

NOTICE OF LAND DEVELOPMENT APPLICATION

Dear Mr/Mrs/Me

FARM 1018, STELLENBOSCH : APPLICATION FOR CONSENT USE : RENEWABLE SOLAR ENERGY STRUCTURE AND TOURIST FACILITY : WELLNESS FACILITY (SPA)

The following land use application in terms of the Stellenbosch Land Use Planning By-law refers:

Application Address:	Farm 1018, Stellenbosch
Applicant:	Alwi Theart t/a Urban Rural SA 082 411 7914 alwi@urbanrural.co.za
Owner:	Virginia C Povall ginny@botanicawines.com
Application Reference:	LU/18170(TP961/2024)

Description of land use application:

Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipality Bylaw on Municipal Land Use Planning, 2023, for a Consent Use on Farm 1018, Stellenbosch Division for the following:

- Renewable solar energy structure with a footprint of approximately 300 sqm and ancillary uses;
- a tourist facility in order to establish a wellness facility within the proposed new structure (approximately 107 sqm) consisting of a reception area, two treatment rooms, bathrooms and outside relaxation area with sauna and ice bath.

Notice is hereby given in terms of the provisions of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: <https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application must be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw. Written comment, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person who submits the comment in the application, may be submitted to the Applicant by electronic mail as follows: **Alwi Theart t/a Urban Rural SA (alwi@urbanrural.co.za)**. By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within **30 days** from the date of this notice to be received on or before the closing date of **9 May 2025**.

The Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/ objection received after the closing date.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at **+27 82 411 7914** during normal office hours.

Yours faithfully

Alwi Theart t/a Urban Rural SA
Planning + Land Use Specialists

KENNISGEWING VAN GRONDONTWIKKELINGSAANSOEK

Geagte Mnr/ Mev/Me

PLAAS 1018, STELLENBOSCH : AANSOEK OM VERGUNNINGSGEBRUIKE : HERNUBARE SON ENERGIE STRUKTUUR EN TOERISTE FASILITEIT : WELSTAND FASILITEIT (SPA)

Die volgende grondebruiksaansoek in terme van Stellenbosch se Verordening op Grondgebruiksbeplanning verwys:

Aansoek adress :	Plaas 1018, Stellenbosch
Aansoeker:	Alwi Theart t/a Urban Rural SA 082 411 7914 alwi@urbanrural.co.za
Eienaar:	Virginia C Povall ginny@botanicawines.com
Aansoek Verwysing:	LU/18170(TP961/2024)

Beskrywing van Grondgebruiksaansoek:

Aansoek word gedoen in terme van Artikel 15(2)(o) van die Stellenbosch Munisipale Verordening op Grondgebruiksbeplanning, 2023, vir vergunningsgebruike op Plaas 1018, Stellenbosch vir die volgende :

- Hernubare son energjie struktuur met 'n dekking van ongeveer 300 vkm en ondersteunende gebruike.
- 'n toeriste fasiliteit ten einde 'n welstand fasiliteit (spa) van ongeveer 107 vkm vanuit 'n nuwe gebou te bedryf wat bestaan uit 'n ontvangsarea, twee behandelingskamers, badkamers, en 'n buite ontspannings-area met sauna en ysbad.

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 tydsduur van die publieke deelname proses by die volgende adres:

<https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, moet die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening. Skriftelike kommentaar, wat besonderhede ten opsigte van die verwysings nommer van de aansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, die redes vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die aansoek, by die Aansoeker ingedien word by wyse van elektroniese pos as volg: **Alwi Theart t/a Urban Rural SA (alwi@urbanrural.co.za)**. 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 **9 May 2025**.

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by +27 82 411 7914 gedurende normale kantoor ure.

Die uwe

Alwi Theart t/a Urban Rural SA
Planning + Land Use Specialists



8 November 2024
Ref Nr. 383.2024

Stellenbosch Municipality
Department of Planning
STELLENBOSCH
7599

For attention : Land Use Planning
landuse@stellenbosch.gov.za



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LAND USE APPLICATION

Farm 1018, STELLENBOSCH

CONSENT USES FOR RENEWABLE ENERGY STRUCTURE AND TOURIST FACILITY :
WELLNESS FACILITY (SPA TREATMENT ROOMS)

An application is hereby formally made in terms of Section 15(2)(o), of the Stellenbosch Municipal Land Use By-law, to construct a Renewable Energy Structure and a Tourist Facility (Wellness Facility) facility on Farm 1018, Stellenbosch.

Attached please find the following information for your perusal:

- Completed application form
- Motivation Report
- Relevant supportive documentation as prescribed.

We trust that the information provided will be sufficient to continue with the advertising and notification process and to make an informed decision.

We are looking forward to your response.

Yours sincerely

Alwi Theart | [tch.pln\(sa\)](mailto:tch.pln(sa))
Principal Planner
Urban Rural South Africa



Planning Law
Feasibility Studies
Land use application
Property Development
Subdivision Applications
Site Visits & Assessments
Town Planning Administration
Urban Design and Site Planning
Project Management & Planning
Development Rights Investigations
Development Strategies & Coordination

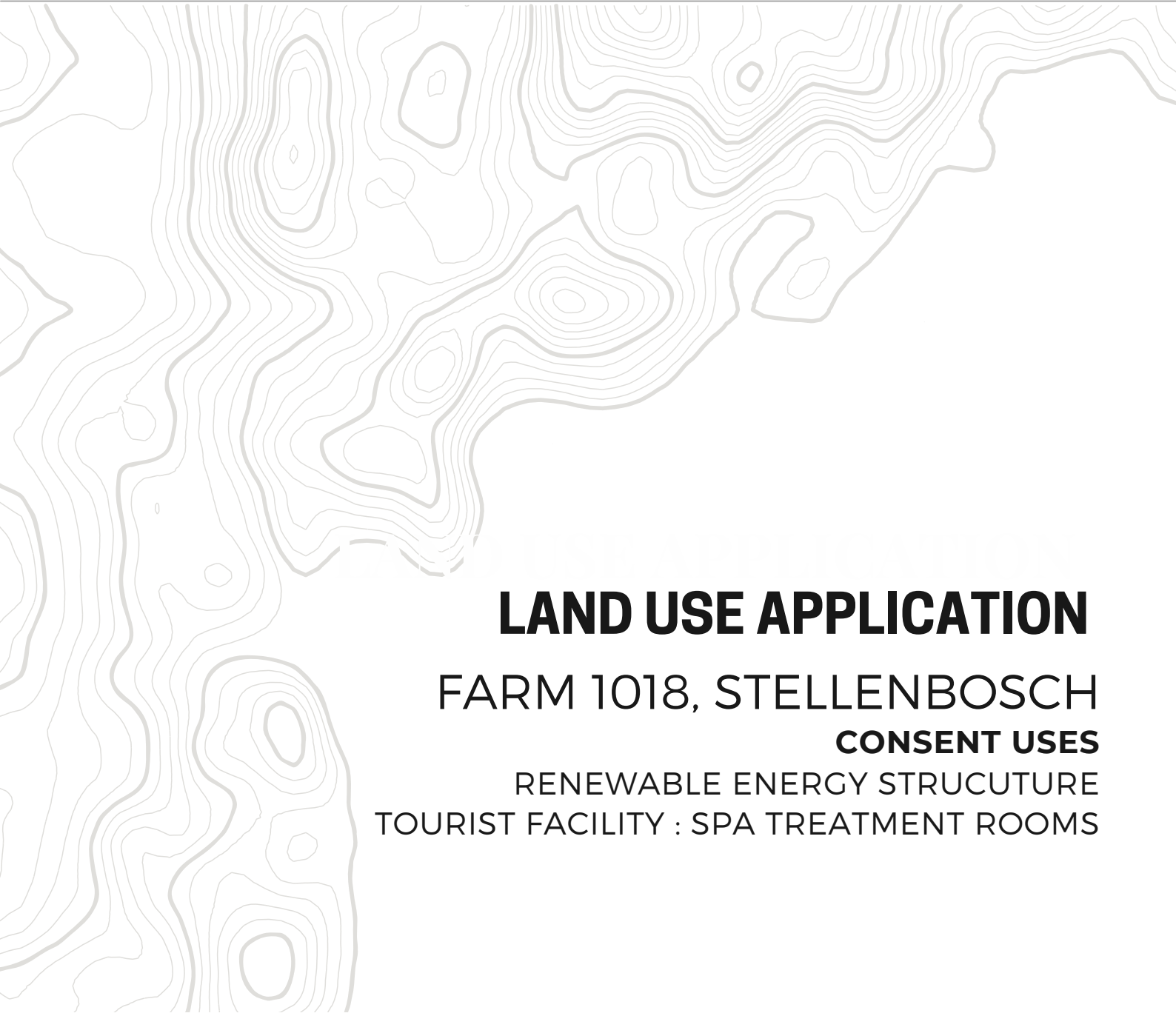
October 2024

Land Use Application

Farm 1018 Stellenbosch

**Consent Use : Renewable Energy Structure : Solar Panels
+ Tourist Facility (Wellness Facility - Spa Treatment Rooms)**

Protea Hoogte . Stellenbosch

A detailed topographic map of a landscape, showing contour lines and elevation changes. The map is rendered in a light gray tone, serving as a background for the title section.

LAND USE APPLICATION

FARM 1018, STELLENBOSCH

CONSENT USES

RENEWABLE ENERGY STRUCUTURE
TOURIST FACILITY : SPA TREATMENT ROOMS



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EXECUTIVE SUMMARY

Objective	To obtain the land use rights to accommodate an renewable energy structure and to construct a new building for a Wellness Facility (Spa)
Assessment	An assessment has been conducted to evaluate the proposed objectives against the Stellenbosch Zoning Scheme. The assessment indicates that a consent use application will be required to construct both the renewable energy structure and a new spa facility on the property.
Property	Farm 1018, Protea Heights, Stellenbosch.
Extent	21,6417 ha
Title Deed	T 47765/2008 . A conveyancer's certificate was obtain with previous land use applications. No new certificate has been considered necessary for this application.
SG Diagrams	C176/62
Servitudes	See Title Deed
Zoning	Agricultural and Rural Zone + Various Consent Uses
Land /Uses	Agriculture, Winery, Wine Tasting Facility, Flower Processing , Tourist Accommodation Establishment (20 bedrooms)
Legislation	Stellenbosch Spatial Development Framework, 2023 Stellenbosch Municipality : Municipal Planning By-law, 2019 Stellenbosch Municipality : Zoning Scheme Bylaw, 2019 (amended 2023)
Proposed Application	Section 15(2)(o) : Consent Use for Renewable Energy Structure Section 15(2)(o) : Consent USe for Tourist Facility : Wellness Centre (Spa)
Land Owner	Agriculture & Rural Zone
Application	Alwi Theart t/a Urban Rural South Africa, Planning + Land Use Specialists +27 82 411 7914 alwi@urbanrural.co.za www.urbanruralsa.com

Conclusion

- The proposed development aligns with the Stellenbosch Zoning Scheme, utilizing no arable agricultural land for the renewable energy structure or the planned wellness facility.
- This small-scale project is designed to ensure minimal impact on neighboring properties, the environment, and the farm's agricultural production and current land uses.
- The renewable energy facility will enable sustainable farm operations during power outages and the wellness facility will add value to the existing tourist accommodation establishment.
- Additionally, the spa will increase the value offered to tourists staying in the current 20-unit facility.
- The municipality can endorse this proposal with confidence, as it poses no negative impacts.

1. Background to Application

The property, originally a wine and protea farm, was purchased in 2008. With tourism becoming a key economic driver in the area, a guest house and winery were envisioned as additional onsite amenities. The property already included a farm manager's house and several ancillary structures, such as a farm shed, nursery/chicken run building, and pump house.

Before this purchase, the manor house received rezoning approval in January 2004, to allow for a 9-suite guest house. After acquiring the property in 2008, a further rezoning was approved in November 2009, converting a 998m² section to Agricultural Zone II. This change facilitated the transformation of an existing shed into an 80-ton wine cellar, with additional consent to operate a wine tasting and sales facility in the cellar as a tourist attraction.

In 2021, an application to expand the guest house to include a total of 20 suites was approved. Additionally, permission was also granted to extend the winery and to establish a wine tasting facility within an existing building. All permitted land uses are shown on the attached site plan.

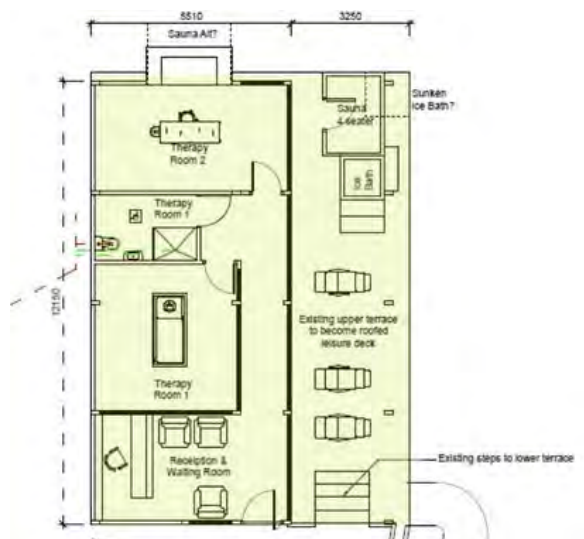
2. Application

Application is made in terms of:

- **Section 15(2)(o)** of the Stellenbosch Municipal Planning By-law for **consent use** to construct a solar renewable energy structure (114 panels) of approximately 300 sqm on Farm 1018, Stellenbosch to provide the necessary electricity for the property and to utilise a section of a building approximately 20 sqm to accommodate the inverters and battery systems;
- **Section 15(2)(o)** of the Stellenbosch Municipal Planning By-law for **consent use** to construct a new building on an already disturbed area (outside paved area) of approximately 107 sqm to accommodate a new spa facility consisting of two treatment rooms with ancillary uses. The spa will service the on-site 20 unit tourist accommodation establishment and will also be open for the general public.
- Approval of the *revised Site Development Plan* which is attached as **Annexure C5 , SBP 1018 020 B**.



• Solar Infrastructure with inverters + batteries



• Wellness Facility (Spa)

3. Stellenbosch Zoning Scheme

The Stellenbosch Zoning Scheme provides for a renewable energy structure and a tourist facility (if accommodated on a new structure) as a consent use. Please refer to the table below for details. Definitions for the two proposed new uses have been extracted from the zoning scheme and are as follows:

Primary Uses:	Additional Uses (not exceeding threshold in this chapter and subject to technical approval:	Consent Uses (Application required)
<ul style="list-style-type: none"> • Agricultural Building (less than 2000sqm), • Agriculture, • Dwelling house, • Second Dwelling, • Forestry, • Natural Environment, • Occasional use (one event/year), Private Road, • Polytunnels (less than 2000sqm), Employee housing (one unit) 	<ul style="list-style-type: none"> • Agricultural Building (more than 2000sqm), • Agricultural Industry (smaller than 2000 sqm), Bed & Breakfast establishment, • Employee housing (exceeding one unit), • Guesthouse, • Home occupation practice, • Home day care centre, • Poytunnel (larger than 2000 sqm and smaller than 5000sqm, • Rooftop base telecommunication station, • Tourist dwelling units, • Tourist facility (existing buildings) 	<ul style="list-style-type: none"> • Abattoir, • Additional Dwellings (max4), • Airfield, Airstrip, • Agricultural Industry (larger than 2000 sqm, Camping site, • Day care centre, • Freestanding base telecommunication station, • Helicopter landing pad, • Intensive feed farming, • Kennel, • Market, • Occasional use (more that one event/year), Plant nursery, • Polytunnel (larger than 5000 sqm, • Renewable energy structure, • Service trade, • Tourist accommodation establishment, • Tourist facility (new buildings or exceeding threshold), • Any additional use exceeding the threshold set out in this chapter

Definitions

Renewable energy installation, means any wind turbine or solar voltaic structure, installation or plant, which capture and converts wind energy or solar radiation energy into electricity and is erected for commercial use and/or gain irrespective of whether it feeds into the national electricity grid or not, and includes any test facility, ancillary use, building and /or structure, which may be used in connection with the generation of energy on a commercial bases;

Note: Note: The criteria for determining when a renewable energy installation requires a land use application have historically been unclear, leading to confusion around submission requirements. As a result, many of these installations were constructed without clear guidance on whether an application was necessary. To address this issue, the Municipality's Planning Department issued a clarification letter on 23 August 2024, providing guidance on the interpretation of renewable energy structures (RES) within the municipal area. According to the new directive, regardless of whether the facility generates electricity for commercial or private use, if the solar panels are mounted on a freestanding structure rather than the roof of an existing building, an application for consent use, as outlined in the Municipal Zoning Scheme, is required for assessment and approval.

Tourist facilities, describes land uses that provide facilities, amenities and activities, aimed at tourists and visitors, such as shops, markets, restaurants and places of entertainment (which may be licensed to sell alcohol), outdoor sport, conference facilities, place of assembly, **wellness centres** and/or open spaces, and may also include ancillary uses , limited industry only related to the manufacturing of clothing, food, beverages or making of craft items and/or art, a liquor store for the sale of alcoholic beverages for off-site consumption, provided that the alcoholic beverages are produced under license on the land unit and examples include farm stalls, farm shops, farmers markets, farm deli, wine sales, wine tasting facilities, 4x4 or mountain bike trails, cycle and hiking trails, picnic facilities, function venues, brew-pubs craft gin distilleries, coffee roasteries, bakeries, charcuterie, but exclude tourist accommodation, guest houses, bed and breakfast establishments and hotels.

INFORMATION INSIGHT

Background on why Solar Energy is important :

In South Africa, a country blessed with abundant sunlight, solar energy is an increasingly viable solution for both residential and commercial properties. Given the ongoing challenges of loadshedding, integrating solar energy into agricultural properties has become more than just an option—it's a necessity. The installation of solar panels, inverters, and battery storage on agricultural land offers not only environmental benefits but also energy security, ensuring continuous operations even during power outages.

01 **Harnessing Solar Potential on Agricultural Land**

South Africa's high solar irradiation levels make it an ideal location for solar energy generation. Photovoltaic (PV) panels, commonly referred to as solar panels, capture sunlight and convert it into usable electricity through semiconductor materials. By installing these panels on agricultural properties, landowners can significantly reduce reliance on the national grid, contributing to a greener, more sustainable energy future while maintaining agricultural productivity.

02 **Optimizing Solar Panel Installation**

For optimal energy generation, careful consideration must be given to the placement, orientation, and tilt of solar panels. North-facing installations with a slight tilt are generally recommended to maximize exposure to sunlight. On agricultural properties, structures such as barns or sheds can be effectively utilized for panel installation, ensuring that agricultural activities are not disrupted. Moreover, the renewable energy generated will support farm operations, reducing operational costs in the long term. When existing buildings are not considered suitable for accommodating the solar panels specific structures are used to accommodate the panels.

03 **Inverters: Converting Solar Power into Usable Energy**

Solar panels produce direct current (DC) electricity, while most agricultural equipment and infrastructure require alternating current (AC). Inverters are crucial in this conversion process, ensuring the electricity generated is usable on the property. Various inverter types are available, from string inverters, which are cost-effective and suitable for large installations, to microinverters and power optimizers, which are ideal in cases where shading or irregular panel orientation might affect energy production.

04 **Battery Storage: Enhancing Energy Independence**

One of the challenges with solar power is its reliance on sunlight, which can be intermittent. By incorporating battery storage solutions, excess energy generated during the day can be stored and used during periods of low sunlight or nighttime. Advances in lithium-ion battery technology provide reliable energy storage options, ensuring that agricultural operations continue uninterrupted. This level of energy independence is especially important in rural areas where access to the national grid may be less reliable.

By approving the installation of solar panels on agricultural zoned land, municipality's would be supporting sustainable farming practices, promoting energy security, and aiding in the reduction of carbon emissions, all while maintaining the integrity of the land's agricultural use.

4. Proposed Development

The development includes the following:

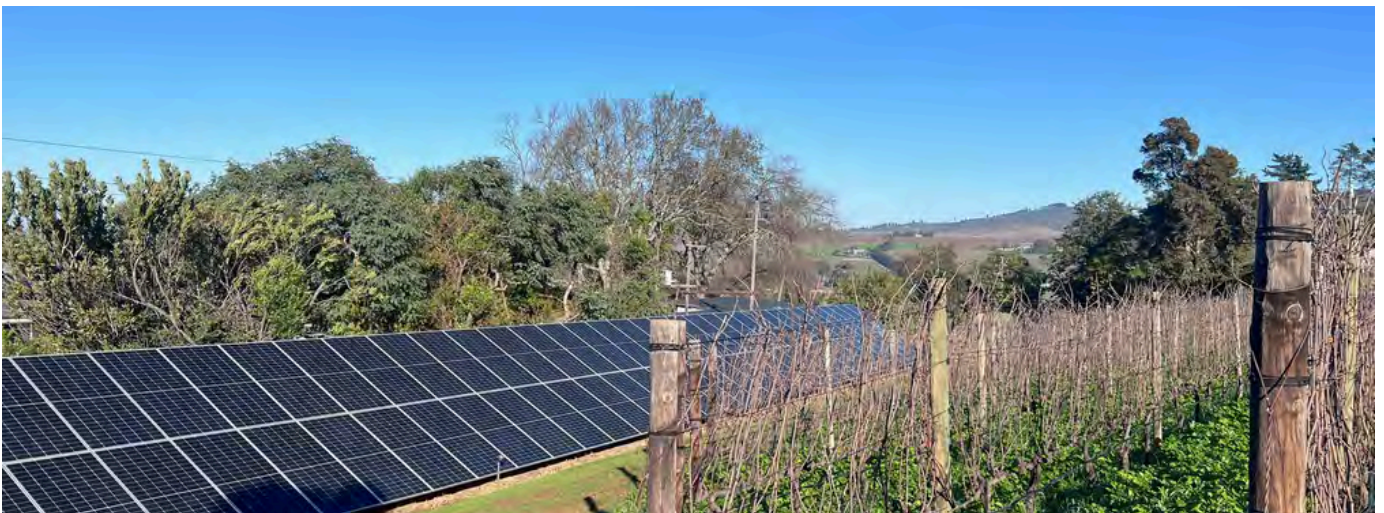
Solar energy structures are permitted on buildings located in the agricultural environment without any specific land use approval from Stellenbosch Municipality. However, should a solar structure not forming part of an existing building and a new structure is constructed for this purpose it can be accommodated as a consent use for which a formal application will have to be submitted to the municipality for evaluation and approval. In this specific application the landowner has investigated the options to accommodate the solar panels on the various buildings on the property but due to the location of the buildings it did not make economic sense to construct the solar on each building. A specific area was identified on the property for this purpose, which did not impact the agricultural productivity of the property or any of the other facilities, namely the winery and tourist accommodation facility operating from the property. It would be beneficial to put up one structure and have one storage facility (for the inverters and batteries) from where the electricity can be distributed to all the relevant buildings.

Renewable Energy Structure and Ancillary Uses

- Size: 300 sqm steel structure (see photos) Size of one panel (113.4 cm x 227.9cm = 2.584 sqm)
- Height: Approximately 4m
- Solar Panels: 114 JAM72D30 550/MD mono solar panels, each producing 550 watts, totaling 62.7 kW (62,700 watts per hour)
- Inverter System: SMA Multicluster Inverter System, including 2 SMA Multicluster boxes and 9 SMA Sunny Island battery inverters
- Battery Storage: WECO Battery Energy Storage with an existing building (20 sqm)

The steel frame structure housing the 114 solar panels is located close to some of the buildings on the property. A portion of a neary shed building will be use to accommodate the facility's infrastructure (batteries and inverters). No arable land will be used for the installation. The solar structure is naturally screened, alongside a row of trees and minimizing any potential visual impact from neighboring properties and the guest accommodation units on the property.

Part of an existing shed building will be used to store the inverter and battery system, which is located in close proximity of the solar panels. The energy generated and stored in this facility will be distributed to all the buildings on the property (see attached photo images)



Spa Facility

A new 107 sqm spa facility will be constructed, comprising a reception area, two treatment rooms, restroom facilities, an outdoor covered relaxation area with a sauna, and an ice bath.

The spa will be built on an already-paved terrace area, previously used as an outdoor entertainment space. (see annexure B11) It is intended primarily for guests of the existing 20-room tourist accommodation facility but it is also the intention to open the facility to the general public. With the existing 20 bedrooms on-site it can be anticipated that the influx from outside clients will be restricted. The scale of the spa is small, so any impact from public visitors and additional traffic is expected to be insignificant.

- **Services Infrastructure**

Electricity and water for the spa facility will be supplied from the existing wine-tasting building, with infrastructure extended to support the new spa. An existing conservancy tank, which currently serves the wine-tasting facility, will also be used for the spa. The current sewerage system is sufficient to accommodate this extension, and a service contract is in place for periodic tank cleaning as needed.

- **Parking**

Four parking bays are available close to the facility, serving both the existing wine-tasting facility and the proposed spa. Additional parking is available on the property if needed.

5 National and Provincial Planning Legislation

5.1 Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)

The Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013), governs land use planning in South Africa.

The Act establishes a comprehensive framework for spatial planning and land use management across the Republic, ensuring that spatial planning integrates seamlessly with other types of planning for cohesive and coordinated development. It promotes inclusive, developmental, equitable, and efficient spatial planning across various levels of government. Additionally, the Act provides a framework for monitoring, coordination, and review of the spatial planning and land use management system to maintain its effectiveness and relevance.

The Act sets out policies, principles, norms, and standards to guide spatial development planning and land use management, aiming to correct historical spatial and regulatory imbalances for a more equitable framework. It also promotes greater consistency and uniformity in application procedures and decision-making by authorities responsible for land use decisions and development applications.

Furthermore, it establishes Municipal Planning Tribunals to oversee land use planning at the municipal level, facilitating and enforcing land use and development measures to ensure compliance with the Act. By addressing these and other related matters, the Act guides sustainable and equitable land use in South Africa, promoting orderly development and consistent, fair decision-making.

5.2 Western Cape Land Use Planning Act, 2014 (Act 3 of 2014)

The Western Cape Land Use Planning Act, 2014, was drafted and promulgated to focus specifically on the land use planning needs of the Western Cape Province, building on the broader national legislation.

