STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/18897 & TP1175/2025
Our File Reference Number: Farm No. 90/20, Stellenbosch Division
Your Reference Number:
Enquiries: Ulrich von Molendorff
Contact No: 021 – 808 8682
Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: andre@arouxplanning.co.za

Sir / Madam

APPLICATION FOR CONSENT USE FOR A TOURIST ACCOMMODATION ESTABLISHMENT AND A DEPARTURE ON FARM NO. 90/20, STELLENBOSCH DIVISION

1. The above application refers.

2. The Municipal Planning Tribunal on 18 September 2026 resolved as follows:

3. That it **BE DECIDED** that the application for Consent Use and Departure on Farm No. 90/20, Stellenbosch Division to permit a tourist accommodation establishment with a total of seven (7) guest accommodation units (10 bedrooms), deviates from the provisions of the Stellenbosch Municipality SDF as contemplated in terms of Section 19 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014), for the following reasons:

   3.1 The proposed development exceeds the number of dwelling units permitted on a property of 3.3ha prescribed by the MSDF for Agricultural properties and thus is in conflict with the spatial planning objectives of the MSDF.

4. That it **BE DECIDED** that the application for Consent Use and Departure on Farm No. 90/20, Stellenbosch Division to permit a tourist accommodation establishment with a total of seven (7) guest accommodation units (10 bedrooms) does warrant site specific circumstances as contemplated in terms of Section 22(2) of Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) for the following reasons:

4.1 The proposed development involves the adaptive reuse of existing buildings, with no new structures, extensions or external additions proposed.

5. That the applications in terms of Section 15(2) of the Stellenbosch Municipality Land Use Planning By-Law, 2024 on Farm No. 90/20, Stellenbosch Division for:

5.1 **Consent Use** in terms of section 15(2)(o) of said bylaw to permit a tourist accommodation establishment with a total of seven (7) guest accommodation units (10 bedrooms), replacing the existing restaurant and wine-tasting and sales facility; and

5.2 **Departure** in terms of section 15(2)(b) to exceed the height of two dwelling units (Cottage 3 and 4) to two storeys in lieu of one storey, and the coverage of one dwelling unit (Cottage 3) from 120m² to 166m²,

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

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

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

6.2 The development be implemented substantially in accordance with the **DRAWING NO. 100, 200, 300, 201_DATED 17 APRIL 2025 AND 05 MARCH 2025, AND DRAWN BY RCD DESIGNS**, and attached as **ANNEXURE C**.

6.3 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.

6.4 The tourist accommodation establishment must be confined within the footprint of existing buildings converted to seven (7) self-catering units, and no new buildings must be constructed.

6.5 The tourist accommodation units hereby approved shall be used exclusively for transient guest occupancy on a short-term basis. No long-term leases or permanent residential agreements shall be entered into for any unit. The units are strictly restricted to self-catering tourist use; they may not be utilised as "additional dwelling units" or primary residences for permanent occupants

6.6 The conditions imposed by the **Directorate: Infrastructure Services** as contained in their memo dated 15 September 2025, attached as **ANNEXURE E**, be complied with.

6.7 The tourist accommodation establishment be subservient to the dominant agricultural use of the property.

6.8 No employee housing for farm workers may be developed in the place of the former employee housing units that are converted to tourist dwelling units / tourist accommodation establishment approved in this application, and should the need arise for such employee housing units for farm workers in future, the existing tourist dwelling units be converted back to its original use as employee housing units.

6.9 The tourist accommodation establishment for the use of existing buildings is restricted to the said buildings and no extension in the number of units or the size of its footprints are permitted, and the land use right for the tourist accommodation establishment may not be repurposed into any newly build or redeveloped structures, and the existing structures may also not be repurposed for any other non-agricultural use.

6.10 The tourist accommodation establishment and its associated facilities are reserved for the exclusive use of overnight transient guests. The site may not be used as a function venue or for the hosting of events, including but not limited to weddings, receptions, conferences, or training sessions. Use of the facilities by day visitors or any persons other than registered overnight guests is strictly prohibited. No self-catering unit may be utilised for any purpose other than guest lodging; specifically, no organised group activities or gatherings are permitted within the units.

