



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14500 (TP61/2022) & LU/18661 (TP896/2024)

Our File Reference Number: Farm 528/5, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL

Sir / Madam

**APPLICATION FOR PERMISSION IN TERMS OF RESTRICTIVE TITLE DEED CONDITIONS AND PERMISSION
REQUIRED IN TERMS OF A CONDITION OF APPROVAL: FARM 528/5, STELLENBOSCH DIVISION**

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the Administrator's consent / permission in terms of restrictive title deed conditions D (2), D (3) and D (4) on page 2 and 3 of the Title Deed No. T18186/2016, in order to allow the following uses and submission of building plans on Farm 528/5 Stellenbosch Division:
 - a) A 15-bedroom Tourist Accommodation Establishment and Tourist Facilities in the form of a 30-guest Restaurant, 110-guest Outdoor Garden Venue, a Farm Stall and 24 events per calendar year in terms of Clause D (2): "Die grond mag alleen gebruik word vir residensiële- of landboudoeleindes en geen ander doel sonder die toestemming van die beherende gesag soos omskryf in Wet nr 21 van 1940 nie."
 - b) All buildings and structures, whether existing or new, but with the explicit exclusion of the proposed agricultural shed (no 18), and as indicated on the Site Development Plan Drawing Number 22-30, Sheet 1 of 9, Date 25/09/2024 (attached as **Annexure A**) in terms of Clause D (3): "Geen gebou of struktuur hoegenaamd mag opgerig word sonder die skriftelike toestemming van die beherende gesag soos omskryf in Wet nr 21 van 1940 nie."
 - c) All buildings and structures, whether existing or new, but with the explicit exclusion of the proposed agricultural shed (no 18), and as indicated on the Site Development Plan Drawing

Number 22-30, Sheet 1 of 9, Date 25/09/2024 (attached as **Annexure A**) in terms of Clause D (4): "Geen gebou of struktuur van enige aard mag opgerig word binne 'n afstand van 94,46 meter vanaf die middellyn van die Somerset-Wes-Stellenbosch Grootpad wat in 'n Noord-oostelike rigting langs die grens van die eiendom loop sonder die toestemming van die beherende gesag soos omskryf in Wet nr 21 van 1940 nie."

BE GRANTED.

2.2 That the application in terms of Section 15(2)(l) of the Stellenbosch Municipal Land Use Planning Bylaw on Farm 528/5, Stellenbosch Division for a Permission required in terms of Condition of Approval 3.5.2 of approval letter dated 23/08/2024 to approve the Site Development Plan, as qualified with notable exclusions on the subject Site Development Plan,

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

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

- 3.1. The approval only applies to the proposed application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.
- 3.2. The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.
- 3.3. The development be implemented in accordance with the Site Development Plan, Drawing Number 22-30, Sheet 1 of 9, Date 25/09/2024 attached as **Annexure A**, and as qualified with notable exclusion of the proposed agricultural shed (No. 18) on the subject site development plan.
- 3.4. Sufficient on-site parking be provided in accordance with the provisions of the Zoning Scheme Bylaw and as illustrated on the Site Development Plan (Annexure A) to the satisfaction of the Municipality.
- 3.5. Building plans for all existing buildings, structures, or changes of use, as shown on the Site Development Plan (Annexure A), be submitted for approval within three months of the final notification of this approval. Building plans be approved by the Municipality prior to the commencing of any building works, including the preparation of land, which will only be approved when all relevant (or qualified)

conditions of approval have been complied with, and related occupancy certificates be issued prior to the vesting of any land use rights.

- 3.6. Building plans for the 15-bedroom guest accommodation establishment (main dwelling and converted additional dwelling) as indicated on the Site Development Plan as Number 1 and Number 6 and the restaurant (main dwelling) indicated as Number 3 be generally in accordance with the floor layout plans as indicated on Drawing Number 22-30, Sheet 2 of 9 and Sheet 4 of 9, Date 25/09/2024 attached as **Annexure B**.
- 3.7. Employee housing be limited to the five dwelling units in three structures as indicated on the Site Development Plan Number 9: 1-bedroom Labourer's Room with new carport (one unit), Number 11: 2-Bedroom Staff Cottages (two units), Number 12: 2-bedroom Manager's Cottage (two units). These five employee housing units be limited to accommodating one family each of which one of the occupants of each of the five families / units shall be permanently employed in connection with the farming activities on the farm. Building plans for the five employee housing units be generally in accordance with the floor layout plans as indicated on Drawing Number 22-30, Sheet 6 of 9 and Sheet 7 of 6, Date 25/09/2024 attached as **Annexure B**.
- 3.8. The provision of a wine cellar, additional staff rooms and a staff canteen in the existing agricultural building as indicated on the Site Development Plan Number 9: Wine Storage and Staff Rooms has not been authorised through required land use approvals and the subject existing buildings may only be used as an agricultural building in accordance with the provisions of the zoning scheme.
- 3.9. The land use application to use the second dwelling unit indicated on the Site Development Plan as Number 8: Farm Stall as tourist accommodation and a farm stall was not permitted as required with a land use approval. The land use for the building structure indicated on the Site Development Plan as Number 8 was approved as a second dwelling unit, as the primary residential unit approved as a guest house did not include accommodation for either the owner or manager, for the specific residential use for the owner or manager. A corresponding building plan for the approved second dwelling unit must accordingly be submitted which must represent the building structure for the practical and functional living accommodation of a family.
- 3.10. The use of the shipping containers as indicated on the Site Development Plan Number 13 and Number 14 be compliant to the development rules of the zoning scheme and be limited to storage for items such as furniture, equipment and water tanks associated with the guest accommodation, the restaurant and primary agricultural activities. Building plans be submitted for all storage containers, whether temporary or permanent.

