STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/ 16565 (TP611/2023)
Our File Reference Number: Farm No. 74/9, Stellenbosch Division
Your Reference Number:
Enquiries: Ulrich von Molendorff
Contact No: 021 – 808 8682
Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: [redacted]

Dear Sir/Madam

APPEAL LODGED IN TERMS OF SECTION 79(2) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW: APPLICATION FOR EXTENSION OF VALIDITY PERIOD OF AN APPROVAL ON FARM NO. 74/9, STELLENBOSCH DIVISION

1. This Municipality's decision letter dated 4 October 2024, refers.

2. The Appeal Authority resolved on 23 December 2025 that the appeal submitted against the decision of the Authorised Decision-maker of the 1st of October 2024, in respect of the subject application **BE UPHELD**, and that the subject decision **BE REVOKED** in terms of Section 81(7)(b) of the Stellenbosch Municipal Land Use Planning By-law and **BE REPLACED** as follows:

3. That the application in terms of Section 15(2)(i) of the Stellenbosch Municipality By-law on Municipal Land Use Planning 2023 for an extension of the validity period of a rezoning approval, as per approval letter dated 11 July 2017 on Farm No. 74/9, Stellenbosch Division, **BE APPROVED** in terms of Section 60 of the said By-law and subject to conditions of approval.

4. The approval is subject to the following **conditions** imposed in terms of Section 66 of the said By-law:

a. The approval only applies to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.
b. 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.
c. The conditions of approval contained in decision letter 23 July 2019 attached as **Annexure A**, remain valid and must be complied with.
d. A detailed site development plan as contemplated in terms of Section 16 of the Zoning Scheme By-law, 2019 be submitted to the Municipality for approval prior to the submission of any building plans, which site development plan satisfactorily addresses, but are not necessarily limited to, all the conditions of this approval, compliance with relevant development parameters of the said By-law, and any relevant matters relating to Section 16(4) of the said By-law.
e. Building plans be submitted and approved by the Municipality prior to the commencing of any building works, including the preparation of land, which will only be approved when all relevant or qualified conditions of approval have been complied with.
f. Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the approval of any building plans or as may be agreed on in writing with the Director Infrastructure Services.
g. Conditions imposed by the Infrastructure Services Department as contained in the memorandum dated 04/07/2024, and attached as **Annexure B**, and any conditions imposed by the said Department during the circulation of the site development plan application, be complied with.
h. Sufficient on-site parking be provided in accordance with the provisions of the Zoning Scheme By-law as illustrated on the site development plan to the satisfaction of the Municipality.
i. In accordance with the National Spatial Planning and Land Use Planning Act (2013) an approval may only be valid for a maximum period of 10 years, during which time the approval with land use rights must be confirmed. This approval to extend the validity period is therefore only valid up to 10 July 2027, as calculated from the original approval date of 11 July 2017. The 10 (ten) years validity period is not extendable.

j. Proof of registered access servitudes in favour of Farm. No 74/9 permitting access for agricultural and tourist accommodation establishment uses on the said property and access agreements with affected property owners permitting access for the proposed development to a public road over their properties must be submitted to the Municipality prior to the approval of the site development plan and building plans. All existing access servitudes must also be renewed to permit access for agricultural and tourist accommodation establishment uses.

k. Updated comment be obtained from the Western Cape Government Department of Infrastructure (Road Planning) as part of the site development plan application process.

l. Updated comment be obtained from any Department deemed necessary by Land Use Management during the processing of the site development plan application.

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

a. Application was approved previously and no material changes is proposed to the current application.

b. Application indicate that agricultural olive orchard will reinstated for production of olive oil related products.

c. This is an added tourist offering that is part and partial of the Winelands agriculture footprint.

6. **Matters** to be noted:

a. An application for the erection of advertising signs be submitted for approval to the Municipality/relevant authority and that all signage on the property be erected to the satisfaction of the Municipality / relevant authority or be in line with the relevant signage policy of the Municipality / relevant authority.

b. No directional signage be erected without the prior approval of the Municipality or relevant authority.

c. All electrical requirements be directed to Eskom.

d. A business license and a liquor license be applied for if required.

e. The necessary authorisation / permission / etc. (e.g., an Environmental Authorisation) be obtained prior to the implementation of the land use approval.

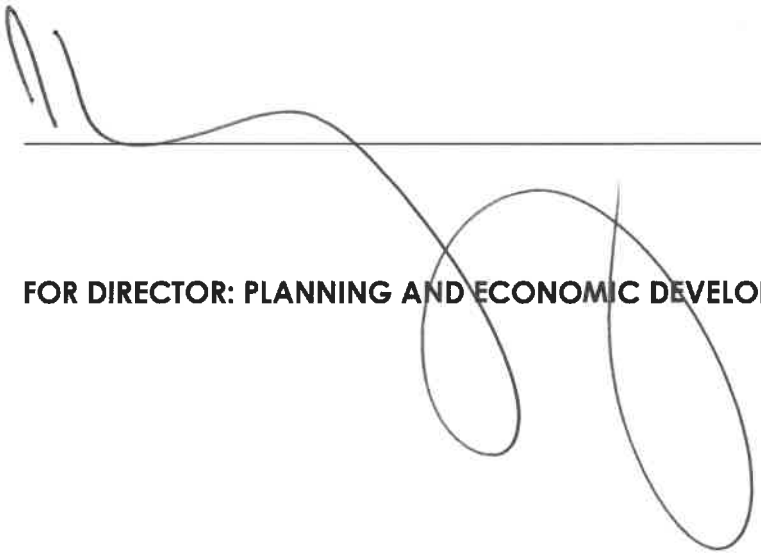
f. The approved zoning of the property of Agricultural Zone I and Residential Zone V will be converted to Agriculture and Rural Zone with consent for a tourist accommodation establishment in accordance with the current Stellenbosch Zoning Scheme By-law, 2019.