The purpose of this Act includes consolidating various legislative aspects within the province, such as provincial planning, regional planning and development, urban and rural development, and the regulation, support, and monitoring of municipal planning. It also addresses the regulation of public places and municipal roads arising from subdivisions.

The Act provides for the creation of provincial spatial development frameworks and sets minimum standards to ensure the efficient coordination of these frameworks. Additionally, it establishes minimum norms and standards for effective municipal development management and regulates provincial development management, including the impact of land development on agriculture. The Act sets out land use planning principles and repeals certain outdated laws, addressing matters incidental to these goals.

This Act has led to the proclamation and implementation of specific local frameworks and by-laws, such as the Stellenbosch Municipality Spatial Development Framework of 2017 and the Stellenbosch Municipal Planning By-law of 2015 (updated in 2023) which regulate land use planning in the greater Stellenbosch area.

5.3 Stellenbosch Spatial Development Framework, 2023

The Stellenbosch Spatial Development Framework (SDF), approved in May 2023, was drafted in accordance with relevant legislative requirements to guide the future spatial form of the greater Stellenbosch area. It aims to establish a binding set of principles that direct development and define the development rights of property owners. The main goals of the SDF are to:

- Achieve shared and inclusive growth
- Increase access to opportunities, particularly for disadvantaged citizens
- Improve sustainability by minimizing ecological footprints
- Maintain the unique sense of place of towns and regions

To achieve these outcomes, various factors such as strategic infrastructure needs and requirements, natural resources, housing, agriculture, and appropriate land use must be considered.

Tourism is a significant economic contributor to the area and should be promoted and supported wherever possible. Promoting work, skills, and training opportunities is also a high priority, and the proposed development can contribute to these goals. For a landowners to be able to provide their own electricity will reduce the demand from the National Provider (Eskom) which can channel the saved energy to other areas where needed. This will also assist in reducing the ecological footprint of the property in a system where it is the Country's as well as the municipality's goal to create a more sustainable environment for all to live in.

5.4 Stellenbosch Municipal Zoning Scheme, 2015

The Stellenbosch Zoning Scheme allows for renewable energy structures and tourist facilities on agriculturally zoned properties, either as an additional use or a consent use for tourist facilities. This depends on the scale of the development and whether the facilities will be housed in existing buildings or new structures. In this specific application, the facilities will require additional structures , although very limited and therefore the necessary consent use applications were submitted.

6. Development principles

The Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) also known as SPLUMA has identified certain development principles which should be considered when development takes place and this has been adopted in the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014 (LUPA) and was also included in the Land Use Planning Bylaws of all the Local Municipalities. These principles include aspects such as **Spatial Justice, Spatial Sustainability, Spatial Sufficiency, Spatial Resilience, and Good Governance.**

Spatial Sustainability

Land development that is within the fiscal, institutional and administrative means of the country must be promoted. Prime and unique agricultural land must be protected and environmental management instruments applied to development. The effective and equal functioning of the land market and development in locations that are suitable and limiting urban sprawl must be promoted.

The proposed development will be on a farm which is currently zoned agricultural and rural zone. The property is an active agricultural productive unit and produces grapes and flowers. The proposed facilities will not have a negative impact on the agricultural production ability of the property and will in fact support the agricultural production and existing tourist accommodation facility by providing electricity when the national service provider cannot produce the necessary service. The small extension of the tourist facility by adding a spa treatment facility will add value to the guest experience and will lead to economic spin-offs, more diverse services, job creation and job security.

Spatial Justice

The principle of equality requires that everyone affected by spatial planning, land use management, and land development actions or decisions must enjoy equal protection and benefits, and no unfair discrimination should be allowed.

The proposed development will add value to the agricultural production of the property especially in times when electricity is not provided by the national provider. The spa will add value to the existing guest experience and no one is excluded from making use of the facility.

Spatial Efficiency

Land development that optimizes the use of existing resources/infrastructure while minimising the negative financial, social economic or environmental impacts, must be encouraged.

The solar renewal energy will secure electricity provision to the property for both the agricultural production as well as the tourist accommodation components which will certainly create better economic stability for the property itself as well as the region. Solar is also seen as clean and sustainable energy and it will therefore not have a negative impact on the environment as such. Financially, it will also benefit the landowner in the long run, while more stable electricity can be provided to the property, when needed.

Spatial Resilience

Flexibility in Spatial Plans, Policies, and development management systems must be accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks

The Stellenbosch Municipal Zoning By-law make provision for renewable energy structures as well as spa facility on agricultural zoned land, subject to certain rules and regulations which we are of the opinion has been adhered to in the best possible way. This will also help secure current jobs on the property and potentially create new job opportunities through the new facilities. Running an agricultural farming operation is always challenging due to factors beyond the owners' control. Therefore, providing sustainable electricity and supportive facilities for a better experience for the guests will lead to more income and will ensure financial stability to keep the property running and job opportunities in tact.

Good Administration

Inter-governmental coordination at all spheres is vital to ensure an integrated approach to spatial planning and development management. Transparent procedures and processes of public participation are required for spatial plans, policies, zoning schemes and for development applications.

The application has been submitted as prescribed by legislation and will be evaluate by the Municipality. The application will be advertised to all the relevant departments and the general public based on a prescribed public participation process that is open and transparent to all.

Conclusion:

The proposed development can be considered to be in line with the applicable development principles, as the proposed development will (1) not deviate from the existing zoning of the property and can be accommodated as a consent uses within the applicable zoning, (2) it will make optimal use of the existing service infrastructure available. It will further ensure that (3) sustainable utilization of the property, which will not negatively impact on the agricultural production of the property, and will create the opportunity to add facilities which can support the property financially and also to secure job and provide new opportunities. The application will be taken through a (4) prescribed application process which will inform all the relevant parties and roleplayers and will give them the (5) opportunity to comment/respond to the proposed development, which promotes (6) inclusivity and (7) good governance.

7. Criteria for decision making

According to Section 65 of the Stellenbosch Municipality Land Use Planning By-law, and specifically under Section 65(c), the proposed land use must be considered desirable. Section 65(c) outlines specific criteria deemed desirable that should be considered. These criteria can be summarized as follows:

General Criteria for considering an application

When a municipality considers an application, it should take into account factors such as (1) socio-economic impacts, (2) compatibility with surrounding land uses, (3) effects on engineering services, and (4) impacts on the safety, health, and well-being of the surrounding community. Additionally, the assessment should include potential impacts on (5) heritage sites, (6) the geophysical environment, (7) traffic flow, and parking availability. Any possible conditions and mitigation measures should also be identified to manage any potential impacts effectively.

- The installation of solar panels on this agricultural and tourist accommodation property will bring significant socio-economic benefits. By lowering operational costs, the property can reinvest savings into service improvements and job creation, enhancing economic stability for employees and the broader community. Reliable, sustainable energy also attracts eco-conscious tourists, boosting local businesses like food suppliers, artisans, and tour operators, which strengthens the regional economy.
- The property's commitment to renewable energy sets a positive example, encouraging sustainable practices in the community and fostering environmental awareness among locals and visitors. This shift to solar power reduces the property's carbon footprint, helping preserve the natural beauty of the Winelands—a critical asset for both tourism and agriculture. In sum, solar investment supports a resilient, sustainable economic future for the region.
- The location of the proposed renewable energy structure has been carefully chosen. Rooftop installation was not selected, as managing power generation and storage individually for each building on the property would have been challenging. Instead, a site has been identified that does not occupy viable agricultural land, ensuring no impact on agricultural productivity. Additionally, the structure is situated away from property boundaries, minimizing any potential impact on adjacent landowners.
- The solar structure is positioned against a backdrop of trees, reducing its visibility from neighboring properties. Generated power is stored in batteries and managed by multiple inverters, which distribute energy to the various buildings on the farm. All batteries and inverters are located near the solar structure in an existing building, utilizing only a small portion of the space for this purpose (see attached photos).
- This facility will supply sufficient power to the farm, reducing reliance on Eskom. The solar infrastructure will not generate additional traffic to the property, apart from occasional maintenance visits as needed.
- The addition of a spa facility with two treatment rooms, a bathroom, and an outdoor relaxation area featuring a sauna and ice bath will enhance the appeal of the 20-room tourist accommodation on the property. This tranquil spa offers guests a unique opportunity to unwind, adding value to their stay and creating a more enjoyable experience. With its thoughtfully designed layout, the spa allows guests to relax and recharge, complementing the natural beauty and amenities already available on the farm.
- Spanning just 107 square meters, the spa will not require additional services and will be linked up with the existing services infrastructure, and is conveniently located near existing parking, ensuring easy access for guests. The facility will be primarily used by on-site guests, yet its availability to the general public provides an additional revenue stream without impacting the property's serene environment. Expected traffic from external visitors will be minimal, and peak hour traffic increases are not anticipated, so no traffic studies are necessary as required/stipulated in terms of Section 44.1 of the Zoning Scheme.

- the spa is an ideal addition that enhances the accommodation offering without significant impact on the property's infrastructure, ensuring a refined, relaxing environment that appeals to both guests and outside visitors.

8. Desirability in terms of the Stellenbosch Zoning Scheme By-law

Section 213 : Stellenbosch Municipality : Zoning Scheme By-law

Section 213 of the Stellenbosch Municipality's Zoning Scheme By-law, 2019 (amended 2023) specifies certain rules, regulations and guidelines should adhere to with the submission of consent use application.

Section 213.1

Before approving a consent use application for the conversion of any existing buildings on a land unit in this zone, the municipality shall require the submission of a site development plan in accordance with the requirements outlined in Section 2016.

ASSESSMENT : A site development plan was previously submitted and approved with the prior applications. Changes have been made to the approved SDP, and the revised plan is attached to this document as Annexure C03, Drawing no. SBP 1018 020 B.

Section 213.2

When approving new consent uses the Municipality shall have regard for the objectives of the zone namely the preservation of agricultural land and the continued use of farmland for agriculture.

ASSESSMENT : No arable agricultural land will be utilise for the proposed development. The solar structure will be constructed between a vineyard block and a row of trees which will reduce any potential visual impact.

Section 213.3

The scale of the individual buildings used for consent uses shall remain in keeping with the character of buildings on the land unit, the character of the area and non-agricultural land uses may not dominate the farm activities or building form.

ASSESSMENT

The proposed scale of the proposed facilities are considered to be in keeping with the character of the property. The solar panel structure is "hide" between a vineyard block and a row of trees which reduces any potential visual impact that may be created by the proposed structure. The facility will add value to the current agricultural activities conducted from the property, rather than creating a negative impact. The proposed wellness facility is of a small nature and is planned on already disturbed land and it will not impact on the agricultural activities of the property. The spa facility will also add value to the approved tourist accommodation establishment on the property by providing additional income for the owner as well as an additional service to the guests.

Section 213.4

A consent use application for an abattoir, airstrip, meeting facilities associated with a guesthouse, day care centre, helicopter landing pad, hotel, outdoor sport, tourist accommodation establishment and tourist facilities which exceed the threshold may only be approved if the Municipality is satisfied that the use is subservient to the primary use of bona fide agriculture or natural environment or combination of these two primary uses.

ASSESSMENT :

The proposed development will exceed the threshold as prescribed in the zoning scheme as the proposed spa facility will be accommodated in a new building. It is however important to mentioned that the area where the building will be constructed on a paved terrace area which was used as an outside braai and entertainment area. The new building is also easily accessible from existing farm roads and parking is provided in close proximity.

Section 213.5

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

Assessment :

The property is an active agricultural producing unit. Agricultural is at the forefront of the activities on the property. The proposed solar energy structure with solar panels will be supportive of the agricultural activities conducted from the property and will put the landowner in a position to carry on with the agricultural production activities in case of electricity shortages or loadshedding. The proposed wellness facility is of such a small scale that it will not have any impact on the agricultural activities or the natural environment

Section 213.6

If agriculture or natural environment use is not conducted from the farm, or if agriculture or natural environment use ceases to be practiced on the land unit, a rezoning is required before not - agriculture consent uses may be exercised.

Assessment :

Noted . Not applicable. This farm is a productive agricultural unit.

Section 213.7

As far as possible, the consent uses should be undertaken from existing buildings on the property which are no longer utilised for their original purpose, and the Municipality may approve internal alterations and additions to these buildings within the parameters of this Scheme.

Assessment:

The area earmarked for the proposed wellness facility has previously been used as an paved terrace area for entertainment/braai. The area was therefore already disturbed and to construct a new building on this footprint will not have an impact on the agricultural production ability of the property.

Section 213.8

New buildings may only be approved if the Municipality is satisfied that there are no other suitable unused buildings on the land unit which can be used for this purpose, or where the location or configuration of existing buildings are obviously unsuitable or undesirable for the proposed use, or where the proposed new buildings are significantly more desirable given the purpose of the Agricultural and Rural Zone.

Assessment

Based on the landowner's investigations, it made more sense to construct a single structure to accommodate the solar panels in one specific area, rather than scattering the system across the property by placing panels on the roofs of existing buildings. Since the buildings are not all in the same location, this option was more practical for her. The panels will be located between an existing vineyard block and a row of trees, which will help to minimize the potential visual impact.

Section 213.9

The coverage or floor area of each approved consent use on the land unit shall be recorded on the farm site development plan, and the Municipality may limit the floor area or coverage of each particular land use or the total floor area or coverage that may be used for consent uses.

Assessment:

The coverage and floor area of the proposed development has been indicated on the revised site plan attached as **annexure C)**

9. Motivation

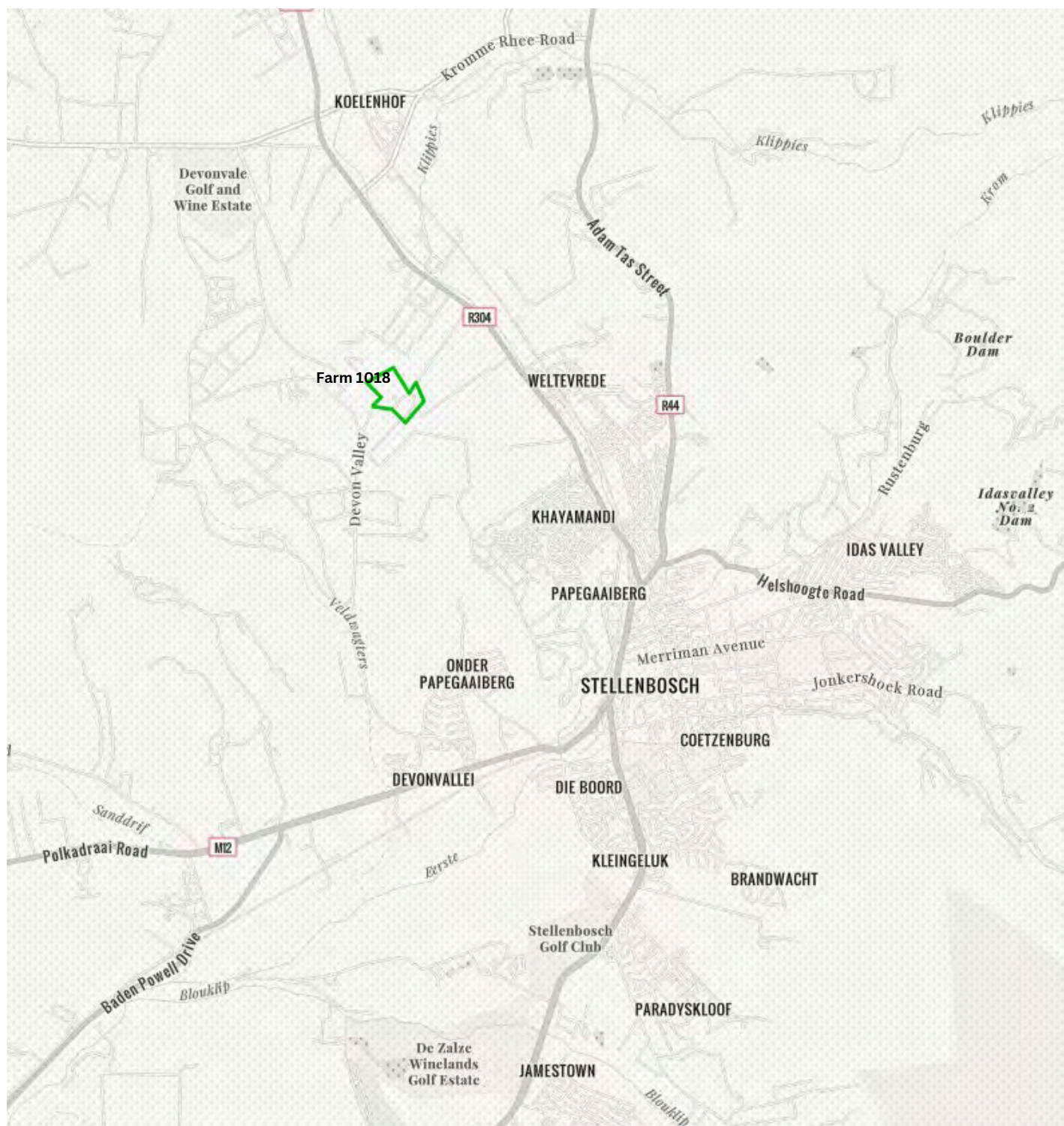
- Integrating solar renewable energy into an active agricultural property in South Africa's Cape Winelands offers significant advantages, especially for one that includes a working winery, flower packaging facility, and 20-suite guest accommodation. Such a property has substantial and continuous energy demands, making it particularly suited to a solar solution. With the need for reliable power across vineyard maintenance, wine production, cold storage, and guest services, solar energy can drastically reduce operating costs while ensuring dependable power access, even during load shedding. This self-sufficiency is invaluable to maintaining smooth operations in critical areas, from cooling systems and wine cellar processes to guest amenities like air conditioning, heating, and lighting.
- In a region celebrated for its natural beauty and commitment to sustainability, a solar-powered winery and guest facility appeal strongly to eco-conscious tourists seeking an authentic, environmentally responsible experience. Adopting solar energy reduces the carbon footprint of operations and enhances the property's marketability as a forward-thinking, sustainable destination. Visitors to the Winelands, drawn by pristine landscapes and high-quality wine, increasingly appreciate properties that demonstrate environmental stewardship. Solar infrastructure, therefore, adds to the property's appeal by aligning with global tourism trends toward green travel, potentially boosting occupancy rates and guest loyalty.
- Moreover, solar energy provides consistency and cost-effectiveness within South Africa's unique climate. Excess electricity can be stored or even sold back to the grid (when available), benefiting the property's finances and reinforcing its sustainability for the future. The combination of active agriculture, a high-end winery, and premium guest accommodation makes solar energy not only advantageous but essential to achieving operational resilience and appealing to a market that values eco-friendly practices.
- The proposed application was evaluated against all relevant legislation, policies, and regulations applicable to land use applications in the Stellenbosch Municipal Area.
- Our findings indicate that the application complies fully with all key legislation.
- No valuable or arable agricultural land will be utilized for the proposed additional land uses, and the property's agricultural production will remain unaffected. The installation of solar panels will ensure a reliable electricity supply, meaning that agricultural and tourism activities on the property can continue without interruption, even during load shedding.
- The application is considered to be of an acceptable scale and will not compete with or detract from existing agricultural operations on the property.
- Tourism is one of the main economic drivers in the Stellenbosch area, and adding a spa facility to the property's existing 20-suite guest accommodation will increase its value, providing guests with additional recreational options. The spa, which will also be open to the general public, is expected to draw more tourists to the area and will promote the property's guest accommodation, wines, and flower products, contributing to economic prosperity for both the property and the region.
- The additional traffic generated by the proposed development will be minimal, and no further studies are deemed necessary. Traffic from the proposed wellness facility is expected to fall well below the threshold of 50 additional peak-hour, single-direction trips set in Section 44 of the Stellenbosch Municipality Zoning Scheme Bylaw, 2019 (amended 2023).
- When landowners/ investors show a willingness to fund such ventures, it's crucial for local authorities to provide the necessary support to ensure their success especially if the proposed development falls within the regulatory legislation and development rules. This will benefit the entire community by fostering economic growth and enhancing the local tourism industry. The proposed facilities will be accommodated in the best possible areas on the property and will not have a negative impact on adjacent land owners neither will it have a negative impact on the agricultural activities of the property.

10. Conclusion

In the light of the abovementioned motivation and arguments put forward in this document, it is our considered opinion that the proposed development will allow the existing land owner's the opportunity to utilise their property to its full potential by allowing them to construct the following:

- (1) Renewable solar energy structure with 114 Solar panels (footprint of approximately 300 sqm) with ancillary uses (storage of the inverters and battery system in a section of an existing building, (approximately 20 sqm)
- (2) The construction of 107 sqm building on an existing disturbed footprint of an outside braai/entertainment area to accommodate a wellness facility (spa) consisting of a reception room, two treatment rooms, bathroom and outside relaxation area with sauna and ice bath, which will be open to the stay-in guests and the general public, on Farm 1018, Stellenbosch.
- (3) Approval of the revised Site Development Plan which is attached as **Annexure C5 , SBP 1018 020 B.**

It is therefore our request that the application for the proposed **Consent Uses**, be approved on Farm 1018, Stellenbosch.



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 PLANNING + LAND USE SPECIALISTS

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LOCALITY PLAN

PROPERTY : Farm 1018, Stellenbosch

DATE : October 2024

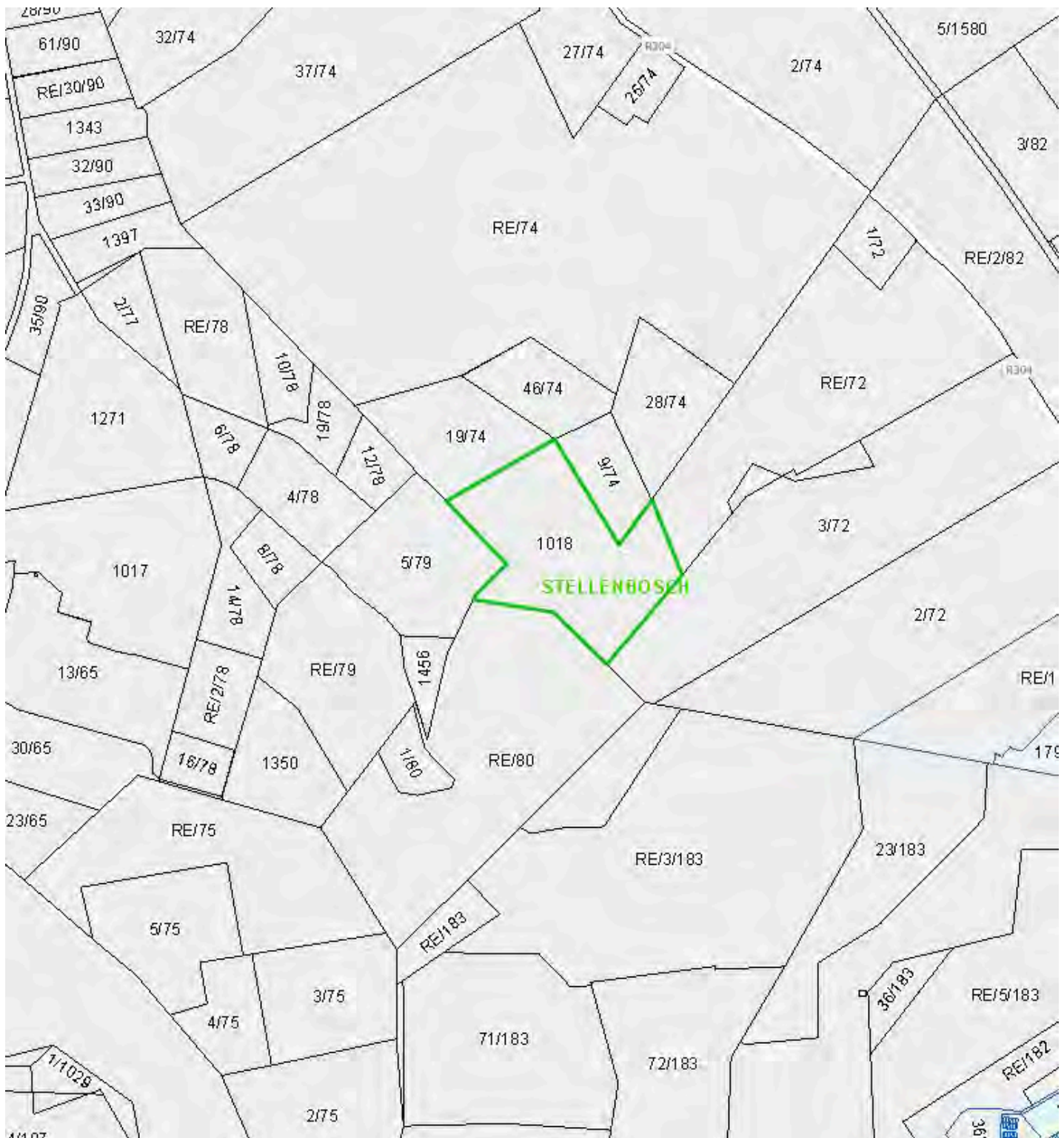
SCALE : Unknown or as Indicated

SOURCE : Cape Mapper

PROJECT NR. 383.2024

PLAN

B01

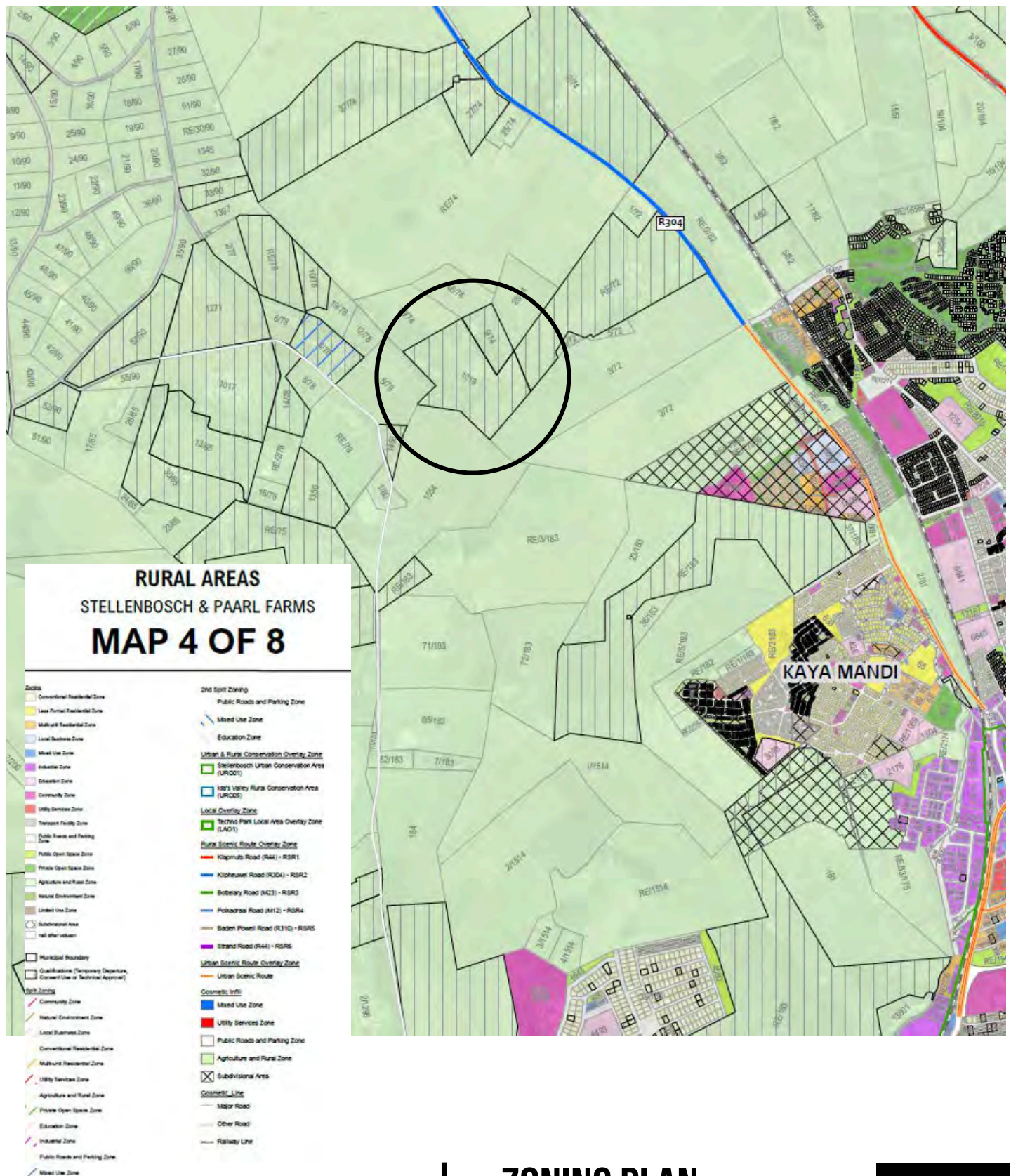


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CADASTRAL PLAN

PROJECT NR. 383.2024

B02



ZONING PLAN

PROPERTY : Farm 1018, Stellenbosch

DATE : October 2024

SCALE : Unknown or as Indicated

SOURCE : Stellenbosch Municipality

PROJECT NR. 383.2024

PLAN

B03



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CONSENT USE LOCATIONS

PROPERTY : Farm 1018, Stellenbosch

DATE : October 2024

SCALE : Unknown or as Indicated

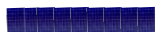
SOURCE : CFM

PROJECT NR. 383.2024

PLAN

B04



- 

Solar Panels on a steel structure
- 

Proposed Spa Facility
The facility will be consist of 2 treatment rooms with showers and ablution facilities