6.11 A landscaping plan be submitted to and approved by the Municipality with the submission of building plans for approval. The landscaping plan shall provide for appropriate indigenous landscaping and tree planting to reinforce and complement the existing werf character of the property. The plan shall also

incorporate measures to adequately screen parking areas and built form from public and neighbouring views.

6.12 The land use to not create any undue noise or be a nuisance to the neighbourhood and that precautionary measures be taken to avoid environmental noise pollution in terms of the Western Cape Noise Control Regulations, 2013, PN. 200/2013 made in terms of Section 25 of the Environmental Conservation Act, 1989 (Act No 73 of 1989).

6.13 A contravention penalty in accordance with the prevailing and applicable Council Tariffs in respect of the unlawful utilisation of land is payable within 30 days from the date of final notification that the approval comes into operation and prior to the approval of any building plan.

6.14 Building plans for all existing unauthorised structures or uses be submitted to and approved by the Municipality and no land uses associated with any unauthorised structures may commence operating before building plan approval.

6.15 The approval of any building plan is subject to full compliance with all relevant and qualified conditions of land use rights to be indicated on the *Town Planning Compliance Checklist for Building Plans* to be submitted with an application for the approval of the building plan.

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

7.1 The proposal is contained entirely within the established farmstead and makes use of existing buildings. No new buildings, extensions or additional development footprint are proposed.

7.2 The property will continue to operate as an active agricultural holding, including vineyard cultivation. The tourism accommodation will therefore function as a supplementary use and will not displace the primary agricultural activity.

7.3 The accommodation establishment replaces the existing restaurant and wine-tasting and sales operation. It is anticipated to generate less traffic, noise, visitor activity and associated disturbance than the previous public-oriented tourism use.

7.4 The accommodation is located within the existing buildings and will not encroach upon or require the conversion of vineyard areas or other productive agricultural land.

7.5 The proposal will retain the existing buildings and will not introduce new structures or significant visual changes. This limits its potential impact on the Stellenbosch Farms cultural landscape and scenic qualities.

8. **Matters to be noted**

8.1 The approved land use rights only come into effect once all suspensive conditions or relevant legislative provisions, including the payment of the contravention penalty, have been complied with.

8.2 An application for the erection of advertising signs be submitted for approval to the Municipality and that all signage on the property be erected to the satisfaction of the Spatial Planning Department: Heritage Resource Management [be in line with the signage policy of the Municipality].

8.3 No directional signage be erected without the prior approval of the Provincial Roads Engineer and/or the Municipality.

8.4 The applicant shall obtain written confirmation from the competent environmental authority as to whether the proposed development triggers any listed or specified activities in terms of the National Environmental Management Act, 1998 (Act 107 of 1998) and the applicable Environmental Impact Assessment Regulations.

8.5 A liquor license be obtained from the relevant authority, if required.

8.6 Should the premises be used for a category of business which is required to be licensed in terms of the Business Act, No 71 of 1991 i.e. sale and supply of meals, health and entertainment, etc, then application be made for the relevant business

license. Should food be prepared or handled, then application also be made in writing to the Municipal Health Services Department of the Cape Winelands District Municipality for a Certificate of Acceptability (COA) for food premises in terms Regulation 638 of 22 June 2018 promulgated under the Foodstuffs, Cosmetics and Disinfectants Act, No 54 of 1972.

8.7 Should, after following due process –

a) The subject approved land use remains in breach of complying with any of the conditions of approval required for the vesting of the subject approval, and/ or

b) The operational use be in breach of any of the conditions of approval, inclusive of persistent complaints of undue noise levels, and/ or

c) The property be used for any unauthorised uses not permitted in terms of this approval,

the authorised official of the Municipality will exercise its discretion in terms of Section 90(c) of the Municipal Land Use Planning By-Law to withdraw the subject approval granted and the building structures to be reverted to uses in line with the primary use of the property.

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

10. Appeals must be submitted by completing the required form with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law.

11. **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**

12. 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.

