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NOTICE OF MUNICIPAL PLANNING TRIBUNAL MEETING OF STELLENBOSCH MUNICIPALITY FRIDAY, 2026-11-20 FROM 10:00 - 15:00

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NOTICE OF MUNICIPAL PLANNING TRIBUNAL MEETING

OF STELLENBOSCH MUNICIPALITY

FRIDAY, 2026-11-20 FROM 10:00-15:00

Ref. no. 3/4/5/2/40

2026-11-20

Chairperson

Mrs H Crooijmans-Lemmer

Deputy-Chairperson

Mr P Van Zyl

External Members

Mrs C Havenga

Mr D Leo

Mr S Boshoff

Internal Members

Mr A Barnes: Director - Planning and Economic Development

Mr M Williams: Senior Legal Advisor

Mr A van der Merwe: Senior Manager - Community Services

Mrs M Francis: Senior Manager - Infrastructure Planning, Development and Implementation, Directorate Infrastructure Services

Mr J Benjamin: Senior Manager - Planning and Economic Development

Technical Advisor

Mr K Munro - Director Environmental & Spatial Planning: Department of Environmental Affairs and Development Planning

Notice is hereby given in terms of Section 75(1) of the Stellenbosch Municipality Land Use Planning By-Law (2023), of the Municipal Planning Tribunal Meeting which will be held at the **Stellenbosch Council Chambers, Stellenbosch Municipality, Plein Street, Stellenbosch on FRIDAY, 2026-11-20 from 10h00-15:00** *to consider the items on the Agenda.*

Mrs H Crooijmans-Lemmer
CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL

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Ref. no. 3/4/5/2/40
2026-10-23

Chairperson
Mrs H Crooijmans-Lemmer

Deputy-Chairperson
Mr P Van Zyl

External Members
Mrs C Havenga
Mr S Boshoff
Mr D Leo

Internal Members
Mr A Barnes: Director – Planning and Economic Development
Mr J Benjamin: Senior Manager – Development Planning
Mrs M Francis: Senior Manager - Infrastructure Planning, Development, and Implementation

Officials
Mr S Carstens: Senior Manager: Development Management
Mrs C Kriel: Manager: Land Use Management
Mr P April: Senior Town Planner
Mrs L Hoyi: Principal Administrative Officer
Mrs O Vergotine: Administrative Officer
Mr G de Vries: Town Planner
Mr T King: Manager: Development - Infrastructure Planning

ITEM	SUBJECT
SMPT 01/10/26	**OPENING AND WELCOME**
	Chairperson Crooijmans-Lemmer welcomed all present.

SMPT 02/10/26	**LEAVE OF ABSENCE**
	Mr K Munro: Director Development Management, Department Environmental Affairs and Development Planning Mr A van der Merwe: Senior Manager- Community Services Mr M Williams: Senior Legal Advisor

SMPT 03/10/26	**DISCLOSURE OF INTERESTS**
	None received

SMPT 04/10/26	**MINUTES OF THE PREVIOUS MEETING DATED 18 September 2025**
	The minutes of the previous meeting was noted.

	MATTERS FOR CONSIDERATION
SMPT 05/10/26	**APPLICATION FOR REZONING AND SUBDIVISION: FARM NO. 527/7, STELLENBOSCH DIVISION** **Discussion:** a. Chairperson Crooijmans-Lemmer handed over to Mr P April to give a brief introduction of the application that served before the Tribunal. b. The required amendments were verified by MPT members. **UNANIMOUSLY RESOLVED:** 1. That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Farm No. 527/7, Stellenbosch Division for: 1.1 The **rezoning** in terms of Section 15(2)(a) of the said by-Law on Municipal Land Use Planning of the Remainder Farm No. 527/7, Stellenbosch Division from

Subdivisional Area Overley Zone (as per approval letter dated 26 August 2024) for the following:

1.1.1 274 Conventional Residential Zone (Single Residential housing) erven (±44 291m²)
1.1.2 2 Public Open Space Zone erven (±699m²)
1.1.3 1 Community Zone erven (±577m²)
1.1.4 1 Transport Facility Zone (Transport Embayment) erven (±1929m²)
1.1.5 Public Roads and Parking Zone erven (Public Roads) (±52 069 m²)
1.1.6 Agriculture and Rural Zone (Remainder ±49524m²)

to Subdivisional Area Overley Zone to make provision for:

1.1.7 Conventional Residential Zone erven (296 Erven)
1.1.8 Community Zone erf (1 Erf)
1.1.9 Public Open Space Zone erf (3 Erven)
1.1.10 Transport Facility Zone erf (1 Erf)
1.1.11 Public Roads and Parking Zone erven (4 Erven)

1.2 The **subdivision** in terms of Section 15(2)(d) of the said bylaw, in accordance with the Subdivisional Area Overlay Zone into 305 Portions and phase the development into 2 phases (Phase 2 and 3).

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

2. The approval is subject to the following **condition**s imposed in terms of Section 66 of the said Bylaw:

2.1 The approval only applies to the proposed applications 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.

2.2 The development be undertaken in accordance with the Zoning and Subdivisional Plan with reference; Plan Number: Jamestown PH 2 & 3_Rev3_23092026, Plan Number: Jamestown Phasing Plan Rev 0_23092026 and Jamestown_Development_Framework Rev 3, dated 23/09/2026, drawn by Zutari Impact Engineered and attached as **APPENDIX 2**.

2.3 That the applicant shall strictly adhere to all terms and conditions of approval imposed by the Municipal Appeal Authority in its official resolution letter dated **26 August 2024** (attached as **APPENDIX 5**), which remain binding in terms of **Section 66** of the Stellenbosch Municipal Land Use Planning By-law, with the explicit exclusion of **Condition 4.2** which is hereby superseded by the revised subdivisional & zoning layout and phasing plan referred to in condition 2.2 above.

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

	3.1 The proposed development represents a minor technical amendment to a previously approved land use application for rezoning and subdivision. The modifications are restrictive in scope, do not alter the core nature or intent of the original approval, and will not materially affect the rights or amenities of any interested and affected party. 4. Matters **to be noted**: 4.1 None.
SMPT 06/10/26	**APPLICATION FOR REZONING AND SUBDIVISION UNREGISTERED FARM 527/8, STELLENBOSCH DIVISION** **Discussion:** a. Chairperson Crooijmans-Lemmer handed over to Mr P April to give a brief introduction of the application that served before the Tribunal. b. The placement of the fire station on the site was discussed, and it was agreed that a condition of approval would be included requiring the submission of an amended site development plan. **UNANIMOUSLY RESOLVED:** 1. That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Unregistered Farm 527/8, Stellenbosch Division for: 1.1 **Rezoning** in terms of Section 15(2)(a) of the said bylaw, of Unregistered Farm 527/8, Stellenbosch Division from **Public Open Space Zone to Subdivisional Area Overlay Zone** to make provision for; 1.1.1 **Utility Services Zone** on ±6220m² and 1.1.2 **Public Open Space Zone** on the Remainder. 1.2 **Subdivision** in terms of Section 15(2)(d) of the said bylaw, Unregistered Farm 527/8, Stellenbosch Division into two (2) portions, namely; 1.2.1 Portion A (±6220m² - Authority Use for a Fire station) and 1.2.2 a Remainder (±4.02ha). **BE APPROVED** in terms of Section 60 of the said Bylaw and subject to conditions of approval. 2. The approval is subject to the following **condition**s imposed in terms of Section 66 of the said Bylaw: 2.1 The approval only applies to the rezoning and subdivision 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. 2.2 The development be undertaken in accordance with the endorsed; 2.2.1 **Rezoning Map:** Reference No. STEL/14203/ZN_2, dated June 2025 drawn by CK Rumball and Partners and attached as **APPENDIX 2**. 2.2.2 **Subdivision Plan2:** Reference No. STEL/14203/ZN_2, dated June 2025 drawn by CK Rumball and Partners and attached as **APPENDIX 2**. 2.3 A detailed site development plan as contemplated in terms of Section 16 of the Zoning Scheme Bylaw be submitted to the Municipality and be approved 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 Bylaw, any relevant matters relating to Section 16(4) of the said Bylaw, and specifically the position of the building on the site in a manner which does not only meet the technical requirements of the facility but also its spatial relationship with the surrounding area, optimal use of land, possible future expansion, and sustainable and efficient management of the site. 2.4 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. 2.5 The rezoning and subdivision hereby approved be valid for a period of ten (10) years from the date of final notification that the approval comes into operation and lapses if the conditions herein are not complied with within that period. 2.6 An electronic copy (shp, dwg, dxf) of the approved General Plan or surveyor general diagram(s) be submitted to the GIS Manager in the Directorate Planning and Economic Development for record purposes, which plan indicates the following information in the format as determined: (a) Newly allocated erf numbers (b) Co-ordinates (c) Survey dimensions 2.7 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 conditions of approval have been complied with. 2.8 The conditions relating to Infrastructure Services imposed by the Directorate: Infrastructure Services contained in the memorandum dated

06 October 2026, and attached as **APPENDIX 5**, be complied with to the satisfaction of the said department.

2.9 The conditions imposed by the WCG Department of Infrastructure contained in the letter dated 30 July 2026, and attached as **APPENDIX 8**, be complied with to the satisfaction of the said department.

2.10 Sufficient on-site parking be always provided for the maximum employees per shift for the facility and to be illustrated on the building plans.

2.11 Should any heritage resources, including evidence of graves and human burials, archaeological material and paleontological material be discovered during the execution of the activities above, all works must be stopped immediately, and Heritage Western Cape must be notified without delay.

2.12 Wide and unobstructed emergency vehicle access and exit routes designed to handle heavy fire engines always be in place at either temporary or permanent access and exit points.

2.13 Full compliance with national and municipal bylaws regarding the on-site storage of hazardous materials, fuel, foam, or compressed gases.

2.14 The fire station's operational protocols must ensure that sirens and emergency warning systems are, as far, as possible only activated once vehicles have exited the immediate station precinct, or as strictly necessary for immediate road safety, to minimize acoustic disturbance to especially neighbouring educational facilities and residential areas.

2.15 Consideration be given to physical acoustic screening, including a boundary wall of a height allowable in terms of the zoning scheme bylaw and material specification approved by the municipality, to be erected along all boundaries adjacent to residential, sporting, and educational zones to minimize noise transmission from sirens, idling emergency vehicles, and other station operations.

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

3.1 The development provides a critically located emergency service targeting Jamestown, while substantially improving the emergency response times in the southern corridor for Stellenbosch and alleviates existing operational pressure on the main Stellenbosch fire station.

3.2 The application strictly aligns with the directives of the Stellenbosch Municipal Spatial Development Framework (MSDF), as it is located within the defined urban edge and promoting controlled and structured municipal expansion.

	3.3 The project fulfills the municipal mandate to support public service investment and ensures equitable access to essential services for all residents. 3.4 The development is fully backed by independent specialist assessments and relevant municipal departments. 3.5 Infrastructure readiness is secured through enforceable conditions of approval that adequately address traffic management, site access, municipal service connections, impact on surrounding area and electrical supply. 3.6 The proposal's location ensures the highly efficient use of available land and seamlessly integrates with existing infrastructure networks. 4. Matters **to be noted**: 4.1 All electrical requirements are directed at Eskom.
SMPT 07/10/26	**OTHER MATTERS**
7.1	**PLANNING POLICIES (REVIEWED OR APPROVED BY COUNCIL)**
	a. In the Council meeting held on 21 October 2026, approval was granted for a final round of Public Participation for the Zoning Scheme Bylaw. The amendments that were made to the previous draft were too extensive to be approved as a final document and had to be advertised for final opportunity. It will be done before the end of 2026 and ready before Council re-convene in 2027. b. The Koelenhof Local Spatial Development Framework (LSDF) was approved by Council on 21 October 2026.
7.2	**APPEALS RECEIVED AGAINST MPT DECISION**
	a. No new appeals were received. b. No appeal was recently decided on.
7.3	**GENERAL**

Mrs H Crooijmans-Lemmer
CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL

Mr P van Zyl
DEPUTY-CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL

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APPLICATION FOR REZONING AND AMENDMENT OF A CONDITION OF APPROVAL: FARM NO. 468/128, STELLENBOSCH DIVISION

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DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT
DEVELOPMENT MANAGEMENT: LAND USE MANAGEMENT

PLANNING REPORT ON APPLICATION IN TERMS OF SECTION 15(2) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW

APPLICATION DETAILS:
APPLICATION FOR REZONING AND AMENDMENT OF A CONDITION OF APPROVAL: FARM NO. 468/128, STELLENBOSCH DIVISION.

Application Ref,	TP1323/2025	**Commencement Date**	29/08/2025
Applicant	Claus Mischler (HeadInd)	**Last day for comments or additional information**	25/06/2026
Farm Nr	468/128	**Place**	Stellenbosch Division
Zoning	Agriculture and Rural Zone	**Other approvals**	Consent Use for a service trade for agricultural warehousing, packaging, repairs, agricultural research facilities and ancillary sales outlets.

X	TYPE OF APPLICATION
X	**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 utilize 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)€ 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
X	**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
	Approval required in terms of relevant policy for street naming and numbering
	Approval required in terms of Council policies or by-laws – Specify:
	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)

NATURE AND SCOPE OF PROPOSED LAND USE APPLICATION

The application is made in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Farm No 468/128, Stellenbosch Division for the following:

1. Application in terms of Section 15(2)(a) of the said By-law for the rezoning of ±4450m² consisting of 3 buildings from Agriculture and Rural Zone to Industrial Zone (winery, brewery and distillery) and the existing ±451m² tourist facility from Agriculture and Rural Zone to Mixed Use Zone for offices.

2. Application in terms of Section 15(2)(h) of the said By-law for the amendment of a condition of approval to enable the amendment and replacement of the approved site development plan.

ASSESSMENT CHECKLIST

CONSIDERATION CRITERIA	YES	NO	Comments, if any
Accurate intergovernmental and public participation process followed	Yes		Application was advertised by the applicant in the Eikestanuus, to all interested and affected parties, and circulated to external departments on 19/02/2026 for 30days till 21/03/2026. Internal advertising was undertaken by the administration.
Conditions imposed by departments	Yes		Internal: • **Municipal Infrastructure Services** – Recommended for approval subject to certain conditions (See **APPENDIX 6**)." • **Environmental Planner** has no objection. • **Municipal Spatial Planning Section,** do not support the application (See **APPENDIX 7**). External: • **Western Cape Government: Department of Infrastructure** have no objection. (See **APPENDIX 8.**) • **Western Cape Government: Department of Environmental Affairs and Development Planning:** Development Management (Region 2) Planning – The general industrial zoning which may exceed the service trade definition may alter the identity of an "agri-park" and setting a precedent for further non-agricultural intrusions. None place-bound business, like general office not linked to agri-processing or rural services, should be sited in urban area (See **APPENDIX 9**). • **Western Cape Government: Department of Environmental Affairs and Development**

			Planning: Development Management (Region 2) Environment – To little information was provided to definitively confirm the applicability of the EIA Regulations, 2014 (as amended) to the proposal (See **APPENDIX 10**). • **Department of Agriculture** has no objection.
DCs applicable	Yes		See **APPENDIX 6.**
Objections received			No objections received from surrounding interested and affected parties.
Proposal complies with applicable laws, policies, guidelines, the IDP and SDP and/or technical requirements in terms of Section 65		No	Will be discussed in the assessment part of the report.

DESIRABILITY CONSIDERATIONS IN TERMS OF SECTION 65 OF THE BYLAW	
Socio-economic impact	The introduction of business and industrial zoning into the predominantly agricultural and scenic rural landscape of Stellenbosch triggers a complex set of trade-offs. It acts as both a catalyst for socio-economic integration and a risk to environmental and cultural preservation.
Compatibility with surrounding uses	Rural nodes like Lynedoch are designated to remain low-density buffers. Allowing standard business sprawl here runs the risk of unchecked Ribbon Development along major arteries like the Baden Powell Drive. In the rural landscape of Stellenbosch, introducing conventional Industrial Zonings and Business Zonings is generally considered highly incompatible with surrounding agricultural uses.
Impact on the external engineering services	The municipal infrastructure services section recommended the application and confirmed that the existing services could accommodate the proposed development.
Impact on safety, health and wellbeing of the surrounding community	Introducing industrial and business zonings into the rural landscape of Stellenbosch and specifically within the Lynedoch rural surroundings, presents a delicate trade-off as per the approved services trade. Under the Stellenbosch Municipal Land Use Planning By-law, evaluating the impact on the safety, health, and wellbeing of the surrounding community will be a mandatory legal requirement before any rezoning is considered favourably.
Impact on heritage	While acknowledging the existing built fabric, introducing permanent industrial and commercial zoning into our rural landscapes particularly within the Lyndoch area places unsustainable pressure on the region's historic cultural landscape. The insertion of standard modern commercial footprints directly disrupts this established spatial rhythm, threatening the visual integrity and heritage character of the area
Impact on the biophysical environment	All structures have been previously approved although for alternative uses.
Traffic impacts, parking, access and other transport related considerations	The existing access will be used, and all required parking will be provided onsite.
Whether the imposition of conditions can mitigate an adverse impact of the proposed use or development of land	The imposition of conditions can frequently mitigate adverse impacts. However, conditions have legal and practical limits; they cannot be used to fix a proposal that is fundamentally incompatible with the area.

PLANNING EVALUATION AND DESIRABILITY CONSIDERATIONS IN TERMS OF SECTION 65 OF THE BYLAW

1. Current approval in place:

The municipal appeals authority on 03 May 2017 resolved to uphold an appeal against the decision of the Director: Planning and Economic Development to partially approve an application for consent use for a services trade, building line departure and temporary departure. The service trade was initially refused by the authorized official and overturned by the subsequent appeals resolution.

The application applied for was a consent use for a service trade for agricultural warehousing, packaging, repairs, agricultural research facilities and ancillary sales outlets. The building now proposed to be converted to offices, was approved as a tourist facility (restaurant).

Definition of a service trade at the time of approval;
*"**Service trade**" means the utilization of a building or of premises for an enterprise which is primarily involved in the rendering of a service for the local environs and employs at most ten people and which is exempted from section 2 of the Physical Planning Act, 1967 (Act 88 of 1967), but does not include an abattoir, a brick making site, sewage works, a service station or a public garage.*

2. Current onsite activities:

A site inspection revealed that a range of companies, which is not necessarily aligned to the land use approval for a service trade and tourist facility for a restaurant, are accommodated onsite, and includes (See photos in **APPENDIX 11**);

- Architectural firm offices,
- wines sales facilities,
- wine cork stoppers and cork products distributors,
- custom Panel Van and Vehicle conversions, Wheelchair-accessible vehicle solutions, Air conditioning installer and servicing, Vehicle servicing and repairs,
- domestic packages delivery offices, an academy specializing in agricultural pilot training and Air Tractor simulator programs
- as well as aviation company offices,
- boutique winery producing hand-crafted wines,
- specialist skincare store and instore consulting,
- pharmaceutical production facility,
- bottled water distributors
- event decor hiring company,
- facility where collectors and driving enthusiasts store exceptional vehicles,
- Offices.

The listed operating land uses do not collectively or primarily relate to a service trade for agricultural purposes, as per the definition at the time of approval. While a few specific land uses are directly tied to the surrounding farming economy, the vast majority represent a mixed-use commercial, light industrial, and professional service hub, was not the intension of the approval granted. The current development therefore contravened and deviates significantly from the agri-park concept originally approved.

In the definitions contexts, a "service trade for agricultural purposes" must explicitly and predominantly serve the immediate needs of the agricultural sector (e.g., tractor repairs, fertilizer distribution, crop-spraying logistics, etc.). Instead, this list of businesses describes an already departure from the initial approval and has become an unauthorized diversified business estate or commercial park.

Although it is acknowledged that a temporary departure which lapsed on 20 February 2025 was previously approved to use existing service trade buildings for brewery, distillery and winery purposes, these areas are currently been used for land uses unrelated to the previous temporary use or the

proposed intended use (e.g. now been used for an exclusive car storage space, domestic packages delivery offices, other office related use, etc.).
Prior temporary land use approvals do not however obligate the Municipality to extend, renew, or permanently approve these rights. The application for permanent rezoning must therefore be evaluated on its planning merits, independent of previous temporary permissions.

3. Overall spatial perspective:

The comprehensive municipal spatial planning comment is attached **APPENDIX 7.**

- **Non-Compliance with the MSDF:** The proposed rezoning directly contradicts the long-term spatial vision of the Stellenbosch Municipal Spatial Development Framework (MSDF) by accelerating industrialisation and commercialisation outside the defined urban edge and failing to align with key principles of rural landscape preservation, settlement hierarchy, and context-appropriate growth.
- **Inappropriate Upscaling of Land-Use Rights:** Permanently upscaling land-use rights to Industrial and Mixed-Use categories represents an inappropriate form of development that undermines the integrity of the rural edge, regardless of the site's current approved agricultural service trade.
- **Impact on Cultural Heritage and Rural Character:** The property is situated within a landscape unit of exceptionally high historic significance associated with the Eerste River Floodplain Area and falls inside the Rural Scenic Route Overlay Zone (RSR) along Baden Powell Drive. The proposed non-agricultural, intrusive uses will compromise the rural visual quality of this scenic route and fail to safeguard the area's explicit cultural heritage values.
- **Ecosystem and Environmental Degradation:** Due to its immediate proximity to the sensitive Eerste River greenbelt, the proposed rezoning threatens regional ecological corridors, drives landscape fragmentation, and risks setting an undesirable planning precedent for the area.
- **Erosion of Agricultural Continuity:** Approving commercial and industrial uses on this parcel weakens the broader, long-term spatial protection of high-value, productive agricultural zones within the municipality.

4. Zoning scheme bylaw compliance;

The property is currently zoned Agriculture and Rural Zone, which prioritises bona fide agricultural production and low-intensity, agriculturally aligned ancillary activities.

The purpose of this zone is to make provision for;

- The protection and preservation of agricultural land, rural landscapes and biodiversity.
- Use of land for purposes of bona-fide agricultural production or conservation.
- Buildings and structures which may be erected for reasonable and normal agricultural purposes.
- A limited range of other ancillary uses which may take place on agricultural land units, either as additional use or with the consent of the municipality and which provides for more intensive agricultural use, agricultural industry or tourism which has the objective of creating variety, ensuring sustainability, and providing diversified income to landowners, without adversely impacting on the primary use of the land unit for agricultural purposes.

The proposed rezoning for industrial and business uses is therefore **incompatible** with the primary objectives of the existing base zone, thereby necessitating a permanent rezoning of the subject land portions.

In addition to the base zoning, the subject property is under the provisions of the provisions of the Rural Scenic Routes (Baden Powell Drive/R310–RSR5) imposing stricter controls on building scale, land-use intensity, visual impact, and landscape compatibility. By introducing permanent industrial and mixed-use rights into a rural agricultural zone, the proposal conflicts with, the intent of the agricultural base zoning, the protective provisions of the Rural Scenic Route Overlay Zone, the by-law's restrictions

against incompatible land-use intensification, and the obligations to uphold coherent, context-appropriate rural development.

5. Site-specific motivation

The property is located outside the Urban edge, hence the applicant's site specificate motivation on page 12 of the motivational report (attached as **APPENDIX 4**) considering that the rezoning is not related to agricultural use.

Based on the above assessment, it's the departments conclusion that the applications fail to demonstrate unique, exceptional, or site-specific circumstances as contemplated in terms of Section 22(2) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013). There are no compelling justifications or specific characteristics inherent to the site to warrant a departure from the spatial development framework and municipal bylaw provisions, specifically regarding the rezoning of agricultural land outside the close by Lynedoch urban edge for primarily industrial and mixed-use (business) purposes.

The proposal therefore conflicts with key principles of the Municipal Spatial Development Framework principles, the Stellenbosch Municipal Zoning Scheme Bylaw and fails to comply with the general criteria set out in Sections 38 and 65 of the Stellenbosch Land Use Planning By-law.

KEY FINDINGS OF PLANNING EVALUATION

After having independently considered and weighted all the relevant information the evaluation of the subject land use and land development application concludes that:

1. The assessment identifies significant concerns relating to heritage character, and the functional role and priority for small rural settlements to accommodate non-agricultural activities.
2. The proposed development directly conflicts with the Stellenbosch Municipal Spatial Development Framework (MSDF) and Section 65 of the Stellenbosch Land Use Planning By-law, failing to meet core principles of orderly development, public benefit, and long-term spatial coherence.
3. The proposed rezoning and subsequent amendment of an approval condition, to amend a site development plan, is inconsistent with the Municipal Spatial Development Framework (MSDF), the Stellenbosch Land Use Planning By-law and broader spatial planning principles intended to safeguard agrarian landscapes and historic precincts.
4. Located outside the designated urban edge, the introduction of high-intensity industrial and mixed-use zones undermines the established rural settlement hierarchy, which strictly restricts development to low-impact, agriculturally linked activities.
5. The area is therefore not intended to function as an industrial/commercial node.
6. Approving a large-scale commercial and industrial enclave outside the urban edge would entrench existing spatial erosion, set a highly undesirable precedent for urban sprawl, and compromise the integrity of protected rural and historic precincts.
7. Industrial and Mixed-Use zones are incompatible with the Agriculture and Rural Zone's purpose and intent and further violates the intent of the Rural Scenic Route Overlay Zone to protect rural landscapes. The rezoning application introduces land uses inconsistent with the zoning scheme bylaw objectives, rural/agricultural character and MSDF agricultural-protection objectives.
8. Approving commercial/industrial uses outside the urban edge would entrench existing spatial erosion, set a highly undesirable precedent for urban sprawl as mentioned, and compromise the integrity of protected rural and historic precincts.

The subject land use and land development applications are, having regard to the conclusions above, viewed as **inconsistent** with the relevant legislative / principles / policy / guidelines / plans and consequently grounds for the **not supporting** of the subject land use and land development application.

List relevant plan numbers	**Zoning Plan:** File ST468/128, dated 21/02/2025 and drawn by Headland Town Planners. See **APPENDIX 2**. **Site Development Plan:** Drawing No. WS.S03-SDP, dated 2025/05/16 and MWLF Architects. See **APPENDIX 3**.
List appendices to report	**APPENDIX 1** – Locality Plan **APPENDIX 2** – Zoning Plan **APPENDIX 3** – Site Development Plans **APPENDIX 4** - Motivational Report **APPENDIX 5** – Portfolio of Evidence **APPENDIX 6** – Municipal Infrastructure Services Department **APPENDIX 7** – Municipal Spatial Planning Department comment. **APPENDIX 8** – Westerns Cape Government; Department of Infrastructure, Chief Directorate: Roads Planning. **APPENDIX 9** – Western Cape Government: Department of Environmental Affairs and Development Planning: Development Management (Region 2) Planning. **APPENDIX 10** – Western Cape Government: Department of Environmental Affairs and Development Planning: Development Management (Region 2) Environment **APPENDIX 11** – Site photos.

RECOMMENDATION

1. That it **BE DECIDED** that the application for **rezoning and amendment of an approval condition** on Farm No. 468/128, Stellenbosch Division **deviates from the provisions of the Stellenbosch Municipality Spatial Development Framework (SMSDF)** as contemplated in terms of Section 19 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014), for the following reasons:

   1.1 The proposal is inconsistent with the SMSDF as it does not actively earmark this specific agricultural land for industrial or business use, is deemed non-compliant and constitutes a formal deviation under Section 19 of the LUPA relating to compliance with adopted spatial plans, and thus conflicts with the spatial planning objectives of the SMSDF. Without a local SDF to bridge that gap or redefine the boundary, the application sits in direct contradiction to the primary SMSDF mandates.

2. That it **BE DECIDED** that the application for **rezoning and amendment of an approval condition** on Farm No. 468/128, Stellenbosch Division rezoning of ±4450m² consisting of three (3) buildings from Agriculture and Rural Zone to Industrial Zone (winery, brewery and distillery) and the existing ±451m² tourist facility from Agriculture and Rural Zone to Mixed Use Zone for offices, does not 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:

   2.1 The development proposal does not satisfy the requirements of Section 22(2) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), as it fails to establish any merit-based, site-specific circumstances. The introduction of intensive industrial and mixed-use business zones on agricultural land located outside the demarcated urban edge and no approved local SDF, lack compelling justification to permit a deviation from the adopted Spatial Development Framework (SDF) provisions. The applicant's site-specific motivation could not prove that exceptional, site-specific circumstances warrant breaching the urban edge for the intended rezonings.

3. That the following application in terms of Section 15(2) of the Stellenbosch Municipal Bylaw on Land Use Planning on Farm 468/128, Stellenbosch Division for:

   3.1 **Rezoning** in terms of Section 15(2)(a) of the said bylaw, for the rezoning of ±4450m² consisting of three (3) buildings from Agriculture and Rural Zone to Industrial Zone (winery, brewery and distillery) and the existing ±451m² tourist facility from Agriculture and Rural Zone to Mixed Use Zone for offices.

   3.2 **Amendment of an approval conditions** in terms of Section 15(2)(g) of the said bylaw, to enable the amendment and replacement of the approved site development plan

   BE REFUSED in terms of Section 60 of the said bylaw.

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

   4.1. Adopting Industrial and Business zonings in this specific locality would permanently compromise the integrity of the rural landscape, undermine the agricultural economy of the region and **creates an undesirable precedent** for incompatible land-use conversions and incremental urbanization outside the urban edge, risking the proliferation of large-scale, non-agricultural uses along the R310 (Baden Powell Drive) heritage gateway route.

   4.2. The introduction of permanent industrial and commercial zonings within the rural landscape of the Lyndoch area places **unsustainable pressure** on the region's historic

cultural landscape. While the existing built fabric is acknowledged, the insertion of standard modern commercial footprints directly disrupts the established spatial rhythm, thereby unacceptably compromising the visual integrity and unique heritage character of the area.

4.3. Conventional industrial and business (Mixed-Use) zonings are highly **incompatible** with the surrounding agricultural landscape and contradicts the designation of Lynedoch as a low-density rural buffer, creating an undesirable risk of unchecked ribbon development along Baden Powell Drive. The proposed rezoning is heavily restricted within the rural Lynedoch area context, under the municipal policy provisions, to prevent ad-hoc urban sprawl and commercial encroachment into sensitive rural areas.

4.4. The proposed rezonings are **inconsistent** with the Municipal Spatial Development Framework (MSDF), the Stellenbosch Land Use Planning By-law, and broader spatial planning principles, aimed at protecting historic precincts and safeguarding agrarian landscapes. The proposed development therefore introduces high-intensity, non-agricultural uses that are inconsistent with the area's rural character, conflict with MSDF agricultural-protection objectives, and promote undesirable urban sprawl.

4.5. The MSDF establishes a strict urban edge to contain urban sprawl and safeguard high-potential agricultural land, any commercial or industrial expansion outside this boundary, as in this regard, is explicitly contrary to its provisions.

4.6. The **approval** of the rezoning and amendment of approval condition applications **would serve as a catalyst, motivating** the formal regulation of other **unauthorized activities** already currently on-site.

5. **Matters to be noted:**

5.1 None.

ASSESSMENT RECOMMENDATION BY TOWN PLANNER

The proposed land use and land development application has been duly evaluated in terms of process and desirability with the recommendation for consideration.

Name: P. April

Capacity: Senior Town Planner

SACPLAN Registration:

Signature:

Date: 02/11/2026

REVIEW OF ASSESSMENT AND RECOMMENDATION

The recommendation for decision is hereby submitted for consideration to the authorised decision-maker in accordance with the System of Delegations vide Item 11.8.1 dated 24 May 2023 OR Categorisation Model approved vide Item 10.8.1 dd dated 26 February 2025.

Category / Delegation Item Number: A(d), H(4)
Decision Making Authority: MPT
Rational: Application is inconsistent, deviates and entails rezoning of agricultural zone land for any other purpose.

Name: Ntaai Carters

Capacity: SMM

SACPLAN Registration: A/1557

Signature:

Date: 3/11/2026

MPT ADMINISTRATION OF PLANNING APPLICATION ASSESSMENT REPORT

Administrator to Stellenbosch Municipal Planning Tribunal:
It is hereby confirmed that proper notice was served of the Municipal Planning Tribunal meeting at which this land use and land development application will serve for consideration.

The land use and land development application will serve at the scheduled meeting of the Stellenbosch Municipal Planning Tribunal on:

Date: 20 November 2026

Name: Lucy Hoyi

Capacity: Principal Administrative Officer

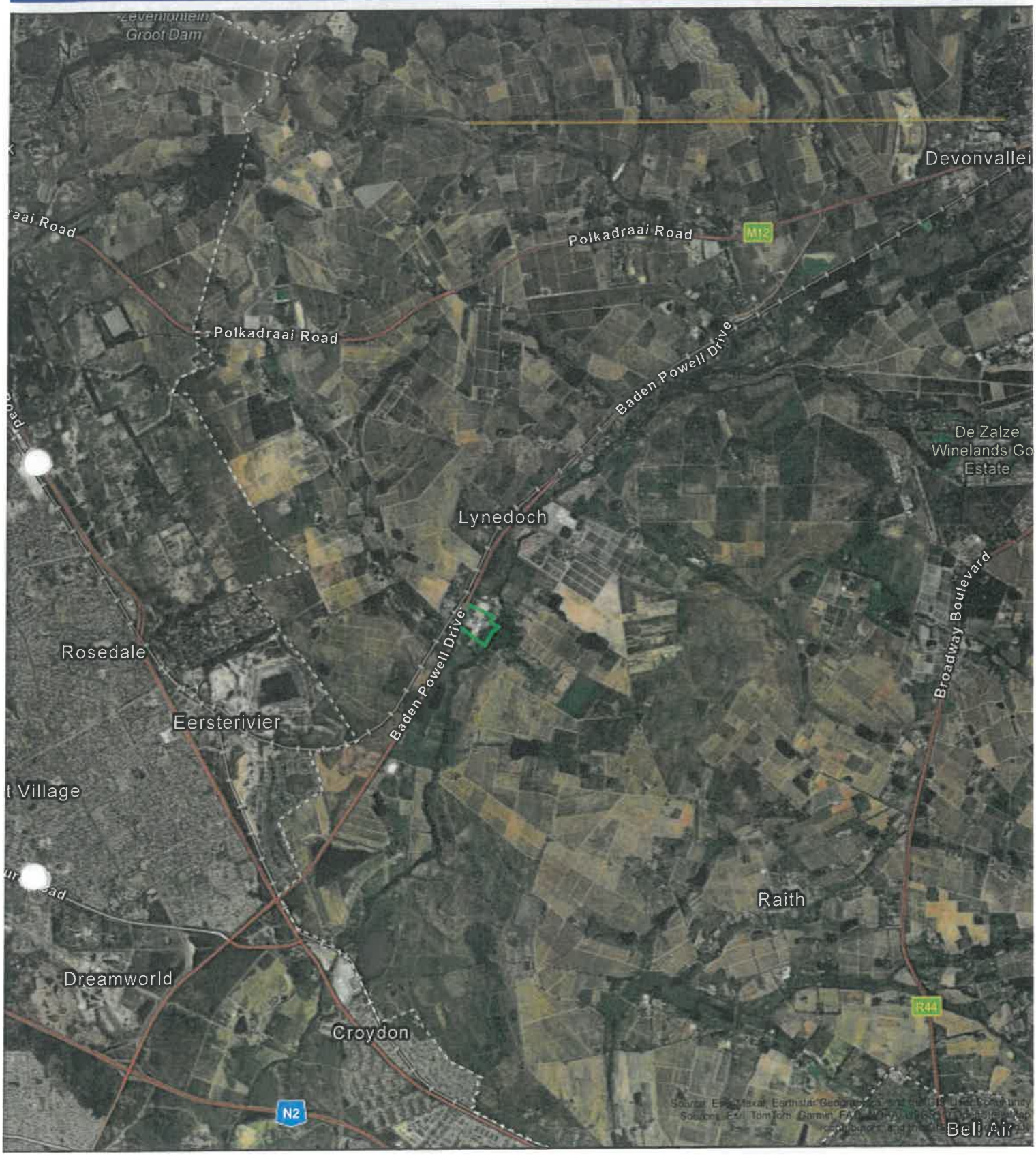
Signature:

Date: 05 November 2026.

APPENDIX 1

Locality Plan

Locality plan



km
0 0.55 1.1 1.7 2.2 2.8

Map Center: Lon: 18°46'20.4"E
Lat: 33°59'19.2"S

Scale: 1:72,224

Date created: August 14, 2025

Western Cape Government
FOR YOU

Farm No 468/128, Stellenbosch



Legend

- Farm Portion
- Farm Portion
- Parent Farms
- Farm Portions
- Street Parcels

Map Center: Lon: 18°45'57"E
Lat: 33°59'33.5"S

Scale: 1:9,028

Date created: 2026/02/11

Western Cape Government
FOR YOU

APPENDIX 2

Zoning Plan



figure	ST468/12B.ZON04	project: Stellenbosch Agri-Park: Remainder Portion 128 of the Farm Welmoed No 468	client: Nimble Investments (Pty) Ltd
file	ST468/128		
date	21/02/2025	drawing: ZONING PLAN	
scale	1 : 2 000 (A3)		

notes / key

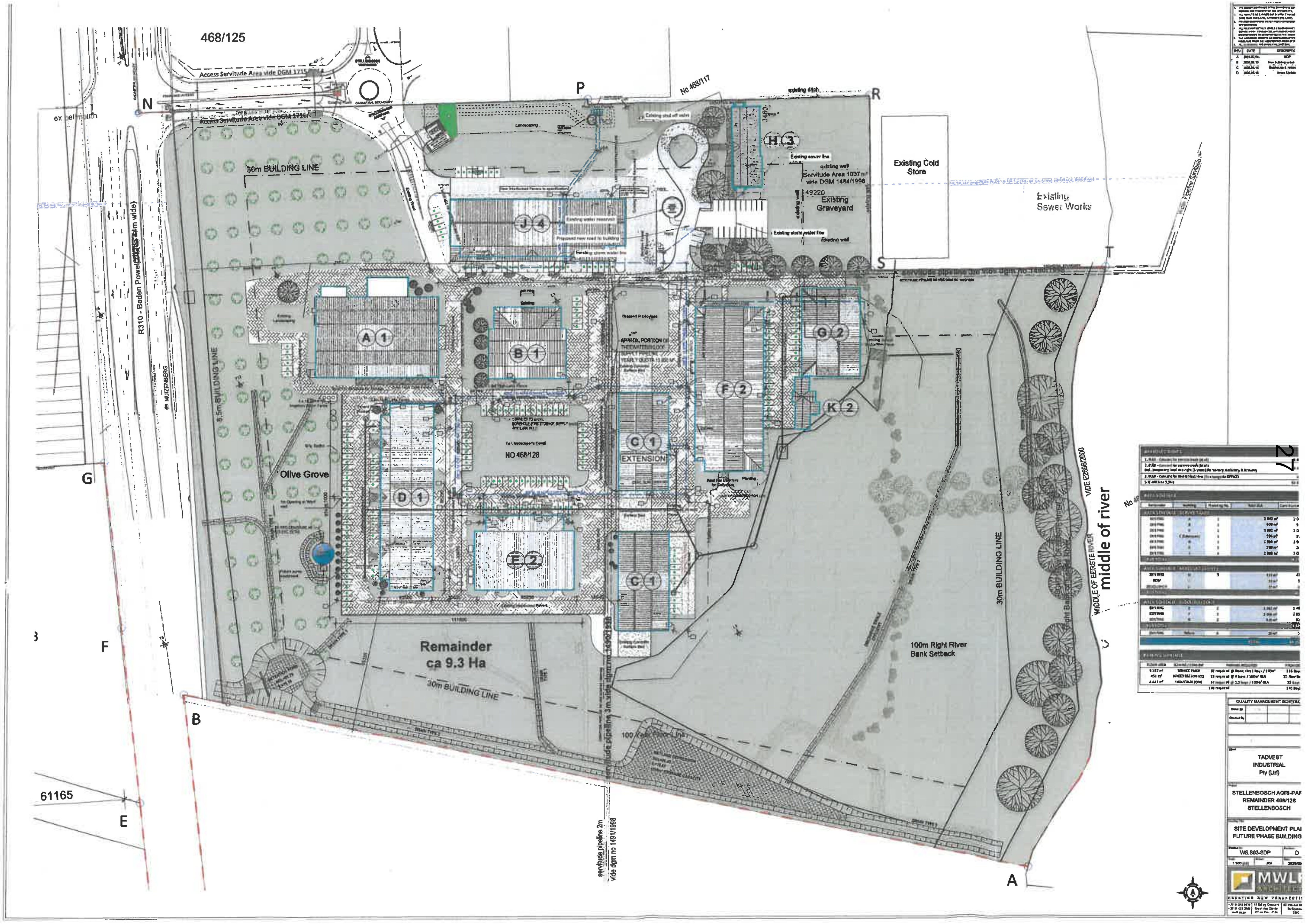
Zoning	Consent	Proposed Spot Zonings
Agriculture I	Service Trade 13,886m² (floor area)	Industrial Zone: 4,450m² Mixed Use (Offices): 451m² Floor Area

north

headland town planners

APPENDIX 3

Site Development Plan



468/125
Access Servitude Area vide DGM 1715
N
P
R
No 468/117
existing ditch
Existing Cold Store
Existing Sewer Works
Servitude Area 1037m²
vide DGM 1484/1998
49220
Existing Graveyard
Existing sewer line
Existing storm water line
30m BUILDING LINE
R310 - Baden Powell
MUIZENBERG
8.5m BUILDING LINE
Olive Grove
A 1
B 1
C 1
EXTENSION
D 1
E 2
F 2
G 2
H 3
J 4
K 2
NO 468/128
APPROX. POSITION OF
Remainder
ca 9.3 Ha
30m BUILDING LINE
100m Right River Bank Setback
30m BUILDING LINE
MIDDLE OF EERSTE RIVER
VIDE E2696/2000
middle of river
servitude pipeline 2m
vide dgm no 1491/1998
S
T
G
F
B
E
A
61165
TADVEST INDUSTRIAL Pty (Ltd)
STELLENBOSCH AGRI-PAR
REMAINDER 468/128
STELLENBOSCH
SITE DEVELOPMENT PLA
FUTURE PHASE BUILDING
WS.563-SDP
D
MWL

APPENDIX 4

Motivational Report

STELLENBOSCH AGRI-PARK

APPLICATION FOR SITE DEVELOPMENT PLAN AMENDMENT, SPOT REZONING AND SITE SPECIFIC DEVIATION: REMAINDER PORTION 128 OF FARM NO 468 (WELMOED)

14 January 2026

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1. INTRODUCTION

Remainder portion 128 of the farm Welmoed No 468 (Stellenbosch Agri-Park) accommodates a range of consent uses for service trade and tourist facilities that were originally approved on 10/07/2017. All the rights are controlled by an approved Site Development Plan, which was first approved on 16/1/2020, and then amended on 16/8/2023.