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CONSENT USE LOCATIONS

PROPERTY : Farm 1018, Stellenbosch

DATE : October 2024

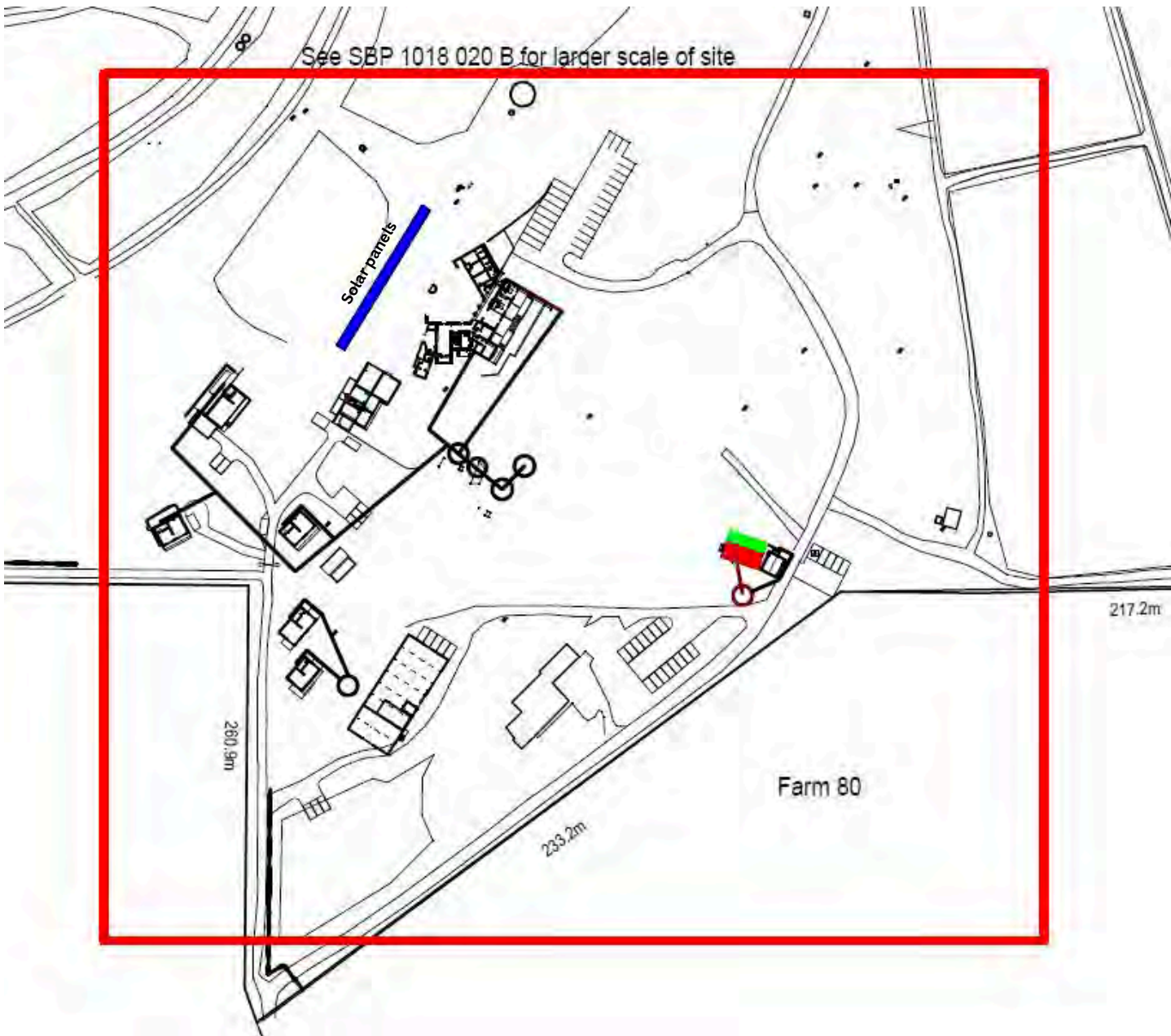
SCALE : Unknown or as Indicated

SOURCE : CFM

PROJECT NR. 383.2024

PLAN

B05



- Renewable Energy Structure with Photovoltaic Panels
Storage of Inverters and Batteries in existing building
- Spa facility within a new building (106 sqm)



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DETAILED SDP

PROPERTY : Farm 1018, Stellenbosch

DATE : October 2024

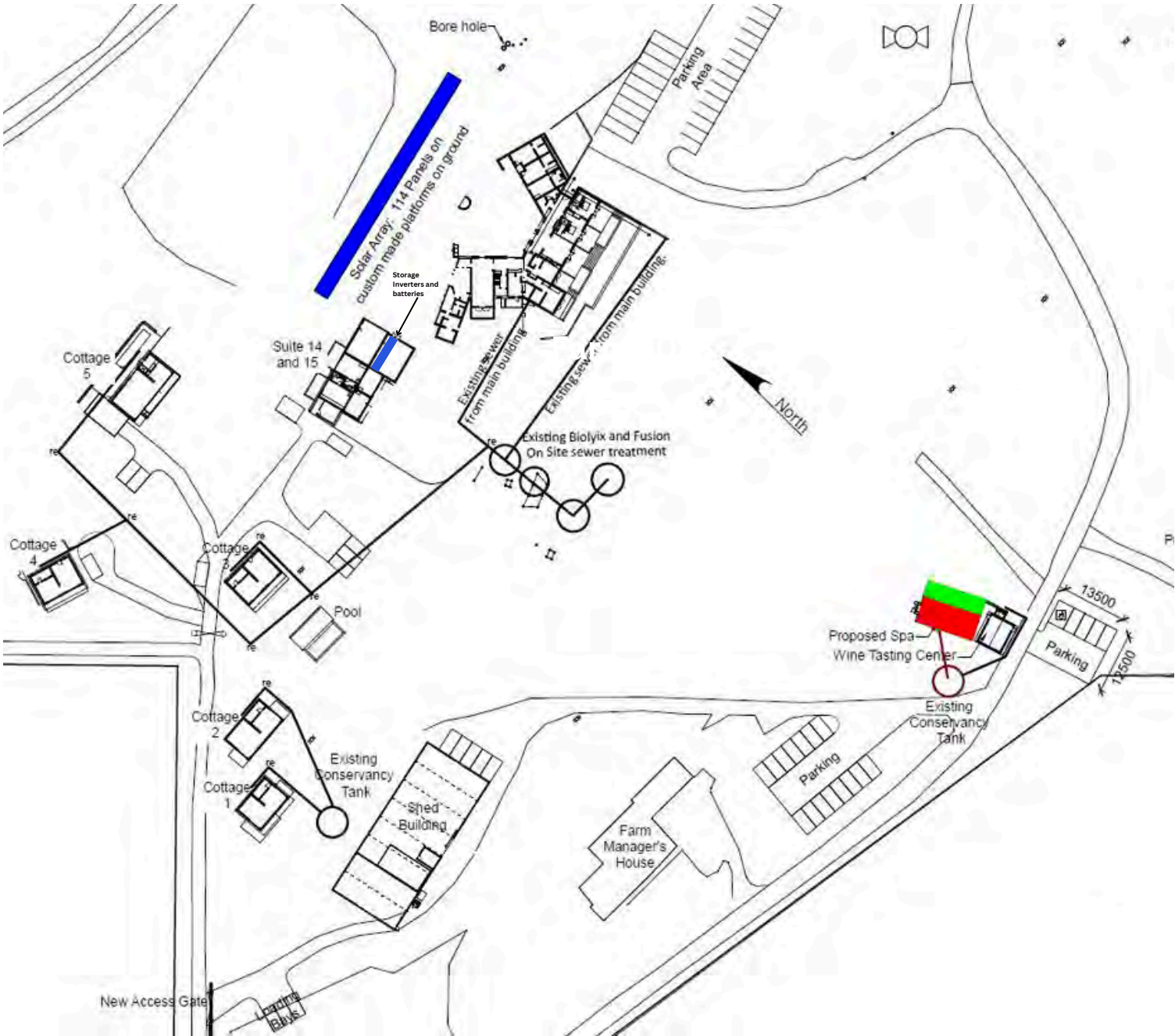
SCALE : Unknown or as Indicated

SOURCE : Beautec Architectural Services

PROJECT NR. 383.2024

PLAN

B06



- Renewable Energy Structure with Photovoltaic Panels
Storage of Inverters and Batteries in existing building
- Spa facility within a new building (106 sqm)



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SITE DEVELOPMENT PLAN

PROPERTY : Farm 1018, Stellenbosch

DATE : October 2024

SCALE : Unknown or as Indicated

SOURCE : Beautec Architectural Services

PROJECT NR. 383.2024

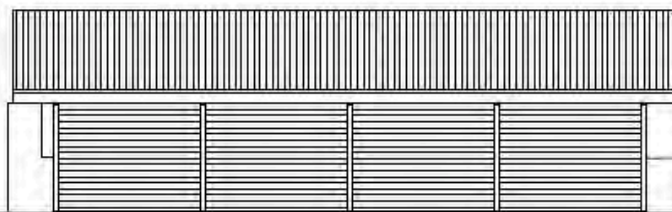
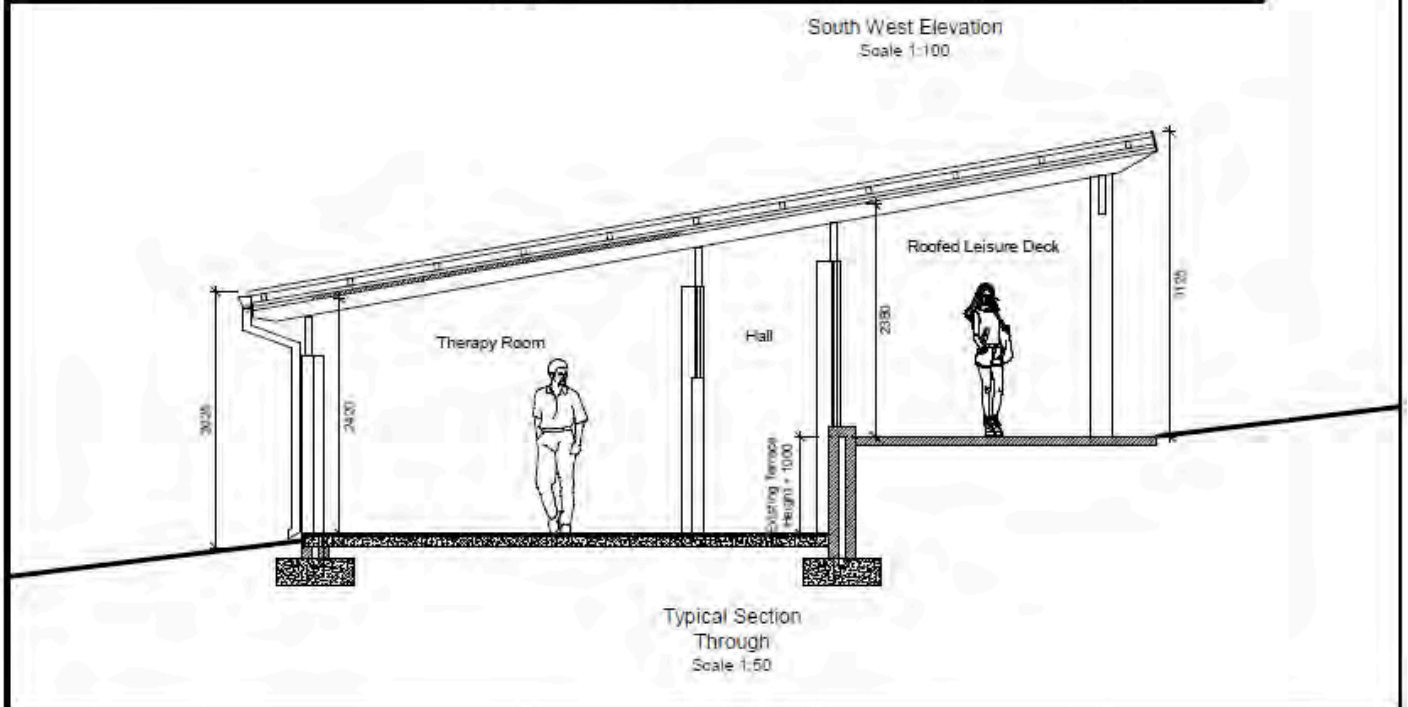
PLAN

B07



DESCRIPTION

- 2 Consultation Rooms
- Ablution Facility
- Sauna
- Ice Bath
- 5 Parking bays
- Facility is connected to a nearby conservancy tank which is regularly serviced.
- Electricity and Water connections from adjacent building
- See on scale architectural drawings attached in Annexure C



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FLOOR PLANS - SPA

PROPERTY : Farm 1018, Stellenbosch

DATE : October 2024

SCALE : Unknown or as Indicated

SOURCE : Beautec Architectural Services

PROJECT NR. 383.2024

PLAN

B09



Visual impact is minimised
by the chosen location



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PHOTO IMAGES

PROPERTY : Farm 1018, Stellenbosch

DATE : October 2024

SCALE : Unknown or as Indicated

SOURCE : Urban Rural SA Library

PROJECT NR. 383.2024

PLAN

B10



 Inverters + Battery Storage



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PHOTO IMAGES

PROPERTY : Farm 1018, Stellenbosch

DATE : October 2024

SCALE : Unknown or as Indicated

SOURCE : Urban Rural Library

PROJECT NR. 383.2024

PLAN

B11



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PHOTO IMAGES

PROPERTY : Farm 1018, Stellenbosch

DATE : October 2024

SCALE : Unknown or as Indicated

SOURCE : Urban Rural Library

PROJECT NR. 383.2024

PLAN

B12

C.01

APPLICATION FORM



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

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: *Land Use Application Form A* is the main application form for all types of land use activities.
Land Use Application Form B can be used if the application comprises ONLY an application for a departure or for permission either in terms of the zoning scheme or in terms of a condition of approval or in terms of the title deed.
If any other type of application is also required, *Land Use Application Form A* must be completed.

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)	Alwi
Surname	Theart
Company name (if applicable)	Alwi Theart t/a Urban Rural SA
Street or Postal Address	1 Jade Street, Somerset West
Email Address	alwi@urbanrural.co.za
Contact Number(s)	082 411 7914

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

Registered owner(s) Name	Virginia C. Povall
Street or Postal Address	Farm 1018 , Protea Heights, Stellenbosch
E-mail Address	ginny@botanicawines.com
Contact Number	076 340 8296

PART C: PROPERTY DETAILS <i>(in accordance with title deed)</i>										
Erf No		Suburb		Town						
Farm no	1018	Farm Portion	0	Nearest Town	Stellenbosch					
Physical or Street Address	Farm 1018, Stellenbosch			Property / Business / Farm known as		Protea Heights				
Current Zoning	Agriculture and Rural Zone									
Additional or Consent Uses	Winery, Wine Tasting Facility, Tourist Accommodation Establishment									
Current activities	Agriculture + Winery + Tourist Accommodation + Tasting									
Property Size / Extent	21,64 ha m ² / ha				Are there existing buildings?		☒	N		
Title Deed number	T 47765/08									
Any restrictions to Conveyance's Certificate?	Y	☒	If yes, list condition(s) as per certificate.							
Are the restrictive conditions in favour of a third party?	☒	N	If yes, list the party(ies). See Title Deed - Water rights							
Is the property owned by Council?	Y	☒	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	☒	Is the building older than 60 years?	Y	☒	Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) ¹	Y	☒	If yes, indicate which section are triggered and attach relevant permit.	
Any existing unauthorized buildings and/or land use on the subject property(ies)?				☒	N	If yes, is this application to legalise the building / land use ² ?			☒	N
Are there any pending court case(s) / order(s) relating to the subject property(ies)?				Y	☒	Are there any land claim(s) registered on the subject property(ies)?			Y	☒
PART D: PRE-APPLICATION CONSULTATION AND OR SCRUTINY										
Has there been any pre-application consultation?		Y	☒	If yes, attach the minutes of the pre-application consultation.						
Has the pre-application scrutiny form been submitted?		Y	☒	If yes, attach the written feedback received.						
<i>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</i>										

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

amendment of restrictive title deed conditions, the amendment, deletion, or imposition of conditions of approval and the cancellation of an approved subdivision plan.

PART E: LAND USE PLANNING APPLICATIONS AND PAYMENT OF FEES

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

Type of application	Tick
15(2)(a) rezoning of land*	
15(2)(b) a permanent departure from the development parameters of the zoning scheme	
15(2)(c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning applicable to the land	
15(2)(d) a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement*	
15(2)(e) a consolidation of land that is not exempted in terms of section 24*	
15(2)(f) a removal, suspension or amendment of restrictive conditions in respect of a land unit*	
15(2)(g) a permission required in terms of the zoning scheme	
15(2)(h) an amendment, deletion or imposition of conditions in respect of an existing approval*	
15(2)(i) an extension of the validity period of an approval	
15(2)(j) an approval of an overlay zone as contemplated in the zoning scheme	
15(2)(k) an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram*	
15(2)(l) a permission required in terms of a condition of approval	
15(2)(m) a determination of a zoning	
15(2)(n) a closure of a public place or part thereof	
15(2)(o) a consent use contemplated in the zoning scheme	✓
15(2)(p) to disestablish a homeowners' association	
15(2)(q) to rectify a failure by a homeowners' association to meet its obligations in respect of the control over or maintenance of services	
15(2)(r) a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building	
OTHER APPLICATIONS	
Approval required in terms of Council policies or by-laws, e.g., for street naming and numbering	
Consent / Permission required in terms of a title deed (includes where planning 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)	Virginia C. Povall
Street or Postal Address	Farm 1018, Stellenbosch
Vat Number (where applicable)	

1. Application fees are per the Council Approved Tariffs. The complete application should first be submitted without the payment of any applicable application fees. Only when satisfied that a complete and accurate application has been submitted, will a proforma invoice be submitted to the applicant with payment instructions. Application fees that are paid to the Municipality are non-refundable as per the Tariff Rules. Once proof of payment is received, the application will be regarded as duly submitted.
2. All indigent residents who are registered as such with the Municipality and with proof submitted together with application will be exempted from applicable fees for Permanent Departure applications including but not limited to building lines, coverage, parking. Contact: Indigent.office@ Stellenbosch.gov.za or 021 808 8501 or 021 808 8579
3. The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable, and the applicant will be informed accordingly.

BANKING DETAILS

Account Holder Name:	Stellenbosch Municipality	Please use both the Land Use Application number and the Erf/Farm number indicated on the invoice as a reference when making EFT payment
Bank:	FIRST NATIONAL BANK (FNB)	
Branch no.:	210554	
Account no.:	62869253684	
Payment reference:	LU/ _____ and ERF/FARM _____	

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

Application for consent uses in terms of Section 15(2)(o) for :

Renewable Energy Structure : Solar Panels on free standing structure (300 sqm) + 20 sqm of building used to store the inverters and batteries)

Tourist Facility : Wellness Facility : Spa Treatment rooms with ancillary uses (107 sqm)
(ablution / reception, sauna / ice bath)

Name and Date of approved design guidelines (if applicable)						
		Adjoining erf number		Zoning Scheme / Title Deed		
Building line encroachment	Street		From	m	To	m
	Street		From	m	To	m
	Side		From	m	To	m
	Side		From	m	To	m
	Aggregate side		From	m	To	m
	Rear		From	m	To	m
Exceeding permissible site coverage / footprint			From	%	To	%
Exceeding maximum permitted bulk / floor factor / habitable rooms			From		To	
Exceeding height restriction			From	m	To	m
Exceeding maximum storey height			From	m	To	m
Exceeding maximum boundary wall height	Street		From	m	To	m
	Side / Rear		From	m	To	m
Relaxation of on-site parking / loading requirements			From	bays	To	bays

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

☒	N	Power of attorney / Owner's consent if applicant is not owner		☐	☒	Proof of any other relevant right held in the land concerned	
☐	☒	Resolution or other proof that applicant is authorised to act on behalf of a juristic person		☒	N	S.G. diagram / General plan extract (A4 or A3 only)	
☒	N	Written motivation pertaining to the need and desirability of the proposal		☒	N	Site development plan or conceptual layout plan (A4 or A3 only) to scale	
☒	N	Locality plan (A4 or A3 only) to scale		☐	☒	Proof of agreement or permission for required servitude	
☐	☒	Proposed subdivision plan (A4 or A3 only) to scale		☒	N	Proof of registered ownership (Full copy of the title deed)	
☐	☒	Conveyancer's certificate		☐	☒	Written feedback of pre-application scrutiny and Minutes of pre-application consultation meeting (if applicable)	
☐	N	☒	Consolidation plan (A4 or A3 only) to scale	☒	N	N/A	Land use plan / Zoning plan (A4 or A3 only) to scale
☐	N	☒	Street name and numbering plan (A4 or A3 only) to scale	☐	N	☒	1: 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale
☐	N	☒	Landscaping / Tree plan (A4 or A3 only) to scale	☐	N	☒	Owners' Association consent
☐	☒	N/A	Abutting owner's consent	☐	N	☒	Services Report or indication of all municipal services / registered servitudes
☐	N	☒	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD)	☐	N	☒	Proof of failure of owner's association
☐	N	☒	Copy of original approval and conditions of approval	☐	N	☒	Any additional documents or information required as listed in the pre-application consultation form / minutes
☐	N	☒	Proof of lawful use right	☐	N	☒	Other (specify):
☐	N	☒	Required number of documentation copies	☐	N	☒	

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

Y	☒	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	☒	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
Y	☒	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)	Y	☒	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
Y	☒	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)	Y	☒	National Water Act, 1998 (Act 36 of 1998)
Y	☒	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations	Y	☒	Other (specify)
Y	☒	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)			
Y	☐	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, attach motivation.			

SECTION I: DECLARATION

I hereby wish to confirm the following:

- That the information contained in this application form and accompanying documentation is complete and correct.*
- I'm aware that it is an offense in terms of section 86(1)(e) of said bylaw to supply particulars, information or answers knowing the particulars, information, or answers to be false, incorrect, or misleading or not believing them to be correct.*
- 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.*
- 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.*
- 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.*
- I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.*
- 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.*
- 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.*
- 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.*
- 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.*
- 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:

08/11/2024

Full name:

Alwi Theart t/a Urban Rural SA

Professional capacity:

Planning Consultant

C.02

POWER OF ATTORNEY

SPECIAL POWER OF ATTORNEY

I/We

Virginia C. Povall

The representative of

n/a

Owner of

Farm 1018, Stellenbosch

Do hereby nominate.
constitute and appoint

Alwi Theart trading as Urban Rural SA

With the power of attorney/substitution to be my/our lawful Agent in my/our name, place and stead, to

1. Make the necessary land use application to Stellenbosch Municipality for an

- Consent Use : Renewable Energy Structure : Solar Panels
- Consent Use - Tourist Facility : Spa as part of Guesthouse
- Application to make changes to an existing Site Development Plan
- Any additional application considered necessary by the Municipality to execute the above.