13. The appeal form and approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za or 021 – 808 8684.

14. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

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

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

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

Yours faithfully

27.10.2026

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT **DATE**

ANNEXURE C

CONSENT USE FOR A TOURIST ACCOMMODATION ESTABLISHMENT ON FARM NO. 90/20, STELLENBOSCH DIVISION

SITE DEVELOPMENT PLAN



KAP VINO WINE TASTING FACILITY - PTN 90 OF FARM 20
SITE & ROOF PLAN
scale 1:350

General Notes:

1. Contractor and Sub-Contractors to check all levels and dimensions on site before any work is commenced and any discrepancies to be reported to the Architect immediately.
2. Figured dimensions to be taken in preference to scaled measurements and large scale details supercede small scale drawings.
3. All work to be done in accordance National Building Regulations SANS 10400 and all requirements of Municipal and Local Authorities concerned are to be adhered to.
4. Natural light and ventilation area of all openings in accordance of floor area and SANS 10400 Part O natural light area: min.10% of floor area and natural ventilation: min. 5% of floor area.
5. All glazing to comply with requirements od SABS 0137 - access doors and sidelights to have safety glass. Windows lower than 500mm from floor, windows lower than 1800mm above pitch line of stairs and shop-fronts to have safety glass.
6. All safety glazing panels to be etched with glazing marking and this is to be visible at all times.
7. All cavities below floor level to be filled with concrete and dpc's to be stepped.
8. No part of building is to encroach the build line.
9. All materials to be installed strictly in accordance with manufacturers specifications.

AREA TABLE:

KUNJANI MAIN BUILDING:	
GROUND FLOOR:	
Implement Store	- 109.00 m²
Wine Stoarge, Laundry & stairs	- 97.00 m²
Cottage 1	- 90.00 m²
Cottage 2	- 65.00 m²
Total Ground floor	- 381.00 m²
FIRST FLOOR:	
Kitchen	- 18.00 m²
Office , lobby, Guest WC	- 42.00 m²
Covered Entrance & Balcony 1	- 40.00 m²
Covered Balcony 2	- 100.00 m²
Cottage 3	- 166.00 m²
Total First floor	- 366.00 m²
TOTAL MAIN BUILDING	- 727.00 m²
MAIN DWELLING	- 420.00 m²
COTTAGES 4 - 6	- 237.00 m²
COTTAGE 7	- 44.00 m²
TOTAL BUILDINGS ON SITE	- 1428.00 m²
COVERAGE	
ERF AREA	- 3.3Ha
COVERED AREA	- 1067.00m²
COVERAGE AREA	- 3.2%
PARKING BAYS PROVIDED	- 23 BAYS

RDC designs cc
ARCHITECTURAL DESIGNS/BUILDING PLANS

CLIENT: PIA WATERMEYER

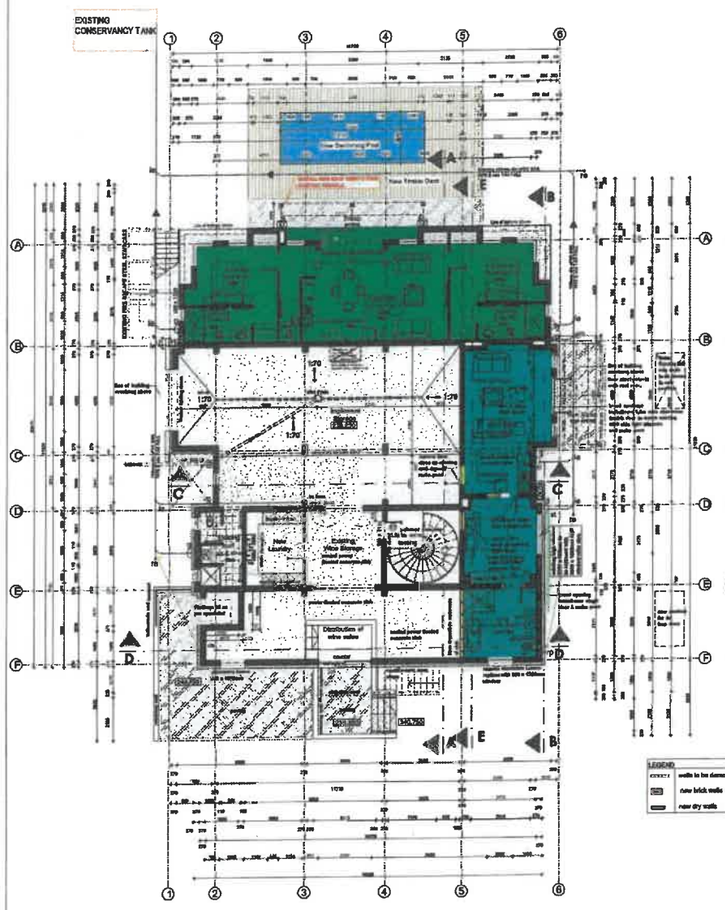
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PROPOSED ALTERATIONS TO EXISTING WINE TASTING FACILITY KUNJANI WINES PTN 90 OF FARM 20