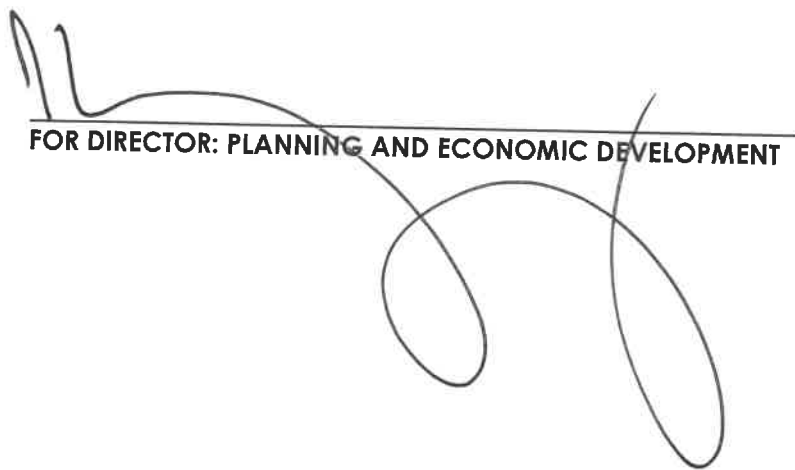
4. The **reasons** for the above decision are as follows:
 - 4.1. The proposed site development plan as qualified is in pursuance and compliance of the subject land use activities that were duly approved and being consistent with the associated conditions of the subject approval and development rules of the zoning.
5. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.
6. Appeals must be submitted by completing the required form with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law.
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 appeal form and approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za or 021- 808 8684.
10. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
 - (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
 - (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
 - (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.

(d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.