2. To obtain any relevant documentation from the Municipality, Government department or a third party which may be considered necessary in executing the above.

to sign on my behalf all documents which may be required, for the said process, and to submit any documents for the said process, and generally for effecting the proposed aforesaid, to do or cause to be done whatsoever shall be requested, as full and effectually, for all intents and purposed as I might or could do it personally present, and acting herein - hereby ratifying.

Signed at _____ on this _____ day of _____ 2024.

Signature of Representative
(fully authorised)

Full Name

ID Number

Signature of Witness

C.03

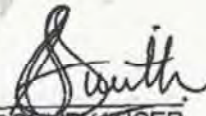
TITLE DEED + DIAGRAMS

151

MARAIS MÜLLER
YEKISO

R.1000 -00

Prepared by me


 CONVEYANCER
 SMITH L J

DEED OF TRANSFER

T 047765708

BE IT HEREBY MADE KNOWN THAT

NICOLAAS JOHANNES
HOFMEYR

appeared before me, REGISTRAR OF DEEDS at Cape Town, the said appearer being duly authorised thereto by a Power of Attorney which said Power of Attorney was signed at STELLENBOSCH on 2 JUNE 2008 granted to him by

WWF SOUTH AFRICA

No 003-226 NPO

a Registered Nonprofit Organisation in terms of Act 71 of 1997

DATA / CAPTURE

2008 -07- 23

ZWELONKE NTOMBI

DATA / VERIFY

29 JUL 2008

KODI WYK

And the appearer declared that his said principal had, on 8 April 2008, truly and legally sold by Private Treaty, and that he, the said Appearer, in his capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

VIRGINIA CLAIRE POVALL
Born on 14 October 1956
Unmarried

her Heirs, Executors, Administrators or Assigns, in full and free property

**THE FARM PROTEA HEIGHTS NO 1016, IN THE MUNICIPALITY AND
DIVISION OF STELLENBOSCH, WESTERN CAPE PROVINCE**

**IN EXTENT 21.6417 (TWENTY ONE COMMA SIX FOUR ONE SEVEN)
HECTARES**

FIRST REGISTERED by Certificate of Consolidated Title No. T19528/1962
with Diagram No. 6176/1962 relating thereto and held by Deed of Transfer No.
T37801/1975

I. With regards to the figure ABCG on Diagram No 6176/1962:

A. **SUBJECT** to the conditions referred to in Deed of Transfer No
T6002/1942.

B. **ENTITLED TO** the benefits of the following special conditions
contained in Deed of Transfer No T6002/1942 namely:

1. "Entitled to the use of the right of way 4,572 metres (15 feet) in
width from the point e on the Diagram No 6265/1939 annexed to
Deed of Transfer No 662 dated 30th January, 1940, along the
South Eastern boundary of the remainder of the Farm
NOOITGEDACHT, presently held by the Appearer's Principal by
said Deed of Transfer No 1027/1926, to the public road to
Stellenbosch, which said right of way is mentioned in the first
portion of the endorsement of servitude dated 7th November 1929
in said Deed of Transfer No T1027/1926; provided that the
Transferee and his Successors in Title to the land hereby
transferred shall bear a proportionate share of the cost of the
upkeep of the said right of way.

2. Entitled to the use of the right of way 4,572 metres (15 feet) wide
over the land conveyed by Deed of Transfer No 11174 dated 7th
November 1929, along the South Eastern boundary thereof as
marked on the diagram thereunto annexed along the line d e
which right of way is mentioned in the latter portion of the
endorsement of servitude dated 7th November 1929 on said
Deed of Transfer No 1027 dated 11th February 1926.

3. Entitled to the benefit of the condition lettered (c) in Deed of Transfer No 662 dated 30th January 1940 whereby the Transferee and his Successors in title shall have the right of way 9,144 metres (30 feet) wide over the remainder of the farm NOOITGEDACHT presently held by the Appearer's Principal by said Deed of Transfer No T1027/1926 running along the North Eastern boundary of the place FOXWOLD transferred to B.C. Judd on 7th November 1929, No.11174 and marked e f on the Diagram No 6265/1939 thereunto annexed, which said right of way is mentioned in that portion lettered (b) of the endorsement of servitude dated 30th January 1940 on said Deed of Transfer No T1027/1926.
4. Entitled to the conditions lettered (d) in Deed of Transfer No 662 dated 30th January 1940 whereby the Transferee and his Successors in Title shall have a right of way 9,144 metres (30 feet) wide over portion No 14 of the farm NOOITGEDACHT transferred to E.H. HETHERINGTON on 30th January 1940 No 662, along the South Eastern boundary of the said Lot No 14, marked a b on diagram No 6265/1939 thereunto annexed, which said right of way is mentioned in that portion lettered (c) of the endorsement of servitude dated 30th January 1940 on said Deed of Transfer No T1027/1926."

II. With regards to the figure HJKL on Diagram No 6176/1962:

A. **SUBJECT** to the conditions referred to in Deed of Grant No 60/1944 dated 27 May 1944.

B. **SUBJECT FURTHER** to the following conditions referred to in Deed of Transfer No T4024/1923, namely:

1. "That the Transferee and its successors in title together with the Government of the Union of South Africa to whom Lot B has this day been transferred, No 4020, Ernest Neville Snapp to whom Seaton has this day been transferred, No 4023, Percy Carter Buck, to whom Lot D has this day been transferred, No 4022 and Victor Blagden to whom Lot C has this day been transferred No 4021, and their respective successors in title, shall have the joint right to the two thirds share of the water rising in Lot A to which the Appearer's Principals are entitled by virtue of the servitude created in favour of their predecessors in title by transfer No 1089 of the 16th February 1914, provided that when the said joint right is being exercised the water derived by the owners of the aforesaid Lots B,C and D, from the springs arising on their respective properties shall be taken into account so that there shall eventually be an equal division of all the water.

2. That the transferee and its successors in title, their tenants, servants or authorised agents shall have a right of way 4,2672 metres (14 feet) wide from the property hereby transferred over the intervening land hereby transferred over the intervening land this day transferred to Ernest Neville Snepp (Seaton), No 4023, Percy Carter Buck (Lot D) No 4022, the Government of the Union of South Africa (Lot B), No 4020, and Victor Blagden (Lot C) No 4021, to the springs and dams from which the Appearer's Principals water supply is derived, together with the right to lay, inspect and maintain pipes to convey said water over or under said intervening land."

C. SUBJECT FURTHER to the conditions contained in said Deed of Grant No T60/1944, namely:-

- (i) "Subject to the reservation in favour of the Crown of all rights to gold, silver and precious stones on or under the land hereby granted in respect of which a Certificate of Rights to Minerals No 50/1944 was, in terms of Section 72 of Act 47/1937 issued on the 16th June, 1944, in favour of the Government of the Union of South Africa.

The provisions of Section thirty-one of the Land Settlement Act, 1912, which said Section reads as follows:-

- "31.(1) All rights to minerals on or under any holding are hereby reserved to the Crown and, subject to the provisions hereinafter contained, the Governor-General may, in accordance with the law regulating prospecting and mining for minerals, deal with the same as if the land on or under which the minerals exist were not a holding:

Provided that the lessee may quarry, or get limestone and building stone, dig clay, burn lime, and make bricks on the holding but solely for the purpose of building or otherwise utilising the same thereon, and may take so much coal as he may require for his domestic use and for the plant and machinery used for working his holding.

- (2) The Governor-General may resume for mining purposes or purposes incidental thereto any holding or portion thereof and deal with the same in accordance with the law aforesaid. Whenever a holding is so resumed compensation shall be paid by the Minister to the lessee and, in the case of a resumption of a portion only of a holding, a reduction of rent payable in future and instalments of purchase price shall be made proportionate to the area resumed; Provided that in the event of the resumption by the Governor-General of a portion only of such holding the lessee shall have the option of surrendering the lease of the remainder of the holding without prejudice to his claim for compensation.

- (3) Anything to the contrary notwithstanding in section ten of the Natal Mines Act, 1899, Crown Land allotted or reserved under this Act for Settlement purposes shall not, while so allotted or reserved be subject to such rights on the part of the public to prospect or search for minerals, as is in that section described.

Note - The rights of the Governor-General under the above Section are subject to the provisions of "the Reserved Minerals Development Act, 1926" and "the Precious Stones Act, 1927", as amended from time to time shall mutatis mutandis apply to such reservation.

- (ii) Subject to the rights of the Governor-General described in Section thirty-four of the Land Settlement Act 1912, which said Section reads as follows:

34. The Governor-General may at any time and in such manner and under such conditions as he may think fit:-

- (a) construct or authorise the construction of dams or reservoirs upon any holding;
- (b) construct or authorise the construction upon, through or under any holding, of water furrows, pipe lines, canals, and drains, and conduct or authorise the conducting of water therefrom or thereover for the benefit of the public or any owner or occupier of neighbouring land;
- (c) construct and work or authorise the construction and working, subject to the provisions of any law, or railways, roads, telegraphs and telephone lines on or over any holding.

and take materials from any holding for the purposes of any such works.

Compensation shall be paid to the lessee of the holding for any damage sustained by him by reason of the exercise of the powers of this section.

Note - The word "lessee" includes a "grantee", "holding" includes "land held under a Crown Grant" and "mineral" includes mineral products, mineral oils, metals, and precious stones (Vide Section 2 of the Land Settlement Act, 1912)."

III. With regards to the figure DEFG on Diagram No 6176/1962:

A. **SUBJECT** to the conditions referred to in Deed of Transfer No T2827/1911.

B. **SUBJECT FURTHER** to the condition referred to in the endorsement dated 2 May 1922 on Deed of Transfer No T2827/1911, namely:

"The property conveyed hereby is subject to an Order of the Water Court District No 1 dated 4th April 1922 as will more fully appear on reference to the copy annexed hereto."

- C. SUBJECT FURTHER** to the following condition referred to in the endorsement dated 16 August 1926 on Deed of Transfer No T2827/1911, namely:

"By Notarial Deed of 23rd March 1926 an agreement regarding certain water rights has been entered into subject to conditions as will more fully appear on reference to the copy annexed to Deed of Transfer No 579 dated 6 February 1908."

- IV. With regards to the whole of the property:

- A. SUBJECT** to the terms of the servitude endorsement dated on Deed of Transfer No. T37801/1974, namely:

000000799/2008

"By virtue of Notarial Deed of Servitude No dated 3rd June 2008 the withinmentioned property is subject to a servitude right of way 6 metres wide, in favour of Portion 19 of the Consolidated Farm Nootgedacht No. 74, situated in the Municipality and Division of Stellenbosch, Western Cape Province; measuring: 10,6689 hectares; which servitude right of way runs parallel with and along the full length of the North Western boundary indicated by the line J K L and the South Western boundary indicated by the line L A on Diagram No. 6176/1962. As will more fully appear from the said Notarial Deed of Servitude."

- B. ENTITLED** to the benefit of the servitude endorsement dated on Deed of Transfer No. T37801/1975, namely:

000000798/2008

"By virtue of Notarial Deed of Servitude No dated 3rd June 2008 the withinmentioned property is entitled to a servitude right of way 6,93 metres wide, over Remaining Extent of Farm No. 80, situated in the Municipality and Division of Stellenbosch, Western Cape Province; measuring: 44,1402 hectares; the Western boundary of which servitude right of way is indicated by the lines A Y and Y X on Diagram No. 1651/1962. As will more fully appear from the said Notarial Deed of Servitude."

- C. SUBJECT** to the terms of the servitude endorsement dated on Deed of Transfer No 37801/1975, namely:

000000799/2008

"By virtue of Notarial Deed of Servitude No dated 30th June 2008 the withinmentioned property is subject to a pump house servitude area measuring 56 m² in favour of the Winelands Water Users' Association (and its successors in title), which servitude area is indicated by the figure A B C D on Diagram No. LG 8262/1996. As will more fully appear from the said Notarial Deed of Servitude."

WHEREFORE the said Appearer, renouncing all right and title which the said

WWF SOUTH AFRICA

heretofore had to the premises, did in consequence also acknowledge it to be entirely dispossessed of, and disentitled to the same, and that by virtue of these presents, the said

VIRGINIA CLAIRE POVALL, Unmarried

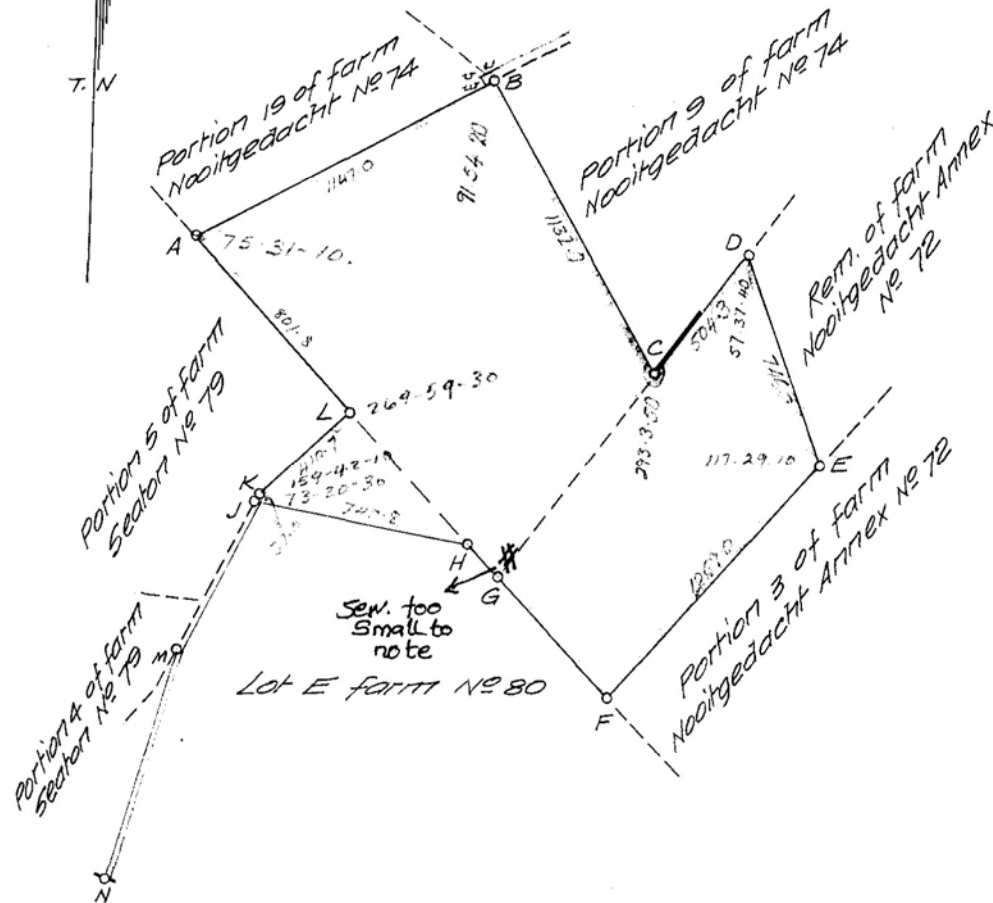
her Heirs, Executors, Administrators or Assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R14 150 000,00 (FOURTEEN MILLION ONE HUNDRED AND FIFTY THOUSAND RAND).

IN WITNESS WHEREOF, I the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS at Cape Town on 16 July 2008

In my presence

REGISTRAR OF DEEDS



Cape	Foot	Direction	y	z
			0.0	+11900.00.0
AB	1147.0	A	75.31.10	A + 52593.4 + 18602.9
BC	1132.0	B	91.54.20	B + 51596.6 + 18035.5
CD	504.3	C	293.03.50	C + 51004.2 + 19000.1
DE	746.0	D	57.37.40	D + 50711.8 + 18588.1
EF	1069.0	E	117.29.10	E + 50429.6 + 19278.7
FG	545.2	F	86.17.20	F + 51120.8 + 20094.2
GH	145.0	G	178.06.30	G + 51513.0 + 19715.5
HJ	740.8	H	216.57.50	G + 51512.8 + 19715.9
JK	37.0	J	73.20.30	H + 51613.8 + 19611.8
KL	410.7	K	159.42.10	J + 52345.7 + 19497.4
LA	801.8	L	269.59.30	K + 52329.7 + 19464.0
				L + 52035.1 + 19177.9
JM	562.6	JM	167.22.20	M + 52588.2 + 20005.0
MN	801.5	GM	180.00.00	N + 52767.3 + 20786.2

Approved

D.P. ...
Surveyor-General.
22.11.62

Figure B.U.V.W represents a servitude Right of Way
Vide dgm. No 506/1942 D/T 1942-121-6002.

1. Figure A.B.C.G.H.J.K.L representing the farm Protea Heights No 957 in extent 16.8578 Morgen, Vide dgm. No 859/1958 annexed to D/T 1959-190-9482.
2. Figure D.E.F.G representing Portion 6 of the farm Nootgedacht Annex No 72 in extent 8.4089 Morgen, Vide dgm. No 6175/1962 annexed to D/T 1962. 19527

Scale 1 : 6000

The figure A.B.C.D.E.F.G.H.J.K.L

represents 25.2667 Morgen of land being

Description of Beacons:

- A = Iron fence standard about 6" above ground.
- B = Granite stone 7"x7" 15" above ground.
- C = Granite stone 7"x6" 12" above ground.
- D = Granite stone projecting 2'
- E = 3' Granite monolith projecting 18"
- F = Fencing standard section projecting 3'6"
- G = Granite stone 2'6" high.
- H.J = 7/8"x3" Round Iron standard projecting 6"
- K.L = Flat Iron peg flush.
- M = Iron standard projecting 6"
- N = 1/2"x18" Iron peg next to brick pillar.

The farm Protea Heights No 1018

and comprises the properties specified above

situate in the Division of Stellenbosch, Province of Cape of Good Hope.

Compiled

Surveyed in September 1962 by me

Friedlaender
Land Surveyor.

This diagram is annexed to

C.C.T. No. 19528/1962.

The original diagrams are

No. annexed to

File No. VN. 1018

S.R. No. E. Compiled

as indicated above. BH. 8. DAB

SERVITUDES/LEASEHOLD AREAS

SURVEY RECORD	DIAGRAM NO.		DEED	INITIALED
E3216/96	8262/96	# The figure abcd represents a serv. area 56 m ²	K797/2008	WM

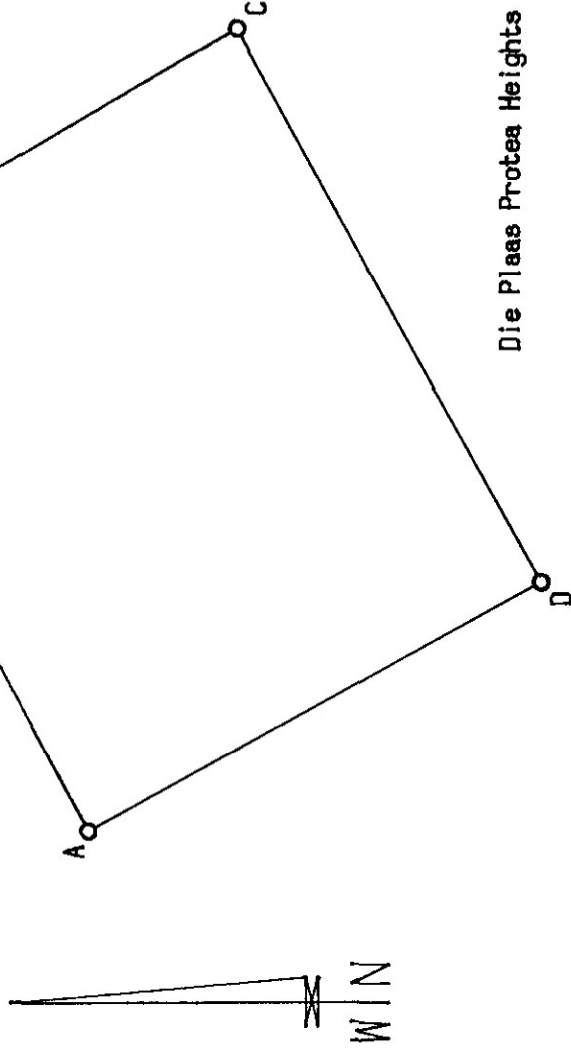
Friedlaender, Burger & Volkmann Landmeters

SYE Meter	RIGTINGS- HOEKE	KOORDINATE			L.G. No.
		Y	Stelsel	Lo 19°	
	Konstante :		0,00	+ 3700000,00	8262/1996
AB	8,18	A +	16214,38	+ 52964,16	Goedgekeur
BC	6,77	B +	16207,19	+ 52960,24	<i>Ben Elburg</i>
CD	8,35	C +	16203,78	+ 52966,10	2007-08-03
DA	6,83	D +	16211,09	+ 52970,15	<i>nms.</i>
55 Nooit		Δ +	17428,68	+ 51436,72	Landmeter-generaal
403 Welstb		Δ +	14093,96	+ 51728,21	

Beskrywing van bakens

Alle bakens is 15mm ysterpenne

Die Plaas Protea Heights No.1018



Die Plaas Protea Heights No.1018

SKAAL 1:100

Die figuur ABCD

stel voor 56 vierkante meter

grond, synde

Servituutgebied oor die Plaas Protea Heights No.1018

gelee in die Stellenbosch Munisipaliteit
Administratiewe Distrik van Stellenbosch
Opgeneem in Augustus - Oktober 1996
deur my

Provinsie Wes-Kaap

Ben Elburg

MB Straughan PLS0907D Pr Landmeter

Hierdie kaart is geheg aan
No. *K799/2008*Gedateer
t.g.v.Die oorspronklike kaart is
No. 6176/62

Geheg aan

SVT 19528/1962

Registrateur van Aktes

Leer No. *3* Stel. MF.
M.S. No. *E3216/96*

Komp. BHSZ - II (M3168)

C.04

PREVIOUS APPROVALS



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/11312

Our File Reference Number: Farm 1018, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: tristan@headland.co.za

Sir / Madam

APPLICATION FOR CONSENT USE: FARM 1018, 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 application is made in terms of Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated October 2015, on Farm 1018, Stellenbosch Division for the following:
 - i. Consent Use in terms of Section 15 (2) (o) of the Stellenbosch Municipality Land Use Planning By-Law, 2015, to permit a Tourist Accommodation Establishment with 20 guest suites and associated amenities.
 - ii. Permission in terms of Section 15 (2) (g) of the Stellenbosch Municipality Land Use Planning By-law, for approval of a site development plan as indicated on drawing number: SBP 1018 TP 001A&001B, Drawn by I. Marais, dated June 2020.

BE APPROVED in terms of Section 60 of the said Bylaw, subject to the following conditions in terms of Section 66 of said Bylaw:

2.2 Conditions of Approval:

- i. The approval applies only to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.
- ii. 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.
- iii. The conditions imposed by the Director: Engineering Services as contained in their memo dated 14 July 2020, attached as **Annexure H**, be complied with.
- iv. The conditions imposed by the Senior Inspector: Cape Winelands District as contained in their email dated 16 February 2021, attached as **Annexure I**, be complied with.
- v. The agricultural activities should be subservient or related to the dominant agricultural use of the property.
- vi. The Tourist accommodation establishment shall be limited to 20 guests units.
- vii. Building plans must be submitted to the Municipality for approval, inclusive of existing buildings to indicate its new use, prior to any building on site.
- viii. The approval will lapse if not confirmed within 5 years from date of final notification of approval of the application.

2.3 The reasons for the above decision are as follows:

- (a) The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape;
 - (b) The development proposal will have no negative impact on the agricultural potential of the subject land unit as no viable agricultural land will be lost;
3. 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.

4. Appeals must be submitted with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law. The following prescribed information is accordingly required:
- (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.
- 5. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: landuse.appeals@stellenbosch.gov.za
- 6. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The LU Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
- 7. The approved tariff structure 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>).
- 8. 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.

