NOTICE OF LAND DEVELOPMENT APPLICATION

Affected Neighbour / Interested and Affected Parties / Government Department:

APPLICATION FOR CONSENT USE, PERMISSION ITO ZONING SCHEME AND PERMISSION ITO CONDITION OF APPROVAL : FARM 1753, BO-LAMOTTE, PAARL

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw refers:

Application Property Address:	**Farm 1753, Middagkrans Road, Franschhoek**
Application Property Number:	**Farm 1753, Paarl Division, Stellenbosch**
Applicant:	**Alwi Theart t/a Urban Rural SA** **082 411 7914 | Email : alwi@urbanrural.co.za**
Owner:	**Freecloud Investments SA Pty Ltd** **Email : Giovanni@concilux.com**
Application Reference:	**LU/TP 1786/2026**

Description of land development proposal:

Application is made in terms of Section 15 of the Stellenbosch Municipal Land Use Planning Bylaw, 2023 for the following on Farm 1753, Paarl Division;

i) **Consent Use** in terms of Section 15(2) (o) of the said bylaw to expand the existing tourist accommodation establishment currently providing 14 bedrooms for guest accommodation within various buildings, to 19 bedrooms all with en-suite bathrooms. It is the intention to include the existing main house as part of the tourist accommodation establishment.

ii) **Consent Use** in terms of Section 15(2) (o) of the said bylaw to allow for tourist facilities

a) To construct a pool/entertainment building for the exclusive use of the guests in conjunction of the tourist accommodation facility;

b) To convert a portion of an existing cottage into a spa facility with four (4) treatment rooms in conjunction of the tourist accommodation facility for the exclusive use for the guests:

c) To convert and extend an existing shed building into a restaurant/Venue facility/Wine tasting facility (capacity of 100 /120 people per event): including a separate chapel building;

d) To construct a tennis court on the western boundary for guests staying on the property.

iii) **Permission in terms of the Zoning Scheme** in terms of Section 15(2) (g) of the said bylaw for an Additional Use to:

a) To make an extension to the existing winery for storage purposes (±51m^2).

b) To establish an olive processing and tasting facility of 202m² in a new building which will be attached to the restaurant/venue and wine tasting facility.

iv) **Permission in terms of a condition of approval** in terms of Section 15(2(h):

a) to revise a previous approval condition which limited the wine cellar production to 4 tonnes by increasing the proposed tonnage production to approximately 50 tonnes (the property currently delivers 40 tonnes with old vines). The vines will be systematically replaced over time, resulting in higher production yields in the coming years.

b) To increase the approved 40m² wine tasting facility at the current wine cellar and to relocate the wine tasting facility and to increase the size to 176m², to a new location

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

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **07 December 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 **082 411 7914** during normal office hours. **8h00 – 17h00.**

Yours faithfully
Alwi Theart t/a URBAN RURAL SA

KENNISGEWING VAN GRONDONTWIKKELINGS AANSOEK

Ge-affekteerde aangrensende eienaar / Ge-intereseerde en Ge-affekteerde Partye / Regeringsdepartement

AANSOEK VIR VERGUNNINGSGEBRUIK, TOESTEMMING ITV VERORDENING EN TOESTEMMING ITV GOEDKEURINGSVOORWAARDE : PLAAS 1753, BO-LAMOTTE, PAARL

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning verwys:

Adres van aansoek eiendom:	**Plaas 1753, Paarl, Middagkrans Pad, Franschhoek**
Aansoek eiendom beskrywing:	**Plaas 1753, Paarl (Franschhoek)**
Aansoeker:	**Alwi Theart t/a Urban Rural SA** **Cell: 082 411 7914 | Email : alwi@urbanrural.co.za**
Eienaar:	**Freecloud Investments SA Pty Ltd** **Epos : giovanni@concilux.com**
Aansoek Verwysing:	**LU/TP 1786/2026**

Besonderhede van die grondgebruiksaansoek:

Aansoek word ingevolge Artikel 15 van die Stellenbosch Munisipaliteit se Verordening op Grondgebruikbeplanning, 2023, ingedien vir die volgende ten opsigte van **Plaas 1753, Afdeling Paarl**:

i) **Vergunningsgebruik ingevolge Artikel 15(2)(o)** van genoemde Verordening, ten einde die bestaande toeriste-akkommodasie fasiliteit, wat tans 14 slaapkamers vir gaste-akkommodasie in verskeie geboue beskikbaar stel, uit te brei na 'n totaal van 19 slaapkamers, elk met 'n en-suite badkamer. Die voorneme is om die bestaande hoofwoning ook as deel van die toeriste-akkommodasie-fasiliteit te benut.

ii) **Vergunningsgebruik ingevolge Artikel 15(2)(o)** van genoemde Verordening, ten einde toeristefasiliteite op die eiendom toe te laat, naamlik:

a) Die oprigting van 'n swembad- en ontspanningsgebou vir die uitsluitlike gebruik van gaste wat van die toeriste-akkommodasiefasiliteit gebruik maak;

b) Die omskepping van 'n gedeelte van 'n bestaande kothuis in 'n spa-fasiliteit met vier (4) behandelingskamers, wat deel sal vorm van die toeriste-akkommodasiefasiliteit en uitsluitlik vir die gebruik van inwonende gaste beskikbaar sal wees;

c) Die omskepping en uitbreiding van 'n bestaande skuurgebou na 'n restaurant-, onthaal- en wynproeflokaalfasiliteit, met 'n kapasiteit van 100 tot 120 persone per geleentheid, asook die insluiting van 'n afsonderlike kapelgebou;

d) Die oprigting van 'n tennisbaan langs die westelike eiendomsgrens vir die gebruik van gaste wat op die eiendom tuisgaan.

iii) **Toestemming ingevolge die Soneringskema, kragtens Artikel 15(2)(g)** van genoemde Verordening, vir die volgende addisionele gebruike:

a) Die uitbreiding van die bestaande wynkelder met ongeveer 51 m² vir stoordoeleindes;

b) Die vestiging van 'n olyfverwerkings- en proe-fasiliteit met 'n vloeroppervlakte van 202 m² in 'n nuwe gebou wat aan die restaurant-, onthaal- en wynproeflokaalfasiliteit sal grens en daarmee verbind sal wees.

iv) **Toestemming ingevolge 'n bestaande goedkeuringsvoorwaarde, kragtens Artikel 15(2)(h)** van genoemde Verordening, vir die volgende wysigings:

a) Die wysiging van 'n vorige goedkeuringsvoorwaarde wat die produksie van die wynkelder tot 4 ton beperk, ten einde die toegelate jaarlikse druiweverwerkingskapasiteit tot ongeveer 50 ton te verhoog. Die eiendom lewer tans ongeveer 40 ton druiwe vanaf bestaande, ouer wingerde. Die wingerde sal oor tyd stelselmatig vervang word, wat na verwagting tot hoër produksie-opbrengste in die komende jare sal lei.

b) Die uitbreiding van die bestaande goedgekeurde wynproeflokaal van 40 m² by die huidige wynkelder, asook die verskuiwing daarvan na 'n nuwe ligging waar die wynproeflokaal 'n totale vloeroppervlakte van 176 m² sal beslaan.

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: **Alwi Theart t/a Urban Rural SA by alwi@urbanrural.co.za.** Deur 'n beswaar, kommentaar of vertoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

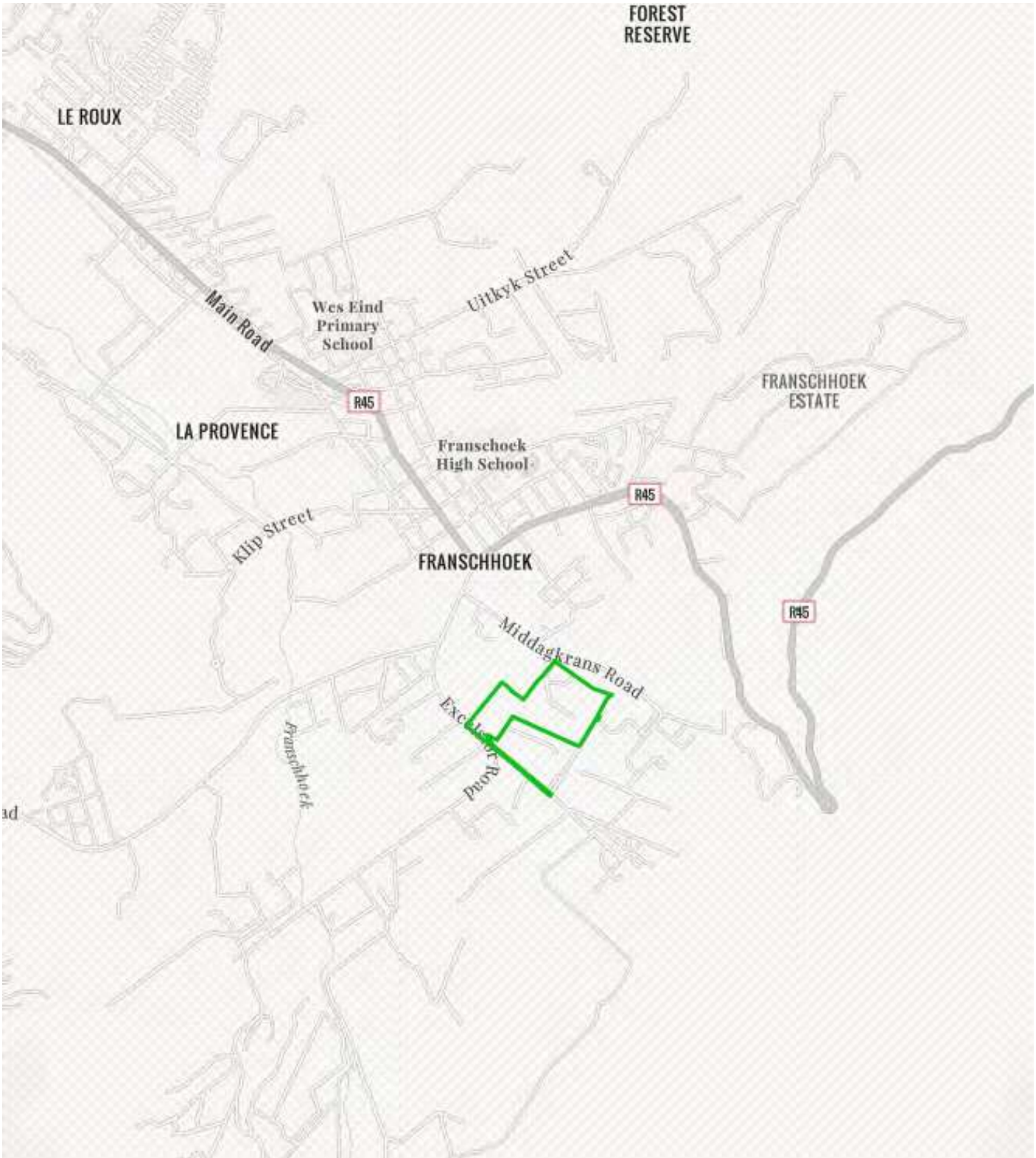
Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **07 Desember 2026**.

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 **082 411 7914** gedurende normale kantoor ure **8h00-17h00**.

Die uwe

Alwi Theart h/d as URBAN RURAL SA



URBAN RURAL SOUTH AFRICA
PLANNING + LAND USE SPECIALISTS

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

LOCALITY PLAN

PROPERTY :	Farm 1753, Paarl (Franschhoek)
DATE :	August 2026
SCALE :	Unknown or as Indicated
SOURCE :	CFM
PROJECT NR.	A.411.2026

PLAN

B01

24 August 2026
Ref Nr. 411.2026.F1753PAA

Stellenbosch Municipality
PO Box 17
Stellenbosch
7599

for attention : landuse.applications @stellenbosch.gov.za

LAND USE APPLICATION
FARM 1753, PAARL (FRANSCHHOEK)

1. Application is hereby formally made to the Stellenbosch Municipality to obtain additional land use rights for Farm 1753, Paarl.
2. Attached please find the following information for your persual
   - Completed application form
   - Motivation Report
   - Relevant documentation as prescribed
3. We trust that the information provided will be sufficient to continue with the advertising and notification process and to make an informed decision in this regard.
4. We are looking forward to your response.

Yours sincerely

Alwi Theart | tch.pln(sa)
Principal Planner | Urban Rural SA
Planning + Land Use Specialists

LAND USE APPLICATION

FARM 1753, PAARL
CONSENT USES
ADDITIONAL USES
PERMISSION IN TERMS OF
A CONDITION OF APPROVAL

URBAN RURAL SOUTH AFRICA
PLANNING + LAND USE SPECIALISTS

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1. PROPERTY INFORMATION

Land Owner	Free Cloud Investments (Pty) Ltd
Power of Attorney	Free Cloud Investments (Pty) Ltd , represented by Mr Giovanni Bowman, has appointed Alwi Theart t/a Urban Rural SA, Planning + Land Use Consultants to submit the relevant land use application to Stellenbosch Municipality in order to obtain the relevant land use rights as set out in the application. Find attached as **Annexure C02** , the Special Power of Attorney and Company Resolution.
Description	Farm 1753, Paarl
Extent	16,0258 ha
Location	Bo-Lamotte Farm , East of Franschhoek Town
Municipality	Stellenbosh Municipality
Zoning Scheme	Stellenbosch Municipal Zoning Scheme Bylaw, 2019(amended 2023)
Existing Primary Rights	Agricultural + Rural Zone
Additional Use Rights	2 Additional Cottages
Consent Uses	Winery , Guesthouse , 4 Tourist Cottages (TAE)
Existing Utilisation	Agriculture + Hospitality
Title Deed	T47207/2025
SG Diagram	SG No 4832/2009
Servitudes	Servitude Road | SG No 4833/2009



FARM 1753, Paarl
Locality Plan

2. PURPOSE OF APPLICATION

The owner of Farm 1753, Paarl (Franschhoek), Free Cloud Investments (Pty) Ltd represented by Mr. Giovanni Bowman, has appointed Alwi Theart t/a Urban Rural SA, Land Use Specialists, to prepare and submit a land use application to the Stellenbosch Municipality. This application seeks to secure the necessary land use rights to expand the existing land use rights available on the property. The comprehensive details of the proposed development and associated land use rights are set out in the following report. A **Power of Attorney** authorising this submission is attached hereto as Annexure C02.

3. LAND USE APPLICATION

3.1 Application is made in terms of :

3.1.1 **Section 15(2)(o)** of the Stellenbosch Municipal Planning By-law for a **consent use** to expand the existing **tourist accommodation establishment** on Farm 1753, Paarl, currently providing *14 bedrooms* for guest accommodation within various buildings to *19 bedrooms** all with en-suite bathrooms. Small alterations will be made to some of the existing buildings to accommodate the above.

3.1.2 **Section 15(2)(o)** of the Stellenbosch Municipal Planning By-law for **consent uses** for **tourist facilities,**

3.1.2.1 • **Consent use** to contruct a pool/entertainment building for the exclusive use of the guests in conjunction of the tourist accommodation facility on Farm 1753, Paarl;

3.1.2.2 • **Consent use** to convert a portion of an existing cottage into a Spa Facility with 4 treatment rooms in conjunction of the tourist accommodation facility for the exclusive use for the guests of Farm 1753, Paarl .

3.1.2.3 • **Consent use** to convert and extend an existing shed building into a Restaurant / Venue Facility/Wine tasting facility (capacility of 100/120 people per event), including a separate Chapel building

3.1.2.4 • **Consent use** to construct a tennis court on the western boundary for the guests staying on the property.

3.1.3 **Section 15(2)(g)** of the Stellenbosch Municipal Planning By-law for permission in terms of the zoning scheme for the following **additional uses** namely,

3.1.3.1 **Additional Use** to make an extension to the existing Winery for storage purposes (51 sqm)

3.1.3.2 **Additional Use** to establish an olive processing and tasting facility of 202m^2 in a new building which will be attached to the restaurant/venue and wine tasting building.

3.1.4 **Section 15(2)(h) : Permission required in terms of conditions of approval**

3.1.4.1 to revise a previous approval condition which limited the wine cellar production to 4 tonnes by **increasing the proposed tonnage** production to approximately 50 tonnes. (the property currently delivers 40 tonnes with old vines. The vines will be systematically replaced over time, resulting in higher production yields in the coming years.

3.1.4.2 to increase the approved 40m^2 wine tasting facility at the current wine cellar and to relocate the wine tasting facility and to increase the size to 176m^{2,} to a new location at the restaurant/venue/olivepress building)

***Section 208(1) Stellenbosch Zoning Scheme Bylaw, 2019 (amended 2023)**

10. DESIRABILITY OF PROPOSED DEVELOPMENT

10.1 Assessment of the Proposed Development in Terms of Section 65

It is submitted that the application is supported by the necessary documentation, specialist inputs and motivation required in terms of the applicable legislation and municipal requirements. The information submitted places the Municipality in a position to properly assess the application against the relevant considerations set out in Section 65 of the Stellenbosch Municipality Land Use Planning By-law Regulations.

In particular, Section 65(c) requires consideration of the following:

- Socio-economic impact;
- Compatibility with surrounding land uses;
- Impact on external engineering services;
- Impact on the safety, health and well-being of the surrounding community;
- Impact on heritage resources;
- Impact on the biophysical environment;
- Traffic, parking, access and other transport-related considerations; and
- The need for conditions of approval to mitigate any potential adverse impacts.

The proposed development has been assessed against these considerations, as set out below.

10.1.1 **Socio-Economic Impact**

A tourist accommodation establishment comprising 14 bedrooms is currently operated on the property in terms of previous approvals. Following the acquisition of the property by the current owners, it is proposed to increase the accommodation capacity from 14 to 19 bedrooms.

The main dwelling on the property is presently underutilised, as the owners also own the adjoining property and reside there when they are in the Franschhoek area. The proposal therefore seeks to make more effective use of the existing buildings and established development footprint by incorporating the dwelling into the tourist accommodation establishment. With the additional facility such as a spa facility with 4 treatment rooms will provide additional services to guests which

The proposed development will further strengthen the relationship between the agricultural and tourism components of the property. This includes an olive processing and tasting facility, where olives produced on the property can be processed, together with the optimisation of the existing wine cellar, an expanded wine-tasting facility and a small restaurant/venue facility. These uses are intended to complement, rather than replace, the established agricultural activities on the property.

The proposal will contribute to the long-term economic sustainability of the property by generating additional income that can be reinvested in the agricultural and tourism operations. This is particularly important in maintaining the property as a viable and productive agricultural unit within the Franschhoek Valley.

The increased tourism offering is also expected to have positive secondary economic benefits. Additional visitors will support local employment and create demand for services such as cleaning, maintenance, hospitality, transport, food supply and other tourism-related services. Visitors are also likely to make use of businesses and attractions within Franschhoek and the broader region, thereby contributing to the local tourism economy.

The socio-economic impact of the proposal is therefore considered to be positive, while remaining appropriate to the rural and agricultural character of the property.

10.1.2 Compatibility with Surrounding Land Uses

The proposed development is considered compatible with the existing character and established pattern of development in the surrounding area.

The majority of the proposed uses will be accommodated within existing buildings or within the established farm werf and areas that are not utilised for active agricultural plantings. The proposed alterations and extensions are limited in scale and do not require the establishment of an extensive new development footprint.

Importantly, the proposed tourism-related uses are directly associated with and complementary to the agricultural activities undertaken on the property. The wine, olive and tourism components will operate in an integrated manner and will support the continued productive use of the property.

Given the location, scale and nature of the proposal, it is not expected to result in an unacceptable change in the character of the surrounding rural area or adversely affect neighbouring agricultural properties.

10.1.3 Impact on External Engineering Services

The property is already developed and has the necessary services and infrastructure to support the existing buildings and activities.

The proposed increase in accommodation and associated tourism facilities is not expected to place an unacceptable additional demand on municipal engineering infrastructure. A new bio-reactor wastewater treatment system is also proposed to ensure that wastewater generated by the development is appropriately treated and managed on the property in an environmentally responsible manner.

The development will therefore not rely on a significant expansion of municipal bulk infrastructure, and the impact on external engineering services is expected to be limited and manageable.

10.1.4 Impact on Safety, Health and Well-being of the Community

The proposed development is not expected to have a negative impact on the safety, health or general well-being of the surrounding community.

The development is relatively limited in scale and will primarily utilise existing buildings and infrastructure within the established developed portion of the property. Appropriate wastewater treatment and management will further ensure that the development does not result in unacceptable environmental or public-health risks.

The proposal will, in fact, contribute positively to community well-being by supporting local economic activity, tourism and employment while maintaining the property as a viable agricultural enterprise.

The development will also be required to comply with all applicable building, health, fire, environmental and other legislative requirements, thereby ensuring that the operation does not compromise the safety or well-being of neighbouring landowners or visitors.

10.1.5 Impact on Heritage

The proposal is situated within an established agricultural environment and largely utilises the existing development footprint of the property. The proposed alterations and additions are limited in scale and are intended to complement the existing buildings and agricultural character of the property.

The continued use and enhancement of the property as an agricultural and tourism destination can contribute positively to the broader cultural and tourism value of the Franschhoek Valley. The proposal will provide visitors with an opportunity to experience the agricultural, wine and olive-producing character of the area while supporting the continued economic use of the property.

Where required, the application will remain subject to the provisions of the applicable heritage legislation and any requirements imposed by the relevant heritage authority.

10.1.6 Impact on the Biophysical Environment

The proposed development is considered to have a limited impact on the biophysical environment.

The development is concentrated within the existing developed portion of the property and does not require significant disturbance of areas currently utilised for agricultural production. No significant loss of agricultural land is anticipated as a result of the proposal.

Existing infrastructure will be utilised wherever possible, while the proposed bio-reactor system will provide an appropriate means of managing wastewater generated by the development. This will assist in preventing pollution and ensuring that wastewater is managed in an environmentally responsible manner.

The proposal therefore represents a more efficient use of an existing developed agricultural property without requiring extensive additional disturbance of the natural or agricultural environment.

10.1.7 Traffic, Parking, Access and Transport

The property has established access from Middagkrans Road to the north and Excelsior Road to the south. The location of the property between these established road connections provides convenient access to the proposed development and assists in distributing traffic movements.

A Traffic Impact Assessment has been undertaken by UDS Africa Engineers and accompanies the application. The assessment concluded that the proposed development will not have a negative impact on the surrounding road network and that the existing road infrastructure is capable of accommodating the anticipated traffic generated by the proposal.

The assessment further concluded that no external road upgrades are considered necessary as a consequence of the proposed development.

Adequate parking is provided for the proposed uses, and the development can therefore be accommodated without creating unacceptable parking, access or traffic-related impacts on surrounding properties or the public road network.

10.1.8 Mitigation Measures and Conditions of Approval

Based on the information and specialist assessments submitted with the application, no significant adverse impacts have been identified that would require extensive mitigation measures.

The proposal has been designed to make use of the existing development footprint and infrastructure while integrating the agricultural, tourism, wine and olive-processing components of the property. The proposed wastewater treatment system and the measures identified through the specialist assessments will further ensure that potential impacts are appropriately managed.

Should the Municipality identify reasonable conditions of approval that are necessary to ensure the proper functioning of the development or to further protect the surrounding environment and community, the applicant is willing to consider such conditions.

10.1.9 Conclusion

The development is accordingly considered compatible with its rural context and consistent with the objectives of responsible land use planning. It is therefore respectfully submitted that the application satisfies the relevant considerations of Section 65 and that there are sufficient planning grounds for the Municipality to support the application and approve the proposed development, subject to reasonable and appropriate conditions of approval.

11. CONCLUSION

Similar applications for guest accommodation and venue facilities are regularly approved by the Municipality in its rural areas. The subject property already enjoys approved land use rights for tourist accommodation tourist facilities, and the proposed extensions and new land uses will tie in seamlessly with the existing development on the property

Having regard to the relevant legislation, spatial development frameworks, rural guidelines, and zoning scheme provisions, the application is so to speak, fully compliant with the prescribed legislative frameworks, policies, and guidelines. It should therefore be considered in a positive manner.

The proposed alterations will significantly enhance the operational efficiency of the tourist accommodation establishment and its associated facilities. They are also regarded as essential for securing the long-term sustainability of the agricultural and related business operations. The proposal aligns with prevailing municipal planning trends in the area and constitutes a logical extension of the existing land use rights. On this basis, the development warrants approval by the Municipality.

In light of this motivation and the arguments presented in this document, it is our considered opinion that the proposed changes to an already successful development will not only strengthen the economic and agricultural sustainability of the property for the owners, but also make a positive contribution to the local tourism and broader economy by creating much-needed employment opportunities. Importantly, this will be achieved without any adverse impact on the environment, adjoining landowners, or the general public. It is therefore respectfully requested that the Municipal Council, together with all relevant Departments and decision-making bodies, find the development desirable and approve the application.

Annexure

BOO

MAPS + PLANS

PLANNERS +
LAND USE SPECIALISTS



URBAN RURAL SOUTH AFRICA
PLANNING + LAND USE SPECIALISTS

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

LOCALITY PLAN

PROPERTY :	Farm 1753, Paarl (Franschhoek)
DATE :	August 2026
SCALE :	Unknown or as Indicated
SOURCE :	CFM
PROJECT NR.	**A.411.2026**

PLAN

B01



URBAN RURAL SOUTH AFRICA
PLANNING + LAND USE SPECIALISTS

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

AERIAL VIEW

PROPERTY :	Farm 1753, Paarl (Franschhoek)
DATE :	August 2026
SCALE :	Unknown or as Indicated
SOURCE :	Stellenbosch Municipality
PROJECT NR.	**A.411.2026**

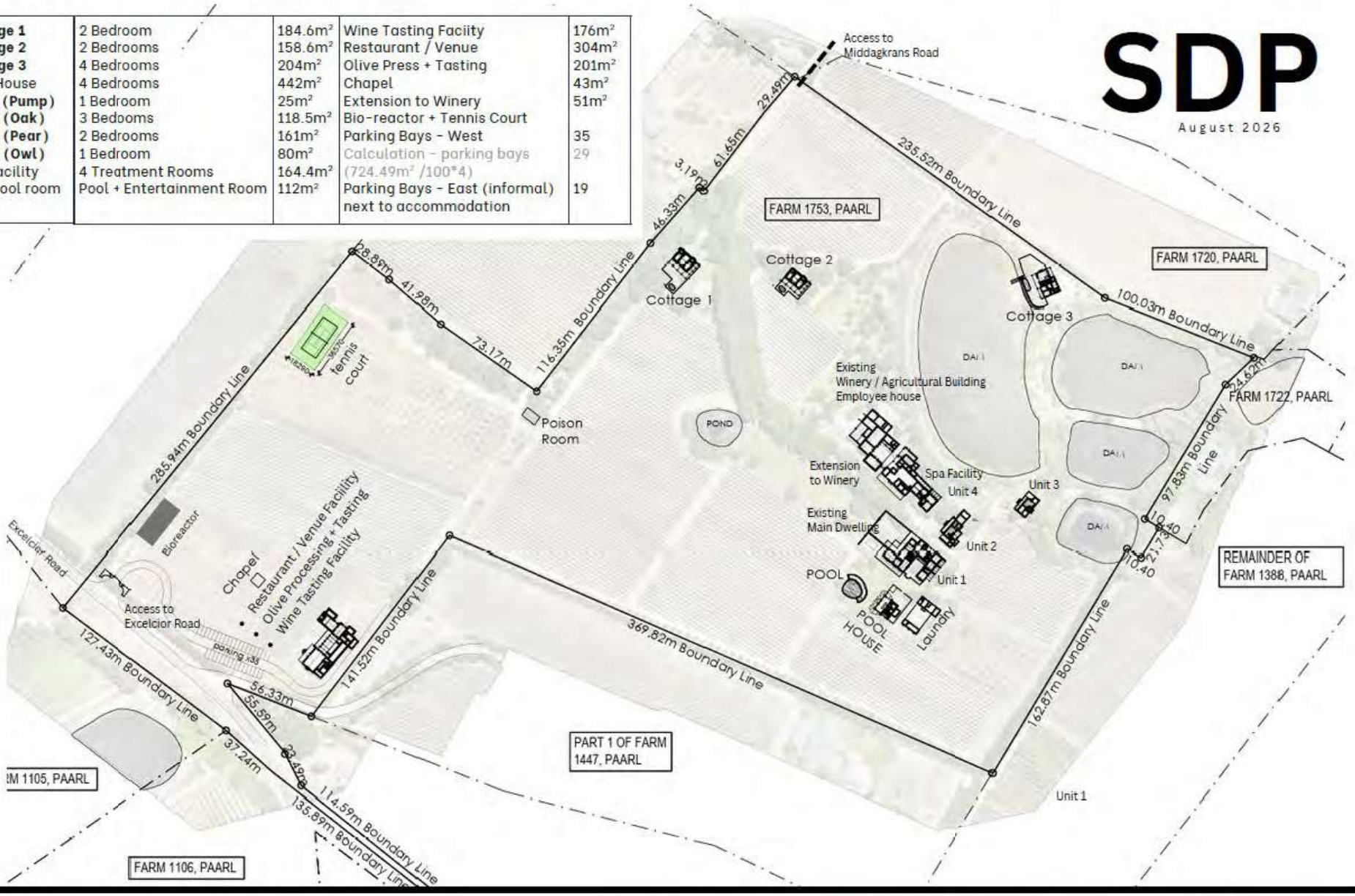
PLAN

B02

SDP

August 2026

Cottage 1	2 Bedroom	184.6m²	Wine Tasting Facility	176m²
Cottage 2	2 Bedrooms	158.6m²	Restaurant / Venue	304m²
Cottage 3	4 Bedrooms	204m²	Olive Press + Tasting	201m²
Main House	4 Bedrooms	442m²	Chapel	43m²
Unit 1 (Pump)	1 Bedroom	25m²	Extension to Winery	51m²
Unit 2 (Oak)	3 Bedooms	118.5m²	Bio-reactor + Tennis Court	
Unit 3 (Pear)	2 Bedrooms	161m²	Parking Bays - West	35
Unit 4 (Owl)	1 Bedroom	80m²	Calculation - parking bays	29
Spa Facility	4 Treatment Rooms	164.4m²	(724.49m² /100*4)	
New Pool room	Pool + Entertainment Room	112m²	Parking Bays - East (informal) next to accommodation	19



Base plan compiled by

JANDESSEYN ARCHITECTS
221 UPPER BUITENKANT STREET GARDENS, CAPE TOWN 8001
021 462 6017
JAN@DESSEYN.CO.ZA
JAN-DESSEYN-ARCHITECTS

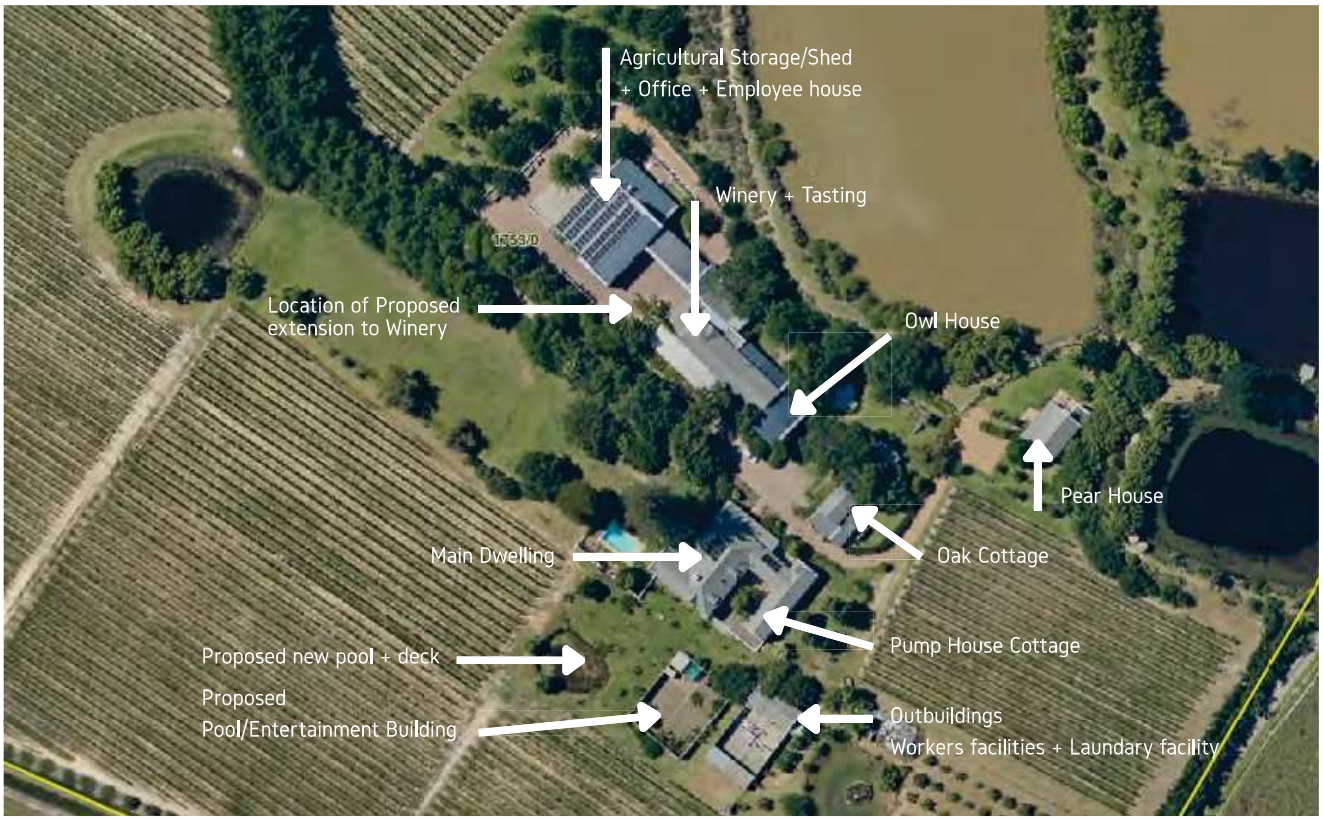
PROJECT NUMBER A411.2026

urb urban revel sa

FARM 1753, PAARL (Franschhoek)
SITE DEVELOPMENT PLAN
Existing + Proposed Development

PLAN B03

EXISTING + PROPOSED BUILDINGS | FARMSTEAD



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AERIAL VIEW

PROPERTY :	Farm 1753, Paarl (Franschhoek)
DATE :	August 2026
SCALE :	Unknown or as Indicated
SOURCE :	Stellenbosch Municipality
PROJECT NR.	**A411.2026**

PLAN

B04

PROPOSED DEVELOPMENT



DESCRIPTION

Olive Press + Tasting	**: 201.36m²**
Restaurant /Venue/Wine tasting	**: 480.36m²**
Chapel	**: 42.77m²**
TOTAL	**: 681m²**
Parking :	: 35bays)

Area: 724.49m² / 100 * 4 = 28.96

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OLIVE PROCESSING + TASTING/ RESTAURANT/ FUNCTION VENUE/WINE TASTING + CHAPEL

PROPERTY :	Farm 1753, Paarl (Franschhoek)
DATE :	August 2026
SCALE :	Unknown or as Indicated
SOURCE :	Jan Desseyn Architects
PROJECT NR.	**A.411.2026**

PLAN

B14

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

www.stellenbosch.gov.za/planning-portal/
FOR ENQUIRIES CONTACT landuse.enquiries@stellenbosch.gov.za or 021- 808 8606

SUBMIT APPLICATION BY UPLOADING COMPLETED FORM AND RELEVANT INFO TO THE
Town Planning Application Management System (TPAMS)
AFLA Portal (stellenbosch.gov.za)
https://citymaps.stellenbosch.gov.za/aflaportal/home

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

LAND USE APPLICATION FORM A

Section 15 of the Land Use Planning Bylaw (LUPB) and other relevant legislation

Complete form using BLOCK letters and ticking the appropriate boxes

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

PART B: REGISTERED LANDOWNER(S) DETAILS *(If different from applicant)*	
Registered owner(s) Name	Freecloud Investments SA Pty Ltd
Street or Postal Address	Farm BoLamotte, Franschhoek
E-mail Address	giovanni@concilux.com
Contact Number	081 470 9482

PART C: PROPERTY DETAILS *(in accordance with title deed)*					
Erf No	1753	Suburb	Paarl	Town	Franschhoek
Farm no		Farm Portion		Nearest Town	
Physical or Street Address	Middagkrans Road		Property / Business / Farm known as		
Current Zoning	Agricultural and Rural Zone				
Additional or Consent Uses	Guesthouse , Additional Dwellings, Tourist Accommodation Establishment, Winery				
Current activities	Agriculture + Accommodation				
Property Size / Extent	16 ha	m² / ha	Are there existing buildings?	Y: X	N:
Title Deed number	T 24854/2009				

	Y	N		Y	N
Any restrictions ito Conveyance's Certificate?		X	If yes, list condition(s) in motivation.		X
Are the restrictive conditions in favour of a third party?		X	If yes, list the party(ies) in motivation.		X
Is the property owned by Council?		X	If yes, attach a power of attorney signed by the Municipal Manager.		X
Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999)[1]		X	If yes, indicate which section are triggered in motivation report and attach relevant permit.		X
Located within the historical core or contains any heritage significant features?		X	Is the building older than 60 years?	X	
Does the property fall inside the urban edge?		X	Does the property fall within a Local Overlay Zone, i.e. Technopark or ATC?		X
Does the property fall within the Urban or Rural Conservation Overlay Zone?		X	Does the property fall within the Scenic Route Overlay Zone?		X
Are there any pending court case(s) / order(s) relating to the subject property(ies)?		X	Are there any land claim(s) registered on the subject property(ies)?		X
Any existing unauthorized buildings and/or land use on the subject property(ies)?		X	If yes, is this application to legalise the building / land use[2]?		X

Note: A contravention penalty is payable as condition of approval as per the approved Council Tariffs.

PART D: PRE-APPLICATION CONSULTATION			
Has there been any pre-application consultation ito Section 37 of the Land Use Planning Bylaw (LUPB)?	Y	N: X	If yes, attach the minutes / written feedback received.
Has there been any pre-application consultation ito Section 53 of the Land Use Planning Act (LUPA)?	Y	N: X	If yes, attach the minutes / written feedback received.