g. The maximum validity period of a land use approval in terms of Section 66(12) of the Stellenbosch Municipality By-law on Municipal Land Use Planning 2023, together with any extension which may be granted, may not exceed 10 (ten) years.

7. Accordingly, the decision detailed in this letter may be implemented, subject to compliance with the conditions of approval.

8. The appeal process has now been concluded.

Yours faithfully



16/1/2026.

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

ANNEXURE A

(1)

Application Number: LU/9582
Erf Number: Farm 74/9, Stellenbosch Division
Your Reference Number:
Enquiries: N Dafeti / B Mdoda
Email: Nopinki.Dafeti@stellenbosch.gov.za / Bulelwa.Mdoda@stellenbosch.gov.za
Contact No. 021808 8640 / 8690
Date: 23 July 2019

FILE NR: OUTGOING POST
74/9 LU/9582
SCAN NR:
COLLABORATOR NR:
654437

REGISTERED MAIL

Tanzanite Tower Trading t/a Molteno Hotel
MSK House
3rd Floor
13 Buitengracht Street
Cape Town
8001

Sir

APPLICATION FOR THE EXTENSION OF THE VALIDITY PERIOD: FARM NO. 74/9, STELLENBOSCH DIVISION

1. The above application refers.

2. The Authorised Employee, on 16 July 2019, **approved, in whole** in terms of section 60 of the Stellenbosch Municipal Land Use Planning By-law, promulgated by Notice no 354/2015 dated 20 October 2015, the application for the extension of the validity period of the rezoning as per the Municipality's approval letter dated 11 July 2017 for a further five (5) years on Farm No. 74/9, Stellenbosch Division.

3. The above approval granted is subject to the following conditions in terms of Section 66 of the Stellenbosch Municipal Land Use Planning By-law dated 20 October 2015:

(i) The approval applies only to the rezoning application in question, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;

P 15-08-19 ✓

(ii) The approval applies only to the rezoning as per drawing attached as **Appendix 2** and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.

(iii) The rezoned area be limited to 1,22ha;

(iv) The hotel be limited to thirty-two (32) suites;

(v) That the area for the restaurant, a kitchen, reception and a spa be limited to ±1720m²;

(vi) The conditions imposed by the Department of Transport and Public Works as set out in their letter dated 12 December 2014 (**Appendix 5**) be adhered to;

(vii) The conditions imposed by the Department of Agriculture: Western Cape as set out in their letter dated 17 December 2014 (**Appendix 6**) be adhered to;

(viii) The conditions imposed by the Department of Environmental Affairs and Development Planning, as set out in their letter dated 25 November 2014 (**Appendix 7**) be adhered to;

(ix) The conditions imposed by the Department of Water and Sanitation, as set out in their letter dated 25 November 2014 (**Appendix 8**) be adhered to;

(x) The conditions imposed by Heritage Western Cape as set out in their letter dated 4 October 2006 (**Appendix 9**) be adhered to;

(xi) The conditions imposed by the Directorate: Engineering services as set out in their memo dated 9 March 2015 (**Appendix 10**) be adhered to;

(xii) The servitude road area must be tarred at least up to the boundary of Farm 74/28;

(xiii) Sufficient landscaping be implemented to screen or soften any visual impact of the existing and proposed buildings and parking area from the surrounding properties and roads.

(xiv) The utilisation of the property and buildings must at all times be within the parameters determined by the applicable zoning scheme regulations.

(xv) That this approval shall lapse if not exercised within five (5) years from the date of final notification;

(xvi) The owner of the property must apply for the applicable business license in terms of the Business Act, No 71 of 1991.

(xvii) The Municipality reserves the right to impose further conditions if deemed necessary.

4. **REASONS FOR RECOMMENDATION**

There are no changes made on the initial approval that could have a detrimental effect on the surrounding properties.

5. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.

6. If you intend to appeal, the appeal form, which can be obtained from our Advice Centre; Land Use Management, Ground floor, Plein Street, Stellenbosch or the municipal website at www.stellenbosch.gov.za/planning portal, must be completed and should be directed to the Appeal Authority and received by the Municipal Manager at P O Box 17, Stellenbosch, 7599 or faxed to 021 886 6749, or hand delivered to the Office of the Municipal Manager, third floor, Plein Street, Stellenbosch within 21 days of registration of this decision letter together with proof of payment of the appeal fee *(only applicable to applicant appeals)*. See the approved tariff structure on the municipal website: *http://www.stellenbosch.gov.za/documents/idp-budget/2017-2/4873-appendix-3-tariff-book-2017-2018/file*

7. In the event of an applicant appeal, you as applicant are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine. Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.