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

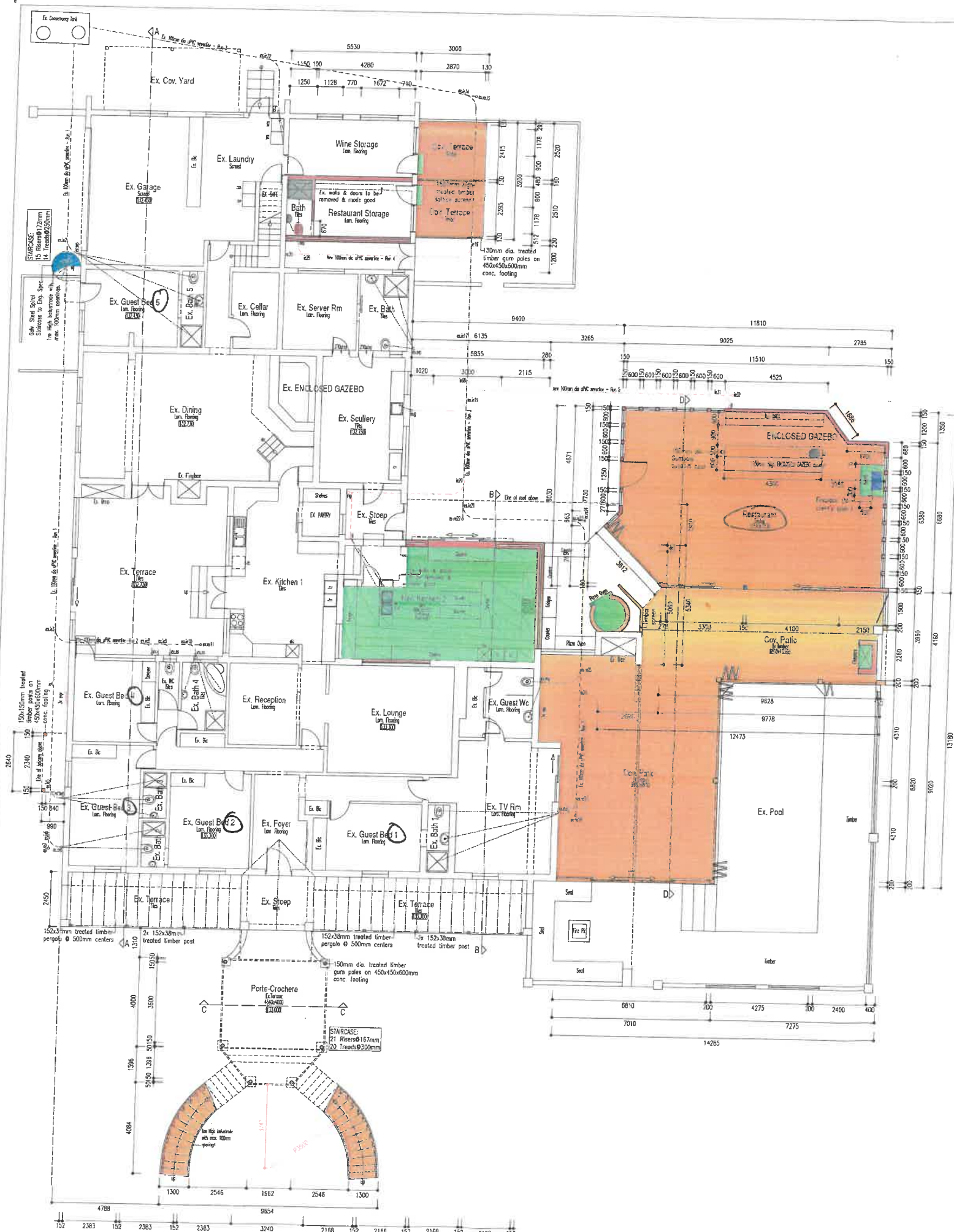
Yours faithfully


FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

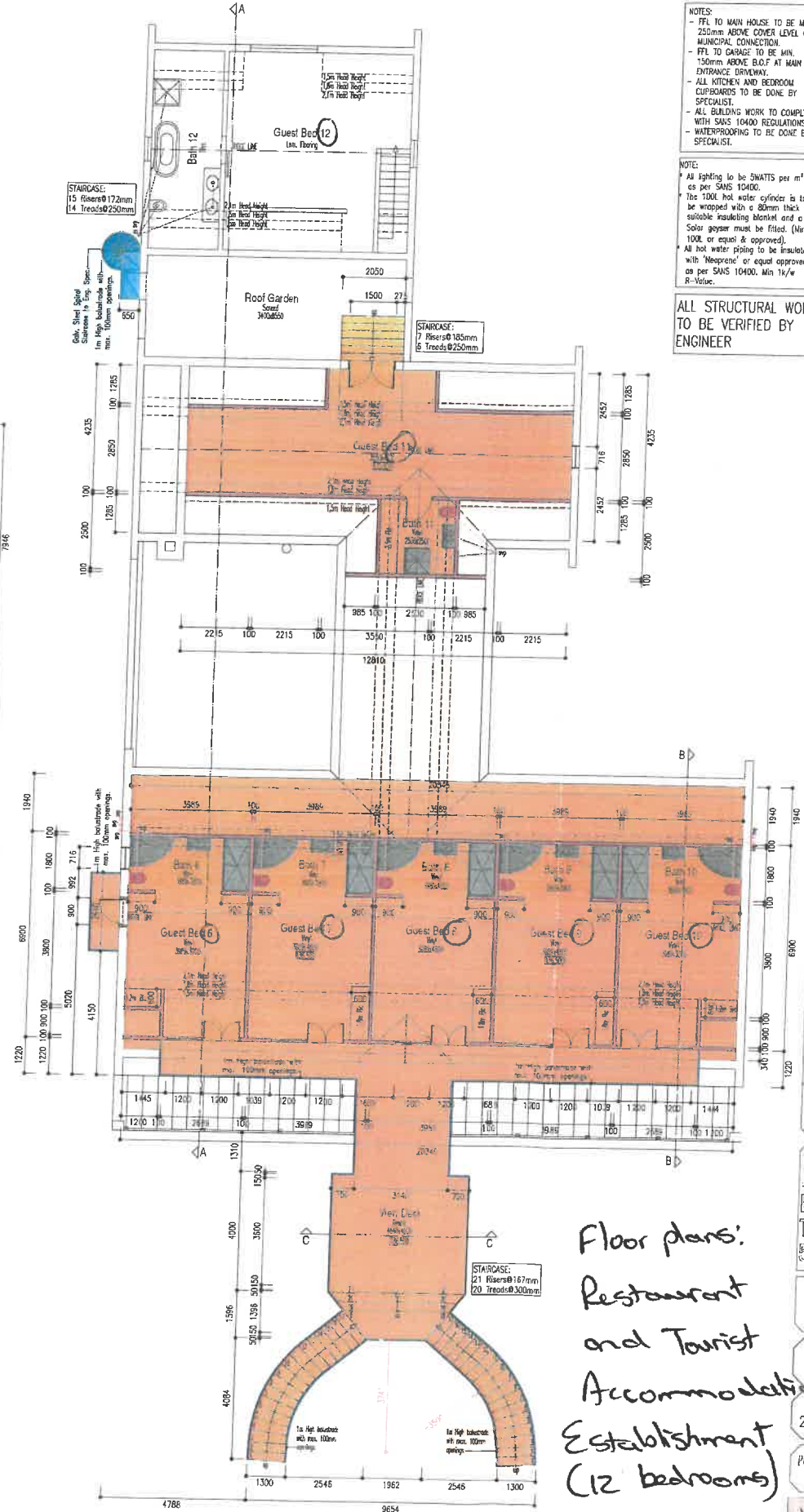
11/6/2025
DATE

ANNEXURE A
SITE DEVELOPMENT PLAN

ANNEXURE B
FLOOR LAYOUT PLANS



ATTIC FLOOR
6 7



Floor plans:
Restaurant
and Tourist
Accommodation
Establishment
(12 bedrooms)