A pre-application consultation with the Municipality is compulsory for a rezoning to subdivisional area and any proposal that triggers the Inclusionary Zoning Policy. It is advised for any other land use application that involves enhanced land use rights in the Multi-Unit Residential, Mixed-Use and Agricultural & Rural zones. A pre-application consultation may be requested for any type of application by either the applicant or by the Municipality as deemed necessary.

[1] All applications triggered by section 38(1)(a) - (e) in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999) may not be processed without a permit issued by the relevant department

[2] No application may be submitted to legalize unauthorised building work and or land use on the property if a notice has been served in terms of Section 87(2)(a), and until such time a Section 91 Compliance Certificate have been issued in terms of the Stellenbosch Land Use Planning By-law

PART E: LAND USE APPLICATIONS AND PAYMENT OF FEES			
APPLICATIONS IN TERMS OF SECTION 15 OF THE LAND USE PLANNING BYLAW		**Number**	**Fee**
15(2)(a)	rezoning of land		R11 200.00
15(2)(b)	a permanent departure from the development parameters of the zoning scheme		R2 800.00
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		R2 800.00
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		R5 650.00
15(2)(e)	a consolidation of land that is not exempted in terms of section 24		R5 650.00
15(2)(f)	a removal, suspension or amendment of restrictive conditions in respect of a land unit		R2 800.00
15(2)(g)	permission required in terms of the zoning scheme	R 2800.00	R2 800.00
15(2)(h)	an amendment, deletion or imposition of conditions in respect of an existing approval	R 5650.00	R5 650.00
15(2)(i)	an extension of the validity period of approval *(50% of current application fee)*		R.....
15(2)(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram		R5 650.00
15(2)(l)	permission required in terms of a condition of approval		R2 800.00
15(2)(m)	a determination of a zoning		R11 200.00
15(2)(n)	a closure of a public place or part thereof		R5 650.00
15(2)(o)	a consent use contemplated in the zoning scheme	R 2 800.00	R2 800.00
15(2)(o)	a consent use for a house shop, home day care centre, day care centre		R 220.00
15(2)(p)	to disestablish a homeowners' association		R2 800.00
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		R2 800.00
15(2)(r)	a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged		R5 650.00
OTHER APPLICATIONS		**Number**	**Fee**
Approval required in terms of the bylaw for street naming and numbering			R2 800.00
Consent / Permission required in terms of a title deed (includes planning permission in terms of the Advertising on Roads and Ribbon Development Act, Act 21 of 1940)			R2 800.00
Complexity fee – Per study / assessment			R4 520.00
	TOTAL APPLICATION FEE PAYABLE	**R**	

DETAILS FOR INVOICE	
Name & Surname (party responsible for payment)	Freecloud Investments SA Pty Ltd
Street or Postal Address	giovanni@concilux.com
Vat Number (where applicable)	

1. ***Application fees are per the approved Council Tariffs. Application fees that are paid to the Municipality are non-refundable as per the Tariff Rules. Once an invoice is issued, the application is regarded as duly submitted.***
2. ***All indigent residents who are registered as such with the Municipality and with proof submitted together with application will be exempted from applicable fee as per the Tariff Rules. Contact: Indigent.office@stellenbosch.gov.za or 021 808 8501 or 021 808 8579.***
3. ***The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable, and the applicant will be informed accordingly.***

BANKING DETAILS

Account Holder Name:	Stellenbosch Municipality
Bank:	STANDARD BANK
Branch no.:	051001
Account no.:	242637280
Payment reference:	TP_____ and ERF/FARM _____

Please use both the TP reference number and the Erf/Farm number indicated in Section C as a reference when making EFT payment

PART F: DETAILS OF PROPOSAL *(Brief description of intent of development listing proposed land use activities. Full motivation report must be attached, addressing the desirability of the proposal, the criteria listed in Section 65 of the LUPB and, if applicable, motivation for site specific justification.)*

See motivation report for more detail :

Section 15(2)(o) for consent uses
Section 15(g) for additional uses
Section 15(h) Amendment of condition of approval

	Y	N
Is the proposal consistent / compliant with municipal **plans, policies and guidelines**, or any national or provincial policies (e.g., Western Cape Land Use Planning Guidelines: Rural Areas), restrictive title conditions, other legislation / authorisations?	X	
Is the proposal consistent with the Municipal Spatial Development Framework (**MSDF**)?	X	
Does the proposal require additional infrastructure / civil **engineering services** e.g., electricity; water; sewerage; road network etc.?	X	
Does the development proposal include the provision of **residential units**? The target market re: range in income bracket/ selling price or rental must be addressed in the motivation report.		X
Does the proposal fall within a priority development area as defined in the MSDF where the provision of inclusionary housing is mandatory in terms of the **Inclusionary Zoning Policy**?		X

HOA Constitution – Name & Date of approval, if applicable	n/a
Design Guidelines – Name & Date of approval, if applicable	n/a

Departure / Relaxation / Suspension	Zoning Scheme Development Parameter	Design Guideline Development Parameter	Restrictive Title Condition

		Adjoining erf number		ZS / DG / RTC		Proposal
Building line encroachment	Street		**From**	m	**To**	m
	Street		**From**	m	**To**	m
	Side / Common		**From**	m	**To**	m
	Side / Common		**From**	m	**To**	m
	Aggregate side		**From**	m	**To**	m
	Rear		**From**	m	**To**	m
Exceeding permissible coverage / footprint			**From**	%	**To**	%
Exceeding maximum permitted bulk / floor factor / habitable rooms			**From**		**To**	
Exceeding height restriction			**From**	m	**To**	m
Exceeding maximum storey height			**From**	m	**To**	m
Exceeding maximum boundary wall height	Street		**From**	m	**To**	m
	Side / Rear		**From**	m	**To**	m
Relaxation of on-site parking / loading requirements			**From**	bays	**To**	bays

PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE APPLICATION

Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete.

Information and documentation required in terms of Section 38 of the LUPB

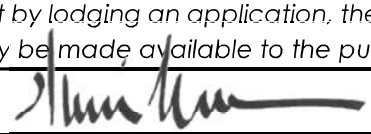
Y	N		Y	N	
X		Power of attorney / Owner's consent if applicant is not owner		X	Proof of any other relevant right held in the land concerned
X		Resolution or other proof that applicant is authorised to act on behalf of a juristic person	X		S.G. diagram / General plan extract (A4 or A3 only)
X		Written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

PART H: AUTHORISATION(S) SUBJECT TO OR BEING CONSIDERED IN TERMS OF OTHER LEGISLATION					
N	**Y**		**N**	**Y**	
	X	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.	Specific Environmental Management Act(s) (SEMA) (e.g., Environmental Conservation Act, 1989 (Act 73 of 1989):		
				X	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
	X	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)		X	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
	X	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)		X	National Water Act, 1998 (Act 36 of 1998)
	X	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations		X	Other (specify)
	X	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)			
	X	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, attach motivation.			

SECTION I: DECLARATION

I hereby wish to confirm the following:

1. *That the information contained in this application form and accompanying documentation is complete and correct.*
2. *I'm aware that it is an offense in terms of section 86(1)(e) of said bylaw to supply particulars, information or answers knowing the particulars, information, or answers to be false, incorrect, or misleading or not believing them to be correct.*
3. *I am properly authorized to make this application on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto.*
4. *Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.*
5. *I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.*
6. *I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.*
7. *It is the owner's responsibility to ensure that approval is not sought for a building or land use which will conflict with any applicable law.*
8. *The Municipality assesses an application on the information submitted and declarations made by the owner or on his behalf on the basis that it accepts the information so submitted and declarations so made to be correct, true, and accurate.*
9. *Approval granted by the Municipality on information or declarations that are incorrect, false, or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.*
10. *The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false, or misleading information or declarations being set aside.*
11. *Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or declarations made as to his or her qualification as a Competent person and/or registration as a professional.*
12. *A person who provides any information or certificate required in terms of Regulation A19 of the National Building Regulations and Building Standards Act No 103 of 1977 which he or she knows to be incomplete or false shall be guilty of an offence and shall be prosecuted accordingly.*
13. *A person who supplies particulars, information, or answers in a land use application in terms of the Stellenbosch Municipality Land Use Planning By-law knowing it to be incorrect, false, or misleading or not believing them to be correct shall be guilty of an offence and shall be prosecuted accordingly.*
14. *The Municipality will refer a complaint to the professional council or similar body with whom a Competent Person/professional person is registered if it has reason to believe that information submitted, or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.*
15. *I am aware that by lodging an application, the information in the application and obtained during the process may be made available to the public.*

Applicant's signature:  **Date:** 8/24/26

Full name: Alwi Theart t/a Urban Rural Sa

Professional capacity: Planning Consultant



LAND USE APPLICATION

REPORT	LAND USE MOTIVATION REPORT
PROPERTY	FARM 1753, PAARL (FRANSCHHOEK)
LOCATION	**FRANSCHHOEK VALLEY**
APPLICATION	CONSENT USES | ADDITIONAL USES | PERMISSION ITO APPROVALS
PREPARED FOR	FREE CLOUD INVESTMENTS PTY LTD

PLANNERS +
LAND USE SPECIALISTS

+27 82 411 7914
alwi@urbanrural.co.za
www.urbanruralsa.com
Stellenbosch . Somerset West . Paarl . Franschhoek

submission to
Stellenbosch Municipality
AUGUST 2026

24 August 2026
Ref Nr. 411.2026.F1753PAA

Stellenbosch Municipality
PO Box 17
Stellenbosch
7599

for attention : landuse.applications @stellenbosch.gov.za

LAND USE APPLICATION
FARM 1753, PAARL (FRANSCHHOEK)

1. Application is hereby formally made to the Stellenbosch Municipality to obtain additional land use rights for Farm 1753, Paarl.
2. Attached please find the following information for your persual
   - Completed application form
   - Motivation Report
   - Relevant documentation as prescribed
3. We trust that the information provided will be sufficient to continue with the advertising and notification process and to make an informed decision in this regard.
4. We are looking forward to your response.

Yours sincerely

Alwi Theart | tch.pln(sa)
Principal Planner | Urban Rural SA
Planning + Land Use Specialists

LAND USE APPLICATION

FARM 1753, PAARL
CONSENT USES
ADDITIONAL USES
PERMISSION IN TERMS OF
A CONDITION OF APPROVAL

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1. PROPERTY INFORMATION

Land Owner	Free Cloud Investments (Pty) Ltd
Power of Attorney	Free Cloud Investments (Pty) Ltd , represented by Mr Giovanni Bowman, has appointed Alwi Theart t/a Urban Rural SA, Planning + Land Use Consultants to submit the relevant land use application to Stellenbosch Municipality in order to obtain the relevant land use rights as set out in the application. Find attached as **Annexure C02** , the Special Power of Attorney and Company Resolution.
Description	Farm 1753, Paarl
Extent	16,0258 ha
Location	Bo-Lamotte Farm , East of Franschhoek Town
Municipality	Stellenbosh Municipality
Zoning Scheme	Stellenbosch Municipal Zoning Scheme Bylaw, 2019(amended 2023)
Existing Primary Rights	Agricultural + Rural Zone
Additional Use Rights	2 Additional Cottages
Consent Uses	Winery , Guesthouse , 4 Tourist Cottages (TAE)
Existing Utilisation	Agriculture + Hospitality
Title Deed	T47207/2025
SG Diagram	SG No 4832/2009
Servitudes	Servitude Road | SG No 4833/2009



FARM 1753, Paarl
Locality Plan

2. PURPOSE OF APPLICATION

The owner of Farm 1753, Paarl (Franschhoek), Free Cloud Investments (Pty) Ltd represented by Mr. Giovanni Bowman, has appointed Alwi Theart t/a Urban Rural SA, Land Use Specialists, to prepare and submit a land use application to the Stellenbosch Municipality. This application seeks to secure the necessary land use rights to expand the existing land use rights available on the property. The comprehensive details of the proposed development and associated land use rights are set out in the following report. A **Power of Attorney** authorising this submission is attached hereto as Annexure C02.

3. LAND USE APPLICATION

3.1 Application is made in terms of :

3.1.1 **Section 15(2)(o)** of the Stellenbosch Municipal Planning By-law for a **consent use** to expand the existing **tourist accommodation establishment** on Farm 1753, Paarl, currently providing *14 bedrooms* for guest accommodation within various buildings to *19 bedrooms** all with en-suite bathrooms. Small alterations will be made to some of the existing buildings to accommodate the above.

3.1.2 **Section 15(2)(o)** of the Stellenbosch Municipal Planning By-law for **consent uses** for **tourist facilities,**

3.1.2.1 • **Consent use** to contruct a pool/entertainment building for the exclusive use of the guests in conjunction of the tourist accommodation facility on Farm 1753, Paarl;

3.1.2.2 • **Consent use** to convert a portion of an existing cottage into a Spa Facility with 4 treatment rooms in conjunction of the tourist accommodation facility for the exclusive use for the guests of Farm 1753, Paarl .

3.1.2.3 • **Consent use** to convert and extend an existing shed building into a Restaurant / Venue Facility/Wine tasting facility (capacility of 100/120 people per event), including a separate Chapel building

3.1.2.4 • **Consent use** to construct a tennis court on the western boundary for the guests staying on the property.

3.1.3 **Section 15(2)(g)** of the Stellenbosch Municipal Planning By-law for permission in terms of the zoning scheme for the following **additional uses** namely,

3.1.3.1 **Additional Use** to make an extension to the existing Winery for storage purposes (51 sqm)

3.1.3.2 **Additional Use** to establish an olive processing and tasting facility of 202m^2 in a new building which will be attached to the restaurant/venue and wine tasting building.

3.1.4 **Section 15(2)(h) : Permission required in terms of conditions of approval**

3.1.4.1 to revise a previous approval condition which limited the wine cellar production to 4 tonnes by **increasing the proposed tonnage** production to approximately 50 tonnes. (the property currently delivers 40 tonnes with old vines. The vines will be systematically replaced over time, resulting in higher production yields in the coming years.

3.1.4.2 to increase the approved 40m^2 wine tasting facility at the current wine cellar and to relocate the wine tasting facility and to increase the size to 176m^{2,} to a new location at the restaurant/venue/olivepress building)

***Section 208(1) Stellenbosch Zoning Scheme Bylaw, 2019 (amended 2023)**

4. PROPERTY ZONING

4.1 AGRICULTURAL AND RURAL ZONE

Farm 1753, Paarl is currently zoned Agricultural and Rural Zone with various additional land use rights in place.

The purpose of an Agricultural and Rural Zone is to make provision for :

(a) The protection and preservation of agricultural land, rural landscapes, and biodiversity
(b) use of land for purposes of bona fide agricultural production or conservation;
(c) buildings and structures which may be erected for reasonable and normal agricultural purposes;
(d) a limited range of other ancillary uses which may take place on agricultural land units, either as additional rights or with the consent of the Municipality and which provides for more intensive agricultural use, agricultural industry or tourism which hs the objective of creating variety, ensuring sustainability, and providing diversified income to land owners, without adverserly impacting on the primary use of the land unit for agricultural purposes.

Agriculture and Rural Zone : Stellenbosch Zoning Scheme

Primary Use	**Additional Use** not exceeding threshold in this chapter and subject to technical approval	**Consent Use** Application required
• Agricultural Building (smaller that 2000 sqm • Agriculture • Dwelling house • Forestry • Natural Environment • Occasional Use(one event/year) • Private Road • Polytunnel(less than 2000sqm) • Second Dwelling Employee housing (one unit)	• Agricultural Building larger that 2000 sqm • **Agricultural Industry (smaller that 2000sqm** • Bed & Breakfast establishment • Employee housing (exceeding one unit) • Guesthouse • Home day care centre • Home occupation practice • Polytunnels (larger than 2001 and less than 5000sqm) • Rooftop base telecommunication station • Tourist dwelling units • Tourist facility (existing buildings)	• Abattoir • Additional dwelling units (max 4) • Airfield • Airstrip • Agricultural Industry (larger than 2000 sqm) • Camping Site • Day care centre • Freestanding base telecommunication station • Helicopter landing pad • Intensive feed farming • Kennels • Market • Occasional use (more than one event/year) • Plant nursery • Polytunnels (larger than 5000 sqm) • Renewable energy structure • Service Trade • **Tourist accommodation establishment** • **Tourist facility (new buildings or exceed threshold)** • Any additional use exceeding the threshold set out in this chapter

4.2 ZONING CERTIFICATE - FARM 1753, PAARL

A zoning certificate has been requested by the landowner, and the municipality has issued a certificate in May 2022 in this regard (document attached as Annexure C05)

The certificate highlighted the following :

The land uses which are permitted on the subject property in accordance with the zoning provision and the approvals granted on record are the following:

- Consent use : Winery + Tasting Facility
- Consent Use : Guesthouse
- Consent Use : 2 Additional Cottages
- Consent Use : Tourist Accommodation Establishment - 4 Guest Cottage)

5. EXISTING DEVELOPMENT

5.1 AGRICULTURAL PRODUCTION

5.1.1 Currently 5.12 ha is planted with grapes.

5.1.2 **Vineyards and Existing Winery**

The property contains an established 5.12-hectare vineyard comprising approximately 14,200 vines, planted with a range of cultivars including Chardonnay, Viognier, Mourvèdre, Pinot Noir, Cabernet Sauvignon, Grenache, Shiraz and Semillon. The vineyards were established between 1997 and 2005 and are supported by drip irrigation and established trellising systems. For purposes of demonstrating the agricultural contribution of the property, a conservative average yield of approximately 8 tonnes of grapes per hectare is considered reasonable, resulting in an estimated production of approximately 41 tonnes of grapes per annum at full production. The existing approximately 400 m² winery provides the necessary agricultural processing component through which the grapes produced on the property can be converted into a value-added agricultural product, with an indicative production potential in the order of 27,000–29,000 litres of wine per annum, depending on cultivar, vintage and cellar processing efficiency. The cellar effluent will be channeled to the Bioreactor located on the property .

5.1.3 **Integrated agricultural and tourist failities**

The vineyards and winery form an integral part of the property's broader agricultural and tourism offering and are not considered as isolated commercial activities. The agricultural production is directly complemented by the existing 14 guest accommodation rooms, proposed to increase to 19 bedrooms, together with the proposed four-room spa facility, restaurant/venue facilities and wine tasting facility. The wine produced from grapes grown on the property can be incorporated into the guest and visitor experience, providing an authentic connection between the agricultural landscape, local wine production, hospitality and tourism.The well appointed new upgraded wine tasting facility will further enhance the wine produce on the property to be showcased to visitors. The integrated nature of these uses will therefore enable the property to retain and strengthen its agricultural character while adding value through appropriate agriculture-related tourism, accommodation, wellness and hospitality activities, consistent with the established wine-tourism character of the Franschhoek area.

PLEASE RECTIFY WHERE NECESSARY											
NOMMER VAN BLOK NUMBER OF BLOCK	PLANT-JAAR PLANTING YEAR	VARIëTEIT VARIETY	SOORT ONDERSTOK ROOTSTOCK VARIETY	PLANTWYDTE-CM PLANTING WIDTH-CM TUSSEN RYE BETWEEN ROWS WYE WIDE	NOU NARROW	IN RY IN ROW	GETAL STOKKE NUMBER OF VINES	OPPERV HA AREA HA	* GPS	BESPROEIING-STELSEL IRRIGATION SYSTEM	PRIëL-STELSEL TRELLISING SYSTEM
1	2003	CHARDONNAY	101/14	250	0	180	1386	0,50		DRUP	4D HEINI
2	2003	VIOGNIER	101/14	250	0	180	827	0,28		DRUP	4D HEINI
3	2005	CHARDONNAY	101/14	250	0	180	674	0,20		DRUP	4D HEINI
4	2003	MOURVEDRE (MAT	101/14	250	0	180	386	0,17		DRUP	4D HEINI
5	2003	PINOT NOIR	101/14	250	0	180	3136	1,41		DRUP	4D HEINI
6	2003	PINOT NOIR	101/14	250	0	180	606	0,26		DRUP	4D HEINI
7	1997	CABERNET SAUV	101/14	250	0	180	929	0,23		DRUP	4D HEINI
8	2004	GRENACHE (ROOI	101/14	250	0	180	912	0,34		DRUP	4D HEINI
9	2003	SHIRAZ (SYRAH)	101/14	250	0	180	1264	0,57		DRUP	4D HEINI
10	2003	PINOT NOIR	101/14	250	0	180	720	0,32		DRUP	4D HEINI
11	1997	SEMILLON	101/14	250	0	100	3360	0,84		DRUP	4D HEINI
							14200	5,12			

Vineyard plantings on Farm 1753, Paarl



AGRICULTURAL PRODUCTION

5.2 OLIVE PRODUCTION

5.2.1 An area of 2ha indicated on the site plan is planted with olives.

5.2.2 **Olive Planting and Processing**

The property currently comprises approximately 2 hectares of established olive orchards, accommodating approximately 1,100 olive trees, as indicated on the accompanying plan. Based on a conservative mature yield of approximately 20 kg of olives per tree per annum, the existing orchard has the potential to produce approximately 22 tonnes of olives per annum at full production. The proposed ±200 m² olive processing facility is considered appropriate to accommodate the processing of the olives produced on the property and to convert the agricultural produce into locally produced olive oil. Based on typical extraction yields, the estimated production could be in the order of +3,000 litres of olive oil per annum, depending on the quality and oil content of the harvested olives. The processing of the olives on the property will add value to the existing agricultural operation by enabling a portion of the primary agricultural production to be processed, packaged and marketed as a value-added product. This will strengthen the agricultural and economic viability of the property while supporting a more integrated and sustainable agricultural use.

5.2.3 **Integrated agricultural and tourist activities**

The olive orchard and processing facility will also complement the proposed restaurant/venue and tourism-related activities on the property. The production of olive oil will provide an opportunity to incorporate the agricultural component into the visitor experience, allowing visitors to experience and appreciate the link between local agriculture, food production and tourism. The proposed uses are therefore considered mutually supportive, with the agricultural production supplying a locally produced product that can potentially be utilised and promoted through the restaurant and venue facility, thereby strengthening the property's overall agricultural, tourism and economic contribution.

5.3 EXISTING DEVELOPMENT AND LAND USES

5.3.1 The property covers an area of approximately 16 ha and is well established with various agricultural activities including grapes and olives, buildings and dams. Assess to the property is gain from via Middagkrans Road (via a servitude) in the north and Excelcior Road in the south. Various land use rights have been approved on the property in the past (See attached zoning certificate - Annexure C05)

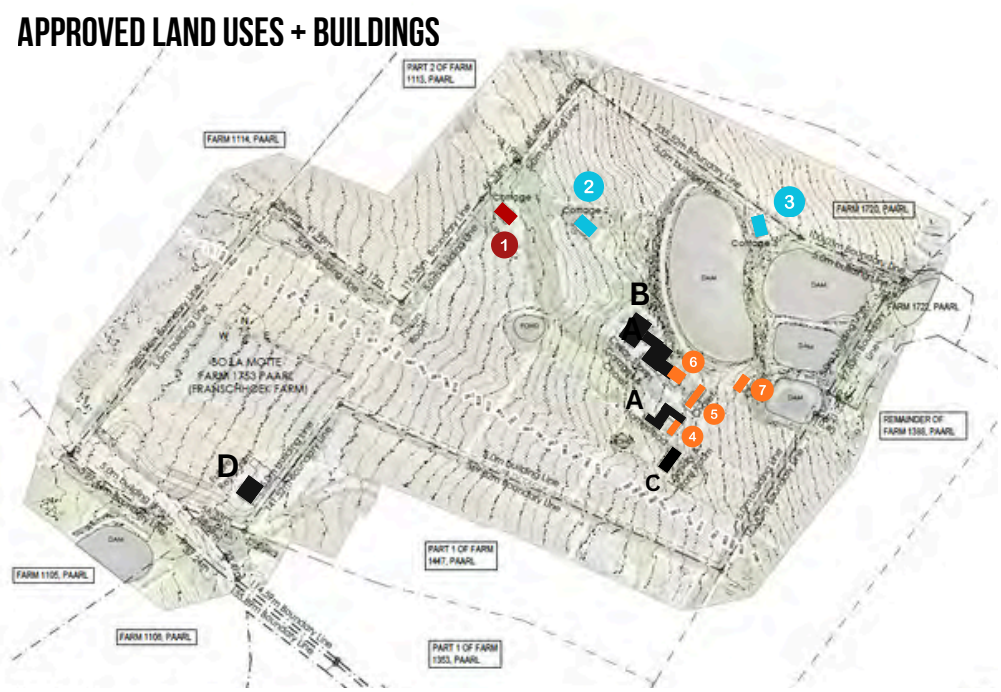
Nr.	BUILDING	USE	DESCRIPTIONS
1.	**Cottage 1**	2 Bedroom	Approved as a Guesthouse
2.	**Cottage 2**	2 Bedrooms	Approved as an Additional Dwelling
3.	**Cottage 3**	3 Bedrooms	Approved as an Additional Dwelling
4.	**Pump House**	1 Bedroom	Approved as Resort Zone (now Tourist Accommodation Establishment)
5.	**Oak Cottage**	1 Bedooms	Approved as Resort Zone (now Tourist Accommodation Establishment)
6.	**Owl House**	3 Bedrooms	Approved as Resort Zone (now Tourist Accommodation Establishment)
7.	**Pear Cottage**	2 Bedroom	Approved as Resort Zone (now Tourist Accommodation Establishment)
A.	**Main House**	3 Bedrooms	
B.	Winery +Tasting	Cellar + Tasting	Agricultural Zone II + Consent Use : Wine tasting facility
B.	Agri Buildings	Storage/Equipment	Farm Equipment + Impliments + Storage
B.	Employee unit	Employee house	
C.	Outbuilding	Workers Facilities	Laundry + Workers facilities
D.	Agri Storage	Agricultural Storage	Farm equipment and impliments

5.3.2 The project architects approached the Municipality to obtain the formal building plans for the existing buildings on the property. The Municipality advised that no complete set of approved building plans could be located in its records.

A zoning certificate obtained in 2022 included copies of certain plans, indicating that plans for some of the existing buildings have been previously submitted. However, the architects could not obtained building plans or revised plans regarding the existing buildings and discrepancies exist between the dimensions and layouts mentioned in the zoning certificate and the buildings as they currently exist.

As some of the original and/or complete approved plans could not be located, the existing buildings have been surveyed and redrawn by the project architect based on their current physical condition and configuration. For purposes of this application, it is therefore requested that the current physical structures, uses and configuration be accepted as the existing status quo. The plans submitted with the application accordingly reflect the buildings as they presently exist on the property.

APPROVED LAND USES + BUILDINGS



6. PROPOSED DEVELOPMENT

6.1 Current Tourist Accommodation Development

Previous approvals for accommodation (14 Bedrooms) on the property has been developed over the years by the previous land owners and was accommodated in various buildings all of which was self-catering units namely:

1.Goose Cottage, (2)
2.Milkwood Cottage,(2)
3.Lake House, (3)
4.Pump house,(1)
5.Oak Cottage(1)
6.Owl House (3) and
7.Pear house (2)

6.2 Reconfiguration of Tourist Accommodation Development

It is the new landowners intention, to include the existing main house (3 bedrooms) as part of the tourist accommodation establishment by increasing the existing 14 bedrooms to 19 bedrooms and to reconfigurate some of the buildings in order to make the proposed **new tourist accommodation establishment** more practical, functional and more appealing to clients and on a exceptional standard to compete on an international level. The changes to the facilities will include the following as set out in the following paragraph .

6.2.1	**Goose Cottage (2 Bedrooms)** *was 2 bedrooms*	No changes will be made to this cottage, and it will operate as a two-bedroom self-catering unit in conjunction with the proposed overarching Tourist Accommodation Establishment. – **Annexure B05**
6.2.2	**Milkwood Cottage (2 Bedrooms)** *was 2 bedrooms*	No changes will be made to this cottage, and it will continue to operate as a two-bedroom self-catering unit in conjunction with the proposed overarching Tourist Accommodation Establishment. – **Annexure B06**
6.2.3	**Lake Cottage (4 Bedrooms)** *was 3 Bedrooms*	No external changes will be made to this cottage. A forth bedroom was incorporated in the roofspace of the existing building. The four-bedroom self-catering cottage will operate in conjunction with the proposed overarching Tourist Accommodation Establishment. – **Annexure B07**
6.2.4	**Pear Cottage (2 Bedrooms)** *was 2 bedrooms*	Small changes will be made to the existing two-bedroom cottage as indicated on **Annexure B09,** by demolishing a certain section and by adding a new section. The two-bedroom self-contained cottage will be changed into two separate bedroom units, each with its own en-suite bathroom but without a kitchen. The two rooms will be utilised in conjunction with the overarching Tourist Accommodation Establishment. – **Annexure B09**
6.2.5	**Oak Cottage (3 Bedrooms)** *was 1 bedroom*	Small changes will be made to the existing one-bedroom self-catering unit, as indicated on **Annexure B10**, to convert the building into a three-bedroom unit, with each bedroom having its own en-suite bathroom but without a kitchen. The new 3-room unit will be utilised in conjunction with the overarching Tourist Accommodation Establishment.

6.2.6 **Owl Cottage (1 Bedroom)** was 3 bedrooms

The Owl Cottage currently consists of three bedrooms and will be reduced to one bedroom with an en-suite bathroom. – **Annexure B11**. The remainder of the unit will be converted into a spa facility, which will be discussed in more detail under the Spa facility heading.

6.2.7 **Pump house (1 Bedroom)** was 1 bedroom

The original Pumphouse unit was attached to the main house and has been operated as a self-catering unit. It is now the intention to incorporate the unit into the main dwelling and operate it as a bedroom with an en-suite bathroom, without a kitchen. The unit will be utilised in conjunction with the overarching Tourist Accommodation Establishment. – **Annexure B12**.

6.2.8 **Main Dwelling (4 Bedrooms)** *was 3 bedrooms*

The existing dwelling will be interally upgrade to serve as the centre of the new proposed Tourist Accommodation Establishment in conjunction will all the other accommodation rooms in the various buildings . An additional bedroom will be constructure within the existing roof space of the building (on the same footprint of the existing building) which in increases the amount of bedrooms in the existing main house from 3 to 4. – **Annexure B12.**

6.2.9 **New Spa Facility**

A new spa facility will be establish within an existing building and will consist of a reception area and 4 treatment rooms , covering an area of 164m^2. The facility will be for the exclusive use of the guest of the tourist accommodation establishment on the property. – **Annexure B11.**

6.2.10 **Pool/Entertainment Facility**

A new outbuilding is planned in close proximity of the main dwelling for the purpose of a Pool/entertainment facility (111,49m^2) for the exclusive use for the guests of the overarching tourist accommodation establishment. – **Annexure B13.**

6.3. It is important to note at this stage that the current landowners also own one of the adjacent properties, Farm 1114, and will reside on that property when in Franschhoek. As the main dwelling on Farm 1753 will not be occupied, the application is therefore made to utilise the existing dwelling, with the proposed alterations, as part of the new Tourist Accommodation Establishment. Either the Main House or the Lake House can readily be utilised as the main dwelling on Farm 1753 should the property be sold in future, or should it become necessary for the landowners to reside on the property at a later stage.

Furthermore, is it important to note that the proposed additional land use rights, relating to the additional accommodation rooms and associated facilities, including the spa, will all be accommodated within existing structures on the property with minor changes. The only new structures proposed in association with the Tourist Accommodation Establishment are the pool/entertainment building – **Annexure B13**. The additional development impact associated with the accommodation proposal is therefore considered to be minimal. Sufficient parking is available next to all the accommodation buildings for guests.

6.4. Extension to Wine Cellar

The property is actively farmed and currently comprises approximately 5 hectares of vineyards, which produce in the order of 35–40 tonnes of grapes per annum. The property is further improved with an established wine cellar of approximately 400 m², together with an existing wine-tasting facility of approximately 40 m².

It is the intention of the new owners to utilise the existing wine cellar to its full potential and to increase the cellar's production capacity to approximately 40–50 tonnes of grapes per annum. The existing vineyards currently produce approximately 35–40 tonnes of grapes per annum. As part of the ongoing agricultural management of the property, the older vines will be systematically replaced with new vines, which is expected to result in improved yields over time. The anticipated increase in vineyard production will therefore support and justify the proposed increase in the wine cellar's processing capacity.

In addition, application is made for an extension of approximately 51 m² to the existing wine cellar building to provide additional storage space required to support the expanded wine production activities. - **Annexure B08**

6.5. Olive Press with tasting, Wine Tasting, Restaurant/Venue and Chapel Facilities

The proposed development is intended to strengthen the relationship between the agricultural and tourism components of the property and to create a cohesive rural destination based on the existing agricultural character of the farm.

An existing shed of approximately 234.78 m² is proposed to be extended and adapted to accommodate a wine-tasting facility, restaurant/venue facility, with a combined floor area of approximately 480.36 m² and a capacity of approximately 120 people. In addition, an olive press and olive-tasting facility of approximately 202 m² is proposed. The combined development will therefore comprise approximately 681.77 m², excluding the proposed chapel of approximately 43 m².

6.5.1 **Restaurant / Venue Facility -** Annexure B015

The proposed restaurant/venue facility will operate as a dual-purpose facility. Where the facility is booked for a private function or event, the restaurant will not operate separately as a public restaurant. The two uses will therefore not operate at full capacity simultaneously. This approach will assist in managing the number of visitors, traffic movements and associated activity generated by the property. It also ensures that the proposed facilities remain complementary rather than resulting in multiple independent tourism uses operating concurrently on the property.

The intention is not simply to establish a restaurant or event venue in a rural setting. Rather, the objective is to create a destination where the agricultural activities of the property form the basis of the visitor experience. Visitors will be able to experience the rural landscape, learn about the production of wine and olive products, taste products associated with the farm and enjoy food in an environment directly linked to the agricultural activities taking place on the property.

This represents a logical form of agricultural diversification. The continued viability of agricultural enterprises increasingly depends on the ability to diversify income streams, particularly where a property has strong agricultural, scenic and tourism potential. The proposed tourism uses will not replace or displace the agricultural activities. On the contrary, they are directly dependent on and intended to enhance the agricultural character of the property. The vineyards and proposed olive production provide the foundation and distinctive character for the tourism component.

6.5.2 **Olive Press and Tasting facility** - Annexure B015

The proposed olive press and olive-tasting facility is particularly important in this regard. Approximately 1.7 hectares of the property will be utilised for the replanting of an olive grove, which is anticipated to produce approximately 20 tonnes of olives at full production. This could result in an estimated production of approximately 3,000 litres of olive oil per annum, depending on cultivar, growing conditions and extraction yields. The proposed olive press will therefore provide a direct link between agricultural production and the tourism experience, allowing visitors to experience not only the final product but also the agricultural and processing activities associated with its production.

The proposed restaurant will similarly provide an opportunity to showcase the property's wine and olive products, together with other locally produced agricultural products. This creates a genuine farm-to-table and farm-to-experience model, where agriculture, wine, food, hospitality and tourism are integrated into a single rural enterprise rather than operating as unrelated land uses.

6.5.3 **Chapel -** Annexure B015

The proposed small chapel should also be considered within this overall rural tourism concept. The chapel, approximately 43 m² in extent, is intended to accommodate small and intimate weddings, ceremonies and similar functions associated with guests and visitors to the property. It is not intended to operate as a large-scale public religious facility. Its limited scale and ancillary role will complement the proposed accommodation, wine, food, agricultural and hospitality activities and contribute to the overall character of the rural estate.

6.5.4 **Traffic and Parking Provision -** Annexure B03 + B14

From a movement and access perspective, the proposed development has also been carefully considered. Access to the facilities will be provided from Excelsior Road, with parking accommodated in the vicinity of the olive orchard. The provision of parking on this portion of the property will assist in containing visitor-related activity and prevent vehicles from being dispersed throughout the agricultural areas of the farm. Appropriate landscaping and screening will be undertaken to ensure that the buildings and parking areas are visually integrated into the surrounding landscape and that the rural character of the property is maintained.

6.5.5 **Traffic Imact Assessment**

A Traffic Impact Assessment was undertaken by UDS Africa Engineers, which confirms that the proposed development will have a low impact on the surrounding road network. This, together with the proposed access arrangement, on-site parking and the dual-purpose operation of the restaurant and venue, provides appropriate measures to manage the anticipated traffic and visitor activity.

6.5.6 Suitability of proposed development

The proposed development is considered appropriate for the property because it builds on the existing agricultural use rather than competing with it. The vineyards, proposed olive production, wine-making, olive processing, wine tasting, food, accommodation and small-scale events will operate as interconnected components of one rural enterprise. The development will therefore support the continued agricultural and economic viability of the property while creating a tourism offering that is directly rooted in the agricultural character, landscape and products of the farm.

The proposal should accordingly not be viewed as the introduction of unrelated commercial uses into a rural area, but rather as a carefully integrated form of agricultural diversification and rural tourism, making productive use of the existing agricultural resource while maintaining the rural character and landscape qualities of the property.

7. PLANNING POLICY AND LEGISLATIVE FRAMEWORKS

This chapter assesses the proposed development against the applicable legislative and policy framework governing land use planning within South Africa, the Western Cape Province and the Stellenbosch Municipal area. The assessment considers the relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (SPLUMA), the Western Cape Provincial Spatial Development Framework, the Western Cape Land Use Planning Guidelines: Rural Areas (2019), Stellenbosch Municipal Spatial Development Frameworks, the Stellenbosch Municipal Planning By-law, and the Stellenbosch Zoning Scheme By-law (2024).

Collectively, these statutory and policy instruments provide the framework for evaluating the desirability of the proposal and demonstrate that the proposed development is consistent with the principles of sustainable rural development, agricultural diversification, environmental protection and sound spatial planning.

7.1 SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (SPLUMA)

The Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) ("SPLUMA") provides the national legislative framework for spatial planning and land use management in South Africa. The Act establishes a uniform system of land use planning based on the constitutional principles of sustainable development, efficient land use management, economic development, environmental protection, and social inclusion.

Section 42 of SPLUMA requires municipalities to consider the principles of spatial justice, spatial sustainability, efficiency, spatial resilience and good administration when determining land use applications. These development principles are intended to promote land use patterns that optimise existing resources, protect valuable environmental and agricultural assets, encourage economic development, and ensure that development is appropriately integrated into its surrounding context.

The proposed development gives effect to these principles by promoting the diversification and long-term sustainability of the existing agricultural enterprise through complementary rural tourism and value-adding agricultural activities. The proposed tourist accommodation establishment, restaurant and function venue, together with the olive processing facilities, are directly related to the agricultural use of the property and are intended to strengthen the economic viability of the farming operation.