8. The notice must be served in accordance with section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from date of notification of the appeal.

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 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

STELLENBOSCH

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APPENDIX 2

(APPLICATION FOR EXTENSION OF VALIDITY PERIOD ON FARM NO. 74/9, STELLENBOSCH DIVISION)

APPLICANT'S MOTIVATION

Confidential

24th April 2019

REQUEST FOR APPROVAL - EXTENSION OF VALIDITY PERIOD

FARM: ERF SBP 74/9 STELLENBOSCH

Stellenbosch Planning & Economic Development

Requesting with the application submitted for an extension of the validity period of original application no. LU/3737 issued on 11 July 2017 expiring on 11 July 2019.
Approved Building Plans BP/18/3526 to construct Molteno Hotel & Garden start date 1st June 2019.

We are anticipating a slight delay with the start date of the construction due to the 2 below reasons:

1. Awaiting NEDBANK finance approval – applications were submitted on 20th April 20192019 and anticipated approval date would be approximately 6 weeks.
2. Intersection With R304 – Entrance to Portion 9 of Farm 74 Stellenbosch drawings and request for approval drawing No. 19P/10/01 was submitted to Western Cape Transport and Public Works on 15 April 2019 – awaiting approval. Contact is Schalk Carstens – at 9 Dorp Street – Development and Planning offices.
3. Building plans were approved on 07.01.2019 – see attached copies of the approved stamped building plans.

We did not want to run into the expiration date of 11 July 2017 with any delays in the approval processes mentioned above. Kindly request your assistance to extend the validity period.

Also attached is a previous motivation letter issued by GIBB regarding the project and the road

Should there be any questions please contact our Project Manager or Owner Martin Molteno directly

Thank you

Martin Molteno
084-800-9508

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APPENDIX 3

(APPLICATION FOR EXTENSION OF VALIDITY PERIOD ON FARM NO. 74/9, STELLENBOSCH DIVISION)

PREVIOUS APPROVALS

Enquiries	N Dafel: / U von Molendorff
Your ref	
Our ref	Farm 74/9, Stellenbosch
Application No	LU/3737
Date	11 July 2017
Telephone	021-808 8672 / 8682
Fax	021-886 6899

FILE NR: OUTGOING POST
F 74/9 LU/3737
SCAN NR:
CONTRIBUTOR NR:

REGISTERED MAIL

Du Plessis,Hofmeyer,Malan INC
P O Box 70
Somerset Mall
7137

Sir

APPEAL IN TERMS OF SECTION 62 OF THE MUNICIPAL SYSTEMS ACT (ACT 32 OF 2000) AGAINST COUNCIL'S DECISION TO REFUSE AN APPLICATION FOR REZONING ON FARM 74/9, STELLENBOSCH DIVISION

My previous correspondence refers.

I wish to advise that the Council Appeal Committee resolved on 26 May 2017 that the appeal against Council's decision to refuse an application for rezoning on Farm 74/9, Stellenbosch Division, be upheld

Please be advised that the appeal process has now been concluded and that the above decision is therefore now considered final

Yours faithfully

for DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT

STELLENBOSCH

APPENDIX 4

(APPLICATION FOR EXTENSION OF VALIDITY PERIOD ON FARM NO. 74/9, STELLENBOSCH DIVISION)