DRAWING TITLE:
SITE PLAN

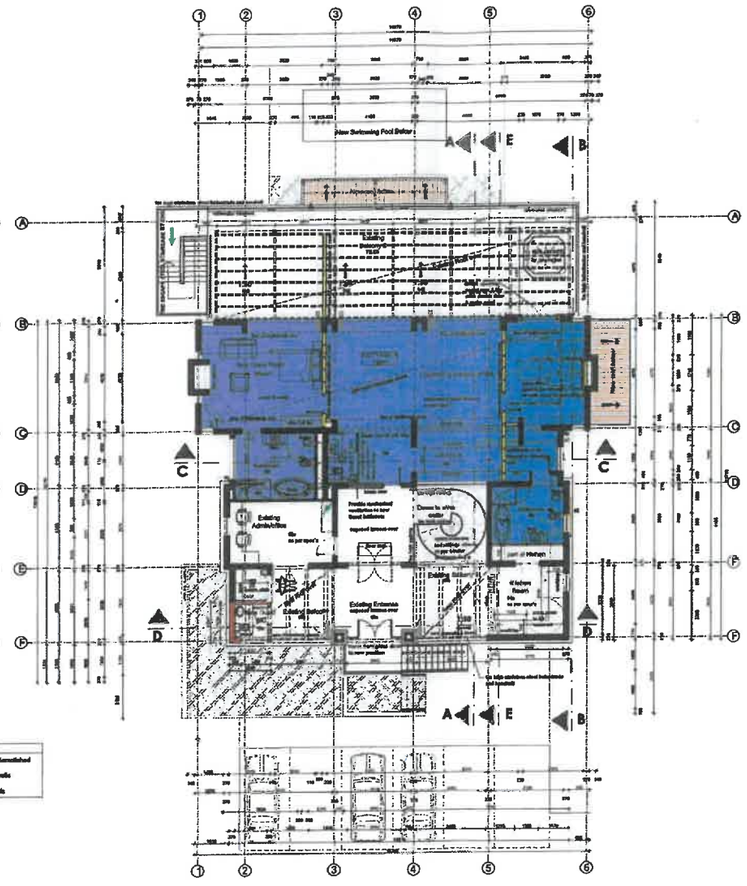
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DRAWING No.: 100	DATE: 17.04.2025
REV.	DRAWN: RDC / CHECKED: RDC

FOR INFORMATION

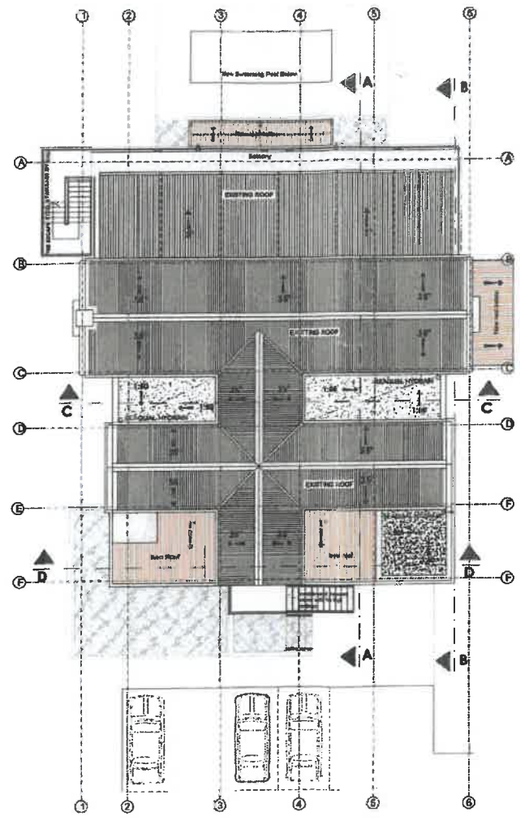
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KAP VINO WINE TASTING FACILITY - PTN 90 OF FARM 20
LOWER GROUND FLOOR PLAN
scale 1:100



