e.g. electricity; water; sewerage; road network; other?	YES	NO
		X
Details on required infrastructure:		
(c) Does the development proposal include the provision of residential units, and if so, what is the target market re: range in income bracket/ selling price or rental for the units?	YES	NO
		X
Details on target market:		
Not Applicable		
(d) In addressing the SPLUMA principle of Spatial Justice and as it relates to prescripts on the provision of inclusionary housing, how will this development proposal target affordable market segments?	YES	NO
		X
Details on inclusionary housing provision:		
Not Applicable		
(e) Does the subject property fall within the Adam Tas Corridor?	YES	NO
		X
Details on proposed densities:		
Not Applicable		

The following minimum documentation **must** be attached to this pre-application scrutiny form:

1. **Locality plan**
2. **Layout plan of proposal** (e.g. copy of existing building plan, indicating proposal on site plan, etc.)
3. **Proposed subdivision or consolidation plan**
4. **Full copy of the title deed or Conveyance Certificate**

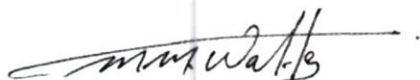
Note:

- The Municipality may request any other information deemed necessary for the purpose of this pre-application scrutiny.
- If an incomplete pre-application scrutiny form or the required minimum supporting documents are not submitted the pre-application scrutiny form will not be accepted by the Municipality.

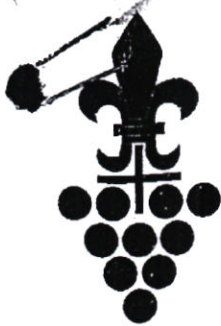
DECLARATION:

I hereby confirm that the information contained in this pre-application scrutiny form and accompanying documentation is complete and accurate.

Applicant's signature:



Date: **15 March 2023**



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

15

Navrae / Enquiries
U verwysing / Your ref.
Ons verwysing / Our Ref.
Datum / Date
Telefoon / Telephone
Faks / Fax
E-pos / E-mail

U von Molendorff
-
Farm 266/11
2004-10-28
021-808 8682
021-808 8651
ulrichm@stellenbosch.org

REGISTERED POST

Wedgeview Trust
P O Box 62
VLOTTENBURG
7604

Sirs

FARM 266/11, STELLENBOSCH : APPLICATION FOR DEPARTURE : BUILDING LINE RELAXATION

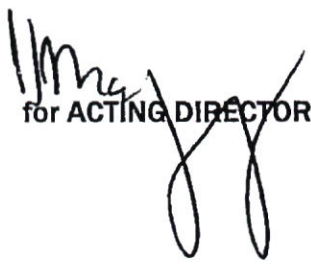
Your application in the above-mentioned regard, refers.

The Director : Planning and Economic Development Services in terms of delegated powers resolved as follows :

1. That a zoning of Agricultural Zone I be determined for Farm 266/11, Stellenbosch in terms of Section 14(1) of the Land Use Planning Ordinance No 15 of 1985.
2. That approval be granted in terms of Section 15(1)(b) of the Land Use Planning Ordinance No 15 of 1985 for the departure from the land use restrictions applicable to Farm 266/11, Stellenbosch, for the relaxation of the 30m building line on the western boundary to 3,5m in order to make an extension to the existing main dwelling . (Annexure B)
3. The approval will be subject to the following conditions in terms of Section 42(1) of Ordinance No. 15 of 1985:
 - (a) Section 15(5) of the Land Use Planning Ordinance No 15 of 1985, whereby this approval shall lapse if it is not exercised within two years from the date of this approval.
 - (b) The approval applies only to the departure in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.
 - (c) Building plans for the proposed building work must be submitted to the Council for approval.

- (d) The utilization of the extension has to be within the parameters determined by the zoning of Agricultural Zone I at all times.
- (e) The extension may not be utilized as an additional dwelling or a separate dwelling without prior approval from the Council.
- (f) The Council reserves the right to request landscaping proposals to screen the development visually should the Council deem it necessary.
- (g) The outside lighting of the building should be done in such a way that it will have to minimum impact on the environment.
- (h) The colour of the building has to be sensitive and reconcilable with the environment, to ensure that the visual impact is minimised as far as possible.
- (i) The main dwelling may not be utilised as a guest house. A bed and breakfast facility is however permissible from the dwelling should the owner reside in building, and only four rooms are utilize for this purpose.