On 17/2/2020 a 5 year temporary land use departure was granted for 4,450m^2 of the approved bulk to be used for wineries, distilleries and breweries in three existing lawful buildings (which has now lapsed).. Lastly, approval for subdivision of the R310 and the western part of the property was included. For noting, an approval in terms of the Subdivision of Agricultural Land Act, No 70 of 1970 was granted on 20/11/2020. This subdivision has been acted on.

The tourist facilities were identified as the conversion of the existing dilapidated manor house into a restaurant with a total GLA of 495m^2. There has been no response in the market for a restaurant since the approval, and the purpose of this application is to ensure buildings are not left without economically sustainable usage, and therefore a spot rezoning to permit office use is suggested.

In addition, the 3 temporary departure buildings require a spot rezoning to Industrial, as a new temporary land use departure cannot be applied for, and it would unreasonable and illogical to force a closure of 3 functioning and employment generating businesses.

Rights (floor area)	
Service Trade Consent 13,886m^2 and 465m^2 Tourist Facilities	
constructed	To be changed on SDP
9,150m^2 Service Trade Consent Use	
4,450m^2 Winery, Distillery, Brewery lapsed on 18/2/2025	Spot rezoned to Industrial Zone
465m^2 Tourist Facilities	Spot rezoned to Mixed Use (Offices) – 451m^2
RESIDUAL RIGHTS: Service Trade Consent 286m^2	

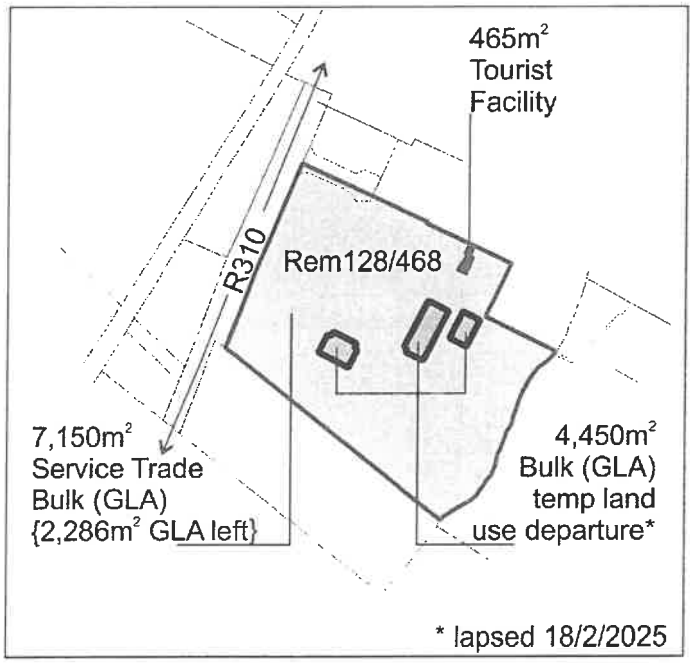


Figure 1: Explanatory sketch of existing rights

Current Land Use	Service Trade for agricultural warehousing, packaging, repairs, agricultural research facilities and ancillary sales outlets
Subject to NEMA	EA is entrenched for the rights. Site being developed in line with approval.
Subject to SAHRA/PHRA	Heritage approval granted. This current proposal does not alter the site's use rights in terms of the heritage triggers.

4. CONTEXTUAL INFORMANTS



Figure 2: Locality of the farm portion (source: Google Earth)

Cape Town's city limits begin approximately 3.5km to the southwest (along the R310), while urban Stellenbosch begins approximately 8km to the east, and the site fronts onto the R310.

It is important to acknowledge the substantial volume of traffic along the R310 (hence its recent upgrading) which carries intra-regional traffic between Stellenbosch, Cape Town, the airport and Somerset West (via Annandale Road).

This route is not of the same outstanding scenic quality in terms of the agricultural environment, compared to routes such as Helshoogte or the undulating R44 from Stellenbosch to Klapmuts. Despite not being as scenic as those two roads, the R310 is still a gateway route to the town of Stellenbosch. The current park has been developed in recognition of this environment, and is a good example of a business park fitting into a rural setting. Note that the Park has existed since 2017.

Stellenbosch is intrinsically linked to the economy of Cape Town, as many people prefer living in Stellenbosch and commuting to Cape Town. Stellenbosch is a significant satellite town in support of Cape Town and the lines have become blurred between Stellenbosch existing as a "rural town" some distance away from Cape Town. The semi-gration from Gauteng, in particular, has contributed to this greatly.

With reference to figure 2, the cluster of nursery, winery and agro-industrial buildings and uses as a quasi node creates a character that is clearly distinguishable from the farming hinterland which exists east of the Eerste River and along the hill slopes to the west. Notably, the farm subdivision sizes in this node are substantially smaller than the productive agricultural lands, by virtue of the road being close to the river thus creating unviable farming portions.

5. DEVELOPMENT PROPOSAL

5.1. Site Development Plan Amendment

The amendment does not cause any change to the plan, apart from describing 4 buildings differently. From an impact point of view, there is none as nothing physically changes on site. At worst, the current building H3 (the tourism facility) changes its use, the other 3 remain unchanged as they are to be converted from temporary rights to permanent rights. The development detail and land use descriptions on the SDP are amended accordingly.

5.2. Spot Zoning Areas

Buildings E2, F2 and G2 are to be spot zoned Industrial Use, and amount to an area of 4,450m^2.

Building H3 is to be spot zoned Mixed Use (for offices only), and amounts to an area of 495m^2 .

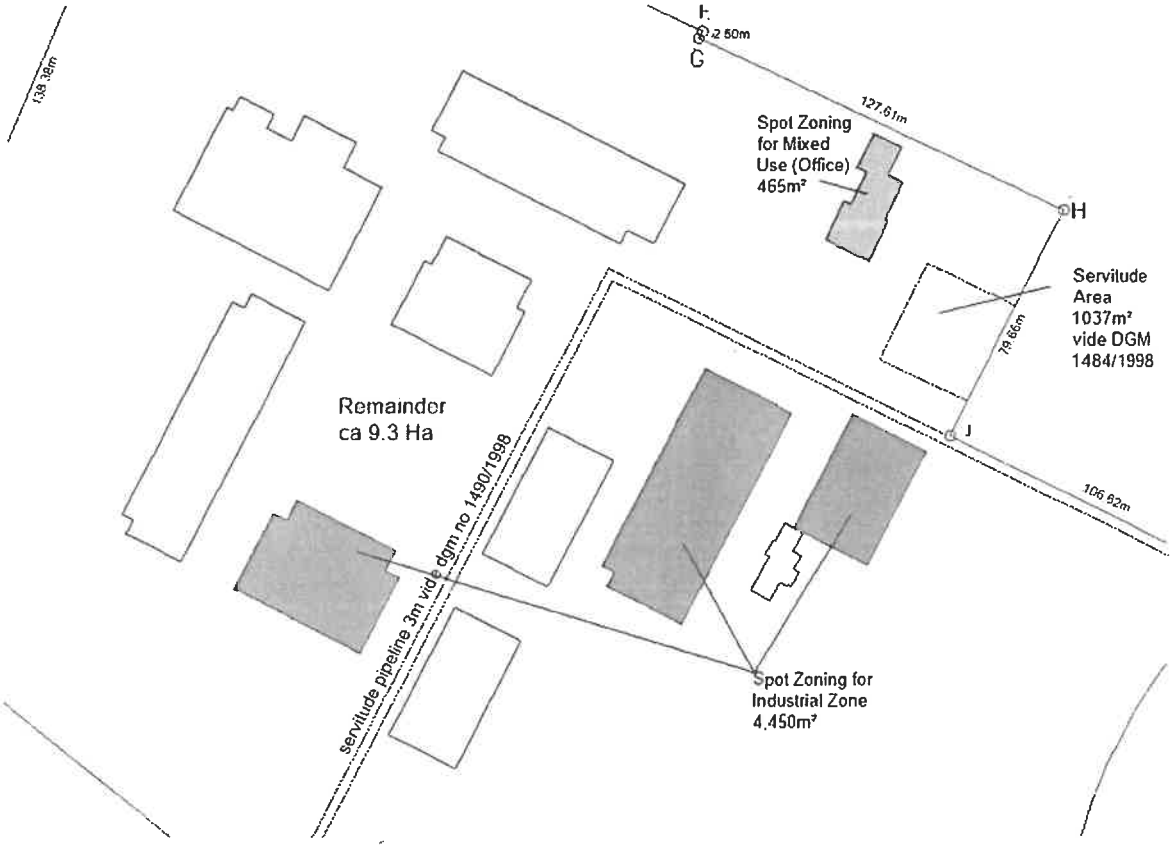


Figure 3: Extract from Zoning Plan

5.3. Parking and Access

There are 240 bays on site already. There are 62 surplus bays, therefore the spot zoning has no impact on parking utilisation and, by default, access and trip generation. Loading bays are provided at each building.

Floor Area	*Zoning/Consent*	*parking required*	*parking provided*
4,450m^2	Industrial	1.5/100 GLA; 67 required	82 provided
9,157m^2	Ex Service Trade	None; (use 1/100) 92 required	133 provided
451m^2	Mixed Use (Offices)	4/100 GLA; 19 required	25 provided
		178	240

6. ADDITIONAL MOTIVATION

General considerations for an application in terms of Section 65(c) of the Stellenbosch Municipality By-Law of 2023

Introduction

South Africa faces a deepening unemployment crisis. The youth are worst affected with 70% of young people aged 15 to 24 unable to get jobs. Unemployment has increased from 20% in 1994 to 32.9% in 2023; when adding discouraged work seekers the rate rises to 42.4%.

The municipal literature speaks to transformation and local economic development holistically in a number of important documents:

Stellenbosch Municipality vision and values

"We will tirelessly work at transforming our municipality, communities and broader society as custodians of hope through unlocking the endless possibilities of valley holds treasure. This commitment is shaped by our understanding of the historical, spatial, social and economic inequalities in our valley." – Stellenbosch Municipality Values

Final draft Stellenbosch Municipality Economic and Development Strategy and Implementation Plan (2022)

"Some municipalities also have unique cultural, recreational and tertiary education assets, that can help to stabilise the local economic base, makes social capital available and support innovation. Stellenbosch Municipality is fortunate to be characterised by all of the above and has access to a unique set of social, economic, political and natural resources that it can use to shape its development path. These conditions determine the region's ability to attract and retain investment. The municipality's role is to create an environment that enables business and citizens to make use of the opportunities that these resources offer."

"The population of the Western Cape is growing at a higher rate than in the rest of South Africa (...) Over the 2016 to 2020 period, there were a total of 292,521 net-migrations to the Western Cape."

The policy further notes the increase in population growth within the Stellenbosch municipal area.

"Despite these dynamics, unemployment in Stellenbosch it has been trending upwards with the rest of South Africa since 2015. Stellenbosch has the second highest unemployment rate in the Cape Winelands District Municipality."

Given that unemployment is trending upwards, the continuation of the 3 (lapsed) temporary departure buildings as permanent rights is positive and needs to be supported. The reuse of the manor house as a small office building is similarly positive. It has to be borne in mind that there is always a need for support services in rural areas, therefore a small office component should be supported.

6.1. The desirability of the proposed utilisation of land

6.1.a Socio-economic impact;

The office use is for farming support functions, such as accountants and marketing firms. The continuation of the distillery, brewery and winery is self-evidently a positive socio-economic impact

6.1.b Compatibility with surrounding uses

The uses are very compatible:

- This farm has never been sustainable as a farm

- The adjacent wine storage business is a business use, allied to the wine industry; Stellenbosch Vineyards together with the Agri-Park create an agriculturally dominated node

- Apart from the minor office use, the proposed rezoning does not change the uses already in existence

- The office use accounts for 0.49% of the land area, and is therefore no different to any other administrative office on any other farm. It's market is merely beyond "personal" use by a farmer owner; the impact is no different, particularly given that the consent rights for tourism facility introduce persons from outside the land unit. Again, there is no impact from the proposed office conversion.

6.1.c Impact on the external engineering services

None; the spot rezonings do not increase the demand for services, as the rezoning sits within the container of GLA.

6.1.d Impact on safety, health, and wellbeing of the surrounding community

Only positive impact will occur as the potential for employment opportunities is marginally increased (by the office conversation) while employment is retained by creating permanence to the distillery, winery and brewery.

6.1.e Impact on heritage

None; all buildings already exist.

6.1.f Impact on the biophysical environment

None; all buildings already exist.

6.1.g Traffic impacts, parking, access, and other transport related considerations

None; all buildings already exist, and the conversion from tourist facility of 465m^2 to office use of 451m^2 has no impact, in terms of trip generation norms. And parking is surplus to requirements: 240 parking bays exist on the property, 62 surplus to requirements.

6.1.h Whether the imposition of conditions can mitigate an adverse impact of the proposed use or development of land

There is no adverse impact of the proposed rezoning, and the SDP remains that control document.

6.1.i Any restrictive condition applicable to the land concerned;

There are none that prevent the spot rezonings

6.1.j The impact of the proposed land development on any heritage resources as defined in the National Heritage Resources Act, 1999

Not applicable, all buildings exist.

The IDP, including the Stellenbosch Municipal Spatial Development Framework ("the MSDF")

Within part 2: The legislative and policy context (paragraph 4.9) the Stellenbosch MSDF discusses the coordination of efforts of the various municipal departments to achieving the vision for the municipality as an *"integrated valley of opportunity and innovation"*:

- *"Valley of possibility – aimed at attracting investment, growing the economy and employment."*

- *"Green and sustainable valley – aimed at ensuring that the asset base of the municipality is protected and enhanced."*
- *"Dignified living – aimed at improving conditions for residents with access to education and economic opportunities."*

Within the vision statement of the MSDF (part 4) the document makes reference to resilience, diverse and productive, adaptive to it's own needs and expressive of new culture, business and new ways of doing:

"It is resilient; it has adapted to the needs of today without losing what is special from the past. It is inclusive; it has accommodated the needs of citizens from all walks of life without fear. It is diverse and therefore productive. In adapting to new needs, and accommodating new people, it has become the stage for new expressions of culture, new businesses, and new ways of doing."[1]

These are characteristics to which the Agri-Park has always been aligned. The conversion of the 3 buildings to permanent use and the introduction of a small office component enhances the diversity.

Principles of the MSDF

The amended Municipal Spatial Development Framework for the Stellenbosch Local Municipality area was approved by Council in June 2023 and recognises that the spatial decisions and actions of many make what settlements are.

The spatial profile and draft amendments to the spatial development framework approved by Council for public comment on 15 March 2023 state as follows:

> *"Spatial planning is critical for delivering economic, social and environmental benefits ... by creating more stable and predictable conditions for investment and development, securing community benefits from development and promoting prudent use of land and natural resources for development."*

The balance of economic, social and environmental benefits is set out in box 1. These include:

- *"Identifying land in appropriate locations to meet the need for economic development."*
- *"Promoting environmental quality in both urban and rural areas, which can then create more favourable conditions for investment and development."* (which requires capital, and an integrated plan for maintenance and rehabilitation)
- *"Aiding the creation and maintenance of pleasant, healthy, and safe environments."*
- *"Promoting regeneration and the appropriate use of land, buildings and infrastructure".*

In terms of this approved document, seven principles need to be considered, namely:

1. Maintain and grow the assets of Stellenbosch Municipality's natural environment and farming areas;
2. Respect and grow cultural heritage;
3. Direct growth to areas of lesser natural and cultural significance as well as movement opportunity;
4. Clarify and respect the different roles and potentials of existing settlements;
5. Clarify and respect the roles and functions of different elements of movement structure;
6. Ensure balanced, sustainable communities;
7. Focus collective energy on a few catalytic lead projects.

While the proposals are site-specific and do not constitute a "catalytic lead project" as contemplated in 7 above, the spot rezonings proposed for Agri-Park demonstrably satisfy and further goal 3, whereas the other goals do not apply as a litmus test for an application which is an adaptive re-use proposal:

1. **Maintain and grow the assets of Stellenbosch Municipality's natural environment and farming areas.**

[1] Stellenbosch Municipal Spatial Development Framework, 2023. p51.

The farm has ceased to be a contributor to agricultural production for approximately 30 years. It is not a viable farming unit, and it usefulness in the offering of assets for Stellenbosch as an attractive investment destination has been proven by the very successful and fully subscribed Agri-Park.

2. **Respect and grow cultural heritage**

The adaptive reuse of the historic manor house has not found its place in a restaurant (tourist) facility. It is time to acknowledge that a small office component is a best use for the continued preservation of the heritage asset.

3. **Direct growth to areas of lesser natural and cultural significance as well as movement opportunity**

The proposal does not constitute growth in of itself; it is the introduction of permanence to distillery, brewery and winery use that finds natural synergy with the site along one of Stellenbosch's significant connector routes with Cape Town. Both it and the conversion of 451m^2 of space to offices occurs in an area that is not of cultural significance.

4. **Clarify and respect the different roles and potentials of existing settlements**

The proposal is not related to settlement patterns.

5. **Clarify and respect the roles and functions of different elements of movement structure**

The proposal does not directly impact the movement structure, but it gains from its location along the R310. The enabling capital investment into the R310 upgrade, elevated the prominence of Agri-Park.

6. **Ensure balanced, sustainable communities**

The sustainability lies in the fact that the R310 is major movement route, and therefore access to this property is convenient.

Applicable Guidelines

In terms of the approved MSDF the following guidelines are considered to be applicable to this specific set of applications:

Table 1: MSDF applicable guidelines

Guideline	Statement of compliance
Tourist accommodation should preferably make use of existing buildings or new buildings on disturbed footprints, and these should take the natural and heritage significance of the site into consideration.	Not applicable
Rural place-bound businesses (including farm stalls and farm shops, restaurants and venue facilities) of appropriate location and scale to complement farming operations, and not compromise the environment, agricultural sustainability, and the scenic, heritage and cultural landscape.	Not applicable: Agri-Park has existed since 2017, based on an EIA and heritage process, which correlates with sustainability
Support for various forms of leisure and tourism activities across the rural landscape, of appropriate location, scale, and form not to compromise the environment, agricultural sustainability, and the scenic, heritage and cultural landscape.	Not applicable
Activities and uses directly related to the primary agricultural enterprise are permitted, including farm buildings and associated structures (e.g. one homestead, barns, agri-worker housing, etc.), as well	Not applicable: Agri-Park has existed since 2017, based on an EIA and heritage process, which correlates with sustainability

as additional dwelling units to support rural tourism opportunities and to diversify farm income, comprising additional non-alienable dwelling unit per 10ha, up to a maximum of 5 per farm.	
Recognising the prospects of tourism to diversify and strengthen the rural economy, the provision of a variety of short-term tourism accommodation across the rural landscape that is in keeping with the local character is supported	Not applicable, in a business park environment

MSDF Checklist

The MSDF contains a checklist of questions or issues that assist to align a proposal with its development guidelines:

Table 2: MSDF checklist

Policy Statement question of issue	Yes/No	Statement of compliance
BIOPHYSICAL RESOURCES		
Is the proposal located in or does it impact on a formally protected area , Critical Biodiversity Area, or Ecological Support Area	No	n/a
Can associated impacts be managed without diminishing the integrity of the formally protected area , Critical Biodiversity Area, or Ecological Support Area?	N/a	
Does the proposal protect, maintain, or enhance the sustainability of existing ecological systems and services?	N/a	
Will the proposal result in a loss of agricultural land or impede the viable use of agricultural land ?	N/a	There is no viable agricultural land on site, and the change in use (zoning) is for existing buildings
Does the proposal assist to diversify agriculture, enable broader access to agricultural opportunity, and increase food security?	N/a	There has been no production on the land in decades. In addition, the site is relatively small, and the proposal is for the reassignment of land uses in 4 existing buildings with use of existing parking areas for these uses
Is the proposal located within, on, or outside the proposed urban edge ?	No	Outside the urban edge.
If on the edge of a settlement or green space , does the proposal assist in defining and protecting that edge better and more appropriately than at present?	n/a	The proposal is wholly within the developed footprint of the Agri-Park, inside existing buildings.
Is the proposal situated within a river or wetland setback , or a flood line?	No	The floodline is to the east of the existing buildings and infrastructure

Does the project enable enhanced and appropriate public access to natural resources, amenity, and recreational opportunity?	N/a	The Eerste River forms the eastern boundary of the property, and has never been publicly accessible.
Has the project considered recycling, rainwater collection, and alternative energy generation?	Yes	Two buildings have solar panels, and rainwater harvesting is done.
SCENIC LANDSCAPES, SCENIC ROUTES AND SPECIAL PLACE OF ARRIVAL		
Does the proposal impact on a scenic landscape, scenic routes, or special place of arrival?	No	The proposal is wholly within the developed footprint of the Agri-Park, inside existing buildings
Can associated impacts be managed and minimised without diminishing the integrity of the scenic landscape, scenic routes, or special place of arrival?	N/a	There are no associated impacts as the buildings all exist
HISTORICALLY OR CULTURALLY SIGNIFICANT PRECINCTS OR PLACES		
Does the proposal impact on a historic or culturally significant precinct, place, or structure?	No	The original historic building currently has rights for tourist facilities, and it is simply this internal use that is being changed to offices. There is no impact on the structure and its setting.
Has the proposal considered the re-use of an existing precinct, place, or structure to ensure preserving or exposing its historical or cultural significance?	Yes	Adaptive reuse of the historic house, so that rental income from it, can be used to maintain the historic structure. Without being economically useful, the building could fall into disrepair.
Does the proposal enable the inclusive expression and celebration of culture, old and new?	Yes	Indirectly: it is implied in the refurbishment and ongoing maintenance
SETTLEMENT ROLE AND HEIRARCHY		
Does the proposal fit the proposed role of the settlement outlined in the MSDF, its position in the settlement hierarchy, and associated development/ management approach?	n/a	The proposal is not within a settlement; but this is irrelevant given that the agri-park exists as a sustainable economic benefit to the Municipality. The monthly rates accruing to the municipality are in the region of R36,000.
MOVEMENT INFRASTRUCTURE		
This section is not applicable because no new route is proposed.		
NATURE AND FORM OF DEVELOPMENT		
Does the proposal promote compact , dense, mixed use development which makes the best use of land, reduces car dependence, and enables public and NMT	Yes & No	The adaptive reuse of existing buildings is always a "best use of land". There will be car dependence, but this is as a result of the recent upgrade to the R310 which is a private vehicle dominant piece of civic infrastructure.

Has the proposal considered how it responds to and is integrated with public transport/ NMT and social facilities planning?	No	Social facilities planning is not allied to the proposal, and public transport infrastructure along the R310 (whether existing or planned) will benefit from additional office use.
Is the proposal enterprising and transformative in that it is likely to stimulate desirable change within its broader precinct and context?	N/a	The scale of the proposal is far too small for a logical assessment of this criterion.
Does the proposal expand housing opportunity for a broader range of groups, including lower income groups and students?	n/a	The proposal is not for housing development.
Will the proposal "lock-out" desirable development and opportunity elsewhere by virtue of its location and scale (and through that attracting development energy in a direction not supported by the MSDF)?	No	The park exists and as is a positive contributor to the Stellenbosch economy. No expansion is proposed beyond the constrained property boundaries, therefore a policy guidance comment about consistency , or not, with "development direction" has no meaning. Each application on its own merit.
Does the project support inclusion, including providing a range of housing types and/or opportunity for small/ emerging entrepreneurs.	N/a	
Has the proposal made the best use of existing structures on its site?	Yes	Permanence of rights for the 3 main buildings that are the subject of the spot rezoning; reuse of the old manor house, given that since 2017 no tourist facility demand has materialised.
UPGRADING AND INTEGRATION OF SETTLEMENTS		
Not applicable, the proposal is not an informal settlement upgrade project.		
GOVERNMENT / PUBLICLY ASSISTED HOUSING		
Not applicable, the proposal is not a state funded housing project.		
SOCIAL FACILITIES		
Not applicable, the project is not for new social facilities. However, the CSR outreach of the business is not insignificant in the funding supplied to local social facilities and upliftment projects. See section 6.1. (i).		
PUBLIC SPACE		
Not applicable, the proposal is private.		
COMMERICAL DEVELOPMENT		
Not applicable, the project is not for new commercial area or significant new commercial enterprise.		
INFRASTRUCTURE SERVICES		
Not applicable, the project is not a new infrastructure services initiative.		
CATALYTIC PROJETS		
Not applicable, the project is not part of a larger catalytic project identified in the MSDF.		
INSTITUTIONAL ARRANGEMENTS		

Has the project considered partnerships - between different land owners , or land owners and a community or the public sector - to maximise its broader benefits, whether in the livelihood opportunity i t offers, making the best use of resources of land, or shared infrastructure provision?	N/a	
Has the municipality discussed possible partnerships aimed at maximising the benefits of the project with the project initiator?	No	
Does the project justify specific institutional arrangements to ensure its implementation and sustainability	No	
Has the required institutional arrangements been agreed to and formalised?	n/a	
Will the project result in institutional and/or funding pressure on the municipality?	No	.
Can the municipality accommodate the institutional and/or funding pressure associated with the project, now and into the future?	n/a	

Site Specific Circumstances for the rezoning

The property is located outside of the Urban Edge, and as such any rezoning that is not related to agricultural (non-urban) use must be considered in terms of site specific circumstances.

The property is zoned Agricultural; the proposal is to expand the lifespan of 4 existing buildings by giving 3 of them a spot zoning to Industrial 1 and the historic manor house a mixed use zone. This is because the agricultural zone is very limited, in terms of flexibility relative to economic needs and sites being addressed on merit. As valuable as the fundamental principle is of containing urban activities within the urban edge, the same holds true for the principle of assessing each application on its merit. The municipal area has a long history of development outside of the urban edge, and each decision was taken on specific merit. The urban edge is under constant change, because of the inevitability of population growth and economic expansion. It is a given that urban edges expand, it is the logical and appropriate management thereof that matters.

The site specific merits of this application for the Mixed Use spot zoning are as follows:

- There has been no interest in the approved tourism use of the historic manor house;
- The building cannot be converted into any obvious agricultural use;
- It also cannot be demolished;
- Therefore the best use for it is as office space;
- Office space per se is often associated with agricultural use, in the form of administrative offices;
- The proposed spot zoning only accounts for 451m^2 and is clearly functions as just an ancillary use to the existing agri-business park;

- It is not a dominant use, and cannot create a precedent elsewhere.

The site specific merits of this application for the 3 Industrial spot zonings are as follows:

- The buildings existed before the previous temporary land use departure for distillery, winery and brewery;
- These are 3 buildings in a cluster of 11;
- These 3 uses are agricultural derivatives and are suitable in a rural setting;
- The uses are not primary agricultural production (land resource based), but an agricultural landscape is experienced predominantly visually;
- The agri-park is well established, and is an asset to the municipality in terms of job creation, economy and visual appearance;
- There is heritage approval for the cluster of buildings;
- The site is very small in comparison to productive farms;
- The use of the proposed spot zoning limits the uses to the 3 building footprints, and does not create the ability to expand the use by stealth;
- There is no viable alternative in the zoning scheme but for a rezoning to extend the operation of the distillery, winery and brewery;
- The closure of the businesses would have long term consequences on the businesses from owners, to management to staff.

Spatial Planning and Land Use Management Act 16 of 2013

Section 42. (1) in considering and deciding an application a Municipal Planning Tribunal must –

(a) be guided by the development principle set out in Chapter 2.

(b) make a decision which is consistent with norms and standards, measures designed to protect and promote the sustainable use of agricultural land, national and provincial government policies, and the municipal spatial development framework; and

(c) take into account –
- *(i) the public interest*
- *(ii) the constitutional transformation imperatives and the related duties of the state*
- *(iii) the state and impact of engineering services, social infrastructure, and open space requirements*
- *(iv) any factors that may be prescribed, including timeframes for making decisions*

The proposal is in the **public interest** because it ensures the continued employment and business of the distillery, brewery and winery. It also enables the use of an existing building (offices) that would otherwise stand empty, which is not in anyone's interest in the long term. The proposal has no bearing on sustainability of agricultural land, as the land is legitimately transformed into an Agri-Park, on land that has always been too small as a sustainable agricultural unit.

SPLUMA principles

Chapter 2, Section 7 of the Spatial Planning Land Use Management Act No. 16 of 2013 (SPLUMA)) prescribe five development or planning principles that all new development should consider, namely: spatial justice, spatial sustainability, efficiency, good governance, and spatial resilience. The proposed development contributes to these principles in the following ways:

- The principle of **spatial justice** is fulfilled through the creation of employment, offering economic opportunities to local job seekers.

- The proposal is **spatially sustainable** because it amounts to reuse of existing buildings, and the old manor house conversion to a small office space ensures that the heritage fabric remains relevant, and does not fall into disrepair.

- It is **efficient** because the agri-park is a well established landmark.

- **Resilience** is promoted by permitting a variety of land uses, for which the zoning scheme has not held modern pace for hybrid land uses.

- **Good administration** is a function of government, whereby the application will undergo circulation and public participation which complies with the requirements of the decision maker considering policy and forward planning vehicles.

Desirability under section 49 of LUPA

Section 49 of the Western Cape Land Use Management Act, no. 3 of 2014, requires that:

"When a municipality considers and decides on a land use application, the municipality must have regard to at least:

(d) the desirability of the proposed land use

(e) *guidelines that may be issued by the Provincial Minister regarding the desirability of proposed land use."*

The proposed spot rezonings are subservient to the main land uses, which are primarily agricultural, and supporting ancillary non-agricultural tourism-based operations, are desirable because they result in the utilisation and operation of an existing agricultural land holding. Primary agricultural land uses are more intensive and sustainable than has been the case in the past. Ancillary uses are in support, and subservient to the dominant use.

NDP 2030 and Western Cape PSDF 2014

The foundation of any national and provincial guiding documents is the reduction of unemployment and the stimulation of the economy. Given that the spot rezonings do not create a new node while simultaneously ensuring the that existing 3 business can continue operating, the proposal is aligned with the economic imperatives. The very minor office component is a best use relative to letting the old manor stand vacant, and not contributing to the rates base.

Western Cape Land Use Planning Guidelines for Rural Areas, March 2019

As a component of the roll out of the PSDF, the Western Cape rural areas guideline has been developed to support sustainable development in rural areas and to develop the rural economy while safeguarding areas of environmental sensitivity and agricultural significance.

The site has no environmental sensitivity nor agricultural significance, therefore this is a moot point. The Agri-park is well established, and contributes to the rural economy.

Stellenbosch Municipal Zoning Scheme By-law 2019

The 3 buildings that were the subject of the temporary rights, can only continue operating if rezoned. Spot zoning is a legitimate method of doing so, particularly as it limits the impact of "non agricultural' rights to a very fixed position. The same applies for the office use, bearing in mind that farms in general have an administrative "non farming" component to them.

As no new buildings are proposed, and the 4 buildings that are the subject of the spot rezonings are approved structures, the development rules of the Agricultural Zone are not affected: **no regulation departures are required.**

Conformance with parking ratios has been proven under section 5.3, earlier in this report.

7. CONCLUSION

The proposal is to create permanent use rights for the winery , distillery and brewery in existing buildings, with the conversion of the old manor house to a small office component. The Agricultural zoning is too rigid to accommodate these uses as consent uses, therefore a spot zoning is required. The benefits are self-evident, in that existing employment use is retained, and amplified by a small office component. It has no impact given that Stellenbosch Agri-park forms a unique agricultural services node with adjacent Stellenbosch Vineyards. It is not a new urban use outside of the urban edge, and should therefore be supported on merit.

APPENDIX 5

Portfolio of Evidence

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Nov2023

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

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

SUBMIT COMPLETED FORM TO RELEVANT LAND USE MANAGEMENT ADMINISTRATOR

LAND USE PLANNING APPLICATION: PUBLIC PARTICIPATION PROCESS
PORTFOLIO OF EVIDENCE (POE) CHECKLIST AND DECLARATION

Sections 45, 46 and 55 of the Stellenbosch Municipal Land Use Planning By-Law

Erf / Farm no	Farm number 468	**Portion(s) if farm**	Portion 128	**Allotment Area**	Stellenbosch Registration Division
Owner/ Applicant	Headland Town Planners			**LU/#**	TP1323/2025
Notice Period	**From:**	19/2/2026		**To:**	21/3/2026

CONFIRMATION OR DOCUMENTATION SUBMITTED	OWNER/APPLICANT			ADMIN VERIFY
	YES	NO	N/A	
1. The declaration is duly signed	X			✓
2. Applicant confirms that the public participation process was duly undertaken as instructed and attached	X			✓
3. Municipality was notified in advance of the start and closing date	X			✓
4. The advertisement period complies with the required 30 days	X			✓
5. If applicable, confirms that the site notice was placed and kept on site for the full duration of the public participation process	X			✓
6. All communications (other than notices) in respect of the public participation process are attached	X			✓
Proof of notices published				
7. If applicable, photo evidence to confirm site notice (one close up and one from across the street)	X			✓
8. Wording of the advertisement accurate and copy attached	X			✓
9. Proof of notices published (publication date visible)	X			18/2/2026 ✓
Proof of notices served				
10. Wording of notice accurate and example attached	X			✓
11. Proof of all notices served to neighbouring properties attached	X			✓
12. Proof of all notices served to interest and community groups attached	X			✓
13. Proof of all notices served to municipal departments and organs of state (government dept's and entities) attached	X			✓
Comments received				
14. All objections and comments received attached, including amended comments if relevant	X			✓
15. All comments from municipal departments and organs of state received (must also be attached to POE)	X			✓
16. Consent from abutting property owners obtained and attached			X	N/A
17. Applicant's written reply / responding comments on all the objections attached	X			✓

Nov2023

KINDLY NOTE:

1. ***The POE may only be submitted once all relevant municipal departments and organs of state have submitted their comment, inclusive of the applicant's written reply thereto.***
2. ***When any comments have been discussed or amended terms negotiated with the relevant commenting entity, the amended comments and the applicant's written reply thereto must be attached to the POE.***
3. ***The decision-making period will only commence after receipt and confirmation of a complete POE in accordance with section 57 of the Bylaw.***

COMPLETE AND SIGN THE FOLLOWING DECLARATION

DECLARATION

I, (full names & surname) _____Claus Mischker_____

and ID No: _____7105045091089_____, as the Applicant for the above application, hereby confirms:

1) the public participation process for the subject application was duly undertaken in accordance with the instruction for such process and the associated requirements stipulated in the Stellenbosch Municipal Land Use Planning Bylaw;
2) all comments and objections received are included in the Portfolio of Evidence;
3) the information contained in the above checklist and the accompanied information and documentation in the Portfolio of Evidence for the concluded public participation process, are accurate and complete; and
4) the personal information (e.g. name, address, contact details) of interested and affected parties as supplied by the Municipality was only used for official municipal communication matters with reference to the Protection of Personal Information Act 4 of 2013 (POPI).

Duly signed on 27 May 2026 (*Date*) at Gardens, Cape Town (*Place*)

_____

Signature

For office use only			
	NAME	**SIGNATURE**	**DATE**
VERIFIED BY ADMINISTRATIVE OFFICER	Nicole Kotts		28.05.2026
CHECKED BY TOWN PLANNER			

NOTES TO BE RECORDED:

www.headland.co.za

headland
town planners

Your Reference: ***TP1323/2025***
Our Reference: ST128/468

For Attention: Nicole Katts
Stellenbosch Municipality

Date: 27 May 2026

Dear Nicole

APPLICATION FOR REZONING AND AMENDMENT OF APPROVAL CONDITIONS: FARM 468/128 STELLENBOSCH DIVISION

1. Community & Protection Services: Stellenbosch Municipality

From an environmental planning point of view this department has no objection to the approval of the application.

Applicant response: noted.

2. Western Cape Department of Agriculture

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

Applicant response: noted.

3. Directorate Infrastructure Services: Stellenbosch Municipality

There is no municipal wastewater network available; therefore, the property owner is responsible for providing an appropriate wastewater management system.

Applicant response: noted

Access is from a provincial road - Final comments and approval must be obtained from the Provincial Roads Engineers.

Applicant response: Feedback from the PRE received on 13 May 2026 is "This Branch offers no objection to the land use application..."

The following DC's are payable: See Development Charge Calculation attached. Please note that this calculation is indicative at this stage, A final calculation will be provided prior to payment. (R3,424,369.01 in DC sheet)

The appropriate DC's are payable immediately after the approval of this land use application and before the facility is put to its approved use.

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.

Applicant response: noted, to be imposed as a condition of approval

4. Department of Environmental Affairs and Development Planning: Development Management (Region 2)

This proposal represents a permanent shift from the original intent of the Agri-Park as a hub for low-impact, agriculture-supportive activities (warehousing, packaging, repairs, research facilities, and ancillary sales outlets) to more intensive processing and manufacturing uses. Formalising these uses via rezoning could fundamentally alter the park's nature, potentially introducing urban-industrial elements into a rural context.