KAP VINO WINE TASTING FACILITY - PTN 90 OF FARM 20
GROUND FLOOR PLAN
scale 1:100



KAP VINO WINE TASTING FACILITY - PTN 90 OF FARM 20
ROOF PLAN
scale 1:100

CONSTRUCTION AREAS:

GROUND FLOOR:	
Implement Store	- 109.00 m²
Wine Storage, Laundry & stairs	- 97.00 m²
Cottage 1	- 90.00 m²
Cottage 2	- 65.00 m²
Total Ground floor	- 361.00 m²
FIRST FLOOR:	
Kitchen	- 18.00 m²
Office , lobby, Guest WC	- 42.00 m²
Covered Entrance & Balcony 1	- 40.00 m²
Covered Balcony 2	- 100.00 m²
Cottage 3	- 166.00 m²
Total First floor	- 366.00 m²
TOTAL COVERED AREAS	- 727.00 m²

General Notes:

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4. Natural light and ventilation area of all openings in accordance of floor area and SANS 10400 Part O natural light area: min.10% of floor area and natural ventilation: min. 5% of floor area.
5. All glazing to comply with requirements od SABS 0137 - access doors and sidelights to have safety glass, Windows lower than 500mm from floor, windows lower than 1800mm above pitch line of stairs and shop-fronts to have safety glass.
6. All safety glazing panels to be etched with glazing marking and this is to be visible at all times.
7. All cavities below floor level to be filled with concrete and dpc's to be stepped.
8. No part of building is to encroach the build line.
9. All materials to be installed strictly in accordance with manufacturers specifications.

RDC designs cc
ARCHITECTURAL DESIGNS/BUILDING PLANS

CLIENT: PIA WATERMEYER

PROJECT TITLE:
PROPOSED ALTERATIONS TO EXISTING WINE TASTING FACILITY KUNJANI WINES PTN 90 OF FARM 20

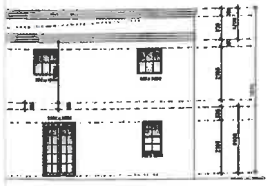
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FLOOR PLANS

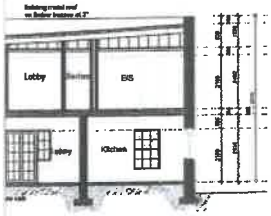
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REV.: -	DRAWN: RDC / CHECKED: RDC

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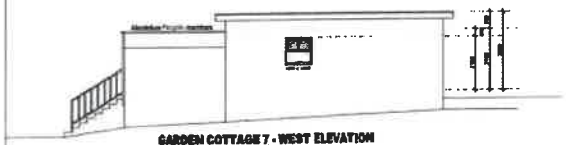




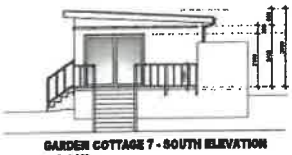




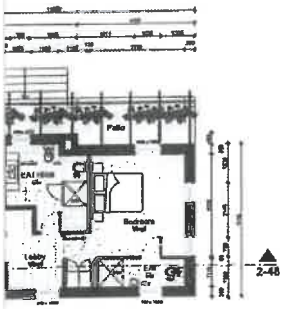
GARDEN COTTAGE 7 - EAST ELEVATION
scale 1:100

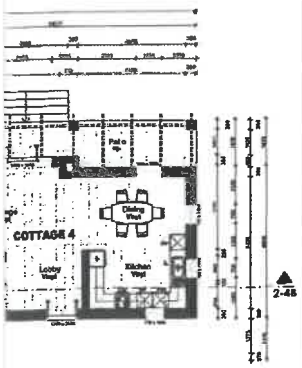


GARDEN COTTAGE 7 - WEST ELEVATION
scale 1:100



GARDEN COTTAGE 7 - SOUTH ELEVATION
scale 1:100







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8. No part of building is to encroach the build line.
9. All materials to be installed strictly in accordance with manufacturers specifications.