The proposal utilises existing infrastructure and services where possible, consolidates development within the established farmswerf area and, avoids unnecessary fragmentation of productive agricultural land, and preserves the rural landscape and scenic character of the area. By integrating agriculture, tourism and value-added agricultural production, the proposal represents an efficient and sustainable use of rural land while supporting local economic development and employment opportunities.

It is therefore submitted that the proposal is consistent with the development principles contained in Section 42 of SPLUMA and supports the broader objectives of sustainable spatial planning and responsible rural development.

7.2 WESTERN CAPE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (PSDF)

The Western Cape Provincial Spatial Development Framework (PSDF) provides the overarching spatial policy framework for sustainable growth and development within the Province. The PSDF seeks to strengthen the provincial economy while protecting the Province's unique environmental, agricultural and cultural resources. A key objective of the PSDF is to promote compact and efficient development patterns, protect high-value agricultural land, conserve biodiversity and scenic landscapes, and support economic opportunities that are compatible with the rural environment.

The PSDF recognises agriculture as a strategic provincial resource and encourages the diversification of agricultural enterprises through appropriate value-adding activities and rural tourism initiatives that improve the economic sustainability of farming operations. Such diversification is supported where it remains ancillary to agriculture, protects productive agricultural land and contributes to the long-term resilience of the rural economy.

The proposed tourist accommodation establishment, restaurant and function venue, together with the olive processing facilities, represent an integrated agricultural diversification initiative that is directly linked to the existing farming operation. The proposal promotes value addition through the processing and marketing of agricultural products, expands opportunities for rural tourism, and contributes to local employment and economic development. The proposed development has been designed to minimise impacts on productive agricultural land, consolidate development within the established building structures and preserve the scenic qualities that characterise the Stellenbosch and Franschhoek rural landscape.

It is therefore submitted that the proposal is consistent with the objectives and spatial directives contained in the Western Cape Provincial Spatial Development Framework.

7.3 WESTERN CAPE LAND USE PLANNING GUIDELINES : RURAL AREA (2019)

The Western Cape Land Use Planning Guidelines: Rural Areas (2019) provide policy guidance for the assessment of development proposals within rural areas and agricultural landscapes throughout the Province. The Guidelines recognise that the long-term sustainability of farming enterprises increasingly depends on the diversification of agricultural income through complementary rural economic activities while ensuring that agriculture remains the primary land use on the property.

The Guidelines support appropriately planned rural tourism, value-added agricultural processing and visitor-related facilities that strengthen farming enterprises and contribute to the rural economy. Examples include tourist accommodation establishments, restaurants, function venues, farm shops, farm stalls, tasting facilities, processing facilities associated with agricultural production, and outdoor recreational activities.

The Guidelines emphasise that secondary land uses should be directly related to, and supportive of, the agricultural enterprise and should not result in the unnecessary loss or fragmentation of productive agricultural land. New development should preferably be located within or adjacent to existing farmsteads or previously disturbed areas, thereby minimising visual impacts and maintaining the character of the rural landscape. Particular emphasis is placed on protecting scenic landscapes, heritage resources, biodiversity, and high-potential agricultural land.

The proposed development aligns with these principles by integrating tourism accommodation, hospitality facilities and olive processing with the existing agricultural enterprise. The proposal strengthens the economic sustainability of the farming operation, promotes value-added agricultural production and rural tourism, while maintaining the agricultural character and landscape quality of the property.

7.4 STELLENBOSCH MUNICIPAL SPATIAL FRAMEWORK

The Stellenbosch Municipal Spatial Development Framework (SDF) provides the Municipality's long-term spatial vision for sustainable development and the management of growth within the municipal area. The SDF recognises the Stellenbosch and Franschhoek agricultural landscapes as internationally significant resources that require careful protection while simultaneously supporting opportunities for sustainable economic diversification.

The SDF encourages the continued viability of agricultural enterprises through appropriately scaled rural tourism, value-added agricultural activities and complementary commercial uses that are directly associated with farming operations. The Framework supports tourism accommodation establishments, restaurants, farm shops, tasting facilities, agricultural processing and visitor facilities where these uses remain ancillary to agriculture, are appropriately located within the existing farmstead, and do not undermine agricultural production or the rural landscape.

The proposed development supports these objectives by providing integrated tourism accommodation, hospitality facilities and olive processing that complement the existing agricultural enterprise. The proposal has been designed to consolidate development around the established farmstead, minimise impacts on productive agricultural land, preserve important landscape qualities and strengthen the long-term sustainability of the farming operation. Accordingly, the proposal is consistent with the spatial vision and policy objectives of the Stellenbosch Municipal Spatial Development Framework.

7.5 STELLENBOSCH ZONING SCHEME BY-LAW(2023)

The Stellenbosch Zoning Scheme By-law (2024) regulates land use and development within the municipal area by establishing zoning categories, development parameters and land use rights. The Scheme seeks to facilitate appropriate land use while protecting the Municipality's agricultural resources, environmental assets and cultural landscapes.

The Agriculture Zone recognises that farming enterprises may require complementary land uses to ensure their long-term sustainability. Subject to municipal approval, the Scheme provides opportunities for a range of additional land uses, including tourist accommodation establishments, restaurants, function venues, agricultural processing facilities and other activities that are directly associated with, and supportive of, the agricultural use of the property.

The proposed development falls within this policy context by integrating tourism accommodation, tourist facilities and olive processing with the existing agricultural enterprise. The proposal supports agricultural production through value-added processing, expands tourism opportunities within the Cape Winelands, and contributes to local employment and economic growth while maintaining the primary agricultural use of the property.

The application has been prepared with due regard to the objectives, intent and development provisions of the Stellenbosch Zoning Scheme By-law (2024), and it is submitted that the proposal represents an appropriate and desirable form of rural development that is consistent with the purpose of the Agriculture Zone and the broader planning objectives of the Municipality.

8. PLANNING COMPLIANCE ASSESSMENT

8.1 ZONING COMPLIANCE

Proposed Land Use	Existing	Proposed	Planning Motivation
Tourist Accommodation	14 guest suites	19 guest suites	Improves the economic viability of the tourism enterprise without altering the primary agricultural use. Accommodation is accommodated largely within existing buildings with limited alterations.
Restaurant / Venue	None	Restaurant and function venue (100–120 guests) including chapel	Provides tourist/hospitality facilities directly associated with the accommodation establishment and agricultural enterprise, enhancing the visitor experience and supporting agri-tourism. The facility will not have a negative impact on the agricultural activities conducting from the property
Olive Processing Facility	None	202 m² olive processing and tasting facility	Value-adds olives produced on the farm and in the surrounding region, creating an integrated agri-processing and tourism experience.
Winery Extension	Existing winery	51 m² storage extension	Supports the continued operation and expansion of the existing winery without materially changing the agricultural character of the property.
Winery Production		40 tonnes	Property produces approximately 35-40 tonnes of grapes . To optimise the existing cellar will strengthen the strengthens the commercial viability of the winery while remaining ancillary to the primary agricultural operation.
Spa Facility	None. The proposed facility will however be accommodted within existing building structure	Four-treatment-room spa	A guest amenity serving the accommodation establishment and enhancing the tourism offering without functioning as an independent commercial enterprise.
Pool Building	Existing pool	New pool amenities building and pool area	Ancillary recreational facility exclusively for overnight guests
Tennis Court	None	One tennis court	Recreational facility exclusively for guests staying on the property.

8.2 POLICY AND LEGISLATIVE COMPLIANCE

Legislative / Policy Document	Relevant Objective	Application Proposal	Compliance Assessment
SPLUMA	Promote spatial sustainability and efficient land use	Expansion of existing tourism enterprise linked to agricultural operation	Complies. Utilises existing infrastructure and supports the long-term sustainability of the farm and incorporate tourist faciities associated with the agricultural activities conducted from the property
LUPA	Promote sustainable rural development and protect agricultural resources	Tourism accommodation, restaurant, venue and olive processing integrated with farming	Complies. Diversifies farm income while retaining agriculture as the primary land use.
Western Cape PSDF	Encourage value-added agriculture and rural tourism	Olive processing facility, tasting facility, restaurant and accommodation	Complies. Supports agricultural beneficiation and rural economic development.
Rural Guidelines (2019)	Support complementary rural tourism and protect productive agricultural land	Expansion from 14 to 19 guest rooms, restaurant, spa, tennis court and venue	Complies. Development clustered around the existing farmstead and existing agricultural buildings and is directly linked to the agricultural enterprise.
Stellenbosch SDF	Encourage diversified agricultural enterprises while protecting the Winelands landscape	Tourism facilities integrated with the existing farm complex	Complies. Reinforces the existing facilities while maintaining the rural landscape character.
Stellenbosch Planning By-law	Consider desirability, compatibility, public interest and policy compliance	Consent uses and additional uses on an existing agricultural property	Complies. Proposal is desirable, policy compliant and supports the public interest through economic development and employment.
Stellenbosch Zoning Scheme	Permit tourism and value-added agricultural activities through consent or additional use	Guest accommodation, restaurant/venue, spa, olive processing and winery extension	Complies. All proposed uses are contemplated within the Agriculture Zone, subject to approval.

8.3 DEVELOPMENT PRINCIPLES

Assessment of the SPLUMA Development Principles in relation to the application

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

8.3.1 **Spatial Efficiency**
The proposal makes efficient use of the existing developed farm by utilising existing buildings, infrastructure and services wherever possible. The development is consolidated around the established farmstead and avoids unnecessary development or fragmentation of agricultural land. The proposed tourism uses are directly linked to the existing agricultural activities. The proposal is therefore considered spatially efficient.

8.3.2 **Spatial Justice**
The development retains agriculture as the primary land use while creating opportunities for employment, tourism and rural economic development. It supports the continued productive use of the property and provides additional economic benefits without displacing existing agricultural activities or creating adverse impacts for surrounding properties. The proposal is therefore considered consistent with the principle of spatial justice.

8.3.3 **Spatial Sustainability**
The proposal supports the long-term sustainability of the agricultural enterprise through appropriate diversification and value-adding activities. Agriculture remains the primary use, while tourism and processing activities are complementary to the farming operation. The development also makes use of existing infrastructure and limits additional development of agricultural land. The proposal is therefore considered spatially sustainable.

8.3.4 **Spatial Resilience**
The diversification of the agricultural enterprise through tourism, accommodation, wine and olive processing strengthens the property's economic resilience and reduces reliance on a single income-generating activity. The proposal builds on existing uses and infrastructure and strengthens the long-term viability of the farm. The proposal therefore contributes positively to spatial resilience.

8.3.5 **Good Governance**
The application is submitted within the applicable land-use planning and zoning framework and has been assessed against the relevant planning policies and legislation. Appropriate specialist investigations have been undertaken, and the required consent uses and permissions are being sought through the prescribed municipal process. The proposal therefore supports the principles of good governance and responsible land-use management.

8.3.6 The proposed development is considered consistent with the five development principles of SPLUMA. It represents a logical and appropriately scaled diversification of an established agricultural enterprise, makes efficient use of existing resources, protects the primary agricultural function of the property and contributes to the long-term economic sustainability of the rural area. Subject to compliance with the applicable conditions and statutory requirements, the proposal is considered spatially appropriate and desirable.

8.4. STELLENBOSCH MUNICIPAL ZONING SCHEME, 2019 (AMENDED 2023)

The Stellenbosch Zoning Scheme allows for guest houses, tourist accommodation establishments and tourist facilities on agriculturally zoned properties, either as an additional use or a consent use for tourist accommodation. This depends on the scale of the development and whether the facilities will be housed in existing buildings or new structures. In this specific application, the facilities will be accommodated within **existing structures and new structures** , which means it will have to be accommodated as a consent use. The tourist accommodation establishment (consisting of various different approvals) will be increased from 14 rooms to 19 rooms. Most of the accommodation rooms will be accommodated within existing buildings while existing agricultural buildings will be extened to accommodate the restaurant/venue facility. The space allocated for the proposed function venue will be larger than the prescribed 250 sqm. Due to the above application for **both these facilities are made for consent uses** in order to comply with the zoning scheme prescriptions.

Tourist facilities in this zone (Stellenbosch Zoning Scheme By-law,2023)

Section 209.1	• The proposed facilities exceed the parameters and therefore application has been made for consent uses.
Section 209.2	• Application has been made for consent uses as the parameters as set out in the zoning scheme will be exceeded.
Section 209.3	• The primary use of the property will still be agriculture and the proposed uses will be subservient to the primary use of the property.
Section 209.4	• The proposed facillities will be operated mostly from existing building and where alterations an extentions are proposed it will be done within an acceptable rural context
Section 209.5	• Extensions will be made to some agricultural buildings. Application is therefore made for consent uses as well as additional uses as precribe in the zoning scheme.
Section 209.6	• The proposed restaurant/venue facility will exceed the prescribed 250 sqm and will cover an inside area of approximately 480 sqm. It is important to mentioned that approximately 176m ^{2} of this area will be occupied by a wine tasting facility which will be untilse in conjunction with the restaurant/venue facility.
Section 209.7	• Noted - not applicable to the proposed application.
Section 209.8	• The facilities will be managed directly by the landowners as prescribed in the zoning scheme.
Section 209.9	• A site development plan has been submitted as precribed by the zoning scheme.
Section 209.10	• Noted
Section 209.11	• The proposed development will not have any adverse impact on the surrounding properties. Given that tourist accommodation facilities will mostly be accommodated within existing buildings and the proposed tourist facilities will not be close to any other buildings on adjacent properties it is not expected to generate any significant additional impact and can reasonably be managed without direct issues to neighbouring properties.

Consent Uses in Agriculture and Rural Zone (Stellenbosch Zoning Scheme By-law,2023)

Section 213.1	• A site development plan has been prepared and is attached as B03
Section 213.2	• The proposed land uses will be subservient to the agricultural activities of the property. The property is a fully operated wine and olive farm will permitted accommodation units.
Section 213.3	• The scale of the proposed development will be in keeping with the character of the buildings and the facilities will not dominate the farm activities or building form.
Section 213.4	• The facilities will be subservient to the primary agricultural use and will be supportive of the agricultural activities.
Section 213.5	• The property is planted with vineyards and olives and is an active wine and olive farm with a production wine cellar. The proposed facilities will be subservient to the existing agricultural component and will not have a negative impact on the farms operations
Section 213.6	• Noted - Not applicable to the application
Section 213.7	• Existing buildings and infrastructure will be used to accommodate the proposed development. New building will be constructed for tourism but it is in the minority.
Section 213.8	• Noted - Not applicable to the proposed application
Section 213.9	• Noted.

9. ADDITIONAL SPECIALIST STUDIES

9.1 SERVICE INFRASTRUCTURE

Sufficient **Water and Electricity** is available on the property to service all the relevant agricultural activities and additional uses.

A bioreactor will be build on the western boundary of the property (see location on the Site plan)to handle all the **effluent water** created by the cellar, olive procssing facility and the sewerage of all the buildings and faciities.The bioreactor will work as follows :

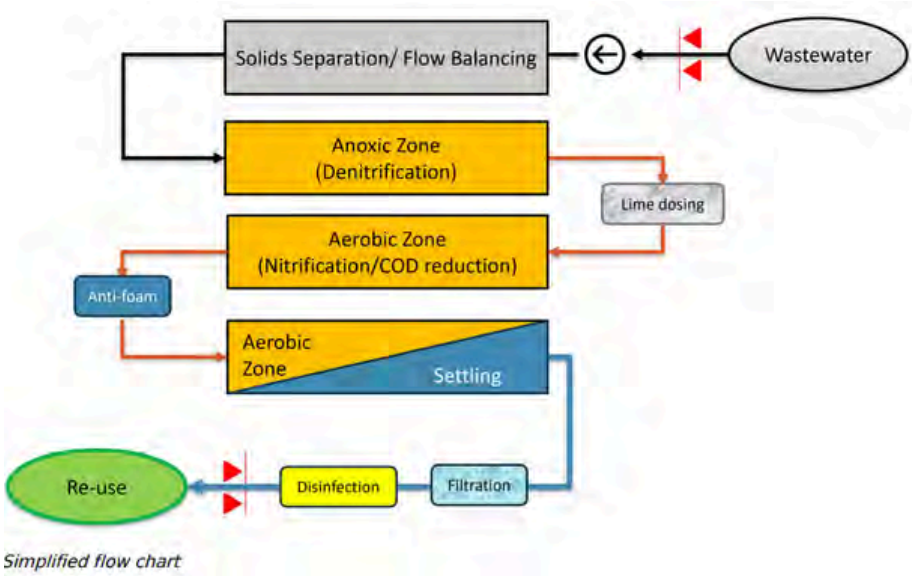
For the treatment of winery effluent and biodegradable sewage, the engineers (HWT Engineers Pty Ltd) propose a low energy, potentially carbon neutral biological treatment process. Treated waste water can be re-used in a sustainable manner. The treatment process they favour is briefly described below;

Treatment Processes: WWTP - BIOREACTOR 30 KLPD [BOLAMOTTE]

- sewage and winery effluent gravity flows to the proposed treatment plant
- biological treatment of wastewater in a multi- chamber underground waste water treatment plant including the following unit processes
  - solids separation and flow balancing
  - biodegradation and removal of dissolved organic material and nitrogenous compounds
  - liquid chlorine disinfection hydrated lime pH stabilization
  - AFM filtration
- re-use of treated water includes
  - dust suppression, irrigation and flushing toilets
  - safe disposal to an irrigation dam
- water quality is compliant with IPW requirements and the DWS General Limit
  - DWS is the South African Department of Water and Sanitation.

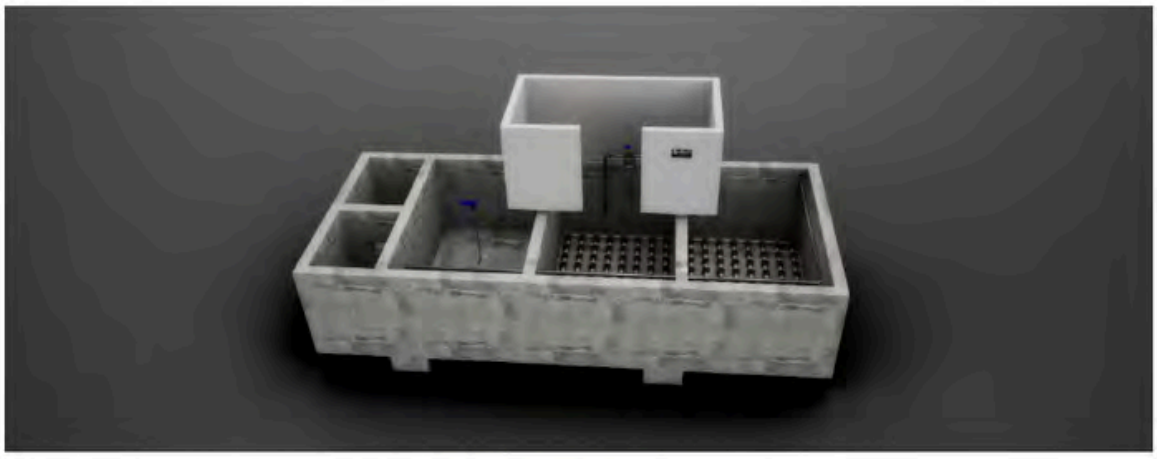
This is a fully automated system, requiring minimal operator intervention.

Design flow is 30 m^3/d with an organic load of 50 kgCOD per day



Simplified flow chart

Source : HWT | Water and Treatment Engineering HWT Pty Ltd



Submerged bioreactor x 3, flow balancing tank with control room

Source : HWT | Water and Treatment Engineering HWT Pty Ltd



Control room built above bioreactor



Interior of a control room

Source : HWT | Water and Treatment Engineering HWT Pty Ltd : Illistration of proposed Bio-reactor facility

The following calculations has been made for the proposed development by HWT Water Treatment Engineers and was provided by the owners to be incorporated in this report :

FLOW AND LOAD

DOMESTIC SEWAGE		Pop	(l/p/d)	(gCOD/p/d)	(gTKN/p/d)	Usage (%)	(kl/d)	(Ml/a)	(kgCOD/d)	(kgTKN/d)
Guests	Domestic sewage	60	175	100	15	55	10.5	2.108	6.0	0.9
Farm houses	Domestic sewage	20	150	100	15	55	3.0	0.602	2.0	0.3
Visitors and staff	Domestic sewage	25	95	75	10	55	2.4	0.477	1.9	0.3
Restaurant	Sewage and restaurant effluent	30	65	50	10	55	1.9	0.391	1.5	0.3

FACILITY		(mgCOD/l)	(mgTKN/l)	Usage (%)	(kl/d)	(Ml/a)	(kgCOD/d)	(kgTKN/d)
Olive Press	Oily wastewater	2050	0	25	5	0.456	10.3	0.0

WINERY	Tons/annum	(Bench Mark)	(mgCOD/l)	(mgTKN/l)	(kl/d)	(Ml/a)	(kgCOD/d)	(kgTKN/d)
Bolamotte Cellar	80	6.6	6,500	0	3.7	0.343	23.9	0

SUMMARY	(mgCOD/l)	(mgTKN/l)	Usage (%)	(kl/d)	(Ml/a)	(kgCOD/d)	(kgTKN/d)
	1,718	66		29	4.378	50.1	1.9

Source : HWT | Water and Treatment Engineering HWT Pty Ltd

9.2 TRAFFIC IMPACT ASSESSMENT

9.2.1 A Traffic Impact Assessment (TIA) has been undertaken by UDS Africa Engineers to assess the potential traffic implications of the proposed development. The assessment concludes that the proposed development will not have a significant negative impact on the surrounding road network and that the existing road infrastructure is adequate to accommodate the anticipated traffic generated by the development.

The TIA further concludes that the application can be supported from a traffic engineering perspective and that no external road upgrades are considered necessary as a result of the proposed development.

The Traffic Impact Assessment is attached to this application as **Annexure B07**.

10. DESIRABILITY OF PROPOSED DEVELOPMENT

10.1 Assessment of the Proposed Development in Terms of Section 65

It is submitted that the application is supported by the necessary documentation, specialist inputs and motivation required in terms of the applicable legislation and municipal requirements. The information submitted places the Municipality in a position to properly assess the application against the relevant considerations set out in Section 65 of the Stellenbosch Municipality Land Use Planning By-law Regulations.

In particular, Section 65(c) requires consideration of the following:

- Socio-economic impact;
- Compatibility with surrounding land uses;
- Impact on external engineering services;
- Impact on the safety, health and well-being of the surrounding community;
- Impact on heritage resources;
- Impact on the biophysical environment;
- Traffic, parking, access and other transport-related considerations; and
- The need for conditions of approval to mitigate any potential adverse impacts.

The proposed development has been assessed against these considerations, as set out below.

10.1.1 **Socio-Economic Impact**

A tourist accommodation establishment comprising 14 bedrooms is currently operated on the property in terms of previous approvals. Following the acquisition of the property by the current owners, it is proposed to increase the accommodation capacity from 14 to 19 bedrooms.

The main dwelling on the property is presently underutilised, as the owners also own the adjoining property and reside there when they are in the Franschhoek area. The proposal therefore seeks to make more effective use of the existing buildings and established development footprint by incorporating the dwelling into the tourist accommodation establishment. With the additional facility such as a spa facility with 4 treatment rooms will provide additional services to guests which

The proposed development will further strengthen the relationship between the agricultural and tourism components of the property. This includes an olive processing and tasting facility, where olives produced on the property can be processed, together with the optimisation of the existing wine cellar, an expanded wine-tasting facility and a small restaurant/venue facility. These uses are intended to complement, rather than replace, the established agricultural activities on the property.

The proposal will contribute to the long-term economic sustainability of the property by generating additional income that can be reinvested in the agricultural and tourism operations. This is particularly important in maintaining the property as a viable and productive agricultural unit within the Franschhoek Valley.

The increased tourism offering is also expected to have positive secondary economic benefits. Additional visitors will support local employment and create demand for services such as cleaning, maintenance, hospitality, transport, food supply and other tourism-related services. Visitors are also likely to make use of businesses and attractions within Franschhoek and the broader region, thereby contributing to the local tourism economy.

The socio-economic impact of the proposal is therefore considered to be positive, while remaining appropriate to the rural and agricultural character of the property.

10.1.2 Compatibility with Surrounding Land Uses

The proposed development is considered compatible with the existing character and established pattern of development in the surrounding area.

The majority of the proposed uses will be accommodated within existing buildings or within the established farm werf and areas that are not utilised for active agricultural plantings. The proposed alterations and extensions are limited in scale and do not require the establishment of an extensive new development footprint.

Importantly, the proposed tourism-related uses are directly associated with and complementary to the agricultural activities undertaken on the property. The wine, olive and tourism components will operate in an integrated manner and will support the continued productive use of the property.

Given the location, scale and nature of the proposal, it is not expected to result in an unacceptable change in the character of the surrounding rural area or adversely affect neighbouring agricultural properties.

10.1.3 Impact on External Engineering Services

The property is already developed and has the necessary services and infrastructure to support the existing buildings and activities.

The proposed increase in accommodation and associated tourism facilities is not expected to place an unacceptable additional demand on municipal engineering infrastructure. A new bio-reactor wastewater treatment system is also proposed to ensure that wastewater generated by the development is appropriately treated and managed on the property in an environmentally responsible manner.

The development will therefore not rely on a significant expansion of municipal bulk infrastructure, and the impact on external engineering services is expected to be limited and manageable.

10.1.4 Impact on Safety, Health and Well-being of the Community

The proposed development is not expected to have a negative impact on the safety, health or general well-being of the surrounding community.

The development is relatively limited in scale and will primarily utilise existing buildings and infrastructure within the established developed portion of the property. Appropriate wastewater treatment and management will further ensure that the development does not result in unacceptable environmental or public-health risks.

The proposal will, in fact, contribute positively to community well-being by supporting local economic activity, tourism and employment while maintaining the property as a viable agricultural enterprise.

The development will also be required to comply with all applicable building, health, fire, environmental and other legislative requirements, thereby ensuring that the operation does not compromise the safety or well-being of neighbouring landowners or visitors.

10.1.5 Impact on Heritage

The proposal is situated within an established agricultural environment and largely utilises the existing development footprint of the property. The proposed alterations and additions are limited in scale and are intended to complement the existing buildings and agricultural character of the property.

The continued use and enhancement of the property as an agricultural and tourism destination can contribute positively to the broader cultural and tourism value of the Franschhoek Valley. The proposal will provide visitors with an opportunity to experience the agricultural, wine and olive-producing character of the area while supporting the continued economic use of the property.

Where required, the application will remain subject to the provisions of the applicable heritage legislation and any requirements imposed by the relevant heritage authority.

10.1.6 Impact on the Biophysical Environment

The proposed development is considered to have a limited impact on the biophysical environment.

The development is concentrated within the existing developed portion of the property and does not require significant disturbance of areas currently utilised for agricultural production. No significant loss of agricultural land is anticipated as a result of the proposal.

Existing infrastructure will be utilised wherever possible, while the proposed bio-reactor system will provide an appropriate means of managing wastewater generated by the development. This will assist in preventing pollution and ensuring that wastewater is managed in an environmentally responsible manner.

The proposal therefore represents a more efficient use of an existing developed agricultural property without requiring extensive additional disturbance of the natural or agricultural environment.

10.1.7 Traffic, Parking, Access and Transport

The property has established access from Middagkrans Road to the north and Excelsior Road to the south. The location of the property between these established road connections provides convenient access to the proposed development and assists in distributing traffic movements.

A Traffic Impact Assessment has been undertaken by UDS Africa Engineers and accompanies the application. The assessment concluded that the proposed development will not have a negative impact on the surrounding road network and that the existing road infrastructure is capable of accommodating the anticipated traffic generated by the proposal.

The assessment further concluded that no external road upgrades are considered necessary as a consequence of the proposed development.

Adequate parking is provided for the proposed uses, and the development can therefore be accommodated without creating unacceptable parking, access or traffic-related impacts on surrounding properties or the public road network.

10.1.8 Mitigation Measures and Conditions of Approval

Based on the information and specialist assessments submitted with the application, no significant adverse impacts have been identified that would require extensive mitigation measures.

The proposal has been designed to make use of the existing development footprint and infrastructure while integrating the agricultural, tourism, wine and olive-processing components of the property. The proposed wastewater treatment system and the measures identified through the specialist assessments will further ensure that potential impacts are appropriately managed.

Should the Municipality identify reasonable conditions of approval that are necessary to ensure the proper functioning of the development or to further protect the surrounding environment and community, the applicant is willing to consider such conditions.

10.1.9 Conclusion

The development is accordingly considered compatible with its rural context and consistent with the objectives of responsible land use planning. It is therefore respectfully submitted that the application satisfies the relevant considerations of Section 65 and that there are sufficient planning grounds for the Municipality to support the application and approve the proposed development, subject to reasonable and appropriate conditions of approval.

11. CONCLUSION

Similar applications for guest accommodation and venue facilities are regularly approved by the Municipality in its rural areas. The subject property already enjoys approved land use rights for tourist accommodation tourist facilities, and the proposed extensions and new land uses will tie in seamlessly with the existing development on the property

Having regard to the relevant legislation, spatial development frameworks, rural guidelines, and zoning scheme provisions, the application is so to speak, fully compliant with the prescribed legislative frameworks, policies, and guidelines. It should therefore be considered in a positive manner.

The proposed alterations will significantly enhance the operational efficiency of the tourist accommodation establishment and its associated facilities. They are also regarded as essential for securing the long-term sustainability of the agricultural and related business operations. The proposal aligns with prevailing municipal planning trends in the area and constitutes a logical extension of the existing land use rights. On this basis, the development warrants approval by the Municipality.

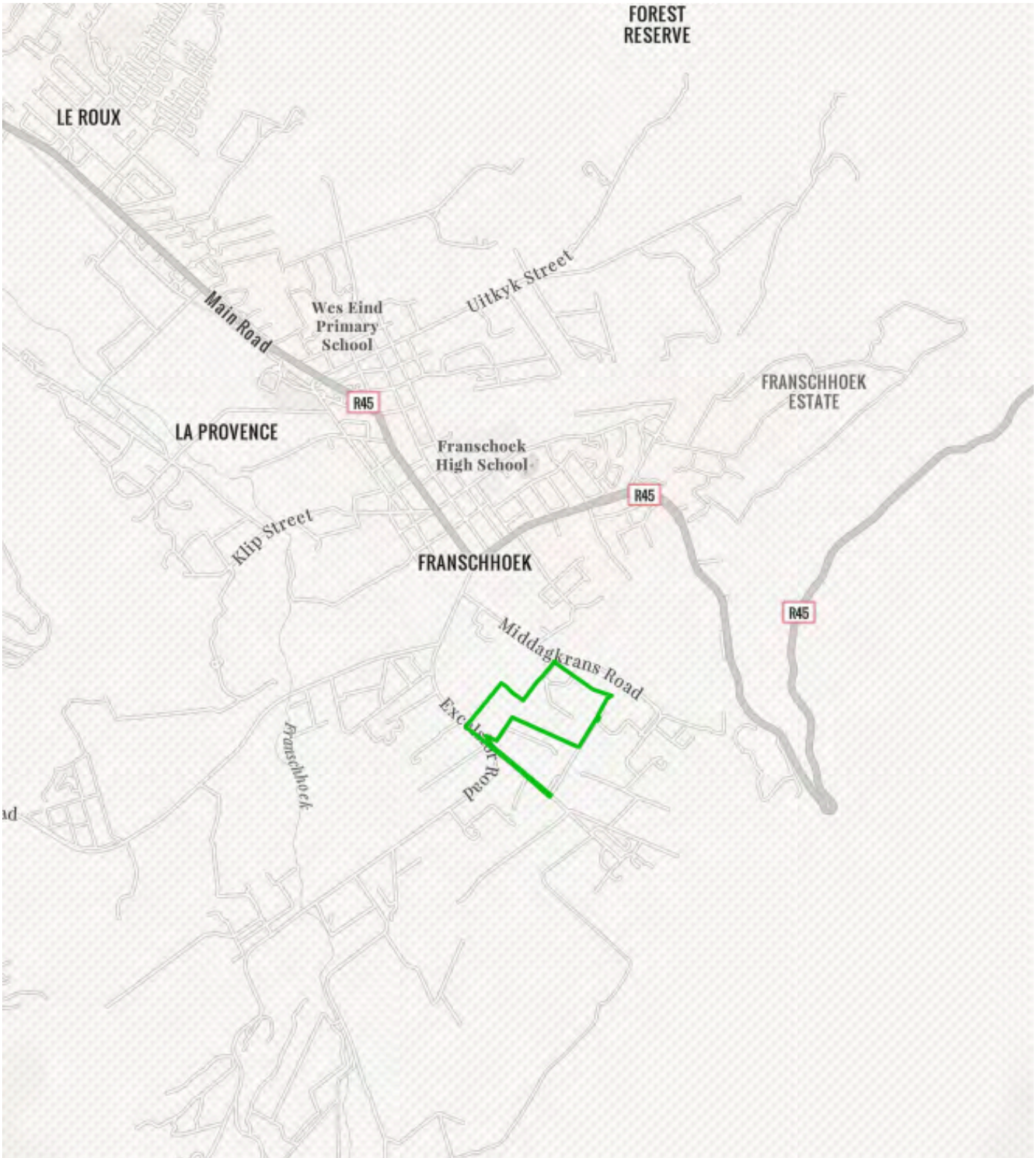
In light of this motivation and the arguments presented in this document, it is our considered opinion that the proposed changes to an already successful development will not only strengthen the economic and agricultural sustainability of the property for the owners, but also make a positive contribution to the local tourism and broader economy by creating much-needed employment opportunities. Importantly, this will be achieved without any adverse impact on the environment, adjoining landowners, or the general public. It is therefore respectfully requested that the Municipal Council, together with all relevant Departments and decision-making bodies, find the development desirable and approve the application.