The park's current role as a rural economic hub for agriculture-support services could shift to a more manufacturing-oriented node, attracting unrelated industrial tenants or expansions. This risks transforming the site from a complementary agricultural facility to a standalone industrial area, contrary to the Guidelines' emphasis on maintaining rural character and preventing urban sprawl (Section 6.1, Principles: "The cumulative effect of all ancillary and non-agricultural land uses should not detract from the rural character of the landscape and the primary agricultural activities").

A general Industrial zoning typically permits a wider range of uses (e.g., processing, bottling, distribution) that may exceed the service trade definition's limits (max 10 employees, non-noxious). This could introduce noise, odors, waste, or traffic incompatible with the park's approved low-key operations, altering its identity as an "agri-park" and setting a precedent for further non-agricultural intrusions.

The proposal for the mixed-use rezoning (451m² offices in the manor house) is also regarded as problematic. Offices are not inherently rural/agri-supportive and lean toward urban uses. In terms of the Guidelines, rural businesses must be "place-bound" (ancillary to agriculture, serving rural communities, or tied to tourism) and located on farms only if they complement operations. Non-place-bound businesses - like general offices not linked to agri-processing or rural services - should be sited in urban areas.

Applicant response: it is noted that offices are not a usual feature in a rural context, but given the nature of this site (small farm, unproductive, no capacity to be productive, adjacent a huge wine warehouse that covers an entire property) , the clustering of agri-related industries and the scale thereof, to permit a bespoke, once-off small office use does not create a precedent, nor will it stand out as a land use that causes affront. The office makes up 3.2% of the GLA and 0.5% of the land area.

The agri-manufacturing components that exist, will not change. The distilleries now convert from a temporary use to a permanent use. The tenants are well established, and competition for such space is high, because there are almost no examples of it. Therefore positioning is important and valuable. In addition, the 3 buildings exist, and need to be repurposed. It is efficient and resilient to retain them as productive in an agricultural sense. They can even be conditioned to remain distilleries, so that conventional industrial uses do not gain traction.

In addition, the Western Cape Department of Agriculture has supported the spot zoning.

5. Department of Environmental Affairs and Development Planning: Development Management (Region 1)

Your attention is drawn to the listed activities in terms of the NEMA EIA Regulations, 2014 (as amended) as defined in Listing Notices ("LN") 1, 2 & 3 of 7 April 2017. Too little information was provided to definitively confirm the applicability of the of the EIA Regulations, 2014 (as amended) to the proposal, as described above. It is noted that the rezoning of approximately 4450m2 consisting of three buildings from Agriculture and Rural Zone to Industrial Zone (for a winery, brewery and distillery) is to convert temporary land use rights to permanent land use rights. Confirmation is required of the date when the winery, brewery and distillery were established in the three existing buildings. The requested information will assist in determining whether the development on the said site trigger / triggered any listed activity(ies) as defined terms of Listing Notice 1, 2 & 3 requiring environmental authorisation before such activity(ies) may commence.

Applicant response: the assessment of potential Listed Activities is being assessed as a process separate from the Stellenbosch Land Use Planning By-Law process.

6. Director General: Transport Infrastructure Branch; Western Cape Government

The application received from Headland Planners on 18 February 2026 refers.

The subject property is located in the Lynedoch area and takes access off Main Road 168.

This application is for the following: Spot Rezoning of 4450 m2 GLA to General Industrial (existing winery, distillery and brewery operations from a previous Temporary Departure);

Spot Rezoning of 451 m2 to mixed use; and

Amendment of the Site Development Plan.

This Branch offers no objection to the land use application in terms of the Land Use Planning Act, No. 3 of 2014.

Applicant response: noted, no conditions need to be imposed as a condition of approval

Yours faithfully
HEADLAND

EikestadNuus Sport
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Simone van der Merwe het in Desember sewe medaljes by die wêreldkampioenskap in Mosselbaai gewen.

Simone (17) skitter!

Kampioen verower sewe medaljes

Tasmin Cupido

'n Atleet van die Hoër Meisieskool Bloemhof is vinnig besig om 'n naam vir haarself in moderne vyfkamp te maak.

Simone van der Merwe het tydens die Desember-skoolvakansie Suid-Afrika by die wêreldkampioenskap vir biathle, triathle en *laser run* in Mosselbaai verteenwoordig. Hier het die 17-jarige sewe medaljes – ses goud en een silwer – gewen en is as die 2025-meisies-wêreldkampioen in biathle en *laser run* gekroon.

Die talentvolle atleet het individuele goud in biathle en *laser run* gewen, silwer in triathle, asook goud vir *laser run*-gemengde aflos gewen. Sy was ook lid van die span wat goud vir al drie dissiplines gewen het.

"Sjoe, dis iets wat amper nie beskryf kan word nie," sê Simone oor haar emosies toe sy eerste oor die wenstreep getrap het. "Voor die tyd is 'n mens maar baie gestres en opgewerk, so toe ek nou uiteindelik oor die wenstreep gaan, het ek definitief 'n gevoel van dankbaarheid ervaar, maar tog ook verligting om te weet dat jou harde werk nie verniet was nie. En die lekkerste gevoel is om te weet dat ons God ons nooit verlaat nie en dat Hy dit oor en oor vir ons bewys.

"Dis soveel meer as 'n medalje of titel; dis iets wat ek met soveel mense deel wat hierdie pad saam met my gestap het – daar was moeilike en goeie tye. Die feit dat my afrigter, Dieter Voigt, ook daar was om dit saam met my te beleef, het ook vir my baie beteken."

Die sewe medaljes wat Simone op Santos-strand gewen het, kom nou by die 18 ander wat sy van 2018 tot 2024 by die wêreldkampioenskappe gewen het. Die matriekleerder het in 2017, as negejarige, by die Laser Run-wêreldkampioenskap in Kaapstad haar buiging gemaak. Hoewel sy nie hier op die podium geëindig het nie, is dit waar haar liefde en passie vir die multisport begin blom het.

Simone het in 2015 biathle (hardloop en swem) begin en die volgende jaar triathle (laserskiet, hardloop en swem) en *laser run* begin oefen.

"Dit was bietjie anders as die gewone swem en hardloop, of soos baie mense doen, tweekamp," sê sy oor wat aanvanklik haar belangstelling in die sportsoorte geprikkel het.

"Wat dit lekker maak, is dat dit alles aaneen is en 'n mens weet nooit wie regtig die resies gaan wen nie, wat dit baie fassinerend maak om te kyk. Die sport gee jou die geleentheid om die wêreld te verken, terwyl jy daaraan deelneem en jou land verteenwoordig. Ek het so baie lesse geleer, vriende gemaak en werklik geleer wat harde werk is."

Benewens haar prestasies in die multisportsoorte is Simone ook 'n kranige baanatleet wat veral in die 400m-hekkies en middelafstande (800m en 1 500m) uitblink. In dié sport neem sy ook ook elke jaar op nasionale vlak deel.

Sy is ook 'n provinsiale hokkiespeler wat sedert 2024 lid is van Bloemhof se eerste span asook die skool se swemspan.

As toegewyde sportvrou, akademiese uitblinker en Bloemhof-leier moet Simone haar tyd tussen haar passie, akademie en ander skoolverpligtinge verdeel, asook seker maak dat sy genoeg hersteltyd het.

Sy oefen vyf tot ses dae per week atletiek, met een of twee rusdae, swem tussendeur, "soms baie vroeg in die oggend", en besoek ook een of twee keer per week die gimnasium.

"Ek glo ek vind nog altyd 'n goeie balans tussen my akademie en sport," sê Simone. "Van kleins af het ek geweet dat daar ná skool nie baie tyd gaan wees vir huiswerk nie, so jy moet maar in die klas doen wat jy kan doen. Ek het baie geleer van dissipline tydens my sportloopbaan wat definitief 'n postitiewe rol in my lewe speel."

Wanneer sy nie op die sportveld is of agter die boeke sit nie, geniet Simone dit om tyd met haar gesin en vriende te spandeer, 'n outobiografie te lees of 'n nuwe avontuur aan te pak, want sy "sal altyd ja sê vir enige avontuur".

Sy hoop om ná graad 12 haar studies in die buiteland voort te sit en steeds aan haar geliefde sportkodes deel te neem.

NOTICE OF LAND DEVELOPMENT APPLICATION

APPLICATION FOR REZONING AND AMENDMENT OF CONDITION OF APPROVAL RELATED TO THE SITE DEVELOPMENT PLAN: REMAINDER PORTION 128 OF FARM NO 468 (WELMOED) / STELLENBOSCH DIVISION

The following land use application in terms of the Stellenbosch Land Use Planning By-law, 2023 refers:

Application Property Address: Baden Powell Drive, Stellenbosch
Application Property Number: Remainder Portion 128 of Farm No 468 (Welmoed)/ Stellenbosch Division
Applicant: Claus Mischker / Headland Planners (Pty) Ltd / claus@headland.co.za / 0837859258
Owner: Nimble Investments (Pty) Ltd
Application Reference: TP1323/2025

Description of land development proposal:

Applications are being made in terms of Section 15 (2) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 for the following:

- In terms of Section 15(2)(a) of the By-Law, the **rezoning** of ±4450m2 consisting of 3 buildings from Agriculture and Rural Zone to Industrial Zone (for a winery brewery and distillery) and the existing ±451m2 tourist facility from Agriculture and Rural Zone to Mixed Use Zone for offices.
- In terms of Section 15(2)(h) of the By-Law, the **amendment of a condition of approval** to enable the amendment and replacement of the approved site development plan.

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

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw. Written comment, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person who submits the comment in the application, may be submitted to the Applicant by electronic mail as follows: Headland Planners (Pty) Ltd (claus@headland.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 **21 March 2026.**

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 0837859258 during normal office hours.

KENNISGEWING VAN GRONDONTWIKKELINGS AANSOEK

AANSOEK OM HERSONERING EN WYSIGING VAN GOEDKEURINGSVOORWAARDES MET BETREKKING TOT DIE TERREINONTWIKKELINGSPLAN: RESTGEDEELTE 128 VAN PLAAS NR. 468 (WELMOED) / STELLENBOSCH-AFDELING

Die volgende grondgebruiksaansoek ingevolge die Stellenbosch Grondgebruikbeplanningsverordening, 2023, verwys na:

Aansoek Eiendom Adres: Baden Powell Rylaan, Stellenbosch
Aansoek Eiendom Nommer: Resterende Gedeelte 128 van Plaas Nr 468 (Welmoed)
Aansoeker: Claus Mischker / Headland Planners (Pty) Ltd / claus@headland.co.za / 0837859258
Eienaar: Nimble Investments (Pty) Ltd
Aansoek Verwysing: TP1323/2025

Besonderhede van die grondgebruiksaansoek:

Aansoeke word ingevolge Artikel 15 (2) van die Stellenbosch Munisipale Grondgebruikbeplanningsverordening, 2023, vir die volgende ingedien.

- Ingevolge Artikel 15(2)(a) van die Verordening, die **hersonering** van ±4450m2 bestaande uit 3 geboue van Landbou en Landelike Sone na Industriële Sone (vir 'n wynmakerybrouery en distilleerdery) en die bestaande ±451m2 toeristefasiliteit van Landbou en Landelike Sone na Gemengde Gebruiksone vir kantore..
- Ingevolge Artikel 15(2)(h) van die Verordening, **die wysiging van 'n voorwaarde vir goedkeuring** om die wysiging en vervanging van die goedgekeurde terreinontwikkelingsplan moontlik te maak.

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 toeganglik 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: Headland Planners (Pty) Ltd (claus@headland.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 **21 Maart 2026.**

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 voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 0837859258 gedurende normale kantoor ure.

Difficult start for Maties

The FNB UFS Shimlas drew first blood in the 2026 Varsity Cup with a thrilling 50-39 bonus-point victory over the FNB Maties at Shimla Park in Bloemfontein on Monday evening (16 February).

The high-scoring clash marked a historic moment in the tournament's history, with the first-ever powerplay (tap) tries being scored. Shimlas burst out of the blocks, racing to a commanding 21-0 lead within the first 25 minutes. Winger Kirwin du Preez, centre Wynand Botha and hooker Jaco Bezuidenhout all crossed the white-wash as the hosts stamped their authority early on.

Just minutes before half-time, the Maroon Machine clawed their way back with a second try. Instead of opting for a routine conversion, they backed themselves and went for the quick tap, which paid off handsomely as CJ Marx crashed over to score the tournament's first-ever power-play try.

Shimlas went into the break holding a slender 21-17 lead after a momentum-swinging end to the half.

Maties came out firing in the second stanza, with Christiaan van Heerden Smith and Armand Combrinck dotting down to swing the pressure to the home side. But Shimlas responded in style; the impressive lock Maynard Kleynhans showed surprising pace, beating defenders down the touchline to score in the corner.

Liam Shamburg then added his name to the scoresheet in a standout performance that earned him the Player of the Match award. Captain Bradley Giddy kept his composure under pressure, slotting two long-range kicks to stretch the lead and put the game seemingly out of reach for the five-time champions.

Maties' replacement hooker CJ Erasmus powered over on the stroke of full-time and, in another successful powerplay move, lock Zuko Poswa grabbed an additional five points to keep the scoreboard ticking, but their efforts were in vain as the hosts claimed victory.

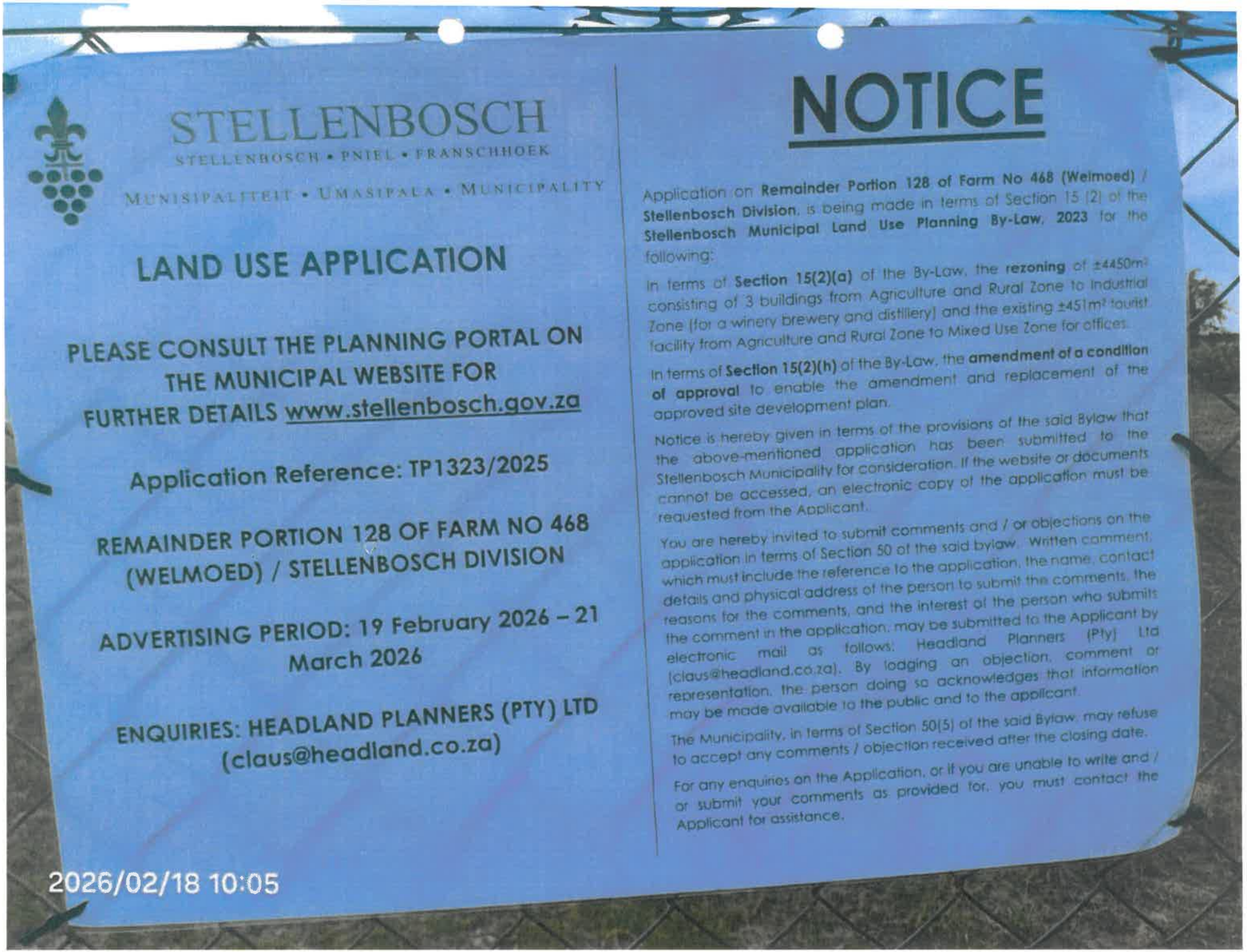

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY
LAND USE APPLICATION
PLEASE CONSULT THE PLANNING PORTAL ON THE MUNICIPAL WEBSITE FOR FURTHER DETAILS www.stellenbosch.gov.za
Application Reference: TP1323/2025
REMAINDER PORTION 128 OF FARM NO 468 (WELMOED) / STELLENBOSCH DIVISION
ADVERTISING PERIOD: 19 February 2026 – 21 March 2026
ENQUIRIES: HEADLAND PLANNERS (PTY) LTD (claus@headland.co.za)
NOTICE
Application on Remainder Portion 128 of Farm No 468 (Welmoed) / Stellenbosch Division, is being made in terms of Section 15 (2) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 for the following:
In terms of Section 15(2)(a) of the By-Law, the rezoning of ±4450m² consisting of 3 buildings from Agriculture and Rural Zone to Industrial Zone (for a winery brewery and distillery) and the existing ±451m² tourist facility from Agriculture and Rural Zone to Mixed Use Zone for offices
In terms of Section 15(2)(h) of the By-Law, the amendment of a condition of approval to enable the amendment and replacement of the approved site development plan
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. 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: Headland Planners (Pty) Ltd (claus@headland.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 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 if you are unable to write and / or submit your comments as provided for, you must contact the Applicant for assistance.
2026/02/18 10:05


2026/02/18 10:07

2026/02/18 10:06

2026/02/18 10:06


2026/02/18 10:07


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LAND USE APPLICATION
PLEASE CONSULT THE PLANNING PORTAL ON THE MUNICIPAL WEBSITE FOR FURTHER DETAILS www.stellenbosch.gov.za
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In terms of Section 15(2)(a) of the By-Law, the rezoning of ±4450m² consisting of 3 buildings from Agriculture and Rural Zone to Industrial Zone (for a winery brewery and distillery) and the existing ±451m² tourist facility from Agriculture and Rural Zone to Mixed Use Zone for offices.
In terms of Section 15(2)(h) of the By-Law, the amendment of a condition of approval to enable the amendment and replacement of the approved site development plan.
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. 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: Headland Planners (Pty) Ltd (claus@headland.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 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 if you are unable to write and / or submit your comments as provided for, you must contact the Applicant for assistance.
2026/02/18 10:05

NOTICE OF LAND DEVELOPMENT APPLICATION

Stellenbosch Ratepayers Association
PO Box 399
STELLENBOSCH
7599

Per email: info@stellenboschratepayers.org / secretary@stellenboschratepayers.org

Dear Sir / Madam

APPLICATION FOR REZONING AND AMENDMENT OF CONDITION OF APPROVAL RELATED TO THE SITE DEVELOPMENT PLAN: REMAINDER PORTION 128 OF FARM NO 468 (WELMOED) / STELLENBOSCH DIVISION

The following land use application in terms of the Stellenbosch Land Use Planning By-law, 2023 refers:

Application Property Address: Baden Powell Drive, Stellenbosch
Application Property Number: Remainder Portion 128 of Farm No 468 (Welmoed)/ Stellenbosch Division
Applicant: Claus Mischker / Headland Planners (Pty) Ltd / claus@headland.co.za / 0837859258
Owner: Nimble Investments (Pty) Ltd
Application Reference: TP1323/2025

Description of land development proposal:

Applications are being made in terms of Section 15 (2) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 for the following:

- In terms of Section 15(2)(a) of the By-Law, the **rezoning** of ±4450m² consisting of 3 buildings from Agriculture and Rural Zone to Industrial Zone (for a winery brewery and distillery) and the existing ±451m² tourist facility from Agriculture and Rural Zone to Mixed Use Zone for offices.

- In terms of Section 15(2)(h) of the By-Law, the **amendment of a condition of approval** to enable the amendment and replacement of the approved site development plan.

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

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw. Written comment, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person who submits the comment in the application, may be submitted to the Applicant by electronic mail as follows: Headland Planners (Pty) Ltd (claus@headland.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 **21 March 2026.**

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 0837859258 during normal office hours.

Yours faithfully

HEADLAND PLANNERS

KENNISGEWING VAN GRONDONTWIKKELINGS AANSOEK

Stellenbosch Ratepayers Association
Posbus 399
STELLENBOSCH
7599

Per e-pos: info@stellenboschratepayers.org / secretary@stellenboschratepayers.org

Geagte Meneer / Mevrou

AANSOEK OM HERSONERING EN WYSIGING VAN GOEDKEURINGSVOORWAARDES MET BETREKKING TOT DIE TERREINONTWIKKELINGSPLAN: RESTGEDEELTE 128 VAN PLAAS NR. 468 (WELMOED) / STELLENBOSCH-AFDELING

Die volgende grondgebruiksaansoek ingevolge die Stellenbosch Grondgebruikbeplanningsverordening, 2023, verwys na:

Aansoek Eiendom Adres: Baden Powell Rylaan, Stellenbosch
Aansoek Eiendom Nommer: Resterende Gedeelte 128 van Plaas Nr 468 (Welmoed)
Aansoeker: Claus Mischker / Headland Planners (Pty) Ltd / claus@headland.co.za / 0837859258
Eienaar: Nimble Investments (Pty) Ltd
Aansoek Verwysing: TP1323/2025

Besonderhede van die grondgebruiksaansoek:

Aansoeke word ingevolge Artikel 15 (2) van die Stellenbosch Munisipale Grondgebruikbeplanningsverordening, 2023, vir die volgende ingedien.

- Ingevolge Artikel 15(2)(a) van die Verordening, die **hersonering** van ±4450m2 bestaande uit 3 geboue van Landbou en Landelike Sone na Industriële Sone (vir 'n wynmakerybrouery en distilleerdery) en die bestaande ±451m2 toeristefasiliteit van Landbou en Landelike Sone na Gemengde Gebruiksone vir kantore..

- Ingevolge Artikel 15(2)(h) van die Verordening, **die wysiging van 'n voorwaarde vir goedkeuring** om die wysiging en vervanging van die goedgekeurde terreinontwikkelingsplan moontlik te maak.

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 toeganglik 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: Headland Planners (Pty) Ltd

(claus@headland.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 **21 Maart 2026**.

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 voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 0837859258 gedurende normale kantoor ure.

Die uwe

HEADLAND PLANNERS

Western Cape Government

Cor Van Der Walt
LandUse Management
Email: Cor.VanderWalt@westerncape.gov.za
tel: +27 21 808 5099 fax: +27 21 808 5092

OUR REFERENCE : 20/9/2/5/6/746
YOUR REFERENCE : TP 1323/2025
ENQUIRIES : Cor van der Walt

Headland Town Planners
Email: prashila@headland.co.za

Att: Prashila Patel

APPLICATION FOR REZONING AND AMENDMENT OF CONDITIONS OF APPROVAL RELATED TO THE SITE DEVELOPMENT PLAN: DIVISION STELLENBOSCH
REMAINDER OF PORTION 128 OF THE FARM NO 468

Your application of 18 February 2026 has reference.

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

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

Copy:
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Mr. CJ van der Walt
LANDUSE MANAGER: LANDUSE MANAGEMENT
2026-04-21

From: Schalk Van der Merwe <Schalk.VanderMerwe@stellenbosch.gov.za>
Sent: Wednesday, April 29, 2026 09:39
To: Nicole Katts <Nicole.Katts@stellenbosch.gov.za>
Subject: RE: LAND USE APPLICATION FOR COMMENT: FARM 468/128, STELLENBOSCH DIVISION - TP1323/2025

Nicole, hi.

Apologies for this late response. From an environmental planning point of view this department has no objection to the approval of the application.

Regards

Schalk van der Merwe

Environmental Planner

Community & Protection Services:

Stellenbosch Municipality

T: +27 21 808 8679

Plein Street, Stellenbosch, 7600

www.stellenbosch.gov.za

APPENDIX 6

Municipal Infrastructure Services Department

STELLENBOSCH MUNICIPALITY

STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	**Director: Planning + Economic Development**
Att Aandag:	**Nicole Katts**
From ▫ Van:	**Technician: Development (Infrastructure Services)**
Author ▫ Skrywer:	**Siyasanga Zweni**
Date ▫ Datum:	**03 March 2026**
Our Ref ▫ Ons Verw:	**Civil LU 3045**
Town Planning Ref:	**TP1323/2025**
Re ▫ Insake:	**Farm 468/128, Stellenbosch: The application is made in terms of Section 15 (2) of the Stellenbosch Municipal Land Use Planning Bylaw on Farm No 468/128, Stellenbosch Division for the following:1.Application in terms of Section 15 (2) (a) of the said By-law for the rezoning of ±4450m² consisting of 3 buildings from Agriculture and Rural Zone to Industrial Zone (winery, brewery and distillery) and the existing ±451m² tourist facility from Agriculture and Rural Zone to Mixed Use Zone for offices. 2. Application in terms of Section 15 (2)(h) of the said By-law for the amendment of a condition of approval to enable the amendment and replacement of the approved site development plan.**

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

1. **Civil Engineering services**

1.1 There is no municipal wastewater network available; therefore, the property owner is responsible for providing an appropriate wastewater management system.

2. Roads

2.1 Access is from a provincial road - Final comments and approval must be obtained from the Provincial Roads Engineers.

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, A final calculation will be provided prior to payment.

3.2 The appropriate DC's are payable immediately after the approval of this land use application and before the facility is put to its approved use.

3.3 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.

S.Zweni

Siyasanga Zweni
Technician: Development (Infrastructure Services)

Z:\2.0 DEVELOPMENT\01 Land Use applications\3045 (SZ) Farm 468-128 Stellenbosch (TP1323-2025)\3045 (SZ) Farm 468-128 Stellenbosch (TP1323-2025).doc

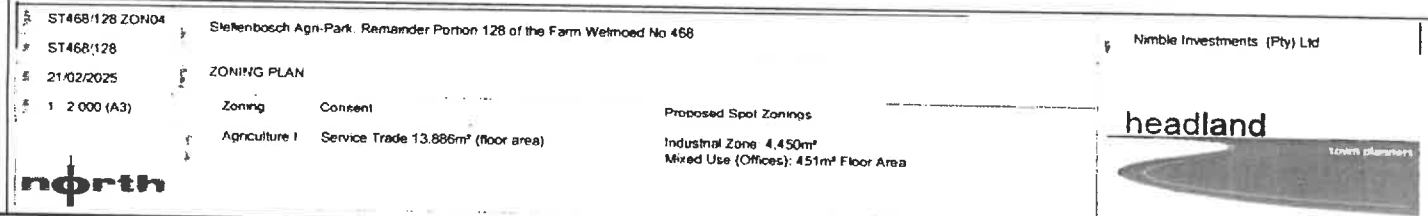
Stellenbosch Municipality

Development Charge Calculation

APPLICATION INFORMATION	
Application Number:	3045 (SZ) Farm 468-128 Stellenbosch (TP1323-2025)
Development Name:	
Date:	03 March 2026
Financial Year:	2025/2026
Erf Location (Select from 7 Locations):	Polkadraai
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.:	Farm 468/128
DC Parameters Reference:	Zoning Plan by Headland Town Planners, Dated: 21.02.2025

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:	19,604	17,1535	0,73515	0,9802	305,335		49,01	
Total Service Usage Reduction:	0	0	0	0	152,7		0	
Total Service Usage after Reduction:	19,60	17,15	0,73515	0,980	152,7		49	
Charges before adjusting for positive only, before Deductions	R 622 003,28	R -	R -	R 103 801,61	R 4 321 926,36	R 5 047 731,26	R 90 944,10	R 5 138 675,36
Charges adjusted for positive only, before Deductions	R 622 003,28	R -	R -	R 103 801,61	R 4 321 926,36	R 5 047 731,26	R 90 944,10	R 5 138 675,36
Total Deductions:	R -	R -	R -	R -	R 2 160 963,18	R 2 160 963,18	R -	R 2 160 963,18
Total Development Charges Payable (excluding VAT):	R 622 003,28	R -	R -	R 103 801,61	R 2 160 963,18	R 2 886 768,08	R 90 944,10	R 2 977 712,18
VAT:	R 93 300,49	R -	R -	R 15 570,24	R 324 144,48	R 433 015,21	R 13 641,62	R 446 656,83
Total Development Charges Payable (including VAT):	R 715 303,78	R -	R -	R 119 371,86	R 2 485 107,66	**R 3 319 783,29**	R 104 585,72	**R 3 424 369,01**

APPLICANT INFORMATION	
Application Processed by:	Siyasanga Zweni
Signature:	S.Zweni
Notes:	

Polkadraai

	Land Use Category	Unit Type	Existing Usage			Proposed New Usage			Increased Usage	Development Charge Levied (excl VAT)								
	Description	Unit	Area (m2)	Unit Amount	Result	Area (m2)	Unit Amount	Result	Amount	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Total
										Yes	No	No	Yes	Yes		Yes	
Residential	Single Residential >1000m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Single Residential >500m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Single Residential >250m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Single Residential <250m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Second Dwelling	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Less Formal Residential	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Group Residential	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Apartments	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Retirement Village	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Old age home	du							0	R -	R -	R -	R -	R -	R -	R -	R -
Accommodati	Student Accommodation/Commune/Hostels	rooms							0	R -	R -	R -	R -	R -	R -	R -	R -
	Guest House	rooms							0	R -	R -	R -	R -	R -	R -	R -	R -
	Hotel, Residential	rooms							0	R -	R -	R -	R -	R -	R -	R -	R -
Commercial	General Business	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Office	m2 GLA					451		451	R 57 238,01	R -	R -	R 9 552,04	R 429 854,70	R 496 644,75	R 8 368,86	R 505 013,61
	Retail/Shop	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Restaurant	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Outdoor Function / Picnic Area	persons							0	R -	R -	R -	R -	R -	R -	R -	R -
	Farm Market	stall							0	R -	R -	R -	R -	R -	R -	R -	R -
	Conference Facility/Place of assembly	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Hospital/Clinic/Medical Rooms	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	University/College	student							0	R -	R -	R -	R -	R -	R -	R -	R -
	School/Day Care	student							0	R -	R -	R -	R -	R -	R -	R -	R -
Industrial	Industrial - light	m2 GLA					4450		4450	R 564 765,28	R -	R -	R 94 249,58	R 3 892 071,66	R 4 551 086,51	R 82 575,24	R 4 633 661,75
	Industrial - heavy	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Warehousing/Light Manufacturing	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Storage Facilities	unit							0	R -	R -	R -	R -	R -	R -	R -	R -
Non demand	Open Space/Natural Environment/Utility Site	ha							0	R -	R -	R -	R -	R -	R -	R -	R -
	Roads and Parking	ha							0,0000	R -	R -	R -	R -	R -	R -	R -	R -
Other	To be calculated	n/a							0,0000	R -	R -	R -	R -	R -	R -	R -	R -
	(Based on equivalent demands)	n/a							0	R -	R -	R -	R -	R -	R -	R -	R -
		Total Area:	0		Total Area:	0											

	Charges before adjusting for positive only, before Deductions	R 622 003,28	R -	R -	R 103 801,61	R 4 321 926,36	R 5 047 731,26	R 90 944,10	R 5 138 675,36
Deduct	Charges adjusted for positive only, before Deductions	R 622 003,28	R -	R -	R 103 801,61	R 4 321 926,36	R 5 047 731,26	R 90 944,10	R 5 138 675,36
	Deductions per service (from usage reductions)	R -	R -	R -	R -	R 2 160 963,18	R 2 160 963,18	R -	R 2 160 963,18
	Discount Deduction (%) Percentage: 0,00%	R -	R -	R -	R -	R -	R -	R -	R -
	Additional Deduction per service - from Service Agreement (sum)	R -		R -	R -	R -	R -	R -	R -
Totals	Sub Total after Ajustments and Deductions (excluding VAT)	R 622 003,28	R -	R -	R 103 801,61	R 2 160 963,18	R 2 886 768,08	R 90 944,10	R 2 977 712,18
	VAT	R 93 300,49	R -	R -	R 15 570,24	R 324 144,48	R 433 015,21	R 13 641,62	R 446 656,83
	Total Development Charges	R 715 303,78	R -	R -	R 119 371,86	R 2 485 107,66	R 3 319 783,29	R 104 585,72	R 3 424 369,01



ST468/128 ZON04	
ST468/128	
21/02/2025	
1 : 2 000 (A3)	

north

Stellenbosch Agri-Park Remainder Portion 128 of the Farm Welmoed No 468

ZONING PLAN

Zoning	Consent	Proposed Spot Zonings
Agriculture I	Service Trade 13,886m² (floor area)	Industrial Zone: 4,450m² Mixed Use (Offices): 451m² Floor Area

Nimble Investments (Pty) Ltd

headland
town planners

APPENDIX 7

Municipal Spatial Planning Department comment.

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

To	:	**Manager: Land Use Planning**
From	:	**Manager Spatial Planning**
Reference	:	**Spatial Planning - Spatial Planning Assessment Memo**
Date	:	**13 March 2026**
Land Use/TPAMS no	:	**TP1323/2025**

FILE NR: OUTGOING POST
SCAN NR: F468/128 S
8025582

Dear Colleagues,

The Spatial Planning Office has conducted a comprehensive assessment of the above application against the Municipal Spatial Development Framework (MSDF, 2023), relevant spatial policies, and the requirements of Sections 38 and 65 of the Stellenbosch Land Use Planning By-law (2023).

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELPOMENT SERVICES
17 MAR 2026
RECEIVED

This memorandum refers to the following application:

Application Reference:	TP1323/2025
Applicant:	Handland Planners
Property:	Farm 468/128, Stellenbosch Farms
Application/s Description:	– Rezoning of land. – Amendment, deletion or imposition of conditions in respect of on existing approval.
Preliminary Assessment Additional Requirements:	None.

1. BACKGROUND AND CONTEXT

Remainder Portion 128 of Farm Welmoed 468, also known as the Stellenbosch Agri Park, is located just outside Lynedoch with access from Baden Powell Drive (R310). The property lies outside the urban edge and forms part of the Stellenbosch Farms area, which is currently undergoing significant transformation driven by increasing industrialisation a trend that conflicts with the intended rural role and long-term vision for the area. The broader landscape is characterised by large-scale agri-industrial buildings, shipping containers, polytunnels, various tourist-oriented facilities, and the Eerste River greenbelt situated on the eastern boundary.

The 11.05ha property is currently used for large-scale agri-industrial activities. The application proposes the rezoning of a 4 450m² building from Agriculture and Rural Zone to Industrial Zone to accommodate a winery, brewery, and distillery, as well as the rezoning of a 465m² building to Mixed-Use Zone to accommodate office uses. The site also falls within the Rural Scenic Route Overlay Zone, which, although partially eroded in places, remains an area of exceptionally high historical significance. In line with this, the Municipal Spatial Development Framework (MSDF) does not assign a specific spatial designation to rural areas outside the urban edge, emphasising instead the importance of conserving the agricultural and rural qualities of the landscape and preventing inappropriate forms of development.

2. ENVIRONMENTAL AND AGRICULTURAL CONSIDERATIONS

MSDF Principle 1 emphasises safeguarding natural systems, biodiversity assets, watercourses, and agricultural land, while directing urban growth inward toward already-established areas.

Farm 468/128 contains conservation-worthy natural remnants that form part of a broader landscape-scale ecological network. The Eerste River and Jonkershoek River form the eastern boundary of the property, providing critical hydrological connectivity within this ecological system. The site also includes irreplaceable aquatic and terrestrial Critical Biodiversity Area 1 (CBA1) habitat associated with South Western Coastal Belt Permanent Lower Foothill and Swartland Granite Renosterveld vegetation. These features significantly elevate the site's environmental sensitivity and underline the need to avoid further disturbance, fragmentation, or loss of ecological function. Although the current application does not propose any new buildings or the expansion of the development footprint and therefore has minimal to no direct impact on habitat preservation, the long-term land-use implications remain a concern in terms of ecological connectivity.

The property is situated within a predominantly cultivated agricultural landscape, yet no bona fide agricultural activity is currently practiced. Instead, the land contains various ancillary uses, including service trade activities, agri-industrial operations, and tourist facilities that support neighbouring wine-grape and olive cultivation as part of a broader high-value agricultural region. The Stellenbosch Environmental Management Framework (EMF) identifies the property primarily for extensive agricultural purposes under the Agriculture Spatial Planning Category (SPC). The SPC sets out key principles aimed at safeguarding productive agricultural landscapes by:

- Promoting consolidation of farming areas and preventing fragmentation;
- Supporting land and agrarian reform;
- Enhancing the viability of farming through diversification of farm economies; and
- Encouraging enterprise opportunities within the food system alongside sustainable farming practices.

The proposed rezoning introduces high-intensity, non-agricultural land uses into an Agricultural and Rural Zone context, placing it in direct conflict with the intended role of both the property and its immediate surroundings. The permanent inclusion of non-agricultural uses shifts the focus away from bona fide agricultural production and risks establishing an undesirable precedent. Such rezoning may contribute to the unplanned fragmentation of productive agricultural land rather than safeguarding the rural agricultural landscape.

Although certain proposed uses could be considered subservient to primary agricultural activities, the farm no longer practices bona fide agriculture, nor is it notarial tied to any agricultural unit. As such, it is highly unlikely that the property will continue to function as a productive agricultural unit. Instead, it risks transforming into a large-scale industrial enclave, contrary to municipal and provincial policy directives that discourage the fragmentation and erosion of high-value agricultural landscapes.

3. CULTURAL HERITAGE AND SCENIC VALUE

MSDF Principle 2 emphasises the protection, enhancement, and celebration of cultural landscapes, heritage assets, and scenic environments. Farm 468/128 is located within the Rural Scenic Route Overlay Zone (RSR) along Baden Powell Drive (R310), forming part of a landscape unit of exceptionally high historic significance associated with the Eerste River Floodplain Area. Baden Powell Drive functions as a prominent gateway into Stellenbosch, particularly for travellers approaching from the Eerste River side toward the town, reinforcing the scenic and symbolic value of the corridor.

This landscape unit forms part of an early settlement pattern characterised by historic freehold land grants along the Eerste River. However, the sense of place historically associated with Farm Welmoed has been substantially transformed over time. The introduction of large agri-industrial sheds and subdivisions has progressively eroded the rural agricultural continuum and diminished the cultural and historic character of the area. The subject property is now dominated by visually intrusive structures that detract from the integrity of the landscape and its traditional rural form.

The purpose of the Scenic Route Overlay Zone is to protect, conserve, and enhance the visual environment and scenic resources adjacent to key tourist routes that contribute to the unique sense of place experienced by residents and visitors. Permanently upscaling land-use rights within this highly sensitive landscape poses a significant risk by facilitating the proliferation of non-agricultural, visually intrusive uses. Such a shift would further compromise the rural visual quality of the scenic route and undermine the cultural heritage values that the overlay zone is explicitly intended to safeguard.

4. SETTLEMENT INTEGRATION AND HIERARCHY

The MSDF Principle 4 emphasises maintaining the established roles and character of settlements while enabling targeted and context-appropriate growth. Within this hierarchy, the Stellenbosch Farms area is designated as a rural environment, intended primarily to support agricultural activity. These rural areas are recognised as having unfavourable development conditions and a maintenance-focused functional role, rather than being earmarked for substantial expansion or intensification.