ROOF ASSEMBLY

W/c. insulated R-Value	1.70
Reflective foil under R-Value	0.75
60% roof sheathing & ceiling R-Value	0.35
Phlegglass blanket 150mm R-Value	3.35
Total R-Value	6.45

- NOTES:**
- FFL TO MAIN HOUSE TO BE MIN. 250mm ABOVE COVER LEVEL OF MUNICIPAL CONNECTION.
 - FFL TO GARAGE TO BE MIN. 150mm ABOVE B.O.F AT MAIN ENTRANCE DRIVEWAY.
 - ALL KITCHEN AND BEDROOM CUPBOARDS TO BE DONE BY SPECIALIST.
 - ALL BUILDING WORK TO COMPLY WITH SANS 10400 REGULATIONS.
 - WATERPROOFING TO BE DONE BY SPECIALIST.

NOTE:

* All lighting to be 5Watts per m² as per SANS 10400.

* The 100L hot water cylinder is to be wrapped with a 60mm thick suitable insulating blanket and a Solar geyser must be fitted. (Min. 100L or equal & approved).

* All hot water piping to be insulated with 'Neoprene' or equal approved as per SANS 10400. Min 16/w R-Value.

ALL STRUCTURAL WORK TO BE VERIFIED BY ENGINEER

NOTES

VARIATIONS TO APPROVED PLANS FOR CONSTRUCTION

REV:	DATE:	DRAWN:	DETAILS:
DRAWN:	L A	HOUSE AREAS	
DESIGNER:		SITE AREA	42820sq/m
CUSTOMER:			