Annexure

BOO

MAPS + PLANS

PLANNERS +
LAND USE SPECIALISTS



URBAN RURAL SOUTH AFRICA
PLANNING + LAND USE SPECIALISTS

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LOCALITY PLAN

PROPERTY :	Farm 1753, Paarl (Franschhoek)
DATE :	August 2026
SCALE :	Unknown or as Indicated
SOURCE :	CFM
PROJECT NR.	**A.411.2026**

PLAN

B01



AERIAL VIEW

PROPERTY :	Farm 1753, Paarl (Franschhoek)
DATE :	August 2026
SCALE :	Unknown or as Indicated
SOURCE :	Stellenbosch Municipality
PROJECT NR.	A.411.2026

PLAN

B02

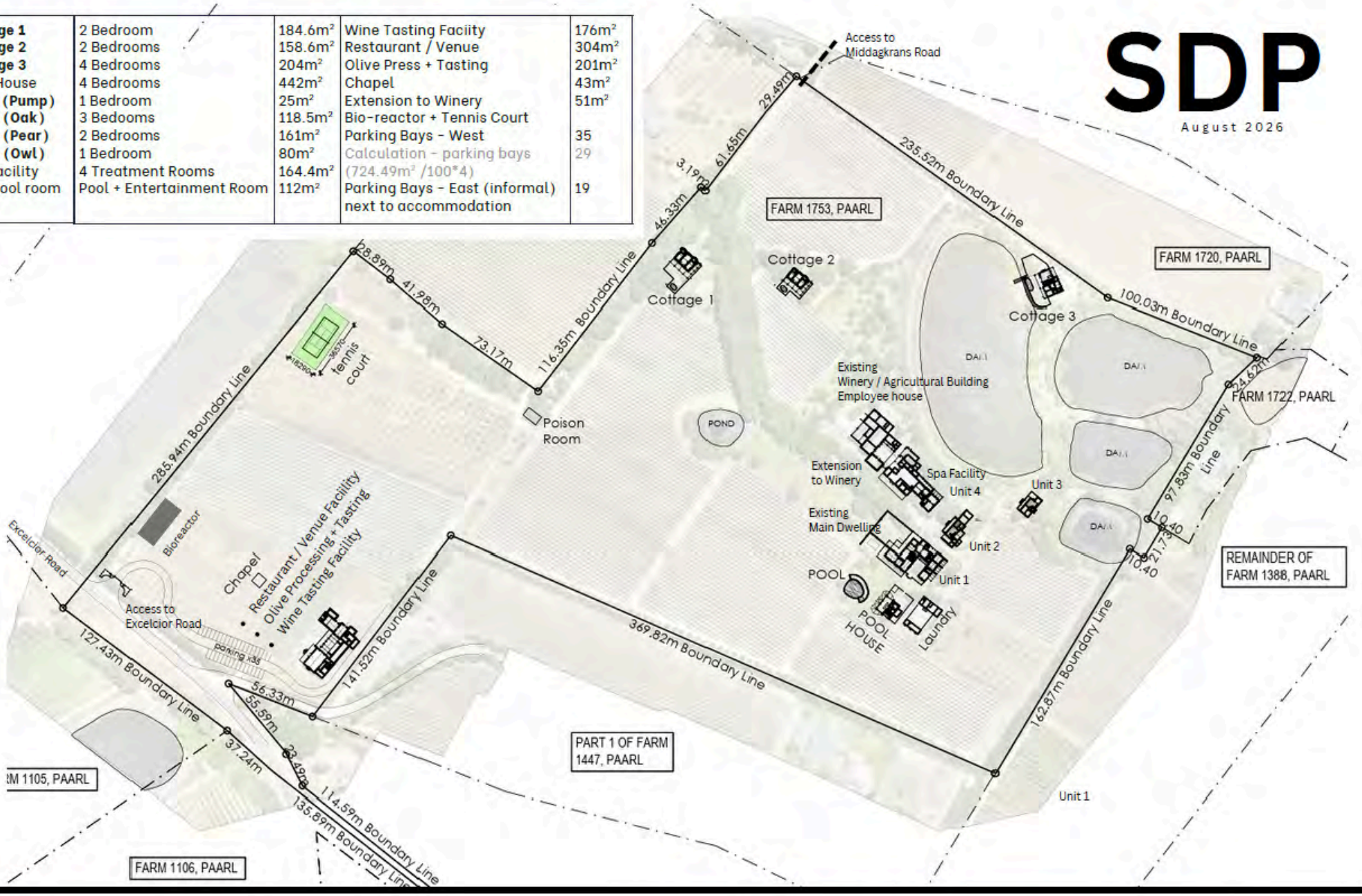
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SDP

August 2026

Cottage 1	2 Bedroom	184.6m²	Wine Tasting Facility	176m²
Cottage 2	2 Bedrooms	158.6m²	Restaurant / Venue	304m²
Cottage 3	4 Bedrooms	204m²	Olive Press + Tasting	201m²
Main House	4 Bedrooms	442m²	Chapel	43m²
Unit 1 (Pump)	1 Bedroom	25m²	Extension to Winery	51m²
Unit 2 (Oak)	3 Bedooms	118.5m²	Bio-reactor + Tennis Court	
Unit 3 (Pear)	2 Bedrooms	161m²	Parking Bays - West	35
Unit 4 (Owl)	1 Bedroom	80m²	Calculation - parking bays	29
Spa Facility	4 Treatment Rooms	164.4m²	(724.49m² /100*4)	
New Pool room	Pool + Entertainment Room	112m²	Parking Bays - East (informal) next to accommodation	19



Base plan compiled by

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PROJECT NUMBER A411.2026

urb urban rural sa

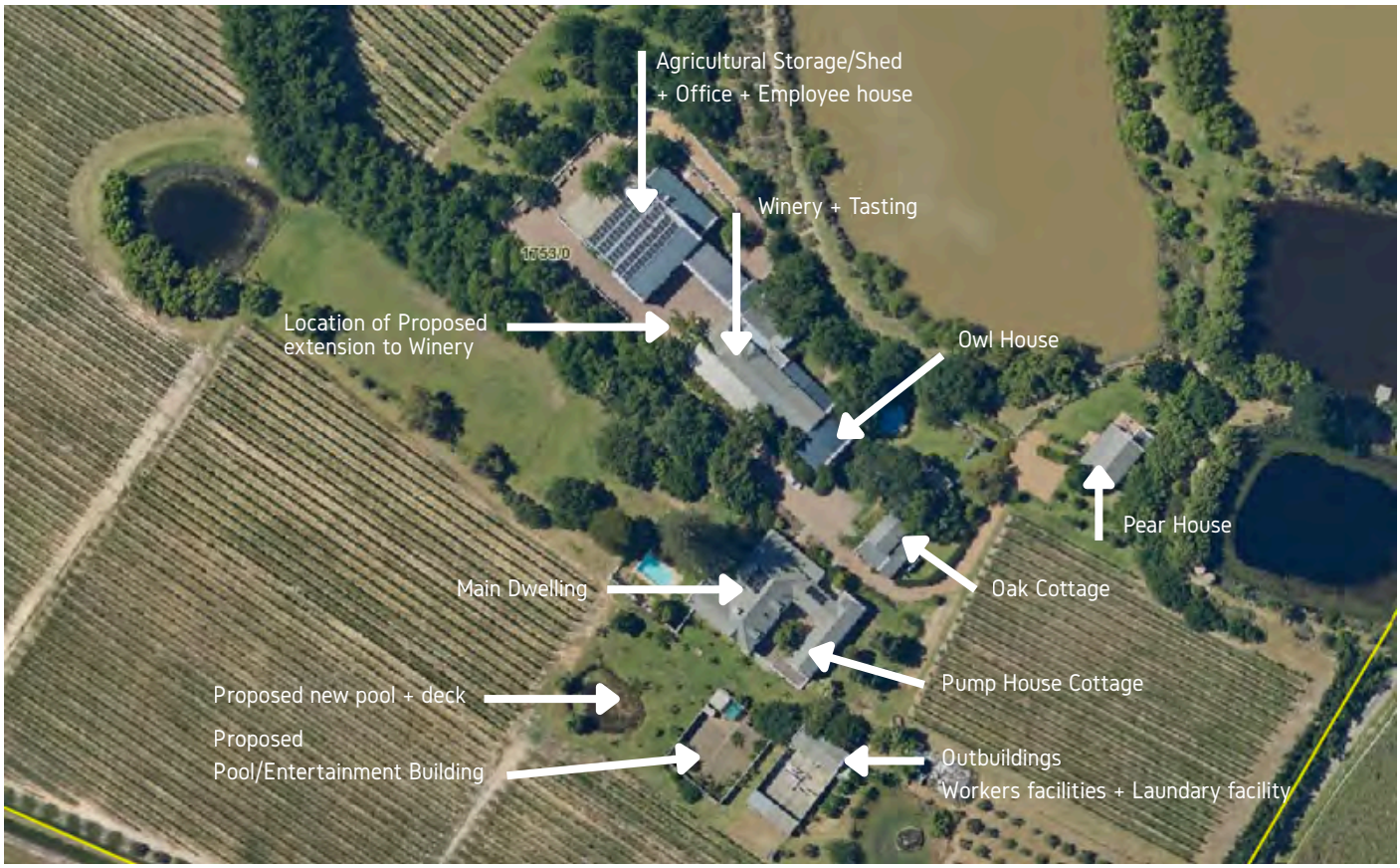
FARM 1753, PAARL (Franschhoek)

SITE DEVELOPMENT PLAN

Existing + Proposed Development

PLAN B03

EXISTING + PROPOSED BUILDINGS | FARMSTEAD



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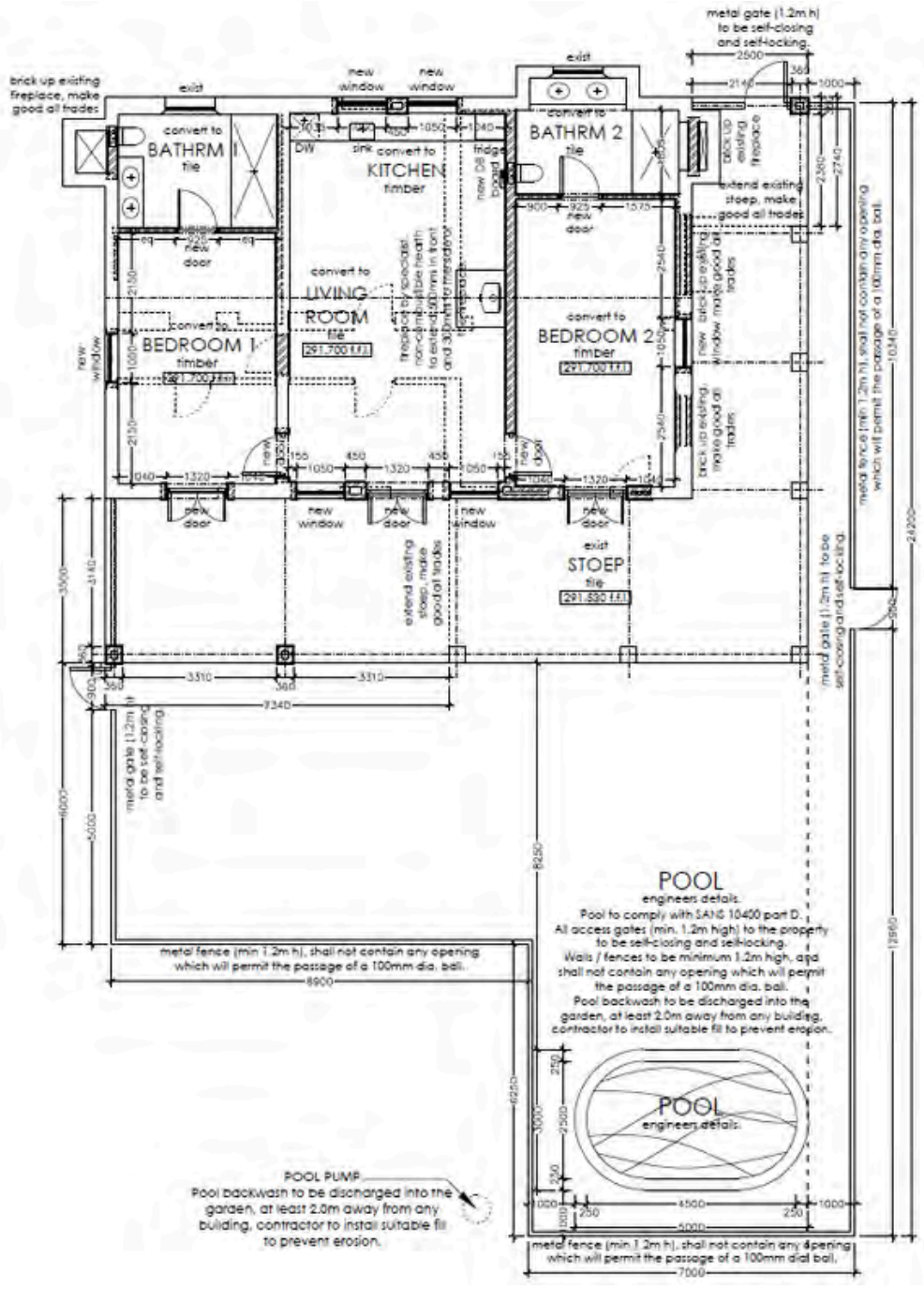
AERIAL VIEW

PROPERTY :	Farm 1753, Paarl (Franschhoek)
DATE :	August 2026
SCALE :	Unknown or as Indicated
SOURCE :	Stellenbosch Municipality
PROJECT NR.	A411.2026

PLAN

B04

GOOSE COTTAGE | 2 BEDROOMS



The 2 bedroom cottage was previously approved as a guest house. The unit will now be used as part of the new 19 bedroom tourist accommodation establishment

GOOSE COTTAGE:	
EXISTING GROUND STOREY:	111.6 m²
EXISTING STOEP:	41.5 m²
NEW STOEP:	31.5 m²
	184.6 m²

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GOOSE COTTAGE

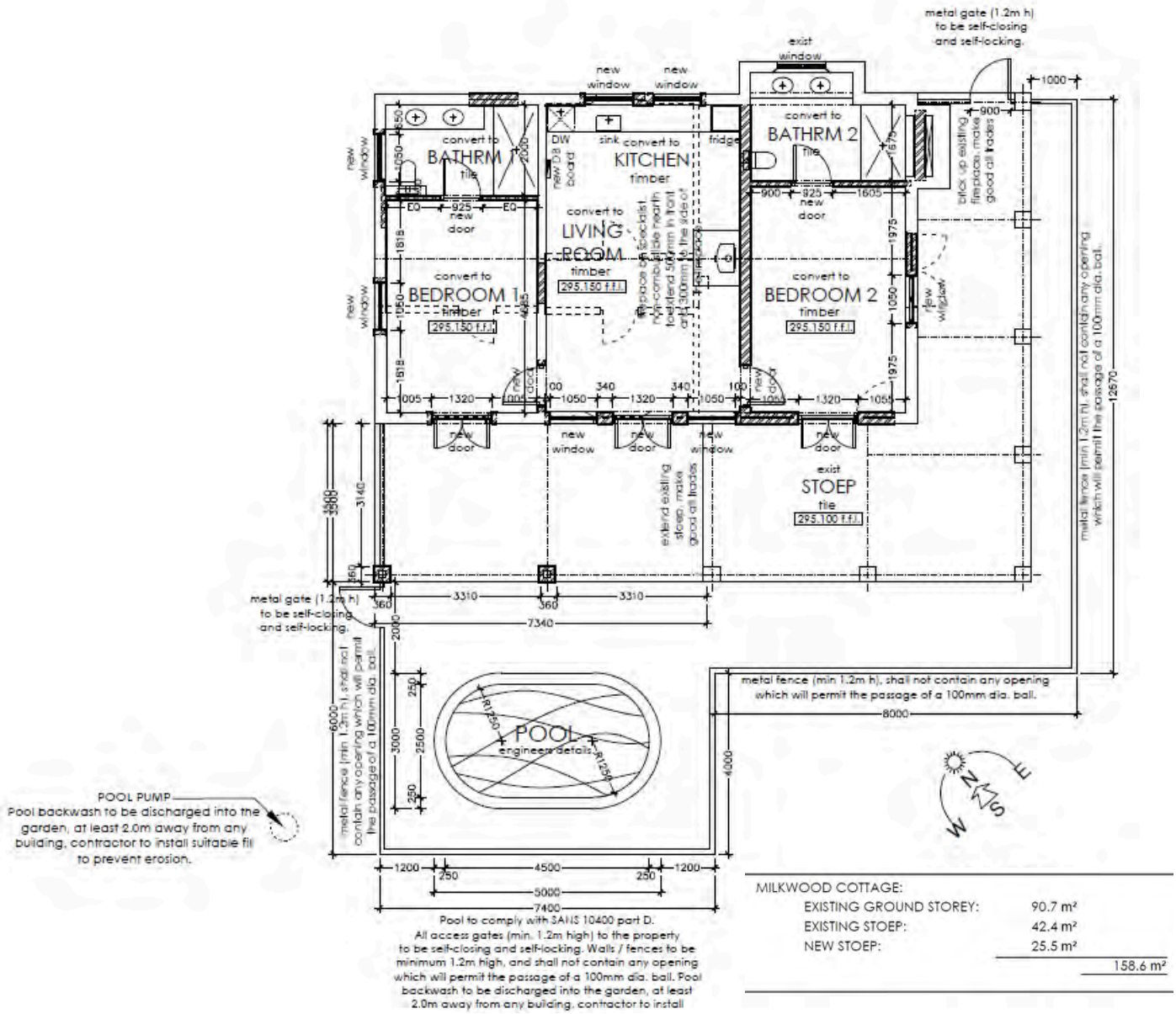
PROPERTY :	Farm 1753, Paarl (Franschhoek)
DATE :	August 2026
SCALE :	Unknown or as Indicated
SOURCE :	Jan Desseyn Architects
PROJECT NR.	**A.411.2026**

PLAN

B05

MILKWOOD COTTAGE | 2 BEDROOMS

The 2 bedroom cottage was previously approved as a guest house. The unit will now be used as part of the new 19 bedroom tourist accommodation establishment



MILKWOOD COTTAGE:

EXISTING GROUND STOREY:	90.7 m²
EXISTING STOEP:	42.4 m²
NEW STOEP:	25.5 m²
	158.6 m²

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Cell: 082 411 7914 | **alwi@urbanrural.co.za** | **www.urbanruralsa.com**

MILKWOOD COTTAGE

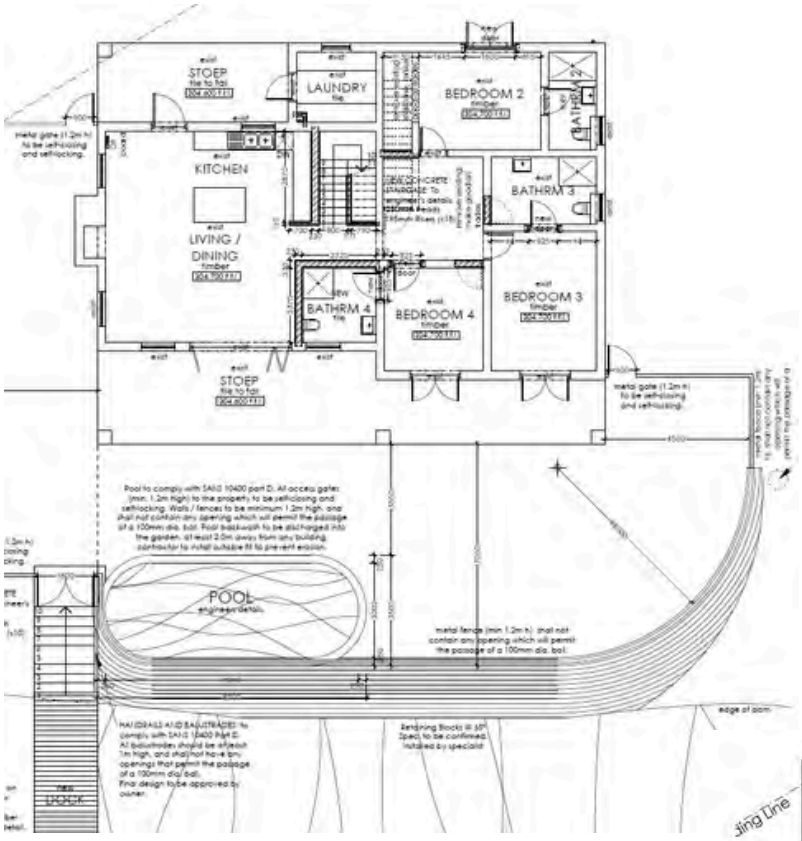
PROPERTY :	Farm 1753, Paarl (Franschhoek)
DATE :	August 2026
SCALE :	Unknown or as Indicated
SOURCE :	Jan Desseyn Architects
PROJECT NR.	A.411.2026

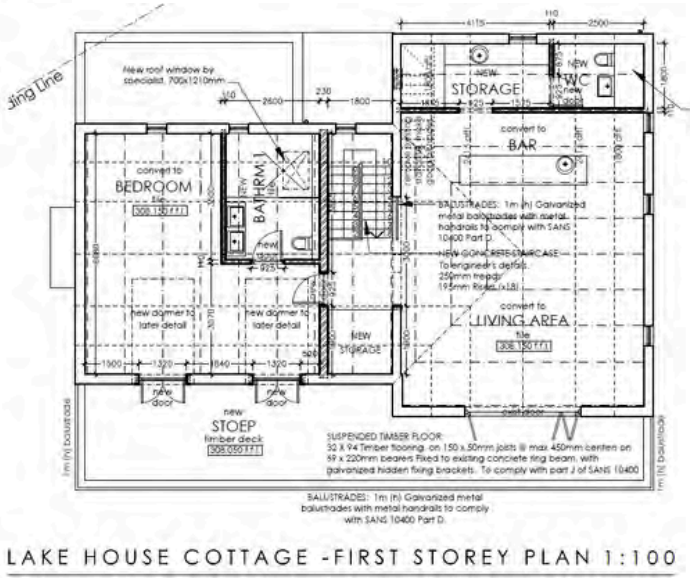
PLAN

B06

LAKE HOUSE COTTAGE | 4 BEDROOMS

The 3 bedroom cottage was previously approved as an additional dwelling . The unit will now be used as part of the new 19 bedroom tourist accommodation establishment and will accommodate 4 bedrooms





LAKE HOUSE COTTAGE -FIRST STOREY PLAN 1:100

LAKEHOUSE COTTAGE:

EXISTING GROUND STOREY:	148.7 m²	
EXISTING STOEP:	55.7 m²	
		204.4 m²
EXISTING FIRST STOREY:	140.2 m²	
NEW BALCONY:	40.6 m²	
		180.8m²

URBAN RURAL SOUTH AFRICA
PLANNING + LAND USE SPECIALISTS

A THEART | Tch.Pln (SA) MPhil NHDip NDip PPRE CEA
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LAKE HOUSE COTTAGE

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SOURCE :	Jan Desseyn Architects
PROJECT NR.	A.411.2026

PLAN

B07

PROPOSED DEVELOPMENT

Proposed changes to existing buildings

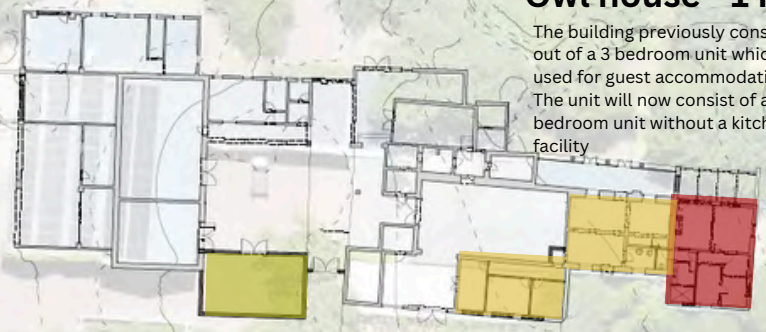
Pear Building - 2 Rooms

The building previously consisted out of a 2 bedroom unit which will now be converted into a 2 x Guest rooms with ensuite bathrooms
The kitchen facilities will be removed and it will operate as part of the new proposed tourist accommodation establishment



Owl house - 1 Room

The building previously consisted out of a 3 bedroom unit which was used for guest accommodation.
The unit will now consist of a one bedroom unit without a kitchen facility



Oak Building - 3 Rooms

The building previously consisted out of a one bedroom unit which will now be converted into a 3 x Guest rooms with ensuite bathrooms without a kitchen facility

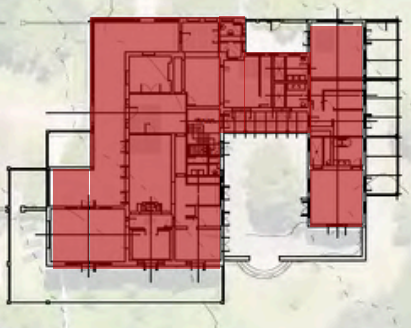


Wine cellar extension

A section will be added to the wine cellar which will be used as a store facility - 51 sqm

Spa Facility

A section of the previous Owl house and the wine cellar will now be converted into a spa facility wiht 4 treatment rooms.





Main House + Pump Building - 5 Guest Rooms

The main house had 3 bedrooms and the Pump house cottage has 1 bedrooms. A additional bedroom will be incorporated on the first floor of the main dwelling (within existing footprint of building) The buildings will be converted and redesigned to consist of 5 bedrooms in total which will be utilise as part of the new tourist accommdation establishment .

Owl House (1 Beds)	**79.4m²**	Part of New Tourist Accommodation Establishment
Pear Tree Cottage (2 Beds)	**118.50m²**	Part of New Tourist Accommodation Establishment
OakCottage (3 Beds)	**169m²**	Part of New Tourist Accommodation Establishment
Pump house (1 Bed)	Part of Main Dwelling	Part of New Tourist Accommodation Establishment
Main Dwelling (4 Beds)	**515m²**	Part of New Tourist Accommodation Establishment

- The kitchen facilities will be removed from , Owl house, Pear Cottage, Oak Cottage and Pump house. All these units will now form part of the new established tourist accommodation establishment with the main house as the centre of the facility. It will be operated in conjunction with Goose cottage, Milkwood Cottage and Lake house, which will continue to operate as self catering units as part of the tourist accommodation establishment.

URBAN RURAL SOUTH AFRICA
PLANNING + LAND USE SPECIALISTS

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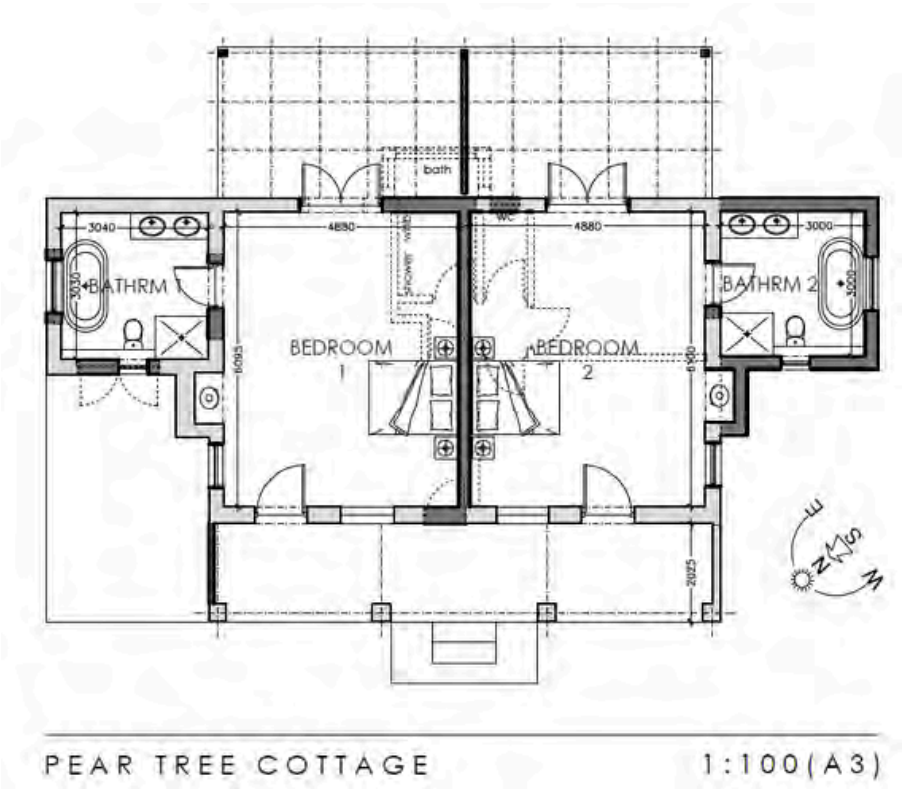
DETAILED SITE PLAN

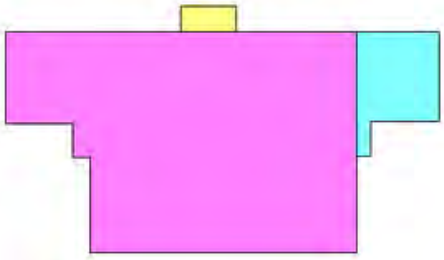
PROPERTY :	Farm 1753, Paarl (Franschhoek)
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PROJECT NR.	A.411.2026

PLAN

B08

PEAR HOUSE BUILDING | 118.5M²





AREA CALCULATION

EXISTING PEAR TREE COTTAGE AREA:		108.5 m²
EXISTING AREA RETAINED:	106.2 m²	
ADDITIONAL AREA:	12.3 m²	
TOTAL:		118.5m²
DEMOLISHED AREA:	-2.3 m²	
TOTAL ADDITIONAL AREA:		**10.0 m²**

EXISTING+ PROPOSED DEVELOPMENT

Existing building	**108.50m²**	The approved Pear Cottage covers an area of 108.5 sqm and has been used as a 2 bedroom unit for guest accommodation.
Area to be demolished	**2.30m²**	
Additional Area	**12.30m²**	
New Building Size	**118.5m²**	It is the intention of the owners to demolish a portion of the existing building and to add a new section. The building will now be utillze as 2 x guest rooms each with its own ensuite bathroom . The rooms will be used in conjunction with the main dwelling as a new established tourist accommodation establishment. The footprint of the building will increase from 108.5 sqm to 118.5 sqm - 10 sqm

URBAN RURAL SOUTH AFRICA
PLANNING + LAND USE SPECIALISTS

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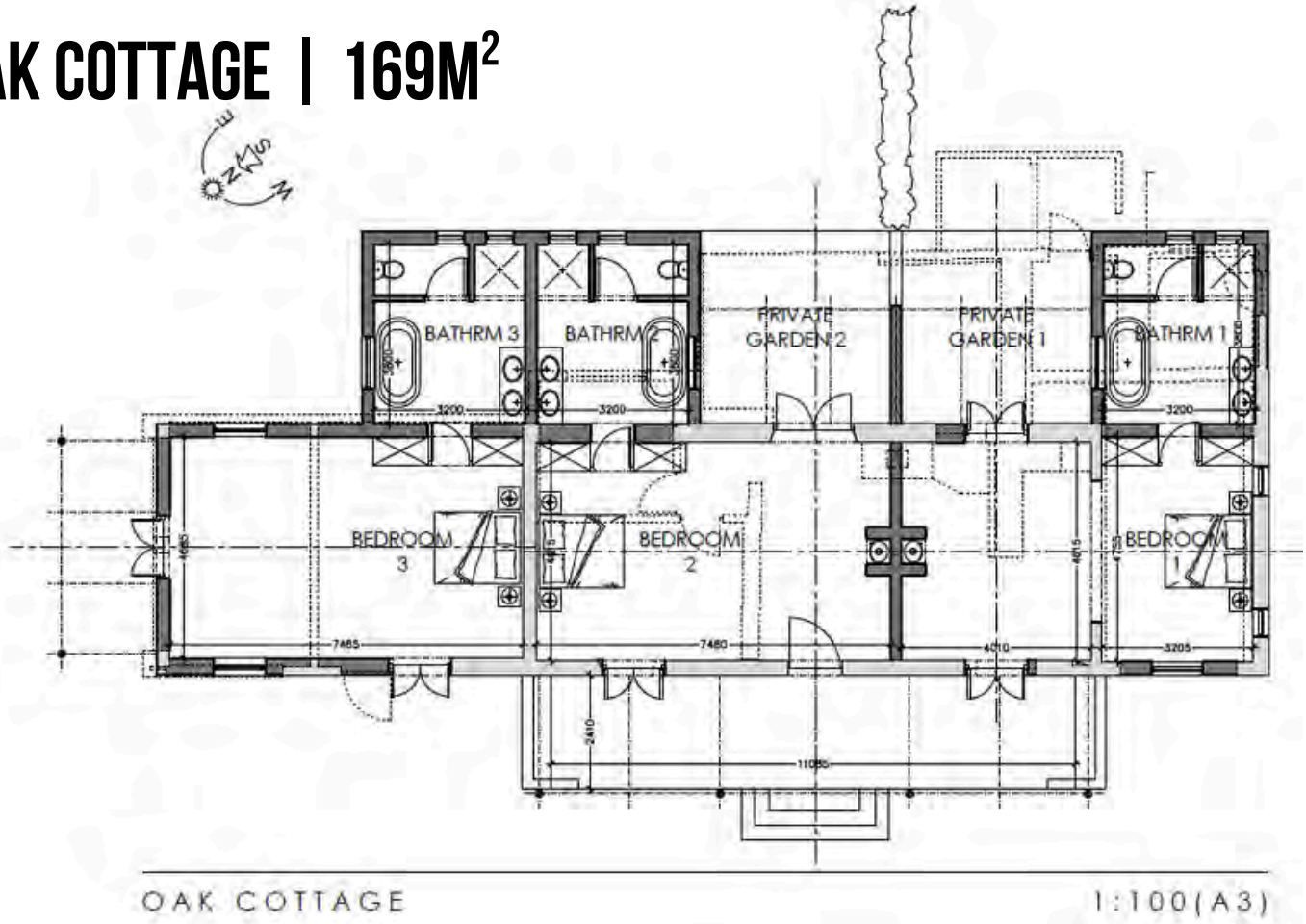
PEAR COTTAGE - FLOOR PLAN

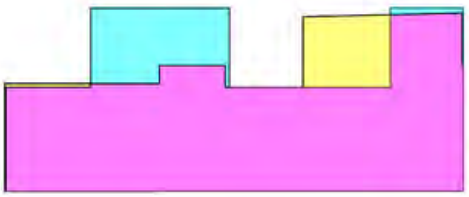
PROPERTY :	Farm 1753, Paarl (Franschhoek)
DATE :	August 2026
SCALE :	Unknown or as Indicated
SOURCE :	Jan Desseyn Architects
PROJECT NR.	**A.411.2026**

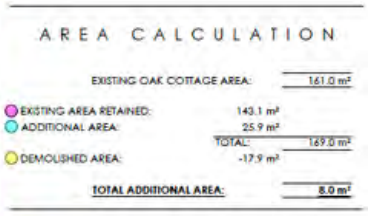
PLAN

B09

OAK COTTAGE | 169M²







EXISTING+ PROPOSED DEVELOPMENT

Existing building	**161.00m²**	The approved Oak Cottage covered an area of 161 sqm meters, and consist of a one bedroom room unit.
Area to be demolished	**17.90m²**	
Additional Area	**25.90m²**	It is the intention of the owners to demolish a portion of the existing building and to add 2 bathrooms in a different location. The existing building will be converted into a 3 x 1 Bedroom units which will be used in conjunction with the main dwelling as a new established tourist accommodation facility.
New Building Size	**169.00m²**	The footprint of the building will increase from 161 sqm to 169 sqm - 8 sqm

URBAN RURAL SOUTH AFRICA
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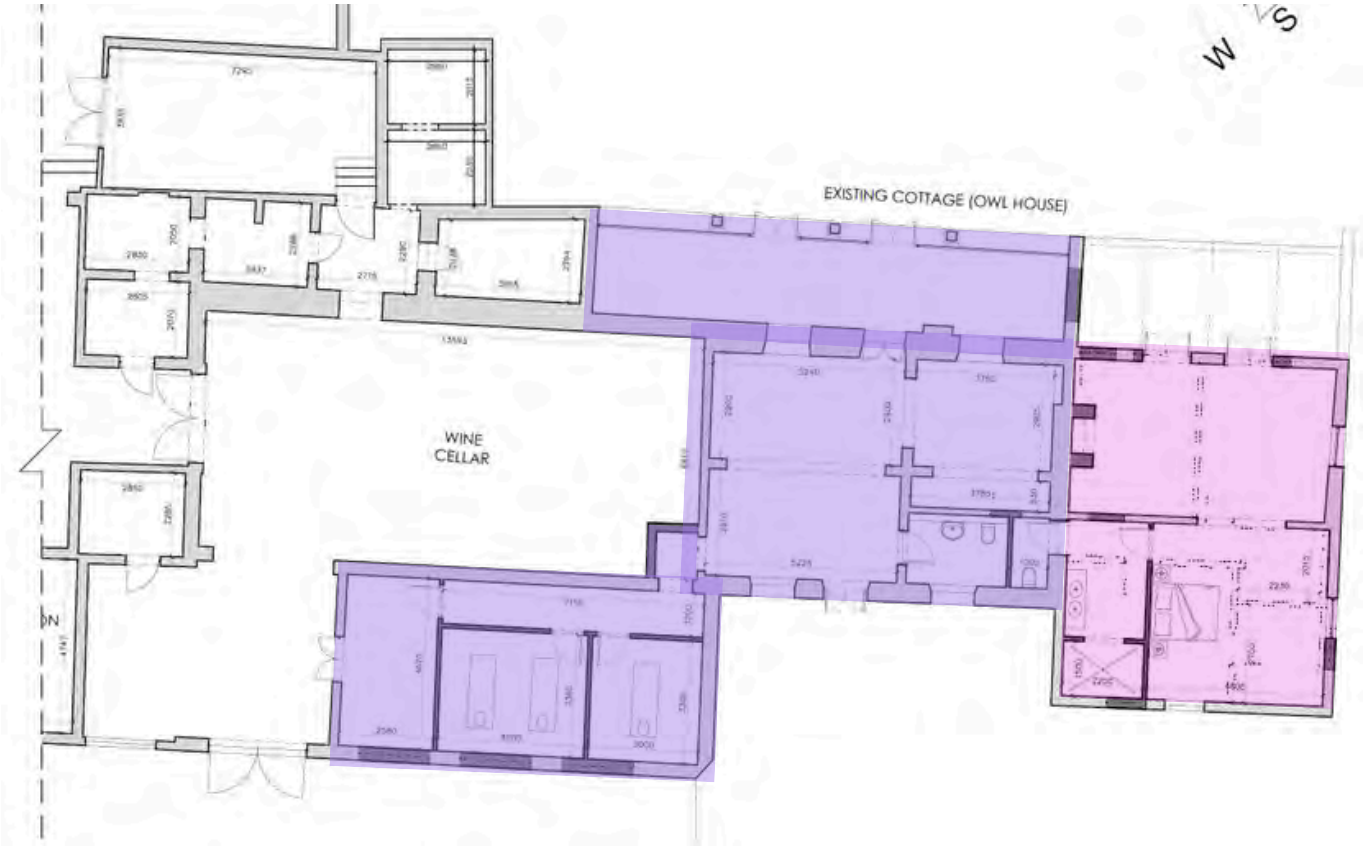
OAK BUILDING - FLOOR PLAN

PROPERTY :	Farm 1753, Paarl (Franschhoek)
DATE :	August 2026
SCALE :	Unknown or as Indicated
SOURCE :	Jan Desseyn Architects
PROJECT NR.	**A.411.2026**

PLAN

B10

SPA FACILITY + OWL COTTAGE



Spa Facility - 164.4m^2

A section of the wine cellar building and Old Owl house will be converted into a spa facility with 4 treatment rooms

The area which will be utilised as a spa facility will be 164.4 m^2

Owl Cottage 79.4m^2

Owl cottage was originally approved as a 3 bedroom cottage and will now be converted into a one bedroom unit with bedroom, bathroom and living area. It will be used as part of the tourist accommodation establishment. The size of the new **Owl Unit** will be 79,4 m^2

URBAN RURAL SOUTH AFRICA
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SPA + OWL GUEST UNIT

PROPERTY :	Farm 1753, Paarl (Franschhoek)
DATE :	August 2026
SCALE :	Unknown or as Indicated
SOURCE :	Jan Desseyn Architects
PROJECT NR.	A.411.2026

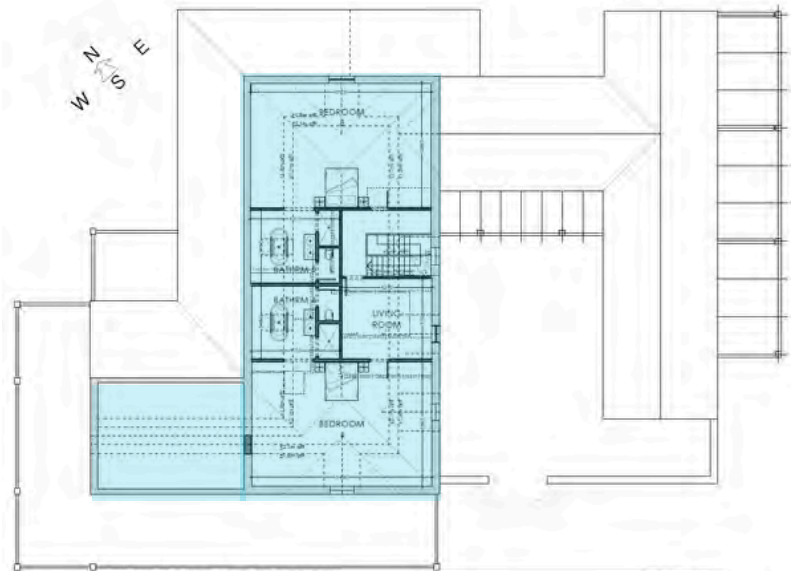
PLAN

B11

MAIN HOUSE + PUMP HOUSE UNIT | 5 BEDROOMS

Existing manor house and pumphouse cottage **Existing building - footprint** **New Extension - first floor** **Total Development**	 **467.50m²** 47.60m² 515.10m²	The existing manor house will undergo small alterations to make it suitable for a tourist accommodation establishment. A section of 47.2m² will be added on the first floor (within the existing ground floor footprint) A section of the original **pump house cottage** will be incorporated with the existing dwelling, while a section of the old cottage will be converted into a one bedroom with ensuite unit, which will be operated as part of the proposed 19-bedroom tourist accommodation establishment on Farm 1753, Paarl.