Yours faithfully



for ACTING DIRECTOR : PLANNING AND ECONOMIC DEVELOPMENT SERVICES

(22)

Navrae / Enquiries
U verwysing / Your ref.
Ons verwysing / Our Ref .
Datum / Date
Telefoon / Telephone
Faks / Fax
E-pos / E-mail

U von Molendorff
-
Farm 266/11, Stellenbosch
2005-05-02
021-808 8682
021-808 8651
ulrichm@stellenbosch.org

REGISTERED POST

Wedgeview Trust
P O Box 62
VLOTTENBURG
7604

Sir / Madam

APPLICATION FOR REZONING RESIDENTIAL ZONE V : FARM 266/11, STELLENBOSCH : WEDGEVIEW COUNTRY HOUSE

Your application in the abovementioned regard, refers.

The Acting Director : Planning and Economic Development Services in terms of delegated powers resolved as follows:

That the application to rezone the main dwelling ($\pm 775\text{m}^2$) on Portion 11 of Farm 266 Stellenbosch from Agricultural Zone I to Residential Zone V so as to be used as a guesthouse, be **approved** in terms of Section 16 of the Land Use Planning Ordinance No 15 of 1985 subject to the following conditions imposed in terms of Section 42(1) of the same Ordinance :

- a) That the rezoning will apply only to the footprint of the main dwelling ($\pm 520\text{m}^2$) as shown on **Annexure B**. No extensions are permitted without the further consent of the Council;
- b) That the approval applies only to the rezoning in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
- c) That sufficient suitable parking space is to be provided for guests visiting the guesthouse;
- d) That the owners must ensure that the sewerage system serving the guesthouse is well-maintained and serviced at all times so as not to affect any neighboring properties in any way.
- e) That the owner must inform guests visiting the guesthouse to be aware of agricultural traffic along the access road and to maintain a suitable speed on the roads at all time;
- f) That attention is to be given to minimizing the illumination of the guesthouse so as to prevent light pollution of the rural area. No floodlights or spotlights are to be installed and illumination of the access road is not recommended;
- g) That no pollution, including noise pollution, may take place on the property. All health regulations must be complied with. Where noise is concerned, the Environmental Conservation Act, Act 73 of

1989, as well as the SABS code of conduct 0103-1994, must be used as a guideline and shall be the owner's responsibility;

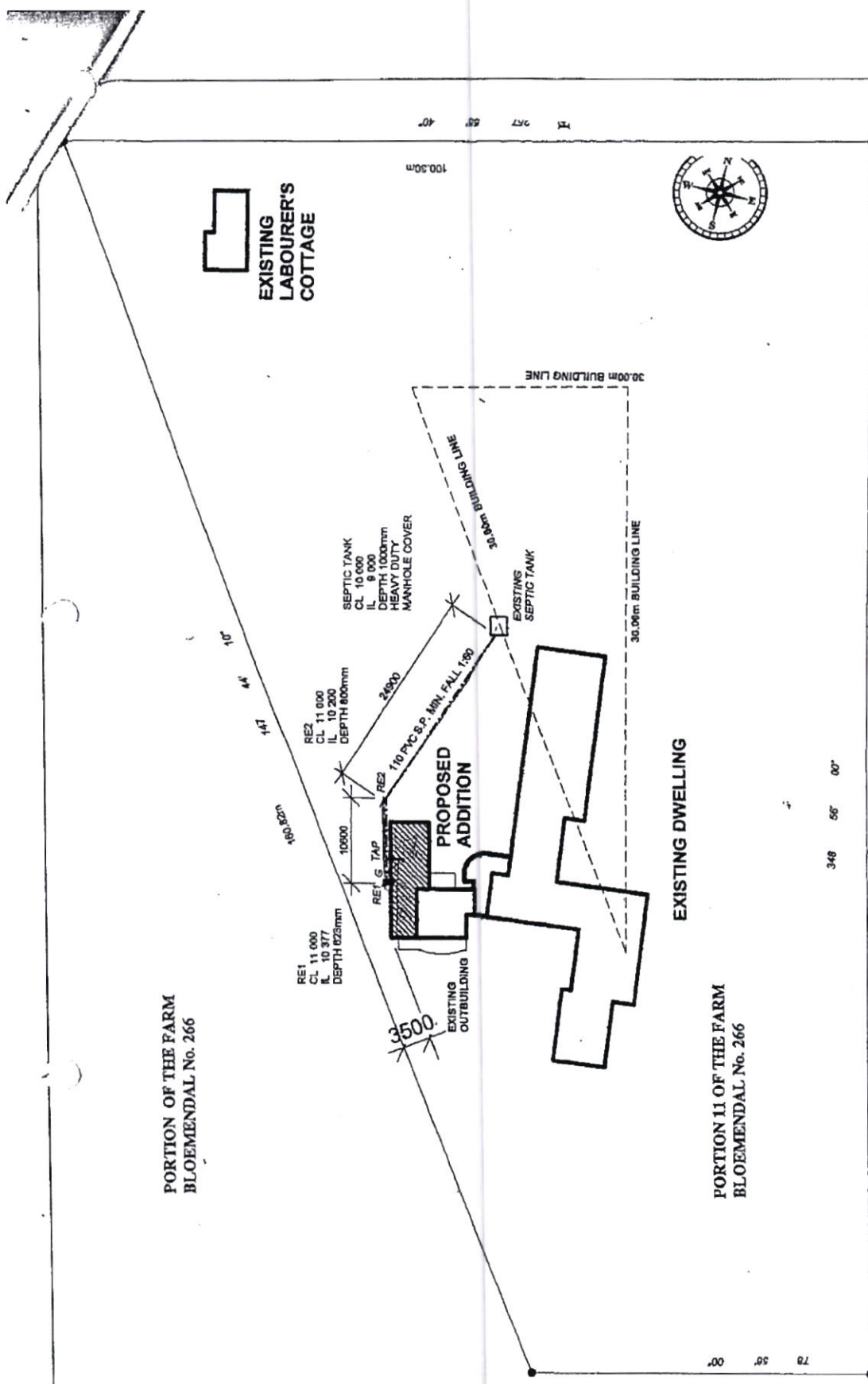
- h) That the applicant must, if applicable, register for the payment of levies as prescribed in the Regional Services Act No 109 of 1985;
- i) That the necessary license in terms of the Liquor Act No 27 of 1989 must be obtained, if applicable;
- j) That the conditions imposed by the Department of Water Affairs and Forestry as set out in their letter dated 2004/10/01 (**Annexure E**) be complied with;
- k) That the necessary Business License be obtained in terms of the Business Act, Act No 71 of 1991, if applicable; and
- l) That the conditions of the Director : Engineering and Technical Services as set out in his memorandum dated 2005-02-12 (**Annexure F**) be adhered to.