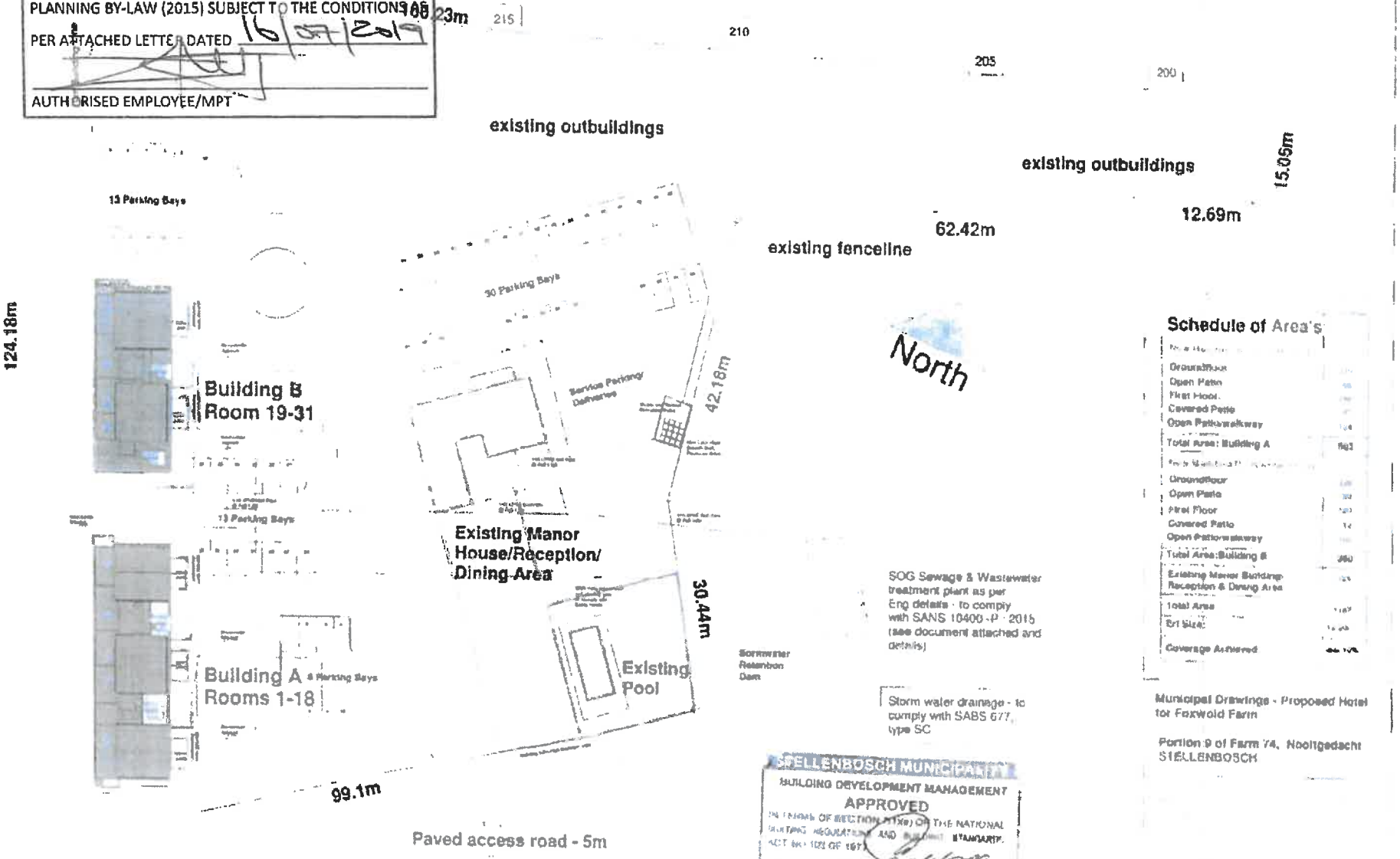
APPROVED BUILDING PLAN

Confidential

STELLENBOSCH MUNICIPALITY

THIS APPLICATION HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015) SUBJECT TO THE CONDITIONS PER ATTACHED LETTER DATED 16/07/2019

AUTHORISED EMPLOYEE/MPT



Schedule of Area's

Groundfloor	
Open Patio	
First Floor	
Covered Patio	
Open Patio/walkway	
Total Area: Building A	963
Groundfloor	
Open Patio	
First Floor	
Covered Patio	
Open Patio/walkway	
Total Area: Building B	950
Existing Manor Building: Reception & Dining Area	
Total Area	
Erf Size:	
Coverage Achieved	

STELLENBOSCH MUNICIPALITY
BUILDING DEVELOPMENT MANAGEMENT
APPROVED
IN TERMS OF SECTION 4(1)(a) OF THE NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT NO 103 OF 1977
PLANNING & ENVIRONMENT DATE 24/4/2019