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

21/8/2021
DATE



Beau Tech

29 Tiobelles Crescent
Jamestown
Stellenbosch
7600

Tel: 082 952 0528
isebeau@beautech.co.za

Project:

Consent Use and Site Development
Plan Approval
Farm Protea Hoogte, No 1018
Stellenbosch Division

Drawing Name:

Site Plan

Drawing No:

SBP 1018 TP 001B

Date:

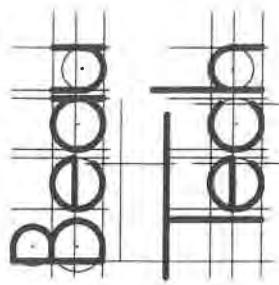
June 2020

Scale:

1:1000

Drawn By:

I.Marals SACAP Registration no. D1574



29 Tobellies Crescent
Jamestown
Stellenbosch
7600

Tel: 082 952 0528
isebeau@beautech.co.za

Project: Consent Use and Site Development
Plan Approval
Farm Protea Hoogte, No 1018
Stellenbosch Division

Drawing Name:

Farm Plan

Drawing No:

SBP 1018 TP 001A

Date:

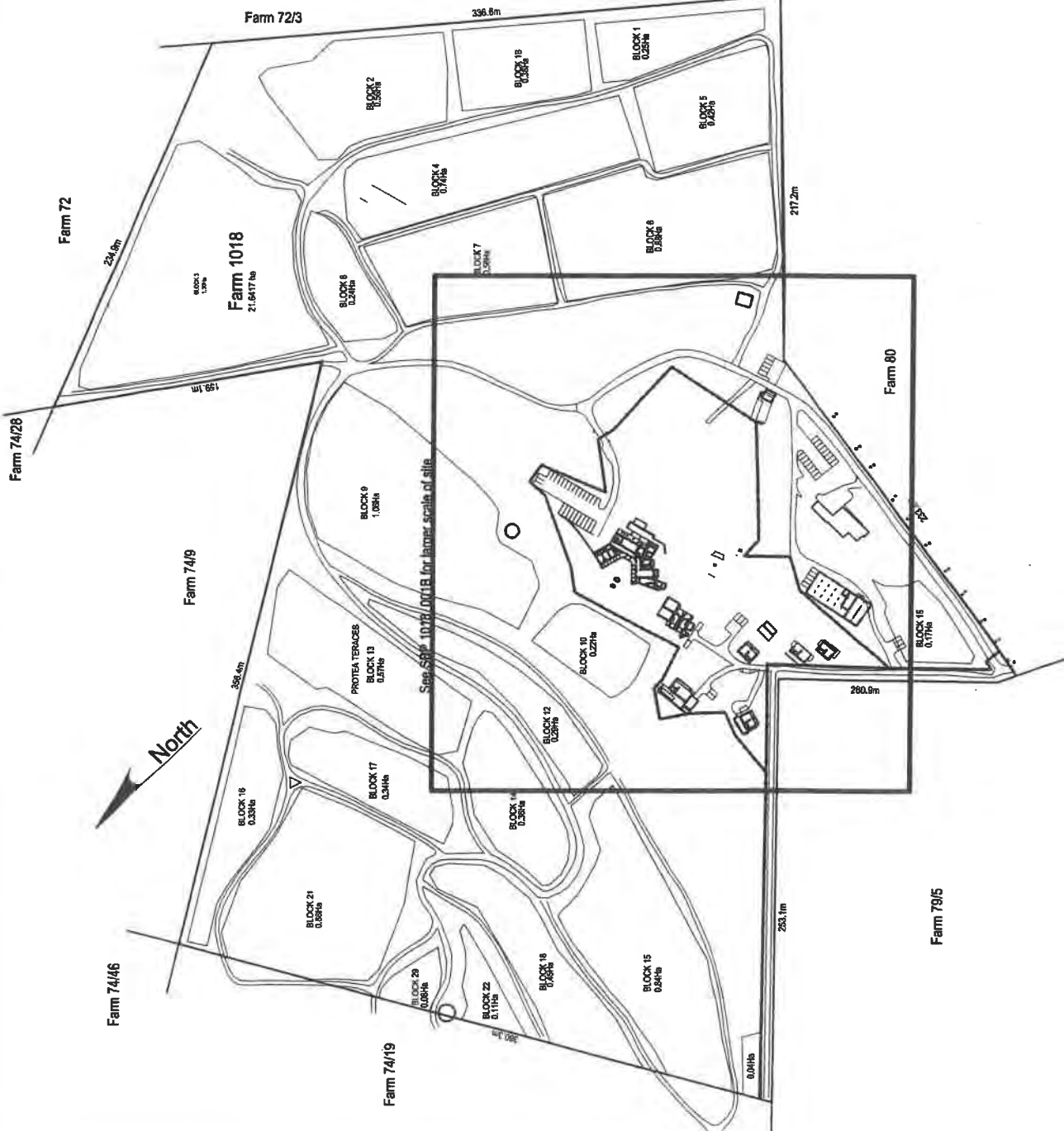
June 2020

Scale:

1:2500

Drawn By: J. Marais

SACAP Registration no. D1574



**ANNEXURE H: COMMENT FROM THE DIRECTOR: ENGINEERING
SERVICES**



STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag	Nolusindiso Momoti (Sindi)
From ▫ Van:	Manager: Development (Infrastructure Services)
Author ▫ Skrywer:	Tyrone King
Date ▫ Datum:	14 July 2020
Our Ref ▫ Ons Verw:	Civil LU 1997
Your Ref:	LU/11312
Re ▫ Insake:	Farm 1018: Consent use for Tourist accommodation with 20 guest suites and associated amenities

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

- 1. Water**
 - 1.1 No municipal water network exists in the area and the Owner will be responsible for it's own water supply.
 - 1.2 The quality of the water stored and distributed by the owner has to comply with SANS 241 Drinking Water Quality Standards.
 - 1.3 All water supply and reticulation infrastructure must be indicated on the building plans submitted for approval.
 - 1.4 A suitable qualified professional must ensure that the water infrastructure is sufficient for firefighting purposes.

2. Sewer

- 2.1 No municipal sewer network exists in the area and the Owner will be responsible for making appropriate arrangements for the safe and proper disposal and/or treatment of sewerage.
- 2.2 Alternative treatment technologies such as conservancy tanks or an on-site treatment plant (package plant) must be considered by the Owner and all sewer disposal and treatment infrastructure must be indicated on the building plans for approval.
- 2.3 Where a conservancy tank is considered, the following guidelines apply – please address as part of the building plan submission:
 - 2.3.1 The conservancy tank must be accessible to the removal truck and of a volume to necessitate not more than a fortnightly service.
 - 2.3.2 The surface / layerworks of such access should be designed to accommodate at least a 15 ton / 10 000litre service vehicle.
 - 2.3.3 The required volume of the conservancy tank/s must be determined by a suitably qualified professional.
 - 2.3.4 The minimum volume of a conservancy tank shall be 5 kiloliter.
 - 2.3.5 Note that only Stellenbosch Municipality is allowed to empty conservancy tanks.
 - 2.3.6 A service contract has to be entered into with the municipality to service the conservancy tanks on a regular basis.
 - 2.3.7 Details of the conservancy tank and the on-site sewer reticulation network has to be submitted to the Engineering Services Directorate for approval, together with the approval of any building plans.
- 2.4 Where a package plant is considered, the following guidelines apply – please address as part of the building plan submission:
 - 2.4.1 Provide details of the proposed treatment and disposal method: Manufacturer, model, type of treatment technology, will disposal be by irrigation, into a watercourse etc.
 - 2.4.2 Please note that where an on-site treatment plant is considered, it should preferably be based on the activated sludge process (Clarus Fusion or similar approved).

- 2.4.3 The design and construction supervision of the facility must be undertaken by a suitably qualified professional (i.e. ECSA registered professional engineer), who at the completion of the work, certifies that the installation is complete and to the required standard in all respects.
- 2.4.4 An operation and maintenance manual must be supplied with the installed plant.
- 2.4.5 A maintenance agreement must be entered into between the owner and the waste water treatment system service provider and proof thereof be furnished to the Municipality's Water Services Department (for the attention of Mr Bradley Dyers (t) 021 808 8267; email: bradley.dyers@ Stellenbosch.gov.za).
- 2.4.6 Approval of the proposed decentralized wastewater treatment plant will only be granted until such time that a municipal sewer network is constructed in the vicinity of the proposed development and which would allow connection of the development to such network. All costs associated with such connection will be for the account of the Developer/Owner.
- 2.4.7 Provide proof of approval from the Department of Water and Sanitation for disposal of treated effluent by irrigation / discharge of treated effluent into a water course.
- 2.5 Use of any existing septic tanks to collect and treat sewage generated by the proposed development is not allowed.
- 2.6 Waste water and sewage may not pollute any ground water, stormwater and surface water.
- 3. Solid Waste**
 - 3.1 The Developer will be responsible for the removal of solid waste from the Development. Solid waste must be removed from the site to a legal solid waste disposal site in accordance with the requirements of section 20 of the Environmental Conservation Act 1989 (Act 73 of 1989).
- 4. Roads**
 - 4.1 The application has to be referred to the District Roads Engineer for comments and conditions.
 - 4.2 All the conditions set by the District Roads Engineer will be applicable.

- 4.3 Sufficient parking must be provided and indicated on the drawings at building plan submission stage.
- 4.4 Where applicable, right of way servitudes must be registered to allow access to the proposed development. This needs to be clearly indicated on the site plans at building plan submission stage.

5. Stormwater

- 5.1 Any additional stormwater generated by the proposed development must be managed on-site.

6. Development Charges (DCs)

- 6.1 The following DC's are payable: See **Development Charge Calculation** attached.
- 6.2 The DC's were calculated by using the 2020/2021 tariff structure. If DC's are paid after 30 June 2021 it will have to be recalculated by using the tariff structure applicable at date of payment.
- 6.3 The appropriate DC's are payable before building plan approval.

7. Electrical Engineering

- 7.1 Refer to **Annexure: Electrical** for comments and conditions.

TYRONE KING Pr Tech Eng
MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)

W:\2.0 DEVELOPMENT\00 Developments\1997 (TK) Farm 1018 Stellenbosch (LU - 11312), C1997 (TK) Farm 1018 Stellenbosch (LU - 11312).doc

Par 5.1 of Motivation report by Headland Planners dated 14 Feb 2020

Unit(s)	Waste	Swamp	Storm-water	Solid-Waste	Roads	Community Facilities	Totals
	klday	klday	ha°C	l/week	trips/day	person	
Total Imposed Service Usage	1,000	0,900	0.024	0.000	7.50	7.5	
Total Development Charges Before Deductions							
Total Deductions				R 4 645.90	R 47 658.16	R 19 558.01	R 71 872.16
Total Payable including VAT							
VAT				R 4 645.90	R 47 658.16	R 19 558.01	R 71 872.16
Total Payable including VAT				R 4 645.90	R 47 658.22	R 2 037.70	R 10 280.82
				R 5 342.89	R 54 819.39	R 22 401.71	R 82 563.99

Application Dropped by	
Signature	Tyrone King
Date	4 additional guest suites added to existing manor house 5 existing staff cottages (farm workers) converted to 5 guest guest suites (give credit for 5 ex cottages) 2 new guest suites in footprint of existing chicken coop and crate room
Amount Paid	As above
Date Payment Received	
Receipt Number	

Tyrone King

From: Martin Slabber
Sent: Thursday, 04 February 2021 10:38
To: Tyrone King; Bulelwa Mdoda; Bongiwe Zondo
Cc: Colin Taylor; Chrizelle Kriel; Nolusindiso Momoti; Bradley Williams
Subject: RE: 1997 (TK) Farm 1018 Stellenbosch (LU - 11312)

GENERAL: None

COMMENTS: If moving- removing or increase of electrical services is required, apply via recoverable cost application.

Groete:
Martin Slabber
Supt. Dwarsrivier Elect.
Engineering Services



Martin.slabber@stellenbosch.gov.za

C: +27 83603 3431

T: +27 21 808 8338

www.stellenbosch.gov.za



www.facebook.com/stellenboschmunicipality



twitter.com/StellMun

Hugenoet Road 23 Franschhoek 7690

PO Box 18, Franschhoek, 7690

PO Box 17, Stellenbosch, 7599

Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions
Published at the following link: <http://www.stellenbosch.gov.za/main/pages/disclaimerpage.htm>

From: Tyrone King
Sent: Tuesday, 18 August 2020 08:26
To: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>; Bongiwe Zondo
<Bongiwe.Zondo@stellenbosch.gov.za>
Cc: Colin Taylor <Colin.Taylor@stellenbosch.gov.za>; Chrizelle Kriel <Chrizelle.Kriel@stellenbosch.gov.za>;
Nolusindiso Momoti <Nolusindiso.Momoti@stellenbosch.gov.za>; Bradley Williams
<Bradley.Williams@stellenbosch.gov.za>
Subject: 1997 (TK) Farm 1018 Stellenbosch (LU - 11312)

Hi Bulelwa

See attached the preliminary memo. I am still awaiting Electrical Eng comments from Bradley Williams in order to finalise.

**ANNEXURE I: COMMENT FROM THE SENIOR INSPECTOR: CAPE
WINELANDS DISTRICT**

From: Fabian van Wyk [mailto:fabian@capewinelands.gov.za]

Sent: Tuesday, 16 February 2021 16:21 ✕

To: Nolusindiso Momoti

Subject: [EX] FW: nolusindiso.momoti@stellenbosch.gov.za sent you files via WeTransfer FARM 1018 LU/11312 STELLENBOSCH

Good day Madam

Please note that the feedback to above application was given through to you in December last year as well as last month.

See below.

Kind regards

From: Leandre Candice Davids <leandre@capewinelands.gov.za>

Sent: Tuesday, 16 February 2021 16:13

To: Fabian van Wyk <fabian@capewinelands.gov.za>

Subject: FW: nolusindiso.momoti@stellenbosch.gov.za sent you files via WeTransfer FARM 1018 LU/11312 STELLENBOSCH

From: Leandre Candice Davids

Sent: Wednesday, 27 January 2021 10:15

To: Fabian van Wyk <fabian@capewinelands.gov.za>

Subject: FW: nolusindiso.momoti@stellenbosch.gov.za sent you files via WeTransfer FARM 1018 LU/11312 STELLENBOSCH

Hi Fabian

Die kommentaar was in Desember aangestuur vir Stellenbosch

Maak gou net seker dis dieselfde 1 as die wat jy veogend gestuur het asseblief.

Groete

Leandre

From: Leandre Candice Davids

Sent: Monday, 21 December 2020 10:35

To: Nolusindiso Ngola <nolusindiso@capewinelands.gov.za>✕

Cc: Fabian van Wyk <fabian@capewinelands.gov.za>

Subject: RE: nolusindiso.momoti@stellenbosch.gov.za sent you files via WeTransfer FARM 1018 LU/11312 STELLENBOSCH

ERF / FARM NUMBER & APPLICATION NUMBER: Farm 1018 LU/11312) Stellenbosch

DESCRIPTION OF THE PROPOSAL:

Application made in terms of 15 (2)(o) of the Stellenbosch Municipal Land Use Planning By-law dated 20 October 2015 for Consent use for Tourist accommodation with 20 guest suites and associated amenities on Farm 1018, Stellenbosch.

From an environmental health perspective, this application may be recommended for approval; provided that the following conditions are complied with:

1. Environmental pollution

- 1.1 No pollution such as water, air, dust or noise pollution may occur on any part of the premises during the operational phase of the proposed development. Proper preventative measures must be put in place beforehand.

2. Potable water/Storm water

- 2.1 The quality of the potable water on the premises must at all times comply with the minimum bacteriological and chemical standards for potable water, as determined by SANS code 241.

3. Solid waste disposal

- 3.1 Refuse collection and storage must be done in a way that will not cause a health nuisance.

4. Sewerage/Sanitary facilities

- 4.1 The sewerage system from the existing and proposed development must be connected to a closed sewerage system in accordance with Stellenbosch Municipality's specifications, conditions and approval.

- 4.2 Sewage disposal on the premises must at all times take place in a nuisance-free manner and shall be the owner's responsibility.

5. The business must always comply with Regulation 638 and all relevant health requirements.

6. General conditions

- 6.1 This Department reserves the right to set further requirements during the course of operations

Please contact me if you have any further questions or comments in this regard.

Yours faithfully

Leandre Davids
HEALTH OFFICER/INSPECTOR
for MUNICIPAL MANAGER

From: Fabian van Wyk <fabian@capewineland.gov.za>

Sent: Tuesday, 01 December 2020 08:02

To: Leandre Candice Davids <leandre@capewineland.gov.za>

Subject: FW: nolusindiso.momoti@stellenbosch.gov.za sent you files via WeTransfer



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/11310

Our File Reference Number: Farm 1018, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: tristan@headland.co.za

Sir / Madam

APPLICATION FOR TECHNICAL APPROVAL: FARM 1018, 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 following application in terms of Section 15(2) of the Stellenbosch Municipality Land Use Planning By-Law, 2015, on Farm 1018, Stellenbosch Farms:

- 2.1.1 Permission / Technical Approval in terms of Section 15 (2) (g) of the Land Use Planning By-law to accommodate a new wine tasting venue in an existing structure and additions to the existing winery/processing facility.

BE APPROVED in terms of Section 60 of the said Bylaw, subject to the following conditions in terms of Section 66 of the said Bylaw:

2.2 Conditions of Approval:

- i. The approval applies only to the proposed application under consideration as indicated on drawings number: SBP 1018 LL MM 001B 00 & SBP 1018 BP 002, drawn by I. Marais(Beau Tech), dated June 2020 (See **Annexure G**); and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.

- ii. 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.
- iii. The total area of the combined flower processing shed and winery be limited to 554m².
- iv. The wine tasting venue be limited to 95m².
- v. The conditions imposed by the Director: Engineering Services as contained in their memo dated 24 February 2021, attached as **Annexure D**, be complied with.
- vi. The conditions imposed by the Manager: Spatial Planning as contained in their memo dated 09 July 2020, attached as **Annexure E**, be complied with.
- vii. The conditions imposed by the Senior Inspector: Cape Winelands District Municipality as contained in their email dated 06 July 2020, **Annexure F**, be complied with.
- viii. Building plans must be submitted, and be approved by this Municipality, prior to any building work commencing on site.
- ix. The approval will lapse if not implemented within 5 years from date of final notification of approval of the application.

2.3 The reasons for the above decision are as follows:

(a) The primary use will still be agriculture, supported by tourist facility and agricultural industry.

(b) The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape;

3. You may now act on the above decision subject to compliance with the conditions of approval.

Yours faithfully



FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

24/8/2021,
DATE:

ANNEXURE G: SITE DEVELOPMENT PLAN



Beau
Tech

29 Tibelles Crescent
Jamesstown
Stellenbosch
7600

Tel: 082 952 0528
lisbeau@beautech.co.za

Project

Technical Approvals:
Farm Protea Hoogte, No. 1018
Stellenbosch Division

Drawing Name:

Site Plan

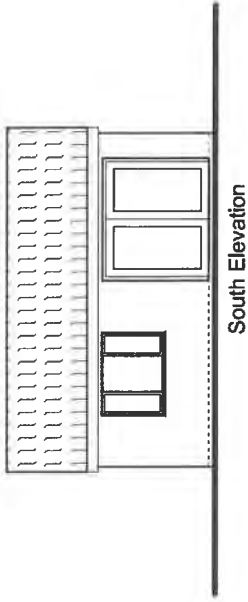
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SBP 1018 LL MM -001B

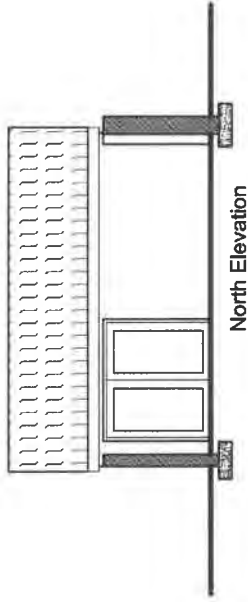
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Scale: 1:1000

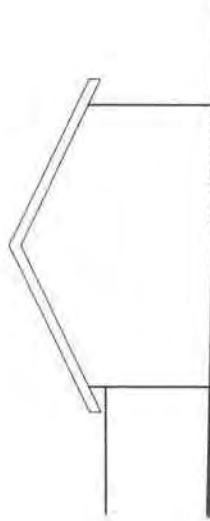
Drawn By: I. Marais SACAP Registration no. D1574



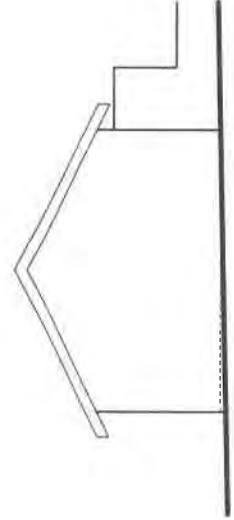
South Elevation



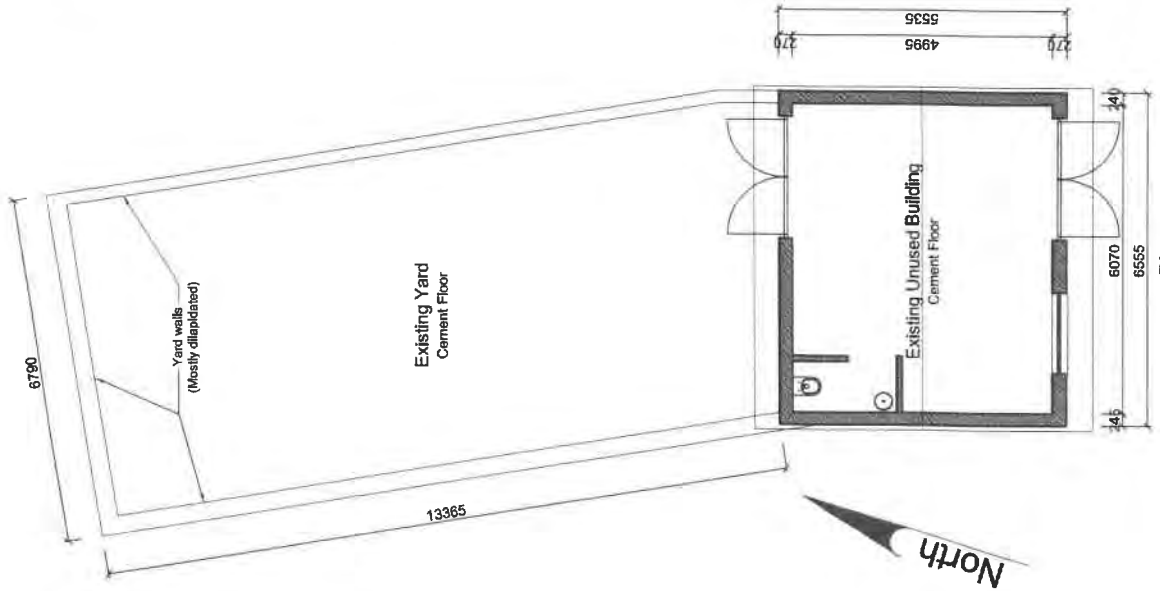
North Elevation



West Elevation



East Elevation



Beau
Tech

29 Tiobelles Crescent
Jamestown
Stellenbosch
7600

Tel: 082 952 0528
lscbeau@beautech.co.za

Project:

Technical Approvals:
Farm Protea Hoogte, No. 1018
Stellenbosch Division

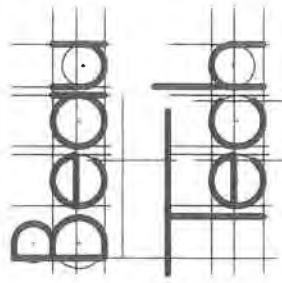
Drawing Name:
Existing Redundant Building As-Built circa 1980
Plan and Elevations

Drawing No:
SBP 1018 BP 006 X

Owner:
Virginia C. Powell

Plan Originator:
I. Marais
SACAP Registration no. D1574

Date:
7 July 2021
Scale:
1:100



29 Tibelles Crescent
Jamestown
Stellenbosch
7600

Tel: 082 952 0528
labeau@beatech.co.za

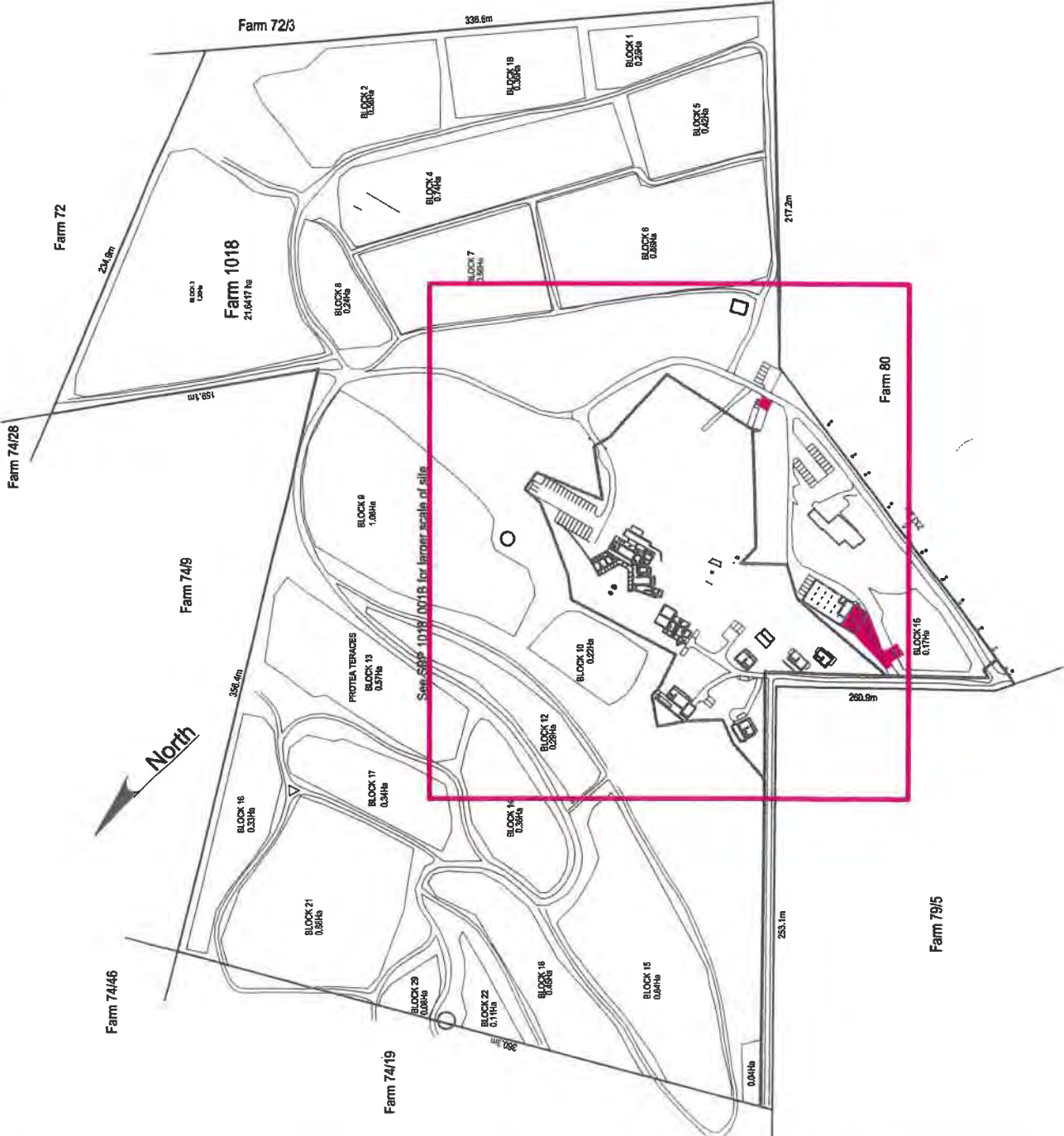
Project:
Technical Approvals:
Farm Protea Hoogte, No. 1018
Stellenbosch Division