Yours faithfully



**p ACT DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT
SERVICES**

/sm
F266/11



AREAS:	
SITE	1.0765 hectares
PROPOSED NEW ADDITION	58.982 sq. m.
PERGOLAS	3.39 sq. m.
TOTAL	62.292 sq. m.

SCALE NTS	<div style="text-align: center;"> <h1>Site Plan</h1> <h2>Farm 266/11, Stellenbosch</h2> </div>	SOURCE
FILE Farm 266/11 S		ANNEXURE
DATE June 2004		COMPILED BY

(21)

**FARM 266/11, STELLENBOSCH : WEDGEVIEW COUNTRY HOUSE : APPLICATION FOR REZONING :
RESIDENTIAL ZONE V (266/11S-PGM)**

Report by the Acting Director : Planning and Economic Development Services.

Farm Number 266/11, Stellenbosch

Location The property is situated $\pm$ 8km west of Stellenbosch in the vicinity of the Bonniemile smallholdings. The property gain access off the Polkadraai Main Road via a servitude Road (See Annexure A).

Extent 1,0765ha

Zoning Agricultural Zone I – Bed and Breakfast facility has been in operation from the main house for the past 9 years.

Owner Wedgeview Trust

Application

Application is made in terms of Section 17 of the Land Use Planning Ordinance No 15 of 1985 for the rezoning of the main dwelling on the property from Agricultural Zone I to Residential Zone V to accommodate a guesthouse. The extent of the dwelling to which an addition was approved in June 2004, is shown on Annexure B. The applicant's motivation which originally included an application for an additional dwelling, is attached as Annexure C. The application was amended to exclude the additional dwelling (See Annexure D).

Public Participation

The application was advertised in the Eikestad News and the Provincial Gazette. The application was also referred to the relevant institutions, departments and individuals for comment and replies were received from the following :

- i) The Provincial Departments of Agriculture has no objection from an agriculture point of view.
- ii) The Department of Water Affairs and Forestry indicated in their letter dated 2004/10/01 (Annexure E) that they have no objection to the application subject to compliance with a number of conditions.
- iii) The Fire Department of the Cape Winelands District Municipality indicated in a memorandum dated 2004/09/20 that the application is supported subject to the guesthouse not being closer than 4,5m from any boundary if the structure is to have a thatch roof. The structure however, already exists and a building plan for an extension with a thatch roof was previously approved at 3.5m from the boundary. The department's comment cannot therefore be complied with.
- iv) The Districts Roads Engineer has no objection to the application.
- v) The Municipal Manager of the Cape Winelands District Municipality has request that he be informed of Council's decision with regard to the application.

- vi) The Director of Engineering and Technical Services indicated that from the provision of services point of view there is no objection to the application subject to the conditions contained in the memorandum dated 2005-02-12 (Annexure F).
- vii) The Department of Environmental Affairs and Development Planning indicated in a letter dated 2005-03-07 that the proposed development does not constitute a listed activity and that written authorization is therefore not required (See Annexure G).
- viii) A single objection was received from the owner of the abutting property through which the access road passes to the guesthouse (Annexure H). The applicant's reply as well as a letter from the objecting neighbour stating that he has no objection to the extension of the guesthouse, are attached as Annexure I.