Municipal Drawings - Proposed Hotel for Foxwold Farm

Portion 9 of Farm 74, Nooitgedacht STELLENBOSCH

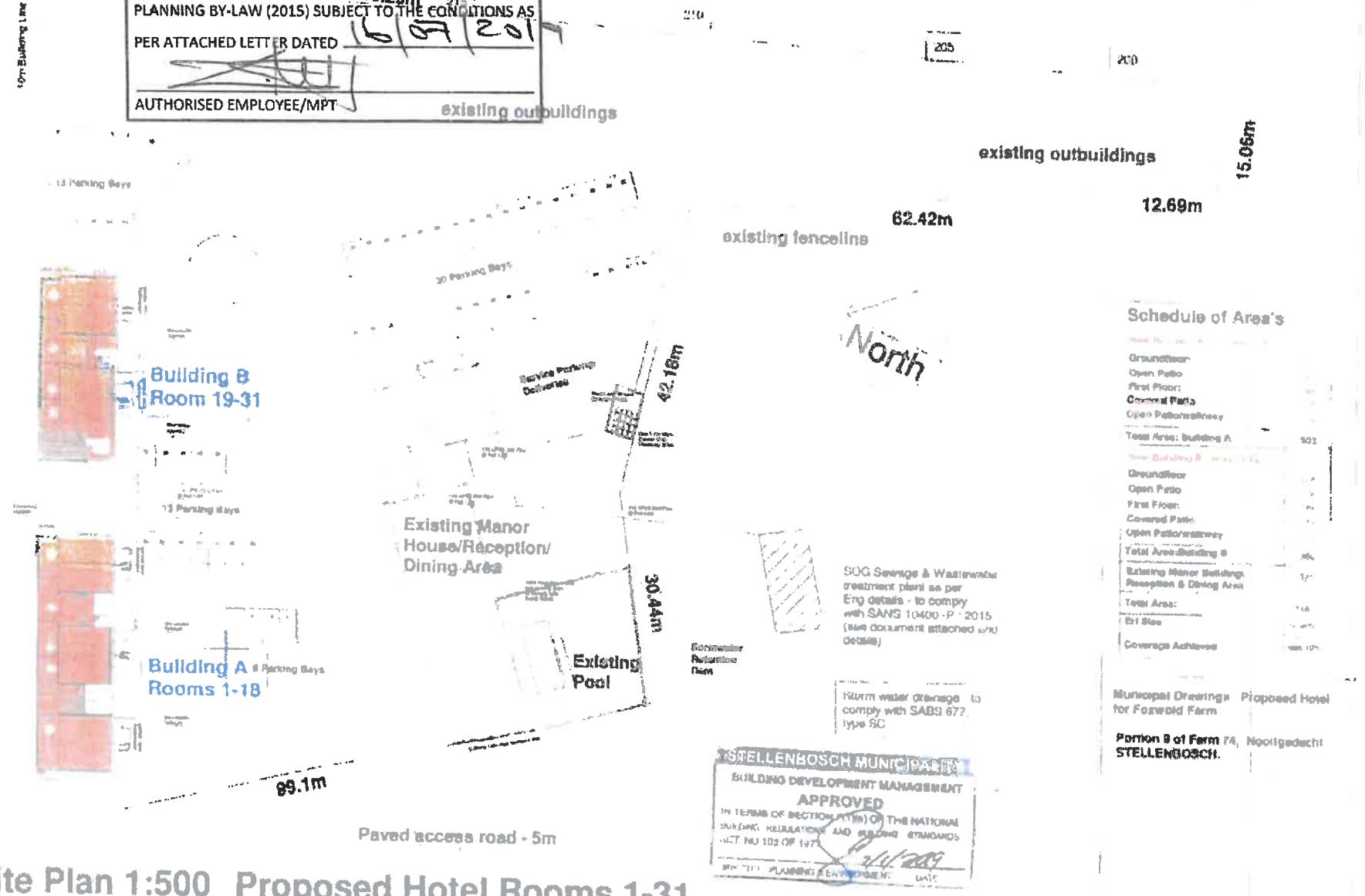
Drawing No. 2018-06
Date: Okt 2018
Drawing Title: Site Plan
Sheet - 01

Site Plan 1:500 Proposed Hotel Rooms 1-31
Portion 9 of Farm 74, Nooitgedacht, STELLENBOSCH

STELLENBOSCH MUNICIPALITY

THIS APPLICATION HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015) SUBJECT TO THE CONDITIONS AS PER ATTACHED LETTER DATED 16/07/2019

AUTHORISED EMPLOYEE/MPT



STELLENBOSCH MUNICIPALITY
BUILDING DEVELOPMENT MANAGEMENT
APPROVED
IN TERMS OF SECTION 4(1)(b) OF THE NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT NO 103 OF 1977

Municipal Drawings Proposed Hotel for Foxwold Farm

Portion 9 of Farm 74, Nooitgedacht STELLENBOSCH.

Drawing No: 2018.08
Date: Okt 2018
Drawing Title: Site Plan
Sheet - 01

Site Plan 1:500 Proposed Hotel Rooms 1-31
Portion 9 of Farm 74, Nooitgedacht, STELLENBOSCH

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APPENDIX 5

(APPLICATION FOR EXTENSION OF VALIDITY PERIOD ON FARM NO. 74/9, STELLENBOSCH DIVISION)

COMMENTS: DEPARTMENT OF TRANSPORT AND PUBLIC WORKS

Confidential

11

Western Cape Government
Transport and Public Works

CHIEF DIRECTOR ROAD NETWORK MANAGEMENT
Email: Liana.Heynes@westerncape.gov.za
tel: +27 21 483 3412 fax: +27 21 483 2166
Rm 335, 9 Dorp Street, Cape Town, 8001
PO Box 2603, Cape Town, 8000

REFERENCE: 16/9/6/2-25/01 (JOB 21749)
ENQUIRIES : Ms L Heynes
DATE : 12 December 2014

MUNICIPALITY : STB
18 DEC 2014
CENTRAL RECORDS

FILE NR:
SCAN NR: F74/9S
COLLABORATOR NR: 352670

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Attention: Messrs C Alexander and J Stassen

Dear Sirs

FARM NOOITGEDACHT 74/9, STELLENBOSCH: REZONING: HOTEL AND RESTAURANT

1. Your Portion 9 of Farm No 74, Stellenbosch of 31 October 2014 and accompanying documents: Application No LU/3737.

2. This application is not dissimilar to that submitted for comment to the District Roads Engineer Paarl in September 2005, to which this Branch offered on conditional no objection in its PR22 / 29/ 105 / 1249 (05) of 9 February 2006 and which application was approved by you subject to various conditions.

3. For various reasons, a much reduced application was submitted to you resulting in your Portion 9 of Farm No 74, Stellenbosch of 1 April 2014, to which this Branch offered on conditional no objection in its 16/9/6/2-25/01 (Job 21749) of 4 April 2014.