Although Farm 468/128 has been significantly altered over time and presently accommodates agri-industrial operations, it still forms part of the wider active, intensive agricultural landscape. The MSDF acknowledges that settlements inevitably evolve and require selective forms of change to improve livelihoods and convenience for residents. However, it also makes clear that not all settlements are appropriate locations for substantial growth, and that rural areas in particular are not intended to absorb high-intensity development.

The intended role of the Stellenbosch Agri Park is to support diversification of farm income and enhance agricultural productivity through low-intensity, agriculturally aligned land uses as provided for in the zoning scheme. The existing pattern of large-scale agri-industrial structures along this scenic route already represents a deviation from the intended rural character, and further intensification would reinforce an undesirable precedent.

The proposed rezoning, which seeks to increase the scale and intensity of non-agricultural development rights, is therefore misaligned with the intended function of this small rural settlement. Such upscaled uses are more appropriately located within urban areas, where supporting infrastructure, compatible land-use patterns, and spatial policy frameworks allow for such intensification. In contrast, approving higher-intensity uses in this rural setting would undermine the settlement hierarchy, dilute the agricultural role of the area, and contradict the MSDF's vision for the long-term management of rural landscapes.

5. COMMUNITY DEVELOPMENT AND SOCIAL INTEGRATION

The MSDF emphasises the creation of compact and well-structured development that promote inclusive, equitable, and socially cohesive communities by improving access to housing, social services, and economic opportunities.

The surrounding area is characterised by intensive viticulture and large vineyard farming units that continue to function predominantly as productive agricultural landscapes. Within such contexts, low-intensity ancillary uses can be introduced, preferably within existing disturbed footprints or existing structures where they support, rather than undermine, the agricultural landscape. These forms of land use are considered compatible because they reinforce agriculture as the dominant function, diversify farm income moderately, and do so without compromising scenic, cultural, or heritage qualities that define the area.

Conversely, the current proposal introduces high-intensity land-use zones, marking a significant departure from the established rural-agricultural character. Such intensification risks shifting this portion of the landscape toward a medium-density commercial farming enclave, thereby unnecessarily eroding agricultural land and undermining the integrity of the broader viticultural environment. These changes could disrupt long-standing community relationships with the land and shared rural spaces, set undesirable precedents for further non-agricultural development, and incrementally increase pressure for additional land-use changes inconsistent with rural character.

Moreover, higher-intensity development is likely to introduce increased traffic volumes, greater visual intrusion, and potential displacement pressures on farmworker communities each of which contradicts the MSDF's objective of nurturing socially integrated, contextually appropriate, and sustainable rural environments. Rather than enhancing community well-being, the proposal risks introducing social and spatial stresses incompatible with the established rural settlement pattern.

6. POLICY ALIGNMENT SUMMARY

6.1. MSDF Compliance

The subject property is located within an agrarian area forming part of the wider network of Stellenbosch's small rural settlements. In line with its strategic rural vision, the Municipal Spatial Development Framework (MSDF) is explicit in its intent to maintain these areas in their predominantly agricultural form, without supporting further high-intensity development. The MSDF prioritises:

- the continuation of bona fide agricultural activities,
- low-impact, agriculturally aligned economic uses that diversify farm incomes without altering rural character, and
- tourism-related functions that remain subservient to the landscape's primary agricultural role.

The MSDF encourages densification and compact growth within the core of Stellenbosch Town, such development must remain context-sensitive, protecting the municipality's established settlement structure, rural setting, and heritage character. This policy direction reinforces that these small rural settlements, particularly this landscape unit are not intended to function as Commercial Farming or rural industrial nodes. Existing activities on the site do not alter this policy intent, nor do they justify the introduction of higher-intensity, permanent non-agricultural rights.

Overall, the proposed rezoning demonstrates limited alignment with key MSDF principles, particularly those relating to rural landscape preservation, agricultural continuity, settlement hierarchy, and context-appropriate growth.

MSDF Principles	**Proposal Compliance**
1. Preservation of Agriculture, Water, Biodiversity resources	– Introduces high-intensity, non-agricultural land uses incompatible with the rural/agricultural character of the area. – Promotes urban sprawl along a sensitive rural–urban interface, contrary to the MSDF's inward-growth objectives. – The property is mapped for extensive agricultural use under the EMF and MSDF, yet bona fide agricultural production has ceased, and the site is dominated by ancillary industrial activities. – Rezoning would permanently remove agricultural potential and fragment the productive rural landscape, contrary to MSDF agricultural-preservation directives. – The site contains CBA1 ecological resources, where disturbance should be avoided; rezoning increases long-term risk of future expansions incompatible with ecological sensitivity. – Industrial and mixed-use zoning risks increased water demand, effluent generation, and greater imperviousness, undermining ecosystem services and the Eerste River hydrological corridor.
2. Heritage and Scenic Landscape Protection	– The Stellenbosch Agri Park already contains oversized industrial structures that have eroded a highly sensitive agricultural and heritage landscape, establishing an undesirable precedent. – Further intensification conflicts with the graded cultural landscape units. – The proposed rezoning risks proliferation of large-scale, visually intrusive, non-agricultural uses along a prominent scenic gateway into Stellenbosch (Baden Powell Drive/R310). – Industrial-type activities introduce massing, traffic, lighting, and signage incompatible with the Scenic Route Overlay Zone's objective to protect view corridors and rural character.
3. Optimal Land Use and Settlement Hierarchy	– Introduces land uses inconsistent with the prevailing agrarian function and the MSDF's designation of the area as a rural maintenance zone.

	– Shifts the area toward a medium-density commercial farming node, contrary to MSDF guidance that small rural settlements accommodate only low-impact, agriculturally aligned uses. – Creates pressure for incremental urbanisation outside the urban edge, undermining the settlement hierarchy and efficient spatial structure. – Industrial and mixed-use zones rely on infrastructure typically associated with urban nodes; locating them here constitutes spatial inefficiency and misaligned investment. – Establishes a strong precedent for future non-agricultural, high-intensity development, eroding spatial discipline and weakening rural–urban edge management. – The proposal does not align with MSDF principles regarding orderly development, strategic infrastructure use, or polycentric settlement logic.
4. Community development	- Risks weakening social cohesion by eroding rural community identity, transforming agricultural landscapes into industrial-type enclaves. - May place displacement pressure on farm-associated communities through increased commercial activity and rising land values. - Increases potential for public and visual nuisance due to higher activity levels, visitor traffic, loading, deliveries, and visual clutter from industrial operations. - Undermines the MSDF's aim of fostering context-appropriate rural communities by introducing land-use intensities that do not support rural livelihoods. - Could exacerbate traffic safety risks along a scenic route used by pedestrians, cyclists, and farm vehicles. - Shifts economic activity toward non-agricultural, externally driven uses, weakening local social networks built around agricultural labour and production.

6.2. By-law Compliance

The property is currently zoned Agriculture and Rural Zone, which prioritises bona fide agricultural production and low-intensity, agriculturally aligned ancillary activities. In addition to the base zoning, the subject property is under the provisions of the provisions of the Rural Scenic Routes (Baden Powell Drive/R310–RSR5) imposing stricter controls on building scale, land-use intensity, visual impact, and landscape compatibility. By introducing permanent industrial and mixed-use rights into a rural agricultural zone, the proposal conflicts with:

- the intent of the agricultural base zoning,
- the protective provisions of the Rural Scenic Route Overlay Zone,
- the by-law's restrictions against incompatible land-use intensification, and
- the obligations to uphold coherent, context-appropriate rural development.

Given the site's environmental sensitivity, scenic value, rural zoning, and location outside the urban edge, the proposed rezoning conflicts with the criteria in Section 65 of the Stellenbosch Municipal Planning By-law on principles of orderly development, public benefit, and long-term spatial coherence.

6.3. Policy Frameworks Compliance

Based on the 2018 Heritage Survey's objectives, landscape classifications, scenic route protections, and cultural landscape management guidelines, emphasise the preservation of:

- rural agricultural landscapes,
- high-significance heritage units,
- scenic gateway routes, and
- context-appropriate development aligned with the historic continuum.

However, the proposed introduction of General Industrial and Mixed-Use zoning within this sensitive heritage landscape is incompatible with these objectives, as it:

- introduces development intensity not characteristic of the heritage landscape unit;
- erodes rural landscape continuity central to heritage significance; and
- risks precedent-setting erosion of the scenic and cultural value along the R310 corridor.

7. SPATIAL PLANNING RECOMMENDATION

Based on the comprehensive spatial assessment outlined above, the Spatial Planning Office **does not support** the proposed spot rezoning of Farm 468/128 from Agricultural and Rural Zone to Industrial (4450m² building) and Mixed-Use Zone (465m² building). The proposal conflicts with key principles of the Municipal Spatial Development Framework principles and fails to comply with the general spatial criteria set out in Sections 38 and 65 of the Stellenbosch Land Use Planning By-law (2023).

Key Reasons for Non-Support:

- Introduces high-intensity, non-agricultural uses inconsistent with rural/agricultural character and MSDF agricultural-protection objectives and promotes urban sprawl.
- The permanent upscaling of development rights in an agrarian landscape risks long-term loss of agricultural potential and fragmentation of high-value agricultural land
- The proposal will create a precedent for incremental urbanisation outside the urban edge, risking the proliferation of large-scale non-agricultural uses along a major heritage gateway route (Baden Powell/R310).
- The area is designated a rural maintenance area under the MSDF, not intended to function as an industrial/commercial node.
- The proposed zoning undermines the rural settlement hierarchy, which permits only low-impact, agriculturally linked activities.
- Industrial and Mixed-Use zones are incompatible with the Agriculture and Rural Zone's purpose and intent and further violates the intent of the Rural Scenic Route Overlay Zone to protect rural landscapes.
- The area already shows erosion from industrial structures; rezoning would entrench a large industrial enclave in a rural landscape.
- Sets a dangerous precedent for further high-intensity development along a protected scenic corridor.
- Increased commercial activity creates visual, traffic, and noise intrusions inconsistent with rural settlement character.

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8. CONCLUSION

The assessment identifies significant concerns relating to settlement integration, heritage character, and the functional role and priority for small rural settlements to accommodate non-agricultural activities. The proposed rezoning is inconsistent with the Municipal Spatial Development Framework (MSDF) and the Stellenbosch Land Use Planning By-law (2023) and broader spatial planning principles intended to safeguard agrarian landscapes and historic precincts.

Therefore, the Spatial Planning Section recommends refusal of the application.

Bernabé da la Bat (Manager: Spatial Planning)
Date: 13/02/2026

APPENDIX 8

Westerns Cape Government; Department of Infrastructure, Chief Directorate: Roads Planning.

Western Cape Government

Department of Infrastructure
Vanessa Stoffels
Chief Directorate: Road Planning
Vanessa.Stoffels@westerncape.gov.za | Tel: 021 483 4669

Ref: DOI/CFS/RN/LU/REZ/SUB-25/324 (Application No: 2026-04-0013)

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Attention: Mr P April

Dear Sir

PORTION 128 OF FARM NO. 468, STELLENBOSCH: MAIN ROAD 168: APPLICATION FOR REZONING AND AMENDMENT OF CONDITION OF APPROVAL

1. The application received from Headland Planners on 18 February 2026 refers.

2. The subject property is located in the Lynedoch area and takes access off Main Road 168.

3. This application is for the following:

3.1. Spot Rezoning of 4450 m² GLA to General Industrial (existing winery, distillery and brewery operations from a previous Temporary Departure);

3.2. Spot Rezoning of 451 m² to mixed use; and

3.3. Amendment of the Site Development Plan.

4. This Branch offers no objection to the land use application in terms of the Land Use Planning Act, No. 3 of 2014.

Yours Sincerely

DD FORTUIN
***For* DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE BRANCH**
DATE: 13 MAY 2026

ENDORSEMENTS

1. Stellenbosch Municipality

   Attention: Mr P April (pedro.april@stellenbosch.gov.za)

2. Applicant: Headland Planners

   Attention: Ms P Patel (e-mail: prashila@headland.co.za)

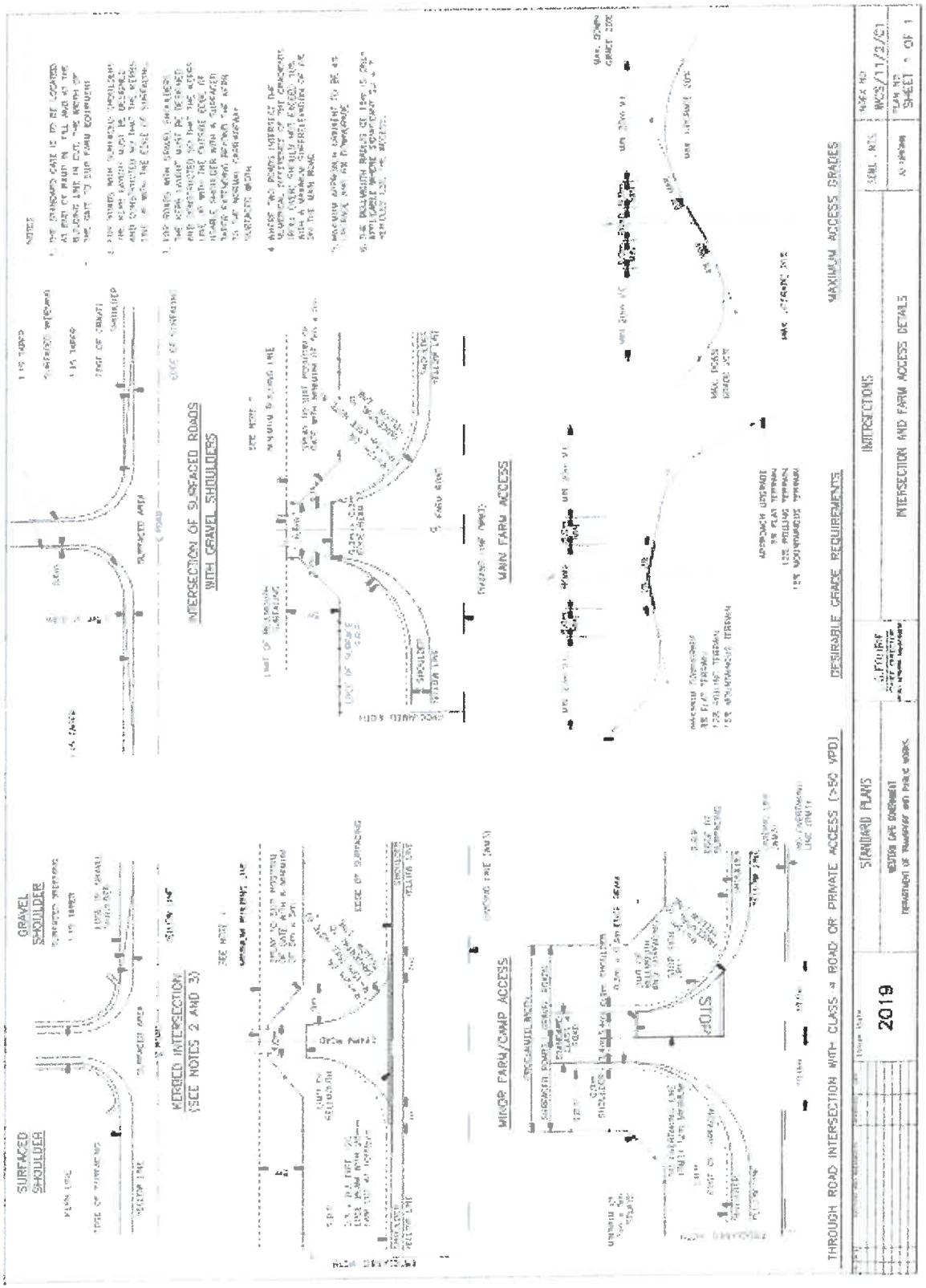
3. District Roads Engineer Paarl

   (email: DREPaarl.Technical@westerncape.gov.za)

4. Mr R Arendse (e-mail)

5. Mr F Fakier

6. Mr D Fortuin (e-mail)


SURFACED SHOULDER
GRAVEL SHOULDER
KERBED INTERSECTION
(SEE NOTES 2 AND 3)
INTERSECTION OF SURFACED ROADS
WITH GRAVEL SHOULDERS
MINOR FARM/CAMP ACCESS
MAIN FARM ACCESS
STOP
THROUGH ROAD INTERSECTION WITH CLASS 4 ROAD OR PRIVATE ACCESS (>50 VPD)
DESIRABLE GRADE REQUIREMENTS
MAXIMUM ACCESS GRADES
INTERSECTIONS
INTERSECTION AND FARM ACCESS DETAILS
STANDARD PLANS
2019
WC3/11/2/61

APPENDIX 9

Western Cape Government: Department of Environmental Affairs and Development Planning: Development Management (Region 2) Planning.

Western Cape Government

Department of Environmental Affairs and Development Planning
Helene Janser
Directorate: Development Management (Region 2)
Helene.Janser@westerncape.gov.za | Tel: 084 585 2000

Headland Planners
Firgrove Business Park
3 Quantum Road
SOMERSET WEST
7130

OUTGOING POST
FILING: f 468/128 S
LOAN NR:
COLLABORATOR NR: 8022447

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELPOMENT SERVICES
09 MAR 2026
RECEIVED

FOR ATTENTION: PRASHILA ZAVERY

REQUEST FOR PROVINCIAL LAND USE PLANNING COMMENT: PORTION 128 OF FARM NO. 468, STELLENBOSCH DIVISION

1. Your request for comment dated 18 February 2026 has reference.

2. Application is being made in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 for the following:

   - The **rezoning** of ±4 450m² comprising 3 buildings from Agriculture and Rural Zone (with consent for service trade for agricultural warehousing, packaging, repairs, agricultural research facilities and ancillary sales outlets) to Industrial Zone (for a winery, brewery and distillery) and the existing ±451m² manor house (current tourist facility) from Agriculture and Rural Zone to Mixed Use Zone (offices only).
   - The **amendment of a condition of approval** to enable the amendment and replacement of the approved site development plan.

3. In assessing the proposal, due regard has been given to the Western Cape Land Use Planning Guidelines for Rural Areas, which promote the protection of agricultural land and require that non-agricultural uses remain secondary and subordinate to the primary farming function.

4. The proposed spot rezoning of 4,450m² in three buildings from Agricultural and Rural with service trade consents to Industrial for wineries, breweries, and distilleries warrants a cautionary approach. This proposal represents a permanent shift from the original intent of the Agri-Park as a hub for low-impact, agriculture-supportive activities (warehousing, packaging, repairs, research facilities, and ancillary sales outlets) to more intensive processing and manufacturing uses. Formalising these uses via rezoning could fundamentally alter the park's nature, potentially introducing urban-industrial elements into a rural context.

5. The park's current role as a rural economic hub for agriculture-support services could shift to a more manufacturing-oriented node, attracting unrelated industrial tenants or expansions. This risks transforming the site from a complementary agricultural facility to a standalone industrial area, contrary to the Guidelines' emphasis on maintaining rural character and preventing urban sprawl (Section 6.1, Principles: "The cumulative effect of all ancillary and non-agricultural land uses should not detract from the rural character of the landscape and the primary agricultural activities").

6. A general Industrial zoning typically permits a wider range of uses (e.g., processing, bottling, distribution) that may exceed the service trade definition's limits (max 10 employees, non-noxious). This could introduce noise, odors, waste, or traffic incompatible with the park's approved low-key operations, altering its identity as an "agri-park" and setting a precedent for further non-agricultural intrusions.

7. The proposal for the mixed-use rezoning (451m² offices in the manor house) is also regarded as problematic. Offices are not inherently rural/agri-supportive and lean toward urban uses. In terms of the Guidelines, rural businesses must be "place-bound" (ancillary to agriculture, serving rural communities, or tied to tourism) and located on farms only if they complement operations. Non-place-bound businesses - like general offices not linked to agri-processing or rural services - should be sited in urban areas.



Digitally signed by Kobus Munro
Date: 2026.03.04 16:23:27 +02'00'

DIRECTOR DEVELOPMENT MANAGEMENT - REGION 2

APPENDIX 10

Western Cape Government: Department of Environmental Affairs and Development Planning: Development Management (Region 2) Environment

Western Cape Government

Department of Environmental Affairs and Development Planning
Ntanganedzeni Mabasa
Directorate: Development Management, Region 1
Ntanganedzeni.Mabasa@westerncape.gov.za | Tel: 021 483 2803

REFERENCE: 16/3/3/6/B4/45/1066/26
DATE: **23 March 2026**

The Board of Directors
Headland Planners (Pty) Ltd
9 Highlands Close
EDGEMEAD
7441

Attention: Ms Prashila Zavery

Email: prashila@headland.co.za
clause@headland.co.za

Dear Madam

THE APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) TO THE PROPOSED REZONING AND AMENDMENT OF A CONDITION OF APPROVAL TO THE SITE DEVELOPMENT PLAN ON REMAINDER OF PORTION 128 OF FARM NO. 468, WELMOED, STELLENBOSCH.

1. The electronic copy of the abovementioned document, as received by the Directorate: Development Management (Region 1) ("this Directorate") on 18 February 2026, refers.

2. This letter serves as an acknowledgement of receipt of the correspondence by this Directorate.

3. According to the information contained in the correspondence, this Directorate notes the proposal entails the following:
   - 3.1 The rezoning of approximately 4450m² consisting of 3 buildings from Agriculture and Rural Zone to Industrial Zone (for a winery, brewery and distillery) and the existing approximately 451m² tourist facility from Agriculture and Rural Zone to Mixed Use Zone for offices.
   - 3.2 The amendment of a condition of approval to enable the amendment and replacement of the approved site development plan
   - 3.3 The amendment does not cause any change to the plan, apart from describing the four buildings differently. Other than changing the tourist facility use to office use, the winery, brewery and distillery uses within the three buildings are to be converted from temporary rights to permanent rights.
   - 3.4 Based on the available mapping resources, the site is mapped to contain Swartland Granite Renosterveld vegetation, which is classified as an endangered vegetation type. A watercourse is mapped on the eastern side of the site.
   - 3.5 The site is located outside the urban area of Stellenbosch.

4. Your attention is drawn to the listed activities in terms of the NEMA EIA Regulations, 2014 (as amended) as defined in Listing Notices ("LN") 1, 2 & 3 of 7 April 2017. Too little information was provided to definitively confirm the applicability of the of the EIA Regulations, 2014 (as amended) to the proposal, as described above.

It is noted that the rezoning of approximately 4450m² consisting of three buildings from Agriculture and Rural Zone to Industrial Zone (for a winery, brewery and distillery) is to convert temporary land use rights to permanent land use rights. Confirmation is required of the date when the winery, brewery and distillery were established in the three existing buildings. The requested information will assist in determining whether the development on the said site trigger / triggered any listed activity(ies) as defined terms of Listing Notice 1, 2 & 3 requiring environmental authorisation before such activity(ies) may commence.

5. This Directorate reserves the right to revise its comments and request further information from you based on any new or revised information received.

Yours faithfully

Digitally signed by Andrea Thomas
Date: 2026.03.23 14:36:41 +02'00'

ppHEAD OF COMPONENT
DIRECTORATE: DEVELOPMENT PLANNING (REGION 1)
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

APPENDIX 11

Site photos


STELLENBOSCH AGRI-PARK
B1 AMORIM CORK SA
A1 FULVICARE/FULVIMED
C1 CT CONVERT
D1 VERVE WATER
F1 ARAMEX
D2 SITTING PRETTY
F2 AG AVIATION FLIGHT ACADEMY
E1 THOCLOR LABS
F3 ERIKA OBERMEYER WINES
E2 ESP
G1 CRAVEN WINES
H1 BECK FAMILY ESTATES
G3 AG AVIATION AFRICA
G4
J1 DERMASTORE
K1 NICHOLAS PLEWMAN ARCHITECTS

K
F1 ARAMEX
F3 ERIKA OBERMEYER WINES
G1 CRAVEN WINES
G3 AG AVIATION AFRICA
G4 AG AVIATION AFRICA
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aramex
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dramex
ISUZU

Fulvimad


DERMASTONE

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

APPLICATION FOR REZONING OF A PORTION OF ERF 16400, STELLENBOSCH, FROM AGRICULTURAL AND RURAL ZONE TO MULTI-UNIT RESIDENTIAL ZONE TO PERMIT FLATS, WITH ANCILLARY COMMUNAL FACILITIES WITHIN THE EXISTING BUILDINGS FOOTPRINT.

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STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT
DEVELOPMENT MANAGEMENT: LAND USE MANAGEMENT

PLANNING REPORT ON APPLICATION IN TERMS OF SECTION 15(2) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW

APPLICATION DETAILS: REZONING OF A PORTION OF ERF 16400, STELLENBOSCH, FROM AGRICULTURAL AND RURAL ZONE TO MULTI-UNIT RESIDENTIAL ZONE TO PERMIT FLATS, WITH ANCILLARY COMMUNAL FACILITIES WITHIN THE EXISTING BUILDINGS FOOTPRINT.

Application Reference	TP1258/2025	**Commencement Date**	05/08/2025
Applicant	Emile van der Merwe Town Planning Consultants	**Last day for comments or additional information**	11/09/2026
Erf	16400	**Place**	Stellenbosch
Zoning	Agriculture & Rural Zone- Multi Residential Zone	**Other approvals**	None

X	TYPE OF APPLICATION
X	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

NATURE AND SCOPE OF PROPOSED LAND USE APPLICATION

Erf 16400 (formerly Portion 5 of Farm 490), known as Jonker Estate (previously African Valley), is situated east of Stellenbosch, south-east of Ida's Valley, with access via a shared servitude from Helshoogte Road (R310). The property occupies an urban–rural transitional area adjoining Botmaskop Estate and Nature Reserve, characterised by low- to medium-density residential estates interspersed with agricultural and rural land.

The 6.2731 ha property comprises approximately 2.13ha of vineyards, four buildings totalling approximately 3079m², on-site parking and approximately 1.93ha allocated for road purposes along Helshoogte Road.

The property falls within the Stellenbosch urban edge, the Jonkershoek Landscape Character Area (Grade IIIb), and the Helshoogte Road Rural Scenic Route Overlay Zone, reflecting its scenic and visual sensitivity.

Municipal records indicate spot zoning, including 1 068 m² approved in 2005 under Residential Zone V (Resorts) in terms of LUPO, accommodating a 12-room tourist establishment with associated reception, dining, lounge, kitchen and laundry facilities.

In 2014, approval was granted for an amendment to the Site Development Plan to accommodate approximately 310 m² of additional guest suite accommodation and 55 parking bays; consent use to convert the existing agricultural building into a tourist facility comprising a ±100 m² wine-tasting area and a ground-floor conference facility accommodating up to 60 people; with a temporary departures for a ±240 m² guest spa on the lower ground floor of the agricultural building and a restaurant with seating for approximately 120 members of the public within the approved guest-house dining hall.

Following the adoption of the Stellenbosch Municipality Zoning Scheme By-Law in 2019, the Residential Zone V portion of the property was converted to Multi-Unit Residential Zone, with previously approved consent uses being recognized as deemed consent uses, due to the fact that the property was now located within the urban edge of Stellenbosch town. The property therefore currently is comprised of 1068m², zoned Multi-Unit Residential Zone, with a consent for a 12-bedroom tourist accommodation establishment with the remaining 6.1663 ha zoned Agricultural and Rural Zone

The application is for the rezoning of a portion of the property to convert the agricultural buildings which hosted the temporary departure uses and wine tasting and conference facilities for residential purposes. The initial application was for the rezoning of a portion of the property to develop 28 residential units but was amended to comply with the Inclusionary Housing policy of Council.

The amended application still seeks to rezone approximately 2193m² associated with the existing two-storey agricultural building (Building 3) from Agricultural and Rural Zone to Multi-Unit Residential Zone to accommodate residential units with communal and ancillary facilities exclusively for the residents of the property.

The ancillary facilities comprise 359m² of boardrooms, workspace, a gym, coffee shop/lounge and laundry facilities. The proposal also includes on-site parking bays for the residents of the development.

Should the proposal be supported, the proposal would establish a residential development and ancillary uses over approximately 1.4 ha of the property, comprising 37 residential units, consisting of 30 market units and seven inclusionary units, within the realigned building footprints, the existing 324 m² sectionalized manor house, and approximately 1.09 ha of communal areas for private parking and private open space.

The revised development comprises the following:

- 20 units on lower ground floor: – 10 x one bedrooms, 1 x two-bedrooms and 2 x three-bedroom units plus 7 inclusionary housing units
- 13 units on upper ground floor: – 14 x one-bedrooms and 3x three-bedrooms
- Stoep areas - ±380m²
- Communal areas (±362m²) – restricted to use by residence only
- Onsite parking (3079m²)

The 12 existing bedrooms will be retained and continue to be utilised as tourist accommodation for transient guests, in accordance with the original approval granted for a spot zoning to Multi Unit Residential Zone, while the existing farmhouse, including the portion converted into a second dwelling unit, will also be retained in its current form as primary rights on the Agricultural and Rural Zone portion of the property.

The proposal seeks to minimise the existing converted building's visual impact through the sensitive use of materials, colours, scale and form, ensuring that the building integrates with the surrounding landscape.

Newly constructed walls will have smooth plaster finishes, complemented by natural-colour timber cladding on selected façade elements, including vertical features such as braais.

The original approved building footprint will be retained, with reductions in selected areas through setbacks. Flat roofs, combined with a recessed 25° pitched roof element, will limit the building's visual prominence.

The building mass will be divided into smaller, articulated forms incorporating recessed balconies, deep-set glazing and layered façades to reduce perceived scale and bulk. Setbacks will provide visual depth and passive design benefits while minimising large reflective surfaces visible from surrounding streets and neighbouring properties.

Darker, muted wall and roof colours will reduce contrast with the surrounding landscape, allowing vegetation and the broader landscape to remain the principal visual focus.

Frameless glass balustrades will minimise visual clutter and interruptions to views, while dry-stacked stone retaining walls will complement the local landscape character and terrain.

Exterior lighting will be limited to what is necessary for safety and functionality, with shielded, predominantly downward-facing light sources to prevent visibility beyond the site and minimise light spillage. Façade uplighting will be restricted and shielded, while parking lighting will remain low-level, soft-toned and visually unobtrusive.

Landscaping will further soften the building's appearance and mitigate its visual impact on the surrounding environment.

The Spatial Planning Section commented on the application (Refer to **Annexure** B) and indicated that the amended proposal, which increases the number of residential units from 28 to 37, including seven inclusionary housing units, remains consistent with the objectives of the Stellenbosch Municipal Spatial Development Framework (MSDF, 2023). The proposal promotes the efficient utilisation and adaptive reuse of existing buildings, provides additional housing opportunities and encourages socio-economic integration without extending the existing building footprint or materially altering the originally approved development concept.

The property falls within the Rural Scenic Route Overlay Zone applicable to Helshoogte Road (R310-RSR7), which seeks to protect the rural landscape character and scenic qualities of the area. The additional residential units will be accommodated within the existing building envelope, primarily at lower-ground level, without materially altering the building's external appearance, height or massing. Consequently, the amendments are not expected to result in significant additional visual impacts or encroachment into agricultural land or environmentally sensitive areas. Existing agricultural activities will be retained, while the proposed landscaping and architectural improvements will further contribute to the visual integration of the development into the surrounding landscape.

The amended proposal is therefore considered consistent with the objectives of the applicable Overlay Zone and the relevant desirability considerations contemplated in Section 65 of the Stellenbosch Municipal Land Use Planning By-law.

Furthermore, the proposal incorporates seven inclusionary housing units, each measuring approximately 25 m², excluding balconies, which will be integrated into the existing building alongside the market-related residential units. The inclusion of these units supports the objectives of the Stellenbosch Inclusionary Zoning Policy (2023), which seeks to promote affordable housing opportunities, socio-economic integration and spatial transformation. The proposal accordingly contributes towards addressing the demand for affordable housing in Stellenbosch while retaining the established development footprint and character of the property.

The Directorate: Infrastructure supports the proposal subject to conditions, while the Provincial Roads Engineer has no objection, as the required traffic infrastructure is in place. Although the application was circulated to the Department of Environmental Affairs and Development Planning, no comments were received. A condition will therefore be imposed require confirmation that no environmental authorisation is necessary prior to building plan approval.

The application was extensively advertised in accordance with the statutory public participation process, during which several interested and affected property owners initially submitted comments and objections. The one objection was subsequently withdrawn after consultation with the applicant, but the two letters of objection received from Mr H.J. Hugo of Erf 2184, 26 Kommandeurs Avenue, Simonswyk, Stellenbosch, dated 8 and 12 September 2025, attached as **Annexure E** were not.

The objection received from the objector raised concerns regarding the adequacy of the published notice, alleging non-compliance with Sections 152(1) and 195(1) of the Constitution, as well as the potential impact of the development on the ecological sensitivity of the Jonkershoek Valley, biodiversity, natural habitats, wildlife and the surface and underground water systems, particularly the Eerste River. The objector further contended that the application was premature, given the pending legal proceedings relating to the adjoining Botmaskop development and should be held in abeyance pending the outcome thereof.

In response to the objection, the applicant confirmed that the public participation process complied with Sections 44 and 47 of the Stellenbosch Municipal Land Use Planning By-law (2023). The applicant further emphasised that the proposal does not constitute a greenfield development on undisturbed natural land, but involves the redevelopment of an existing approved building, formerly accommodating the African Valley Hotel and associated facilities, with supporting civil engineering infrastructure already in place. As the existing development predates the Botmaskop residential development, the applicant maintains that the proposal should be assessed on its own merits, having regard to the planning principles and development objectives of the Stellenbosch Municipal Spatial Development Framework, SPLUMA and the Western Cape Land Use Planning Act.

Mr Hugo's objections appear to relate mainly to broader concerns about development in the area and its potential impact on the environment. However, the proposal does not involve a new development on undisturbed land but rather seeks to accommodate an alternative land use within the existing approved building footprint. The application should therefore be considered on its own merits, considering the proposed changes and their potential impact on the surrounding area.

The initial and revised motivation reports and Site Development Plans focus exclusively on the portion of the property proposed for rezoning, without adequately addressing the continued operation of the existing 12-bedroom tourist accommodation establishment and two dwelling units, their integration with the proposed residential development, or the operational arrangements required to ensure compatibility between permanent residents and transient guests.

ASSESSMENT CHECKLIST			
CONSIDERATION CRITERIA	**YES**	**NO**	**Comments, if any**
Accurate intergovernmental and public participation process followed	X		The application was circulated to the following internal and external departments for comment. **Internal Departments. (Attached as Annexure B)** - Spatial Section - Heritage Section - Directorate Infrastructure Services: Development (Infrastructure Services), - Department Electrical Services, - Department: Community, Services Environmental Section. **External departments: (Attached as Annexure C)** - Department of Environmental Affairs and Development Planning, Development: Management Region 2 - Western Cape Government: Western Cape Department of Agriculture - Western Cape Government: Transport Infrastructure Branch. - Western Cape Government: Department of Environmental Affairs **The following comment were also received during the public participation process. (Annexure E.)** - Stellenbosch Interest Group. - Dr Piet Claassens, 42 Rowen street, Stellenbosch. - Dr Werner Roux for Botmanskop Estate, Stellenbosch. - Mr M Dhelminie - Mr H J Hugo, 26 Kommandeurslaan, Simonswyk, Stellenbosch.

			All the internal and external departments that provided comment on the application, supported the proposal with conditions, which form part of the conditions of approval, should the application be supported. Notwithstanding the fact that The Department of Environmental Affairs, did not provide comment on the application, a condition will be imposed requiring The Department of Environmental Affairs to confirm in writing that no Environmental Authorization is required prior to building plans being approved.
Conditions imposed by departments	X		The conditions imposed by the relevant departments are attached as **Annexure B & C.**
DCs applicable	X		Development Contributions are applicable as noted in the Directorate Infrastructures Memo attached as **Annexure B.**
Objections received	X		Initially two objections were received of which one was not withdrawn after discussions with the applicant. **(Annexure E.)** The applicants' comments on the objection are also attached as **Annexure F** and form part of the POE cover letter.
Proposal complies with applicable laws, policies, guidelines, the IDP and SDP and/or technical requirements in terms of Section 65	X		Proposal is compliant with the applicable laws, policies, guidelines, the IDP and SDP and the technical requirements in terms of Section 65, as noted in the comment provided by the Spatial Planning Section, attached as **Annexure B.**

DESIRABILITY CONSIDERATIONS IN TERMS OF SECTION 65 OF THE BYLAW	
Socio-economic impact	The proposal is expected to have a positive socio-economic impact by providing 37 residential units, including seven inclusionary housing units, and making productive use of existing buildings. The inclusionary components will provide access to housing that normally would not be available, while the conversion of the tourist related portion of the existing building to residential units and continued operation of the existing buildings making up the development would support local employment and service opportunities.

DESIRABILITY CONSIDERATIONS IN TERMS OF SECTION 65 OF THE BYLAW	
Compatibility with surrounding uses	The proposed residential use is broadly compatible with the property's existing accommodation uses and surrounding character. The conversion within the existing building footprint limits the development's scale, while retaining the agricultural component preserves the area's rural character. Communal facilities will be restricted to residents, ensuring low traffic volumes. Recessed balconies, articulated façades, muted colours and landscaping will soften the building's visual impact and enhance its integration with the surroundings. In the motivation the applicant has not indicated how the tourist accommodation establishment will be operated as the associated uses such as the kitchen, dining hall etc are to be converted to residential units (flats) and the proposed service that will be available to the tourist accommodation portion of the development are limited.
Impact on the external engineering services	The reuse of the existing buildings and infrastructure is expected to have limit impact on the existing infrastructure as the proposal is supported by the Directorate Infrastructure, with conditions, which will form part of the condition of approval.
Impact on safety, health and wellbeing of the surrounding community	The proposal will have limited impact on the surrounding community's safety, health or wellbeing as only the existing buildings with limited extensions are to be used for residential purposes.
Impact on heritage	The proposal would have minimal impact on the Jonkershoek Landscape Character Area, as the limited additions and alterations, incorporating natural materials, muted colours, recessed façades, restrained lighting and landscaping, would soften the existing building's prominence and reduce adverse effects on the area's visual and cultural character. As the subject property is located within a Scenic Route the Heritage Section supported the application with conditions.
Impact on the biophysical environment	The proposal will have a limited additional biophysical impact as it is the conversion of the existing buildings with minor additions. The retention of the existing agricultural components and green areas will also limit the encroachment of the development onto the undeveloped part of the property, and the landscaping would further soften the development's relationship with its surroundings. The Department: Community Services, Environmental Section supported the application with conditions.
Traffic impacts, parking, access and other transport related considerations	Permanent residential occupation will alter the frequency and timing of vehicle movements via the existing approved Helshoogte Road access. The on-site parking provided meets the development's requirements, while restricting communal facilities to residents will further limit visitor traffic and potential parking overflow. The Provincial Roads Engineer has confirmed that the existing access can safely accommodate the changed traffic demand.

DESIRABILITY CONSIDERATIONS IN TERMS OF SECTION 65 OF THE BYLAW	
Whether the imposition of conditions can mitigate an adverse impact of the proposed use or development of land	Appropriate conditions of approval would assist in mitigating potential impacts associated with the conversion of the existing buildings to permanent residential use, while ensuring compatibility with the receiving environment, the retention of existing tourist-related uses as originally approved, and the minimisation of potential impacts arising from any additional land uses being granted.