Planning comments

The application involves the conversion of a well-established Bed and Breakfast facility which has been operated by the owner for a considerable time (9 years), to a formal guesthouse with 11 rooms (Residential Zone V).

The owner will continue to stay in the guesthouse and no longer wishes to relocate to an additional dwelling as was initially indicated. The existing facility caters mainly for overseas visitors and according to the owner has received a 5-star rating.

The single objection raised refers to the possible interference of the tourism traffic with farming vehicles and a problem with the sewerage. These aspects can however be addressed and the applicant has undertaken to attend to the sewerage problem and to inform guests to be aware of agricultural traffic along the access road. The objector has indicated that he has no objection to the extension of the guesthouse which can be interpreted that he has no objection to the application.

The limited size of the property of namely 1.07ha and its location, makes the property in question suitable for a use as a guesthouse to supplement any agricultural activities and to improve the viability of the property. The guesthouse will make a valuable contribution to tourism in the area and provide much needed work opportunities. The proposal is consistent with the proposals of the Winelands Integrated Development Framework which promotes the development of tourist facilities which are developed in harmony with agriculture.

The proposed guesthouse which involves the extension and formalization of an existing well established Bed and Breakfast facility is not expected to have any detrimental effects on the immediate or wider environment. The guesthouse will benefit from its rural surroundings and ensure the sustainability of the small property. The application is considered to be desirable and can be supported.

Recommended

That the application to rezone the main dwelling ($\pm 775\text{m}^2$) on Portion 11 of Farm 266 Stellenbosch from Agricultural Zone I to Residential Zone V so as to be used as a guesthouse, be approved in terms of Section 16 of the Land Use Planning Ordinance No 15 of 1985 subject to the following conditions imposed in terms of Section 42(1) of the same Ordinance :

- a) That the rezoning will apply only to the footprint of the main dwelling ($\pm 520\text{m}^2$) as shown on Annexure B. No extensions are permitted without the further consent of the Council;
- b) That the approval applies only to the rezoning in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;

- c) That sufficient suitable parking space is to be provided for guests visiting the guesthouse;
- d) That the owners must ensure that the sewerage system serving the guesthouse is well-maintained and serviced at all times so as not to affect any neighboring properties in any way.
- e) That the owner must inform guests visiting the guesthouse to be aware of agricultural traffic along the access road and to maintain a suitable speed on the roads at all time;
- f) That attention is to be given to minimizing the illumination of the guesthouse so as to prevent light pollution of the rural area. No floodlights or spotlights are to be installed and illumination of the access road is not recommended;
- g) That no pollution, including noise pollution, may take place on the property. All health regulations must be complied with. Where noise is concerned, the Environmental Conservation Act, Act 73 of 1989, as well as the SABS code of conduct 0103-1994, must be used as a guideline and shall be the owner's responsibility;
- h) That the applicant must, if applicable, register for the payment of levies as prescribed in the Regional Services Act No 109 of 1985;
- i) That the necessary license in terms of the Liquor Act No 27 of 1989 must be obtained, if applicable;
- j) That the conditions imposed by the Department of Water Affairs and Forestry as set out in their letter dated 2004/10/01 (Annexure E) be complied with;
- k) That the necessary Business License be obtained in terms of the Business Act, Act No 71 of 1991, if applicable; and
- l) That the conditions of the Director : Engineering and Technical Services as set out in his memorandum dated 2005-02-12 (Annexure F) be adhered to.

Recommended

Approved / ~~Not approved~~

B. H. de la Rive

ACTING DIRECTOR : PLANNING AND ECONOMIC DEVELOPMENT SERVICES

Date : 6/4/2005

CRAIG Alexander.



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Navrae / Enquiries

U verwysing / Your ref.

Ons verwysing / Our Ref.

Datum / Date

Telefoon / Telephone

Faks / Fax

C Alexander / U Von Molendorff

-

Farm 266/10 & 266/11, Stellenbosch

2009-11-23

021-808 8656 / 8682

021-808 8651

REGISTERED POST

Alwi Theart Urban & Rural Planning Practitioners
PO Box 7257
Stellenbosch
7599

Sir

APPLICATION FOR REZONING, SUBDIVISION, CONSOLIDATION, DEPARTURE & TEMPORARY DEPARTURE ON FARM NO(S). 266/10 AND 266/11, STELLENBOSCH DIVISION

Your application in the abovementioned regard, refers.