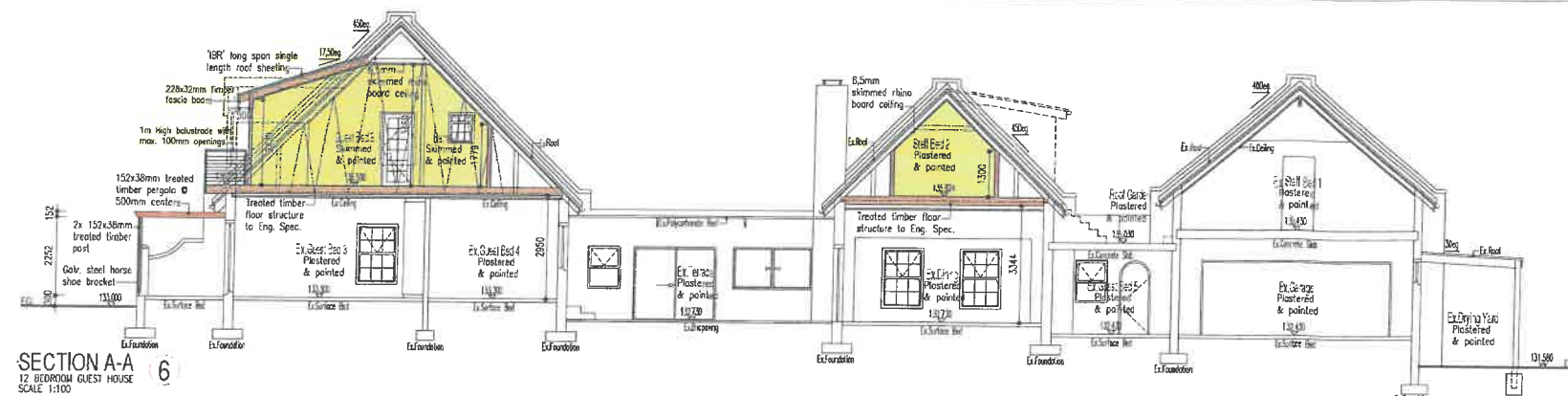
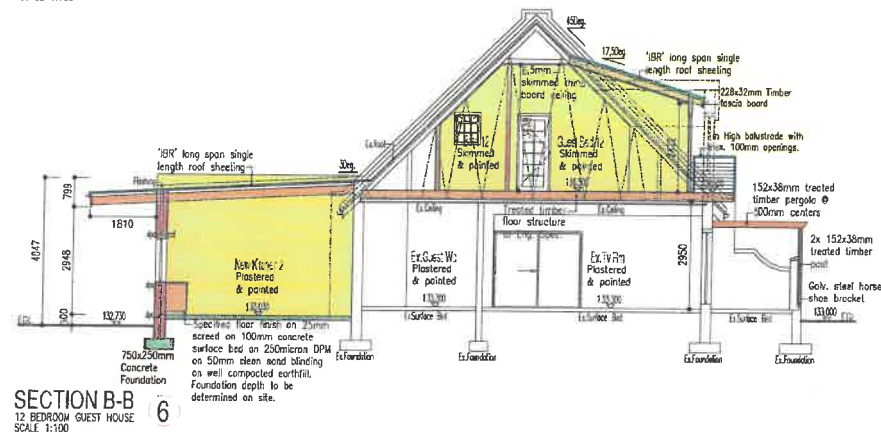
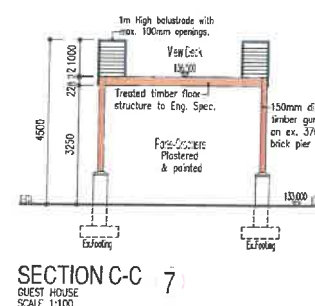
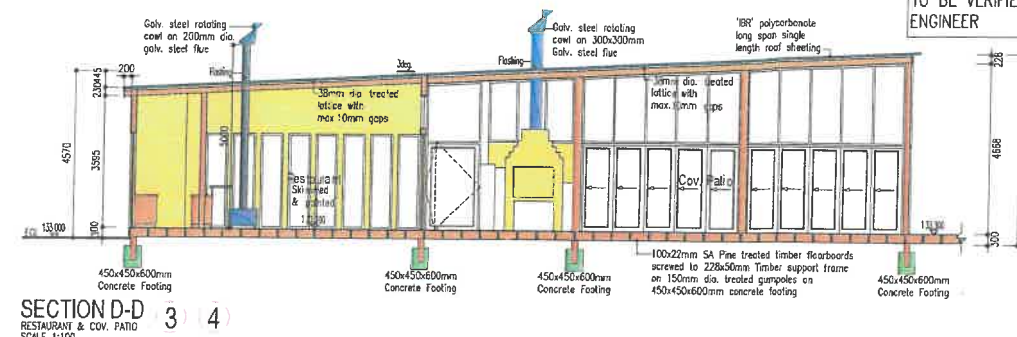
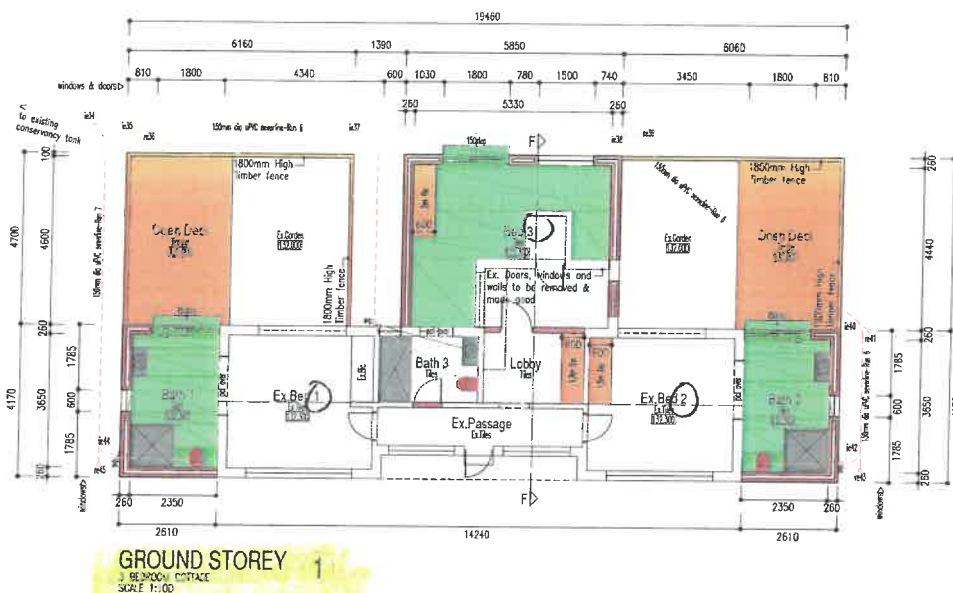
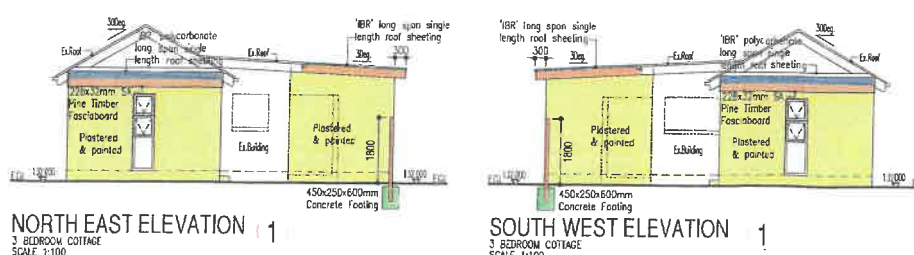
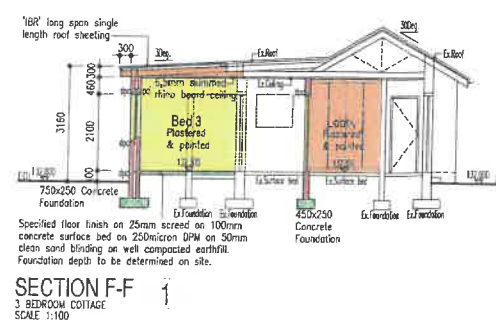