URBAN RURAL SOUTH AFRICA
PLANNING + LAND USE SPECIALISTS

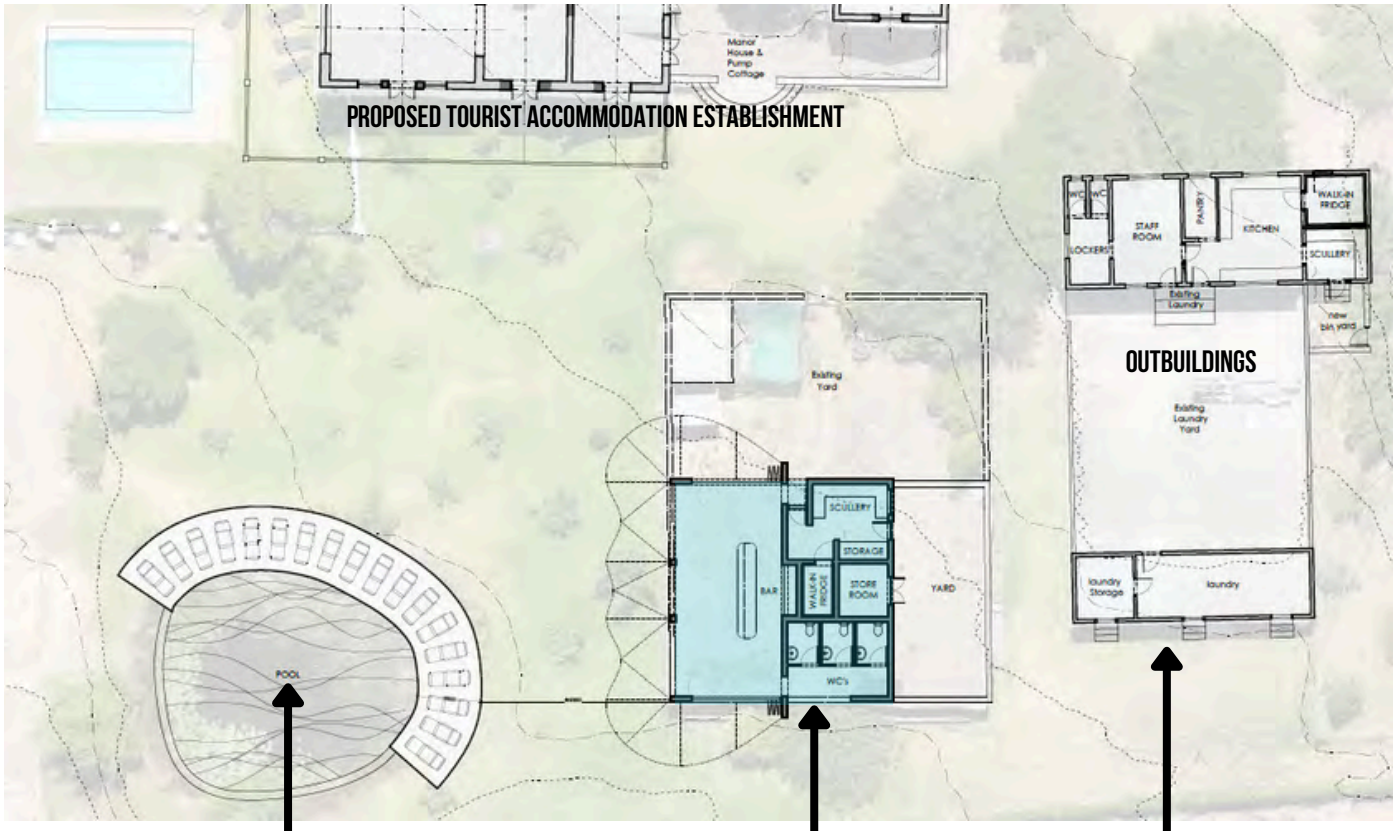
A THEART | Tch.Pln (SA) MPhil NHDip NDip PPRE CEA
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MAIN DWELLING + PUMP HOUSE UNIT

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PROJECT NR.	A.411.2026

PLAN
B12

POOL ROOM + LAUNDRY BUILDING



NATURAL POOL + AREA FOR CHAIRS

NEW POOL ROOM + FACILITIES FOR GUESTS

EXISTING OUTBUILDING WORKERS FACILITY + LAUNDRY ROOM

AREA CALCULATION

ADDITIONAL AREA:	111.49 m²	
TOTAL:		111.49m²

URBAN RURAL SOUTH AFRICA
PLANNING + LAND USE SPECIALISTS

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POOL ROOM + LAUNDRY

PROPERTY :	Farm 1753, Paarl (Franschhoek)
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PROJECT NR.	A.411.2026

PLAN

B13

PROPOSED DEVELOPMENT



DESCRIPTION

Olive Press + Tasting	**: 201.36m²**
Restaurant /Venue/Wine tasting	**: 480.36m²**
Chapel	**: 42.77m²**
TOTAL	**: 681m²**
Parking :	: 35bays)

Area: 724.49m² / 100 * 4 = 28.96

URBAN RURAL SOUTH AFRICA
PLANNING + LAND USE SPECIALISTS

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OLIVE PROCESSING + TASTING/ RESTAURANT/ FUNCTION VENUE/WINE TASTING + CHAPEL

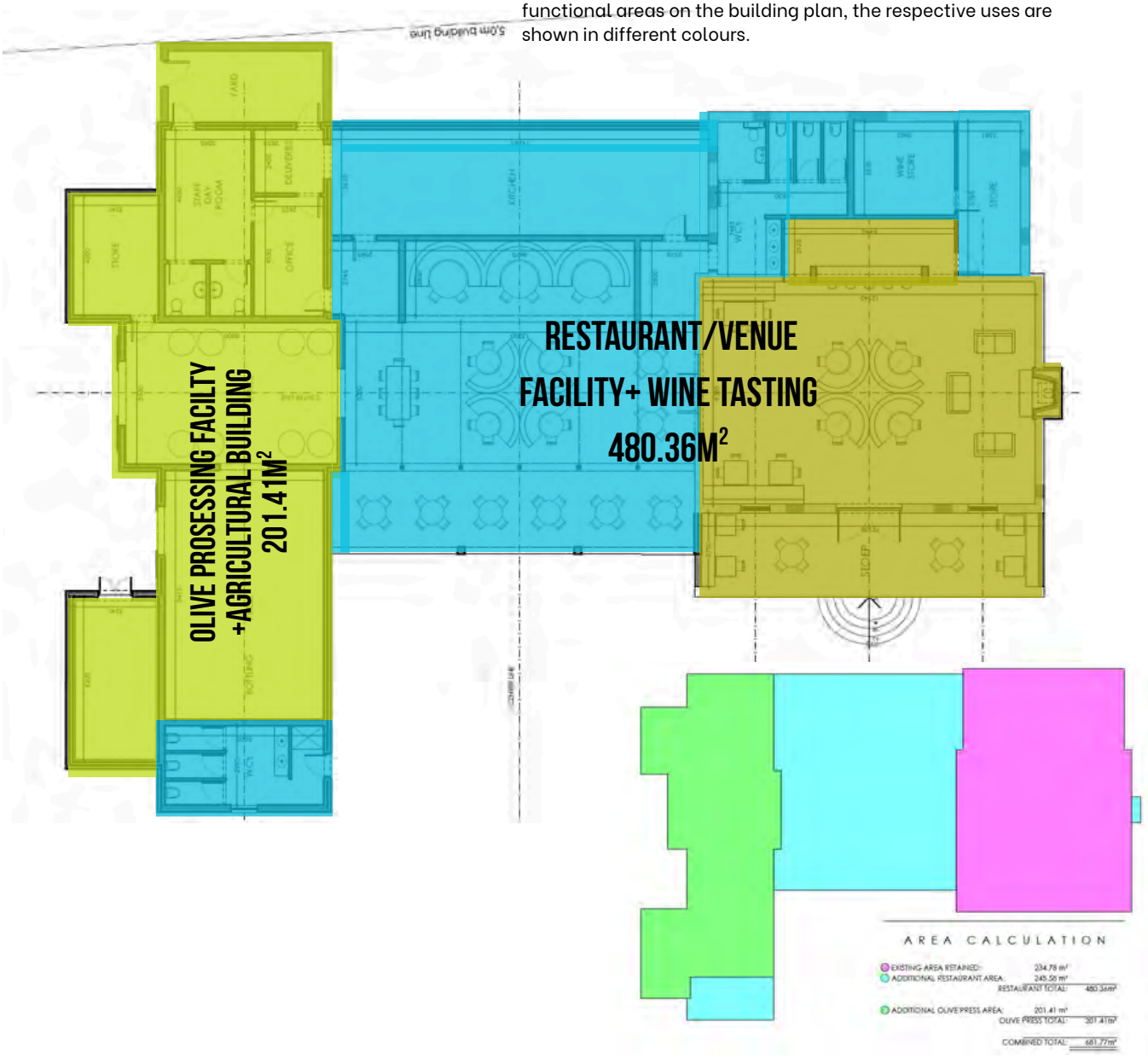
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PLAN

B14

RESTAURANT/VENUE FACILITY + WINE TASTING + OLIVE PROCESSING FACILITY + AGRICULTURAL BUILDINGS

- The Restaurant/Venue and Wine Tasting Facility (total of 480,36m^2 will be utilised in conjunction with one another, and no formal or permanent separation is proposed between the three uses within the building. For practical purposes and to clearly illustrate the functional areas on the building plan, the respective uses are shown in different colours.



URBAN RURAL SOUTH AFRICA
PLANNING + LAND USE SPECIALISTS

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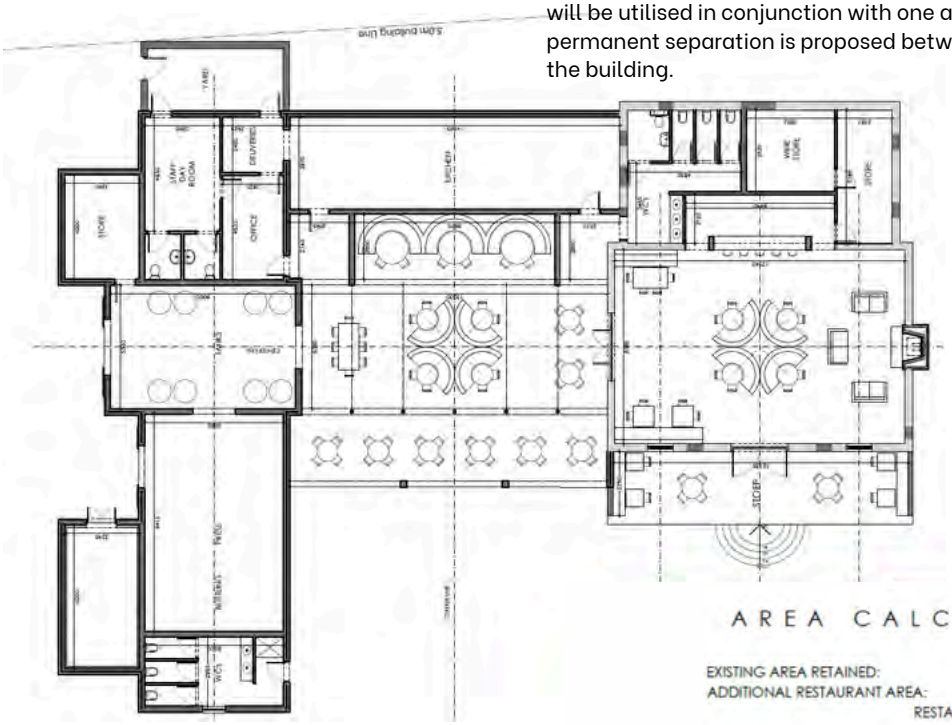
AGRICULTURE + HOSPITALITY

PROPERTY :	Farm 1753, Paarl (Franschhoek)
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SCALE :	Unknown or as Indicated
SOURCE :	Jan Desseyn Architects
PROJECT NR.	A.411.2026

PLAN
B15

RESTAURANT/VENUE FACILITY + WINE TASTING + OLIVE PROCESSING FACILITY + AGRICULTURAL BUILDINGS

- The Restaurant/Venue and Wine Tasting Facility (total of 480,36m^2 will be utilised in conjunction with one another, and no formal or permanent separation is proposed between the three uses within the building.



AREA CALCULATION

EXISTING AREA RETAINED:	234.78 m²	
ADDITIONAL RESTAURANT AREA:	245.58 m²	
RESTAURANT TOTAL:		480.36m²
ADDITIONAL OLIVE PRESS AREA:	201.41 m²	
OLIVE PRESS TOTAL:		201.41m²
COMBINED TOTAL:		681.77m²



NORTH WEST ELEVATION 1:100

URBAN RURAL SOUTH AFRICA
PLANNING + LAND USE SPECIALISTS

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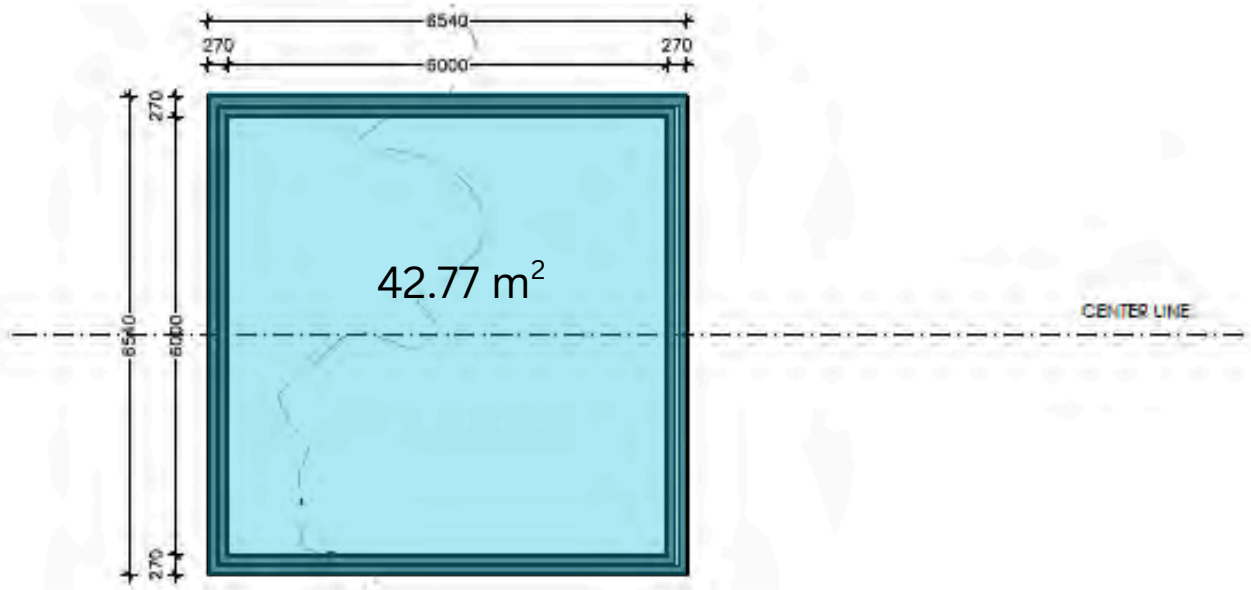
FLOOR PLAN + ELEVATION

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PROJECT NR.	A.411.2026

PLAN
B16

DRAFT

CHAPEL STRUCTURE



AREA CALCULATION

ADDITIONAL AREA:	42.77 m²
TOTAL:	42.77m²

URBAN RURAL SOUTH AFRICA
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OLIVE PROCESSING /RESTAURANT FUNCTION VENUE + CHAPEL

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PLAN

B17

Annexure

C01

APPLICATION FORM

PLANNERS +
LAND USE SPECIALISTS

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

www.stellenbosch.gov.za/planning-portal/
FOR ENQUIRIES CONTACT landuse.enquiries@stellenbosch.gov.za or 021- 808 8606

SUBMIT APPLICATION BY UPLOADING COMPLETED FORM AND RELEVANT INFO TO THE
Town Planning Application Management System (TPAMS)
AFLA Portal (stellenbosch.gov.za)
https://citymaps.stellenbosch.gov.za/aflaportal/home

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

LAND USE APPLICATION FORM A

Section 15 of the Land Use Planning Bylaw (LUPB) and other relevant legislation

Complete form using BLOCK letters and ticking the appropriate boxes

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

PART B: REGISTERED LANDOWNER(S) DETAILS *(If different from applicant)*	
Registered owner(s) Name	Freecloud Investments SA Pty Ltd
Street or Postal Address	Farm BoLamotte, Franschhoek
E-mail Address	giovanni@concilux.com
Contact Number	081 470 9482

PART C: PROPERTY DETAILS *(in accordance with title deed)*					
Erf No	1753	Suburb	Paarl	Town	Franschhoek
Farm no		Farm Portion		Nearest Town	
Physical or Street Address	Middagkrans Road		Property / Business / Farm known as		
Current Zoning	Agricultural and Rural Zone				
Additional or Consent Uses	Guesthouse , Additional Dwellings, Tourist Accommodation Establishment, Winery				
Current activities	Agriculture + Accommodation				
Property Size / Extent	16 ha	m² / ha	Are there existing buildings?	Y: X	N:
Title Deed number	T 24854/2009				

	Y	N		Y	N
Any restrictions ito Conveyance's Certificate?		X	If yes, list condition(s) in motivation.		X
Are the restrictive conditions in favour of a third party?		X	If yes, list the party(ies) in motivation.		X
Is the property owned by Council?		X	If yes, attach a power of attorney signed by the Municipal Manager.		X
Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999)[1]		X	If yes, indicate which section are triggered in motivation report and attach relevant permit.		X
Located within the historical core or contains any heritage significant features?		X	Is the building older than 60 years?	X	
Does the property fall inside the urban edge?		X	Does the property fall within a Local Overlay Zone, i.e. Technopark or ATC?		X
Does the property fall within the Urban or Rural Conservation Overlay Zone?		X	Does the property fall within the Scenic Route Overlay Zone?		X
Are there any pending court case(s) / order(s) relating to the subject property(ies)?		X	Are there any land claim(s) registered on the subject property(ies)?		X
Any existing unauthorized buildings and/or land use on the subject property(ies)?		X	If yes, is this application to legalise the building / land use[2]?		X

Note: A contravention penalty is payable as condition of approval as per the approved Council Tariffs.

PART D: PRE-APPLICATION CONSULTATION			
Has there been any pre-application consultation ito Section 37 of the Land Use Planning Bylaw (LUPB)?	Y	N: X	If yes, attach the minutes / written feedback received.
Has there been any pre-application consultation ito Section 53 of the Land Use Planning Act (LUPA)?	Y	N: X	If yes, attach the minutes / written feedback received.

A pre-application consultation with the Municipality is compulsory for a rezoning to subdivisional area and any proposal that triggers the Inclusionary Zoning Policy. It is advised for any other land use application that involves enhanced land use rights in the Multi-Unit Residential, Mixed-Use and Agricultural & Rural zones. A pre-application consultation may be requested for any type of application by either the applicant or by the Municipality as deemed necessary.

[1] All applications triggered by section 38(1)(a) - (e) in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999) may not be processed without a permit issued by the relevant department

[2] No application may be submitted to legalize unauthorised building work and or land use on the property if a notice has been served in terms of Section 87(2)(a), and until such time a Section 91 Compliance Certificate have been issued in terms of the Stellenbosch Land Use Planning By-law

PART E: LAND USE APPLICATIONS AND PAYMENT OF FEES

APPLICATIONS IN TERMS OF SECTION 15 OF THE LAND USE PLANNING BYLAW		Number	Fee
15(2)(a)	rezoning of land		R11 200.00
15(2)(b)	a permanent departure from the development parameters of the zoning scheme		R2 800.00
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		R2 800.00
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		R5 650.00
15(2)(e)	a consolidation of land that is not exempted in terms of section 24		R5 650.00
15(2)(f)	a removal, suspension or amendment of restrictive conditions in respect of a land unit		R2 800.00
15(2)(g)	permission required in terms of the zoning scheme	R 2800.00	R2 800.00
15(2)(h)	an amendment, deletion or imposition of conditions in respect of an existing approval	R 5650.00	R5 650.00
15(2)(i)	an extension of the validity period of approval (*50% of current application fee)*		R……
15(2)(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram		R5 650.00
15(2)(l)	permission required in terms of a condition of approval		R2 800.00
15(2)(m)	a determination of a zoning		R11 200.00
15(2)(n)	a closure of a public place or part thereof		R5 650.00
15(2)(o)	a consent use contemplated in the zoning scheme	R 2 800.00	R2 800.00
15(2)(o)	a consent use for a house shop, home day care centre, day care centre		R 220.00
15(2)(p)	to disestablish a homeowners' association		R2 800.00
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		R2 800.00
15(2)(r)	a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged		R5 650.00

OTHER APPLICATIONS	Number	Fee
Approval required in terms of the bylaw for street naming and numbering		R2 800.00
Consent / Permission required in terms of a title deed (includes planning permission in terms of the Advertising on Roads and Ribbon Development Act, Act 21 of 1940)		R2 800.00
Complexity fee – Per study / assessment		R4 520.00
TOTAL APPLICATION FEE PAYABLE	**R**	

DETAILS FOR INVOICE

Name & Surname (party responsible for payment)	Freecloud Investments SA Pty Ltd
Street or Postal Address	giovanni@concilux.com
Vat Number (where applicable)	

1. ***Application fees are per the approved Council Tariffs. Application fees that are paid to the Municipality are non-refundable as per the Tariff Rules. Once an invoice is issued, the application is regarded as duly submitted.***
2. ***All indigent residents who are registered as such with the Municipality and with proof submitted together with application will be exempted from applicable fee as per the Tariff Rules. Contact: Indigent.office@stellenbosch.gov.za or 021 808 8501 or 021 808 8579.***
3. ***The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable, and the applicant will be informed accordingly.***

BANKING DETAILS

Account Holder Name:	Stellenbosch Municipality
Bank:	STANDARD BANK
Branch no.:	051001
Account no.:	242637280
Payment reference:	TP_____ and ERF/FARM _____

Please use both the TP reference number and the Erf/Farm number indicated in Section C as a reference when making EFT payment

PART F: DETAILS OF PROPOSAL *(Brief description of intent of development listing proposed land use activities. Full motivation report must be attached, addressing the desirability of the proposal, the criteria listed in Section 65 of the LUPB and, if applicable, motivation for site specific justification.)*

See motivation report for more detail :

Section 15(2)(o) for consent uses
Section 15(g) for additional uses
Section 15(h) Amendment of condition of approval

	Y	N
Is the proposal consistent / compliant with municipal **plans, policies and guidelines**, or any national or provincial policies (e.g., Western Cape Land Use Planning Guidelines: Rural Areas), restrictive title conditions, other legislation / authorisations?	X	
Is the proposal consistent with the Municipal Spatial Development Framework (**MSDF**)?	X	
Does the proposal require additional infrastructure / civil **engineering services** e.g., electricity; water; sewerage; road network etc.?	X	
Does the development proposal include the provision of **residential units**? The target market re: range in income bracket/ selling price or rental must be addressed in the motivation report.		X
Does the proposal fall within a priority development area as defined in the MSDF where the provision of inclusionary housing is mandatory in terms of the **Inclusionary Zoning Policy**?		X

HOA Constitution – Name & Date of approval, if applicable	n/a
Design Guidelines – Name & Date of approval, if applicable	n/a

Departure / Relaxation / Suspension	Zoning Scheme Development Parameter	Design Guideline Development Parameter	Restrictive Title Condition

		Adjoining erf number		ZS / DG / RTC		Proposal
Building line encroachment	Street		**From**	m	**To**	m
	Street		**From**	m	**To**	m
	Side / Common		**From**	m	**To**	m
	Side / Common		**From**	m	**To**	m
	Aggregate side		**From**	m	**To**	m
	Rear		**From**	m	**To**	m
Exceeding permissible coverage / footprint			**From**	%	**To**	%
Exceeding maximum permitted bulk / floor factor / habitable rooms			**From**		**To**	
Exceeding height restriction			**From**	m	**To**	m
Exceeding maximum storey height			**From**	m	**To**	m
Exceeding maximum boundary wall height	Street		**From**	m	**To**	m
	Side / Rear		**From**	m	**To**	m
Relaxation of on-site parking / loading requirements			**From**	bays	**To**	bays

PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE APPLICATION

Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete.

Information and documentation required in terms of Section 38 of the LUPB

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

PART H: AUTHORISATION(S) SUBJECT TO OR BEING CONSIDERED IN TERMS OF OTHER LEGISLATION					
N	**Y**		**N**	**Y**	
	X	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.	Specific Environmental Management Act(s) (SEMA) (e.g., Environmental Conservation Act, 1989 (Act 73 of 1989):		
				X	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
	X	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)		X	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
	X	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)		X	National Water Act, 1998 (Act 36 of 1998)
	X	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations		X	Other (specify)
	X	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)			
	X	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, attach motivation.			

SECTION I: DECLARATION

I hereby wish to confirm the following:

1. *That the information contained in this application form and accompanying documentation is complete and correct.*
2. *I'm aware that it is an offense in terms of section 86(1)(e) of said bylaw to supply particulars, information or answers knowing the particulars, information, or answers to be false, incorrect, or misleading or not believing them to be correct.*
3. *I am properly authorized to make this application on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto.*
4. *Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.*
5. *I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.*
6. *I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.*
7. *It is the owner's responsibility to ensure that approval is not sought for a building or land use which will conflict with any applicable law.*
8. *The Municipality assesses an application on the information submitted and declarations made by the owner or on his behalf on the basis that it accepts the information so submitted and declarations so made to be correct, true, and accurate.*
9. *Approval granted by the Municipality on information or declarations that are incorrect, false, or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.*
10. *The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false, or misleading information or declarations being set aside.*
11. *Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or declarations made as to his or her qualification as a Competent person and/or registration as a professional.*
12. *A person who provides any information or certificate required in terms of Regulation A19 of the National Building Regulations and Building Standards Act No 103 of 1977 which he or she knows to be incomplete or false shall be guilty of an offence and shall be prosecuted accordingly.*
13. *A person who supplies particulars, information, or answers in a land use application in terms of the Stellenbosch Municipality Land Use Planning By-law knowing it to be incorrect, false, or misleading or not believing them to be correct shall be guilty of an offence and shall be prosecuted accordingly.*
14. *The Municipality will refer a complaint to the professional council or similar body with whom a Competent Person/professional person is registered if it has reason to believe that information submitted, or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.*
15. *I am aware that by lodging an application, the information in the application and obtained during the process may be made available to the public.*

Applicant's signature: _____ **Date:** 8/24/26

Full name: Alwi Theart t/a Urban Rural Sa

Professional capacity: Planning Consultant

Annexure

C02

POWER OF ATTORNEY

SPECIAL POWER OF ATTORNEY

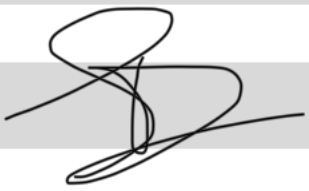
I/We	Giovanni Bowman
The representative of	Freecloud Investments SA Pty Ltd
Owner of	Farm 1753, Paarl (Franschhoek)
Do hereby nominate constitute and appoint	Alwi Theart t/a Urban Rural SA Planning + Land Use Specialists

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

1. Make the neccesary land use application to Stellenbosch Municipality for the following pertaining to Farm 1753, Paarl, for consent uses, additional uses and permission in terms of the zoning scheme for a tourist accommodation establishment, tourist facilities which include a restaurant/venue/chapel and wine tasting facilities, spa facility and tennis court, additional uses for the extention to a wine cellar, new olive processing facility with tasting facility and to revise certain previous land use conditions to execute the proposed development on the property.
2. Submit any other application considered necessary by the Municipality to execute the above;
3. To obtain any relevant documentation and information from the Municipality, Goverment Department or third party, which may be considered necessary in executing the above.

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

Signed at Cape Town on this 24 day of August 2026

Full Name	Giovanni Bowman
ID Number	910701 5339 08 2
Signature of Witness	

FREECLOUD INVESTMENTS SA (PTY) LTD
REGISTRATION NUMBER 2024/296849/07

Resolution of the Director(s) of the Company ,

Resolve that Giovanni Bowman

is authorised to appoint a consultant, with the power of attorney/ substitution to be my/our lawful Agent in my/our name, place and stead, to

1. Make the neccesary land use application to Stellenbosch Municipality for the following pertaining to Farm 1753, Paarl, for consent uses, additional uses and permission in terms of the zoning scheme for a tourist accommodation establishment, tourist facilities which include a restaurant/venue/chapel and wine tasting facilities, spa facility and tennis court, additional uses for the extention to a wine cellar, new olive processing facility with tasting facility and to revise certain previous land use conditions to execute the proposed development on the property.
2. Submit any other application considered necessary by the Municipality to execute the above;
3. To obtain any relevant documentation and information from the Municipality, Goverment Department or third party, which may be considered necessary in executing the above.

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

Signed at CAPE TOWN on this 24 day of AUGUST 2026

Signature of Director

Giovanni Bowman
Name of Director

Signature of Director

Harvey Foster
Name of Director

Annexure

C03

TITLE DEED

1079

Van Der Spuy & Partners
P O Box 218 Paarl 7620

Prepared by me

CONVEYANCER
IAN VAN ZYL (78606)

DATA / CAPTURE
07 -08- 2025
PHUMELELA MNAMATA

T 000047207 / 2025

DEED OF TRANSFER

BE IT HEREBY MADE KNOWN THAT

Carla Batt LPCM 86715

appeared before me, REGISTRAR OF DEEDS: WESTERN CAPE at CAPE TOWN, the said appearer being duly authorised thereto by a Power of Attorney granted to him/her by

BO LA MOTTE FARMING AND TOURISM PROPRIETARY LIMITED
REGISTRATION NUMBER 2002/019490/07

which said Power of Attorney was signed at Paarl on 18 Junie 2025

DATA / VERIFY
07 AUG 2025
Unathi Jonggo

And the appearer declared that his/her said principal had, on 7 May 2025, truly and legally sold by Private Treaty, and that he/she, the said Appearer, in his/her capacity aforesaid, did, by virtue of these presents, cede and transfer to and on behalf of:

FREECLOUD INVESTMENTS SOUTH AFRICA PROPRIETARY LIMITED
REGISTRATION NUMBER 2024/296849/07

or its Successors in Title or assigns, in full and free property

THE FARM NUMBER 1753
IN THE MUNICIPALITY STELLENBOSCH
DIVISION PAARL
PROVINCE OF THE WESTERN CAPE

IN EXTENT 16,0258 (SIXTEEN COMMA ZERO TWO FIVE EIGHT) Hectares

FIRST REGISTERED and still held by Certificate of Consolidated Title Number T23378/2013 with General Plan SG Number 4832/2009 relating thereto.

I. **INSOFAR AS CONCERNS THE LAND REPRESENTED BY THE FIGURE A B C D E F G H J K V W X z E1 ON ANNEXED DIAGRAM SG NUMBER 4832/2009:**

A. **SUBJECT** to the conditions contained in Deeds of Transfer Numbers T757/1938 and T758/1938.

B. .....

C. **ENTITLED** to the servitude referred to in the endorsement dated 17 January 1935 on Deed of Transfer Number T151/1910 which endorsement reads as follows:

"By Notarial Deed dated 22 December 1934 the registered owner of the property conveyed by paragraphs 1 and 2 hereof has been granted certain water rights by the registered owner of the property conveyed by paragraph 1 of Transfer Number T12290/1929 as will more fully appear on reference to the copy annexed hereto.

D. .....

E. **ENTITLED** to the following servitude endorsement dated 24 July 1992 on Deed of Transfer Number T29716/1990, which endorsement reads as follows:

By Notarial Deed of Servitude Number K718/92 dated 23/6/92 the within property is entitled to a servitude pipeline 3 metres wide as indicated by the line A B C D E on diagram Number 3193/90 over Remainder of the farm number 1447 meas 11,3665 Ha held by T 29715. With ancillary rights as will more fully appear from the said Notarial Deed.

F. **SUBJECT FURTHER** to the following servitude endorsement dated 24 July 1992 on Deed of Transfer Number T29716/1990, which endorsement reads as follows:

By Notarial Deed of Servitude Number K719/92 dated 23/6/92 the within property is subject to a pipeline servitude along a 3 metres wide line A B C D on diagram Number 3192/90 over the Farm Number 1114 meas 8,3041 Ha held by T 68480/89. As will more fully appear from the said Notarial Deed.

(Which servitude is indicated by the centre line e f on the annexed Diagram SG Number 4832/2009)

G. **ENTITLED** to the following servitude endorsement dated 24 July 1992 on Deed of Transfer Number T29716/1990, which endorsement reads as follows:

By Notarial Deed of Servitude Number K719A/92 dated 23/6/92 the within property is entitled to a servitude right of way 318 Sq. metres indicated by the figure A B C D on diagram Number 3778/91 over Erf 17 Franschhoek meas 6,8544 Ha held by T 24782/74. As will more fully appear from the said Notarial Deed.

H. **ENTITLED** to the following servitude endorsement dated 24 July 1992 on Deed of Transfer Number T29716/1990, which endorsement reads as follows:

By Notarial Deed of Servitude Number K720/92 dated 23/6/92 the within property is entitled to a servitude right of way 1 metre wide indicated by the figure A B C on diagram Number 3779/91 over Remainder Erf 23 Franschhoek meas 1733,0417 Ha held by T 6179/27. As will more fully appear from the said Notarial Deed.

I. .....

J. .....

K. **SUBJECT TO,** as contained in Certificate of Consolidated Title Number T23378/2013, by virtue of Notarial Deed of Servitude Number K738/2021S dated 9 September 2021 that:

Owner of The Farm 1753 hereby also agrees that a servitude road be granted in favour of owner of Portion 1 of the Farm Number 1447 as follows:

1. A servitude road 5 (five) meter wide, of which the line g W represents the Southern Boundary of the servitude road over Farm 1753 as shown on diagram no 4832/2009, AND

2. A servitude road 10 (ten) meter wide, of which the line W V represents the Southern Boundary of the servitude road over Farm 1753 as shown on diagram no 4832/2009

as will more fully appear from the said Notarial Deed.

II. **INSOFAR AS CONCERNS THE LAND REPRESENTED BY THE FIGURE K L M N P Q R S T U and X Y Z A1 B1 C1 D1 z ON ANNEXED DIAGRAM SG NUMBER 4832/2009:**

(i) **INSOFAR AS CONCERNS THE LAND REPRESENTED BY THE FIGURE A D U T x n on DIAGRAM NUMBER 5631/1989 (WHICH FIGURE IS INDICATED BY THE FIGURE K N T U ON ANNEXED DIAGRAM S.G. NUMBER 4832/2009):**

A. **SUBJECT** to the conditions contained in Deeds of Transfer Numbers T757/1938 and T758/1938.

B. .....

C. **ENTITLED** to the servitude referred to in the endorsement dated 17 January 1935 on Deed of Transfer Number T151/1910 which endorsement reads as follows:

"By Notarial Deed dated 22 December 1934 the registered owner of the property conveyed by paragraphs 1 and 2 hereof has been granted certain water rights by the registered owner of the property conveyed by paragraph 1 of Transfer Number T12290/1929 as will more fully appear on reference to the copy annexed hereto.

(ii) **INSOFAR AS CONCERNS THE LAND REPRESENTED BY THE FIGURE O Y X W V L M N on DIAGRAM NUMBER 5631/1989 (WHICH FIGURE IS INDICATED BY THE FIGURE X Y Z A1 B1 C1 D1 z ON ANNEXED DIAGRAM S.G. NUMBER 4832/2009):**

A. **SUBJECT** to the condition referred to in Deeds of Transfer Numbers T757/1938 and T758/1938.

B. .....

(iii) **INSOFAR AS CONCERNS THE LAND REPRESENTED BY THE FIGURE B C D on DIAGRAM NUMBER 5631/1989 (WHICH FIGURE IS INDICATED BY THE FIGURE L M N ON ANNEXED DIAGRAM S.G. NUMBER 4832/2009):**

A. **SUBJECT** to the conditions referred to in Deed of Transfer Number T11807/1920.

(iv) **INSOFAR AS CONCERNS THE LAND REPRESENTED BY THE FIGURE E F G H on DIAGRAM NUMBER 5631/1989 (WHICH FIGURE IS INDICATED BY THE FIGURE P Q R S ON ANNEXED DIAGRAM S.G. NUMBER 4832/2009):**

A. **SUBJECT** to the conditions referred to in Deeds of Transfer Numbers T757/1938 and T758/1938.

III. INSOFAR AS CONCERNS THE WHOLE OF THE PROPERTY:

(a) **SUBJECT TO**: By Notarial Deed of water rights and pipeline servitude Number K718/1992 dated 23 June 1992 the within property measuring 11,3665 (Eleven comma three six six five) hectares is subject to a servitude pipeline 3 (three) metres wide as indicated by the line A B C D E on diagram Number 3193/1990 annexed hereto in favour of:

(i) Remainder of the Farm 1113

Measuring 8,2515 (Eight comma two five one five) hectares held by T29716/1990

(ii) The Farm 1114

Measuring 8,3041 (Eight comma three nought four one) hectares held by T69480/1989

With ancillary rights as will more fully appear from the Notarial Deed.

(Which servitude is indicated by the centre line a b c d e on the annexed Diagram S G Number 4832/2009).

(b) **ENTITLED TO**: By Notarial Deed of Servitude Number K719A/1992 dated 23 June 1992 the within property measuring 11,3665 (Eleven comma three six six five) hectares is entitled to a servitude right of way 318 (three hundred and eighteen) square metres indicated by the figure A B C D on diagram Number 3778/91 over Erf 17 Franschhoek measuring 6,8544 (Six comma Eight Five Four Four) hectares held by T24782/74. As will more fully appear from the said Notarial Deed.

(c) **ENTITLED TO**: By Notarial Deed of Servitude Number K720/1992 dated 23 June 1992 the within property measuring 11,3665 (Eleven comma three six six five) hectares is entitled to a servitude right of way 1 (one) metre wide indicated by the figure A B C on diagram Number 3779/91 over Remainder Erf 23 Franschhoek measuring 1 733,0417 (One Thousand Seven Hundred and Thirty Three comma Nought Four One Seven) hectares held by T6179/1927. As will more fully appear from the said Notarial Deed.

(d) .....

(e) **SUBJECT TO**, as contained in Certificate of Consolidated Title Number T23378/2013, by virtue of Notarial Deed of Road Servitude Number K449/2013S dated 21 May 2013 the within property measuring 16,0258 (Sixteen comma zero two five eight) hectares is subject to a servitude access road 5 (five) metres wide in favour of Portion 2 of the Farm Number 1113, Measuring 3,5919 (Three comma five nine one nine) hectares held by Deed of Transfer Number T23377/2013 with ancillary rights and obligations, as will more fully appear from the said Notarial Deed.