The Planning and Development Services Committee at a meeting held on 3 November 2009 resolved as follows:

1. that the application in terms of *Section 24 of the Land Use Planning Ordinance, 1985 (No.15 of 1985)*, for the subdivision of Farm No.266/10 into two (2) portions, namely Portion A of 4,014ha and a Remainder of 11,95ha and the further consolidation of Portion A with Farm No.266/11 to form a cadastral unit of ± 5 ha, as indicated on Drawing No(s). B3, dated November 2008 and compiled by Alwi Theart urban & rural planning practitioners (see **APPENDIX 2**), **be supported** and the Competent Authority be advised accordingly;
2. that the application in terms of *Section 17(2) of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985)* for the **rezoning** of a portion of $\pm 2,8$ ha of the consolidated portion (Portion A & Farm No. 266/11, Stellenbosch Division) from Agricultural Zone I to Open Space Zone II to accommodate a private sports facility, as indicated on Drawing No(s). B4 – B8, dated November 2008 and compiled by Alwi Theart urban & rural planning practitioners, **be supported** and the Competent Authority be advised accordingly;
3. that the application in terms of *Section 17(2) of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985)* for the **rezoning** of portion of ± 112 m² of Farm No.266/11, Stellenbosch Division from Agricultural Zone I to Residential Zone V to accommodate a spa facility that will cater for the needs of the guests visiting the existing guesthouse on the property, as indicated on Drawing No(s). B4 – B8, dated November 2008 and compiled by Alwi Theart urban & rural planning practitioners, **be supported** and the Competent Authority be advised accordingly;
4. that the application in terms of *Section 15(1)(a)(ii) of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985)* for a **temporary departure** to utilize the cricket club

house as a function facility, as indicated on Drawing No(s). B4 – B8, dated November 2008 and compiled by Alwi Theart urban & rural planning practitioners **be supported** and the Competent Authority be advised accordingly; and

5. that the application in terms of *Section 15(1)(a)(i) of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985)* for a **departure** to relax the building lines on the northern boundary of the newly consolidated property from 30m to 1m to accommodate the extension to the guesthouse (spa facility), as indicated on Drawing No(s). B4 – B8, dated November 2008 and compiled by Alwi Theart urban & rural planning practitioners **be supported** and the Competent Authority be advised accordingly.

Please be advised that the above matter has been referred to Department of Environmental Affairs and Development Planning for a final decision.

Yours faithfully



For **DIRECTOR: PLANNING AND DEVELOPMENT SERVICES**



ENVIRONMENTAL AFFAIRS
& DEVELOPMENT PLANNING

Provincial Government of the Western Cape

LAND MANAGEMENT REGION 1

Nathaneal.Jacobs@pgwc.gov.za

tel: +27 21 483 8105

1 Dorp Street, Cape Town, 8001

www.capegateway.gov.za

REFERENCE: E17/2/2/1/AS10/Farm 266/10 and 266/11, Stellenbosch

ENQUIRIES: N Jacobs

REGISTERED POST

Alwi Theart
Urban and Rural Planning Practitioners
P.O.Box 7257
Stellenbosch
7599

Dear Sir

STELLENBOSCH MUNICIPALITY: APPLICATION FOR REZONING, SUBDIVISION, DEPARTURE AND TEMPORARY DEPARTURE ON PORTIONS 10 AND 11 OF THE FARM BLOEMENDAL NO 266, STELLENBOSCH

1. Your application dated 7 November 2007, refers.
2. The Competent Authority for the administration of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), has resolved that the applications for:
 - 2.1 the rezoning of a portion of $\pm 2,8$ ha (a portion of Farm 266/10 and a portion of Farm 266/11) of the consolidated portion (portion A and Farm 266/11, Stellenbosch Division), from Agricultural Zone I to Open Space Zone II, **be refused**, in terms of section 17(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), to accommodate a private sports facility;
 - 2.2 the rezoning of a portion of ± 112 m² of Farm 266/11, Stellenbosch Division, from Agricultural Zone I to Residential Zone V, **be approved**, in terms of section 17(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), for the extension of an existing spa facility that will cater for the needs of the guests visiting the existing guesthouse on the property;