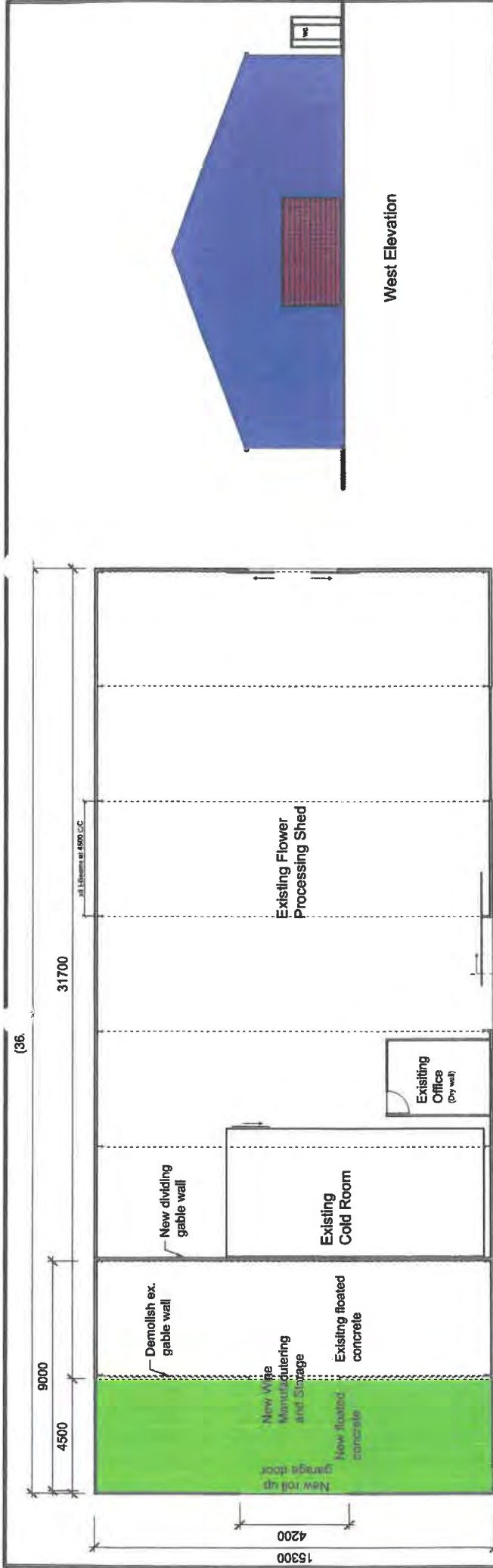
Drawing Name:
Farm Plan

Drawing No:
SBP 1018 LL MM 001A

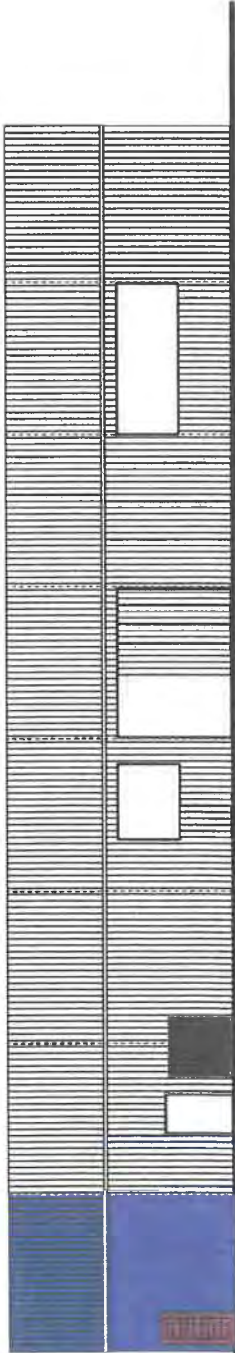
Date: June 2020 Scale: 1:2500

Drawn By: L. Marais SACAP Registration no. D1574

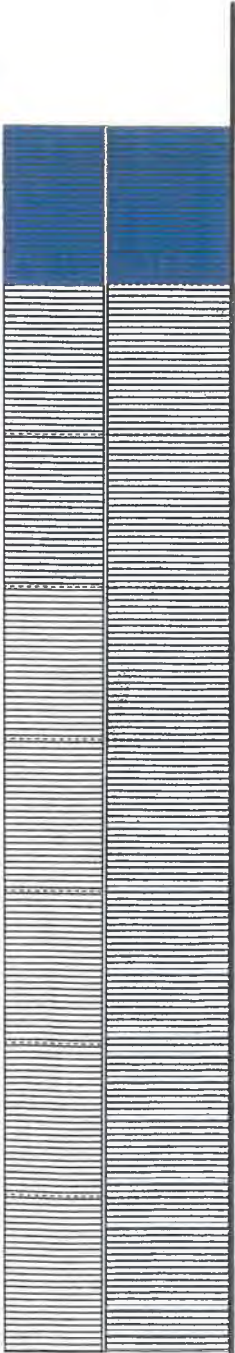




Plan



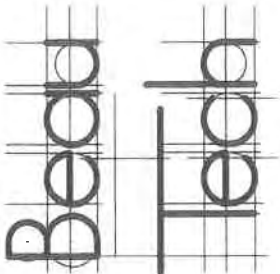
South Elevation



North Elevation



West Elevation



29 Tibelles Crescent
Jamestown
Stellenbosch
7600
Tel: 082 952 0528
lsbeau@beautech.co.za

Project:	
Technical Approvals: Farm Protea Hoogte, No. 1018 Stellenbosch Division	
Drawing Name:	Micro Manufacturing Production and Storage Facility Plan & Elevations
Drawing No:	SBP 1018 BP 002
Date:	June 2020
Scale:	1:150
Drawn By: I. Marais SACAP Registration no. D1574	

**ANNEXURE D: COMMENT FROM THE DIRECTOR: ENGINEERING
SERVICES**

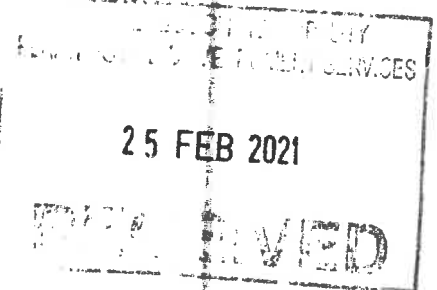


STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag	Nicole Katts
From ▫ Van:	Manager: Development (Infrastructure Services)
Author ▫ Skrywer:	Abdullah Daniels
Date ▫ Datum:	24 February 2021
Our Ref ▫ Ons Verw:	Civil LU 1982
Your Ref:	LU/11310
Re ▫ Insake:	Farm 1018: Technical approval



Technical approvals for 95m2 wine tasting venue and 69m2 addition to existing winery/flower processing facility.

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

1. **Water** F 1018 S
- 1.1 The quality of the water stored and distributed by the owner has to comply with SANS 241 Drinking Water Quality Standards. Current proof of compliance must be available on request.
 - 1.2 All water supply and reticulation infrastructure must be indicated on the building plans submitted for approval.

2. Sewer

- 2.1 No municipal sewer network exists in the area and the Owner will be responsible for making appropriate arrangements for the safe and proper disposal and/or treatment of sewerage.
- 2.2 The use of septic tanks and soak-aways are not permitted.
- 2.3 Use of conservancy tanks to collect and treat sewage generated is allowed.
- 2.4 The conservancy tank must be accessible to the removal truck and of a volume to necessitate not more than a fortnightly service.

3. Solid Waste

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

4. Roads

- 4.1 The application has to be referred to the District Roads Engineer for comments and conditions.
- 4.2 All the conditions set by the District Roads Engineer will be applicable.

5. Development Charges (DCs)

- 5.1 Based on the information provided in application the Development Charges payable by the developer is R 90 632.82 (Vat incl.) as per attached Development Charges Calculation.
- 5.2 The DC's were calculated for the 2020/2021 financial year. If the account is paid after 30 June 2021 it has to be recalculated using the then applicable tariffs.
- 5.3 The appropriate DC's are payable before building plan approval.

6. Electrical Engineering

- 6.1 Refer to **Annexure: Electrical** for comments and conditions.



Abdullah Daniels
PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)

W:\2.0 DEVELOPMENT\00 Developments\1982 (AD) Farm 1018\1982 (AD) Farm 1018 Stellenbosch (LU -).doc

ANNEXURE E: COMMENT FROM THE MANAGER: SPATIAL
PLANNING

ANNEXURE F: COMMENT FROM THE SENIOR INSPECTOR: CAPE
WINELANDS DISTRICT MUNICIPALITY

Nolusindiso Momoti

HEALTH COMMENT

File
LU/11310

(10)
(11)

From: Fabian van Wyk <fabian@capewinelands.gov.za>
Sent: Monday, 06 July 2020 10:09
To: Nolusindiso Momoti
Subject: [EX] RE: FARM 1018 STELLENBOSCH (LU/11310): APPLICATION FOR TECHNICAL APPROVAL

Good day Madam

There are no objections from an Environmental Health point of view subject to compliance with attached requirements.

1. All sewage / wastewater must be disposed of in such a manner that it does not create a health nuisance. Must be connected to the existing municipal system.
2. The applicant should apply for the Refuse Removal Service from Stellenbosch Municipality or alternately an adequate waste removal service must be used. Cognizance must be taken to ensure the proper amount of refuse containers for the hygienic storage of waste prior to collection.
3. In the event where food will be prepared or handled and or served to the public, the applicant **must apply in writing** to the Municipal Health Services Department of the Cape Winelands District Municipality for a Certificate of Acceptability in terms of R638 of June 2018 in terms of the Foodstuffs, Cosmetics and Disinfectants Act of 1972.
4. In the event where any noise generating activity will be conducted on the premises, the onus lies on the owner to ensure that the necessary noise evaluation is carried out and that the results are submitted to local authority (SANS 10103 of 2003)
5. An adequate water supply that complies with the national standards for drinking water (SANS 0241:2001) must be provided for commuters.

Kind regards

From: Ferencia September <ferencia@capewinelands.gov.za>
Sent: Tuesday, 30 June 2020 14:08
To: Fabian van Wyk <fabian@capewinelands.gov.za>
Subject: FW: FARM 1018 STELLENBOSCH (LU/11310): APPLICATION FOR TECHNICAL APPROVAL

From: Nolusindiso Momoti <Nolusindiso.Momoti@stellenbosch.gov.za>
Sent: Tuesday, 30 June 2020 10:38
To: Ferencia September <ferencia@capewinelands.gov.za>
Subject: FARM 1018 STELLENBOSCH (LU/11310): APPLICATION FOR TECHNICAL APPROVAL

Good day;

Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish me with your comment by email, if any, in order to enable me to submit the application to the decision making authority for consideration.

ERF / FARM NUMBER & APPLICATION NUMBER: Farm 1018 Stellenbosch (LU/11310)



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/11312

Our File Reference Number: Farm 1018, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: tristan@headland.co.za

Sir / Madam

APPLICATION FOR CONSENT USE: FARM 1018, 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 application is made in terms of Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated October 2015, on Farm 1018, Stellenbosch Division for the following:
 - i. Consent Use in terms of Section 15 (2) (o) of the Stellenbosch Municipality Land Use Planning By-Law, 2015, to permit a Tourist Accommodation Establishment with 20 guest suites and associated amenities.
 - ii. Permission in terms of Section 15 (2) (g) of the Stellenbosch Municipality Land Use Planning By-law, for approval of a site development plan as indicated on drawing number: SBP 1018 TP 001A&001B, Drawn by I. Marais, dated June 2020.

BE APPROVED in terms of Section 60 of the said Bylaw, subject to the following conditions in terms of Section 66 of said Bylaw:

2.2 Conditions of Approval:

- i. The approval applies only to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.
- ii. 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.
- iii. The conditions imposed by the Director: Engineering Services as contained in their memo dated 14 July 2020, attached as **Annexure H**, be complied with.
- iv. The conditions imposed by the Senior Inspector: Cape Winelands District as contained in their email dated 16 February 2021, attached as **Annexure I**, be complied with.
- v. The agricultural activities should be subservient or related to the dominant agricultural use of the property.
- vi. The Tourist accommodation establishment shall be limited to 20 guests units.
- vii. Building plans must be submitted to the Municipality for approval, inclusive of existing buildings to indicate its new use, prior to any building on site.
- viii. The approval will lapse if not confirmed within 5 years from date of final notification of approval of the application.

2.3 The reasons for the above decision are as follows:

- (a) The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape;
 - (b) The development proposal will have no negative impact on the agricultural potential of the subject land unit as no viable agricultural land will be lost;
3. 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.

4. Appeals must be submitted with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law. The following prescribed information is accordingly required:
- (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.
- 5. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: landuse.appeals@stellenbosch.gov.za
- 6. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The LU Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
- 7. The approved tariff structure 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>).
- 8. 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.

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

21/8/2021
DATE



Beau Tech

29 Tiobelles Crescent
Jamestown
Stellenbosch
7600

Tel: 082 952 0528
isebeau@beautech.co.za

Project:

Consent Use and Site Development
Plan Approval
Farm Protea Hoogte, No 1018
Stellenbosch Division

Drawing Name:

Site Plan

Drawing No:

SBP 1018 TP 001B

Date:

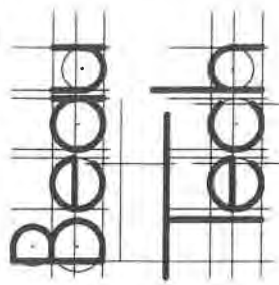
June 2020

Scale:

1:1000

Drawn By:

I.Marals SACAP Registration no. D1574



29 Tobellies Crescent
Jamestown
Stellenbosch
7600

Tel: 082 952 0528
isebeau@beautech.co.za

Project: Consent Use and Site Development
Plan Approval
Farm Protea Hoogte, No 1018
Stellenbosch Division

Drawing Name:

Farm Plan

Drawing No:

SBP 1018 TP 001A

Date:

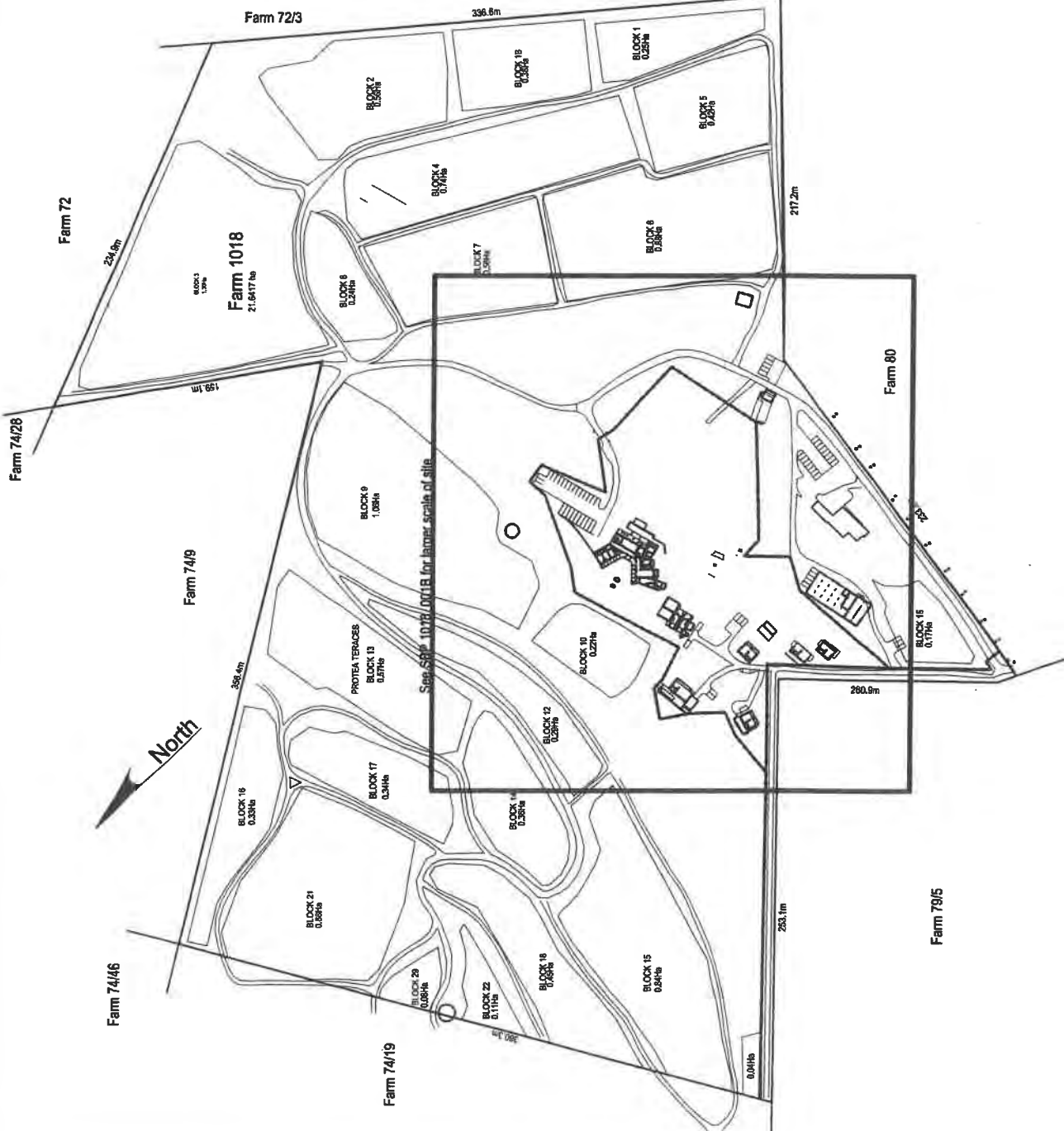
June 2020

Scale:

1:2500

Drawn By: J. Marais

SACAP Registration no. D1574



**ANNEXURE H: COMMENT FROM THE DIRECTOR: ENGINEERING
SERVICES**



STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag	Nolusindiso Momoti (Sindi)
From ▫ Van:	Manager: Development (Infrastructure Services)
Author ▫ Skrywer:	Tyrone King
Date ▫ Datum:	14 July 2020
Our Ref ▫ Ons Verw:	Civil LU 1997
Your Ref:	LU/11312
Re ▫ Insake:	Farm 1018: Consent use for Tourist accommodation with 20 guest suites and associated amenities

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

- 1. Water**
 - 1.1 No municipal water network exists in the area and the Owner will be responsible for it's own water supply.
 - 1.2 The quality of the water stored and distributed by the owner has to comply with SANS 241 Drinking Water Quality Standards.
 - 1.3 All water supply and reticulation infrastructure must be indicated on the building plans submitted for approval.
 - 1.4 A suitable qualified professional must ensure that the water infrastructure is sufficient for firefighting purposes.

2. Sewer

- 2.1 No municipal sewer network exists in the area and the Owner will be responsible for making appropriate arrangements for the safe and proper disposal and/or treatment of sewerage.
- 2.2 Alternative treatment technologies such as conservancy tanks or an on-site treatment plant (package plant) must be considered by the Owner and all sewer disposal and treatment infrastructure must be indicated on the building plans for approval.
- 2.3 Where a conservancy tank is considered, the following guidelines apply – please address as part of the building plan submission:
 - 2.3.1 The conservancy tank must be accessible to the removal truck and of a volume to necessitate not more than a fortnightly service.
 - 2.3.2 The surface / layerworks of such access should be designed to accommodate at least a 15 ton / 10 000litre service vehicle.
 - 2.3.3 The required volume of the conservancy tank/s must be determined by a suitably qualified professional.
 - 2.3.4 The minimum volume of a conservancy tank shall be 5 kiloliter.
 - 2.3.5 Note that only Stellenbosch Municipality is allowed to empty conservancy tanks.
 - 2.3.6 A service contract has to be entered into with the municipality to service the conservancy tanks on a regular basis.
 - 2.3.7 Details of the conservancy tank and the on-site sewer reticulation network has to be submitted to the Engineering Services Directorate for approval, together with the approval of any building plans.
- 2.4 Where a package plant is considered, the following guidelines apply – please address as part of the building plan submission:
 - 2.4.1 Provide details of the proposed treatment and disposal method: Manufacturer, model, type of treatment technology, will disposal be by irrigation, into a watercourse etc.
 - 2.4.2 Please note that where an on-site treatment plant is considered, it should preferably be based on the activated sludge process (Claruss Fusion or similar approved).

- 2.4.3 The design and construction supervision of the facility must be undertaken by a suitably qualified professional (i.e. ECSA registered professional engineer), who at the completion of the work, certifies that the installation is complete and to the required standard in all respects.
- 2.4.4 An operation and maintenance manual must be supplied with the installed plant.
- 2.4.5 A maintenance agreement must be entered into between the owner and the waste water treatment system service provider and proof thereof be furnished to the Municipality's Water Services Department (for the attention of Mr Bradley Dyers (t) 021 808 8267; email: bradley.dyers@ Stellenbosch.gov.za).
- 2.4.6 Approval of the proposed decentralized wastewater treatment plant will only be granted until such time that a municipal sewer network is constructed in the vicinity of the proposed development and which would allow connection of the development to such network. All costs associated with such connection will be for the account of the Developer/Owner.
- 2.4.7 Provide proof of approval from the Department of Water and Sanitation for disposal of treated effluent by irrigation / discharge of treated effluent into a water course.
- 2.5 Use of any existing septic tanks to collect and treat sewage generated by the proposed development is not allowed.
- 2.6 Waste water and sewage may not pollute any ground water, stormwater and surface water.
- 3. Solid Waste**
 - 3.1 The Developer will be responsible for the removal of solid waste from the Development. Solid waste must be removed from the site to a legal solid waste disposal site in accordance with the requirements of section 20 of the Environmental Conservation Act 1989 (Act 73 of 1989).
- 4. Roads**
 - 4.1 The application has to be referred to the District Roads Engineer for comments and conditions.
 - 4.2 All the conditions set by the District Roads Engineer will be applicable.

- 4.3 Sufficient parking must be provided and indicated on the drawings at building plan submission stage.
- 4.4 Where applicable, right of way servitudes must be registered to allow access to the proposed development. This needs to be clearly indicated on the site plans at building plan submission stage.
- 5. **Stormwater**
 - 5.1 Any additional stormwater generated by the proposed development must be managed on-site.
- 6. **Development Charges (DCs)**
 - 6.1 The following DC's are payable: See **Development Charge Calculation** attached.
 - 6.2 The DC's were calculated by using the 2020/2021 tariff structure. If DC's are paid after 30 June 2021 it will have to be recalculated by using the tariff structure applicable at date of payment.
 - 6.3 The appropriate DC's are payable before building plan approval.
- 7. **Electrical Engineering**
 - 7.1 Refer to **Annexure: Electrical** for comments and conditions.

TYRONE KING Pr Tech Eng
MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)

W:\2.0 DEVELOPMENT\00 Developments\1997 (TK) Farm 1018 Stellenbosch (LU - 11312), C1997 (TK) Farm 1018 Stellenbosch (LU - 11312).doc

	SUMMARY OF DC CALCULATION						
(Units)	Water	Sewer	Storm-water	Solid/Waste	Road	Community Facilities	Totals
	k/day 1,060	k/day 9,900	m ³ /day 8,024	t/week 0.000	t/weekday 7.50	person 7.5	
Total Increased Services (U.S.A.)							
Total Development Charges, before Deductions							
Total Deductions				P 4,645.90	P 47,668.16	P 19,558.01	P 71,872.16
Total Payable (excluding VAT)							
"A"				P 4,645.90	P 47,668.16	P 19,558.01	P 71,872.16
					P 1,950.22	P 2,037.70	P 10,808.82
Total Payable (including VAT)							P 82,682.98

APPLICANT INFORMATION	
Application Proposed by:	Tyrone King
Signature:	4 additional guest suites added to existing manor house 5 existing staff cottages (farm workers) converted to 5 guest guest suites (give credit for 5 ex cottages) 2 new guest suites in footprint of existing chicken coop and crate room
Date:	
Amount Paid:	As above
Date Payment Received:	
Receipt Number:	

Tyrone King

From: Martin Slabber
Sent: Thursday, 04 February 2021 10:38
To: Tyrone King; Bulelwa Mdoda; Bongiwe Zondo
Cc: Colin Taylor; Chrizelle Kriel; Nolusindiso Momoti; Bradley Williams
Subject: RE: 1997 (TK) Farm 1018 Stellenbosch (LU - 11312)

GENERAL: None

COMMENTS: If moving- removing or increase of electrical services is required, apply via recoverable cost application.

Groete:
Martin Slabber
Supt. Dwarsrivier Elect.
Engineering Services



Martin.slabber@stellenbosch.gov.za

C: +27 83603 3431

T: +27 21 808 8338

www.stellenbosch.gov.za



www.facebook.com/stellenboschmunicipality



twitter.com/StellMun

Hugenoet Road 23 Franschhoek 7690

PO Box 18, Franschhoek, 7690

PO Box 17, Stellenbosch, 7599

Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions
Published at the following link: <http://www.stellenbosch.gov.za/main/pages/disclaimerpage.htm>

From: Tyrone King
Sent: Tuesday, 18 August 2020 08:26
To: Bulelwa Mdoda <Bulelwa.Mdoda@stellenbosch.gov.za>; Bongiwe Zondo
<Bongiwe.Zondo@stellenbosch.gov.za>
Cc: Colin Taylor <Colin.Taylor@stellenbosch.gov.za>; Chrizelle Kriel <Chrizelle.Kriel@stellenbosch.gov.za>;
Nolusindiso Momoti <Nolusindiso.Momoti@stellenbosch.gov.za>; Bradley Williams
<Bradley.Williams@stellenbosch.gov.za>
Subject: 1997 (TK) Farm 1018 Stellenbosch (LU - 11312)

Hi Bulelwa

See attached the preliminary memo. I am still awaiting Electrical Eng comments from Bradley Williams in order to finalise.

**ANNEXURE I: COMMENT FROM THE SENIOR INSPECTOR: CAPE
WINELANDS DISTRICT**

From: Fabian van Wyk [mailto:fabian@capewinelands.gov.za]

Sent: Tuesday, 16 February 2021 16:21 ✕

To: Nolusindiso Momoti

Subject: [EX] FW: nolusindiso.momoti@stellenbosch.gov.za sent you files via WeTransfer FARM 1018 LU/11312 STELLENBOSCH

Good day Madam

Please note that the feedback to above application was given through to you in December last year as well as last month.