(f) **ENTITLED TO**, as contained in Certificate of Consolidated Title Number T23378/2013, by virtue of Notarial Deed of Servitude Number K450/2013S dated 21 May 2013 read in conjunction with Deed of Servitude Number K718/1992S, the within property measuring 16,0258 (Sixteen comma zero two five eight) hectares is entitled to 14 000 000 (Fourteen Million) litres of water annually out of 25 000 000 (Twenty Five Million) litres in total with ancillary rights and obligations, as will more fully appear from the said Notarial Deeds.

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

BO LA MOTTE FARMING AND TOURISM PROPRIETARY LIMITED
REGISTRATION NUMBER 2002/019490/07

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

FREECLOUD INVESTMENTS SOUTH AFRICA PROPRIETARY LIMITED
REGISTRATION NUMBE 2024/296849/07

or its Successors in Title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however reserving its rights, and finally acknowledging the purchase price to be the sum of R81 500 000,00 (EIGHTY ONE MILLION FIVE HUNDRED THOUSAND RAND) excluding VAT in the sum of R0,00 (NIL RAND), total consideration paid by the transferee to the transferor being the amount of R81 500 000,00 (EIGHTY ONE MILLION FIVE HUNDRED THOUSAND RAND).

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

THUS DONE and EXECUTED at the Office of the REGISTRAR OF DEEDS: WESTERN CAPE at CAPE TOWN on - 6 AUG 2025

q.q.

In my presence

REGISTRAR OF DEEDS

Annexure

C04

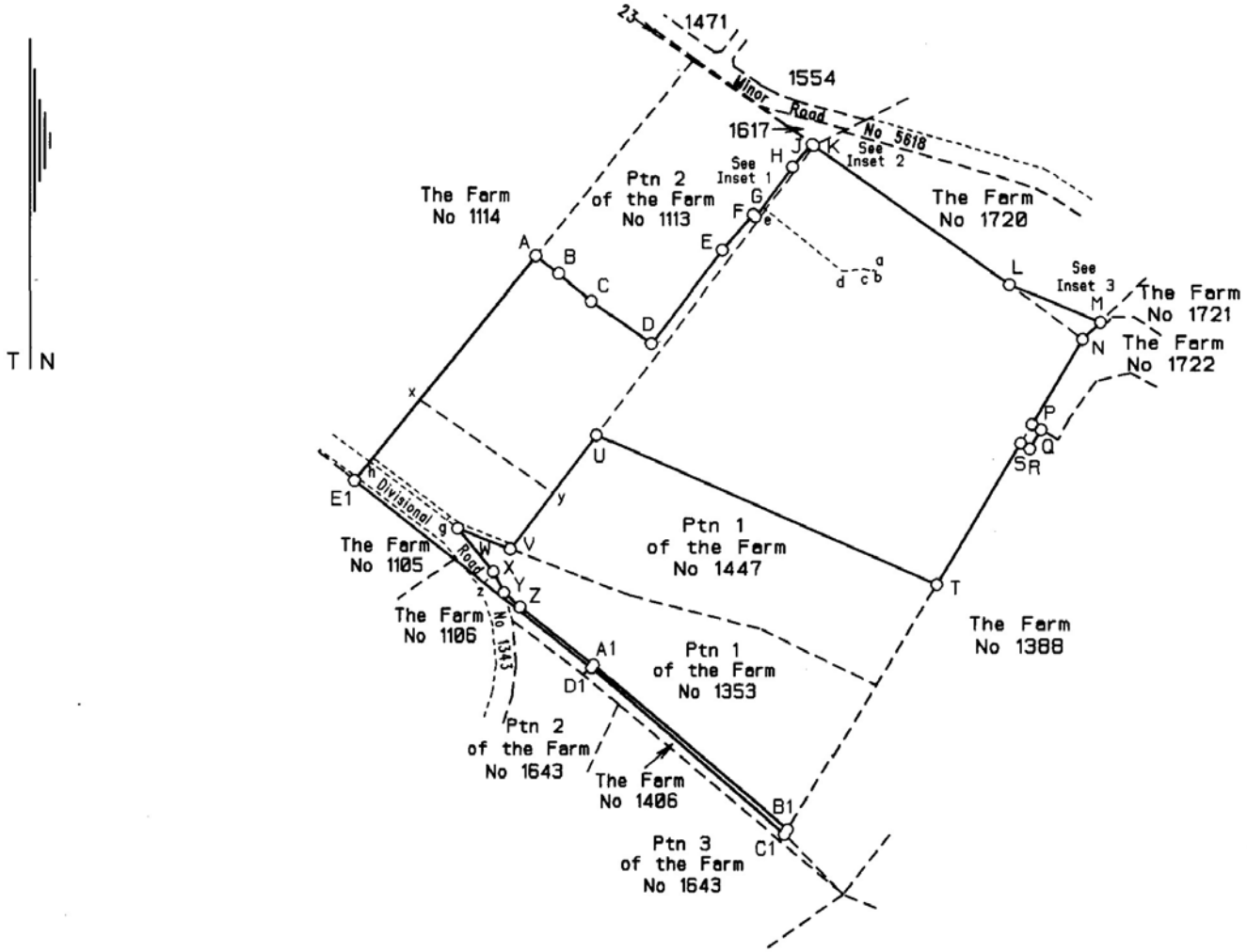
SG DIAGRAMS

OFFICE COPY

The Farm No 1753, Administrative District of Paarl

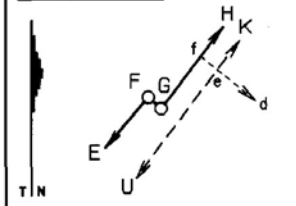
S.G. No.
~~4382~~/2009
4831
Approved
Surveyor-General
30-10-2009

Sheet 2 of 2 Sheets

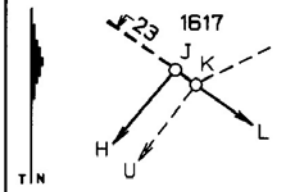


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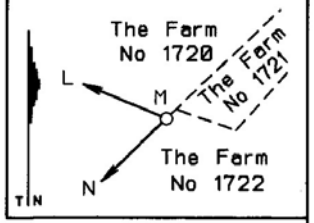
Inset 1
Scale 1/1000



Inset 2
Scale 1/500



Inset 3
Scale 1/500



Compiled in September 2009

by me,

S G DREYER
Land Surveyor
PLS 1028

SERVITUDE DOM.

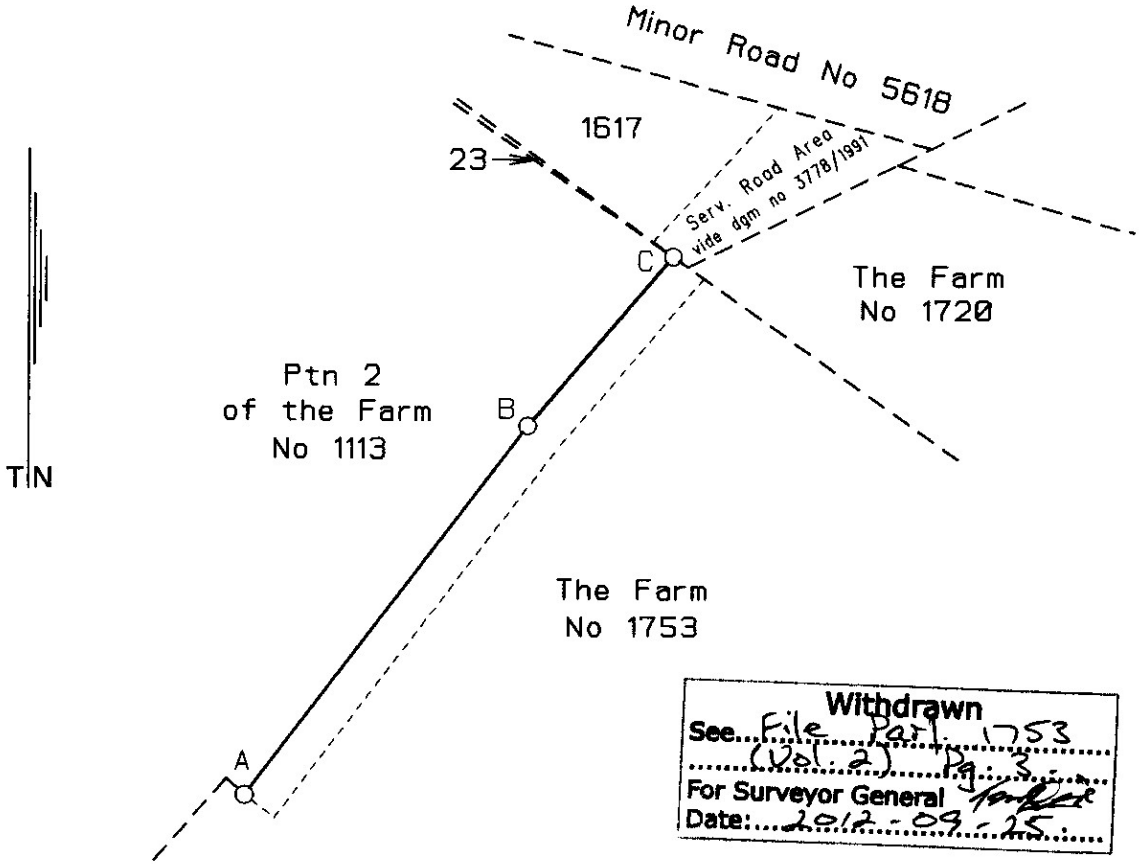
DAVID HELLIG & ABRAHAMSE, LAND SURVEYORS

OFFICE COPY

SIDES Metres		ANGLES OF DIRECTION	CO-ORDINATES Y System WG 19 X			S.G. No
		Constant		± 0,00	+3 700 000,00	~~4383~~/2009 4833
AB	61,65	217 16 50	A	- 11 693,12	+ 54 726,18	Approved
BC	29,49	220 34 20	B	- 11 730,46	+ 54 677,13	
			C	- 11 749,64	+ 54 654,73	
		274 Robert	△	- 9 159,39	+ 54 252,31	for Surveyor-General
		272 Du Toitskop	△	- 13 868,02	+ 50 664,68	30 -10-2009

Beacon Description

A B C 16 mm iron peg



Withdrawn
See...File Paarl 1753 (Vol. 2) Pg. 3
For Surveyor General
Date:...2012-09-25

Scale 1: **1000**

The line **A B C**

represents **The North Western Boundary of a Temporary Servitude Road 5m wide, as shown**

over **The Farm No 1753**

situate in **the Stellenbosch Municipality**

Administrative District of **Paarl** Province of the Western Cape

Surveyed in **September 2009**

by me,

S G DREYER
Land Surveyor
PLS 1028

This diagram is annexed to	The original diagram is	File No.Parl 1753
No. dated i.f.o. Registrar of Deeds	No. 4382 /2009 annexed to Transfer No.	S.R. No.1999/2009 Comp. BI – 7CB/Y11 (1607) BI – 7CBC (3897) LPI C0550000

SERVITUDE DOM.

Annexure

C05

ZONING CERTIFICATE

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Our Ref: P 1753 P
Contact per: L Guntz
Contact no.: (021) 808 8672
Date: 23 May 2022

ZONING CERTIFICATE

Farm No. 1753/0, Administrative District of Paarl, Province of the Western Cape

1. ZONING SCHEME PROVISIONS APPLICABLE TO THE SUBJECT PROPERTY

In accordance with the Stellenbosch Zoning Scheme Bylaw 2019, the base zone allocated to the above property, is:

FILE NR:
SCAN NR: F 1753 S
COLLABORATOR NR: 730287

AGRICULTURE AND RURAL ZONE

In terms of the provisions of the said Bylaw, this base zone may provide for the following Primary, Additional and Consent land uses:

PRIMARY USES PERMITTED	ADDITIONAL USES Land development requiring technical approval in terms of Section 15 of the Stellenbosch Land Use Planning Bylaw, 2015	CONSENT USES Land development requiring approval in terms of Section 15 of the Stellenbosch Land Use Planning Bylaw, 2015
Agricultural building (≤2000m²) Agriculture Dwelling house Forestry Natural Environment Occasional use (one event/year) Private road Polytunnel (≤2000m²) Second dwelling Employee housing (one unit)	Agricultural building (≥2000m²) Agricultural Industry (≤2000m²) Bed and Breakfast establishment Employee housing (exceeding one unit) Guest house Home day care center Home occupation practice Polytunnel (≥2001m² and ≤5000m²) Rooftop base telecommunication station Tourist dwelling units Tourists facility (existing buildings)	Abattoir Additional dwelling units (max 4) Airfield Airstrip Agricultural Industry (≥2000m²) Camping Site Day care center Freestanding base telecommunication station Helicopter landing pad Intensive feed farming Kennel Market Occasional Use (≥ one event /year) Plant nursery Polytunnel (≥5000m²) Renewable energy structure Service Trade Tourist accommodation establishment Tourist facility (new buildings or exceeding threshold) Any additional use exceeding the threshold set out in this chapter

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELPOMENT SERVICES
24 MAY 2022
RECEIVED

T: +27 21 808 8111 • F: +27 21 886 6899
Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599
www.stellenbosch.gov.za

2. PERMITTED LAND USES ATTACHED TO THE SUBJECT PROPERTY

a) The land uses which are permitted on the subject property in accordance with the zoning provisions and the approvals granted and on record, are the following:

All primary land uses as per zoning scheme Bylaw

b) Additional Use approved on the property:
Additional Use for Agriculture Industry for a wine cellar (± 400m²) and wine tasting and sales facility (±40m²).

Consent Use approved on the property:

- **To use two labourer's cottages as additional dwelling units (±110m² each) for tourist related accommodation.**
- **To utilize existing labourer's cottage as a guesthouse (±150m²).**
- **For tourist accommodation establishment for four guest cottages.**

See **ANNEXURE C** attached for land use approvals with the complete list of the conditions of approvals.

3. LAND USE RESTRICTIONS

This property may only be used for the permitted land uses detailed above and for no other purpose.

The above land uses are subject to various definitions, development parameters and restrictions contained in the applicable zoning scheme, a copy of which is available on the Stellenbosch Municipality website at https://stellenbosch.gov.za/planning-portal/.

4. STATUS OF THE ZONING CERTIFICATE

a) A Zoning Certificate is not a legal mechanism to vest any land use rights and where there are any discrepancies between the zoning information contained in this certificate and any current Municipal decision on the permitted land use rights and any qualification thereon, such Municipal decision on the land use rights will override the contents of this zoning certificate.

b) The permitted land use rights attached to the subject property does not exempt the owner/occupier from compliance with any other statutory requirement which may be applicable to the subject property, inclusive of restrictive title deed conditions,

Director: Planning and Economic Development

T: +27 21 808 8111 • F: +27 21 886 6899
Plein Street, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599
www.stellenbosch.gov.za

ANNEXURE A

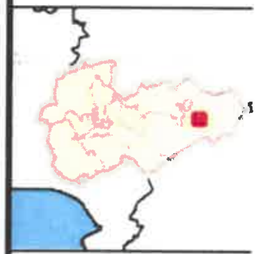
Stellenbosch GIS Map



SCALE

1:9 027,98

Legend



Stellenbosch Municipality
Planning & Economic Development
Created by: Corporate GIS

Date: 2022/02/17

Author: Stellenbosch Municipality

ANNEXURE A

Stellenbosch Municipality
Street Address:
71 Plein Street, Stellenbosch, 7600
Tel: 021 808 8658

ANNEXURE B

CHAPTER 20: AGRICULTURE AND RURAL ZONE

199. Zone name and designation on map

(1) The Agriculture and Rural zone may be referred to by the code (AR) and shall be indicated on the zoning map in pale green (Colour code 211,255,191).

200. Purpose of the zone

(1) The purpose of this zone is to make provision for:
- (a) the protection and preservation of agricultural land, rural landscapes and biodiversity;
- (b) use of land for purposes of bona fide agricultural production or conservation;
- (c) buildings and structures which may be erected for reasonable and normal agricultural purposes;
- (d) a limited range of other ancillary uses which may take place on agricultural land units, either as additional rights 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 land owners, without adversely impacting on the primary use of the land unit for agricultural purposes.

201. Land use within this zone

(1) The following land uses are permitted in this zone:

Primary Uses	Additional Uses (not exceeding threshold in this chapter and subject to technical approval)	Consent Uses (Application required)
• Agricultural building (≤2000m²) • Agriculture • Dwelling house • Forestry • Natural environment • Occasional use (one event/year) • Private road • Polytunnel (≤2000m²) • Second dwelling • Employee housing (one unit)	• Agricultural building (>2000m²) • Agricultural industry (<2000m²) • Bed and breakfast establishment • Employee housing (exceeding one unit) • Guest house • Home day care centre • Home occupation practice • Polytunnel (≥2001m² and ≤5000m²) • Rooftop base telecommunication station • Tourist dwelling units • Tourist facility (existing buildings)	• Abattoir • Additional dwelling units (max 4) • Airfield • Airstrip • Agricultural industry (≥2000m²) • Camping site • Day care centre • Freestanding base telecommunication station • Helicopter landing pad • Intensive feed farming • Kennel • Market • Occasional use (> one event/year) • Plant nursery • Polytunnel (>5000m²) • Renewable energy structure • Service trade • Tourist accommodation establishment • Tourist facility (new buildings or exceeding threshold) • Any additional use exceeding the threshold set out in this chapter

(2) One or more of the abovementioned primary uses are permitted on a land unit at the same time.

(3) After the commencement of this Scheme, and prior to the erection of any new buildings or alterations to existing buildings or the conversion of any existing buildings to a new land use, a site development plan shall be submitted in accordance with section 216 for a land unit.

(4) A technical approval for an additional use shall not be issued in terms of section 13(8)(f) unless all the applicable parameters for that use in the relevant section is complied with. Any deviation from these parameters requires a consent use application in terms of Planning Law.

(5) Portions of buildings or land in this zone may not be registered separately by sectional title.

202. Agricultural buildings

(1) Agricultural buildings which are directly related to the agricultural activities on a land unit may be erected, provided that where the coverage of any one building exceeds 2000m², an application for technical approval for an additional use shall be made in terms of section 13.

(2) The number of agricultural buildings on a land unit is not limited provided that all buildings are reasonably connected to the main farming activity.

(3) Should agricultural buildings on one land unit serve a farm which consists of more than one land unit, the Municipality may, in their sole opinion, require that land units be notarially tied to prevent the separate sale thereof, before approving the building plan on a specific land unit.

203. Agricultural industry

(1) At least 50% of the produce used in an agricultural industry shall be grown or produced on the particular farm on which the agricultural industry is located.

(2) Where the total area used for the agricultural industry on a land unit, including all storage, parking, loading and associated circulation space for the activity, is less than 2000m² [7], agricultural industry buildings may be erected provided that the Municipality has granted an application for technical approval for an additional use in terms of section 13.

(3) A consent use application is required where the total area used for the agricultural industry on a land unit, including all storage, parking, loading and associated circulation space exceeds 2000m².

(4) The Municipality may require information about produce, yields and production capacity to confirm the scale of the proposed building is commensurate with the farming activities on the land unit or farm concerned.

(5) The agricultural industry shall remain subservient to the agricultural activities on the land unit or farm.

(6) Other farm owners in the surrounding area may supply produce to the agricultural industry provided that the definition is complied with.

(7) An agricultural industry may not be subdivided, alienated via a registered lease, or sectionalised.

(8) Should agricultural industry buildings on one land unit serve a farm which consists of more than one land unit, the Municipality may, in their sole opinion, require that land units be notarially tied to prevent the separate sale thereof, before approving the building plan on a specific land unit.

204. Dwelling house, second dwelling and additional dwellings

(1) One dwelling house and one second dwelling shall be permitted on any land unit as a primary right.

[7] It should be noted that NEMA requires a basic assessment for agricultural industries of 2000m² or more in extent which are located outside industrial areas (refer Regulations 327 Reg 8 April 2017).

(2) On land units exceeding 20ha in size, the Municipality may grant its consent for additional dwelling units at a rate of one additional dwelling unit per every 10ha exceeding the 20ha threshold, up to a maximum of four additional dwelling units, as set out in the definitions. This parameter may not be deviated or departed from.

(3) Each dwelling house, second dwelling or additional dwelling unit may be occupied by no more than one family as defined or may be used in a manner permitted as additional uses or consent uses if approved by the Municipality, and the same conditions as set out in Chapter 7 for bed and breakfast establishment, home day care centre and home occupation practice shall apply.

(4) The maximum building development parameters are indicated in section (7): a main dwelling and second dwelling may not exceed a coverage of 600m² each whilst any additional dwelling is limited to a coverage of 120m² each. Coverage excludes garage, carport or outbuildings which are ordinarily associated to a dwelling house for one family.

205. Employee housing unit

(1) One employee housing dwelling unit shall be permitted on a land unit as a primary right.

(2) The Municipality may grant its further technical approval for additional employee housing units, provided that it is satisfied that the owner has provided sufficient proof that the additional employee housing units are for *bona fide* employees associated with activities on the land unit.

(3) An employee housing unit may only be used for the accommodation of one family as defined, unless another use thereof has been approved by the Municipality.

(4) One of the occupants of each of the employee housing units shall be permanently employed in connection with the farming activities on the farm concerned.

(5) The maximum building development parameters are indicated in section (7): each employee housing unit may not exceed a coverage of 120 m². Coverage excludes garage, carport or outbuildings which are ordinarily associated to a dwelling house for one family

(6) Construction of new employee housing units shall be refused where employee housing units on the land unit were, in the past, converted to other land uses, unless the Municipality is satisfied that such approval will not result in creeping development footprint which exceed the overall development extent intended for a land unit or will lead to an erosion of agriculture as the primary land use on the property.

(7) Should employee housing on one land unit serve a farm which consists of more than one land unit, the Municipality may, in their sole opinion, require that land units be notarially tied to prevent the separate sale thereof, before approving the building plan on a specific land unit.

206. Home occupation and home day care as additional uses

(1) A home occupation or home day care establishment may only be conducted from the approved main dwelling house or the second dwelling on the land unit and the proprietor shall reside in a main dwelling or second dwelling on the land unit. The same parameters as set out in section 51 shall apply to a home occupation or home day care establishment in this zone.

207. Bed and breakfast, guest house, tourist dwelling unit as additional use in this zone

(1) The total number of guest bedrooms in a bed and breakfast, guest house and tourist dwelling unit as a combined additional use on a land unit may not exceed 7 bedrooms or 14 people[8] in total per land unit.

(2) A bed and breakfast establishment may only be conducted from the approved main house or the second dwelling where the proprietor shall reside in either of these two buildings. The same parameters as section 51 shall apply to a bed and breakfast in this zone, except the maximum number of rooms permitted is subject to the overall threshold for guest accommodation in this zone.

(3) A guest house and/or tourist dwelling unit accommodation, when conducted as additional uses, may only be conducted from one or more approved dwelling units on the land unit.

(4) Guest accommodation, when conducted as additional uses, may only be undertaken as an additional use on a land unit where the primary use of the property remains cultivation, keeping of animals or any other bona fide agricultural or natural environment use, unless otherwise approved by the Municipality. The guest accommodation shall always remain subservient to the primary agricultural activities and shall not interfere with the agricultural or natural environment land uses on the property. If the land unit ceases to be used for agricultural or natural environment activities, the Municipality may instruct the owner to also cease the guest accommodation activity.

(5) A guest house, bed and breakfast, or tourist dwelling unit in this zone may not include meeting or beauty treatment rooms or a wellness centre unless the Municipality's consent has been obtained for these land uses.

(6) The Municipality may grant a consent use for a greater number of bedrooms to be used for a guest house, tourist dwelling unit or bed and breakfast, provided that these activities shall remain confined to the approved dwelling units on the land unit and the number of additional dwellings may not exceed the number permitted by means of the definition of "additional dwellings".

(7) When approving such an application the Municipality shall impose a restriction on the number of bedrooms which may be used in connection with the activity and any future expansions or alterations will require further consent.

208. Tourist accommodation and hotel in this zone

(1) When the number or scale of buildings, in which accommodation for transient guests is provided, exceed the maximum number or scale of dwelling houses and additional dwelling houses permitted on a land unit, or if other buildings, which are not the approved main dwelling house, second dwelling house or additional dwellings units, are converted to transient guest accommodation, the activity shall be classified either as a tourist accommodation establishment or a hotel, depending on the type of accommodation and the ancillary uses.

(2) A tourist accommodation establishment or hotel is a consent use in this zone.

(3) When considering a consent use application, the Municipality shall adhere to the assessment criteria and other requirements set out in section 213.

[8] Note: "Less than 15 people" per land unit is the threshold set in National Environmental Management Act (NEMA) regulations for all guest accommodation facilities outside the urban edge below which basic assessment is not required (unless within 5km of a proclaimed national park). It is regarded as an appropriate general threshold for guest accommodation permitted as an additional use right on a farm land unit since the impact (from a land use management perspective) is regarded to be small and the activity will not have an adverse impact on agricultural activities, when curtailed to existing buildings. It should however be noted that guest accommodation outside the urban edge, but within protected areas, within 10km of a national park or world heritage site, or 5km from any other protected area or from the core of a biosphere reserve triggers a NEMA basic assessment.

209. Tourist facilities in this zone

(1) The parameters in this section shall apply to all tourist facilities on a land unit which are conducted as an additional use in this zone.

(2) A technical approval for additional uses shall not be issued in terms of section 13(8)(f) unless all the applicable parameters in this section are complied with. Any deviation from these parameters requires a consent use application in terms of Planning Law.

(3) Tourist facilities in this zone may only be undertaken from a land unit where the primary use of the land unit is *bona fide* agriculture or natural environment or a combination of these uses and where the proposed activity is subservient to the primary land use on the farm.

(4) Tourist facilities which are additional uses, and which require buildings to operate from, may only be undertaken from existing approved buildings on the land unit which are no longer utilised for their original purpose, provided the Municipality may approve internal alterations and minor additions to these buildings within the parameters of this Scheme. Building plans must be submitted and approved prior to converting existing buildings to tourist facilities.

(5) New buildings for tourist facilities require a consent use application in terms of Planning Law.

(6) The total coverage of all buildings plus any external use areas which are used for tourist facilities (excluding parking areas) as an additional use, including the area which is used for manufacturing as envisaged in subsection (8), shall not exceed 250m² for the entire land unit, of which:

(a) the total coverage of buildings plus external use areas of all shops in a tourist facility as provided for in subsection (7) may not exceed a total of 120m² and this is a sub-limit of the overall limit for tourist facilities;

(b) the coverage plus external use areas used for the making and manufacturing of products as provided for in subsection (8) may not exceed a total of 50m² and this is a sub-limit of the overall limit for tourist facilities. This sub-limit may not be exceeded through application for consent use, nor may it be departed from;

(c) the total land area for market stalls may not exceed 120m² and this is a sub-limit of the overall limit for tourist facilities.

(7) Shops in a tourist facility, which may include a market, farm stall, farm shop, point of sale, deli, may sell goods which are produced or grown on the farm, or goods from elsewhere, provided that at least 50% of the floor space of the shop shall be dedicated to the display and sale of goods produced or grown on the farm.

(8) Tourist facilities may include an area for the brewing or manufacturing of beverages, cooking or baking of food, making of arts, craft, clothing or articles, where the raw materials used in such activity is not necessarily grown or farmed on the land unit concerned, provided the following conditions are adhered:

(a) the activity shall be undertaken or managed by the owner of the farm or one of their relatives, or a full-time employee of the farm or one of their relatives;

(b) such goods may be sold in the tourist facility on the property, or elsewhere.

(7) The site development plan together with any conditions as approved by the Municipality shall constitute the development rules for the activity and any expansion, alteration or relocation will require a further application in terms of this Scheme.

(8) The Municipality may impose any conditions required to mitigate the potential impact.

(9) Tourist facilities may not have an adverse impact on surrounding properties, in respect of, but not limited to, noise, traffic congestion, pollution, emissions or the gathering of large numbers of people, or the presence of people hindering agriculture e.g. during spraying season, nor may the tourist activities have an adverse impact on any *bona fide* agricultural activities on the farm itself or on neighbouring properties.

(10) The Municipality may, at any time after the commencement of the activity impose additional conditions to mitigate adverse impacts or it may instruct the owner that the activity shall cease, and the Municipality shall issue a compliance notice in accordance with the Municipal Planning By-law.

(11) Tourist facilities which exceed the maximum thresholds or any of the conditions or provisions in this section shall require a consent use application, unless the specifically prohibited in this section, and the Municipality may only grant such consent if it is satisfied that the objectives of the Agriculture and Rural zone will not be undermined by such approval.

210. Polytunnels in this zone

(1) For polytunnels, which for the purposes of this section also include agricultural shade netting, the following provisions apply: -

(a) up to 2000m^2 coverage per land unit are permitted as a primary use provided that it is indicated on an overall site development plan for the farm submitted to the Municipality in accordance with section 216 prior to erection thereof;

(b) between 2001m^2 and 5000m^2 coverage per land unit is permitted with the technical approval of the Municipality, subject to a more detailed and location-specific site development plan, as may be required by the Municipality;

(c) exceeding 5000m^2 [9]coverage on a land unit requires a consent use application to be submitted and approved by the Municipality.

(2) When assessing an application for technical approval or consent use for polytunnels, the Municipality shall take cognisance of the importance of agriculture and food security and strive to approve applications forthwith if proposals address concerns of adverse impacts on visual, cultural and heritage amenity and addresses all technical requirements.

(3) The Municipality may require proposals to be amended, in the form of repositioning, screening and any other measures which may address negative adverse impacts.

(4) The Municipality may also impose measures and conditions related to decommissioning as set out in section 24 of this Scheme.

211. Mining as a temporary departure in Agriculture and Rural Zone

(1) The Municipality may grant a departure in this zone to use land for the purposes of mining on a temporary basis.

(2) Notwithstanding section 18(1)(b) of the Stellenbosch Land Use Planning By-law, the period for which a mine may operate shall be linked to the life expectancy of the mine and may exceed a period of 5 years.

(3) The Municipality shall impose conditions relating to the period of validity, other operational requirements, as well as future rehabilitation of the mine after closure, as provided for in section 24 of this Scheme.

212. Rooftop and freestanding base telecommunication stations

(1) A rooftop base telecommunication station in this zone is an additional use and a freestanding base telecommunication station may only be erected if consent use is approved by the Municipality.

(2) A rooftop base telecommunication station antennae may not extend more than 3 meters in height above the part of the building that it is attached to unless otherwise approved by the Municipality when granting a technical approval.

[9] It must be noted that The National Heritage Resources Act (no 25 of 1999) requires a NID to be submitted for any activity that will change the character of a site **exceeding 5000m^2 in area.**

(3) Any base station attached to the antennae shall be accommodated within the envelope of the building itself or inside its roof structure and shall not be visible from a public road, unless otherwise approved by the Municipality when granting a technical approval.

(4) The mast of a freestanding base telecommunication station may not extend more than 30 meters in height above existing ground level.

(5) The height of any structures and buildings associated with a freestanding base telecommunication station (excluding the masts) may not exceed 1 storey unless otherwise approved by the Municipality when granting its consent.

(6) The Municipality may request that a pre-electromagnetic radiation test be commissioned to accompany the application.

(7) The Municipality may require appropriate context-specific screening to mitigate the impact of such infrastructure.

213. Consent uses in Agriculture and Rural Zone

(1) Prior to approving a consent use application for the conversion of any existing buildings on a land unit in this zone, the Municipality shall require a site development plan to be submitted in accordance with the requirements in section 216.

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

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

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

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

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

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

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

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

214. Building development parameters in this zone

(1) The following building lines, height, and floor area or coverage thresholds shall apply to buildings and activities within this zone:

Building type	BUILDING LINES (m) Street & common boundaries (incl. ROW servitudes)	HEIGHT (Storeys)	PRIMARY USE Maximum Coverage Threshold	ADDITIONAL USE (SDP) Maximum Coverage Threshold	CONSENT USE Maximum Coverage
Accommodation and dwellings in this zone					
Dwelling house and second dwelling-house (excluding outbuildings, carport or garage)	5m	2 storeys	600m² each		
Additional dwelling houses (excluding outbuildings, carport or garage): Max 4 dwelling units (1 unit/10ha for land units larger than 20ha)	5m	1 storey			120m² each
Guest house, bed & breakfast & tourist dwelling units: in existing approved dwellings	In existing approved dwelling houses (as per above)			Max 7 bedrooms	As approved by Municipality
Tourist facilities					
Tourist facilities: overall max limit including outdoor areas used but excluding parking.	5m	1 storey		250m²	As approved by Municipality
-Shop in tourist facility sub-limit				120m²	
-Manufacture and craft workshop sub-limit				50m²	
Other Agricultural buildings					
Employee housing unit (excluding outbuildings, carport or garage)	5m	1 storey	120m²	As approved by Municipality	
Agricultural buildings	5m	3 storeys	No overall limit on land unit	Any one building > 2000m²	
Agricultural industry, including outdoor parking and loading areas	5m	3 storeys	n/a	<2000m²	≥2000m²
Polytunnels; including shade netting	5m	1 storey	≤2000m²	≤2001m² to 5000m²	>5000m²

(2) The general development parameters as set out in Chapter 5 of this Scheme, shall, where applicable, be complied with.

215. Boundary walls and fences parameters

(1) The height of any masonry wall, excluding the entrance structure and columns, may not exceed 1 meter.

(2) A fence comprising of only wire or steel palisade (painted charcoal, black or dark green) may not exceed 2,1 meters.

(3) No brick piers shall be permitted in wire or steel palisade fences and only the entrance gate structure may be of solid brick structures which shall not be higher than 3,5 meters for a maximum distance of 10 meters on both sides of the entrance gate.

(4) The general development parameters relating to boundary walls and fences in section 23 shall also apply.

216. Site development plan

(1) A site development plan shall be required by the Municipality for any new development or change of land uses in existing buildings in this zone.

(2) An owner of land zoned Agriculture and Rural may submit a site development plan for a farm, as described in subsection (2) even if no new development is intended, at any time after the commencement of this Scheme, and shall do so prior to, or at the same time as, an application is submitted in terms of this Scheme or when a building plan for new buildings is submitted to the Municipality, or when an existing building is converted to another use.

(3) The purpose of the farm site development plan submitted in terms of subsection (1) and (2) is to indicate all existing buildings and their land uses, cultivated areas, grazing areas, uncultivated areas, dams, rivers, natural veld and critical biodiversity areas on a plan to provide an overview of the extent of land use activities on the land unit, and to enable the Municipality to evaluate the compliance of any new land use or building proposals.

(4) Any existing activity which is indicated on the overall farm site development plan shall be clearly marked as either an existing primary use, a non-conforming land use/building or previously approved consent use or departure, as the case may be, and the proof of such approval or lawfulness (application number, building plan number or letter of approval, or any other relevant documentary proof) may be requested by the Municipality and must then be supplied by the applicant.

(5) The plan may also show future intended activities which shall be clearly marked as future primary, additional or consent uses. The plan can either be accompanied by the necessary planning application for the additional or consent uses, or these shall be clearly marked as un-approved uses for future application.

(6) None of the future activities which require approval in terms of this Scheme are approved by their inclusion on this plan until the relevant planning application is concluded.

(7) The plan may be updated and amended by the owner from time to time, when the need arises, and shall be updated each time a new building plan or application in terms of Planning Law or this Scheme is submitted.

(8) The farm site development plan does not require notification to neighbours, unless it accompanies an application in terms of Planning Law, in which case the required procedures will apply.

(9) An amended farm site development plan shall accompany any application for an additional or consent use indicating the extent and location of the proposed activity in relation to the overall farm land uses.

(10) Apart from the farm site development plan the Municipality shall also require a more detailed site development plan for the specific additional use or consent use which will serve as the development parameters for the approved use, once approved.

(11) An approved overall farm site development plan shall not lapse unless replaced by a new farm site development plan.

217. Construction environmental management plan

(1) The Municipality may require that a construction environmental management plan is submitted for approval prior to building plan approval for the construction of new buildings in this zone.

218. Engineering services

(1) At building plan approval, the Municipality may impose conditions related to the provision of off-the-grid engineering services in instances where municipal engineering services are not available to a proposed development. Such services shall be provided at the cost of the owner and to the satisfaction of the Municipality.

219. Development charges in this zone

(1) A development charge is payable in terms of section 20 in instances where a building plan is submitted to utilise intensified primary development rights which came into operation as a result of this Scheme.

(2) The Municipality shall, prior to approval of such a building plan, determine the extent of such additional rights and calculate the required levy, which shall be paid by the land owner prior to the approval of said building plan.

(3) The Municipality may impose development charges for any additional use or consent use application in accordance with Planning Law.

ANNEXURE C

ANNEXURE C 37

STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Navrae / Enquiries	S Mthembu / U Von Molendorff
U verwysing / Your ref.	-
Ons verwysing / Our Ref .	Farm 1447, Paarl
Datum / Date	2009-04-21
Telefoon / Telephone	021-808 8673 / 8682
Faks / Fax	021-808 8651

REGISTERED POST

Bo La Motte Farming & Tourism (Pty) Ltd
PO Box 521
Franschhoek
7690

Sir / Madam

APPLICATION FOR REZONING AND CONSENT USES ON FARM NO. 1447, PAARL DIVISION

Your application in the abovementioned regard, refers.

The Director: Planning and Development Services at a recent meeting resolved as follows:

That **approval be granted** for the following development proposals subject to the conditions outlined under **Annexure A**:

- Rezoning from Agricultural Zone I to Agricultural Zone II in order to utilise a portion of an existing shed (400m^2) as a Wine Cellar (**Annexure B**);
- Rezoning from Agricultural Zone I to Residential Zone V in order to convert an existing labourers' cottage into a Guest House (**Annexure C**);
- a Consent Use to utilise an area of 40m^2 of an existing shed for a Wine Tasting Facility (**Annexure B**);
- a Consent Use to convert two existing labourers' cottages measuring 110m^2 each into additional dwelling units for tourist related accommodation (**Annexure D**).

In terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000, you may appeal to the Municipal Manager against the above Council decision (including any conditions imposed in case of approval) by giving written notice of such appeal, in which case you may upon request be given the opportunity to appear in person before the Appeal authority to state your case. A detailed motivated appeal with reasons therefore (and not only the intention to appeal), clearly stating in terms of which legislation it is made, as well as payment of the appeal fee to the amount of R270,00, should be directed to and received by the Mur pal Manager, Stellenbosch Municipality, P O Box 17, Stellenbosch, 7599, or if hand delivered, to To Planning, ground floor, municipal building, Plein Street, Stellenbosch, within 21 days of the da of registration at the Post office of this he appeal period) provided where the last

is slegs op binnelandse geregistreerde briewe van toepassing

7599

ORG

Please note, appellants are not permitted to canvass the Municipal Manager or members of Council's Appeals Committee before or after the matter is heard. Should no appeal be received within such appeal period, or upon conclusion of this appeal process, you (as well as any objectors, if any) will be advised of a further right of appeal in terms of Section 44 of Land Use Planning Ordinance, No 15 of 1985 in due course.

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

Yours faithfully

For **DIRECTOR: PLANNING & DEVELOPMENT SERVICES**

ANNEXURE A

FILE NO: 1447S

In this approval document:
"Council" means the Stellenbosch Municipality
"the owner" means the registered owner of the property.
"the site " means **FARM NO. 1447, PAARL DIVISION**
"scheme regulation" has the meaning assigned thereto by Ordinance 15 of 1985.

EXTENT OF APPROVAL: rezoning of a portion (400m²) of an existing shed from Agricultural Zone I to Agricultural Zone for a Wine Cellar (**Annexure B**); rezoning of an existing labourers' cottage from Agricultural Zone I to Residential Zone V for a Guest House (**Annexure C**); Consent Use to utilise an area of 40m² of an existing shed for a Wine Tasting Facility (**Annexure D**); and Consent Use to convert two existing labourers' cottages measuring 110m² each to onto two additional dwelling units for tourist related accommodation (**Annexure E**).

VALIDITY OF APPROVAL: The approval for rezoning is valid for two (2) years from date of final notification and the approval for consent uses is valid for as long as the zonings of Agriculture Zone I and II are in place.

CONDITIONS IMPOSED: Rezoning and Consent Use Conditions

CONDITIONS IMPOSED IN TERMS OF SECTION 42(1) OF THE LAND USE PLANNING ORDINANCE NO 15 OF 1985:

(a) The rezoning approvals applies only to rezoning as per **Annexure A** and **B** and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;

(b) Building plans for the proposed building work must be submitted to this Council for approval;

(c) That the utilization of the property and buildings must at all times be within the parameters determined by the Section 8 Scheme Regulations for the applicable zonings;

(d) That the wine cellar can only be used for the processing of grapes produced within the property only;

(e) That the wine cellar is only limited to four tons;

(f) That the wine tasting facility is only limited to 40m²;

(g) That the conditions of the Cape Winelands District Municipality Health Department as per attached letter dated 09 November 2005 be complied with (Annexure H);

(h) That the conditions of the Provincial Department of Agriculture as per attached letter dated 02 December 2005 be complied with (Annexure H);

(i) That the conditions of the Cape Winelands District Municipality Roads Department as per attached letter dated 03 May 2006 be complied with (Annexure H);

(j) That the conditions of the District Roads Engineer as per attached letter dated 05 May 2006 be complied with (Annexure H);

(k) That the conditions of the Department of Environmental Affairs and Development Planning as per attached letter dated 03 February 2009 be complied with (Annexure H);

(l) All electricity requirements shall be directed to Eskom by the applicant.

(m) The owner/ shall be responsible for all costs as incurred in respect of any upgrading, alterations or installations of services necessary as a consequence of the proposal or requested by the applicant.

Recommended by the Acting Manager: Land Use Planning

.....

O Peters

03/04/09

Date

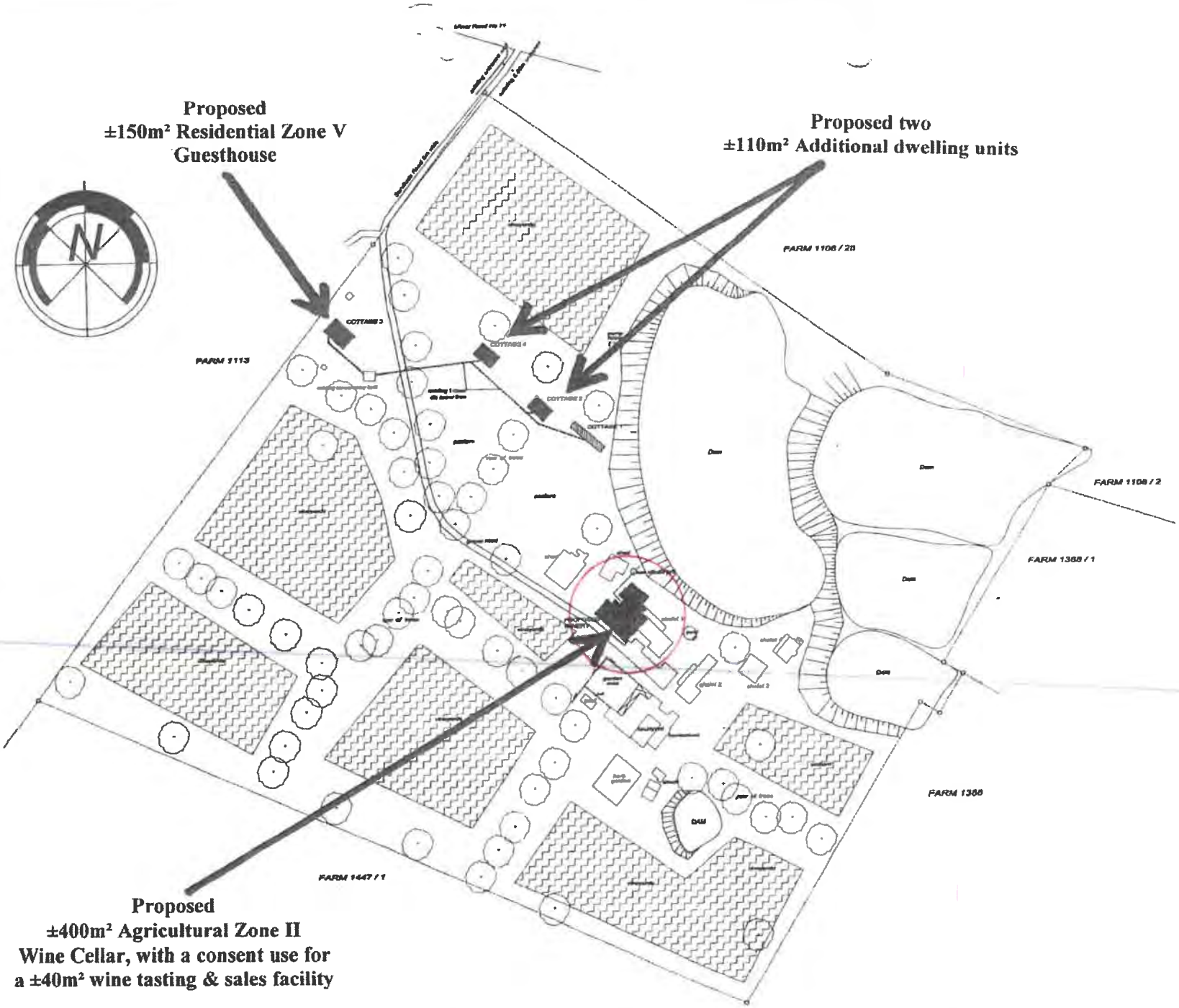
Resolved by Director: Planning and Environment

.....

M Mupariwa

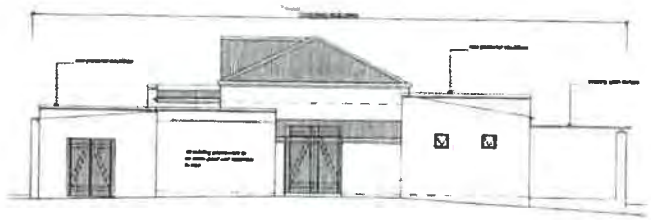
6/4/09

Date


Proposed
±150m² Residential Zone V
Guesthouse
Proposed two
±110m² Additional dwelling units
Proposed
±400m² Agricultural Zone II
Wine Cellar, with a consent use for
a ±40m² wine tasting & sales facility
N
FARM 1113
FARM 1106 / 28
FARM 1106 / 2
FARM 1368 / 1
FARM 1368
FARM 1447 / 1
COTTAGE 3
COTTAGE 4
COTTAGE 2
COTTAGE 1
Dam
DAM



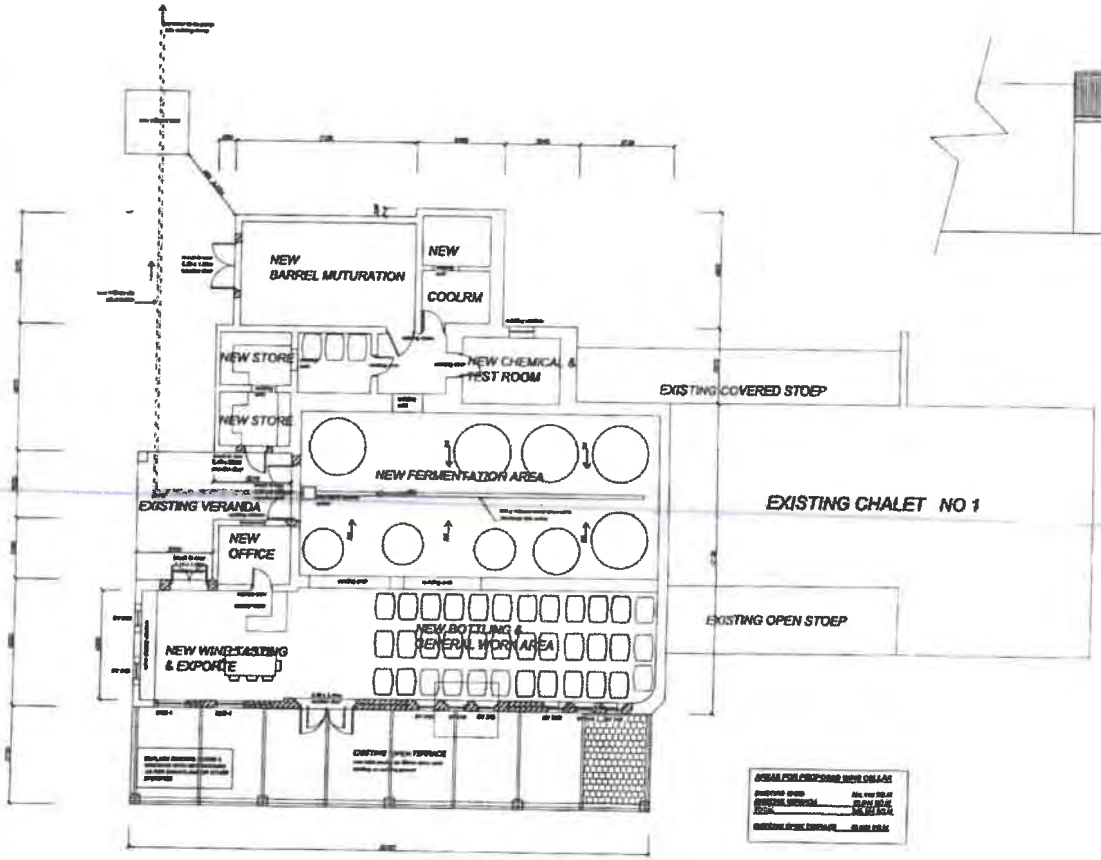
SOUTHWEST ELEVATION
1 : 100



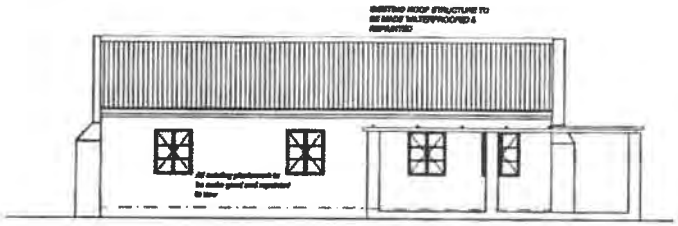
NORTHWEST ELEVATION
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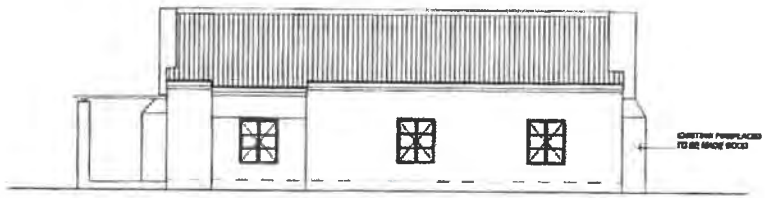
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1 : 100



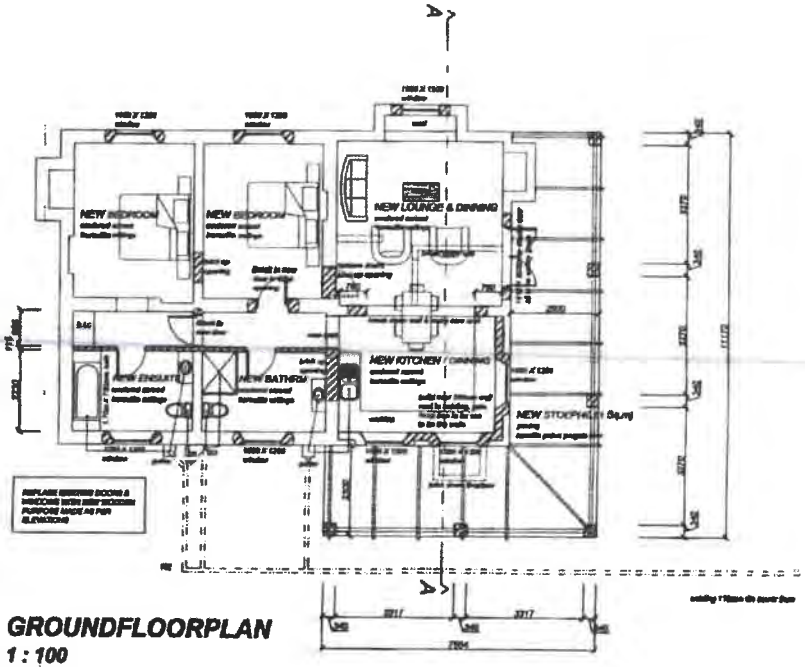
FLOORPLAN (EXISTING SHED TO NEW WINE CELLAR)
1 : 100



SOUTHWEST ELEVATION
1 : 100



NORTHEAST ELEVATION
1 : 100



GROUNDFLOORPLAN
1 : 100

AREAS	
EXISTING BUILDING	111.000 SQ.M

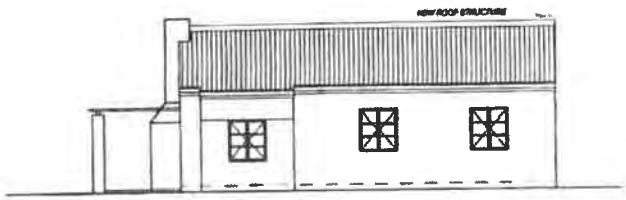


SOUTHEAST ELEVATION
1 : 100



NORTHWEST ELEVATION
1 : 100

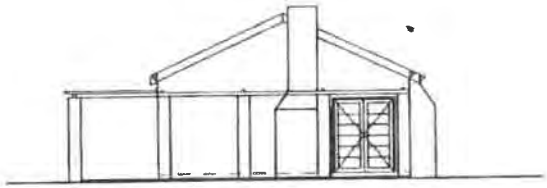
Guesthouse



NORTHEAST ELEVATION
1 : 100



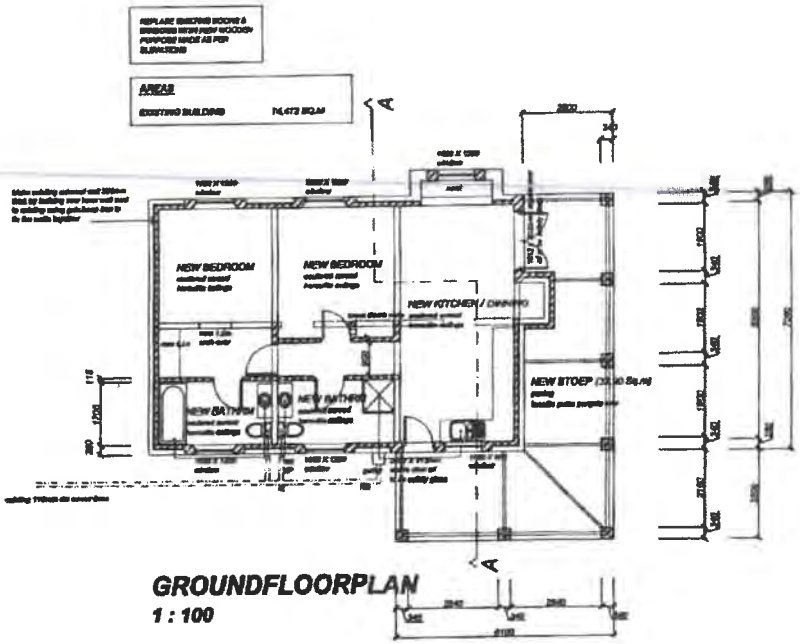
SOUTHWEST ELEVATION
1 : 100



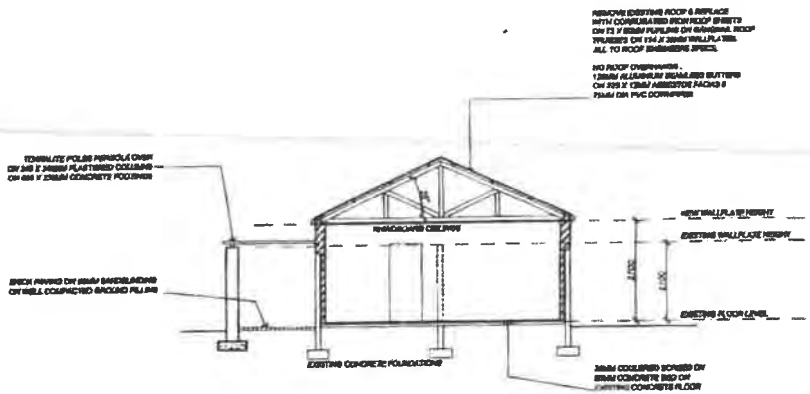
SOUTHEAST ELEVATION
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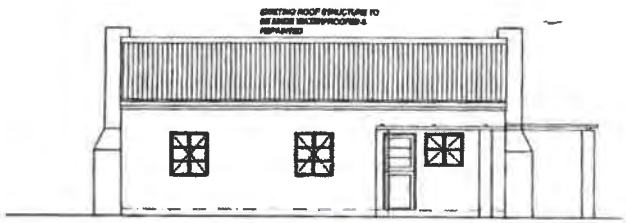
NORTHWEST ELEVATION
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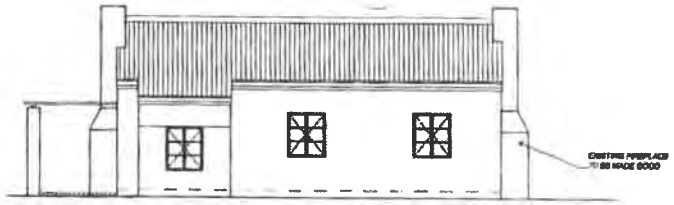
GROUNDFLOORPLAN
1 : 100



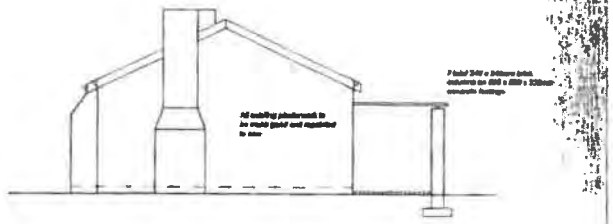
SECTION AA
1 : 100



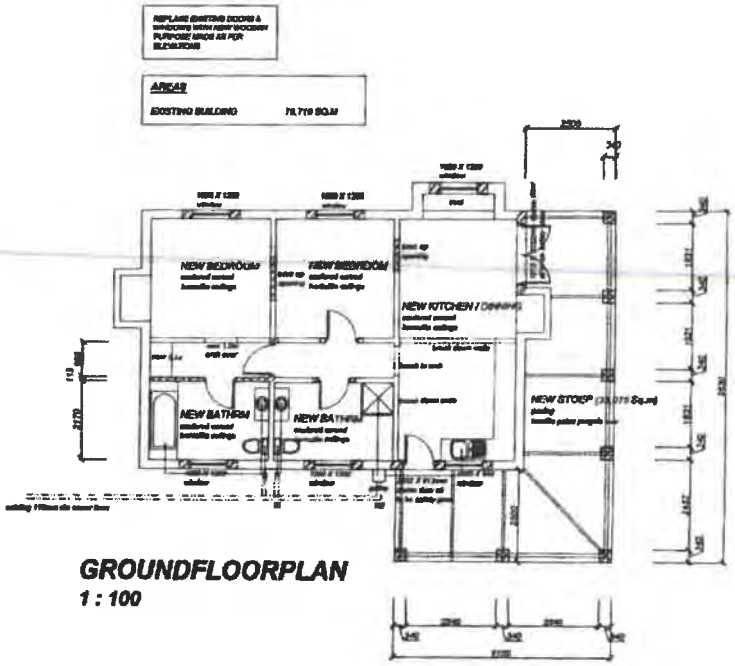
SOUTHWEST ELEVATION
1 : 100



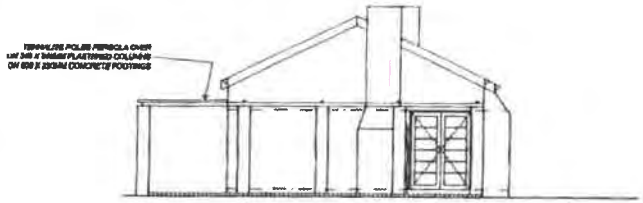
NORTHEAST ELEVATION
1 : 100



NORTHWEST ELEVATION
1 : 100



GROUNDFLOORPLAN
1 : 100



SOUTHEAST ELEVATION
1 : 100

APPENDIX B

PROVINSIALE ADMINISTRASIE
VAN DIE KAAP DIE GOEIE HOOP

TAK GEMEENSKAPSDIENSTE

HOOFDIREKTORAAT
GRONDONTWIKKELINGSKOÖRDINERING

PROVINSIALE GEBOU, WAALSTRAAT,
PRIVAATSAK X9083, KAAPSTAD, 8000

TELEFAKS: (021) 483-3511, TELEGRAM: PROVADMIN
TELEKS: 522368

COMMUNITY SERVICES BRANCH

CHIEF DIRECTORATE
LAND DEVELOPMENT CO-ORDINATION

PROVINCIAL BUILDING, WALE STREET,
PRIVATE BAG X9083, CAPE TOWN 8000

TELEFAX: (021) 483-3511, TELEGRAM: PROVADMIN
TELEX: 522368

Messrs David Hellig & Abrahamse
P.O. Box 18
PAARL
7622

TELEFOON
TELEPHONE (021) 483-4585

NAVRAE
ENQUIRIES Mr Cloete

VERWYSING
REFERENCE AFR.1/19/4/2-J7

DATUM
DATE -7 NOV 1997

Sirs

PROPOSED REZONING OF A PORTION OF REMAINDER OF FARM NO. 1447, PAARL

1. Your application P2475/91 dated 19 June 1991 refers.

2. The Administrator has, in terms of section 16 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) read with section 42(1) of the Ordinance, as from the date of this letter granted approval for the rezoning of a portion of the Remainder of Farm No. 1447, Paarl as shown on the attached plan from Agricultural Zone I to Resort Zone I subject to the conditions of the Western Cape Regional Services Council as set out in the attached extract from the Council's report dated 4 September 1991.

Yours faithfully

O. P. BARKER

DEPUTY DIRECTOR-GENERAL: COMMUNITY SERVICES

LFC/GG

H4e/001/2810R

AANBEVELING:

Dat die Administrateur ingelig word dat die Raad geen beswaar het teen die hersonering van 'n gedeelte van plaas 1447 soos aangetoon op Bylae 2 na Oordsone I ingevolge artikel 16 van Ordonnansie 15 van 1985 nie, onderhewig aan die volgende voorwaardes:-

1. Die serwituut pad aansluiting met Ondergeskikte pad 71 moet opgegradeer word volgens die Provinsiale standaardplan en tot bevrediging van die padowerheid.

2. Geen tekens of advertensies behalwe die toegelaat deur die S A Padtekenhandleiding en Nota's sal toegelaat word nie.

3. Addisionele onderhoud/opgradering van Ondergeskikte pad 71 sal vir die rekening van die aansoeker wees.

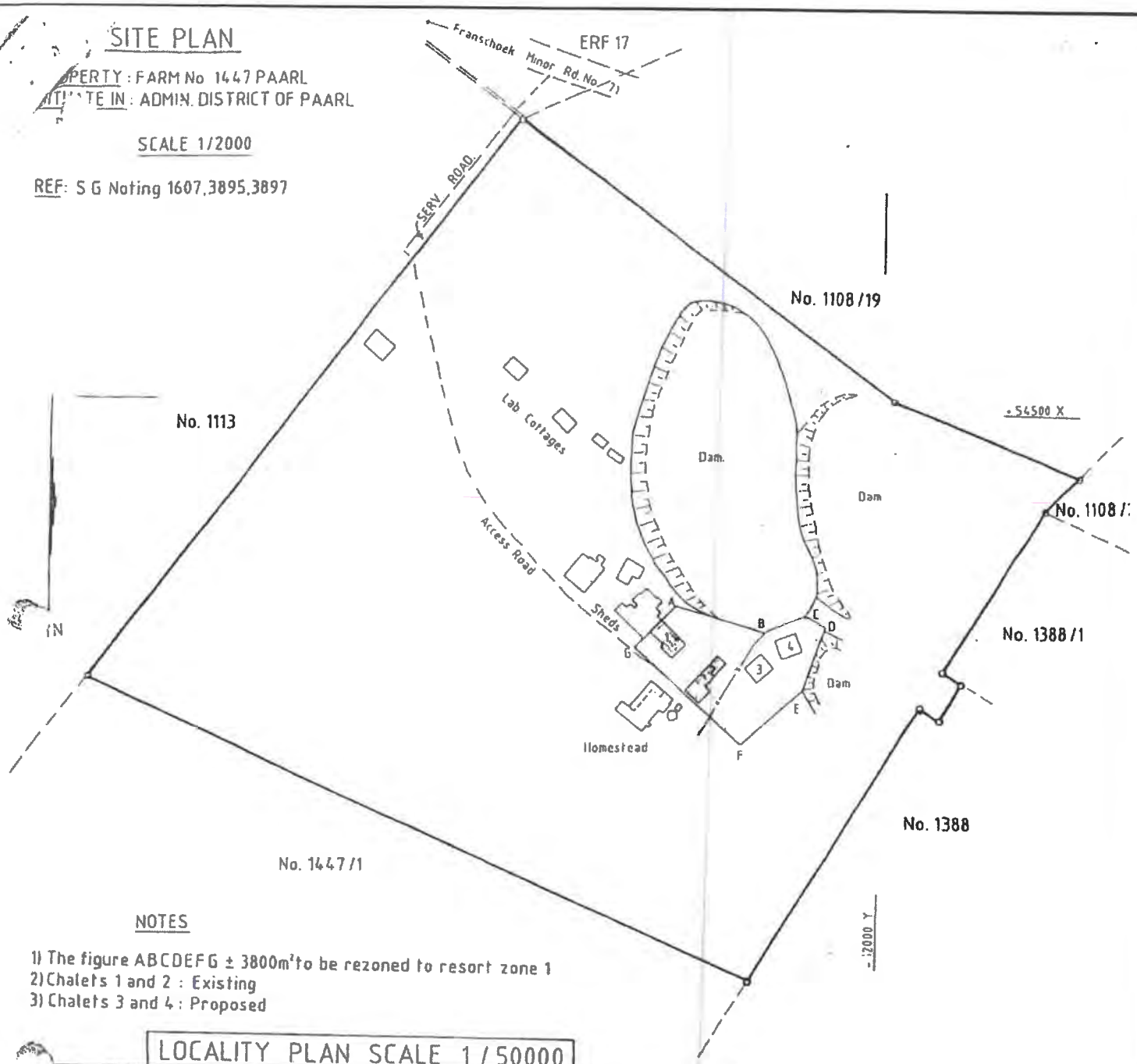
4. Noodsaaklike dienste soos sanitasie, vullisverwydering en drinkwatervoorsiening moet deur die eienaar self voorsien word tot bevrediging van die Raad op sy gedelegeerde beampte.

SITE PLAN

PERTY : FARM No 1447 PAARL
ITI TE IN : ADMIN. DISTRICT OF PAARL

SCALE 1/2000

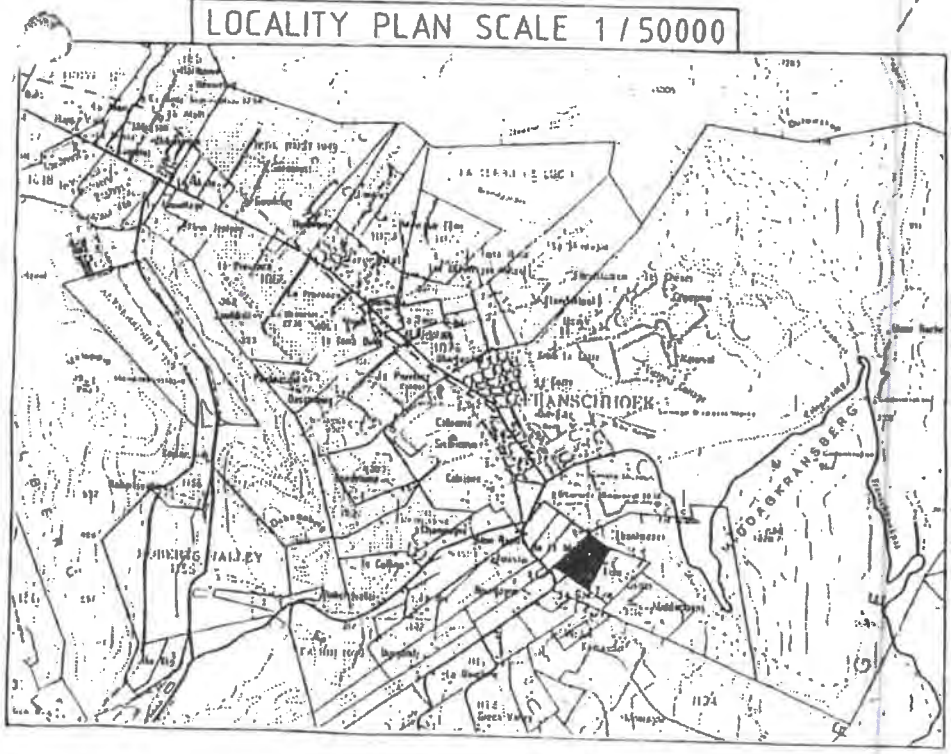
REF: S G Noting 1607,3895,3897



NOTES

1) The figure ABCDEFG ± 3800m² to be rezoned to resort zone 1
2) Chalets 1 and 2 : Existing
3) Chalets 4 and 4 : Proposed

LOCALITY PLAN SCALE 1/50000



PREPARED BY

DAVID HELLIG & ABRAHAMSE
LAND SURVEYORS
P O BOX 18
PAARL

DATE: JUNE 1991

FILE: P 2475/91

2

(18)

Enquiries	S Zangqa /U von Molendorff
Your ref	-
Our ref	Farm 1753, Paarl
Application No	LU/3800
Date	2015-08-06
Telephone	021-808 8667 / 8682
Fax	021-886 6899

REGISTERED MAIL

Tom Darlington
P O Box 336
FRANSCHHOEK
7690

FILE NR: OUTGOING POST
F1753P LU/3800
SCAN NR:
COLLABORATOR NR:
378495

Sir

APPLICATION FOR AMENDMENT OF CONDITIONS OF APPROVAL: FARM 1753, PAARL DIVISION

Your application in the above regard, refers.

I wish to advise that the appeal process has now been concluded and that the decision as per Council's previous letter of approval is therefore now considered final. Accordingly, you may now act on the decision, subject to compliance with the conditions detailed in my letter dated 11 June 2015.

Yours faithfully

for **DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT**

file.

17

Enquiries	S Zangqa /U von Molendorff
Your ref	-
Our ref	Farm 1753, Paarl
Application No	LU/3800
Date	2015-06-11
Telephone	021-808 8667 / 8682
Fax	021-886 6899

FILE NR: OUTGOING POST
F1753 P LU/3800 Apr
SCAN NR:
COLLABORATOR NR:
372022

REGISTERED MAIL

Tom Darlington
P.O Box 336
FRANSCHHOEK
7690

Sir

APPLICATION FOR AMENDMENT OF CONDITIONS OF APPROVAL: FARM 1753, PAARL DIVISION

Your application in the above regard, refers.

The Director: Planning and Economic Development at a recent meeting resolved as follows:

1. That in terms of Section 42 of the Land Use Planning Ordinance, (Ordinance 15 of 1985) and delegated powers of authority **approval be granted** for the amendment of conditions of approval in order to move an approved additional dwelling unit to a new location different to that shown on the approved site development plan as indicated on the drawing attached as **Appendix 2,**subject to the conditions as per the attached report.

Kindly note that the above approval does not guarantee approval of any related building plan application in terms of the National Building Regulations and Building Standards Act, No 103 of 1977 and that building work may therefore only commence once such plans are formally passed.

Kindly also note, you are advised in terms of Section 5 of the Promotion of Administrative Justice Act, No 3 of 2000 that you are entitled to request in writing reasons for the above decision.

Kindly be advised that you may appeal to the Municipal Manager against the above Council decision (including any conditions imposed in case of approval) by giving written notice of such appeal in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000 ("MSA"), *and/or* the internal appeal process approved by Council at its meeting held on 29 October 2014. In terms of the aforesaid Council decision, an applicant or objector aggrieved by a decision of Council in respect of an application in terms of the Ordinance, Zoning Scheme Regulations or applicable By-Law, may appeal against such decision to the Municipal Manager, by giving written notice of such appeal.

P.10.07.15

A detailed motivated appeal with reasons therefore (and not only the intention to appeal), clearly stating in terms of which legislation it is made, as well as payment of the appeal fee to the amount of R 737,00, should be directed to and received by the Municipal Manager, Stellenbosch Municipality, P O Box 17, Stellenbosch, 7599, or if hand delivered, to the Advice office, Land Use Management, Ground floor, municipal building, Plein Street, Stellenbosch, or faxed to fax number 021 886 6899 within 21 days of the date of registration at the Post Office of this notification letter (with such registration day not included in the appeal period), provided where the last day for lodging an appeal falls either on a Saturday, Sunday or public holiday, it shall be deemed to be the next working day thereafter. Where this letter is collected by hand, the above appeal period will be similarly calculated from the next day after collection. Failure to comply with the above requirements may result in the appeal being ruled invalid by the Appeal Authority. ***Kindly be advised that no appeal will be accepted via email.***

Notwithstanding the above, kindly note, you are not permitted to submit a revised proposal as part of such an appeal. Should this be the case, your submission will not be regarded as an appeal, but rather a new application which should be submitted in the normal manner, as only the above decision can be appealed at this stage.

Kindly be advised that objectors (if any) are granted a simultaneous right of appeal in terms of the internal appeal process approved by Council at its meeting held on 29 October 2014.

Please note, appellants are not permitted to canvass the Municipal Manager or members of Council before or after the matter is heard.

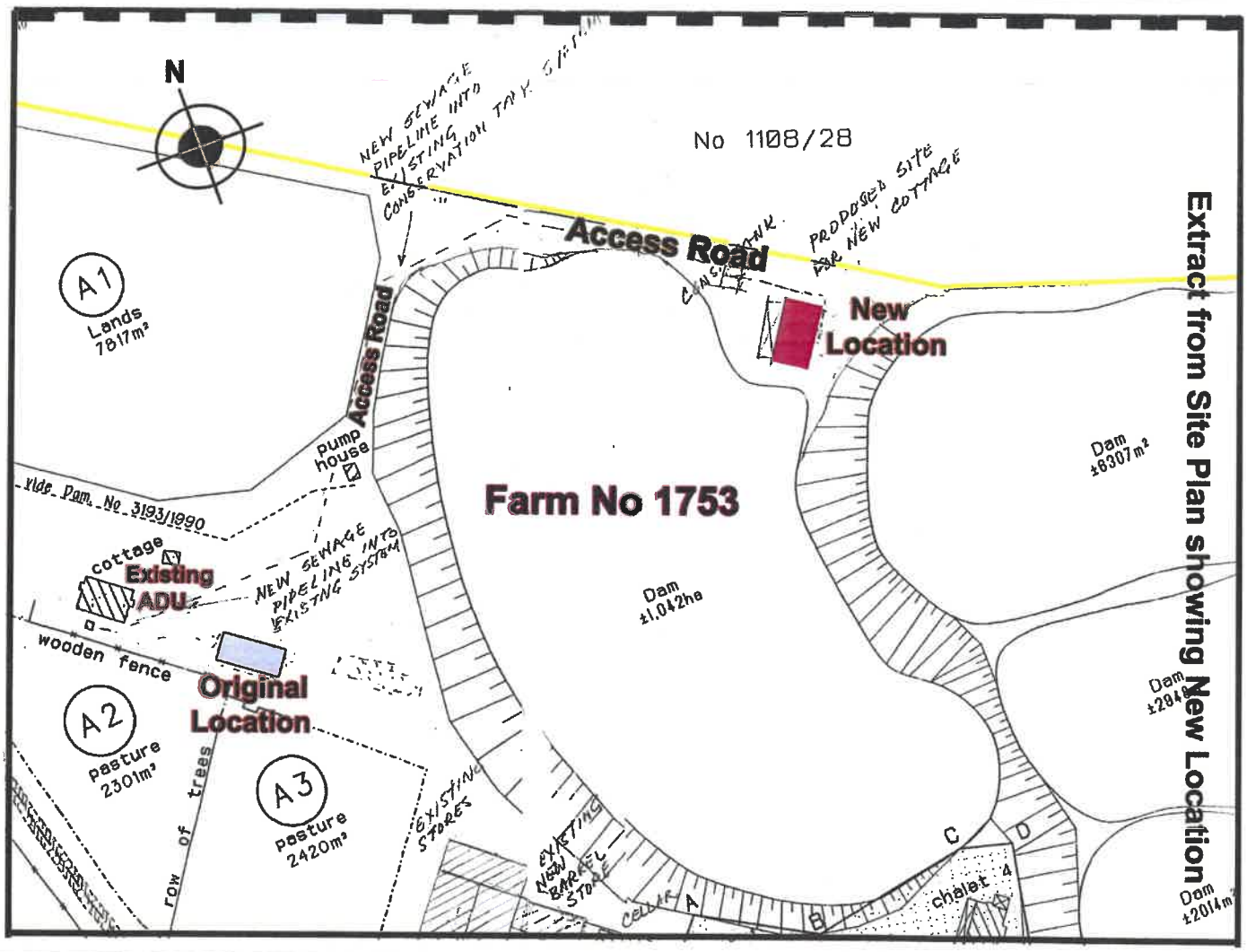
Important note: ***Rights of appeal*** *in terms of Section 44(1)(a), (b), (c) or (d) of the Land Use Planning Ordinance, No 15 of 1985* ***no longer exist****, as such an appeal to the Minister of Local Government, Environmental Affairs and Development Planning, Western Cape has been declared* ***unconstitutional*** *by the Constitutional Court in its unanimous judgment* on* ***4 April 2014****, as such matters fall within the exclusive functions of a municipality in terms of the Constitution.*

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

Yours faithfully

for **DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT**

* In *Minister of Local Government, Environmental Affairs and Development Planning, Western Cape* v *The Habitat Council and Others; Minister of Local Government, Environmental Affairs and Development Planning, Western Cape* v *City of Cape Town and Others* [2014] ZACC 9 (Case No.CC117/13).