- 2.3 the subdivision of Farm 266/10, Stellenbosch Division, into two portions, namely portion A of 3,4ha and a remainder of 11,95ha, **be refused**, in terms of section 24(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985). Portion A will be consolidated with Farm No. 266/11, Stellenbosch Division, to form a cadastral unit of $\pm 4,5$ ha;
- 2.4 the departure for Farm 266/10, Stellenbosch Division, to relax the rear building line on the northern boundary of the newly consolidated property from 30m to 1m, **be approved**, in terms of section 15(1)(a)(i) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), to accommodate the extension to the guesthouse (spa facility); and
- 2.5 the temporary departure for Farm 266/10, Stellenbosch Division, **be refused**, in terms of section 15(1)(a)(ii) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), in order to utilise the cricket club house as a function facility.
3. The above mentioned approvals are subject to the following conditions in terms of section 42 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985):
- 3.1 that the applicant must submit a revised site development plan to the Municipality according to the above mentioned approvals;
- 3.2 that compliance with condition 2.1 and 2.2 as prescribed by the Department of Transport and Public Works (DT&PW) in their letter dated 19 August 2008 (Annexure 1);
- 3.3 that a detailed site development plan indicating landscaping and parking layout must be submitted to Council for consideration. The provision of parking must take into consideration the concerns raised by DT&PW in their letter dated 19 August 2008;
- 3.4 that the owner of the property must apply for the applicable business licenses in terms of the Business Act, No 71 of 1991;
- 3.5 that the necessary licenses must be obtained in terms of the Liquor Act, 1989 (Act 27 of 1989);
- 3.6 that the utilisation of the property and buildings must at all times be within the parameters determined by the section 8 Scheme Regulations for the applicable zonings;

- 3.7 that building plans for the proposed building work must be submitted to the Municipality for approval prior to the commencement of any building work; and
- 3.8 Council reserves the right to impose any further conditions if deemed necessary.


J Benjamin
Chief Land Use Management Regulator

DATE: 22/12/2011



Reference:
Verwysing: PR 22/29/105/0643(08)
Isalathiso:

Enquiries:
Navrae: G van Schalkwyk / A Stevens of M van Niekerk
Imibuzo:

Telefoon:
Telephone: 021 863-2020 / 888-5108
Ifowuni:

Die Munisipale Bestuurder
Stellenbosch Munisipaliteit
Posbus 17
STELLENBOSCH
7599

Geagte Meneer

**AANSOEK IN TERME VAN WET 21/1940 (soos gewysig) : VOORGESTELDE
ONDERVERDELING, KONSOLIDASIE, HERSONERING EN TYDELIKE AFWYKING
OP PLAAS 266, GEDEELTES 10 & 11, WEDGEVIEW, AFDÉLING STELLENBOSCH,
STELLENBOSCH MUNISIPALE AREA**

1. Bogenoemde aansoek, asook die addisionele Verkeersimpakstudie ontvang vanaf die ICE Groep gedurende Mei, 2008 dien as verwysing.
2. Na aanleiding van bogenoemde Wet, word daar geen beswaar geopper teen die aansoek om onderverdeling en hersonering nie, vir 'n privaat sport fasiliteit ($\pm 2.84\text{ha}$), en tydelike afwyking vir funksie-fasiliteite ($\pm 888\text{m}^2$) op 'n tydelike basis aan te wend, op voorwaarde dat ;
 - 2.1 geen ander vorm van besigheid te bedryf of laat bedryf behalwe dié waarvoor soneringsregte verkry is met hierdie aansoek nie ;
 - 2.2 geen advertensies of enige ander tekens wat sigbaar is van die geproklameerde pad op te rig of laat oprig nie, sonder die nodige skriftelike uitklaring deur die Distrik- Padingenieur : Paarl te bekom voor oprigting. Dit geld ook vir kontrakteurs wat op die perseel werksaam mag wees, en ;
 - 2.3 die aantal parkeerplekke in die direkte nabyheid van die klubhuis geriewe vermeerder word na ten minste 60.

Distrikspadingenieur, Privaatsak X6003, Sulder-Paarl, 7624
District Roads Engineer, Private Bag X6003, Sulder-Paarl, 7624
Injineli Yeendlela Zesithill, Private Bag X6003, Sulder-Paarl, 7624
Telefoon/Telephone/Ifowuni: (021) 863-2020
Faks/Fax/Faksh: (021) 863-3623

6.1

ENDORSEMENT

REGISTERED POST

The Municipal Manager
Stellenbosch Municipality
P O Box 17
Stellenbosch
7569

Copies attached for your information.

A handwritten signature in black ink, appearing to be 'M. J. ...', is written over the printed title 'HEAD OF DEPARTMENT'.

HEAD OF DEPARTMENT

KANTOORAFSKRIF

Friedlaender Burger & Volkmann, Land Surveyors

SIDES Metres		ANGLES OF DIRECTION	CO-ORDINATES System Lo19°				S.G. No.
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B C	151, 70	348 56 00	B	+	20 999, 03	+	57 629, 59
C D	42, 14	78 56 00	C	+	20 969, 91	+	57 778, 47
D A	160, 82	147 44 10	D	+	21 011, 26	+	57 786, 56
		Stel 4	△	+	17 699, 85	+	56 083, 08
		Stel 5	△	+	21 306, 34	+	59 891, 41