KEY FINDINGS OF PLANNING EVALUATION

After having independently considered and weighted all the relevant information the evaluation of the subject land use and land development application concludes that:

- Erf 16400, formerly Portion 5 of Farm 490 and known as Jonker Estate (previously African Valley), lies east of Stellenbosch, south-east of Ida's Valley. Access is via a shared servitude connecting to Helshoogte Road (R310). The property occupies an urban–rural transitional setting adjoining Botmaskop Estate and Nature Reserve, characterised by low- to medium-density residential estates interspersed with agricultural and rural land.
- The property measures 6.2731 ha and contains approximately 2.13 ha of vineyards, four buildings totalling approximately 3 079 m², on-site parking and approximately 1.93 ha allocated for road purposes along Helshoogte Road.
- The property falls within the Stellenbosch urban edge, the Jonkershoek Landscape Character Area, graded IIIb, and the Helshoogte Road Rural Scenic Route Overlay Zone. These designations identify its scenic and visual sensitivity as a consideration in assessing development proposals.
- Municipal records indicate that, in 2005, 1 068 m² was approved under Residential Zone V (Resorts) in terms of LUPO for a 12-room tourist establishment with reception, dining, lounge, kitchen and laundry facilities.
- In 2014, an amendment to the Site Development Plan was approved to accommodate approximately 310 m² of additional guest-suite accommodation and 55 parking bays. Consent use was also granted to convert the existing agricultural building into a tourist facility comprising a wine-tasting area of approximately 100 m² and a ground-floor conference facility accommodating up to 60 people. The Temporary departures granted for a guest spa of approximately 240 m² on the agricultural building's lower ground floor and a restaurant seating approximately 120 members of the public within the approved guest-house dining hall.
- With the adoption of the Stellenbosch Municipality Zoning Scheme By-Law in 2019 resulted in the Residential Zone V portion being converted to Multi-Unit Residential Zone, with previously approved consent uses recognised as deemed consent uses owing to the property's location within the urban edge.

- The current spot zoning comprises 1068 m² zoned Multi-Unit Residential Zone and the remaining 6.1663 ha zoned Agricultural and Rural Zone.
- The application is to convert the existing two-storey agricultural building, Building 3, from Agricultural and Rural Zone to Multi-Unit Residential Zone.
- The proposal will accommodate residential units, on-site parking and communal and ancillary facilities reserved exclusively for residents. The ancillary facilities comprise 359 m² of boardrooms, workspace, a gym, coffee shop/lounge and laundry facilities.
- If supported, the proposal will establish residential and ancillary uses over approximately 1.4 ha of the property, comprising 37 residential units, consisting of 30 market units and seven inclusionary units, within the realigned building footprints, and approximately 1.09 ha of communal areas for private parking and private open space.
- The amended proposal increases the residential units from 28 to 37, including seven inclusionary housing units, without extending the existing building footprint or materially altering the original development concept.
- The lower ground floor will accommodate 10 one-bedroom, one two-bedroom, two three-bedroom and seven inclusionary units totalling 20 units.
- The upper ground floor will accommodate 14 one-bedroom and three three-bedroom units totalling 17 units.
- Additional proposed areas comprising approximately 380m² of stoep areas, approximately 362 m² of communal facilities restricted to residents, and 3079 m² of on-site parking, as stated in the development schedule. The proposed architectural design seeks to minimize the building's visual impact through appropriate materials, colors, scale, and form that complement the surrounding landscape.
- The additional units will be accommodated primarily at lower-ground level, without materially altering the building's height, massing or appearance, or encroaching into agricultural or environmentally sensitive areas.
- The seven inclusionary housing units, each measuring approximately 25 m² excluding balconies, will be integrated with the market-related units, supporting the objectives of the Stellenbosch Inclusionary Zoning Policy (2023).
- The approved building footprint will be retained or reduced through setbacks, while flat and recessed low-pitched roofs will limit visual prominence.
- Exterior lighting will be minimal, shielded and predominantly downward facing to prevent light spillage, while landscaping will further soften the building's visual impact.
- The proposal aligns with the Stellenbosch MSDF (2023) by promoting adaptive reuse, efficient land utilisation, additional housing opportunities and socio-economic integration.
- The property falls within the Rural Scenic Route Overlay Zone (R310-RSR7) and thus the relevant conditions will be imposed in this regard.

- No significant additional visual impact is anticipated as only the existing buildings footprint is to be redeveloped.
- The development will comprise 37 residential units (flats) with ancillary communal facilities, together with 12 existing bedrooms are to be retained for tourist accommodation for transient guests, in accordance with the original approval, while the existing farmhouse, including the portion converted into a second dwelling unit, will also be retained in its current form, as indicated on the Site Development Plan.
- Existing agricultural activities will be retained, while architectural and landscaping improvements will enhance visual integration, consistent with the Overlay Zone objectives and Section 65 desirability considerations.
- The internal and external departments that provided comment on the application support the application with conditions.
- No comments were received from the Department of Environmental Affairs and Development Planning. A condition will therefore be imposed requiring confirmation that no environmental authorisation is required prior to building plan approval.
- The application was extensively advertised, with 2 objections initially being received, after consultation with the applicant only the objections received from Mr H.J. Hugo, dated 8 and 12 September 2025, were not withdrawn.
- The objections appear to relate primarily to broader environmental concerns regarding development in the area, and as the proposal involves an alternative use within the existing approved building footprint, the application under consideration has been assessed on its own merits, considering its potential impact on the surrounding environment.
- The revised motivation report and Site Development Plan submitted by the applicant focus exclusively on the portion of the property proposed for rezoning and the associated residential development, as a result the applicant has not adequately addressed the continued utilisation of the 12 existing tourist accommodation bedrooms and two dwelling units, or demonstrated how these existing uses will be integrated with the proposed residential development within the Multi-Unit Residential zoned portion of the property and the operational arrangements necessary to ensure compatibility between permanent residential occupation and transient tourist accommodation.
- The revised motivation report and Site Development Plan submitted by the applicant focus exclusively on the portion of the property proposed for rezoning and the associated residential development. Consequently, the applicant has not adequately addressed the continued utilisation of the 12 existing tourist accommodation bedrooms and two dwelling units or demonstrated how these existing uses will be integrated with the proposed residential development within the Multi-Unit Residential zoned portion of the property.

- Furthermore, insufficient clarity has been provided regarding the operational arrangements necessary to ensure compatibility between permanent residential occupation and transient tourist accommodation, which will be addressed by conditions of approval.

The subject land use and land development application is, having regard to the conclusions above, viewed as in Consistent with the relevant principles and guidelines and consequently grounds for support of the subject land use and land development application.

List relevant plan numbers	Site Development Plan
List annexures to report	**Annexure A:** Site Development Plan. **Annexure B:** Internal Departments Comments **Annexure C:** External Departments Comments **Annexure D:** Applicants Motivation **Annexure E:** Comments and Objection received **Annexure F:** Portfolio of Evidence **Annexure G:** Architectural Statement: Visual Impact and Mitigating Measures.

RECOMMENDATION

1. That the following application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Erf 16400, Stellenbosch for:

1.1 Rezoning in terms of Section 15(2)(a) of the Bylaw, of a portion (±2193m²) of Erf 16400, Stellenbosch, from Agricultural and Rural Zone to Multi-Unit Residential Zone to permit flats, with ancillary communal facilities within the existing buildings footprint.

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

2. The approval is subject to the following **condition**s imposed in terms of Section 66 of the said Bylaw:

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

2.2. The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.

2.3. 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.

2.4. The proposed development on the rezoned portion of the property under consideration, shall be limited to 37 residential units (flats), comprising 30 market-related units and seven inclusionary housing units, accommodated within the realigned building footprints, together with approximately 380m² of stoep areas and 362 m² of communal facilities reserved exclusively for the use of residents.

2.5. The agricultural portion shall be used for bona fide agricultural production or conservation purposes, and all activities undertaken thereon shall be conducted and managed in a manner that ensures the protection and preservation of agricultural land, rural landscapes and biodiversity, thereby safeguarding the agricultural and environmental resources and maintaining the rural character of the property.

2.6. The building shall be restricted to a maximum height of two storeys, with no additional storeys or extensions exceeding this limitation permitted, to ensure that the scale, massing and visual prominence of the development remain compatible with the surrounding built environment and minimise its impact on the surrounding area.

2.7. All external lighting associated with the proposed buildings and structures be downward-facing and appropriately shielded to minimise light spill, prevent light pollution and limit adverse visual impacts on the surrounding properties and the broader landscape.

2.8. Inclusionary housing units be provided in accordance with the Inclusionary Housing Policy to the satisfaction of the Municipality and that the provision, integration, allocation, sale or rental, management and long-term retention of the inclusionary housing units be subject to the following conditions:

2.8.1 The management of the inclusionary housing units be addressed in the constitution of the owners' association to be submitted and approved by the Municipality.

2.8.2 The inclusionary housing units as identified on the site development plan, should be used for permanent residence and excludes any of the land uses associated with transient guests or students.

2.8.3 The target market for beneficiation should benefit employed households earning incomes within the affordability threshold as defined in the Inclusionary Zoning Policy, 2023.

2.8.4 The inclusionary housing units will be reserved for qualifying recipients with a total combined annual gross monthly income from R3 500 to R34 400 (Financial Sector Code, 2025 – updated yearly).

2.8.5 Monthly rent or repayments may not be more than 30% of the total monthly household income for renters and 30-35% for homeowners;

2.8.6 The sale price or rental amount may not escalate annually beyond inflation, based on the Consumer Price Index (CPIX) as published by Stats SA.

2.8.7 The conditions of affordable housing which relates to the inclusionary housing units must be in place for not less than 30 years using a suitable management mechanism, to the

satisfaction of the Director: Planning and Economic Development, or until repealed by a Council resolution.

2.8.8 Prior to the approval of any building plan, the developer shall submit to the Director: Planning and Economic Development for approval, a mechanism to ensure the abovementioned condition, as well as the affordability criteria of the qualifying recipients. The approval mechanism shall be implemented to the satisfaction of the Director prior to the occupation of any building.

2.8.9 If rented, the qualifying household income criteria and rent may not escalate annually beyond inflation (based on CPIX). Lease agreements need to ensure that the tenants are subject to annual income certification and the units as allocated remain available to the intended income groups; or

2.8.10 If sold, a restrictive condition must be included in the deed of sale capping the sale price to comply with the definition of affordability and must only be sold to pre-approved buyers that meet the affordability criteria.

2.8.11 Approval on resale prices of units needs to be sought from the Director: Planning and Economic Development before such a transaction takes place.

2.8.12 The developer or managing agent (Body Corporate) must provide the Director: Planning and Economic Development with the list of registered inclusionary housing units, annually. The entities should also ensure that the affordability preservation and any other requirements as agreed to as part of the planning permission are stipulated in the constitution of these bodies to be submitted to the Municipality for its records.

2.9. A detailed site development plan indicating the land use of all the buildings ***on the property*** be submitted for approval, as contemplated in terms of Section 16 of the Zoning Scheme Bylaw be submitted to the Municipality and be approved 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 and compliance with the relevant development parameters of the said Bylaw and specifically the following matters:

2.9.1 The coordinates of the total area for the approval under consideration (Area being rezoned to Multi-Unit Residential Zone for 37 Flats with associated communal facilities) and the previous approval (Area rezoned for Multi-Unit Residential Zone for a 12-bedroom Tourist Accommodation Establishment) to be indicated on the Site Development Plan.

2.9.2 The access and interaction between the different uses on the property which consists of 37 flats, 12 tourist accommodation establishment and primary agriculture rights.

2.9.3 On-site parking be provided in accordance with the provisions of the Zoning Scheme Bylaw and to be illustrated on the subject site development plan and building plans of the development to the satisfaction of the Municipality.

2.9.4 The design, architectural character, scale, massing, materials and finishes of the proposed development, including all buildings and associated structures, shall conform with the

recommendations and mitigation measures contained in the Architectural Statement: Visual Impact and Mitigating Measures, dated 18 June 2026, attached as **Annexure G**.

2.9.5 A detailed Landscaping Plan which must fully incorporate and give effect to all relevant recommendations and mitigation measures contained in the *Architectural Statement: Visual Impact and Mitigating Measures*, with particular emphasis on the provision of additional trees and appropriate landscaping along the R310 boundary of the property to provide effective visual screening and minimise the visual impact of the development on the surrounding landscape and streetscape.

2.9.6 Inclusionary housing units be clearly identified.

2.10. Building plans be submitted and approved by the Stellenbosch Municipality Conservation Advisory Committee, prior to being submitted to the Building Development Section of the Municipality for approval.

2.11. An owner's association for the subject property be established in terms of section 29(1) of the subject Bylaw, which owners 'association constitution satisfactory addresses the following matters:

2.11.1 *Membership, rights, responsibilities and operational rules:* The constitution must clearly define the membership structure, respective rights, responsibilities and operational rules applicable to each land use category, comprising the 37 residential units with associated communal facilities, 12 tourist accommodation units and the agricultural unit. These provisions must establish the roles and obligations of the respective members in relation to the management, operation and use of the property.

2.11.2 *Land use activities and interaction between land use categories:* The constitution must provide clear guidelines regulating the activities associated with each land use category and the interaction between the residential, tourist accommodation and permitted agricultural uses. These guidelines must ensure that the respective activities are managed in a coordinated manner, with due consideration given to their compatibility and the potential impacts of one land use on another.

2.11.3 *Shared facilities, access and resource allocation:* The constitution must clearly establish arrangements for the use, management and maintenance of shared facilities, communal areas, access arrangements and resources utilised by the different land use categories. These provisions must define the respective rights and responsibilities of members regarding shared infrastructure and facilities, including the equitable allocation of resources and associated management and maintenance obligations.

2.12. The conditions imposed by the Directorate Infrastructure Services Department as contained in the memorandum dated 11 September 2026, as attached as **Annexure B**, be complied with.

2.13. The conditions imposed by the Department Electrical Services, as contained in the memorandum dated 23/06/2026, as attached as **Annexure B**, be complied with.

2.14. The conditions imposed by the Department Community Services, Environment Section, as contained in the Memorandum, dated 17 September 2026, as attached as **Annexure B**, be complied with.

2.15. The applicant shall submit written confirmation from the Department of Environmental Affairs and Development Planning that no environmental authorisation is required for the proposed development, prior to the approval of any building plans.

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

3.1 The property is situated within the approved municipal urban edge and remains consistent with the broader policy principles of promoting compact development, efficient land utilisation and the optimal use of existing buildings and infrastructure as indicated in the SDF.

3.2 The proposal remains consistent with the objectives and development principles of the Rural Scenic Route Overlay Zone applicable to Helshoogte Road (R310-RSR7). As the development does not extend beyond the existing approved building envelope, it will not materially increase the visual prominence of the development or adversely affect the scenic, landscape and heritage qualities that the overlay zone seeks to preserve and protect.

3.3 The proposed scale and intensity of the residential development are not anticipated to impose any significant additional burden on existing municipal infrastructure or engineering services.

3.4 The proposal will not result in the subdivision, fragmentation or sterilisation of productive agricultural land, as the additional residential units will be accommodated within the existing building footprint and the remainder of the property will continue to be utilised for agricultural purposes, thereby preserving the agricultural character, functionality and productive potential of the property.

3.5 The proposal is confined to an existing building and does not introduce any additional development footprints onto productive agricultural land.

3.6 Although the existing building is visually prominent within the surrounding landscape, the applicant has demonstrated that the proposed architectural treatment, building finishes and landscaping interventions will adequately mitigate its visual impact, improve its integration into the surrounding natural and agricultural landscape, and contribute towards the protection and enhancement of the area's scenic and landscape qualities.

ASSESSMENT RECOMMENDATION BY TOWN PLANNER

The proposed land use and land development application has been duly evaluated in terms of process and desirability with the recommendation for consideration.

Name: R P Faey

Capacity: Senior Town Planner

SACPLAN Registration: /

Signature: RPFaey

Date: 06/11/2026

REVIEW OF ASSESSMENT AND RECOMMENDATION

The recommendation for decision is hereby submitted for consideration to the authorised decision-maker in accordance with the Categorisation Model approved vide Item 10.8.1 dd dated 26 February 2025.

Category / Delegation Item Number: A.d
Decision Making Authority: MPT
Rational: Special Category: Rezoning of any Agricultural Zoned land for any other purpose.

Name: Shaeni Carters

Capacity: SMPM

SACPLAN Registration: A1551

Signature:

Date: 6/11/2026.

CONDONATIONS OF ERRORS OR OMMISIONS DURING THE PROCESSING OF THE PLANNING APPLICATION

Authorised Official to condone errors or omissions
As the duly authorised official the error in the processing of the land use and land development application:

(a) To not re-advertise the amended land use application, arising from the inclusion of inclusionary housing units as required in terms of the Stellenbosch Municipality: Inclusionary Zoning Policy and increasing the number of units from 28 to 37.

BE CONDONED in terms of section 63(2) of the said Bylaw.

Reason for the decision:

(i) The proposed increase in the number of residential units, through the inclusion of inclusionary housing units, will still be accommodated within the building footprint of the development as originally advertised, without resulting in any additional expansion of the footprint.
(ii) The inclusion of the proposed inclusionary housing units will ensure that the development complies with the requirements of the Inclusionary Zoning Policy.

Name: Shaun Carstens

Capacity: SPLM

Signature:

Date: 6/11/2026

MPT ADMINISTRATION OF PLANNING APPLICATION ASSESSMENT REPORT

Administrator to Stellenbosch Municipal Planning Tribunal:
It is hereby confirmed that proper notice was served of the Municipal Planning Tribunal meeting at which this land use and land development application will serve for consideration.

The land use and land development application will serve at the scheduled meeting of the Stellenbosch Municipal Planning Tribunal on:

Date: .....

Name: Lucy Hoyi

Capacity: PRINCIPAL ADMINISTRATIVE OFFICER

Signature:

Date: 06/11/2026.

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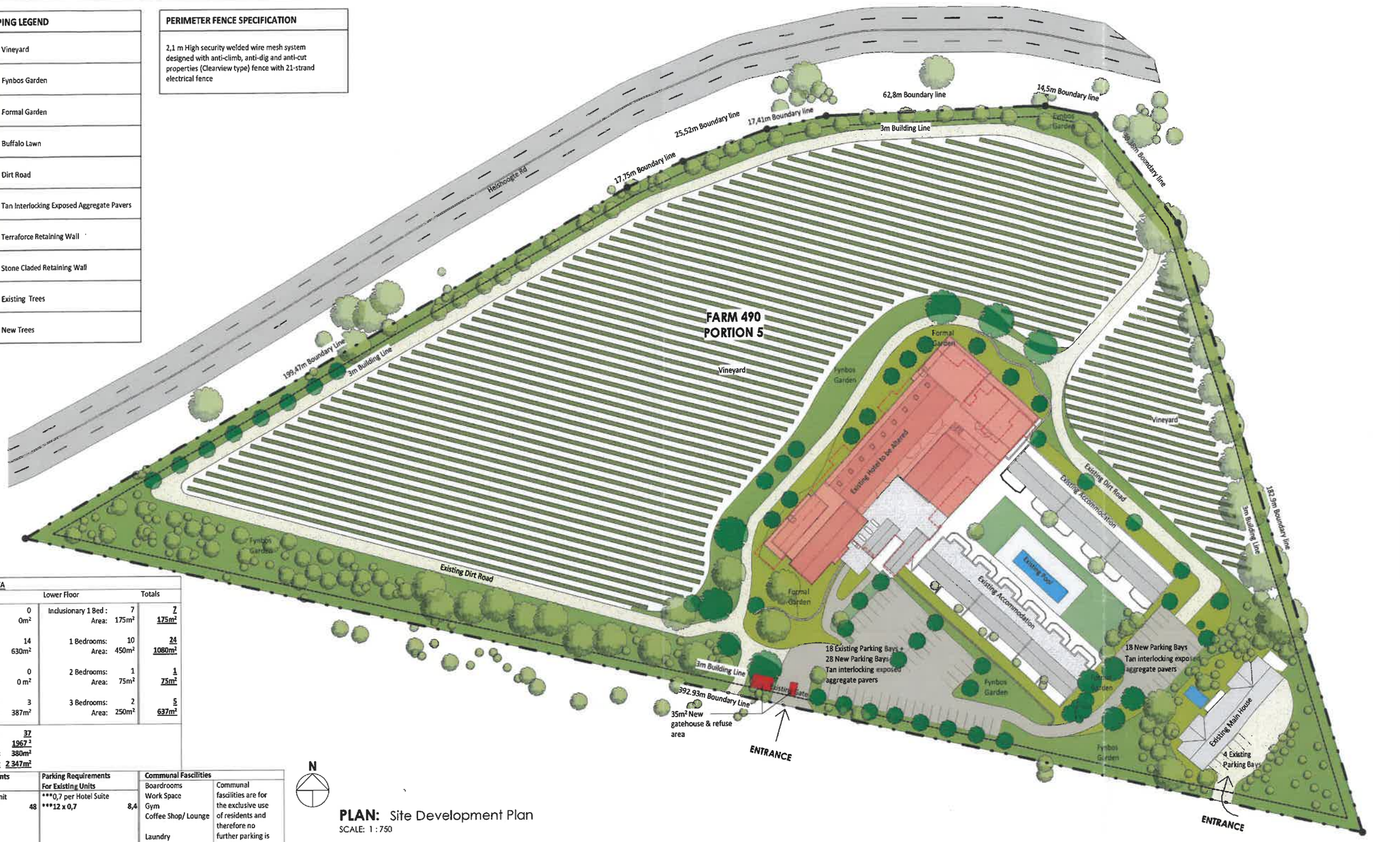
ANNEXURE A

LANDSCAPING LEGEND

- Vineyard
- Fynbos Garden
- Formal Garden
- Buffalo Lawn
- Dirt Road
- Tan Interlocking Exposed Aggregate Pavers
- Terraforce Retaining Wall
- Stone Claded Retaining Wall
- Existing Trees
- New Trees

PERIMETER FENCE SPECIFICATION

2,1 m High security welded wire mesh system designed with anti-climb, anti-dig and anti-cut properties (Clearview type) fence with 21-strand electrical fence



DEVELOPMENT DATA

Upper Floor		Lower Floor		Totals
Indusionary 1 Bed:	0	Indusionary 1 Bed :	7	7
Area :	0m²	Area:	175m²	175m²
1 Bedrooms:	14	1 Bedrooms:	10	24
Area:	630m²	Area:	450m²	1080m²
2 Bedrooms:	0	2 Bedrooms:	1	1
Area:	0 m²	Area:	75m²	75m²
3 Bedrooms:	3	3 Bedrooms:	2	5
Area:	387m²	Area:	250m²	637m²
Total Room:	37			
Total Room Area:	1967 ²			
Stoep Area:	380m²			
Grand total Area:	2 347m²			

Parking Requirements For New Units		Parking Requirements For Existing Units		Communal Fascilities	
*1,5 per 1&2 Bed unit		***0,7 per Hotel Suite		Boardrooms	Communal fascilities are for the exclusive use of residents and therefore no further parking is required
*[7+24+1] x 1,5	48	***12 x 0,7	8,4	Work Space	
				Gym	
				Coffee Shop/ Lounge	
				Laundry	
**1,75 per 3 Bed unit		****Existing Homestead			
**(3+2) x 1,75	8,75	**** 2 per 2+ Bedrooms	2		
Total Parkings Required:	67,15 (68)			Total Parkings Provided:	68

N

PLAN: Site Development Plan

SCALE: 1 : 750

0 7.5 15 22.5 30 37.5 m

ORIGINAL DOCUMENT DATE: Project Issue Date

DOCUMENT VARIATIONS REGISTER:

NO	DATE	DESCRIPTION
0	31-03-2025	Revision 5
1	08-04-2025	Revision 6
2	19-06-2025	Revision 7
3	09-03-2026	Consolidated SDP & Landscaping Plan. Added Guard House and Refuse Area
4	24-06-2026	Parking and fence update
5	21-08-2026	Inclusionary Units

PROJECT / CLIENT:

JONKER ESTATE - PHASE 2

DRAWING DESCRIPTION:

Consolidated SDP & Landscaping Plan

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

PROJECT DESCRIPTION:

SDP

ALL STATUTORY REQUIREMENTS (NATIONAL BUILDING REGULATIONS AND MUNICIPAL BY-LAWS) MUST BE ADHERED TO - CONTRACTORS ARE TO CHECK AND VERIFY ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE WORK COMMENCES - FIGURED DIMENSIONS AND LARGE SCALE DETAILS TAKES PREFERENCE OVER SCALED DIMENSIONS - REFER ANY AND ALL CONFLICTING INFORMATION TO THE ARCHITECT AND OTHER RESPONSIBLE CONSULTANTS THE DESIGN AND DETAIL ON THESE DRAWINGS IS THE PROPERTY OF TV3 ARCHITECTS AND TOWNPLANNERS AND COPYRIGHT IS RESERVED.

DATE:	21-08-2026
DRAWN:	E. STEENBERG
CHECKED:	E. SWANEPOEL
SIZE / SCALE:	A2 / As indicated
DRAWING STATUS:	A: Design • B: Marketing • C: Municipal • D: Tender • E: Construction • F: As Built
DRAWING No:	3994/A/101 REV 5

DESIGN

Footprint Area Schedule:
Please note that this excludes the existing accommodation building near the pool.

Existing Footprint Area:	2 223,81m²
New Proposed Footprint Area	2 209,98m²



DEVELOPMENT DATA				
Upper Floor		Lower Floor		Totals
1 Bedrooms:	13	1 Bedrooms:	9	22
Area:	585m²	Area:	405m²	990m²
2 Bedrooms:	0	2 Bedrooms:	1	1
Area:	m²	Area:	116m²	116m²
3 Bedrooms:	3	3 Bedrooms:	2	5
Area:	382m²	Area:	250m²	632m²
Total Room:	28			
Total Room Area:	1 738m²			
Stoep Area:	329m²			
Grand total Area:	2 067m²			

Parking Requirements		Public Rooms	
For Units		Boardrooms	101m²
*1,5 per 1&2 Bed unit		Work Space	81m²
*(15+2+6) x 1,5	34,5	Gym	84m²
		Coffee Shop/ Lounge	74m²
**1,75 per 3 Bed unit		Laundry	19m²
**3 x 1,75	8,75	Total	359m²
		Parkings	
Parkings required	43,25	4/100m²	14,36
Total Parkings required:	58		

0 2 4 6 8 10 m

PLAN: 01 Ground Floor
SCALE: 1 : 200

ORIGINAL DOCUMENT DATE: Project Issue Date

DOCUMENT VARIATIONS REGISTER:

NO	DATE	DESCRIPTION
0	22-01-2025	Discussion 1
1	05-02-2025	Discussion 2
2	25-02-2025	Revision 2
3	31-03-2025	Revision 5
4	08-04-2025	Revision 6
5	10-11-2025	Areas Added
6	21-08-2026	Inclusionary Units

PROJECT / CLIENT:

JONKER ESTATE - PHASE 2

DRAWING DESCRIPTION:

Consolidated SDP & Landscaping Plan

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

PROJECT DESCRIPTION:

Upper Ground Floor Plan

ALL STATUTORY REQUIREMENTS (NATIONAL BUILDING REGULATIONS AND MUNICIPAL BY -LAWS) MUST BE ADHERED TO - CONTRACTORS ARE TO CHECK AND VERIFY ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE WORK COMMENCES - FIGURED DIMENSIONS AND LARGE SCALE DETAILS TAKES PREFERENCE OVER SCALED DIMENSIONS - REFER ANY AND ALL CONFLICTING INFORMATION TO THE ARCHITECT AND OTHER RESPONSIBLE CONSULTANTS THE DESIGN AND DETAIL ON THESE DRAWINGS IS THE PROPERTY OF TV3 ARCHITECTS AND TOWNPLANNERS AND COPYRIGHT IS RESERVED.

DATE:	21-08-2026
DRAWN:	E. STEENBERG
CHECKED:	E. SWANEPOEL
SIZE / SCALE:	A2 / As indicated
DRAWING STATUS:	A: Design • B: Marketing • C: Municipal • D: Tender • E: Construction • F: As Built
DRAWING No:	3994/A/201
REV:	6

DESIGN

Footprint Area Schedule:
Please note that this excludes the existing accommodation building near the pool.

Existing Footprint Area:	2 223,81m²
New Proposed Footprint Area	2 209,98m²



PLAN: Lower Ground
SCALE: 1 : 200

0 2 4 6 8 10 m

ORIGINAL DOCUMENT DATE: Project Issue Date

DOCUMENT VARIATIONS REGISTER:

NO	DATE	DESCRIPTION
0	22-01-2025	Discussion 1
1	05-02-2025	Discussion 2
2	25-02-2025	Revision 2
3	31-03-2025	Revision 5
4	10-11-2025	Areas Added

PROJECT / CLIENT:

JONKER ESTATE - PHASE 2

DRAWING DESCRIPTION:

Consolidated SDP & Landscaping Plan

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

PROJECT DESCRIPTION:

Lower Ground Floor Plan

ALL STATUTORY REQUIREMENTS (NATIONAL BUILDING REGULATIONS AND MUNICIPAL BY -LAWS) MUST BE ADHERED TO - CONTRACTORS ARE TO CHECK AND VERIFY ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE WORK COMMENCES - FIGURED DIMENSIONS AND LARGE SCALE DETAILS TAKES PREFERENCE OVER SCALED DIMENSIONS - REFER ANY AND ALL CONFLICTING INFORMATION TO THE ARCHITECT AND OTHER RESPONSIBLE CONSULTANTS THE DESIGN AND DETAIL ON THESE DRAWINGS IS THE PROPERTY OF TV3 ARCHITECTS AND TOWNPLANNERS AND COPYRIGHT IS RESERVED.

DATE:	10-11-2025
DRAWN:	E. STEENBERG
CHECKED:	E. SWANEPOEL
SIZE / SCALE:	A2 / 1 : 200
DRAWING STATUS:	A: Design • B: Marketing • C: Municipal • D: Tender • E: Construction • F: As Built
DRAWING No:	3994/A/202 REV 4

DESIGN

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ANNEXURE B

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To	:	**Manager: Land Use Planning**
From	:	**Manager Planning**
Reference	:	**Spatial Planning - Spatial Planning Assessment Memo**
Date	:	**06 October 2026**
Land Use/TPAMS no	:	**LU/19288 (TP1258/2025)**

Dear Colleagues,

The Spatial Planning Section has conducted a comprehensive assessment of the above application against the Municipal Spatial Development Framework (MSDF, 2023), relevant spatial policies, and the requirements of Sections 38 and 65 of the Stellenbosch Land Use Planning By-law (2023).

This memorandum refers to the following application:

Application Reference:	LU/19288 (TP1258/2025)
Applicant:	Emile van der Merwe Town Planning Consultants
Property:	Erf 16400, Stellenbosch (Portion 5 of Farm 490)
Application/s Description:	– Rezoning of land.
Spatial Assessment Additional Requirements *(refer to Memorandum dated 3rd June 2026)*:	– The Inclusionary Zoning Policy applies to the proposed split zoning and 20% of the total number of new flats needs to be earmarked as Inclusionary Housing units. – An amended SDP should be submitted for approval, indicating the Inclusionary Housing units.

INTERNAL

1. BACKGROUND AND CONTEXT

Subsequent to the Spatial Planning Assessment Memorandum dated 3 June 2026 for Erf 16400 (Portion 5 of Farm 490, Stellenbosch), known as Jonker Estate (previously African Valley), an application was considered to rezone a portion of an existing two-storey agricultural building (refer to the Consolidated SDP and Landscaping Plan Revision 5) from Agriculture and Rural Zone to Multi-Unit Residential Zone. The proposal sought to accommodate 28 residential flats, together with communal and ancillary facilities for the exclusive use of residents, within an existing building footprint of approximately 2193m².

The spatial planning assessment concluded that the proposed rezoning application was aligned with the Stellenbosch Municipality Amended Municipal Spatial Development Framework (2023) and recommended the application for approval. The assessment further noted that the number of residential units proposed under the split-zoning arrangement exceeded the threshold stipulated in the Stellenbosch Municipality Inclusionary Zoning Policy, thereby triggering the policy's inclusionary housing requirements. In terms of the policy, 20% of all new residential units are required to be provided as inclusionary housing units. To address this requirement, the applicant has amended the proposal by increasing the total number of units from 28 to 37 multi-unit residential units, thereby incorporating seven (7) inclusionary housing units. The amendment seeks to retain the overall building footprint of approximately 2193m² while increasing the unit yield to comply with the Inclusionary Zoning Policy.

The proposed amendments are summarised below:

Component	Previous Assessment	Amended Assessment
Upper Ground Floor	13 x 1-bedroom units	14 x 1-bedroom units
	3 x 3-bedroom units	3 x 3-bedroom units
Lower Ground Floor	9 x 1-bedroom units	10 x 1-bedroom units
	0 **(Inclusionary housing units)**	7 x 1-bedroom **(Inclusionary housing units)**
	1 x 2-bedroom units	1 x 2-bedroom units
	2 x 3-bedroom units	2 x 3-bedroom units
Stoep Area	329m²	380m²
Communal Areas	359m²	362m²
Parking	58 parking bays	68 parking bays

In summary, the amended proposal seeks to rezone a portion of the existing building footprint from Agriculture and Rural Zone to Multi-Unit Residential Zone to accommodate 30 market residential units and 7 inclusionary housing units, resulting in a total of 37 residential units. This represents an increase of nine (9) units compared to the original proposal and is intended to ensure compliance with the Municipality's Inclusionary Zoning Policy while maintaining the existing building envelope. The following assessment considers the proposed amendments within their broader spatial, environmental and landscape context, response to previous requirements and should be read in conjunction with the original Spatial Planning Assessment dated 3 June 2026.

2. POLICY ALIGNMENT ASSESSMENT

2.1. MSDF Compliance

Based on the amended proposal and accompanying plans, the nature and extent of the proposed amendments do not constitute a material departure from the development concept assessed in the original Spatial Planning Assessment dated 3 June 2026. The amendments are limited to an increase in residential yield from 28 units to 37 units, including the provision of seven (7) inclusionary housing units to meet the requirements of the Stellenbosch Municipality's Inclusionary Zoning Policy. Importantly, the proposed development remains contained within the existing building footprint and does not alter the approved land use structure, development form, or spatial intent of the original application.

As a result, the findings and conclusions of the previous assessment with respect to the Stellenbosch Municipal Spatial Development Framework (MSDF), 2023 remain applicable. The proposed amendments continue to support the MSDF's objectives of promoting compact and efficient settlement patterns, optimising the use of existing buildings and infrastructure, broadening access to housing opportunities, and encouraging context-sensitive development within the urban-rural transition zone. Furthermore, the inclusion of affordable housing stock contributes positively towards the Municipality's objectives of fostering greater socio-economic inclusion and improving access to well-located housing opportunities. The proposal does not result in any additional encroachment into agricultural land, environmentally sensitive areas, or identified landscape resources, and therefore does not undermine the broader spatial structuring elements of the MSDF.

INTERNAL MEMO

Overall, the proposed spot zoning continues to conform to the applicable MSDF principles by enabling the adaptive reuse of an existing building for residential purposes, supporting inclusionary housing objectives, protecting agricultural resources, respecting the established heritage and landscape character of the area, promoting efficient land utilisation, and maintaining appropriate access and mobility arrangements.

2.2. By-law Compliance

The property remains subject to the Rural Scenic Route Overlay Zone: Helshoogte Road (R310-RSR7), which seeks to protect and enhance the rural landscape character and visual quality of the eastern gateway to Stellenbosch.

The amended proposal introduces seven additional inclusionary housing units and two additional market residential units within the existing building envelope. The additional units are primarily accommodated on the lower-ground level on the north-eastern side of the structure and within building envelope, without requiring any expansion of the existing building footprint or significant alteration to the building's external form and massing. Consequently, the amendments are expected to result in limited, if any, additional visual impact when viewed from the Helshoogte Scenic Route. The existing agricultural activities on the property will be retained, thereby preserving the rural setting and productive landscape character of the area. In addition, the proposed landscaping interventions and architectural enhancements will further improve the visual integration of the development into the surrounding environment and assist in mitigating existing visual intrusion associated with the building.

Given that the proposed amendments are confined to the existing structure, do not materially alter the character of the development, and do not compromise the objectives of the Rural Scenic Route Overlay Zone: Helshoogte Road (R310-RSR7), the amended proposal is considered compatible with both the existing character of the area. The application therefore continues to satisfy the applicable assessment criteria contemplated in Section 65 of the Stellenbosch Municipal Planning By-law (2023) and does not give rise to any new planning concerns beyond those already considered in the original assessment.

2.3. Policy Framework Compliance

The provision of affordable and inclusionary housing has become a significant spatial planning priority within the Stellenbosch municipal area. The findings of the Stellenbosch Town Housing Market Study (2022) identify a substantial housing shortage within both the affordable housing market segment (R300 000-R600 000) and the conventional housing market segment (R600 000-R900 000). In response to these housing challenges, the Municipality has prioritised the delivery of affordable housing opportunities as a key component of its spatial transformation agenda.

To create an enabling environment for the delivery of affordable housing, the MSDF identifies several well-located priority development areas, referred to as spatially targeted areas, where inclusionary housing is actively promoted. These areas include Stellenbosch Town, Klapmuts and Franschhoek, all of which fall within the Municipality's adopted urban edge. The MSDF further provides that new residential or mixed-use developments comprising 20 dwelling units or more in spatially targeted areas should make provision for affordable housing, with a

INTERNAL REVIEW

minimum target of 20% to 30% of the total residential units being allocated to the affordable housing market, whether for ownership or rental purposes.

The proposed development falls within an identified priority development area and, due to the number of residential units proposed, triggers the provisions of the Stellenbosch Inclusionary Zoning Policy (2023). The policy establishes several key requirements that developments must address, including:

- Affordable housing units must be provided on-site as part of the development.
- Rental or ownership units must remain affordable for the prescribed period determined by Council or until such time as the policy is amended or repealed.
- A minimum allocation of 20% of the total units must be provided within qualifying developments located in the identified priority development areas.
- The affordable housing component should contribute proportionally across the identified affordable income bands.
- Developments specifically targeting affordable housing market segments may be exempted from certain policy provisions.
- Affordable housing units should not be isolated or segregated from the remainder of the development in a manner that may be prejudicial to occupants.
- Affordable housing units should be tenure-blind, ensuring that they are substantially similar in form, appearance and access to market-related units, while allowing reasonable internal variations and minimum standards.
- Social housing norms and standards are recommended as design guidelines.
- A range of housing typologies should be encouraged to accommodate varying household structures and demographic profiles within the municipal area.

The amended proposal comprises a total of 37 residential units, of which seven (7) units are allocated as inclusionary housing units. This equates to approximately 19% of the total units, which is considered substantially compliant with the Municipality's objective of securing a 20% inclusionary housing contribution. The inclusionary housing units are located within the existing building envelope on the lower-ground level, and each unit comprises a floor area of approximately 25m², excluding associated balcony areas.

Importantly, the inclusionary housing units are incorporated within the overall residential development and are not accommodated as a separate or detached housing component. The proposal therefore promotes social integration and aligns with the policy objective of creating inclusive residential environments rather than segregated housing typologies. The proposed development further contributes to expanding the supply of affordable rental or ownership accommodation within a well-located area of Stellenbosch, thereby supporting broader municipal objectives relating to housing accessibility, social equity and spatial transformation.

Accordingly, the proposed amendment is consistent with the Municipality's affordable housing objectives and provides a positive response to the Inclusionary Zoning Policy by facilitating the delivery of affordable rental accommodation within a well-located development while maintaining the overall character and intent of the approved proposal.

3. SPATIAL PLANNING RECOMMENDATION

INTERNAL MEMO

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Based on the spatial planning assessment outlined above and read together with the original Spatial Planning Assessment dated 3 June 2026, the Spatial Planning Section **supports** the proposed spot zoning of a portion (2193m²) of the existing building on Erf 16400 (Portion 5 of Farm 490, Stellenbosch) from Agriculture and Rural Zone to Multi-Unit Residential Zone to accommodate 30 market-related residential units and 7 inclusionary housing units, together with ancillary communal facilities for the exclusive use of residents.

The proposed amendment continues to demonstrate alignment with the spatial development principles and objectives of the Stellenbosch Municipal Spatial Development Framework (MSDF) (2023), the Stellenbosch Inclusionary Zoning Policy (2023), and the Stellenbosch Municipal Land Use Planning By-law (2023). The proposal represents an appropriate and efficient reuse of an existing building while contributing towards the Municipality's affordable housing objectives and broader spatial transformation agenda.