RDC designs CC
ARCHITECTURAL DESIGNS/BUILDING PLANS

CLIENT:
PIA WATERMEYER

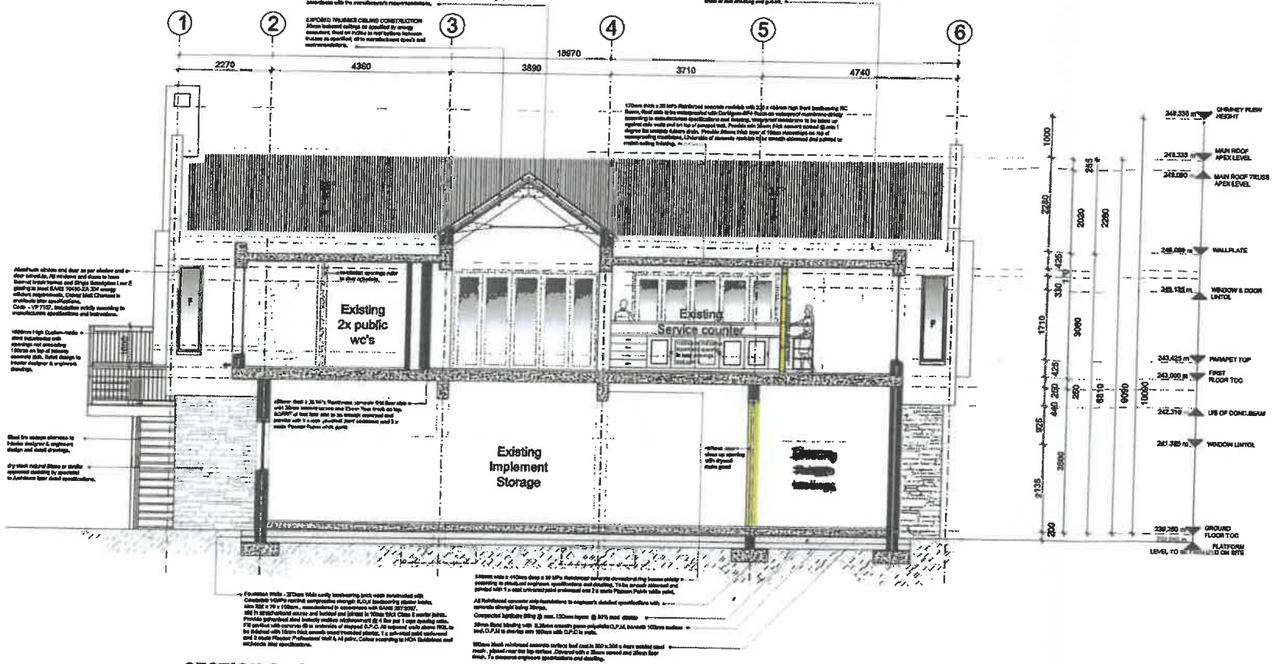
PROJECT TITLE:
PROPOSED ALTERATIONS TO EXISTING WINE TASTING FACILITY KAP VINO ESTATE PTN 90 OF FARM 20