See below.

Kind regards

From: Leandre Candice Davids <leandre@capewinelands.gov.za>

Sent: Tuesday, 16 February 2021 16:13

To: Fabian van Wyk <fabian@capewinelands.gov.za>

Subject: FW: nolusindiso.momoti@stellenbosch.gov.za sent you files via WeTransfer FARM 1018 LU/11312 STELLENBOSCH

From: Leandre Candice Davids

Sent: Wednesday, 27 January 2021 10:15

To: Fabian van Wyk <fabian@capewinelands.gov.za>

Subject: FW: nolusindiso.momoti@stellenbosch.gov.za sent you files via WeTransfer FARM 1018 LU/11312 STELLENBOSCH

Hi Fabian

Die kommentaar was in Desember aangestuur vir Stellenbosch

Maak gou net seker dis dieselfde 1 as die wat jy veogend gestuur het asseblief.

Groete

Leandre

From: Leandre Candice Davids

Sent: Monday, 21 December 2020 10:35

To: Nolusindiso Ngola <nolusindiso@capewinelands.gov.za>✕

Cc: Fabian van Wyk <fabian@capewinelands.gov.za>

Subject: RE: nolusindiso.momoti@stellenbosch.gov.za sent you files via WeTransfer FARM 1018 LU/11312 STELLENBOSCH

ERF / FARM NUMBER & APPLICATION NUMBER: Farm 1018 LU/11312) Stellenbosch

DESCRIPTION OF THE PROPOSAL:

Application made in terms of 15 (2)(o) of the Stellenbosch Municipal Land Use Planning By-law dated 20 October 2015 for Consent use for Tourist accommodation with 20 guest suites and associated amenities on Farm 1018, Stellenbosch.

From an environmental health perspective, this application may be recommended for approval; provided that the following conditions are complied with:

1. Environmental pollution

- 1.1 No pollution such as water, air, dust or noise pollution may occur on any part of the premises during the operational phase of the proposed development. Proper preventative measures must be put in place beforehand.

2. Potable water/Storm water

- 2.1 The quality of the potable water on the premises must at all times comply with the minimum bacteriological and chemical standards for potable water, as determined by SANS code 241.

3. Solid waste disposal

- 3.1 Refuse collection and storage must be done in a way that will not cause a health nuisance.

4. Sewerage/Sanitary facilities

- 4.1 The sewerage system from the existing and proposed development must be connected to a closed sewerage system in accordance with Stellenbosch Municipality's specifications, conditions and approval.

- 4.2 Sewage disposal on the premises must at all times take place in a nuisance-free manner and shall be the owner's responsibility.

5. The business must always comply with Regulation 638 and all relevant health requirements.

6. General conditions

- 6.1 This Department reserves the right to set further requirements during the course of operations

Please contact me if you have any further questions or comments in this regard.

Yours faithfully

Leandre Davids
HEALTH OFFICER/INSPECTOR
for MUNICIPAL MANAGER

From: Fabian van Wyk <fabian@capewinelandsgov.za>

Sent: Tuesday, 01 December 2020 08:02

To: Leandre Candice Davids <leandre@capewinelandsgov.za>

Subject: FW: nolusindiso.momoti@stellenbosch.gov.za sent you files via WeTransfer



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/11310

Our File Reference Number: Farm 1018, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: tristan@headland.co.za

Sir / Madam

APPLICATION FOR TECHNICAL APPROVAL: FARM 1018, 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 following application in terms of Section 15(2) of the Stellenbosch Municipality Land Use Planning By-Law, 2015, on Farm 1018, Stellenbosch Farms:

2.1.1 Permission / Technical Approval in terms of Section 15 (2) (g) of the Land Use Planning By-law to accommodate a new wine tasting venue in an existing structure and additions to the existing winery/processing facility.

BE APPROVED in terms of Section 60 of the said Bylaw, subject to the following conditions in terms of Section 66 of the said Bylaw:

2.2 Conditions of Approval:

- i. The approval applies only to the proposed application under consideration as indicated on drawings number: SBP 1018 LL MM 001B 00 & SBP 1018 BP 002, drawn by I. Marais(Beau Tech), dated June 2020 (See **Annexure G**); and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.

- ii. 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.
- iii. The total area of the combined flower processing shed and winery be limited to 554m².
- iv. The wine tasting venue be limited to 95m².
- v. The conditions imposed by the Director: Engineering Services as contained in their memo dated 24 February 2021, attached as **Annexure D**, be complied with.
- vi. The conditions imposed by the Manager: Spatial Planning as contained in their memo dated 09 July 2020, attached as **Annexure E**, be complied with.
- vii. The conditions imposed by the Senior Inspector: Cape Winelands District Municipality as contained in their email dated 06 July 2020, **Annexure F**, be complied with.
- viii. Building plans must be submitted, and be approved by this Municipality, prior to any building work commencing on site.
- ix. The approval will lapse if not implemented within 5 years from date of final notification of approval of the application.

2.3 The reasons for the above decision are as follows:

(a) The primary use will still be agriculture, supported by tourist facility and agricultural industry.

(b) The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape;

3. You may now act on the above decision subject to compliance with the conditions of approval.

Yours faithfully



FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

24/8/2021,
DATE:

ANNEXURE G: SITE DEVELOPMENT PLAN



Beau
Tech

29 Tibelles Crescent
Jamesdown
Stellenbosch
7600

Tel: 082 952 0528
lisbeau@beautech.co.za

Project

Technical Approvals:
Farm Protea Hoogte, No. 1018
Stellenbosch Division

Drawing Name:

Site Plan

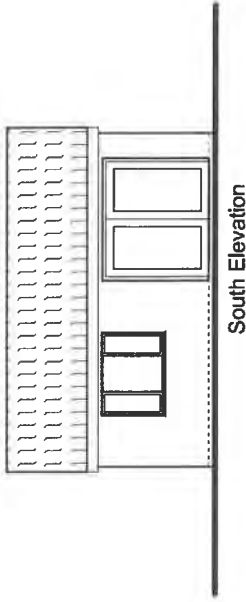
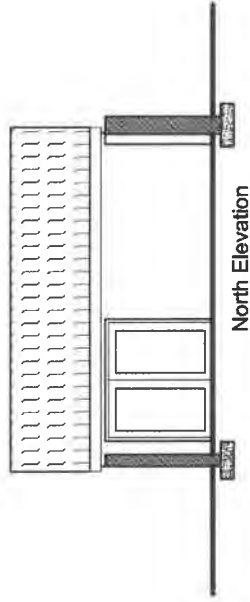
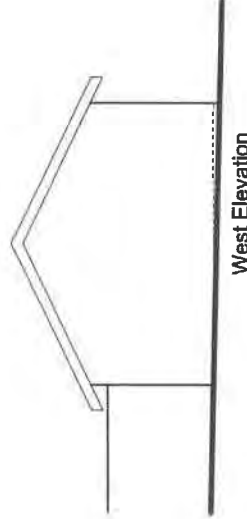
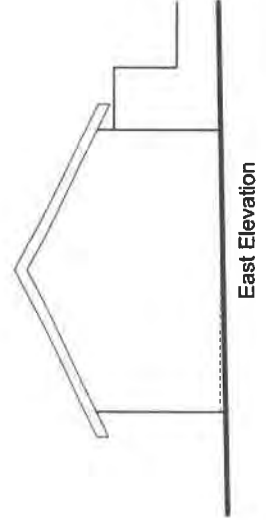
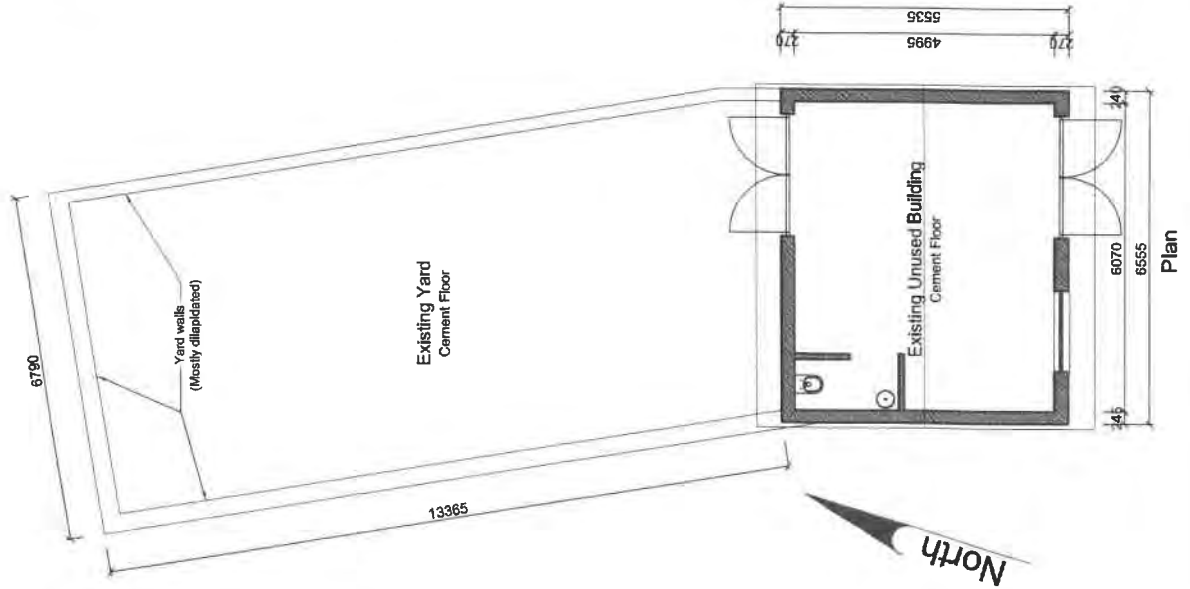
Drawing No:

SBP 1018 LL MM -001B

Date: June 2020

Scale: 1:1000

Drawn By: I. Marais SACAP Registration no. D1574



Beau
Tech

29 Tiobelles Crescent
Jamestown
Stellenbosch
7600

Tel: 082 952 0528
lscbeau@beautech.co.za

Project:

Technical Approvals:
Farm Protea Hoogte, No. 1018
Stellenbosch Division

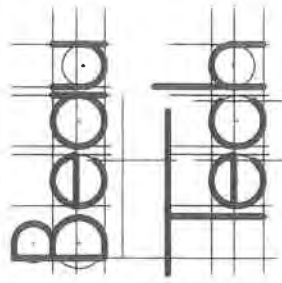
Drawing Name:
Existing Redundant Building As-Built circa 1980
Plan and Elevations

Drawing No:
SBP 1018 BP 006 X

Owner:
Virginia C. Powell

Plan Originator:
I. Marais
SACAP Registration no. D1574

Date:
7 July 2021
Scale:
1:100



29 Tibelles Crescent
Jamestown
Stellenbosch
7600

Tel 082 952 0528
isebeau@beatech.co.za

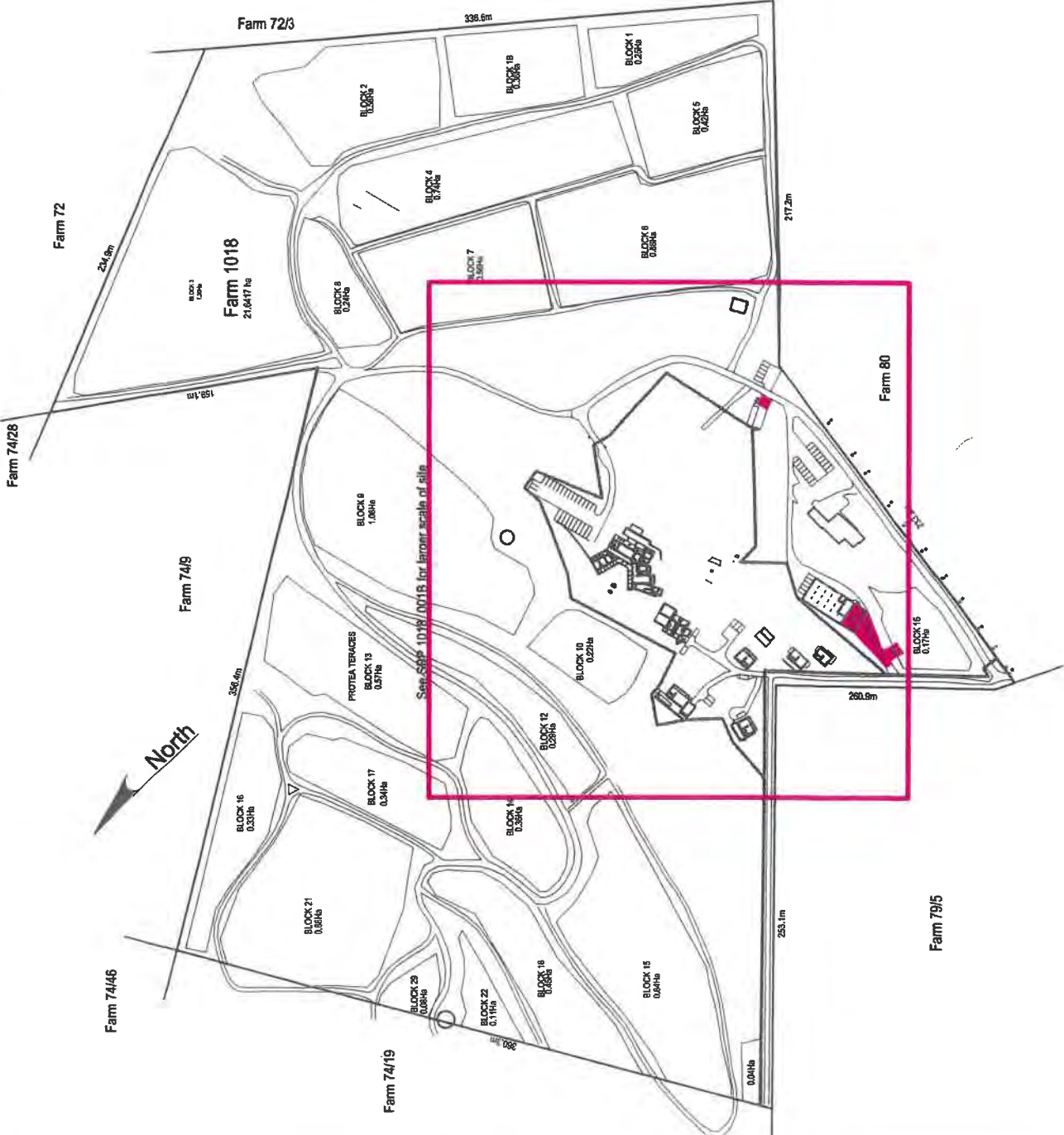
Project:
Technical Approvals:
Farm Protea Hoogte, No. 1018
Stellenbosch Division

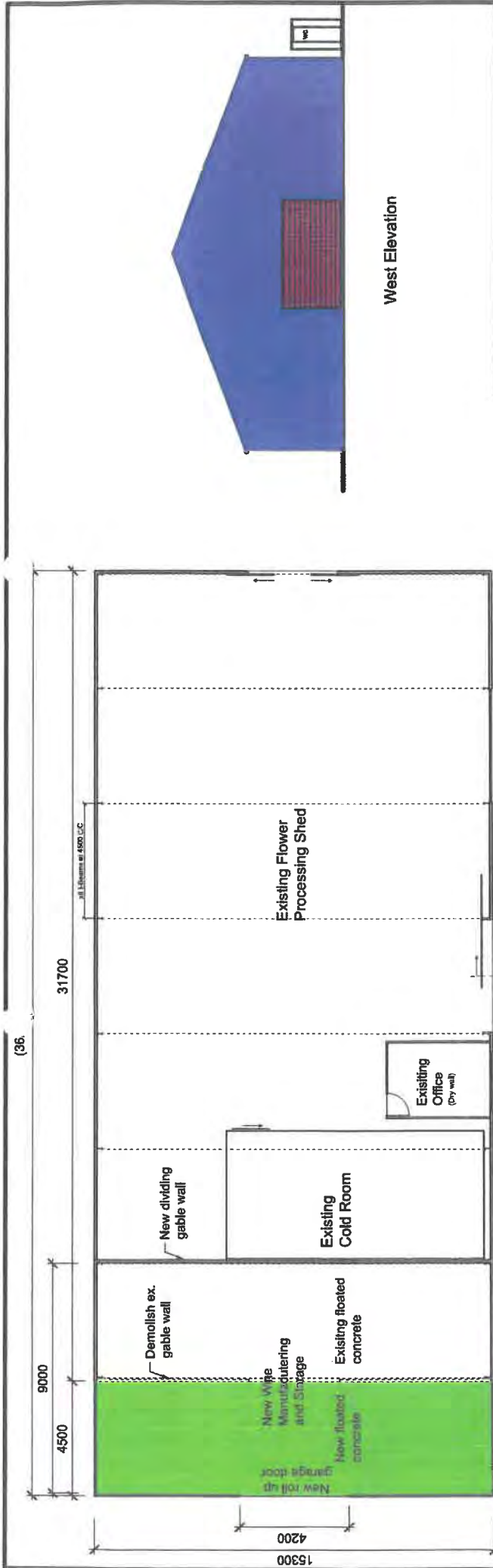
Drawing Name:
Farm Plan

Drawing No:
SBP 1018 LL MM 001A

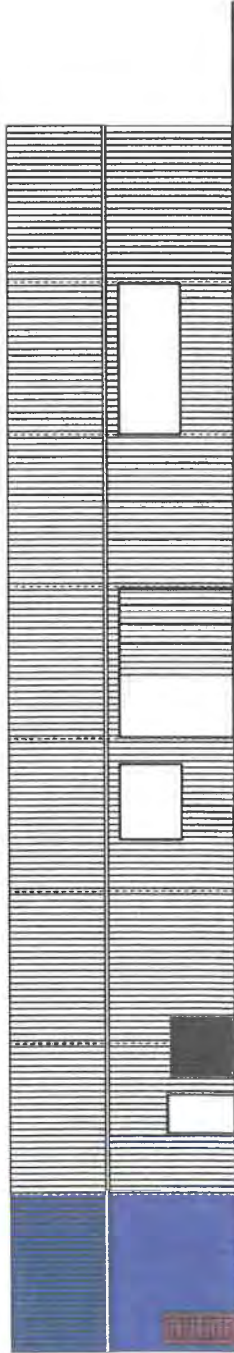
Date: June 2020 Scale: 1:2500

Drawn By: I. Marais SACAP Registration no. D1574

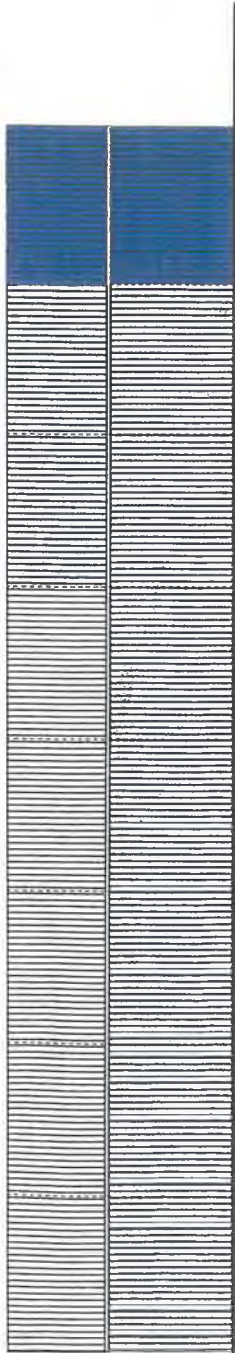




Plan



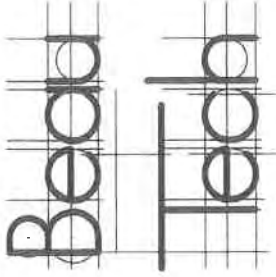
South Elevation



North Elevation



West Elevation



29 Tibelles Crescent
Jamestown
Stellenbosch
7600
Tel: 082 952 0528
lsbeau@beautech.co.za

Project:		Technical Approvals: Farm Protea Hoogte, No. 1018 Stellenbosch Division	
Drawing Name:		Micro Manufacturing Production and Storage Facility Plan & Elevations	
Drawing No:		SBP 1018 BP 002	
Date:	June 2020	Scale:	1:150
Drawn By: I. Marais SACAP Registration no. D1574			

**ANNEXURE D: COMMENT FROM THE DIRECTOR: ENGINEERING
SERVICES**

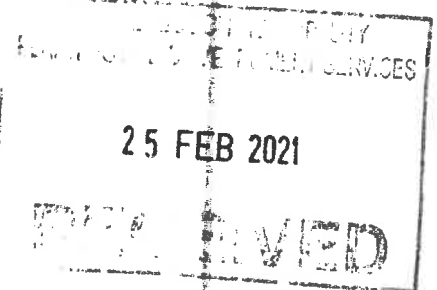


STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag	Nicole Katts
From ▫ Van:	Manager: Development (Infrastructure Services)
Author ▫ Skrywer:	Abdullah Daniels
Date ▫ Datum:	24 February 2021
Our Ref ▫ Ons Verw:	Civil LU 1982
Your Ref:	LU/11310
Re ▫ Insake:	Farm 1018: Technical approval



Technical approvals for 95m² wine tasting venue and 69m² addition to existing winery/flower processing facility.

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

- 1. Water** F 1018 S
- 1.1 The quality of the water stored and distributed by the owner has to comply with SANS 241 Drinking Water Quality Standards. Current proof of compliance must be available on request.
 - 1.2 All water supply and reticulation infrastructure must be indicated on the building plans submitted for approval.

2. Sewer

- 2.1 No municipal sewer network exists in the area and the Owner will be responsible for making appropriate arrangements for the safe and proper disposal and/or treatment of sewerage.
- 2.2 The use of septic tanks and soak-aways are not permitted.
- 2.3 Use of conservancy tanks to collect and treat sewage generated is allowed.
- 2.4 The conservancy tank must be accessible to the removal truck and of a volume to necessitate not more than a fortnightly service.

3. Solid Waste

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

4. Roads

- 4.1 The application has to be referred to the District Roads Engineer for comments and conditions.
- 4.2 All the conditions set by the District Roads Engineer will be applicable.

5. Development Charges (DCs)

- 5.1 Based on the information provided in application the Development Charges payable by the developer is R 90 632.82 (Vat incl.) as per attached Development Charges Calculation.
- 5.2 The DC's were calculated for the 2020/2021 financial year. If the account is paid after 30 June 2021 it has to be recalculated using the then applicable tariffs.
- 5.3 The appropriate DC's are payable before building plan approval.

6. Electrical Engineering

- 6.1 Refer to **Annexure: Electrical** for comments and conditions.



Abdullah Daniels
PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)

W:\2.0 DEVELOPMENT\00 Developments\1982 (AD) Farm 1018\1982 (AD) Farm 1018 Stellenbosch (LU -).doc

ANNEXURE E: COMMENT FROM THE MANAGER: SPATIAL
PLANNING

ANNEXURE F: COMMENT FROM THE SENIOR INSPECTOR: CAPE
WINELANDS DISTRICT MUNICIPALITY

Nolusindiso Momoti

HEALTH COMMENT

File
LU/11310

(10)
(11)

From: Fabian van Wyk <fabian@capewinelands.gov.za>
Sent: Monday, 06 July 2020 10:09
To: Nolusindiso Momoti
Subject: [EX] RE: FARM 1018 STELLENBOSCH (LU/11310): APPLICATION FOR TECHNICAL APPROVAL

Good day Madam

There are no objections from an Environmental Health point of view subject to compliance with attached requirements.

1. All sewage / wastewater must be disposed of in such a manner that it does not create a health nuisance. Must be connected to the existing municipal system.
2. The applicant should apply for the Refuse Removal Service from Stellenbosch Municipality or alternately an adequate waste removal service must be used. Cognizance must be taken to ensure the proper amount of refuse containers for the hygienic storage of waste prior to collection.
3. In the event where food will be prepared or handled and or served to the public, the applicant **must apply in writing** to the Municipal Health Services Department of the Cape Winelands District Municipality for a Certificate of Acceptability in terms of R638 of June 2018 in terms of the Foodstuffs, Cosmetics and Disinfectants Act of 1972.
4. In the event where any noise generating activity will be conducted on the premises, the onus lies on the owner to ensure that the necessary noise evaluation is carried out and that the results are submitted to local authority (SANS 10103 of 2003)
5. An adequate water supply that complies with the national standards for drinking water (SANS 0241:2001) must be provided for commuters.