Key reasons for support include:

- The amended proposal does not constitute a material departure from the development concept assessed in the original Spatial Planning Assessment dated 3 June 2026.
- The amendments are limited to an increase in residential yield from 28 units to 37 units, including the provision of seven (7) inclusionary housing units, while remaining entirely within the existing building footprint.
- The proposal does not result in an expansion of the building envelope, nor does it materially alter the approved land use structure, development form, landscape setting, or spatial intent of the original application.
- The development supports the Municipality's strategic objective of increasing the supply of affordable and inclusionary housing within well-located areas and responds directly to the identified housing demand within the Stellenbosch municipal area.
- The property is located within the Municipal urban edge and within a spatially targeted area identified by the MSDF for the implementation of inclusionary housing initiatives and residential intensification.
- The retention of agricultural activities on the remainder of the property additional residential units will not be impacted on.
- The proposal remains compatible with the objectives of the Rural Scenic Route Overlay Zone: Helshoogte Road (R310-RSR7) and will not materially compromise the scenic, landscape, or heritage qualities that the overlay zone seeks to protect.
- The proposed inclusionary housing units are integrated within the overall development and are not isolated from the market-related residential component, thereby supporting the principles of social inclusion promoted by the Inclusionary Zoning Policy.

4. CONCLUSION

Based on the assessment outlined above, read together with the findings and recommendations contained in the Spatial Planning Assessment Memorandum dated 3 June 2026, the Spatial Planning Section maintains its support for the proposed spot zoning of a portion (2193m²) of the existing building situated on Erf 16400 (Portion 5 of Farm 490, Stellenbosch) from Agriculture and Rural Zone to Multi-Unit Residential Zone to accommodate

INTERNAL MEMO

30 market-related residential units and 7 inclusionary housing units, together with ancillary communal facilities for the exclusive use of residents.

The assessment finds that the proposed amendments do not materially alter the development concept previously assessed and approved in principle. The proposal remains confined to the existing building footprint, supports the Municipality's affordable housing objectives through the provision of inclusionary housing units, and continues to align with the spatial vision and development objectives of the Municipality. Furthermore, the proposal is considered consistent with the principles and policies contained in the Stellenbosch Municipal Spatial Development Framework (2023), the Stellenbosch Inclusionary Zoning Policy (2023), the Stellenbosch Municipal Land Use Planning By-law (2023) and the applicable provisions of the Stellenbosch Zoning Scheme.

Accordingly, the Spatial Planning Section **supports** the proposed amendment and recommends approval thereof, subject to the following conditions:

- All conditions and recommendations contained in the original Spatial Planning Assessment Memorandum dated 3 June 2026 shall remain applicable and form part of any approval granted for the amended application.
- The total maximum density within the proposed split-zoned area (2193m²) is restricted to 169du/ha.
- The seven (7) inclusionary housing units as identified on the site development plan (Drawing No. 3994/A/101 Rev5) should be used for permanent residence and excludes any of the land uses associated with transient guests or students.
- The target market for beneficiation should benefit employed households (excl. students) earning incomes within the affordability threshold as defined in the Inclusionary Zoning Policy, 2023.
- The inclusionary housing units will be reserved for qualifying recipients with a total combined annual gross monthly income from R3 500 to R34 400 (Financial Sector Code, 2025 - updated yearly).
    - Monthly rent or repayments may not be more than 30% of the total monthly household income for renters and 30-35% for homeowners;
    - The sale price or rental amount may not escalate annually beyond inflation, based on the Consumer Price Index (CPIX) as published by Stats SA.
- The conditions of affordable housing which relates to the inclusionary housing units must be in place for not less than 30 years using a suitable management mechanism, to the satisfaction of the Director: Planning and Economic Development, or until repealed by a Council resolution.
    - Prior to the approval of any building plan, the developer shall submit to the Director: Planning and Economic Development for approval, a mechanism to ensure the abovementioned condition, as well as the affordability criteria of the qualifying recipients. The approval mechanism shall be implemented to the satisfaction of the Director prior to the occupation of any building.
    - If rented, the qualifying household income criteria and rent may not escalate annually beyond inflation (based on CPIX). Lease agreements need to ensure that the tenants are subject to annual income certification and the units as allocated remains available to the intended income groups; or

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- If sold, a restrictive condition must be included in the deed of sale capping the sale price to comply with the definition of affordability and must only be sold to pre-approved buyers that meet the affordability criteria.
- Approval on resale prices of units needs to be sought from the Director: Planning and Economic Development before such a transaction takes place.

- The developer or managing agent (Body Corporate) must provide the Director: Planning and Economic Development with the list of registered inclusionary housing units, annually. The entities should also ensure that the affordability preservation and any other requirements as agreed to as part of the planning permission are stipulated in the constitution of these bodies to be submitted to the Municipality for its records.

Bernabé da la Bat (Manager: Spatial Planning)
Date: 6/10/2006

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To	:	**Manager: Land Use Planning**
From	:	**Senior Manager: Development Planning**
Reference	:	**Spatial Planning - Spatial Planning Assessment Memo**
Date	:	**3 June 2026**
Land Use/TPAMS no	:	**LU/19288 (TP1258/2025)**

Dear Colleagues,

The Spatial Planning Section has conducted a comprehensive assessment of the above application against the Municipal Spatial Development Framework (MSDF, 2023), relevant spatial policies, and the requirements of Sections 38 and 65 of the Stellenbosch Land Use Planning By-law (2023).

This memorandum refers to the following application:

Application Reference:	LU/19288 (TP1258/2025)
Applicant:	Emile van der Merwe Town Planning Consultants
Property:	Erf 16400, Stellenbosch (Portion 5 of Farm 490)
Application/s Description:	– Rezoning of land.
Preliminary Assessment Additional Requirements:	– The consolidated title deed for the erf was requested as only the sectional title scheme units; – The pre-application on-site consultation visit indicated that the applicant must motivate for a site-specific deviation application as the proposal is inconsistent with the spatial planning designation – A detailed visual impact assessment is required. – The scenic overlay zone applies, and the application needs to be referred to the Conservation Advisory Committee; – Submit an amended and updated landscape plan and SDP considering and addressing discrepancies in number of units provided, number of parking, screening of parking, materials to be used, etc. – The applicant to provide additional information on proposed tenure arrangements and targeted beneficiaries for the residential units.

1. BACKGROUND AND CONTEXT

Erf 16400 (Portion 5 of Farm 490, Stellenbosch), known as Jonker Estate (previously African Valley), is located ±10 minutes east of the Stellenbosch CBD, just south-east of Ida's Valley and the Helshoogte Road. Access to the site is obtained via a shared servitude connecting onto Helshoogte Road (R310). The property is positioned within a transitional urban–rural area, bordered by Ida's Valley to the north, Botmaskop Estate and Botmaskop Nature Reserve to the east and south. The surrounding area reflects a fragmented, sprawling, low- to medium-density residential estate living interspersed between the rural/agricultural landscape.

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The property is located within the urban edge and forms part of the Jonkershoek Landscape Character Area, classified as a Grade IIIb landscape unit with high scenic value. The site is further located within the Rural Scenic Route Overlay Zone: Helshoogte Road (R310). These designations highlight the visual sensitivity of the area and inform the assessment of the proposed rezoning within its broader spatial and landscape context.

The property measures 6.2731ha and currently accommodates a cultivated vineyard (±2.13ha[1]), four buildings under sectional title scheme (3079m²)[2], and approximately 1.93ha[3] for road purposes (R310 Helshoogte Road).

The zoning certificate on the subject property indicates that a split zoning exists for a limited area of 1 068m². The land use accommodated within the split zoning is for a 12 guest room, tourist accommodation enterprise with a reception / dining / lounge / kitchen / laundry area. The split zoning and associated land uses were approved in **2005** as part of an approval for Residential Zone V (resorts) in terms of LUPO.

In **2014** approvals were granted for the following:

- Amendment of the approved Site Development Plan to add ±310m² to the existing guest suites and the provision of 55 parking bays.
- Consent use for the conversion of the existing agricultural building for a tourist facility comprising a wine tasting (±100m²) and conference facility (ground floor – max 60 seats).
- Temporary departures to accommodate a spa treatment facility (±240m²) for guests of the guest house within the existing agricultural building on the lower ground floor and a restaurant (open to the public - ±120 seats) within the existing dining hall of the approved guest house facility.

After the 2014 approval, the zoning scheme was approved (2019) and the conversion of Residential Zone V properties inside the urban edge were translated to Multi-Unit Residential Zone with deemed consent uses for approved consent uses. Accordingly, the split zoning on the property includes 1068m² Multi-unit Residential Zone (MUR) and the remainder is Agricultural and Rural Zone (ARZ = 6.1663ha). The owner at the time then applied for a sectional title scheme for the existing buildings, which was approved in 2016. The table below provides for a comparison between the sectional title scheme and the approved land uses.

Sectional Title Building	Sections	Floor area	Land use & Zoning
Building 1	Section 1	107	Guest suite – 2005 & 2014 (MUR)
	Section 2	107	Guest suite – 2005 & 2014 (MUR)
	Section 3	106	Guest suite – 2005 & 2014 (MUR)
	Section 4	109	Guest suite – 2005 & 2014 (MUR)
	Section 5	106	Guest suite – 2005 & 2014 (MUR)
	Section 6	107	Guest suite – 2005 & 2014 (MUR)
Building 2	Section 7	66	Guest suite – 2005 & 2014 (MUR)

[1] Calculated using the Western Cape Department of Agriculture: Crop Census, 2023 data.
[2] Based on Sectional Title Scheme – S.G. No. D443/2016.
[3] Calculated using Stellenbosch GIS Portal measurement tool considering the surrounding erf boundary alignments for Helshoogte Road.

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	Section 8	66	Guest suite – 2005 & 2014 (MUR)
	Section 9	65	Guest suite – 2005 & 2014 (MUR)
	Section 10	66	Guest suite – 2005 & 2014 (MUR)
	Section 11	66	Guest suite – 2005 & 2014 (MUR)
	Section 12	66	Guest suite – 2005 & 2014 (MUR)
Building 3	Section 13	1066	Agricultural building with a split zoning for MUR (±92m²); Agricultural building on upper and lower ground floor (previous public restaurant) (ARZ).
	Section 14	713	Agricultural building with a consent use for a wine tasting and conference room on upper ground floor (ARZ). Agricultural building on lower ground floor (previously spa treatment area).
Building 4	Section 15	324	Manor house – primary right (ARZ)
Remainder (not sectionalised)	Remainder	6.1336ha	Agriculture, road purposes, parking.

The current application seeks to rezone the existing two-storey agricultural building (refer to sectional title building 3) from Agricultural and Rural Zone to Multi-Unit Residential Zone to permit 28 flats with communal and ancillary facilities for the exclusive use of residents. The area to be rezoned is approximately 2193m² and will accommodate the following housing typologies:

- One-bedroom flats with an approximate floor area of 59m² (including a balcony) = 13 on the upper ground floor and 2 on the lower ground floor;
- Two-bedroom flats with an approximate floor area of 148m² = 1 on the lower ground floor; and –
- Three-bedroom flats ranging between 166m², 176m² or 157m² = 3 on the upper ground floor and 2 on the lower ground floor.

The floor area for the ancillary facilities for exclusive use of the residents include boardrooms, workspace, gym, coffee shop/lounge and a laundry is 359m². The proposed land uses require a total of 58 on-site parking bays as prescribed by the zoning scheme.

If the rezoning is approved the total urban related residential and ancillary development envelope on the property will be approximately 1.4ha. This consists of the Multi Unit Residential contained in existing building footprints (3 261m² = 40 residential units), existing sectionalised Manor House (324m²), communal areas consisting of private parking and private open space(±1.09ha).

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2. POLICY ALIGNMENT ASSESSMENT

2.1. MSDF Compliance

The subject site is located within the urban edge, which has been formulated to support the Stellenbosch Municipal Spatial Development Framework (MSDF) objective of strategic urban infill. It is also within the urban-rural transition zone along the eastern boundary of Stellenbosch. The MSDF designates the property for "Urban Agriculture Areas Retained" and spatial proposals identified relates to the urban-rural transition zone, namely:

- Function as a buffer between urban development and agricultural land, limiting urban sprawl;
- Retain a clear sense of transition between human settlement and agricultural/rural activities;
- Be low-impact and low-intensity, and compatible with surrounding residential and agri-rural land uses; and
- Maintain the integrity of existing character areas and scenic routes.

Moreover, the property and the surrounding area is not identified as a high intensity infill development priority area, therefore new development should support and complement the existing settlement pattern and character. The spatial intent from the MSDF notes that residential uses and ancillary non-residential activities are encouraged within the urban-rural transition where they are low-intensity, community-supportive, and have limited spatial and operational impacts.

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The subject property and the surrounding area are designated for Intensive Agricultural Use in terms of the Spatial Planning Categories (SPCs) identified in the Stellenbosch Environmental Management Framework (EMF), guided by the Western Cape Rural Areas Land Use Planning Guidelines which prioritise the protection and viability of high-value agricultural land. The Guidelines indicate that housing and new residential development should generally be directed to existing nodes of residential development and should respond appropriately to the prevailing settlement structure and hierarchy, to avoid the fragmentation or sterilisation of productive agricultural land.

A precedent for urban infill within the MSDF designated "Urban Agriculture Areas Retained" was set when the MPT approved the development of the Remainder Portion 2 of Farm 490, Stellenbosch in 2022. This approval established the Botmaskop Estate, comprising 38 Conventional Residential Zone erven, 29 Group Housing erven, and associated private open space erven for private roads and private open spaces. This resulted in the surrounding area being characterised as fragmented, sprawling, low- to medium-density residential estate living interspersed between the rural/agricultural landscape.

Erf 16400, Stellenbosch (Farm 490/5, STB) directly abuts Botmaskop Estate, and the development proposal sought is to approve the conversion of the existing two-storey agricultural building for the development of 28 flats and communal facilities, without any expansion of the building footprint into the productive agricultural area.

The proposal is located within the urban edge of Stellenbosch Town, and on an existing farm werf, where residential and ancillary uses are already established. The development is contained within an existing building footprint, with no expansion into productive agricultural land. The proposal responds appropriately to the settlement hierarchy, aligns with the intent of channelling residential use to existing nodes, and does not compromise the primary agricultural function of the property, rendering it compatible with the objectives of the MSDF, SEMF, and applicable provincial guidelines.

The MSDF principles are a critical planning anchor to achieve strategic objectives for the municipality.

MSDF Principles	Proposal Compliance
1. Preservation of Agriculture, Water, Biodiversity resources	– The proposed additional 28 flats are within the farm werf which is already transformed, retaining agricultural land beyond the building footprint. – While the site is designated for intensive agricultural use, it is located within the urban edge, and adjacent to an area which has been transformed for urban development. – The contained split zoning for the proposal prevents further settlement encroachment into agricultural areas, scenic landscapes, and biodiversity priority areas in alignment with the policy intent of the MSDF and SEMF. – No new development footprints are proposed; the existing ±2.13 ha cultivated vineyard will be retained, thereby preserving agricultural function of the property.
2. Heritage and Scenic Landscape Protection	– The proposal does not expand its footprint into the cultural landscape area and maintains and reinforces the integrity of the broader scenic, historic, ecological, and cultural landscape unit.

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	– The scale, footprint and operational nature of the proposed uses retain a strong sense of transition between agricultural land, nature reserve, and human settlement. – The reuse of the existing agricultural building within the werf complex fits within the existing scale and layout, and it does not add inappropriate massing within the cultural landscape. – The proposed architectural treatment measures attached to the reuse of the agricultural building mitigate visual impacts toward the Jonkershoek and Stellenbosch Mountains and the Helshoogte Road scenic route. – The adaptive reuse of an existing two-storey building is compatible with both established and emerging character and does not detract from the surrounding heritage landscape. – The Visual Impact Assessment as compiled by TV3 Architects (dated 27 February 2026) and the Architectural Statement (TV3 Architects dated 18 June 2025) informed the building design and the impact will be mitigated through, material use (smooth plaster surface with natural colour timber), colour palette (warm grey tones instead of white), segmenting the building into smaller articulated components, recessed balconies, deep-set glazing, stepped and set-back roof elements, low-pitch roof forms, limited exterior lighting, and additional landscaping introduced in the foreground of the building. – Landscaping is introduced as a mitigating measure for visual impact and boundary treatments and plantings are indicated on the Landscaping Plan (dated 9 March 2026 – 3994/A/101 REV3) to ensure the rural landscape character of the scenic route is maintained. Additional tree planting screens will be planted around buildings and parking areas, in addition parking areas will use permeable surfaces.
3. Optimal Land Use and Settlement Hierarchy	– Introduces a residential use with limited functional dependency, compatible with the surrounding urban-rural transition area. – Maximises residential opportunity without additional urban footprint expansion within agricultural areas. – The rezoning of the existing building footprint leads to a reduced service demand in terms of water, sewer and traffic generation when compared to the previous approved land uses (restaurant, conference facility, wine tasting, etc.). – Utilises existing bulk and engineering infrastructure within an appropriate and accessible location in the settlement hierarchy.
4. Improved mobility and access	– Vehicular access will continue to be provided via the existing shared servitude linking to Helshoogte Road (R310). – Surrounding road infrastructure is of an acceptable standard and currently accommodates existing traffic demand based on the Traffic Impact Statement and confirmed by the Provincial Roads Engineer and the Development (Infrastructure Services) Section. – The proposed residential use is low traffic-generating in nature. – No adverse impacts on mobility, access, or road safety are anticipated.

Overall, the proposed spot zoning conforms to the MSDF principles by enabling residential reuse of an existing building within the urban–rural transition zone while protecting agricultural

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resources, respecting heritage and landscape character, supporting optimal land use, and maintaining appropriate access and mobility.

2.2. By-law Compliance

The subject property is zoned Agricultural and Rural Zone under the Stellenbosch Zoning Scheme, which permits limited residential opportunities and income-generating uses, but does not permit flats as a primary, additional, or consent use. To lawfully accommodate the proposed 28 residential units and ancillary communal facilities, the application seeks to rezone the existing agricultural building to Multi-Unit Residential Zone, with no departures or relaxations requested. The property is further subject to the Rural Scenic Route Overlay Zone: Helshoogte Road (R310-RSR7), which seeks to preserve the rural visual qualities at the eastern gateway to Stellenbosch. The proposal confines development to an existing, already disturbed building footprint, retains surrounding agricultural land, and limits visual and spatial impacts through adaptive reuse and appropriate architectural treatment. The proposed rezoning is compatible with the existing and emerging character of the area and satisfies the relevant assessment criteria set out in Section 65 of the Stellenbosch Municipal Planning By-law (2023).

2.3. Policy Frameworks Compliance

The Stellenbosch Heritage Inventory identifies the site as forming part of the Jonkershoek Threshold Landscape Unit (Grade IIIb), which is recognised for its scenic and contextual significance, including views toward the Bottelmaskop peak, the Jonkershoek and Stellenbosch Mountain ranges, vineyards, and surrounding rural landscapes. Policy guidance for this landscape unit requires that development within rural and transitional contexts be sensitive to topography, scale, and the intrinsic character of the landscape.

The proposal does not involve any physical extensions or new development. The reuse of an existing two-storey building, previously utilised for tourist accommodation constitutes a compatible and low-impact residential use within the urban-rural transition zone. The proposed residential units will not result in visual intrusion or compromise the integrity of the scenic landscape unit and are consistent with applicable heritage and landscape policy considerations.

3. SPATIAL PLANNING RECOMMENDATION

Based on the comprehensive spatial assessment outlined above, the Spatial Planning Section **supports** the proposed for the spot zoning of a portion (2193m²) of the existing building from Agricultural and Rural Zone to Multi-Unit Residential Zone to allow for 28 residential units and ancillary communal areas for the exclusive use of the residents of the facility. The proposal demonstrates conformance with the spatial development principles of the Municipal Spatial Development Framework (MSDF) and the Stellenbosch Land Use Planning By-law (2023).

Key reasons for support include:

- The proposed residential use is compatible with the existing and emerging character of the urban-rural transition area and is appropriately located between established residential areas and the surrounding agri-rural environment.
- The development is confined to an existing, approved building within an already transformed farm werf, with no expansion of the development footprint.

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- The proposed scale of the residential use is not expected to place additional burden on municipal infrastructure or services.
- The proposal does not result in the subdivision, fragmentation, or sterilisation of agricultural land as the primary agricultural use of the property will be retained, approximately 2.13 ha of cultivated vineyard.
- The current building is visually intrusive to the existing backdrop, and the applicant demonstrated sufficient mitigating measures through the proposed architectural treatment and landscape measures to mitigate the current visual impact on scenic landscapes.
- The proposal responds appropriately to the objectives of the SEMF and Heritage Inventory Survey, channelling residential use to established werf nodes and does not compromise the primary agricultural function of the property.
- While deviating from the spatial intent of the Municipal Spatial Development Framework for agricultural land, the proposal conforms with the underlying policy intent of promoting compact development, efficient land use, and the optimisation of existing buildings and infrastructure. The deviation is site-specific and does not create an undesirable precedent for further residential development on agricultural land.

4. CONCLUSION

Based on the motivation report and supporting documentation, the Spatial Planning Section **supports** the spot zoning of a portion (2193m²) of the existing building from Agricultural and Rural Zone to Multi-Unit Residential Zone to allow for an additional 28 flats and ancillary communal areas for the exclusive use of the residents of the facility. The application demonstrates conformance with the Municipal Spatial Development Framework and site specific circumstances, the Stellenbosch Land Use Planning By-law (2023), and the Stellenbosch Zoning Scheme.

Approval can only be recommended subject to the following conditions:

- The proposed ancillary facilities shall not be open to the public and shall be used exclusively by residents of the development.
- The building is restricted to a maximum height of two (2) storeys.
- The maximum Multi-Unit Residential floor space is restricted to 2193m² as depicted on the Consolidated Site Development Plan & Landscaping Plan (dated 09/03/2026 Drawing No. 3994/A/101 Rev 3, 3994/A/201 REV 5, 3994/A/202 REV 4, 3994/A/301 REV 0, 3994/A/211 REV 1, 3994/A/212 REV 1, 3994/A/213 REV 1, and 3994/A/501 REV 1).
- The maximum number of dwelling units are restricted to 28 flats as depicted on the Consolidated Site Development Plan & Landscaping Plan (refer to point above for approved SDP reference).
- The total maximum density (units/ha) within the proposed split zoned portion is restricted to 128 du/ha.
- No further development or expansion shall be permitted; the approved residential use and communal spaces shall be limited to the utilisation of the existing building footprint only.
- The Inclusionary Zoning Policy applies to the proposed split zoning and 20% of the total number of new flats needs to be earmarked as Inclusionary Housing units.

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- An amended SDP should be submitted for approval, indicating the Inclusionary Housing units.
- The current SDP does not provide the necessary parking bays for the existing sectional title buildings (12 guest/residential units), and an amended SDP should be submitted to provide for the required parking bays are prescribed by the zoning scheme.
- Given the high visual exposure of the Botmaskop site, the external colour palette shall comprise neutral, earthy tones that complement the surrounding natural landscape as noted in the Architectural Statement (TV3 dated 18 June 2025), and the Visual Impact Assessment (TV3 dated 27/02/2026). The preferred warm grey colour palette should closely match the samples provided by TV3 i.e. Paintsmiths Karma 2HCP and/or Midas Conclusion.
- The proposed lighting and landscaping measures, including the introduction of additional trees along the R310, shall be implemented in accordance with the Landscaping Plan and Visual Impact Assessment to mitigate visual impacts.
- The detailed boundary wall design and specifications should be in accordance with the prescripts of the Scenic Route Overlay Zone and be submitted as part of the building plans.

Chantel Hauptfleisch (A/1484/2011)
Principle Spatial Planner
Date: 12/06/2026

SUPPORT / ~~NOT SUPPORTED~~

Jeremy Benjamin
Senior Manager: Development Planning
Date: 12/06/2026

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Outlook

(11)

FW: APPLICATION FOR REZONING ON ERF 16400, STELLENBOSCH: COMMENT (Recirculation for an amended application)

From Nolusindiso Momoti <Nolusindiso.Momoti@stellenbosch.gov.za>
Date Thu 10/8/2026 8:45 AM
To emilevdm@adept.co.za <emilevdm@adept.co.za>
Cc Daniel Meyer <Daniel.Meyer@stellenbosch.gov.za>

Dear Emile,

Please find below heritage comment for the above-mentioned application.

Kind regards / Vriendelike Groete
Nolusindiso Momoti (Sindi)
Administrative Officer
Land Use Management
Planning & Economic Development

T: +27 21 808 8673: F + 27 21 886 6899
NPK Building, 1st Floor, C/O Plein &
Ryneveld Street, Stellenbosch, 7600
www.stellenbosch.gov.za

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELPOMENT SERVICES
0 8 OCT 2026
RECEIVED

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http://www.stellenbosch.gov.za/main_pages/disclaimerpage.htm

FILE NR: E 16400 S
SCAN NR:
COLLABORATOR NR: 814088

From: Katherine Robinson <Katherine.Robinson@stellenbosch.gov.za>
Sent: Wednesday, 30 September 2026 14:12
To: Nolusindiso Momoti <Nolusindiso.Momoti@stellenbosch.gov.za>
Cc: Bernabe De La Bat <Bernabe.DeLaBat@stellenbosch.gov.za>; Chantel Hauptfleisch <Chantel.Hauptfleisch@stellenbosch.gov.za>
Subject: Re: APPLICATION FOR REZONING ON ERF 16400, STELLENBOSCH: COMMENT (Recirculation for an amended application)

Good afternoon Nolusindiso,

The Heritage Section has considered this application.
We have no objection to re-zoning the property to multi-residential, however, this property is located along a scenic route and will need to be submitted to SMCAC prior to the submission of Council Drawings.

Kind regards,
Katherine Robinson
Senior Heritage Planner
Heritage Resource Management
Planning & Economic Development

T: +27 21 808 8608 Cell: 072 202 5008
Email:
Katherine.Robinson@stellenbosch.gov.za
71 Plein Street, Stellenbosch, 7600
www.stellenbosch.gov.za

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From: Nolusindiso Momoti <Nolusindiso.Momoti@stellenbosch.gov.za>
Sent: Thursday, 03 September 2026 08:57
To: Katherine Robinson <Katherine.Robinson@stellenbosch.gov.za>
Subject: APPLICATION FOR REZONING ON ERF 16400, STELLENBOSCH: COMMENT (Recirculation for an amended application)

I'm using Mimecast to share large files with you. Please see the attached instructions.

Good day Katherine / Kaizer,

Attached please find the application regarding the above-mentioned Erf. Kindly furnish your comment by email, if any, in order to enable to submit the application to the decision-making authority for consideration.

ERF / FARM NUMBER & APPLICATION NUMBER: Erf 16400, Stellenbosch (LU/19288)TP1258/2025

DESCRIPTION OF THE PROPOSAL: (AMENDED APPLICATION)

Application in terms of Section 15 (2) (a) of the Stellenbosch Municipal Land Use Planning By-Law (2023) for the rezoning of a portion (±2193m²) of the existing building from Agricultural/Rural Zone to Multi-Unit residential zone to ***allow for 37 residential units*** within the existing buildings and ancillary communal areas for the exclusive use of the residents of the facility.

APPLICANT DETAILS:

Emile van der Merwe Town Planning Consultants
PO BOX 204
STELLENBOSCH
7600

PROPERTY ADDRESS:

De Bosch Properties (Pty) Ltd & Sarprop Developments (Pty)Ltd
Helshoogte Road (Main Road 172)
7599

STELLENBOSCH MUNICIPALITY

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MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	**Director: Planning + Economic Development**
Att Aandag:	**Nolusindiso Momoti**
From ▫ Van:	**Development (Infrastructure Services)**
Author ▫ Skrywer:	**Tyrone King**
Date ▫ Datum:	**11 Sept 2026**
Our Ref ▫ Ons Verw:	**Civil LU 2951**
Town Planning Ref:	**LU/19288 – TP1258/2025**
Re ▫ Insake:	**Erf 16400,Stellenbosch: Application in terms of Section 15 (2) (a) of the Stellenbosch Municipal Land Use Planning By-Law (2023) for the rezoning of a portion (2193m²) of the existing building footprint from Agricultural/Rural Zone to Multi-Unit residential zone to allow for 28 residential units with ancillary communal areas for the exclusive use of the residents of the facility.**

This Memo replaces our previous one dated 2 February 2026. The new memo reflects the amended DC calculations for the amended development proposal:

- **30 apartments + 7 inclusionary housing apartments**

The following engineering documents were evaluated as part of this application:

- Civil engineering services report by BSI Consult dated 24 June 2025.
- TIS by ITS dated 23 Oct 2025
- Existing and Proposed rights drawing, prepared by Emile van der Merwe, dated 2026/09/07 – **attached**.

Specific Conditions:

These conditions must be complied with prior to an Occupation Certificate being issued, unless specifically stated otherwise below.

1. Water

1.1 A bulk water meter conforming to the specifications of the Directorate: Infrastructure Services must be installed, the municipal account for the said meter must be activated and the consumer deposit must be paid.

2. Sewer

2.1 There is insufficient capacity in the downstream municipal sewer network to accommodate the proposed development. The development will therefore have to make use of conservancy tanks, as is currently the case for the existing buildings. Once capacity in the downstream network has been confirmed, the Developer must connect to the municipal network. The costs associated with the connection will be for the Developer. Sewer DCs will also be payable at that stage.

2.2 No septic tanks are permitted.

3. Roads

3.1 The development obtains access from a provincial road (Helshoogte Road). Any conditions stated by the Provincial Roads Engineer must be complied with.

4. Stormwater

4.1 No new building footprint is being proposed, and the stormwater run-off should therefore not increase, however, details regarding the development's stormwater management system must be provided when the building plans are submitted. Additional conditions related to stormwater management may be set at that stage.

5. Solid Waste

5.1 Details regarding solid waste removal must be provided when the SDP and/or building plans are submitted. Additional conditions may be set at that stage.

6. Servitudes

6.1 Should the need for any servitudes be identified during the implementation phase, these servitudes will have to be registered by the Developer prior to an Occupation Certificate being issued.

7. Installation of Engineering Services

7.1 All internal and link engineering services for the development must be installed by the developer at his cost.

7.2 Detail engineering drawings must be submitted for approval prior to the commencement of construction.

8. Development Charges (DCs)

8.1 DCs are payable in accordance with the prevailing and applicable Council DCs Tariffs and DCs Policy at the time of payment prior to the transfer of the first property (subdivision clearance) or approval of any building plans, whichever occurs first. The amount payable will therefore be the amount as calculated according to the approved tariff structure and according to the DCs Policy principles at the time that payment is made.

8.2 A DCs estimate is provided in **Annexure DC**. This calculation is purely provisional, based on the information available at this stage, and a final calculation will be provided prior to payment and based on the final/approved development parameters.

General Conditions

9. The implementation of the development wrt the provision of civil engineering services, must comply with the "*General guidelines and standard practices for the provision of civil engineering services for new developments*" as published on the municipality's website and as amended from time-to-time.

10. The design of the civil engineering services for the development must comply with the "*Design Guidelines and Minimum Standards for Civil Engineering Services*" as published on the municipality's website and as amended from time-to-time.

11. The internal services are private. Therefore, all internal services will be maintained by the Developer and/or Owner's Association.
12. The Developer will be held liable for any damage to municipal infrastructure, caused as a direct result of the development of the subject property. The Developer will therefore be required to carry out the necessary rehabilitation work, at his/her cost, to the standards of the Directorate: Infrastructure Services, prior to transfer of the first property or approval of any building plans or occupation certificate, whichever occurs first.
13. The developer will be held liable for any nuisance, health or other risk to the public, caused as a direct result of the development of the subject property. Where in the opinion of the Municipality a nuisance, health or other risk to the public is caused due to construction activities and/or a lack of maintenance of any service, the Municipality may give the Developer and/or Owner's Association written notice to remedy the defect.

Tyrone King Pr Tech Eng
Manager: Development (Infrastructure Services)

W:\2.0 DEVELOPMENT\01 Land Use applications\2951 (TK) Erf 16400 Stellenbosch (LU-19288 TP1258-2025), African Valley\2951 Erf 16400 Stellenbosch (LU-19288 TP1258-2025)_3 approved (amended DC).doc

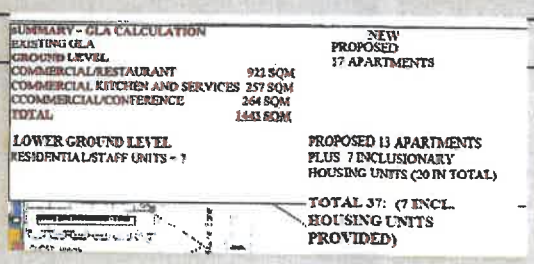
Stellenbosch Municipality

Development Charge Calculation (2026/27)

APPLICATION INFORMATION	
Application Number:	2951 (TK) Erf 16400 Stellenbosch (LU-19288 TP1258-2025), African Valley
Development Name:	Jonker Estate (aka African Valley)
Date:	11 September 2026
Financial Year:	2026/27
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):	Urban
Erf No. / Farm No.:	16400
DC Parameters Reference:	Existing and Proposed rights drawing, prepared by Emile van der Merwe, dated 2026/09/07

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:	-0.138	0.023	-0.03245	0.6314	-196.31		77.57	
Total Service Usage Reduction:	0	0	0	0	0.0		0	
Total Service Usage after Reduction:	-0.14	0.02	-0.03245	0.631	-196.3		78	
Charges before adjusting for positive only, before Deductions	-R 4 884.03	R -	-R 7 592.14	R 69 747.04	-R 1 534 606.51	-R 1 477 335.64	R 372 873.90	-R 1 104 461.74
Charges adjusted for positive only, before Deductions	R -	R -	R -	R 69 747.04	R -	R -	R 372 873.90	R 442 620.94
Total Deductions:	R -	R -	R -	R -	R -	R -	R -	R -
Total Development Charges Payable (excluding VAT):	R -	R -	R -	R 69 747.04	R -	R -	R 372 873.90	R 442 620.94
VAT:	R -	R -	R -	R 10 462.06	R -	R -	R 55 931.09	R 66 393.14
Total Development Charges Payable (including VAT):	R -	R -	R -	R 80 209.09	R -	R -	R 428 804.99	R 509 014.08

APPLICANT INFORMATION	
Application Processed by:	Tyrone King
Signature:	Estimate only
Notes:	The inclusionary housing has a seperate DC calc. Restaurant = 922+257=1179m2 Conference = 264m2 Total ex GLA = 1443m2 Final DCs will be calculated at BP submission stage. Sewer is currently not connected to the municipl network. Should the developer in future connect to the network, DCs will become payable.



Stellenbosch Town

	Land Use Category	Unit Type	Existing Usage			Proposed New Usage			Increased Usage	Development Charge Levied (excl VAT)								
	Description	Unit	Area (m2)	Unit Amount	Result	Area (m2)	Unit Amount	Result	Amount	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Total
										Yes	No	Yes	Yes	Yes		Yes	
Residential	Single Residential >1000m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
Residential	Single Residential >500m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
Residential	Single Residential >250m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
Residential	Single Residential <250m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
Residential	Second Dwelling	du							0	R -	R -	R -	R -	R -	R -	R -	R -
Residential	Less Formal Residential	du							0	R -	R -	R -	R -	R -	R -	R -	R -
Residential	Group Residential	du							0	R -	R -	R -	R -	R -	R -	R -	R -
Residential	Apartments	du		7			30		23	R 366 301.95	R -	R 43 049.42	R 101 626.98	R 431 107.54	R 942 085.89	R 400 805.00	R 1 342 890.89
Residential	Retirement Village	du							0	R -	R -	R -	R -	R -	R -	R -	R -
Residential	Old age home	du							0	R -	R -	R -	R -	R -	R -	R -	R -
Accommodation	Student Accommodation/Commune/Hostels	rooms							0	R -	R -	R -	R -	R -	R -	R -	R -
Accommodation	Guest House	rooms							0	R -	R -	R -	R -	R -	R -	R -	R -
Accommodation	Hotel, Residential	rooms							0	R -	R -	R -	R -	R -	R -	R -	R -
Commercial	General Business	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
Commercial	Office	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
Commercial	Retail/Shop	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
Commercial	Restaurant	m2 GLA		1179					-1179	-R 333 812.56	R -	-R 41 376.58	-R 26 047.44	-R 1 785 773.51	-R 2 187 010.09	-R 22 821.04	-R 2 209 831.12
Commercial	Outdoor Function / Picnic Area	persons							0	R -	R -	R -	R -	R -	R -	R -	R -
Commercial	Farm Market	stall							0	R -	R -	R -	R -	R -	R -	R -	R -
Commercial	Sport Courts	court							0	R -	R -	R -	R -	R -	R -	R -	R -
Commercial	Conference Facility/Place of assembly	m2 GLA		264					-264	-R 37 373.42	R -	-R 9 264.98	-R 5 832.50	-R 179 940.54	-R 232 411.44	-R 5 110.05	-R 237 521.50
Commercial	Hospital/Clinic/Medical Rooms	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
Commercial	University/College	student							0	R -	R -	R -	R -	R -	R -	R -	R -
Industrial	School/Day Care	student							0	R -	R -	R -	R -	R -	R -	R -	R -
Industrial	Industrial - light	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
Industrial	Industrial - heavy	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
Industrial	Warehousing/Light Manufacturing	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
Non demand	Storage Facilities	unit							0	R -	R -	R -	R -	R -	R -	R -	R -
Non demand	Open Space/Natural Environment/Utility Site	ha							0.0000	R -	R -	R -	R -	R -	R -	R -	R -
Other	Roads and Parking	ha							0.0000	R -	R -	R -	R -	R -	R -	R -	R -
Other	To be calculated	n/a							0	R -	R -	R -	R -	R -	R -	R -	R -
	(Based on equivalent demands)	Total Area:	0		Total Area:	0											

	Charges before adjusting for positive only, before Deductions	-R 4 884.03	R -	-R 7 592.14	R 69 747.04	-R 1 534 606.51	-R 1 477 335.64	R 372 873.90	-R 1 104 461.74
Deduct	Charges adjusted for positive only, before Deductions	R -	R -	R -	R 69 747.04	R -	R -	R 372 873.90	R 442 620.94
Deduct	Deductions per service (from usage reductions)	R -	R -	R -	R -	R -	R -	R -	R -
Deduct	Discount Deduction (%) Percentage:	R -	R -	R -	R -	R -	R -	R -	R -
Deduct	Additional Deduction per service - from Service Agreement (sum)	R -	R -	R -	R -	R -	R -	R -	R -
Totals	Sub Total after Ajustments and Deductions (excluding VAT)	R -	R -	R -	R 69 747.04	R -	R 69 747.04	R 372 873.90	R 442 620.94
Totals	VAT	R -	R -	R -	R 10 462.06	R -	R 10 462.06	R 55 931.09	R 66 393.14
Totals	Total Development Charges	R -	R -	R -	R 80 209.09	R -	R 80 209.09	R 428 804.99	R 509 014.08

Stellenbosch Municipality

Development Charge Calculation (2026/27)

APPLICATION INFORMATION	
Application Number:	2951 (TK) Erf 16400 Stellenbosch (LU-19288 TP1258-2025), African Valley
Development Name:	Jonker Estate (aka African Valley)
Date:	11 September 2026
Financial Year:	2026/27
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):	Urban
Erf No. / Farm No.:	16400
DC Parameters Reference:	Existing and Proposed rights drawing, prepared by Emile van der Merwe, dated 2026/09/07

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:	3.15	2.8	0.056	0.28	19.25		28	
Total Service Usage Reduction:	0	0	0	0	0.0		0	
Total Service Usage after Reduction:	3.15	2.80	0.05600	0.280	19.3		28	
Charges before adjusting for positive only, before Deductions	R 111 483.20	R -	R 13 102.00	R 30 929.95	R 131 206.64	R 286 721.79	R 121 984.13	R 408 705.92
Charges adjusted for positive only, before Deductions	R 111 483.20	R -	R 13 102.00	R 30 929.95	R 131 206.64	R 286 721.79	R 121 984.13	R 408 705.92
Total Deductions:	R 11 148.32	R -	R 1 310.20	R 3 092.99	R 13 120.66	R 28 672.18	R 12 198.41	R 40 870.59
Total Development Charges Payable (excluding VAT):	R 100 334.88	R -	R 11 791.80	R 27 836.95	R 118 085.98	R 258 049.61	R 109 785.72	R 367 835.33
VAT:	R 15 050.23	R -	R 1 768.77	R 4 175.54	R 17 712.90	R 38 707.44	R 16 467.86	R 55 175.30
Total Development Charges Payable (including VAT):	R 115 385.11	R -	R 13 560.57	R 32 012.50	R 135 798.87	R 296 757.05	R 126 253.57	R 423 010.63

APPLICANT INFORMATION	
Application Processed by:	Tyrone King
Signature:	Estimate only
Notes:	This calc is for the inclusionary housing only. The normal aparments have a seperate DC calc. Final DCs will be calculated at BP submission stage. Sewer is currently not connected to the municiapl network. Should the developer in future connect to the network, DCs will become payable.