DRAWING TITLE:
FLOOR PLANS
SECTIONS
ELEVATIONS
COTTAGES 4,5,6 & 7

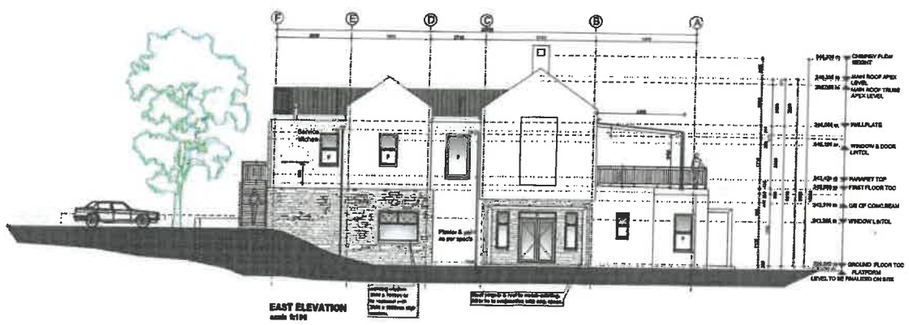
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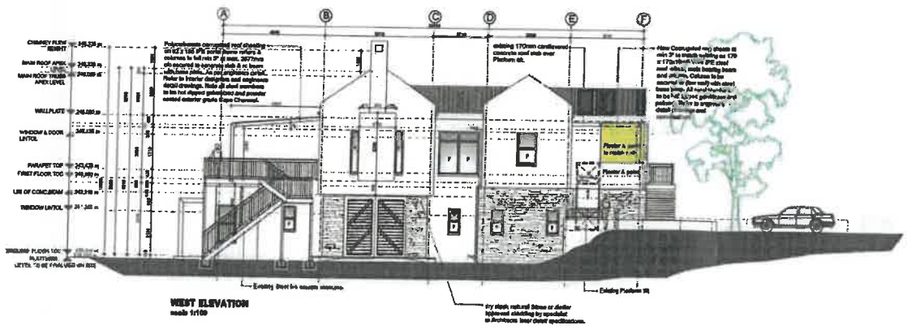
FOR INFORMATION

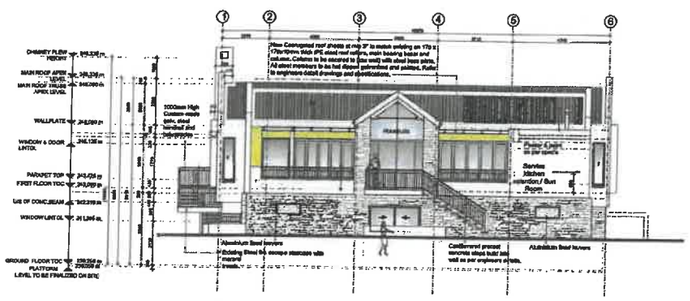
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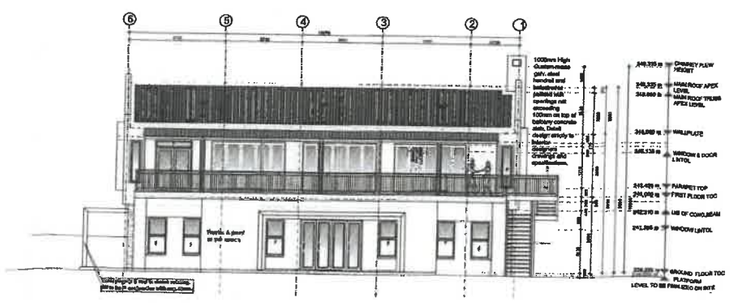


SECTION C - C
scale 1:50









General Notes:

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RDC designs cc
ARCHITECTURAL DESIGNS/BUILDING PLANS