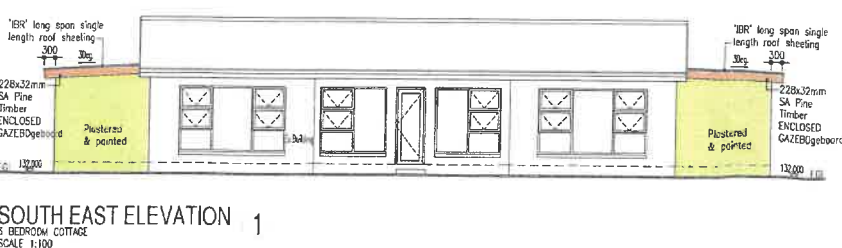
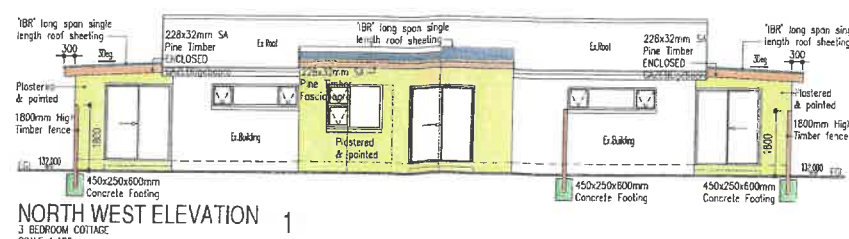
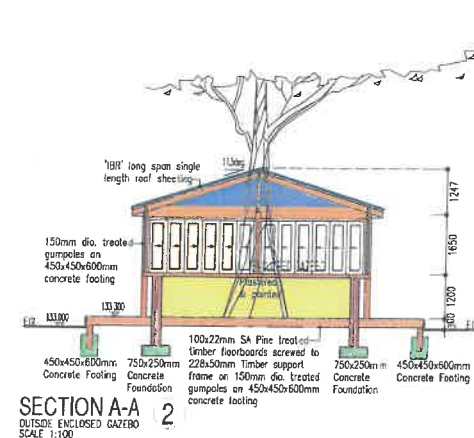
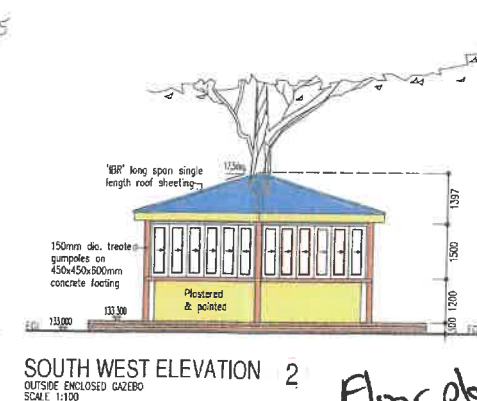
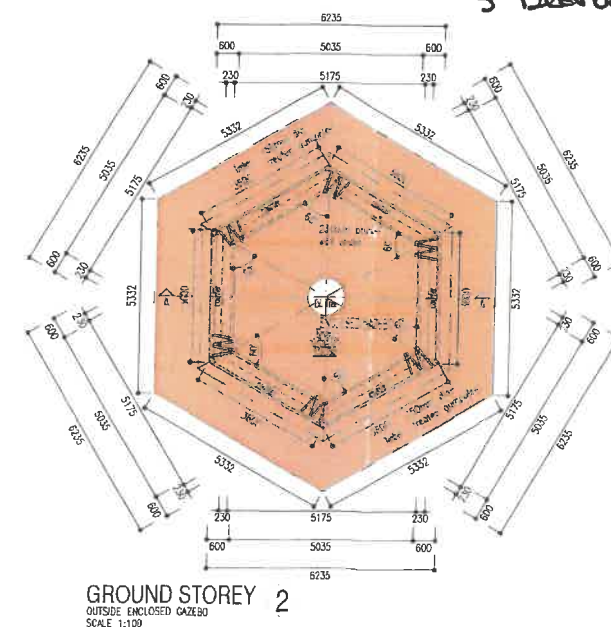
PROJECT:
PROPOSED SITE DEVELOPMENT
PLAN FOR THE BENEDETTO
TRUST ON PTN 5 OF FARM
528 STELLENBOSCH