SUMMARY - GLA CALCULATION
EXISTING GLA
GROUND LEVEL
COMMERCIAL/RESTAURANT 922 SQM
COMMERCIAL KITCHEN AND SERVICES 257 SQM
COMMERCIAL/CONFERENCE 264 SQM
TOTAL 1443 SQM

NEW PROPOSED
17 APARTMENTS

LOWER GROUND LEVEL
RESIDENTIAL/STAFF UNITS - 7

PROPOSED 13 APARTMENTS PLUS 7 INCLUSIONARY HOUSING UNITS (20 IN TOTAL)

TOTAL 37: (7 INCL. HOUSING UNITS PROVIDED)

Stellenbosch Town

	Land Use Category	Unit Type	Existing Usage			Proposed New Usage			Increased Usage	Development Charge Levied (excl VAT)							
	Description	Unit	Area (m2)	Unit Amount	Result	Area (m2)	Unit Amount	Result	Amount	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Total
										Yes	No	Yes	Yes	Yes		Yes	
Residential	Single Residential >1000m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Single Residential >500m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Single Residential >250m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Single Residential <250m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Second Dwelling	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Less Formal Residential	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Group Residential	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Apartments	du					7		7	R 111 483,20	R -	R 13 102,00	R 30 929,95	R 131 206,64	R 288 721,79	R 121 984,13	R 408 705,92
	Retirement Village	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Old age home	du							0	R -	R -	R -	R -	R -	R -	R -	R -
Accommodati	Student Accommodation/Commune/Hostels	rooms							0	R -	R -	R -	R -	R -	R -	R -	R -
	Guest House	rooms							0	R -	R -	R -	R -	R -	R -	R -	R -
	Hotel, Residential	rooms							0	R -	R -	R -	R -	R -	R -	R -	R -
Commercial	General Business	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Office	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Retail/Shop	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Restaurant	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Outdoor Function / Picnic Area	persons							0	R -	R -	R -	R -	R -	R -	R -	R -
	Farm Market	stall							0	R -	R -	R -	R -	R -	R -	R -	R -
	Sport Courts	court							0	R -	R -	R -	R -	R -	R -	R -	R -
	Conference Facility/Place of assembly	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Hospital/Clinic/Medical Rooms	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	University/College	student							0	R -	R -	R -	R -	R -	R -	R -	R -
Industrial	School/Day Care	student							0	R -	R -	R -	R -	R -	R -	R -	R -
	Industrial - light	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Industrial - heavy	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Warehousing/Light Manufacturing	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
Non demand	Storage Facilities	unit							0	R -	R -	R -	R -	R -	R -	R -	R -
	Open Space/Natural Environment/Utility Site	ha							0,0000	R -	R -	R -	R -	R -	R -	R -	R -
Other	Roads and Parking	ha							0,0000	R -	R -	R -	R -	R -	R -	R -	R -
	To be calculated	n/a							0	R -	R -	R -	R -	R -	R -	R -	R -
	(Based on equivalent demands)	Total Area:	0		Total Area:	0											

	Charges before adjusting for positive only, before Deductions	R 111 483,20	R -	R 13 102,00	R 30 929,95	R 131 206,64	R 288 721,79	R 121 984,13	R 408 705,92
Deduct	Charges adjusted for positive only, before Deductions	R 111 483,20	R -	R 13 102,00	R 30 929,95	R 131 206,64	R 288 721,79	R 121 984,13	R 408 705,92
	Deductions per service (from usage reductions)	R -	R -	R -	R -	R -	R -	R -	R -
	Discount Deduction (%) Percentage: 10,00%	R 11 148,32	R -	R 1 310,20	R 3 092,99	R 13 120,66	R 28 672,18	R 12 198,41	R 40 870,59
	Additional Deduction per service - from Service Agreement (sum)	R -	R -	R -	R -	R -	R -	R -	R -
Totals	Sub Total after Ajustments and Deductions (excluding VAT)	R 100 334,88	R -	R 11 791,80	R 27 836,95	R 118 085,98	R 258 049,61	R 109 785,72	R 367 835,33
	VAT	R 15 050,23	R -	R 1 768,77	R 4 175,54	R 17 712,90	R 38 707,44	R 16 467,86	R 55 175,30
	Total Development Charges	R 115 385,11	R -	R 13 560,57	R 32 012,50	R 135 798,87	R 296 757,05	R 126 253,57	R 423 010,63



PLAN: Site Development Plan
SCALE: 1 : 750

DEVELOPMENT DATA

Upper Floor		Lower Floor		Totals	
Inclusionary 1 Bed:	0	Inclusionary 1 Bed:	7	7	
Area:	0m²	Area:	175m²	175m²	
1 Bedrooms:	14	1 Bedrooms:	10	24	
Area:	630m²	Area:	450m²	1080m²	
2 Bedrooms:	0	2 Bedrooms:	1	1	
Area:	0 m²	Area:	75m²	75m²	
3 Bedrooms:	3	3 Bedrooms:	2	5	
Area:	387m²	Area:	250m²	637m²	
Total Rooms:	37				
Total Room Area:	1092 m²				
Steep Area:	980m²				
Grand total Area:	2 347m²				

Parking Requirements For New Units		Parking Requirements For Existing Units		Communal Facilities	
*1,5 per 1&2 Bed unit		***0,7 per Hotel Suite		Boardrooms	Communal facilities are for the exclusive use of residents and therefore no further parking is required
*(7+24+1) x 1,5	48	***12 x 0,7	8,4	Work Space	
				Gym	
				Coffee Shop/ Lounge	
				Laundry.	
**1,75 per 3 Bed unit		****Existing Homestead			
**(3+2) x 1,75	8,75	**** 2 per 2+ Bedrooms	2		
Total Parkings Required:	67,15 (68)			Total Parkings Provided:	68

ORIGINAL DOCUMENT DATE: Project Issue Date

DOCUMENT VARIATIONS REGISTER:

NO	DATE	DESCRIPTION
0	31-03-2025	Revision 5
1	08-04-2025	Revision 6
2	19-06-2025	Revision 7
3	09-03-2026	Consolidated SDP & Landscaping Plan. Added Guard House and Refuse Area
4	24-06-2026	Parking and fence update
5	21-08-2026	Inclusionary Units

PROJECT / CLIENT:

JONKER ESTATE - PHASE 2

DRAWING DESCRIPTION:

Consolidated SDP & Landscaping Plan

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

PROJECT DESCRIPTION.

SDP

ALL STATUTORY REQUIREMENTS (NATIONAL BUILDING REGULATIONS AND MUNICIPAL BY-LAWS) MUST BE ADHERED TO - CONTRACTORS ARE TO CHECK AND VERIFY ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE WORK COMMENCES - FIGURED DIMENSIONS AND LARGE SCALE DETAILS TAKES PREFERENCE OVER SCALED DIMENSIONS - REFER ANY AND ALL CONFLICTING INFORMATION TO THE ARCHITECT AND OTHER RESPONSIBLE CONSULTANTS THE DESIGN AND DETAIL ON THESE DRAWINGS IS THE PROPERTY OF TV3 ARCHITECTS AND TOWN PLANNERS AND COPYRIGHT IS RESERVED.

DATE:	21-08-2026
DRAWN:	E. STEENBERG
CHECKED:	E. SWANEPOEL
SIZE / SCALE:	A2 / As Indicated
DRAWING STATUS:	A: Design • B: Marketing • C: Municipal • D: Tender • E: Construction • F: As Built
DRAWING No:	3994/A/101
REV.	5

DESIGN

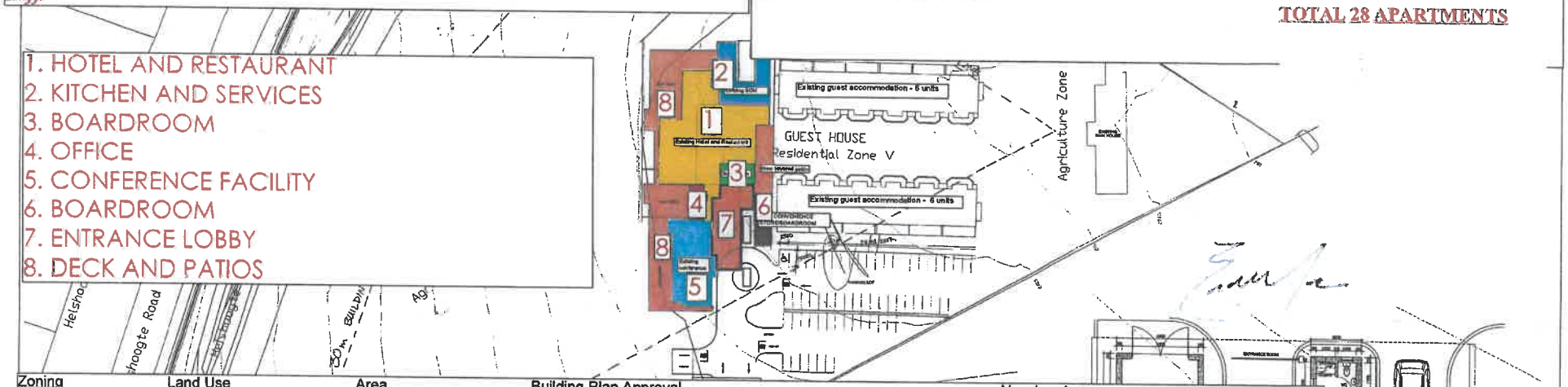
GLA EXCLUSIONS AS PER DEFINITION - STELLENBOSCH ZONING SCHEME

"gross leasable area (GLA) means the total area designed for or capable of occupancy by tennants of their exclusive use, including storage areas which are leased, and external areas which are used for business (for example outdoor trading and dining areas) ***but excludes internal parking or loading bays, vehicular circulation areas and communal spaces which are used by more than one tenant, such as communal passages, toilets, kitchens, entrance lobbies, lift shafts, stairwells, service ducts, service areas and vertical penetration of floors and also excludes all spaces which are used by the same staff who work elsewhere in the building, for example staff changing rooms, staff canteens and recreational areas used exclusively for staff."***

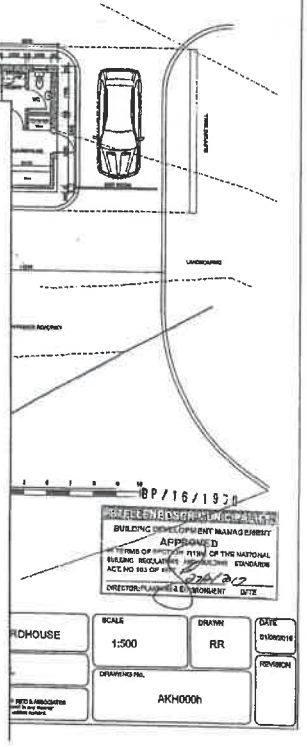
SUMMARY - GLA CALCULATION

EXISTING GLA		PROPOSED
GROUND LEVEL		16 APARTMENTS
COMMERCIAL/RESTAURANT	922 SQM	
COMMERCIAL KITCHEN AND SERVICES	257 SQM	
CCOMMERCIAL/CONFERENCE	264 SQM	
TOTAL	**1443 SQM**	
BASMENT		
RESIDENTIAL/STAFF UNITS = 7		12 APARTMENTS
		TOTAL 28 APARTMENTS

1. HOTEL AND RESTAURANT
2. KITCHEN AND SERVICES
3. BOARDROOM
4. OFFICE
5. CONFERENCE FACILITY
6. BOARDROOM
7. ENTRANCE LOBBY
8. DECK AND PATIOS



Zoning	Land Use	Area	Building Plan Approval	New Land use
GROUND LEVEL				
Multi-Unit Res	Commercial/Restaurant	699sqm	BP13/819, BP12/5217, BP15/1342, BP16/1960	Communal area and apartments
Multi-Unit Res	Kitchen and Services	257sqm	BP13/819, BP12/5217	Apartments
Multi-Unit Res	Boardroom	50sqm	BP15/1342	No change
Multi Unit Res	Office	33sqm	BP15/1342	Apartments
Agriculture	Conference Facility	264sqm	BP12/5217 AND BP15/1342	Apartments
Multi-Unit Res	Boardoom	54 sqm	BP16/1960	No change
Multi-Unit Res	New entrance	218sqm	BP16/1960	No change
Multi-Unit Res	New decks and patios	223sqm	BP16/1960	Balcony's apartments
TOTAL GLA GROUND LEVEL EXISTING		1443 SGM		PROPOSED 1140SQM (16 UNITS AND BALCONY'S)
BASEMENT LEVEL				
Agriculture	Spa rights lapsed	307sqm	BP12/5217, BP/15/1342	Apartments
Multi Unit Res	Staff Housing Units = 7	236sqm	BP15/1342 BP 16/1960	Apartments
Multi Unit Res	Circulation	177sqm	BP12/5217, BP16/1960	No change
BASEMENT EXISTING 7 STAFF UNITS				PROPOSED 12 APARTMENTS AND BALCONY'S



ELETRICITY SERVICES: CONDITIONS OF APPROVAL Erf 16400, Stellenbosch (LU/19288)TP1258/2025
GENERAL COMMENT:
1. Recommended for approval
CONDITIONS
1. All electrical work to comply to SANS 142, SANS 104 XA, SANS 1307, SANS 10106, SANS 10252-1 and SANS 10254, and Municipal By-Laws
2. If connecting a generator or solar panels for backup, the generator or solar panels needs to comply to SANS10142



Signature

23/06/2026

Date

INTEROFFICE MEMORANDUM

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DEPARTMENT: COMMUNITY SERVICES
Stellenbosch Municipality, 123 Merriman Avenue, Stellenbosch, 7599

To:	**Administrative Officer: Land Use Management Nolusindiso Mamoti**	From:	**Senior Environmental Planner: Schalk van der Merwe**
CC:		Date:	**17 September 2026**
Re:	**LAND USE APPLICATION: ERF 16400, STELLENBOSCH (LU/19288)**		

The above application, for the rezoning of a portion of an existing building footprint to allow for 28 residential units with ancillary communal areas for the exclusive use of residents of the facility, refers. This department, from an environmental planning point of view, has no objection to the approval of the application on condition that:

1. Activities on site, during construction and thereafter, comply with the Western Cape Noise Control Regulations; and
2. During construction all reasonable steps are taken to prevent nuisance caused by dust in accordance with the National Dust Control Regulations.

S VD MERWE
SENIOR ENVIRONMENTAL PLANNER
COMMUNITY SERVICES

Tel: +27 21 808 8679 | Email: schalk.vandermerwe@stellenbosch.gov.za
Physical Address: 123 Merriman Avenue, Stellenbosch, 7600 | Postal Address: PO Box 17, Stellenbosch, 7599
Website: www.stellenbosch.gov.za

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ANNEXURE C

Emile

From: Helene Janser <Helene.Janser@westerncape.gov.za>
Sent: Wednesday, 27 August 2025 16:07
To: 'emilevdm@adept.co.za'
Cc: Kobus Munro; Dalene Carstens; 'Bulelwa Mdoda'
Subject: DEA&DP Comment: Erf 16400 Stellenbosch: Application for rezoning (LU/19288)

Dear Emile

Your request for planning comment, dated 14 August 2025, refers.

The matter under consideration is an application for the rezoning of a portion (2 193m²) of an existing building footprint from Agricultural/Rural Zone to Multi-Unit Residential Zone to allow for 28 residential units with ancillary communal areas for the exclusive use of residents of the facility.

Although the Stellenbosch SDF does not indicate a clear development direction for the subject property, the latter is situated within the approved Stellenbosch urban edge, positioned between the Botmaskop Fynbos Estate to the east and Idas Valley to the north, and is therefore positioned within an area already influenced by urban development. The proposed rezoning is confined to the existing approved building footprint and will not have an impact on agricultural land.

From a provincial planning perspective, the Directorate Development Management Region 2 has no objection to the application as proposed.

Kind Regards

Helene Janser
Chief Town & Regional Planner: Development Management Region 2
Department of Environmental Affairs and Development Planning
Western Cape Government

4th Floor, Utilitas Building, 1 Dorp Street, Cape Town, 8000

Tel: +27 (0)21 483 3544
Cell: +27 (0)84 585 2000
Email: Helene.Janser@westerncape.gov.za
Website: www.westerncape.gov.za/eadp

Western Cape Government
FOR YOU

Be 110% Green. Read from the screen.

Should you not be able to contact the numbers above, please call +27 (0)21 483 4091 between 7:30 - 16:00.

Western Cape Government

Cor Van Der Walt
LandUse Management
Email: Cor.VanderWalt@westerncape.gov.za
tel: +27 21 808 5099 fax: +27 21 808 5092

OUR REFERENCE : 20/9/2/5/6/453
YOUR REFERENCE : Erf 16400 Stellenbosch
ENQUIRIES : Cor van der Walt

Emile Van Der Merwe Town Planning Consultants
PO Box 204
Stellenbosch
7599

Att: Emile Van Der Merwe

APPLICATION FOR REZONING: DIVISION STELLENBOSCH

ERF NO 16400

Your application of 13 August 2025 has reference.

The Western Cape Department of Agriculture has no objection to the proposed application from a purely agricultural perspective.

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.

Copy:
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Yours sincerely

Cor van der Walt

Digitally signed by Cor van der Walt
Date: 2026.01.20 21:38:20 +02'00'

Mr. CJ van der Walt
LANDUSE MANAGER: LANDUSE MANAGEMENT
2026-01-20

Western Cape Government

Department of Infrastructure
Vanessa Stoffels
Chief Directorate: Road Planning
Vanessa.Stoffels@westerncape.gov.za | Tel: 021 483 4669

Ref: DOI/CFS/RN/LU/REZ/SUB-25/558 (Application No: 2025-09-0055)

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Attention: Ms C Kriel

Dear Madam

ERF 16400, STELENBOSCH: MAIN ROAD 172: APPLICATION FOR REZONING

1. The following refer:

1.1. The application received from Messrs Emile van der Merwe Town Planning Consultants on 14 August 2025; and

1.2. Traffic Impact Statement dated 23 October 2025 by ITS.

2. The subject property is in eastern Stellenbosch and takes access off Main Road 172 (MR00172, Helshoogte Road). The access is established and also has an existing right turn lane.

3. This application is for the rezoning of 2193m² from Agricultural/Rural Zone to Multi-unit residential zone to allow for 28 residential units and ancillary communal areas.

4. According to the TIS, no road improvements are required.

5. This Branch offers no objection to the application in terms of the Land Use Planning Act, No. 3 of 2014.

Yours Sincerely

DD FORTUIN
***For* DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE BRANCH**
DATE: 18 NOVEMBER 2025

Emile

From: Emile <emilevdm@adept.co.za>
Sent: Thursday, 14 August 2025 14:44
To: 'mare-liez.oosthuizen@westerncapegov.co.za'; 'deadeiaadmin@westerncapegov.co.za'
Subject: Erf 16400 Stellenbosch: Application for rezoning (LU/19288)
Attachments: Erf 16400 Submission document.pdf; Erf 16400 Stellenbosch DEAP notice Oosthuizen.pdf

Dear Mare-Liez

Attached hereby please find the official notice and supporting documentation in respect of the application on the above-mentioned property. You will note that the closing date for comments is 15 September 2025.

From planning perspective the following is noted:

- The property is located within the approved urban edge of Stellenbosch Town as per the approved Stellenbosch Municipal Spatial Development Framework (2023)
- The majority of the building footprint is zoned Mult-Unit Residential Zone in terms of the Stellenbosch Land Use Planning Law (2023) read with the Stellenbosch Zoning Scheme By-Law (2023). The proposed residential units are a primary right in the said base zone.
- A sectional title scheme (De Jonker) has been registered on the property
- Consent Use previously has been granted to utilise the balance of the building footprint (agricultural buildings) to be used as a conference facility, restaurant and wine tasting area. The temporary departure in respect of the Spa facility has lapsed.
- The proposal is confined to the existing approved building footprint
- The proposal will not infringe and impact in any way on the remainder agricultural portion
- The proposal does not allow for any extensions to increase the development footprint of the existing approved building
- The proposal can be accommodated within the existing service level capacities of the municipality
- The proposal will not have any negative visual impact and mitigation measures will be implemented to softer the existing impact
- The existing approved access will be retained

Your comments in respect of the above is kindly awaited.

Regards
Emile

EMILE VAN DER MERWE
084 556 6461

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ANNEXURE D

EMILE VAN DER MERWE
town planning consultants

2026-08-24
My ref: Erf 16400 Stellenbosch
TP1258/2025

Stellenbosch Municipality
Department Planning and Development
PO Box 17
STELLENBOSCH
7599
Attention: Robert Fooy/Bernabe de la Bat

Dear Sirs

ERF 16400 (JONKER ESTATE), STELLENBOSCH: REVISED SITE DEVELOPMENT PLAN IN ACCORDANCE WITH THE STELLENBOSCH INCLUSIONARY ZONING POLICY

The meeting held on 18th August 2026 in respect of the above has reference.

As discussed, attached hereby please find the revised motivation, Site Development Plan/Landscaping Plan, Floor Plans, and Elevations that now includes the 20% provision (7 units) as required in terms of the Inclusionary Zoning Policy.

The Site Development Plan also allows for and indicates the additional parking that is required.

It will be appreciated if you can please circulate the revised plans to the Spatial Planning Section and Engineering Department for their comments. As discussed at the meeting is no form of external notification required given the scale and architectural impact of the amended proposals. The additional units will not lead to an increase in the existing development footprint of the building.

Doornbosch Centre | Strand Road | PO Box 204 | Stellenbosch 7599
Tel: 021 - 886 5050 | Fax: 021 - 883 8965 | Email: emilevdm@adept.co.za

EvdM Town Planning Services CC Reg. No. 2005/162249/23
Emile van der Merwe URP(SA) B. Hon. M(URP) MSAPI

Thanking you in anticipation.

Yours faithfully



EMILE VAN DER MERWE

EMILE VAN DER MERWE TOWN PLANNING CONSULTANTS

ERF 16400 STELLENBOSCH

1. BRIEF

Emile van der Merwe Town Planning Consultants have been appointed by the registered owners of Erf 16400 (former Farm 490/5) Stellenbosch to prepare and submit the required town planning application to the Stellenbosch Municipality for the following:

- Application in terms of Section 15 (2) (a) of the Stellenbosch Municipal Land Use Planning By-Law (2023) for the rezoning of a portion (2193m²) of the existing building from Agricultural/Rural Zone to Multi-Unit residential zone to allow for 30 residential units and 7 inclusionary housing units with ancillary communal areas for the exclusive use of the residents of the facility.

The following report will endeavour to show that the proposal is desirable from an integrated planning point of view and that it is line with the planning policies of National- and Provincial Government as well as the planning directives endorsed in terms of the Stellenbosch Municipal Integrated Development Plan and the Stellenbosch Spatial Development Framework.

2. BACKGROUND

The Stellenbosch Municipality during 2005 granted approval for the rezoning of a portion of the property from Agricultural Zone 1 to Residential Zone V to establish a guest house consisting of 12 suites with appropriate facilities on the property.

The Stellenbosch Municipality during 2014 granted approval to convert the existing agricultural for a tourist facility comprising a conference facility and wine tasting area within the ground floor of the existing building on the property. Approval was also granted for a temporary departure to accommodate a spa treatment facility for guests on the lower ground floor of the existing building as well as to facilitate a restaurant which is open to the general public within the dining hall of the approved guest house facility. The said approval also allowed for internal changes to the existing guest house on the property.

In terms of the zoning certificate (**Appendix 6**), the property comprises a split zoning that allows for the following:

Multi-Unit residential Zone

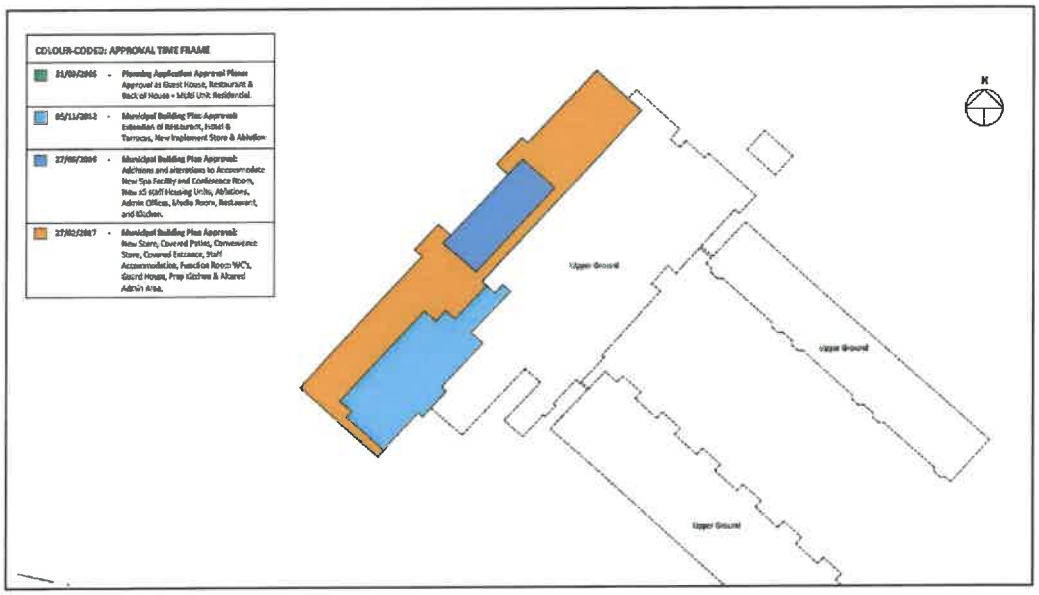
ERF 16400 STELLENBOSCH

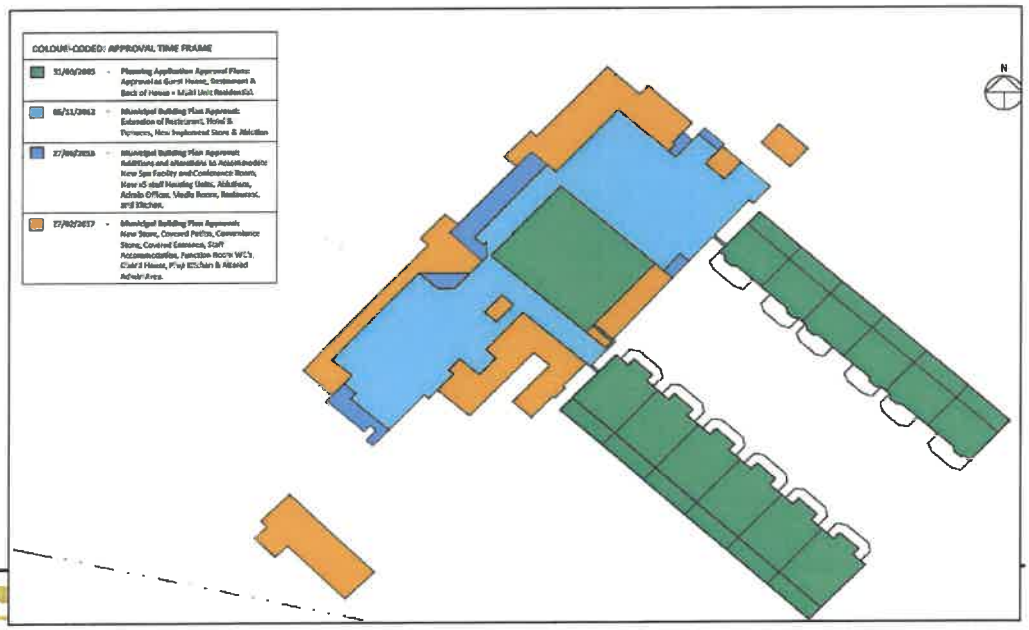
Limited to an area of 1068m² for twelve (12) tourist accommodation suites with a reception/dining/lounge/kitchen/laundry area as per the approvals granted in 2005 and 2014, respectively; and

Agricultura/Rural Zone
Remainder of the property – Agricultural Rural Zone with a consent approval for tourist facilities (100m² wine tasting facility and 60 seat conference facility) in the existing agricultural building.

Building plans for the development and additions and alterations to the guest house and associated facilities were approved in accordance with the diagrams below (Appendix 11).

Approved building plans and land uses





ERF 16400 STELLENBOSCH

3. LOCATION AND ACCESS – REFER TO APPENDIX1 – LOCALITY PLAN

The property is located approximately 5k m to the east of the Stellenbosch Central Business and gains access from the Helshoogte Road (Main Road 172) via an existing approved access.

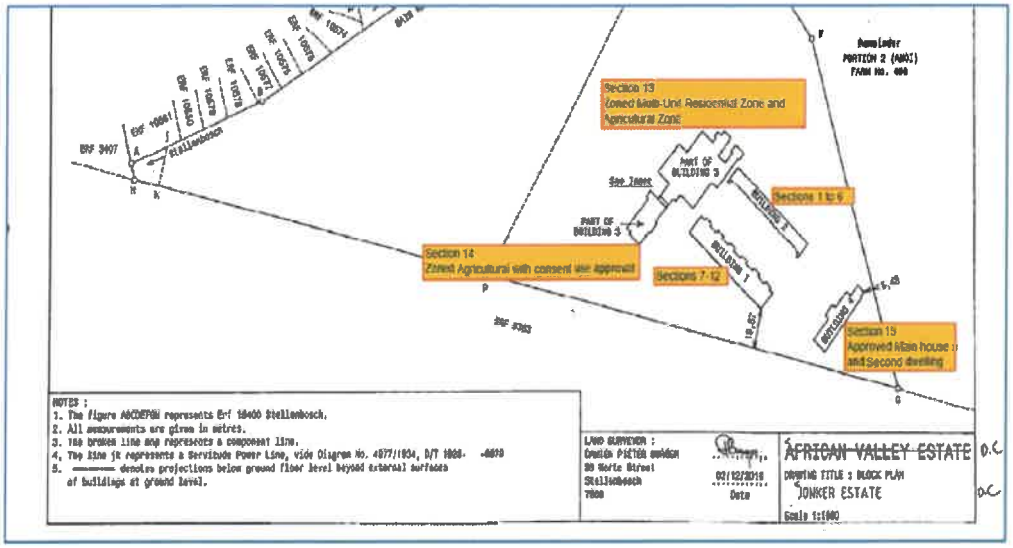
4. OWNERSHIP AND SIZE

The property is owned by De Bosch Properties (Pty) Ltd and Sarprop Development (Pty) Ltd in accordance with the Title Deed attached as **Appendix 2.** The Company resolutions and Power of attorney is attached as **Appendix 3.** The SG diagram is attached as **Appendix 4.** The property is 6,2731 ha in extent.

5. REGISTRATION AND SECTIONAL TITLE DIAGRAMS

In terms of Section 36 of Act 8/1997 the property designation has been changed from Farm 490/5 to Erf 16400 Stellenbosch. The letter of the Department of Rural Development and Land Reform is attached as **Appendix 7.** The property is exempted from the provisions of the Subdivision of Agricultural Land Act (Act 70 of 1970) and a Sectional Title Scheme (Jonker Estate) has been registered as per the SG diagrams D443/2016 (**Appendix 8).**

The existing buildings in terms of the approved Sectional Title Scheme are confined to the existing approved 4 buildings shown on the diagram below and comprise the following:



EMILE VAN DER MERWE
town planning consultants

- Buildings 1 – presents 6 guest suites (Sections 7-12)
- Building 2 – presents 6 guest suites (Sections 1-6)
- Building 3 – Sections 13 and 14
- Building 4 – Existing main dwelling (Section 15).

6. DEVELOPMENT PROPOSAL – PLANS ATTACHED – APPENDIX 9

The current zoning with associated land uses does not align with the existing building configuration applicable to certain portions of Sections 13 and 14 and it presents a complex scenario that severely compromise the present and future functionality of the building. It therefore is the intention of the owners to formalize the split zoning of these portions of the existing building (building no 3) in a practical and sensible manner. Given the approved Sectional Title Scheme that includes Sections 13 and 14 and the current use of buildings 1 and 2 as multi- unit residential units the development proposal entails the conversion and internal alterations to permit the establishment of 37 multi-unit suites **within the footprint of the existing building**.

The development proposals are attached as **Appendix 9** and comprise the following:

- 24 units on lower ground floor: – 10x one bedrooms, 1x two-bedrooms and 2 x three-bedroom units **plus 7 inclusionary housing units**
- 13 units on upper ground floor: – 14 x one-bedrooms and 3x three-bedrooms
- Stoep areas - 380m²
- Communal areas (362m²) – Approved Multi-Unit residential zone

Parking

Parking Requirements For New Units		Parking Requirements For Existing Units		Communal Fascilities	
*1,5 per 1&2 Bed unit		***0,7 per Hotel Suite		Boardrooms	Communal fascilities are for the exclusive use of residents and therefore no further parking is required
*(7+24+1) x 1,5	48	***12 x 0,7	8,4	Work Space	
				Gym	
				Coffee Shop/ Lounge	
				Laundry	
**1,75 per 3 Bed unit		****Existing Homestead			
**(3+2) x 1,75	8,75	**** 2 per 2+ Bedrooms	2		
Total Parkings Required:	67,15 (68)			Total Parkings Provided:	68

Note: The re-development of the building will not in the increase of the existing building footprint

ARCHITECTURAL DRAWINGS AND STATEMENT PERTAINING TO VISUAL IMPACT AND MITIGATION MEASURES

The architectural drawings prepared by TV3 Architects and Planners is attached as Appendix 9. In terms of the drawings read with the method statement (**Appendix 10**) the following is noted:

Objective

To soften the existing visual impact through the sensitive use of materials, colour, scale, and form as to ensure that the building integrates harmoniously into its context, with the aim of being visually recessive rather than dominant.

Material Use:

All newly constructed walls are to be finished with a clean, smooth plaster surface and selected portions of the façades, including vertical elements such as braais, will be clad in natural colour timber.

Building Footprint and Roof Form:

The original **approved building footprint** was respected, and in some areas **the footprint is reduced** through strategic setbacks. New additions include a combination of flat roofs and a **low-pitch (25°)** roof element that is set back behind the flat-roofed portion, further reducing its visual prominence.

Building Form, Volume and Façade Layering:

The building mass has been segmented into smaller, articulated forms. Recessed balconies and deep-set glazing are to be implemented in order to reduce the perception of scale and to create a layered façade that harmoniously interacts with the environment. These setbacks introduce visual depth and will serve as passive design elements as well as to prevents large reflective areas from street or adjacent properties.

The **layered façades and deep envelope** approach contributes significantly to reducing the apparent building volume and visual bulk. This enables the architecture to harmoniously blend within its natural surroundings.

Colour Palette:

The walls will be painted in warm grey tones, which are visually recessive and less intrusive compared to white. These colours reduce the visual contrast between the building and its environment, facilitating a seamless integration into the natural landscape

The use of darker, muted tones on walls and roofing positively enhances the visual integration of the building. A variation of grey tones across architectural elements creates subtle depth, ensuring that vegetation and the broader landscape remain the primary visual focal point.

Balustrades and Retaining Walls:

Balustrades will be constructed from frameless glass, minimising interruptions to views and reducing visual clutter.

Dry-stacked stone walls will be used for external retaining walls — a robust yet natural method that reinforces the local character and terrain without appearing artificial or engineered, reinforcing a grounded, organic aesthetic.

Lighting:

Light pollution is to be avoided by limiting exterior lighting to the minimum required for safety and functionality. All lighting will be:

- Discrete and well-integrated into the building design;
- Naked light sources must not be visible outside the area of the site, and light sources must be shielded to reduce light spillage.
- Downward-facing and subtle in intensity, particularly in shared or public areas.
- Up-lighting on outer façades will be limited and properly shielded.
- Neon or unshielded bright security lighting will not be used.
- Lighting will be restricted to build structures only, and any parking area lighting will be low level, soft in tone, and not visually obtrusive.

Landscaping

In addition to the above, will sufficient landscaping be implemented to further mitigate and soften the visual impact of the existing building. The landscaping plan is attached as **Appendix 12.**

7. LEGISLATIVE AND POLICY CONTEXT

7.1 Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and Western Cape Land Use Management Act (2014)

The afore-mentioned legislative provides the norms and standards and guiding principles to which development applications must comply and assessed. The application inter-alia is consistent with the following guiding principles.

- Promote land development that is spatially compact, resource –frugal and within the fiscal, institutional and administrative means of the Stellenbosch Municipality.
- Protection of prime unique and high potential agricultural land.
- Uphold consistency of land use measures in accordance with environmental management instruments
- Promote land development in locations that are sustainable and limit urban sprawl
- Protection of high biodiversity areas and heritage and tourism resources
- Optimise the use of resources and infrastructure in a just and efficient manner
- Integrate social, economic and institutional aspects of land development

In terms of Section 7 of the Spatial Planning and Land Use Management Act, 2013 (SPLUMA) and Section 59 of the Western Cape Land Use Planning Act, 2014 (LUPA), land development applications must promote the core development principles. The proposal complies with these principles as follows:

Spatial Justice:

The proposed conversion of existing buildings into residential units within the urban edge supports spatial justice by promoting more inclusive and equitable use of land in the Stellenbosch area. The proposed land use is conducive to economic diversification, which can provide new local employment and service opportunities for surrounding communities, including historically disadvantaged groups. The repurposing of existing infrastructure avoids exclusive or underutilised land use patterns and contributes to a more balanced economy.

Spatial Sustainability:

The proposal aligns with the principle of spatial sustainability by utilising existing buildings on an already-developed portion of the property. No additional buildings or land disturbance are proposed, thereby protecting the remaining agricultural land. The re-use of the existing building will not impact ecological footprint and biophysical attributes of the area and will not infringe of the remainder agricultural portion of the property. land.

Efficiency:

The development promotes efficient and optimal land use through the adaptive re-use of existing buildings and infrastructure that limits the demand on municipal resources. The consolidation of activities within a defined footprint also limits spatial sprawl and makes optimal use of the property's development potential.

Spatial Resilience:

The proposal allows the property to remain economically active and adaptable to changing circumstances and market conditions, thereby contributing to the resilience of the local rural economy.

Good Administration:

The application process will be undertaken in accordance with the procedural requirements of the Stellenbosch Municipality.

7.2 Stellenbosch Municipal Spatial Development Framework (SMSDF)

The Stellenbosch SDF has been approved by Council during November 2023 is founded on the principles of the Spatial Planning and Land Use Management Act and the Western Cape Land Use Planning Act as well other relevant legislation.