3.1 As far as can be ascertained, conditions 2. a., c., d. and f. of the DRE's letter of 9 February 2006, and that of 4.3 (compare paragraph 5) of this Branch's letter of 4 April 2014 have not been adhered to.

4. This Branch is not aware of your approval or not of the scaled down application for a guesthouse but it must be stated that this Branch relies upon your Administration ensuring that your conditions of approval are adhered to by the applicant

4.1 A recent site visit revealed no consolidation of the two adjacent accesses, a gate on the boundary and an advert for "Casa Di Molteno Boutique Hotel opening soon" affixed to the gate.

5. Accordingly, this Branch offers no objection to the necessary legal processes being put in place permitting the establishment of a 32 suitet Hotel, a restaurant and spa on a ±1.3 Ha portion of the above farm, generally as shown on Headlands' Site Development Plan Phase 2 ST74_9/PH2 dated February 2014, on condition that:-

5.1 All the conditions contained in the DRE's letter of paragraph 2. above, are adhered to, a copy of which will be provided if you do not have the original on your file.

5.2 The geometrics and materials design plans having been scrutinized by your Municipality are submitted to this Branch's Design Directorate (Mr WM Silbernagl 021 483 2170) for final approval.

6. Please note that from the documents provided, it is not clear if Environmental Authorisation has been granted for this Phase 2 development by the DEA&DP and it is noted that the then owner of Farm 72/1 stated in Larina's letter of 7 June 2005 to your Municipality that they would object to a Zone V zoning.

Yours faithfully

ML WATTERS
For CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT

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APPENDIX 6

(APPLICATION FOR EXTENSION OF VALIDITY PERIOD ON FARM NO. 74/9, STELLENBOSCH DIVISION)

COMMENTS: DEPARTMENT OF AGRICULTURE: WESTERN CAPE

Confidential

14

Western Cape Government
Agriculture

Cor Van Der Walt
LandUse Management
Email: LandUse.Elsenburg@elsenburg.com
tel: +27 21 808 5099 fax: +27 21 808 5092

OUR REFERENCE : **20/9/2/5/6/534**
YOUR REFERENCE : **Portion 9 of Farm No 74, Stellenbosch**
ENQUIRIES : **Cor van der Walt LU 3737**

PLANNING AND ENVIRONMENT
06 FEB 2015
MUNICIPALITY/MUNISIPALITEIT
STELLENBOSCH
BEPLANNING EN OMGEWING

Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

MUNICIPAL
05 FEB 2015
CENTRAL DISTRICT: STELLENBOSCH

Att: C Alexander

PROPOSED REZONING: DIVISION STELLENBOSCH

PORTION 9 OF THE FARM NO 74

Your application of 31 October 2014 has reference.

The Western Cape Department of Agriculture has no objection to the proposed rezoning.

Please note:

- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.
- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely

Copies:
Directorate Land Use and Sustainable Resource Management
National Department of Agriculture
Private Bag X 120
PRETORIA
0001

AS ROUX Pr Eng
DIRECTOR: SUSTAINABLE RESOURCE MANAGEMENT
2014-12-17

PLANNING
SCAN NR:
F 74/95
COLLABORATOR NR:
356389

STELLENBOSCH

APPENDIX 7

(APPLICATION FOR EXTENSION OF VALIDITY PERIOD ON FARM NO. 74/9, STELLENBOSCH DIVISION)

COMMENTS: DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Confidential

Western Cape Government
Environmental Affairs and Development Planning

Directorate Land Management (Region 1)

REFERENCE: 16/3/1/6/B4/45/1259/14
ENQUIRIES: Ms. Arabel McClelland
DATE: 2014-11-26

The Director: Planning and Economic Development
Stellenbosch Municipality
P. O. Box 17
STELLENBOSCH
7599

Attention: C. Alexander/J. Stassen

Tel: (021) 808 8645/8660
Fax: (021) 808 6899

Dear Sir/Madam

APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2010 WITH RESPECT TO THE PROPOSED REZONING OF PORTION 9 OF FARM NO. 74, STELLENBOSCH

1. The correspondence, undated, received on 12 November 2014, refers.

2. Following review of the information submitted to this Department, the following is noted:

   2.1. The proposed development entails the establishment of a hospitality facility, namely a hotel with 32 suites, an administration and reception area, a restaurant and a spa.
   2.2. It is intended to develop the proposed facility in a phased approach. Phase one of the development will comprise eleven guest rooms/suites. Phase two will complete the project.
   2.3. The subject application is for the proposed rezoning of a portion of approximately 1.22ha of Portion 9 of Farm No. 7, Stellenbosch, from Agricultural Zone I to Residential Zone V.
   2.4. A Record of Decision ("RoD") in terms of the Environment Conservation Act (Act No. 73 of 1989) was issued by the Department on 5 December 2008 (DEA&DP Reference Number: E12/2/1-AS10-Farm 74/9, Stellenbosch). This RoD was valid for a period of two years from the date of issue of the authorisation.