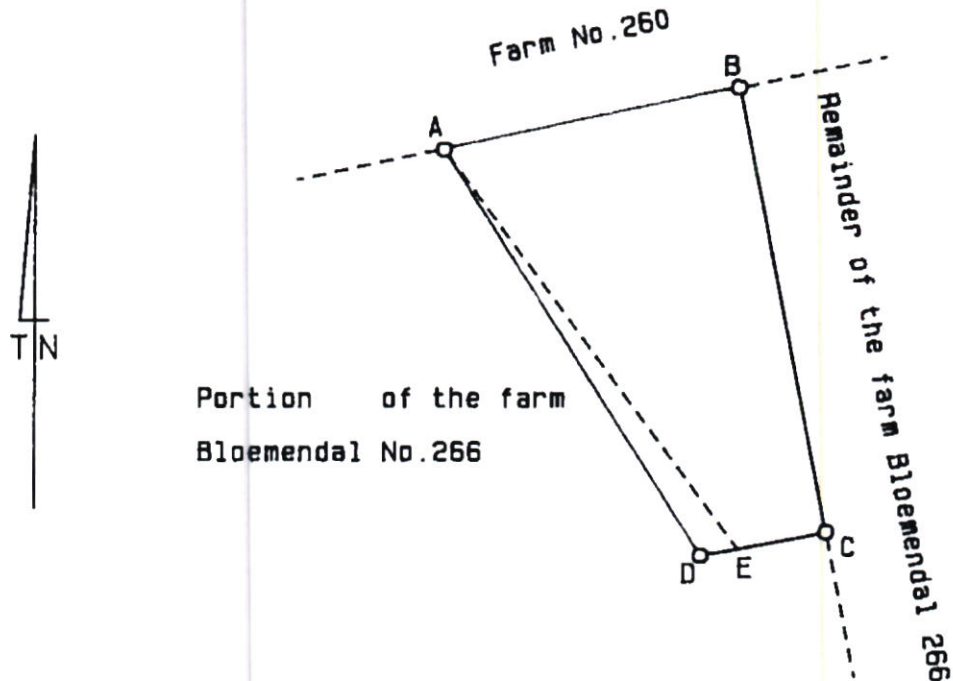
Approved

W. Dohring
Surveyor-General
6. 11. 1985

Description of Beacons.

A-----Iron fencing standard in concrete

B C D-----Iron fencing standard



Components:

1. The figure ABCE represents the Remainder of Portion 4 of the farm Bloemendal 266; see diagram No. 6629/48, D/T No. ~~1920-208-12785~~ 1949-112-5554
2. The figure AED represents Portion 12 (a portion of Portion 2) of the farm Bloemendal 266; see diagram No. 8262/85, D/T No. 1987- -29286

Scale 1: 2500

The figure A B C D
represents 1,0765 hectares

PORTION 11 of the farm BLOEMENDAL No. 266

and comprises figures 1. and 2. listed above
situate in the

Administrative District of Stellenbosch

Province of Cape of Good Hope.

Surveyed in May 1985

by me,

Franz J. Volkmann
Land Surveyor

This diagram is annexed to
No. Cert. of Consol. Title
dated T.29288/1987
i.f.o.

The original diagrams
are as quoted above

File No. Stel. 266
S.R. No. E 2463/85
Comp. BH-80CA (3782)

Registrar of Deeds

C

Farm 266 Plan 1

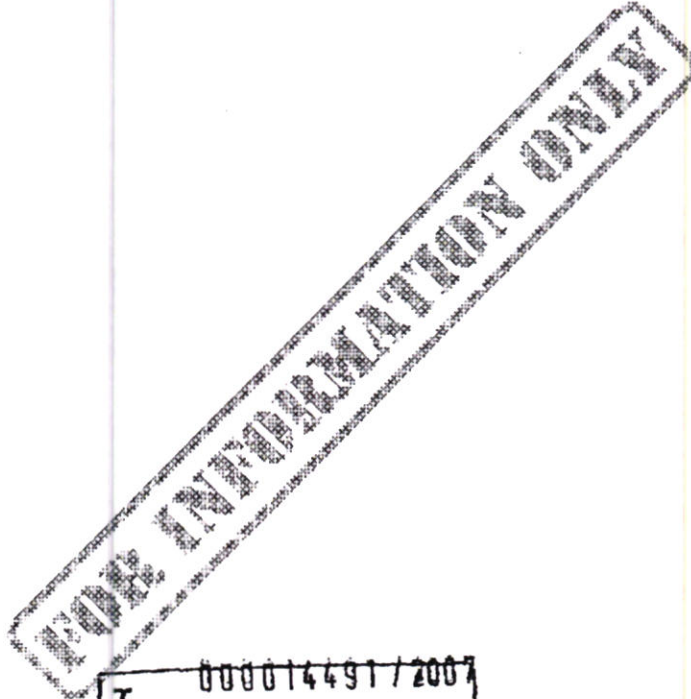
91

LOUW DU PLESSIS INC
P O BOX 6, SOMERSET WEST 7129

Prepared by me,



Conveyancer
CHRISTO NIMB



T 000014491/2007

DEED OF TRANSFER NO T.