DRAWING:
QUINCH DRAWINGS

SHEET	SCALE	REVISION
2 OF 9	As Shown	2.0
DATE:	FILE	DRAWING No:
25/09/2024	528-MENTZ	22-30

PO BOX 50456 WEST BEACH CELL: 082 927 7735 FAX: 086 694 1677
E-MAIL: info@designarchitects.co.za SACAP Pr. 16: 517288





ROOF CHANGES:	
Min. required R-value:	37in ² /ft
Effective full ceiling R-value:	0.75
ROOF sheathing & ceiling R-value:	0.25
Perimeter Below 150mm R-value:	2.65
total R-value:	4.45

NOTES:

- FTL TO MAIN HOUSE TO BE MIN. 250mm AIRSPACE COVER LEVEL OF FINISHED FLOOR CONNECTION.
- FTL TO GARAGE TO BE MIN. 150mm AIRSPACE B.O.F. AT FINISHED DRIVEWAY.
- ALL KITCHEN AND BEDROOM CUPBOARDS TO BE DONE BY SPECIALIST.
- ALL FINISHING WORK TO COMPLY WITH SAS 1400 REQUIREMENTS.
- WATERPROOFING TO BE DONE BY SPECIALIST.

NOTE:

- All finishing to the SWMTS per m² per SAS 1400.
- All exterior cylinder is to be wrapped with a 60mm thick blanket insulating blanket and a Solar capener must be fitted (Min. 100% & approved).
- All hot water piping to be insulated with 'heptacore' or equal approved per SAS 12400. Min 74/6

ALL STRUCTURAL WORK
TO BE VERIFIED BY
ENGINEER

NOTESVARIATIONS TO APPROVED PLANS FOR CONSTRUCTION

REV:	DATE:	DRAWN:	DETAILS:
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DRAWN :	L A	HOUSE ARE
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		SITE AREA	42
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DESIGNER:

PROJECT:
PROPOSED SITE DEVELOPMENT
PLAN FOR THE BENEDETTI
TRUST ON PTN 5 OF FARM
628 STE. LENBOSCH

DRAWING :
SITE DEVELOPMENT PL.

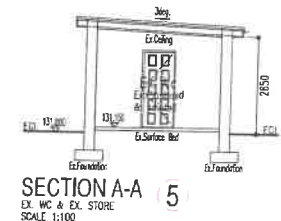
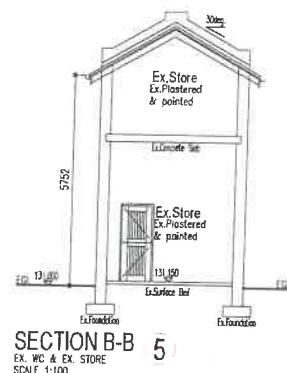
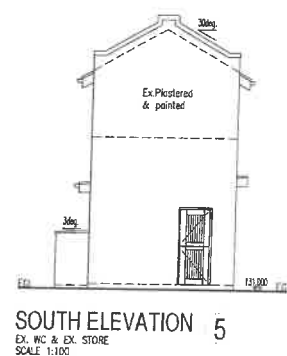
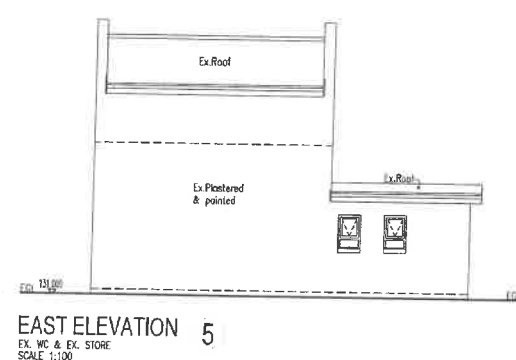
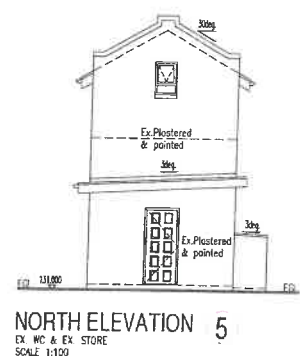
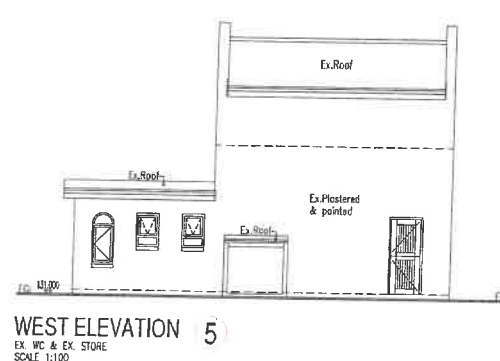
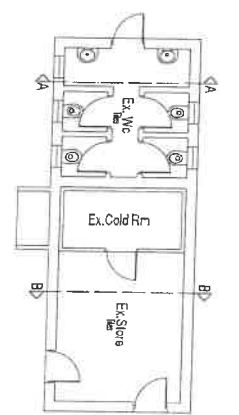
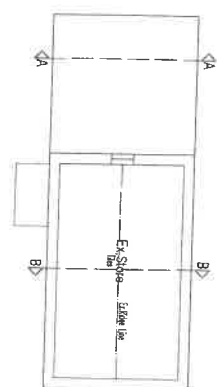
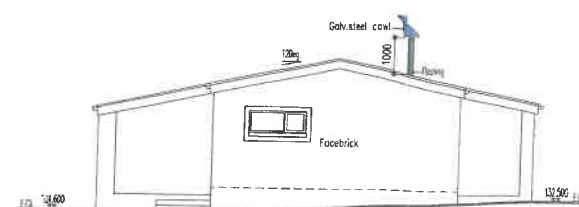
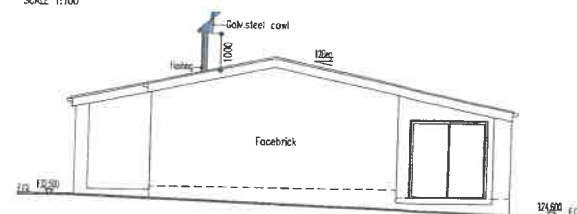
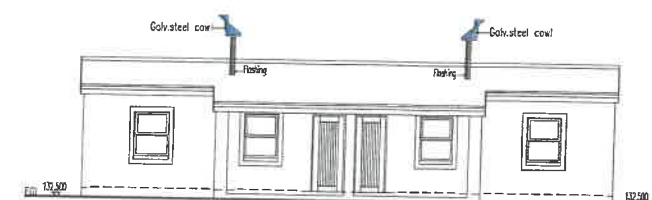
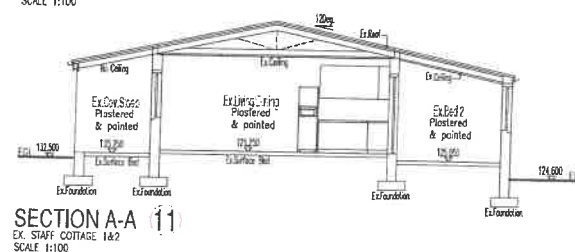
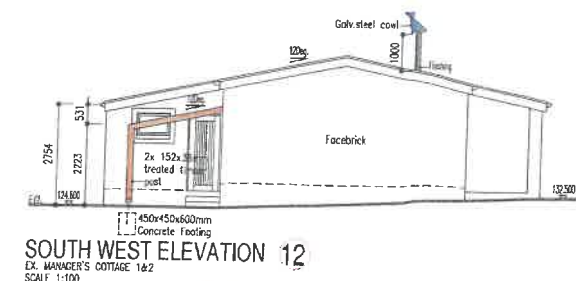
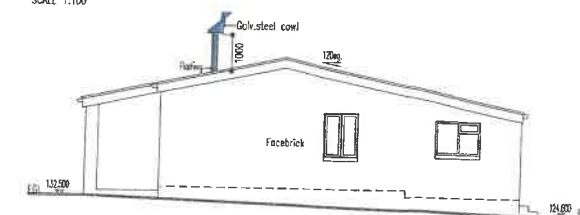
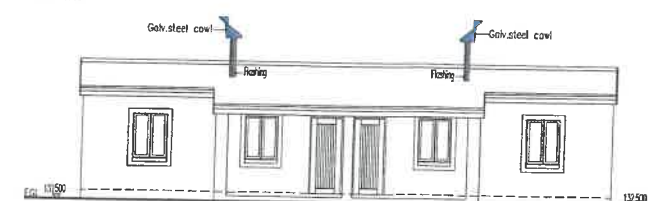
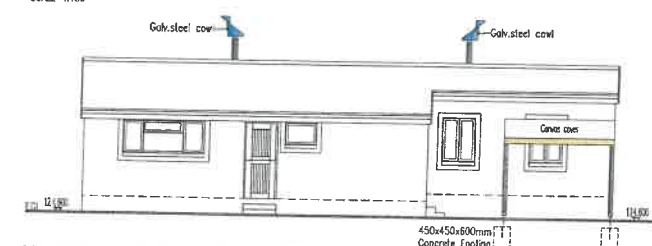
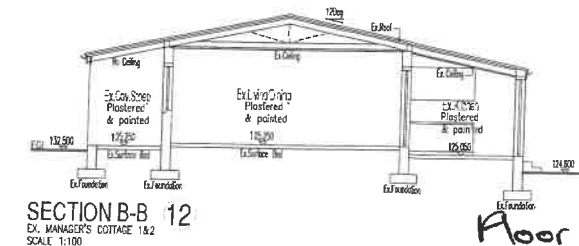
SHEET SCALE : REVISION