3. According to the available information and the Department's records, notice of commencement of the authorised development and an Environmental Management Plan ("EMP") was received by the Department on 28 October 2010, following which, officials of this Department undertook a site visit on 10 February 2011. In addition, a subsequent compliance inspection was undertaken by officials of this Directorate on

2nd Floor, 1 Dorp Street, Cape Town, 8001
Tel: +27 21 483 2660 Fax: +27 21 483 3633
Email: Arabel.McClelland@westerncape.gov.za
Private Bag X9086, Cape Town, 8000
www.westerncape.gov.za/eadp

19 September 2012, in order to monitor compliance with the RoD issued on 5 December 2008.

4. As the applicant commenced with physical activity in furtherance of the development within the validity period of the RoD, this Directorate advises that the aforementioned RoD remains valid and the development may continue within the scope of the existing authorisation.

5. In light of the above, your attention is drawn to the listed activities in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") Environmental Impact Assessment ("EIA") Regulations 2010, as defined in Government Notice ("GN") No. R. 544, R. 545 and R. 546 of 18 June 2010. Based on the information at the disposal of this Department, an environmental authorisation for the proposed development has already been obtained, which remains valid, and no additional activities appear to constitute any listed activities as defined in terms of the NEMA EIA Regulations, 2010. Therefore, written authorisation in terms of these regulations is therefore **not** required from the relevant authority prior to the undertaking of the said activity.

6. Notwithstanding this letter, the holder of the authorisation must ensure compliance with all conditions of the RoD and any other statutory requirements that may be applicable to the development.

7. Your interest in the future of our environment is greatly appreciated.

8. The Department reserves the right to revise or withdraw comments or request further information based on any information received.

Yours faithfully

HEAD OF DEPARTMENT

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) J.P. Du Plessis (Du Plessis Hofmeyr Malan Inc.) Fax: (021) 851 4852

STELLENBOSCH

APPENDIX 8

(APPLICATION FOR EXTENSION OF VALIDITY PERIOD ON FARM NO. 74/9, STELLENBOSCH DIVISION)

COMMENTS: DEPARTMENT OF WATER AND SANITATION

Confidential

water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

WESTERN CAPE REGION
Private Bag X16, Sanlamhof, 7532
52 Voortrekker Road, Bellville, 7530

☎ 021 941 6311
✉ rhodaf@dwa.gov.za

✍ Ms. F. Rhoda
Reference number: 16/2/7/G200/A/8

Martin Peter Molteno and Penelope Jane Molteno
18 Westerford Road
RONDEBOSCH
7700

ATTENTION: Sir/ Madam

RE: PROPOSED REZONING OF PORTION 9 OF FARM NO 74, STELLENBOSCH DIVISION

The document dated 31 October 2014 with your Reference No: Portion 9 of Farm No 74, Stellenbosch refers.

This Department has perused the submitted application and agrees that the proposed rezoning of Portion 9 of Farm No 74 may go ahead, provided that the following conditions are adhered to:

1. If any property that receives water from an Irrigation Board or Water User Association is subdivided, sold or consolidated, the Board or Association and this Department must be notified within sixty (60) days after the said transaction took place.
2. No abstraction of surface or groundwater may be done or storage of water be created without prior authorization from this Department, unless it is Schedule 1 or Existing Lawful use as described in the National Water Act 1998 (Act No. 36 of 1998).
3. No surface, ground or storm water may be polluted as a result of any activities on the site. In the event that pollution does occur, the Department must be informed immediately and remediation thereof started immediately.
4. All relevant sections in the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered to.

Please do not hesitate to contact the above official should there be any queries.

Yours faithfully

Muhlthaler-Strauss

PROVINCIAL HEAD: WESTERN CAPE
DATE: 25 November 2014

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MUN SIPALETELE • UMASIPALA • MUNICIPALITY

APPENDIX 9

(APPLICATION FOR EXTENSION OF VALIDITY PERIOD ON FARM NO. 74/9, STELLENBOSCH DIVISION)

HERITAGE WESTERN CAPE

Confidential

Our Reference: [illegible]
Enquiries: B September
e-mail: bseptember@pgwc.gov.za
04-10-2006

Heritage Western Cape hereby notifies:

Mr. Chris Snelling
8 Ringwood Road, Pinelands, 7405

RECORD OF DECISION

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of its decisions, comments and recommendations in terms of
Section 38(8) of the National Heritage Resources Act, 1999 (Act 25 of 1999)

For: Proposed Establishment of a Hotel and associated Restaurant and Spa

At: Portion 9 of the Farm Nooitgedacht, no 74, Stellenbosch

DECISIONS, COMMENTS AND RECOMMENDATIONS:

I can hereby confirm that the Heritage Report submitted by Mr. Chris Snelling in terms of Section 38(8) of the National Heritage Resources Act 25 of 1999 is hereby endorsed, as follows:

- That no further assessments are required as the nature of the proposed development and contextual analysis reveals that the development does not warrant such action. The development can proceed and all other approval must be handled at the relevant approvals authority provided that the recommendation as listed in the Visual Impact Assessment Study ' be taken into account when the final decision is made.

Please note that this approval relates to heritage related aspects of the proposal only and does not exonerate the applicant from obtaining approval from any other authority.

Please feel free to contact this office for any other information.