KNOW ALL MEN WHOM IT MAY CONCERN :

DATA / VERIFY

17 APR 2007

OLIVIER Y

THAT **ANTON LUTHER POSTHUMUS**

appeared before me, Registrar of Deeds, at Cape Town, the said
Appearer, being duly authorised thereto by a Power of Attorney, granted
to him/her, by

THE TRUSTEES FOR THE TIME BEING OF

THE WEDGEVIEW TRUST
IT 1971/1995

DATA / CAPTURE

05 APR 2007

MAGAGULA Z

dated the 22 November 2006
and signed at STELLENBOSCH



and the said Appearer declared that the transferor/s had on the 21 September 2006 truly and legally sold to, and that he/she, in his/her capacity aforesaid, did by these presents, cede and transfer to and on behalf of

SUNWEALTH PROPERTIES (PTY) LTD
2006/029257/07

or its Assigns in full and free property

**PORTION 11 OF THE FARM BLOEMENDAL NO 266
 STELLENBOSCH,
 IN THE MUNICIPALITY AND DIVISION OF STELLENBOSCH
 WESTERN CAPE PROVINCE**

**IN EXTENT : 1,0765 (One Comma Nought Seven Six Five)
 Hectares**

**FIRST TRANSFERRED by Certificate of Consolidated Title No.
 T29288/1987 with Diagram No SG NO 8261/1985 relating
 thereto and held by Deed of Transfer No T86380/1995**

SUBJECT:

- 1. AS REGARDS THE FIGURE A B C E** on Diagram S G No 8261/85 to the conditions referred to in Deed of Transfer No T 5554/1949.
- 2. AS REGARDS THE FIGURE A E D** on Diagram No 8261/85
 - (A) to the conditions referred to in Deeds of Transfer No T 333/1911 and T 334/1911
 - (B) to the endorsement dated 22nd April 1970 on Deed of Transfer No T 21723/1951 which endorsement reads as follows:

[Handwritten signature]

"Endorsement in terms of Section 31(6) of Act 47 of 1937 (as amended) Portions of the hereinmentioned property Para 1 measuring $\pm 0,0615$ morgen has been expropriated by the Divisional Council of Stellenbosch in terms of Section 130 of Ord. 45/1952. Vide Notice of Expropriation No LP/TH H/2/u dated 24/2/70 filed as Expropriation Caveat S 49/70 plan in duplicate filed herewith."

NO INFORMATION ON FILE

X



Wedge View

Polkadraai M12



ARCHITECTS
TOWN PLANNERS
URBAN DESIGNERS

FIRST FLOOR LA GRATITUDE OFFICE BUILDING | 97 DORP STREET
STELLENBOSCH 7600 | TEL +27 (0)21 861 3800 | www.tv3.co.za

Wedge View

Property Description:
Portion 11 of Farm 286, Stellenbosch

Drawing:		Plan no.:	5
Polkadraai M12 View Point			
Date:	24/11/2023	Scale:	1:1000(A4)
Project no.:	P3130	Drawn:	WH
		Checked:	MW

Notation:

Google Earth Streetview Imagery.

- All areas and dimensions are approximate and should be verified by a professional land surveyor.
- This drawing is the property of TV3 Architects and Town Planners (Pty) Ltd and copyright is reserved



STELLENBOSCH
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13 November 2013

Our Ref : SBP266/11
Contact per : C Charles
Contact no : (021) 808 8699

ZONING CERTIFICATE – FARM 266/11, STELLENBOSCH
DIVISION

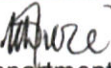
It is hereby certified that the zoning of Farm 266/11, Stellenbosch Division in terms of the Section 8 Zoning Scheme Regulations is:

Agricultural Zone I
(Remainder of property)

PRIMARY USE	CONSENT USES <i>(Land uses allowed only with the consent of Council)</i>
Agriculture	Additional dwelling units Farmstore Farmstall Intensive feed farming Riding school Nursery Service trade Tourist facilities

Residential Zone V
(Guesthouse - $\pm 775\text{m}^2$ and Spa facility - $\pm 112\text{m}^2$)

PRIMARY USE	CONSENT USES <i>(Land uses allowed only with the consent of Council)</i>
Residential building	Group house Town house Flats Public housing Professional usage Place of assembly


Department: Planning & Development
ZD/cc

Please Note: Where discrepancies exist between the zoning information contained in this certificate and any Council decision, the Council decision overrides any preceding rights, conditions and restrictions which may have applied or be applicable to the property.