The Stellenbosch Municipality Spatial Development Framework (SSDF), approved by Council in 2023, identifies seven key principles for spatial development and management within the municipality, namely:

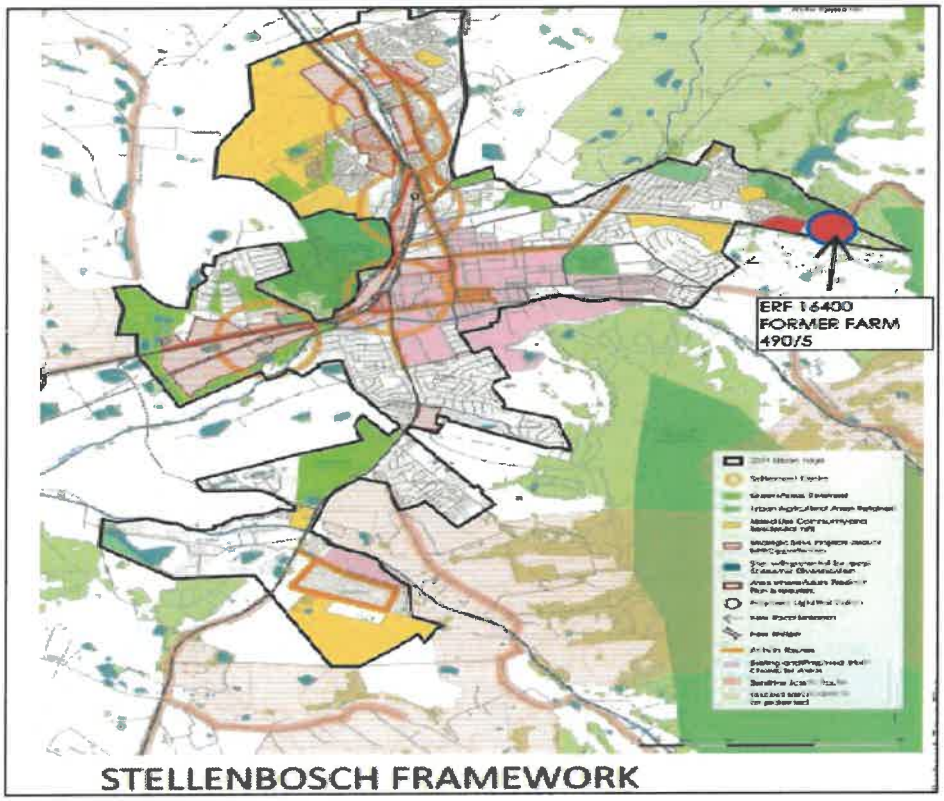
1. Maintain and grow natural assets;
2. Respect and grow our cultural heritage;
3. Direct growth to areas of lesser natural and cultural significance as well as movement
4. opportunity;
5. Clarify and respect the different roles and functions of settlements;
6. Clarify and respect the roles and functions of different elements of movement structure;
7. Ensure balanced, sustainable communities;
8. Focus collective energy on critical lead projects;

The SDF places a renewed and key focus on the protection of agricultural and farming land and the conservation of the natural and biodiversity areas.

ERF 16400 STELLENBOSCH

The development proposal in relation to the approved urban edge is shown on the map below.

Extract: Approved Stellenbosch Municipal Spatial Development Framework November 2023



The property is located within the approved edge of Stellenbosch Town as indicated above. The proposal is consistent with the spatial proposals as it is confined to an existing approved building. The proposal will not have no adverse impact on the existing green and agricultural areas and the areas will be retained. The development footprint of the building will not be increased.

7.3 Stellenbosch Inclusionary Zoning Policy

The Stellenbosch Municipality has confirmed that the approved Stellenbosch Inclusionary Zoning Policy applies to the property as it is located within the approved urban edge of Stellenbosch Town due to the fact that the development proposal exceeds the 20-unit (residential) threshold. In terms of the approved policy and additional 20% of units must be provided, i.e. – 7 additional units. The revised architectural drawings that reflects the 7 inclusionary housing units on the lower ground level is attached herewith.

8. SERVICES

It is envisaged that the re-use of the existing buildings will not lead to a substantial increase in service level capacity of the municipality. BSI Civil and Structural Engineers have bee appointed to provide and obtain the required confirmation from the Directorate Engineering Services Stellenbosch Municipality in this regard. The revised drawings will be presented to the Directorate Infrastructure Services for their comment.

9. CONCLUSION

The development proposal is considered desirable from a planning and land use management perspective with regard to the following:

- The application is consistent with the Integrated Development plan and the Spatial Development Framework of the Stellenbosch Municipality
- The development proposals conform to the requirements of the approved Stellenbosch Inclusionary Zoning Policy.
- The application property is located within the urban edge and will not result in urban sprawl as it is confined to an existing building of which the major portion is zoned multi-unit residential zone.
- The proposal allows for a moderate form of densification as promoted on national, provincial and local planning policy level.
- The agricultural component will be retained.
- The proposal is not considered to be out of character with the surrounding area,
- Parking can be provided on the property;
- The proposal presents the opportunity to implement architectural components and elements to soften and mitigate the existing visual impact;
- The proposal will not have a significant impact on the service level capacities of the Municipality.
- The development complies to and is consistent with the matters referred to in Section 42 of the Spatial Planning and Land Use Management Act (2013), the principles referred to in Chapter VI of the Land Use Management Act, (2014) and the provisions of the Stellenbosch Zoning Scheme By-Law (2023) and the Stellenbosch Municipal Land Use Planning By-Law (2015)

ERF 16400 STELLENBOSCH

In light of the above report and supporting documentation it is trusted that the Stellenbosch Municipality favourably will consider the application on Erf 16400 Stellenbosch.

.....

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ANNEXURE E

Belangegroep Stellenbosch Interest Group

interestgroupstellenbosch@gmail.com
15-09-2025

Emile van der Merwe
emilevdm@adept.co.za

Dear Emile van der Merwe

ERF 16400 (JONKER ESTATE), HELSHOOGTE ROAD, STELLENBOSCH: REZONING OF A PORTION (2193M²) OF THE EXISTING BUILDING FROM AGRICULTURAL/RURAL ZONE TO MULTI-UNIT RESIDENTIAL ZONE LU/19288 (TP1258/2025)

The rezoning application is not opposed by the Stellenbosch Interest Group (SIG), since the current zoning (different zonings for different storeys) is completely anomalous. The implementation, however, should be carefully monitored. Since the development is located in an environmentally sensitive area within a Grade II cultural landscape adjacent to a Grade II scenic route, the visual impact of development on this valued landscape is a primary concern for the SIG.

The high visibility of the Botmaskop site and its buildings from multiple points in and around Stellenbosch is a recognized factor in the contentious history of development there. The prominence of the mountain makes any decision for changes to the existing zoning and buildings on its slopes a matter of significant public interest.

- Approaching from the R304: As travellers approach Stellenbosch via the R304, the existing Erf 16400 development on the slopes of Botmaskop is clearly visible, forming a prominent part of the town's mountainous backdrop. This makes it a key element of the scenic view for those arriving in the area.
- Merriman Avenue, Stellenbosch: The site is also visible from within Stellenbosch itself, including from major arteries like Merriman Avenue. The visibility of the building which is the subject of this application from these points has been a major topic of concern for residents.
- The visibility of changes to the landscape from the Idas Valley Heritage Area Overlay Zone offers clear views of the Botmaskop mountain slopes. As a highly significant cultural landscape, Idas Valley is prized for its scenic value, and any alteration to the area's environment impacts on this Heritage area.
- Given the topography, Botmaskop is also visible from Khayamandi, which is located on the eastern side of Stellenbosch. Any development on the mountainside would be visible from this community, impacting their views of the natural landscape.

Colour Palette
The alterations to the buildings create the opportunity to reduce the visual impact on the sensitive mountain slope. Using the colours of the surrounding earth, stone, and wood as inspiration is a way to create a calm, natural, and timeless colour palette. Longlands has used this principle in choosing earth colours in the first phase of its development. Grey is a fashion colour for architecture and is not as successful in reducing the impact on the mountain slopes.
Moreover, the chosen natural earth colour scheme should be officially recorded as a condition of approval. This is to ensure that the colours cannot be changed in the future without permission, preserving the long-term aesthetic and environmental integrity of the development.

Mitigating visual impact
In order to mitigate visual impact, the following must be done: a) The proposed measures to limit light pollution must be carefully followed, b) The proposed landscaping plan must be implemented as soon as possible (the previous plan was never implemented), and c) no visually obtrusive signage must be allowed.

No further development
It should be made clear that no further development on the property would be allowed, particularly not on the side facing the scenic route. This should apply to structures, permanent or temporary, of any kind and to any heightening of the existing buildings.

Kind regards

Claire Erasmus
Chairperson

BOTMASKOP ESTATE
STELLENBOSCH

Date: 27 October 2025

To: Emile van der Merwe, Town Planning Consultants, Stellenbosch

Subject: Withdrawal of Objection – Application Reference LU/19288 (TP1258/2025) Erf 16400, Jonker Estate, Stellenbosch

Dear Mr van der Merwe,

We refer to our letter dated 11 September 2025, in which the Botmaskop Estate Homeowners Association (HOA) lodged an objection to the above rezoning application for Erf 16400, Jonker Estate.

We have since taken note of the applicant's revised proposal, which now limits the development to 28 residential units, and have reviewed the accompanying Traffic Impact Statement (TIS) prepared by Innovative Transport Solutions, dated 23 October 2025.

Based on the findings of this report — which confirms that the proposed reduction in intensity will result in a significantly lower traffic generation and a low overall transport impact — and the applicant's revised development parameters, the HOA has resolved to withdraw our objection to the application.

We appreciate the applicant's efforts to address our prior concerns and acknowledge the constructive approach taken to align the proposal more closely with the character and operational requirements of the surrounding area.

Please update the municipal records accordingly to reflect that the Botmaskop Estate Homeowners Association no longer objects to this application.

Yours faithfully,

Dr. Werner Roux
Chairman
Botmaskop Estate Homeowners Association
ID: 700528 5101 087
Cell: 083 787 3000
Email: werner@rouxcor.com

BOTMASKOP ESTATE
STELLENBOSCH

Date: 11 September 2025

To: Emile van der Merwe Town Planning Consultants, Stellenbosch

Subject: Stellenbosch Municipality – Planning Department
Application reference: LU/19288 (TP1258/2025) — Erf 16400, Jonker Estate.

We act on behalf of the Botmaskop Estate Homeowners Association (HOA).

Botmaskop Estate and Jonker Estate share a servitude access road from the R310 Provincial Road, via the Botmaskop Nature Reserve, that provides the sole access to both estates and to the numerous access roads into the Botmaskop Nature Reserve.
Botmaskop Estate has invested to date approximately R2,500,000 (two million five hundred thousand Rand) in the upgrading and servicing of this servitude road, as well as the provision for security in accordance with a MOU signed with the Stellenbosch Municipality to manage the access and security of the larger Botmaskop Nature Reserve.

This servitude road and the security measures act as peace of mind not only for the visitors to the Botmaskop Nature Reserve (cyclists, runners and hikers), but also to both the Botmaskop Estate and Jonker Estate residents.

We hereby lodge our formal **OBJECTION** to the above application in its current form for the following reasons:

1. **Insufficient information**: The application pack available to I&APs does not include the required technical reports — notably:
    - Traffic Impact Assessment (TIA),
    - Noise Impact Assessment,
    - Visual Impact Assessment,
    - Services Capacity Report (water, sewer, electricity),
    - Parking Demand Study,
    - Ecological Impact Assessment; and
    - Stormwater Management Plan.

    We request that the Municipality refuses to accept and process the application further, until these studies are submitted and made available for public comment.

2. **Traffic & Access**: The proposed densification (28 residential units and/or hospitality uses including restaurant/60-seater conferencing) will materially increase vehicle trips, deliveries, event traffic and parking demand along the shared servitude and onsite.

BOTMASKOP ESTATE
STELLENBOSCH

This will negatively impact road safety, access for emergency vehicles and accelerate wear and tear to infrastructure we must maintain. A TIA will showcase this concern and numbers and a formal servitude management agreement is required.

It is common knowledge that the intersection onto the R310 (Helshoogte Pass) Road is extremely dangerous and an increase of traffic via this intersection will not only be dangerous, but will also negatively impact the traffic flow on this high traffic road. No formal traffic light or traffic circle is provided on this junction and the proposed development will most certainly increase the traffic numbers and the risk of accidents on this very dangerous intersection. This is a high risk and very dangerous.

No correspondence or comments from the W-Cape Provincial Roads Department have been provided and the public participation process is therefore flawed.

3. **Noise**: Hospitality and event uses on the property will create significant daytime and night-time noise impacts for Botmaskop Estate residents and the adjacent nature reserve. A Noise Impact Assessment and strict noise/time/occupancy controls are required.

4. **Visual & Lighting**: Increased built form, signage and night lighting will harm the landscape character and create light pollution, along this very important Stellenbosch corridor, with this property being located on the R310 Provincial Road. A VIA and lighting plan are required.

5. **Services**: No evidence has been supplied demonstrating the availability of municipal capacity for water, sewer and electricity for the proposed uses. The applicant must provide engineering confirmation and fund any upgrades (where applicable). It is common knowledge that the subject property has no linkages to municipal infrastructure and this will cause further demands on an already distressed municipal infrastructure.

6. **Ecology / Nature Reserve Access**: The application makes no provision for protecting the adjacent Botmaskop Nature Reserve – a World Heritage site. The increased numbers of residents and visitors to the area will place additional pressure and ecological disturbance on the Reserve. An EIA and reserve access management plan are required, at the very least.

7. **Security & Safety**: Increased public access and event patronage will place an unreasonable additional burden on security arrangements on Botmaskop Nature Reserve and its surroundings residents' safety.

Emile

From: Piet Claassen <pec@adept.co.za>
Sent: Thursday, 14 August 2025 18:40
To: 'Emile'
Subject: RE: Ontwikkeling erf 16400

Beste Emile

Danie. Ek het gaan kyk. Lyk interessant.

Groete

Piet

Dr Pieter E Claassen
42 Rowan Street
Stellenbosch 7600
South Africa

Tel: 021 883 2956
Cell: 064 083 4628

From: Emile <emilevdm@adept.co.za>
Sent: Thursday, 14 August 2025 16:14
To: 'Piet Claassen' <pec@adept.co.za>
Subject: RE: Ontwikkeling erf 16400

Hallo Dr Claassen

As requested attached please find a copy of the application as submitted to the Stellenbosch Municipality. In summary please also refer to the points below.

From an spatial and land use planning perspective the following is noted:

- The property is located within the approved urban edge of Stellenbosch Town as per the approved Stellenbosch Municipal Spatial Development Framework (2023)
- The majority of the building footprint is zoned Mult-Unit Residential Zone in terms of the Stellenbosch Land Use Planning Law (2023) read with the Stellenbosch Zoning Scheme By-Law (2023). The proposed residential units are a primary right in the said base zone.
- A sectional title scheme (De Jonker) has been registered on the property
- Consent Use previously has been granted to utilise the balance of the building footprint (agricultural buildings) to be used as a conference facility, restaurant and wine tasting area. (area to be rezoned_
- The proposal is confined to the existing approved building footprint
- The proposal will not infringe and impact in any way on the remainder agricultural portion
- The proposal does not allow for any extensions to increase the development footprint of the existing approved building
- The proposal can be accommodated within the existing service level capacities of the municipality

- The proposal will not have any negative visual impact and mitigation measures will be implemented to softer the existing impact
- The existing approved access will be retained
- Sufficient parking is provided

Regards
Emile

EMILE VAN DER MERWE
084 556 6461

From: Piet Claassen <pec@adept.co.za>
Sent: Thursday, 14 August 2025 14:59
To: emilevdm@adept.co.za
Subject: Ontwikkeling erf 16400

Beste Emile

Ek sal dit waardeer as u die voorstel van die ontwikkeling op erf 16400 aan my sal epos.

Groete

Piet

Dr Pieter E Claassen
42 Rowan Street
Stellenbosch 7600
South Africa

Tel: 021 883 2956
Cell: 064 083 4628

Virus-free.www.avg.com

Emile

From: Emile <emilevdm@adept.co.za>
Sent: Tuesday, 09 September 2025 09:34
To: 'Maxwell Dhelminie'
Subject: RE: Subject : Jonker Estate (Erf-16400)
Attachments: 3994-P - Jonker Estate-SDP _ 2025-06-19.pdf

Hallo Maxwell, my apology for the late reply.

Attached please find the plans that were submitted as part of the application. Final and/or more detailed drawings will only be prepared and submitted once the planning application has been approved.

You are however welcome to contact Mr Francois Dercksen at 082 555 1701 should you have any further queries.

Kind regards
Emile

From: Maxwell Dhelminie <mdhelminie@gmail.com>
Sent: Thursday, 21 August 2025 12:34
To: emilevdm@adept.co.za
Subject: Subject : Jonker Estate (Erf-16400)

Good day,Mr.Emile Van Der Merwe,hope you are well and protected against
cold weather conditions.
My request is if there are more information available regarding the Jonker Estate application to our local Municipality.If theirs a website or if it is possible to emails
me the complete ground plans and houses,to my email address.
I was in a meeting sometime ago and i supported this new development to our
beautiful Idas valley.
Hope you can assist me in my request.
Hope to hear from you soon
Groete

Emile

From: Maxwell Dhelminie <mdhelminie@gmail.com>
Sent: Monday, 15 September 2025 12:19
To: emilevdm@adept.co.za
Subject: Subject : Jonker Estate (16400)

Hi good day,Mr.Emile Van Der Merwe,hope you are well.Thank you for your response regarding my request,of the development opposite my area,The Ridge.
I was under the impression that the issue in discussion,was a proposal for a development in the Old Helshoogte Road.
Your development is the current resort,called African Valley,opposit The Ridge,in the New Helshoogte Pass,in Stellenbosch.
Sorry for the misunderstanding and hope that this new extension of the current African Valley,won't influence our area in a bad way.
Thanks for your help in this regard and all the best with this project.
Groete
.

H.J. Hugo
Erf 2184
Kommandeurslaan 26
Simonswyk
STELLENBOSCH
7600
8 September 2025

Vir Aandag:
Emile van der Merwe
Stadsbeplanningskonsultante
e-pos: emilevdm@adept.co.za

Aansoek/Verwysing LU/19288 (TP1258/2025)
Eienaar: Die Bosch Properties (Pty)Ltd & Sarprop Developments (Pty)Ltd

AANSOEK: GRONDONTWIKKELINGSAANSOEK: ERF 16400 STELLENBOSCH: HERSONERING VANAF LANDBOU/LANDELIKE SONE NA MULTI-EENHEID RESIDENSIëLE SONE

Ek verwys na u kennisgewing vir advertering van kommentaar in die aansoek vir die hersonering van erf 16400, Stellenbosch, vanaf Landbou/Landelike Sone na Multi-Eenheid Residensiële Sone (Verw: LU/19288 (TP1258/2025)), soos geadverteer op 14/08/2025 in die Eikestadnuus.

Ek teken beswaar aan teen die bewoording van die kennisgewing omdat daar soveel uitsluitings is, dat 'n groot deel van die publiek nie kommentaar sal kan lewer volgens die kriteria wat gestel word nie, en dit dus nie voldoen aan die vereistes vir openbare deelname nie (S.A. Grondwet Artikel 152(1)(e) en Artikel 195(1)).

Ek verwys na die volgende spesifieke punte ("bullets") in die advertensie:

"*Die belang wat die persoon wat die kommentaar lewer, in die aansoek het*": Ek ervaar die bewoording as beperkend, want omgewingsake raak feitlik alle mense, en die breë publiek moet dus kan kommentaar lewer, sonder enige voorbehoude van die aansoeker. Aangesien die aansoek betrekking het op onontwikkelde berg-grond wat aan die voetheuwels van 'n berg geleë is, het die breë publiek juis die reg om kommentaar te lewer. Die feit dat 'n persoon die moeite doen om openbare kommentaar te lewer dui juis daarop dat die kommentator belang het.

"*Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsigte van die volgende aspekte:*"

> "*Die feite en omstandighede aantoon wat die kommentaar toelig*": Weereens word openbare kommentaar beperk met hierdie vereiste. Kommentaar is juis "openbare deelname" en moet eerder aangemoedig word en nie beperk word nie.

"*Indien toepaslik, aantoon wat die onwenslike resultate sal wees indien die aansoek goedgekeur word*": Weereens word openbare kommentaar ontmoedig met hierdie streng vereiste en druis dit in teen die gees van openbare deelname.

Ten opsigte van openbare deelname verwys ek na die volgende publikasie

Public Participation | law.nwu.ac.za (kliek op die skakel vir die volledige teks)
Referaat: N. Ngcobo, North West University, Workshop 22/11/2022

Ter opsomming haal ek die volgende aan:
"Purpose … local authorities conducting public consultations on upcoming town planning changes, where residents can provide feedback before decisions are made."

"Public participation … relates to any process of the municipality that directly engages the public (local communities and civil society) in decision-making and gives full consideration to public inputs in making decisions."

"SA Constitution section 152(1)(e): One of the objectives of local government is to encourage the involvement of communities and community organisations in the matters of local government"

En ook Afdeling 195(1) van die Grondwet: "Basic values and principles governing public administration such as that the People's needs must be responded to, and the public must be encouraged to participate in policy-making, and public administration must be accountable."

Die bewoording waar u adverteer vir kommentaar voldoen, volgens my nie aan bogenoemde vereistes nie. Indien die aansoek wel in die eerste rondte goedgekeur sou word, is daar 'n wesentlike moontlikheid dat indien die saak op appèl geneem word, die Hof die oorspronklike goedkeuring mag afkeur weens 'n onvoldoende openbare deelname proses, soos uitgewys is in die Saak 5676/2024 in die Hoër Hof, Wes-Kaap, in die saak tussen The Green Connection NPC, en Natural Justice (applikante) teen die Minister van Bosbou, Visserye en Omgewing en 4 ander respondente. Volgens die uitspraak was o.a. die openbare deelname proses gebrekkig. Voorts is dit belangrik dat lang termyn omgewingsimplikasies opgeweeg moet word teen kort termyn voordele

Ek stel dus voor dat die huidige advertensie vir kommentaar, soos gepubliseer in die Eikestadnuus van 14-20 Augustus 2025 en Stellenbosch Munisipaliteit se webwerf, teruggetrek word en vervang word met bewoording wat die lewer van kommentaar deur die wyer publiek moontlik maak, soos gestel in die bepalings van openbare deelname, en dan her-adverteer word.

Die uwe



H.J. Hugo
e-pos: hans.hugo1887@gmail.com
Tel.: 072 290 8179

Cc: Stellenbosch Munisipaliteit
Wyksraadslid Wyk 5
Wyksraadslid Wyk 7
Stellenbosch Belangegroep
Stellenbosch Belastingbetalers Vereniging

H.J. Hugo
Erf 2184
Kommandeurslaan 26
Simonswyk
STELLENBOSCH
7600
12 September 2025

Vir Aandag:
Emile van der Merwe
Stadsbeplanningskonsultante
e-pos: emilevdm@adept.co.za

Aansoek/Verwysing LU/19288 (TP1258/2025)
Eienaar: Die Bosch Properties (Pty)Ltd & Sarprop Developments (Pty)Ltd

AANSOEK: GRONDONTWIKKELINGSAANSOEK: ERF 16400 STELLENBOSCH: HERSONERING VANAF LANDBOU/LANDELIKE SONE NA MULTI-EENHEID RESIDENSIëLE SONE

Ek verwys na u kennisgewing vir advertering van kommentaar in die aansoek vir die hersonering van erf 16400, Stellenbosch, vanaf Landbou/Landelike Sone na Multi-Eenheid Residensiële Sone (Verw: LU/19288 (TP1258/2025)), soos geadverteer op 14/08/2025 in die Eikestadnuus.

Ek teken beswaar aan teen die aansoek om Erf 16400 te hersoneer van Landbou/Landelike Sone na Multi-Eenheid Residensiële Sone om die volgende redes:

1. Die beplande ontwikkeling is op, wat tans beskryf kan word, as "berg grond" en is in die sensitiewe ekologiese gebied aan die voet van Botmaskop. Botmaskop is die noordelike beginpunt van die Jonkershoekberge en Jonkershoekvallei.

Die hele Jonkershoekvallei vorm die watersisteem wat die Eersterivier voed, 'n krities belangrike bron van water vir Stellenbosch en ook vir landbou-doeleindes stroom-af van Stellenbosch-dorp. Enige menslike aktiwiteite in die opvanggebied van die Eersterivier en sy sytakke sal dus 'n invloed, òf goed, òf skadelik, hê op die Eersterivier waterstelsel.

Ek is, uit my kennis as landbou-navorser en bioloog, oortuig dat 'n behuisingsprojek, soos wat in die aansoek voorgestel word, 'n nadelige effek op die omgewing in die algemeen, en spesifiek op die Eersterivier watersisteem sal hê, aangesien natuurlike watervloei, veral ondergrondse watervloei vanaf die berg wat in die Eersterivier dreineer, nadelig beinvloed sal word deur behuising en die gepaardgaande kanalisering van reënwater.

2. Daar kom ook 'n groot verskeidenheid plante en diere voor in die habitat wat deur die voetheuwels van die Jonkershoekberge gevorm word. Hierdie area (voetheuwels) vorm 'n belangrike habitat vir hierdie plante en diere, wat sulke natuurlike gebiede nodig het vir

oorleweing. Al hierdie organismes tesame is nodig vir 'n gebalanseerde natuurlike ruimte waar skadelike organismes in balans verkeer met natuurlike vyande en met "checks and balances" om te voorkom dat skadelike organismes (onder andere muise, molle, slange, ystervarke, bobbejane) se getalle hande-uit ruk en probleem-diere word. Die effek van 'n al kleiner wordende habitat vir bobbejane het reeds tot groot probleme in dele van die Kaapse Skiereiland gelei. Verdere degradering van natuurlike gebiede in die Jonkershoekvallei sal bobbejane na huise toe dryf vir voedsel, soos reeds in dele van die Kaapse Skiereiland ondervind word.

Enige verdere behuisingsontwikkelinge op hierdie sensitiewe berggrond en natuurlike habitat moet dus afgekeur word en moet natuurlike, inheemse plantegroei aangemoedig word.

3. Die beoogde ontwikkeling is aangrensend aan die Botmaskop Landgoed ontwikkeling. Soos algemeen bekend, is hierdie ontwikkeling tans die onderwerp van 'n hofsaak. Indien die uitspraak die ontwikkeling afkeur, wat 'n sterk moontlikheid is, verval enige motivering om Erf 16400 vir behuising te ontwikkel, aangesien dit 'n klein enklawe buite die huidige munisipale dienste-gebied sal wees. Daarom is ek van mening dat hierdie aansoek voortydig is en eers relevant sal word indien die Botmaskop ontwikkeling goedgekeur word.

Die advertering vir kommentaar lys 'n klomp vereistes waaraan persone en instansie moet voldoen. As 'n kenner van natuurlike biologiese prosesse; en 'n eienaar en bewoner van eiendom onderkant die beoogde ontwikkeling; en as inwoner van Stellenbosch; en as lid van die publiek, kwalifiseer ek wel om openbare kommentaar oor hierdie aansoek te lewer.

Die uwe



H.J. Hugo M.Sc Agric
e-pos: hans.hugo1887@gmail.com
Tel.: 072 290 8179

Cc: Stellenbosch Munisipaliteit: Mnr Stiaan Carstens
Wyksraadslid Wyk 5: Mnr Roy van Rooyen
Wyksraadslid Wyk 7: Me Annemarie Ferns

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

ANNEXURE F

EMILE VAN DER MERWE
town planning consultants

2026/02/06

My ref: Erf 16400 Stellenbosch

Your ref: Erf 16400 Stellenbosch

LU/19288: TP1258/2025

Stellenbosch Municipality
Department Planning and Development
PO Box 17
STELLENBOSCH
7599
Attention: Nolusindiso Momoti

RECEIVED
6 - FEB 2026
STELLENBOSCH MUNICIPALITY
PLANNING AND ECONOMIC DEVELOPMENT
LAND USE MANAGEMENT

Dear Madam

PORTFOLIO OF EVIDENCE: ERF 16400 STELLENBOSCH; APPLICATION FOR REZONING

Your letter dated 6 August 2025, in respect of the above has reference.

Included hereby please find the information in respect of the Portfolio of Evidence submission pertaining to the above-mentioned application. It hereby is confirmed that the comments to the application were received within the 30 day notification period.

Hereby please find the required supporting documentation.

- Completed checklist and signed declaration – Appendix 1
- Letter of commencement date – Appendix 2
- Notice templates – Appendix 3
- Eikestad News Advert – Appendix 4
- Site Notice – Appendix 5
- Proof of notices send by electronic mail – Appendix 6
- Comment received: Maxwell Dhelmine – Appendix 7
- Comment received: Stellenbosch Interest Group – Appendix 8
- Objection and withdrawal of objection: Botmaskop Estate – Appendix 9.

Doornbosch Centre | Strand Road | PO Box 204 | Stellenbosch 7599
Tel: 021 - 886 5050 | Fax: 021 - 883 8965 | Email: emilevdm@adept.co.za

EvdM Town Planning Services CC Reg. No. 2005/162249/23
Emile van der Merwe URP(SA) B. Hon. M(URP) MSAPI

STELLENBOSCH MUNICIPALITY
PLANNING AND ECONOMIC DEVELOPMENT
LAND USE MANAGEMENT
6 - FEB 2026
RECEIVED

- Objection received HJ Hugo : Appendix 10.
- Internal Departmental comments: – Appendix 11
- External Department comments – Appendix 12

COMMENT: STELLENBOSCH INTEREST GROUP.

From the letter dated 15 September 2025 it is clear that the Stellenbosch Interest Group does not object to the rezoning application. The Interest Group however expressed their concern relating to the visual impact of the development and the sensitiveness of the landscape.

Comment

The comment of the Interest Group is acknowledged and welcomed. In this regard your attention is drawn to the Architectural Statement prepared by TV3 Architects that addresses the concerns raised by the Interest Group in terms of the visual impact and proposed mitigation measures. The objective as per the architectural statement is to soften the existing visual impact through the sensitive use of materials, colour, scale, and form as to ensure that the building integrates harmoniously into its context, with the aim of being visually recessive rather than dominant.

The statement formed part of the submission documentation (Appendix 10) of the report.

Landscaping

In addition to the above, sufficient landscaping will be implemented to further mitigate and soften the visual impact of the existing building. The landscaping plan was attached **as Appendix 12** of the submission document.

COMMENT ON OBJECTION: HJ JUGO – KOMMANDEURS AVENUE NO 26 STELLENBOSCH

Letter dated 8 September 2025

The objector is of the opinion that the wording of the notice as published in the Eikestad News does not comply to the requirements of Section 152 (1) and Section 195 (1) of the Constitution as it prevents/restrict the broader public to comment on the application.

Comment

The public participation process was done in accordance and conforms to Sections 44 and 47 and of Stellenbosch Municipal Land Use Planning By-Law (2023).

Letter dated 12 September 2025

The objector is of the opinion that the development will have a negative impact on:

- The water system and more specifically the impact on the Eerste River;
- The fauna and flora and natural habitat of the area

The objection further propose that the development on Erf 16400 is premature and that it should be held in abeyance pending the approval of the Botmaskop development.

Comment

The proposal does not relate to a greenfield housing development that will be implemented on vacant and undisturbed natural land as alluded to by the objector. The proposal is in fact confined to an existing and approval building that previously accommodated the African Valley hotel with ancillary uses and supporting civil engineering infrastructure. The said development furthermore has been established prior to the recent Botmaskop residential development. The proposals and planning evaluation thereof should be considered on its own merit and evaluated in terms of the planning principles put forward in the Stellenbosch Spatial Development Framework and development objectives referred to in the Spatial Planning and Land Use Management Act, and Western Cape Land Use Planning Act.

EXTERNAL DEPARTMENTS (APPENDIX 12)

The application is supported by the following external departments

- Department of Agriculture: Western Cape Government
- Department of Infrastructure (Road Network Management): Western Cape Government
- Department of Environmental Affairs and Development Planning: Western Cape Government

The National Department of Agriculture and Heritage Western Cape did not provide any comments.

INTERNAL DEPARTMENT COMMENT (APPENDIX 11)

The application is supported by the Directorate Infrastructure Services.

CONCLUSION

Apart from the one letter of objection there were no other objections received to the application. The comments of the Stellenbosch Interest Group have been addressed in terms of the Architectural Statement. The said mitigation measures and landscape proposals can form part of the building plan process to ensure compliance thereof.

The notification process and wording of the notice complied and conforms to the municipal notice template provided with the instruction letter to advertise. The said process was done in accordance with the provisions of the Stellenbosch Land Use Planning By-Law (2023).

In light of the above it is trusted that the Municipality favourably will consider the application on Erf 16400 Stellenbosch.

Your attention in finalising the matter is appreciated.

Yours faithfully

EMILE VAN DER MERWE
EMILE VAN DER MERWE TOWN PLANNING CONSULTANTS

APPENDIX 1

CHECKLIST AND DECLARATION

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Nov2023

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

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

SUBMIT COMPLETED FORM TO RELEVANT LAND USE MANAGEMENT ADMINISTRATOR

LAND USE PLANNING APPLICATION: PUBLIC PARTICIPATION PROCESS
PORTFOLIO OF EVIDENCE (POE) CHECKLIST AND DECLARATION
Sections 45, 46 and 55 of the Stellenbosch Municipal Land Use Planning By-Law

Erf / Farm no	**ERF 16400**	**Portion(s) if farm**		**Allotment Area**	**Stellenbosch**
Owner/ Applicant	**Emile van der Merwe Town Planning**			**LU/#**	**19288: TP1258/2025**
Notice Period	**From:**	**14 August 2025**		**To:**	**15 September 2025**

CONFIRMATION OR DOCUMENTATION SUBMITTED	OWNER/APPLICANT			ADMIN VERIFY
	YES	NO	N/A	
1. The declaration is duly signed	x			✓
2. Applicant confirms that the public participation process was duly undertaken as instructed and attached	x			✓
3. Municipality was notified in advance of the start and closing date	x			✓
4. The advertisement period complies with the required 30 days	x			✓
5. If applicable, confirms that the site notice was placed and kept on site for the full duration of the public participation process	x			✓
6. All communications (other than notices) in respect of the public participation process are attached	x			✓
Proof of notices published				
7. If applicable, photo evidence to confirm site notice (one close up and one from across the street)	x			✓
8. Wording of the advertisement accurate and copy attached	x			✓
9. Proof of notices published (publication date visible)	x			✓
Proof of notices served				
10. Wording of notice accurate and example attached	x			✓
11. Proof of all notices served to neighbouring properties attached	x			✓
12. Proof of all notices served to interest and community groups attached	x			✓
13. Proof of all notices served to municipal departments and organs of state (government dept's and entities) attached	x			✓
Comments received				
14. All objections and comments received attached, including amended comments if relevant	x			✓
15. All comments from municipal departments and organs of state received (must also be attached to POE)	x			✓
16. Consent from abutting property owners obtained and attached	x			✓
17. Applicant's written reply / responding comments on all the objections attached	x			✓

Nov2023

KINDLY NOTE:

1. ***The POE <u>may only be</u> submitted once all relevant municipal departments and organs of state have submitted their comment, inclusive of the applicant's written reply thereto.***
2. ***When any comments have been discussed or amended terms negotiated with the relevant commenting entity, the amended comments and the applicant's written reply thereto must be attached to the POE.***
3. ***The decision-making period will only commence after receipt and confirmation of a complete POE in accordance with section 57 of the Bylaw.***

COMPLETE AND SIGN THE FOLLOWING DECLARATION

<u>DECLARATION</u>

I, (full names & surname) Emile van der Merwe

and ID No: 7003215189082, as the Applicant for the above application, hereby confirms:

1) the public participation process for the subject application was duly undertaken in accordance with the instruction for such process and the associated requirements stipulated in the Stellenbosch Municipal Land Use Planning Bylaw;
2) all comments and objections received are included in the Portfolio of Evidence;
3) the information contained in the above checklist and the accompanied information and documentation in the Portfolio of Evidence for the concluded public participation process, are accurate and complete; and
4) the personal information (e.g. name, address, contact details) of interested and affected parties as supplied by the Municipality was only used for official municipal communication matters with reference to the Protection of Personal Information Act 4 of 2013 (POPI).

Duly signed on 2025/02/06 at Stellenbosch

Signature

For office use only			
	NAME	**SIGNATURE**	**DATE**
VERIFIED BY ADMINISTRATIVE OFFICER	N. Mamath	N. Mamath	09.05.2026
CHECKED BY TOWN PLANNER			

NOTES TO BE RECORDED:

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

ANNEXURE G

since 1991 tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS

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

18 June 2025

Our reference: 3994-P: Architectural Statement
Project: Jonker Estate

JONKER ESTATE, STELLENBOSCH
ARCHITECTURAL STATEMENT: VISUAL IMPACT AND MITIGATING MEASURES

The proposed development has been carefully designed to reduce its visual impact through the sensitive use of materials, colour, scale, and form. A conscious effort was made to ensure the building integrates harmoniously into its context, with the aim of being visually recessive rather than dominant.

1. Material Use:
All newly constructed walls will are to be finished with a clean, smooth plaster surface, consistent throughout the development. Select portions of the façades, including vertical elements such as braais, will be clad in natural colour timber. This treatment softens their appearance and prevents them from appearing stark and prominent. The timber treatment also facilitates a seamless blend with the surrounding environment.

2. Building Footprint and Roof Form:
The original **approved building footprint** was respected, and in some areas the footprint is reduced through strategic setbacks. New additions include a combination of flat roofs and a **low-pitch (25°)** roof element that is set back behind the flat-roofed portion, further reducing its visual prominence. These strategies contribute to maintaining a low building mass and a recessive appearance when viewed from key vantage points.

3. Building Form, Volume and Façade Layering:
The building mass has been segmented into smaller, articulated forms. **Recessed balconies and deep-set glazing** help to reduce the perception of scale and create a layered façade that harmoniously interacts with the environment. These setbacks introduce visual depth and serve as passive design elements:

- They provide effective solar shading, reduce glare, mitigate heat gain, and improve privacy.
- They enable each unit to enjoy spacious, covered outdoor living areas with views, while avoiding the necessity for reflective glazing (as discouraged by SANS XA energy efficiency regulations).
- **Glazing is set back behind undercover balconies.** This approach effectively prevents large reflective areas from street or adjacent properties.

The **layered façades and deep envelope** approach contributes significantly to reducing the apparent building volume and visual bulk. This enables the architecture to harmoniously blend within its natural surroundings. Vertical elements, such as the braai, are timber-clad and incorporate gentle curves. These elements avoid harsh lines and visually dominant features, creating a more subdued and organic aesthetic.

4. Colour Palette:
The walls will be painted in warm **grey tones**, which are **visually recessive** and **less intrusive** compared to white. These colours reduce the visual contrast between the building and its environment, facilitating a seamless integration into the natural landscape.

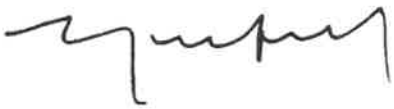
The use of darker, muted tones on walls and roofing positively enhances the visual integration of the building. A **variation of grey tones** across architectural elements creates subtle depth, ensuring that vegetation and the broader landscape remain the primary visual focal point.

5. Balustrades and Retaining Walls:
Balustrades will be constructed from frameless glass, minimising interruptions to views and reducing visual clutter. **Dry-stacked stone walls** will be used for external retaining walls — a robust yet natural method that reinforces the local character and terrain without appearing artificial or engineered, reinforcing a grounded, organic aesthetic.

6. Lighting:
Light pollution is to be avoided by limiting exterior lighting to the **minimum required for safety and functionality**. All lighting will be:

- **Discrete and well-integrated** into the building design;
- Naked light sources must not be visible outside the area of the site, and light sources must be **shielded** to reduce light spillage.
- Downward-facing and subtle in intensity, particularly in shared or public areas.
- **Up-lighting** on outer façades will be limited and properly shielded.
- **Neon** or **unshielded bright security lighting** will not be used.
- Lighting will be restricted to build structures only, and any **parking area lighting will be low-level**, soft in tone, and not visually obtrusive.

Regards



EDWIN SWANEPOEL
TV3 ARCHITECTS AND TOWN PLANNERS (PTY) LTD