CLIENT:
PIA WATERMEYER

PROJECT TITLE:
PROPOSED ALTERATIONS TO EXISTING WINE TASTING FACILITY KUNJANI WINES
PTN 90 OF FARM 20

DRAWING TITLE:
SECTIONS & ELEVATIONS KUNJANI WINES MAIN BUILDING

PROJECT No.: JA 1525		SCALE: 1:100	
DRAWING No.: 300		DATE: 17.04.2025	
REV. 09		DRAWN: RDC	CHECKED: RDC

FOR INFORMATION

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ANNEXURE E

CONSENT USE FOR A TOURIST ACCOMMODATION ESTABLISHMENT ON FARM NO. 90/20, STELLENBOSCH DIVISION

COMMENT FROM THE DIRECTORATE: INFRASTRUCTURE SERVCES

STELLENBOSCH MUNICIPALITY

STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	**Director: Planning + Economic Development**
Att Aandag:	**Bulelwa Mdoda**
From ▫ Van:	**Technician: Development (Infrastructure Services)**
Author ▫ Skrywer:	**Xolani Tika**
Date ▫ Datum:	**15 September 2025**
Our Ref ▫ Ons Verw:	**Civil LU 2913**
Town Planning Ref:	**LU/18897**
Re ▫ Insake:	**Farm 90/20, Stellenbosch: Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law, 2023, for a Consent Use to permit a tourist accommodation establishment with a total of seven (7) guest accommodation units (10 bedrooms) on Farm No. 90/20, Stellenbosch Division.**

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

1. Sewer

1.1 The existing conservancy tank must be used for the proposed tourist accommodation establishment.

2. Water

2.1 The existing municipal water connection point must be used for the proposed tourist accommodation establishment.

3. Development Charges (DCs)

3.1 The following DC's are payable: See **Development Charge Calculation** attached. Please note that this calculation is indicative at this stage. The final calculations will be determined at the building plan stage submission.

3.2 The DC's were calculated by using the 2025/2026 tariff structure. If DC's are paid after 30 June 2026 it will have to be recalculated by using the tariff structure and DC Policy principles applicable at date of payment.

3.3 The appropriate DC's are payable before building plan approval

Xolani Tika
Technician: Development (Infrastructure Services)

T:\2.0 DEVELOPMENT\01 Land Use applications\2913 (XT) Farm 90-20 Stellenbosch (LU-18897)\2913 () Farm 90-20 Stellenbosch (LU-18897).doc

Stellenbosch Municipality

Development Charge Calculation

APPLICATION INFORMATION	
Application Number:	DC 2913 (XT) Farm 90 - 20 Stellenbosch (LU-18897)
Development Name:	
Date:	15 September 2025
Financial Year:	2025/2026
Erf Location (Select from 7 Locations):	Stellenbosch Town
School/ECD Category (Select Quintile 1-4 or 5 or N/A)	N/A
Erf Region (Select Urban or Rural):	Rural
Erf No. / Farm No.:	90/20
DC Parameters Reference:	Convert existing wine tasting and restaurant to 10 bedrooms tourist accommodation establishment_SDP drawing no: 201 dated 2025/03/05 by RDC designs Architectural Designs/Building Plans

SUMMARY OF DC CALCULATION

Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Totals
Unit(s):	kl/day	kl/day	ha*C	t/week	trips/day		persons	
Total Increased Services Usage:	1,504	1,191	0,0139	0,1152	21,3		8,26	
Total Service Usage Reduction:	0	0	0	0	10,7		0	
Total Service Usage after Reduction:	1,50	1,19	0,01390	0,115	10,7		8	
Charges before adjusting for positive only, before Deductions	R 51 028,75	R -	R -	R 12 199,50	R 132 862,34	R 196 090,59	R 38 536,32	R 234 626,90
Charges adjusted for positive only, before Deductions	R 51 028,75	R -	R -	R 12 199,50	R 132 862,34	R 196 090,59	R 38 536,32	R 234 626,90
Total Deductions:	R -	R -	R -	R -	R 66 431,17	R 66 431,17	R -	R 66 431,17
Total Development Charges Payable (excluding VAT):	R 51 028,75	R -	R -	R 12 199,50	R 66 431,17	R 129 659,42	R 38 536,32	R 168 195,73
VAT:	R 7 654,31	R -	R -	R 1 829,92	R 9 964,68	R 19 448,91	R 5 780,45	R 25 229,36
Total Development Charges Payable (including VAT):	R 58 683,06	R -	R -	R 14 029,42	R 76 395,84	R 149 108,33	R 44 316,76	R 193 425,09

APPLICANT INFORMATION	
Application Processed by:	Xolani Tika
Signature:	
Notes:	See the attached SDP The DC calculations are based on the proposed 10 bedrooms and credit to the existing wine testing facility GLA=173.9m2 (DC calculation dated 1 Feb 2018 and proof of payment dated 09/02/2018).