Yours faithfully

Bewin September
for Accounting Officer: Heritage Resource Management Service
Copy to Stellenbosch Municipality, PO Box 17, Stellenbosch, 7599

' *(Visual Impact Study by diverse design dated 21 April)*

STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNICIPALITY

APPENDIX 10

(APPLICATION FOR EXTENSION OF VALIDITY PERIOD ON FARM NO. 74/9, STELLENBOSCH DIVISION)

DIRECTORATE: ENGINEERING SERVICES

Confidential

STELLENBOSCH MUNICIPALITY

STELLENBOSCH·PNIEL·FRANSCHHOEK

(17)

FILE NR: F 74/9 S

COLLABORATOR NR: 360214

MEMORANDUM

DIREKTORAAT: INGENIEURSDIENSTE
DIRECTORATE: ENGINEERING SERVICES

PLANNING AND ENVIRONMENT
10 MAR 2015
MUNICIPALITY STELLENBOSCH
BEPLANNING EN OMGEWING

To ▫ Aan:	**Director: Planning + Economic Development**
Att Aandag	**Ms. J Stassen**
From ▫ Van:	**JJ. Fourie (Development Services)**
Date ▫ Datum:	**09/03/2015**
Our Ref ▫ Ons Verw:	**Lupo 858**
Re ▫ Insake:	**Farm 74/9 Stellenbosch: Application for a rezoning to establish a licensed hotel**

This memo replaces our memo dated 17/11/2014.

The application for the rezoning of a portion of the farm 74/9 Stellenbosch from Agricultural Zone1 to Residential Zone V in order to establish a licensed hotel with an administration and reception area, a restaurant and a spa refers.

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

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

1. **Potable Water**

1.1 The 1kl portable water received from the Municipality has to be stored and distributed under such conditions that it comply to the SANS 241 Drinking Water Quality Standards. (DWQS)

1.2 Water from own sources supplied to the hotel etc has to comply with SANS 241 DWQS.

1.3 The supply of potable water from the Municipality is limited and cannot be increased.

2. Waste Water and Sewage

2.1 No municipal sewerage system exist in the vicinity of the farm.

2.2 No new septic tanks and soak-aways are permitted to be built.

2.3 Sewage collected in a conservancy tank has to be treated at the Stellenbosch Waste Water Treatment Works (SWWTW). The current capacity of the SWWTW does not allow for any new development which generates waste water and sewage to deliver it to the SWWTW for treatment.

2.4 No new conservancy tank will be permitted.

2.5 The type of sewage treatment to be implemented on the farm has to be submitted for approval. (No specification was given in the technical report).

2.6 The applicant has to apply for a Water Users License at the Department of Water and Sanitation to use the treated effluent as irrigation water.

2.7 The treated effluent may not pollute any ground water, stormwater or surface water.

3. Roads

3.1 The conditions set by the Department of Transport and Public Works of the Western Cape Government has to be adhered to.

4. Solid Waste

4.1 The solid waste generated by the development has to 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 (Act 73 of 1989).

JJ. FOURIE
ACTING HEAD: DEVELOPMENT SERVICES (ENGINEERING SERVICES)

JJF/jj W:\USERS\Joy\KobusF\Memorandums\Memo Farms\Memo Farm 74-9 Stellenbosch Lupo 858.doc

ANNEXURE B

STELLENBOSCH MUNICIPALITY

STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	**Director: Planning + Economic Development**
Att Aandag:	**Salome Newman**
From ▫ Van:	**Manager: Development (Infrastructure Services)**
Author ▫ Skrywer:	**Kurt Titus**
Date ▫ Datum:	**4 July 2024**
Our Ref ▫ Ons Verw:	**Civil LU 2720**
Town Planning Ref:	**LU/16565**
Re ▫ Insake:	**Farm 74/9, Stellenbosch: Application is made in terms of Section 15(2)(i) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2023 for the extension of the validity period of the rezoning as set out in Council's approval dated 14 May 2017, on Portion 9 of the Farm No. 74, Stellenbosch Division.**

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

1. **Potable Water**

1.1 The 1kl portable water received from the Municipality has to be stored and distributed under such conditions that it comply to the SANS 241 Drinking Water Quality Standards. (DWQS)

1.2 Water from own sources supplied to the hotel etc has to comply with SANS 241 DWQS.

1.3 The supply of potable water from the Municipality is limited and cannot be increased.

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2.5 The type of sewage treatment to be implemented on the farm has to be submitted for approval. (No specification was given in the technical report).

2.6 The applicant has to apply for a Water Users License at the Department of Water and Sanitation to use the treated effluent as irrigation water.

2.7 The treated effluent may not pollute any ground water, stormwater or surface water.

3. Roads

3.1 The conditions set by the Department of Transport and Public Works of the Western Cape Government has to be adhered to.

4. Solid Waste

4.1 The solid waste generated by the development has to 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 (Act 73 of 1989).

5. Development Charges

5.1 Development Charges will be applicable for this proposed development.

5.2 The developer must submit a comprehensive site development plan for approval at which point the appropriate development charges will be calculated.

5.3 Development Charges will be payable before SDP/Building plan approval.

Ktitus

Kurt Titus
Principal Technician: Development (Infrastructure Services)

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