4 OF 9	As Shown	2.0
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DATE: FILE : DRAWING :

25/09/2024	528-MENT7	22-3
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DESIGN
ARCHITECTS



Floor plans:
4 X Employee
Housing Units

NOTES

VARIATIONS TO APPROVED PLANS FOR CONSTRUCTION			
REV:	DATE:	DRAWN:	DETAILS:
DRAWN : L A		HOUSE AREAS	
DESIGNER:		SITE AREA	42820sq
CLIENT:			

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

DRAWING:
SITE DEVELOPMENT P.L.V.

SHEET 6 OF 9	SCALE : As Shown	REVISION : 2.0
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DATE: 25/09/2024	FILE : 528-MENTZ	DRAWING No : 22-30
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PO BOX 50450 WEST BEACH CELL 082 927 7735 FAX: 080 094 1007
E-MAIL: ks@ladsdesign.co.za SACAP Pr. No. SJ1288


DESIGN
 ARCHITECTS



ALL STRUCTURAL WORK
TO BE VERIFIED BY
ENGINEER

VARIATIONS TO APPROVED PLANS FOR CONSTRUCTION

DRAWN :	L A	HOUSE AREAS
		SITE AREA 42820

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

STEEL ELEMENT 4. H

7 OF 6	As Shown	2.0
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25/09/2024	528-MENTZ	22-30
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E-MAIL: ks@ladesign.co.za SACAP Pr. No. S17288