Kind regards

From: Ferencia September <ferencia@capewinelands.gov.za>
Sent: Tuesday, 30 June 2020 14:08
To: Fabian van Wyk <fabian@capewinelands.gov.za>
Subject: FW: FARM 1018 STELLENBOSCH (LU/11310): APPLICATION FOR TECHNICAL APPROVAL

From: Nolusindiso Momoti <Nolusindiso.Momoti@stellenbosch.gov.za>
Sent: Tuesday, 30 June 2020 10:38
To: Ferencia September <ferencia@capewinelands.gov.za>
Subject: FARM 1018 STELLENBOSCH (LU/11310): APPLICATION FOR TECHNICAL APPROVAL

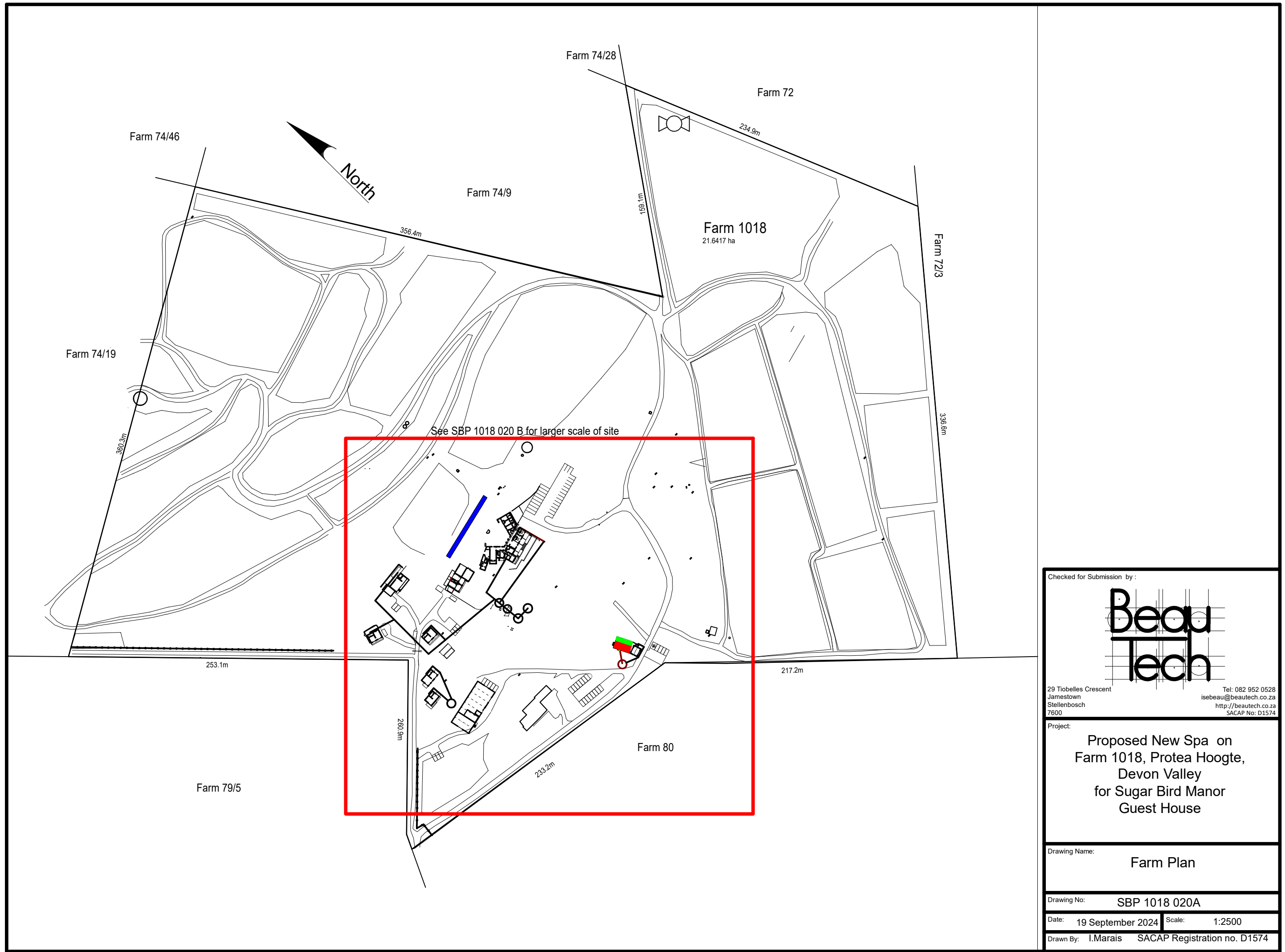
Good day;

Attached please find the relevant documentation regarding the abovementioned application. Kindly furnish me with your comment by email, if any, in order to enable me to submit the application to the decision making authority for consideration.

ERF / FARM NUMBER & APPLICATION NUMBER: Farm 1018 Stellenbosch (LU/11310)

C.05

ARCHITECTURAL DRAWINGS + REVISED SITE PLAN



Checked for Submission by :

**Beau
Tech**

29 Tiobelles Crescent
Jamestown
Stellenbosch
7600

Tel: 082 952 0528
isebeau@beautech.co.za
http://beautech.co.za
SACAP No: D1574

Project:

**Proposed New Spa on
Farm 1018, Protea Hoogte,
Devon Valley
for Sugar Bird Manor
Guest House**

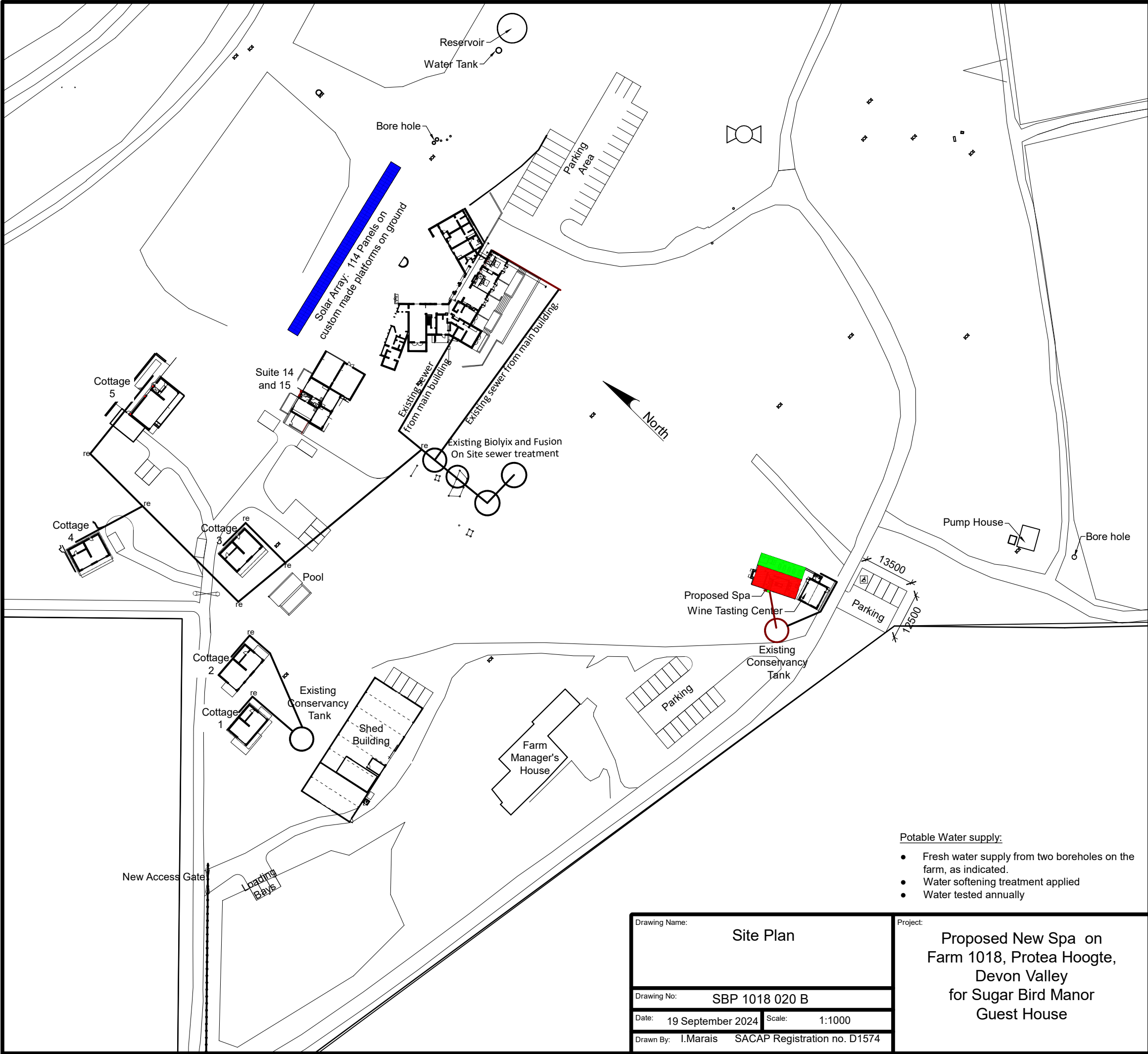
Drawing Name:

Farm Plan

Drawing No: **SBP 1018 020A**

Date: **19 September 2024** Scale: **1:2500**

Drawn By: **I.Marais** SACAP Registration no. D1574

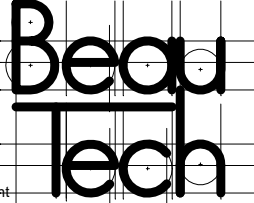


List of buildings :	
New Buildings	
<u>Proposed Spa:</u>	
New Floor Area:	67.0m ²
New Roofed Patio:	40.5m ²
 <u>New Solar Array</u>	
114 Panels	162.0m ²
 Existing buildings	
<u>Manor House:</u>	
Extended in 2024 According to LU/11312 and approved BP 5297/2024	
Total Floor Area:	708.5m ²
Capacity:	13 Suites
<u>Suite 14 & 15:</u>	
Existing suites that were built in place of an old chicken coop, attached to the existing Laundry Room of the Guest House.	
According to LU/11312, and approved BP3329 / 2023.	
Total Building	202m ²
(Including Laundry and store)	
Capacity:	2 Suites
(52m ² each)	
<u>Cottage 1</u>	
Guest cottage renovated from laborer's cottage	
According to LU/11312 and approved BP3182 / 2023	
Building	51m ²
Capacity:	1 Suite
<u>Cottage 2</u>	
Guest cottage renovated from laborer's cottage	
According to LU/11312 and approved BP3182 / 2023	
Building	74m ²
Capacity:	1 Suite
<u>Cottage 3</u>	
Guest cottage renovated from laborer's cottage	
According to LU/11312 and approved BP3182 / 2023	
Building	67m ²
Capacity:	1 Suite
<u>Cottage 4</u>	
Guest cottage renovated from laborer's cottage	
According to LU/11312 and approved BP3182 / 2023	
Building	76m ²
Capacity:	1 Suite
<u>Cottage 5</u>	
Guest cottage renovated from laborer's cottage	
According to LU/11312 and approved BP3182 / 2023	
Building	85m ²
Capacity:	1 Suite
Total capacity for guest accommodation:	
20 Suites	
 <u>Shed Building:</u>	
Flower processing (Agriculture)	344m ²
Winery	213m ²
According to LU/11310 and approved BP3327 / 2023	
<u>Wine Tasting:</u>	
Wine Tasting facility renovated from an old outbuilding	
According to LU/11310 and approved BP3182 / 2023	
 <u>Farm Manager's House:</u>	
Single family unit for the Farm Manager.	
Unaltered during the current ownership of farm 1018	
Approximately 304m ²	

- Potable Water supply:
- Fresh water supply from two boreholes on the farm, as indicated.
 - Water softening treatment applied
 - Water tested annually

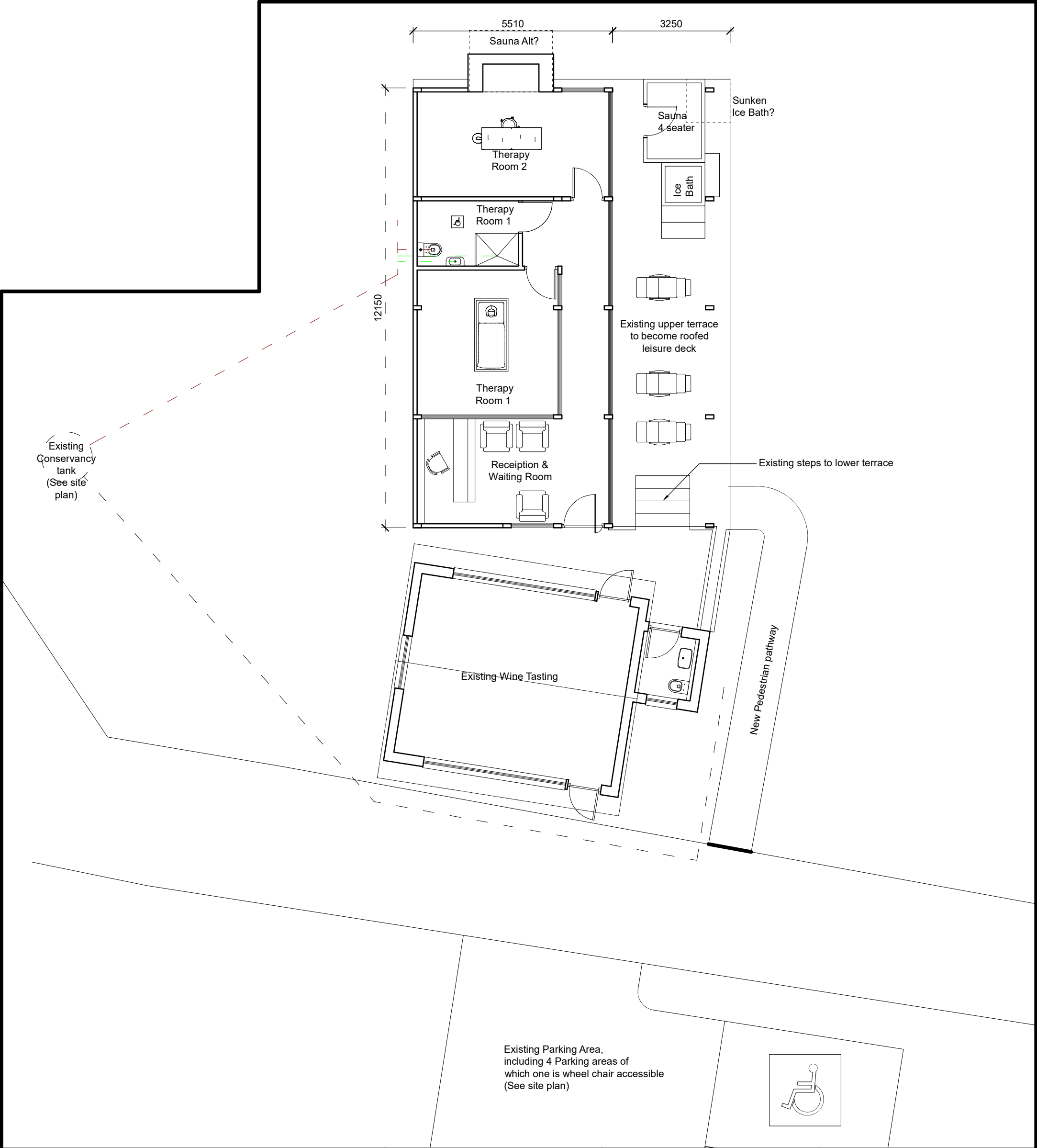
Drawing Name: Site Plan	
Drawing No: SBP 1018 020 B	
Date: 19 September 2024	Scale: 1:1000
Drawn By: I.Marais SACAP Registration no. D1574	

Project: Proposed New Spa on Farm 1018, Protea Hoogte, Devon Valley for Sugar Bird Manor Guest House	
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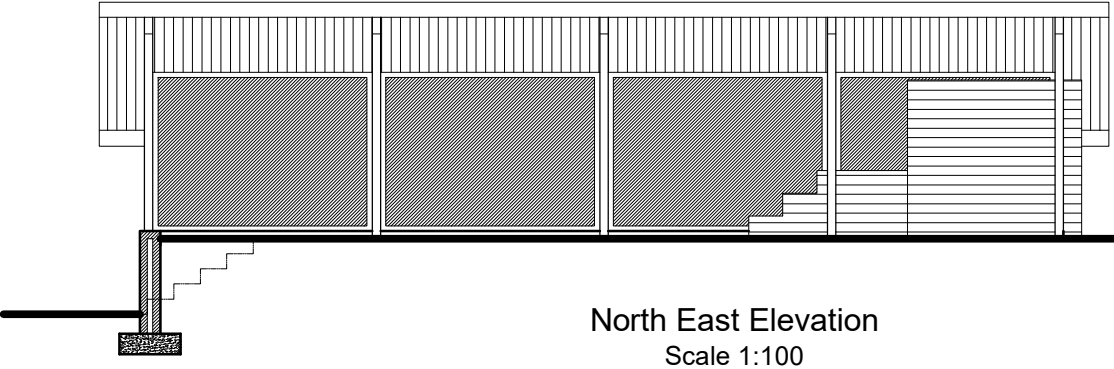
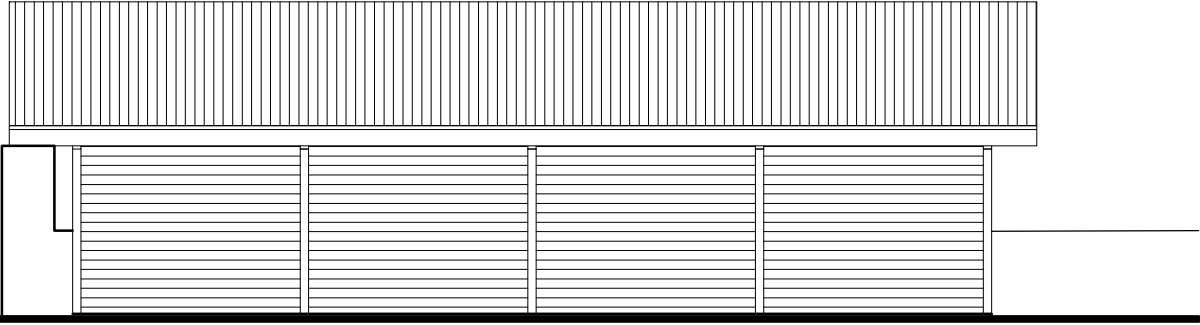
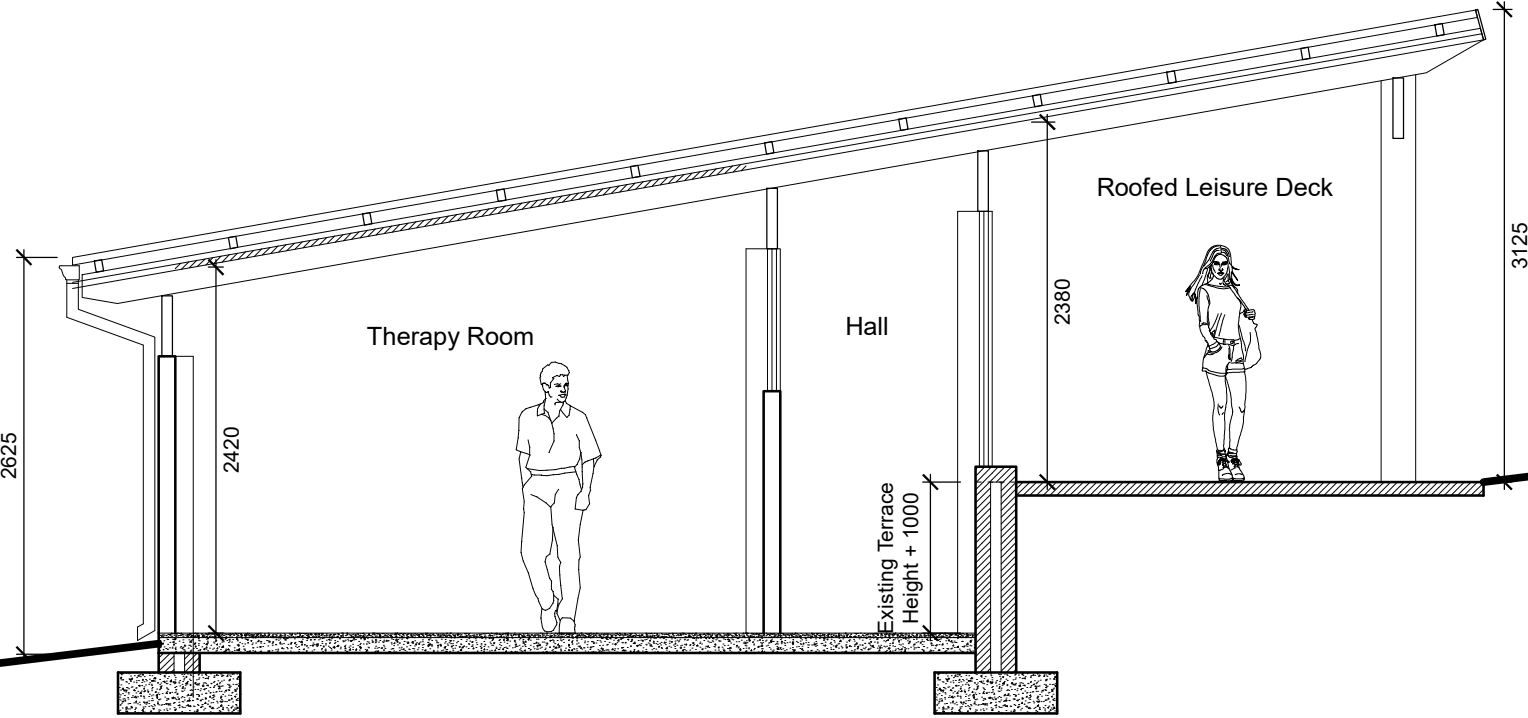


29 Tiobelles Crescent
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Tel: 082 952 0528
isebeau@beautech.co.za
http://beautech.co.za
SACAP No: D1574

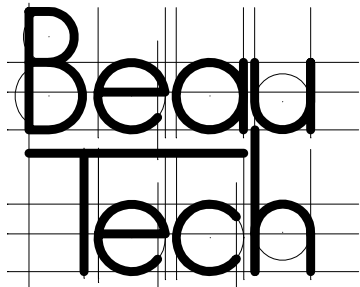


		Drawing No: SBP 1018 021	Project: Proposed New Spa on Farm 1018, Protea Hoogte, Devon Valley for Sugar Bird Manor Guest House	<div>Beau Tech</div> <div>29 Tiobelles Crescent Jamestown Stellenbosch 7600</div> <div>Tel: 082 952 0528 isebeau@beautech.co.za http://beautech.co.za</div>
		Date: 19 September 2024		
		Scale: 1 : 100		
		Drawn By: I.Marais	Drawing Name: Floor Plan	
		SACAP No: 1374		

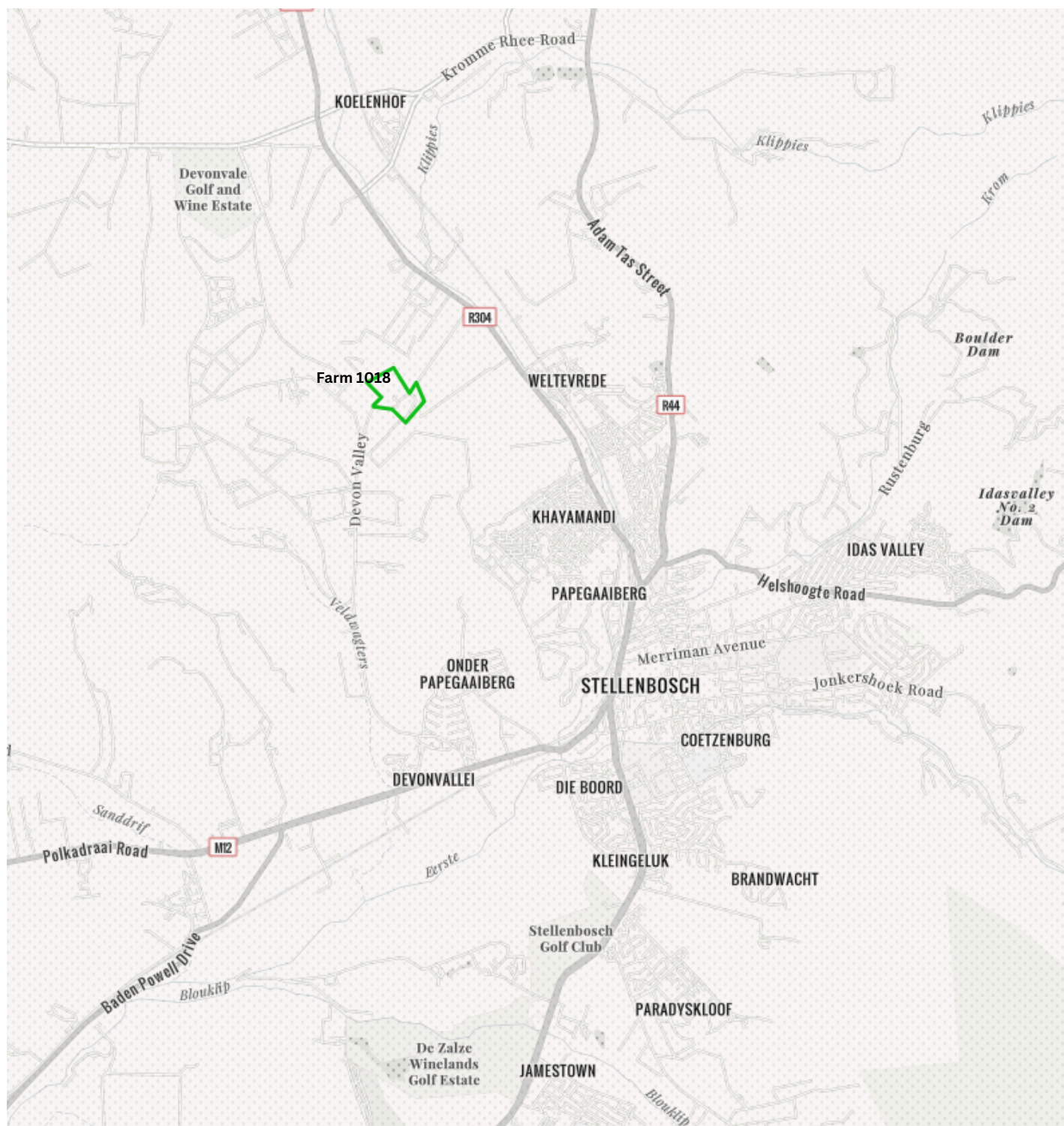


Drawing No:	SBP 1018 022
Date:	19 September 2024
Scale:	As Shown
Drawn By:	
I.Marais	SACAP No: 1374

Project:	Proposed New Spa on Farm 1018, Protea Hoogte, Devon Valley for Sugar Bird Manor Guest House
Drawing Name:	Section & Elevations



29 Tiobelles Crescent
Jamestown
Stellenbosch
7600
Tel: 082 952 0528
isebeau@beautech.co.za
<http://beautech.co.za>



URBAN RURAL SOUTH AFRICA
PLANNING + LAND USE SPECIALISTS

A THEART | Tch.Pln (SA) MPhil NHDip NDip PPPE CEA
ALWI THEART T/A URBAN RURAL SA PLANNING PRACTITIONERS
REGISTERED WITH THE SOUTH AFRICAN COUNCIL FOR PLANNERS
SOUTH AFRICAN COUNCIL FOR PLANNERS | REG NR B.8133.2005
Cell: 082 411 7914 | alwi@urbanrural.co.za | www.urbanruralsa.com

LOCALITY PLAN

PROPERTY : Farm 1018, Stellenbosch

DATE : October 2024

SCALE : Unknown or as Indicated

SOURCE : Cape Mapper

PROJECT NR. 383.2024

PLAN

B01