N
No 1108/28
Access Road
Access Road
New Location
Original Location
Existing ADU
cottage
pump house
Farm No 1753
Dam ±1.042ha
Dam ±6307m²
Dam ±2940
Dam ±2014m²
A1
Lands 7817m²
A2
pasture 2301m²
A3
pasture 2420m²
wooden fence
row of trees
vide Pam. No 3193/1990
NEW SEWAGE PIPELINE INTO EXISTING SYSTEM
EXISTING STORES
EXISTING NEW BARREL STORE
CELLAR
chalet 4
A
B
C
D
Extract from Site Plan showing New Location

Annexure

C06

TRAFFIC IMPACT ASSESSMENT

PROPOSED DEVELOPMENT ON FARM 1753, PAARL (FRANSCHHOEK)

TRAFFIC IMPACT ASSESSMENT (TIA)

AUGUST 2026



COMPILED BY

UDS AFRICA

11 Electron Street
Technopark
Stellenbosch
7600

Ref: UDS 947
Tel: 076 211 9892
Email: info@udsafrica.co.za

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Figure 3: Distribution of proposed development's potential AM / PM peak-hour trips – Scenario 1 ... 8

Figure 4: Distribution of proposed development's potential AM / PM peak-hour trips – Scenario 2 ... 8

Figure 5: Total expected 2031 AM / PM peak-hour traffic volumes – Scenario 1..... 9

Figure 6: Total expected 2031 AM / PM peak-hour traffic volumes – Scenario 1..... 9

1 INTRODUCTION

This Traffic Impact Assessment (TIA) accompanies the application for consent use and additional use on Farm 1753, Paarl (Franschhoek).

1.1 LOCALITY

The subject property is situated along Excelsior Road (DR01343) and Middagkrans Road (OP05618), to the south of Franschhoek town. See the locality in ***Diagram 1*** below.

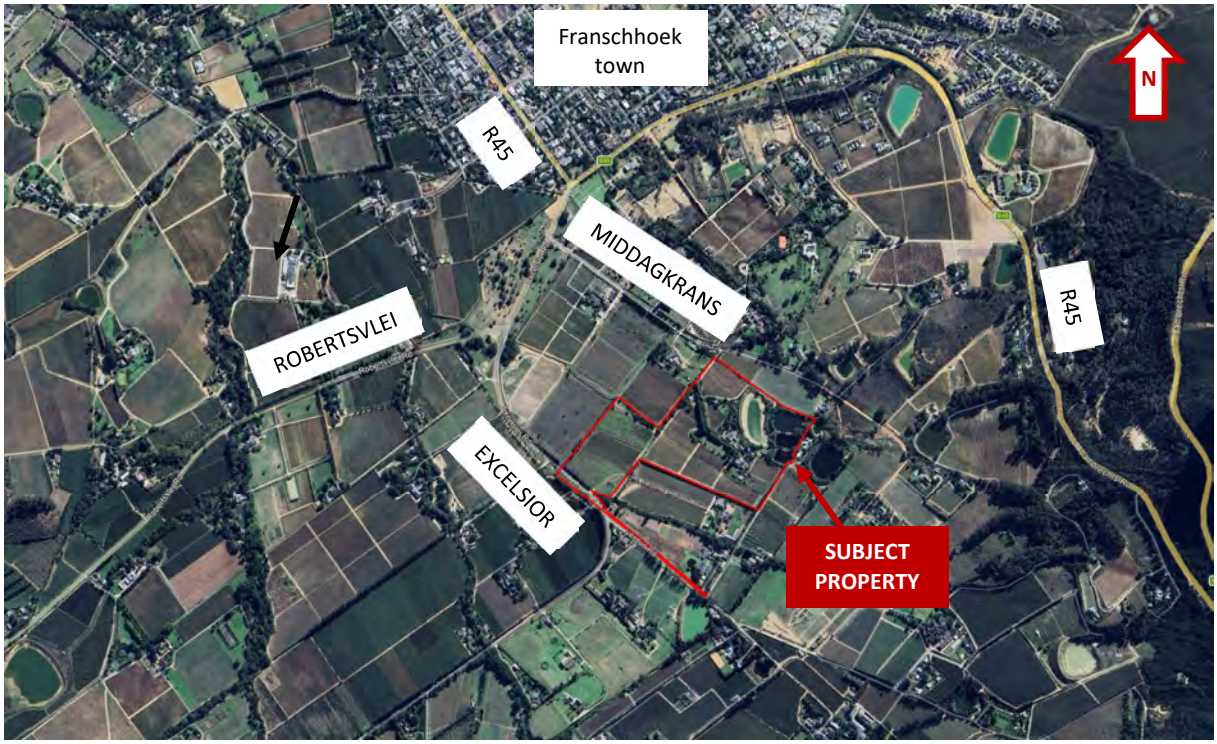


Diagram 1: *Locality of Subject Property*

1.2 BACKGROUND

The property currently comprises of the following buildings and facilities: a main dwelling + outbuilding (laundry + storerooms), agricultural buildings, wine cellar and tasting facility, 2 additional dwellings, a guesthouse and 4 guest cottages.

2 LAND USE

2.1 SURROUNDING LAND USES

The subject property is situated outside the town of Franschhoek. The surrounding land uses comprise predominantly agricultural land, together with guesthouses and other tourism accommodation establishments.

2.2 PROPOSED DEVELOPMENT

2.2.1 Proposed Land Use

The proposed land uses are indicated in ***Annexure A***: *'Site Development Plan'* prepared by *Urban Rural South Africa Planning Practitioners.*

The proposed development entails the expansion of the existing land use rights on the subject property to accommodate a 19-bedroom tourist accommodation establishment. Associated proposed tourist facilities include a wine tasting facility, olive press and tasting room, restaurant/function venue, chapel, spa facility, and tennis courts.

The restaurant, with its accompanying wine-tasting facility and olive press and tasting facility, will generally be open to the public, serving both day visitors and guests of the tourist accommodation establishment. The facility, with a capacity of 100-120 persons, will also accommodate private functions during which it will be closed to the general public and operate exclusively for attendees of the booked event.

2.2.2 Access to the Property

The subject property currently has two existing vehicular access points, one from Middagkrans Road to the north via a right-of-way servitude across Erf 1617 and the other from Excelsior Road to the south. Based on the locations of the existing- and proposed facilities on-site, it is proposed that the tourist accommodation component will primarily utilise the Middagkrans Road access, while the restaurant (including when it operates as a function venue) and associated tourist facilities, will primarily be accessed via Excelsior Road. The locations of the two access points are indicated in ***Diagram 2*** below.

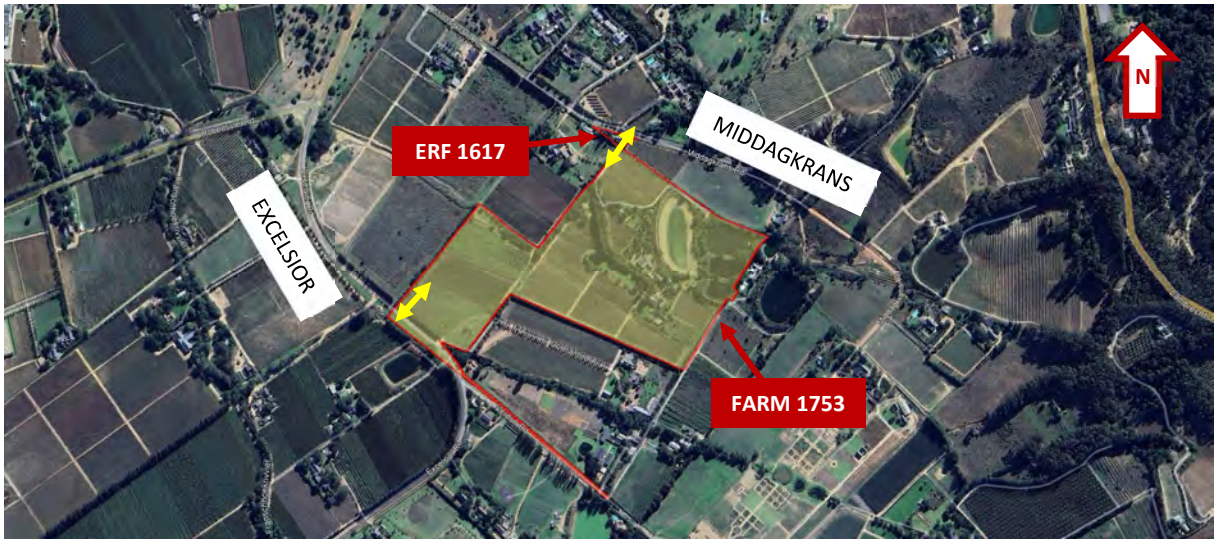


Diagram 2: *Access to the Property*

3 EXTERNAL TRANSPORT NETWORK

3.1 EXISTING ROAD NETWORK

Excelsior Road (DR01343) is a Class 3 divisional road according to the *Western Cape Government* (WCG) *Road Network Information System* (RNIS) with one lane in each direction and a posted speed limit of 80 km/h.

Middagkrans Road (OP05618) is a Class 4 minor road according to the WCG RNIS with one lane in each direction and a speed limit of 60 km/h.

3.2 PUBLIC TRANSPORT

Formal public transport facilities do not currently exist in the immediate vicinity of the subject site.

3.3 NON-MOTORISED TRANSPORT (NMT)

Formal NMT facilities do not currently exist in the immediate vicinity of the subject site.

4 TRAFFIC

4.1 EXISTING TRAFFIC

To obtain an indication on the existing traffic in the vicinity of the proposed development, traffic counts were conducted at the two existing access points on Friday, 24 July 2026 from 06h00 to 18h00. Based on the existing and proposed land uses, the peak traffic activity for the site as a whole is expected to occur on a Friday, and a 12-hour traffic count was therefore conducted on a Friday to capture the anticipated peak conditions.

- Middagkrans Road / La Providence Access / Subject Property Access
- Excelsior Road / Colmant Road

The existing traffic volumes at the proposed subject property access point along Excelsior Road were derived from the counts at the Colmant Road access point approximately 100 m to the east.

The peak-hour volumes derived from the abovementioned traffic counts are indicated in ***Figure 1.***

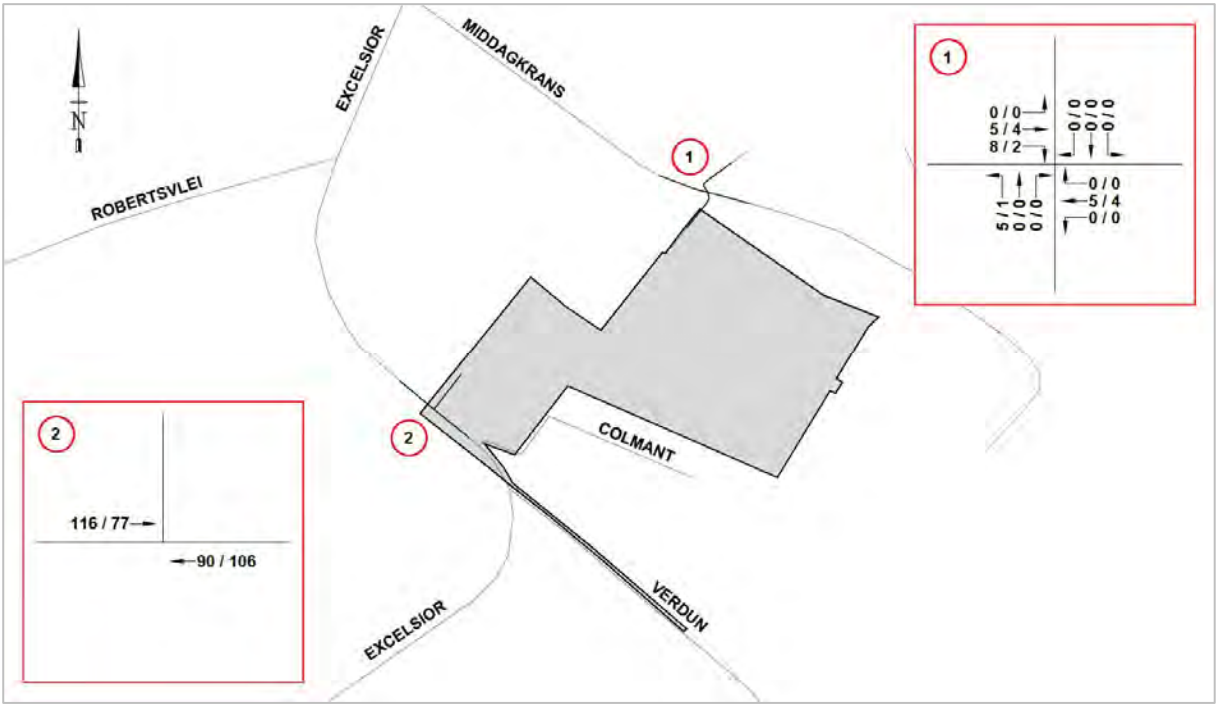


Figure 1: *Existing 2026 AM / PM peak-hour traffic volumes*

4.2 TRAFFIC GROWTH

To obtain an indication on the future background traffic, annual growth rates along the relevant roads were considered. Based on RNIS data, an annual growth rate of 3% was applied along Excelsior Road to the 2026 peak-hour volumes for five (5) years to obtain the estimated 2031 peak-hour volumes.

These increased 2031 peak-hour volumes are indicated in ***Figure 2.***

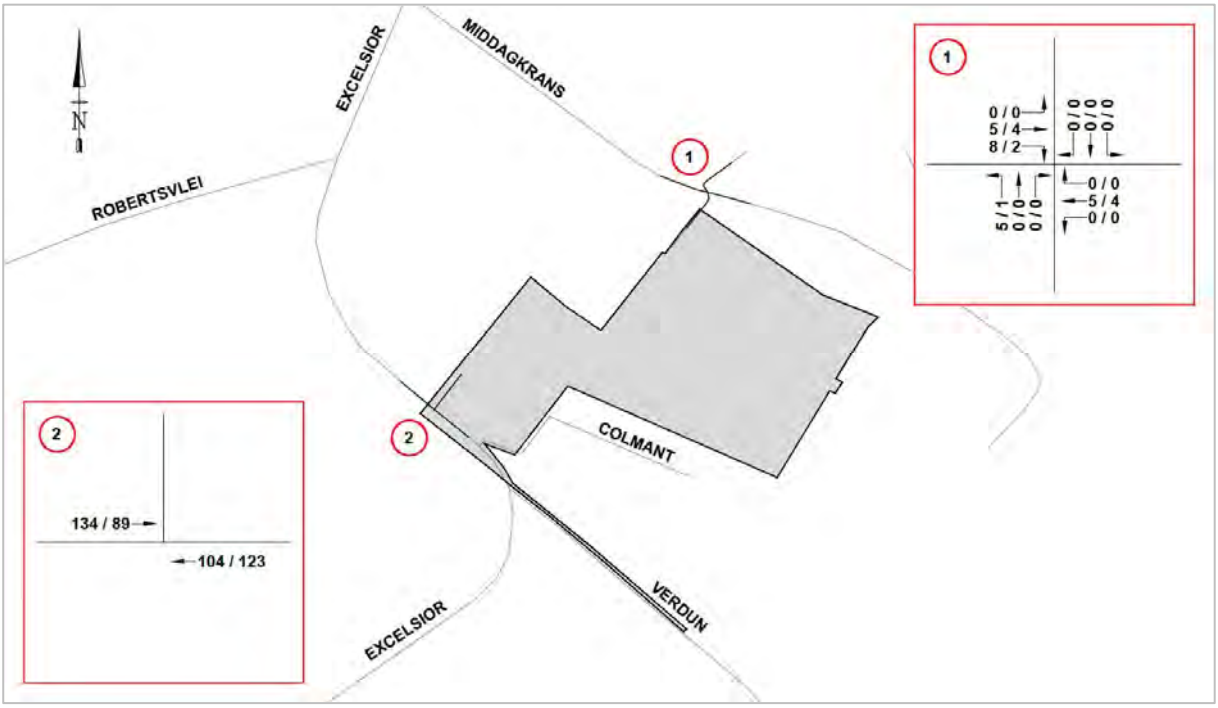


Figure 2: *Projected 2031 AM / PM peak-hour background traffic volumes*

4.3 TRIP GENERATION

Trip generation rates as contained in the *TMH17 South African Trip Data Manual* were consulted to calculate the potential peak-hour traffic that can be generated by the proposed development. The relevant trip generation rates are provided in ***Table 1*** below.

Trip generation rates for the wine-tasting facility and olive press and tasting room components were based on the Specialty Retail land use category published by the *Institute of Transportation Engineers* (ITE), comprising 0,68 AM peak-hour trips per 100 m² GLA (48% inbound / 52% outbound) and 2,71 PM peak-hour trips per 100 m² GLA (44% inbound / 56% outbound). These rates were considered more representative of the proposed land use than the corresponding rates available in *TMH17*.

Furthermore, trip generation rates for the function venue component were based on the conference facility land use category in *TMH17*. Although the proposed function venue will primarily accommodate weddings and private events rather than conferences, the conference facility category was considered the closest available approximation, as both land uses are characterised by event-based attendance, fixed seating capacities, and concentrated arrival and departure patterns during peak periods. As the primary operating period of the proposed function venue is expected to be during the afternoon and evening, the AM peak-hour trip generation rate for a conference facility contained in *TMH17* was adopted for the PM peak-hour assessment.

Table 1: *Trip Generation Rates*

Description	AM Peak-Hour		PM Peak-Hour	
	Rate	**in/out**	**Rate**	**in/out**
Guest House	0,45 trips per room	50/50	0,45 trips per room	50/50
Restaurant, Quality (Sit-down)	0,75 trips per 100 m^2 GLA	70/30	11,8 trips per 100 m^2 GLA	40/60
Specialty Retail (ITE Rates)	0,68 trips per 100 m^2 GLA	48/52	2,71 trips per 100 m^2 GLA	44/56
Function Venue	n/a		0,5 trips per seat	90/10

Further to the above, *TMH17* provides trip adjustment (reduction) factors for mixed-use developments, vehicle ownership, and proximity to public transport. For the proposed development, the mixed-use trip reduction factor of 10% was applied to the restaurant, specialty retail (wine-tasting facility and olive press), and function venue components. This reduction was considered appropriate as a proportion of the trips to these land uses is expected to be generated by guests staying at the on-site tourist accommodation establishment, thereby reducing the number of external vehicle trips to the site.

Potential peak-hour trip generation was calculated for two distinct operating scenarios. **Scenario 1** represents the normal operation of the restaurant, wine-tasting facility and olive press and tasting facility, which is open to both the general public and guests of the tourist accommodation establishment. **Scenario 2** represents the operation of the function venue during private events, at which time the restaurant, wine-tasting facility and olive press and tasting facility are assumed to be closed to the general public. As the restaurant and function venue are not expected to generate demand simultaneously, the trip generation for each scenario was assessed independently.

Based on all the above, the potential trip generation for the two scenarios of proposed development is indicated in ***Table 2*** and ***Table 3*** below.

Table 2: *Potential Peak-Hour Trip Generation – Scenario 1*

Land use	AM Peak-Hour			PM Peak-Hour		
	Total	**In**	**Out**	**Total**	**In**	**Out**
Guest House (19 rooms)	8	4	4	8	4	4
Restaurant (304 m^2 GLA)	2	1	1	32	13	19
Specialty Retail (377 m^2 GLA)	2	1	1	9	4	5
TOTAL	**12**	**6**	**6**	**49**	**21**	**28**

For **Scenario 1**, a total of **12** (6 inbound; 6 outbound) and **49** (21 inbound; 28 outbound) potential additional peak-hour trips could be generated by the proposed development during the weekday AM and PM peak-hours, respectively.

Table 3: *Potential Peak-Hour Trip Generation – Scenario 2*

Land use	AM Peak-Hour			PM Peak-Hour		
	Total	**In**	**Out**	**Total**	**In**	**Out**
Guest House (19 rooms)	8	4	4	8	4	4
Function Venue (120 seats)	0	0	0	54	49	5
TOTAL	**8**	**4**	**4**	**62**	**53**	**9**

For **Scenario 2**, a total of **8** (4 inbound; 4 outbound) and **62** (53 inbound; 9 outbound) potential additional peak-hour trips could be generated by the proposed development during the weekday AM and PM peak-hours, respectively.

It should be noted that the total potential trip generation for the two scenarios is relatively similar, with the primary difference being the directional split of trips during the PM peak hour.

4.4 TRIP DISTRIBUTION

The potential peak-hour trips were distributed to the road network via the accesses as mentioned in ***Section 2.2.2*** above.

Trips associated with the tourist accommodation component were assumed to utilise the Middagkrans Road access, with all traffic travelling to and from the northwest along Middagkrans Road in the direction of Franschhoek.

Trips associated with the restaurant/function venue, wine-tasting facility and olive press and tasting facility were assumed to utilise the Excelsior Road access. It was assumed that 80% of these trips would travel to and from the northwest in the direction of Franschhoek, while the remaining 20% would travel to and from the southeast, representing visitors originating from surrounding tourist accommodation establishments.

These distributed peak-hour trips for the two scenarios are indicated in ***Figure 3*** and ***Figure 4*** below.

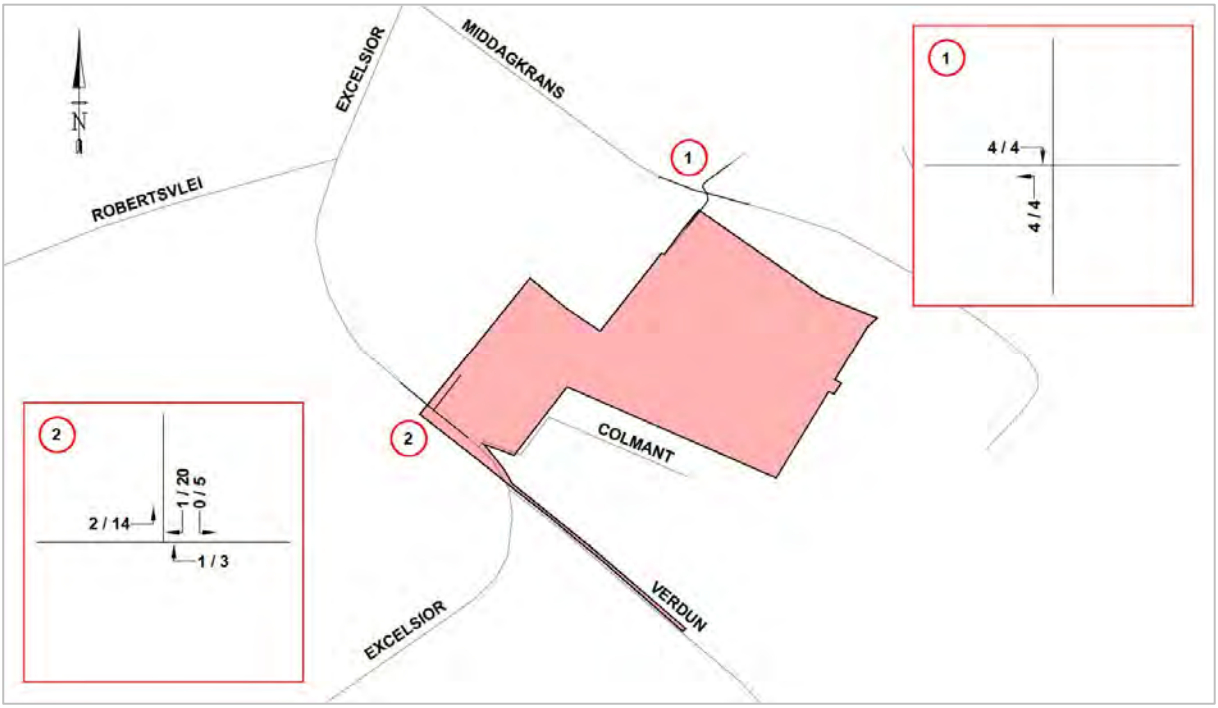


Figure 3: *Distribution of proposed development's potential AM / PM peak-hour trips – Scenario 1*

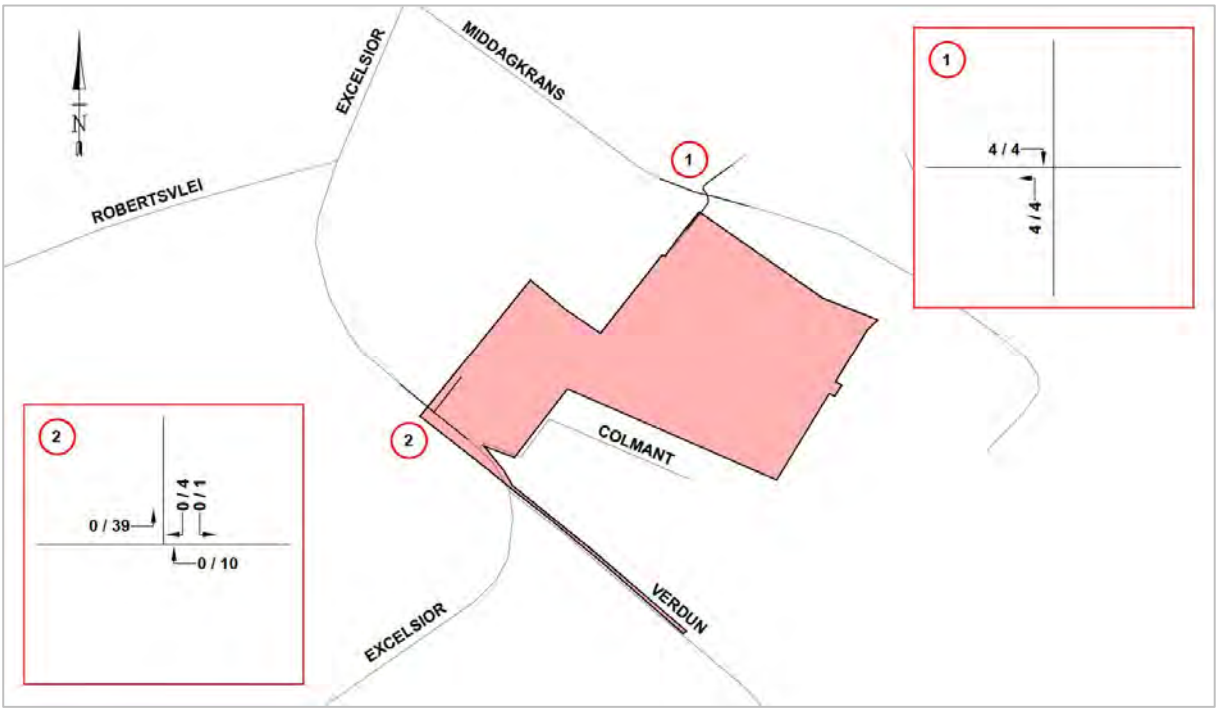


Figure 4: *Distribution of proposed development's potential AM / PM peak-hour trips – Scenario 2*

When these potential peak-hour development trips are added to the projected 2031 background traffic volumes presented in ***Section 4.2***, the respective total expected 2031 peak-hour volumes are as shown in ***Figure 5*** and ***Figure 6***.

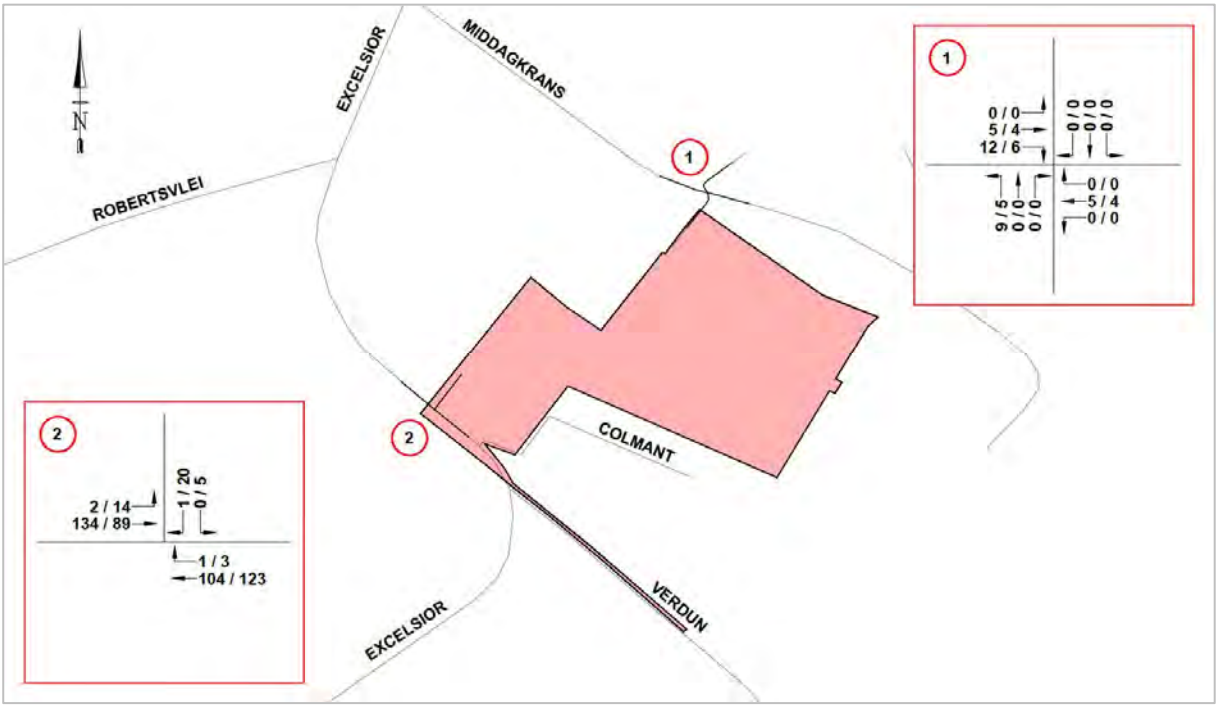


Figure 5: *Total expected 2031 AM / PM peak-hour traffic volumes – Scenario 1*

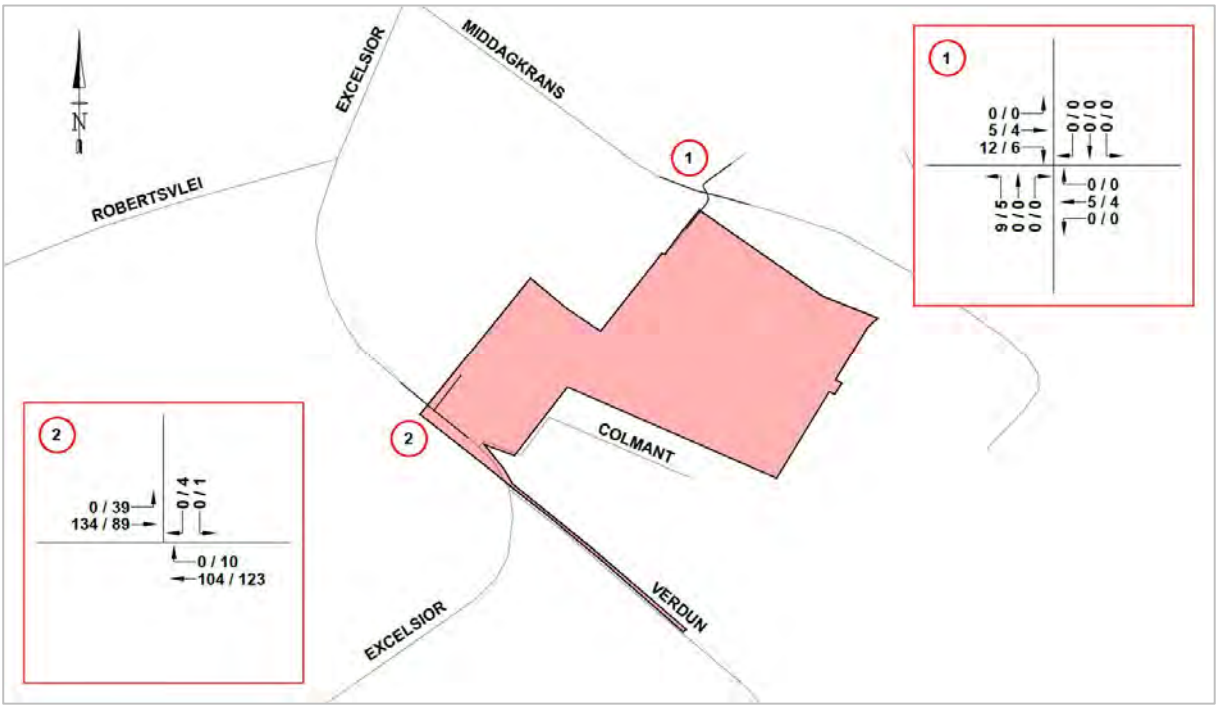


Figure 6: *Total expected 2031 AM / PM peak-hour traffic volumes – Scenario 1*

4.5 TRAFFIC ANALYSIS

Traffic analyses of the intersections were done by means of the SIDRA Intersection 10 software. Service levels A to D are considered acceptable, with D the critical.

The intersections as analysed consist of lane layouts as described below.

1. Middagkrans Road / La Providence Access / Subject Property Access

This intersection is currently stop-controlled on the side street approaches, with free-flow conditions along Middagkrans Road. All approaches to the intersection consist of one lane per direction. The existing lane layout at the intersection is indicated in ***Diagram 3*** below.



Diagram 3: *Existing lane layout of the Middagkrans Road / La Providence Access / Subject Property Access intersection*

2. Excelsior Road / Subject Property Access

This T-intersection is proposed to be stop-controlled on the side street approach, with free-flow conditions along Excelsior Road. All approaches to the intersection consist of one lane per direction. The existing lane layout at the intersection is indicated in ***Diagram 4*** below.



Diagram 4: *Existing lane layout of the Excelsior Road / Subject Property Access intersection*

4.5.1 Analysis of Existing and Projected Peak-Hour Volumes (excluding Proposed Development)

1. Middagkrans Road / La Providence Access / Subject Property Access

According to the SIDRA analyses, during the existing AM and PM peak-hours, Level of Service (LOS) A is experienced on both the free-flow Middagkrans Road approaches and the stop-controlled side street approaches.

During the projected 2031 peak-hours, LOS A is expected to continue on all approaches with marginal increase in queuing/delays on side street approaches.

It can thus be concluded that no upgrades are required at the analysed Middagkrans Road/La Providence Access/Subject Property Access intersection to accommodate the projected 2031 background peak-hour traffic.

2. Excelsior Road / Subject Property Access

According to the SIDRA analyses, during the existing AM and PM peak-hours, LOS A is experienced on the free-flow Excelsior Road approaches, while LOS B is experienced on the stop-controlled side street approach during the AM peak-hour and LOS A during the PM peak-hour.

During the projected 2031 peak-hours, the existing LOS is expected to continue on all approaches with marginal increase in queuing/delays on side street approaches.

It can thus be concluded that no upgrades are required at the analysed Excelsior Road/Subject Property Access intersection to accommodate the projected 2031 background peak-hour traffic.

4.5.2 Analysis of Total Expected Peak-Hour Volumes (including Proposed Development)

1. Middagkrans Road / La Providence Access/Subject Property Access

According to the SIDRA analyses, during the 2031 AM and PM peak-hours, with the increase in traffic at the intersection due to the proposed development, LOS A is expected to be experienced on both the free-flow Middagkrans Road approaches and the stop-controlled side street approaches for both potential trip generation scenarios (as discussed in ***Section 4.3***).

It can thus be concluded that no upgrades are required at the analysed Middagkrans Road/La Providence Access/Subject Property Access intersection to accommodate the proposed development peak-hour traffic.

2. Excelsior Road / Subject Property Access

According to the SIDRA analyses, during the 2031 AM and PM peak-hours, with the increase in traffic at the intersection due to the proposed development, LOS A is expected to be experienced on the free-flow Excelsior Road approaches for both scenarios. On the stop-controlled side street approach, LOS B is expected during the AM peak-hour and LOS A during the PM peak-hour for both scenarios.

It can thus be concluded that no upgrades are required at the analysed Excelsior Road/Subject Property Access intersection to accommodate the proposed development peak-hour traffic.

5 SITE ASSESSMENT

5.1 ACCESS ARRANGEMENT

5.1.1 Intersection Spacing

The proposed development will utilise the existing access point Middagkrans Road, with an additional proposed access point on Excelsior Road as shown in ***Diagram 5*** below.

An assessment of the existing access spacing was undertaken in accordance with the WCG Access *Management Guidelines* (AMG). Based on the functional classifications of Excelsior Road as a Class 3 Divisional Road and Middagkrans Road as a Class 4 Minor Road, and considering the surrounding semi-rural *Roadside Development Environment* (RDE), the existing access spacing complies with the minimum spacing requirements prescribed in the AMG. Accordingly, the existing accesses are considered acceptable from an access management perspective and no modifications to the access spacing are required.

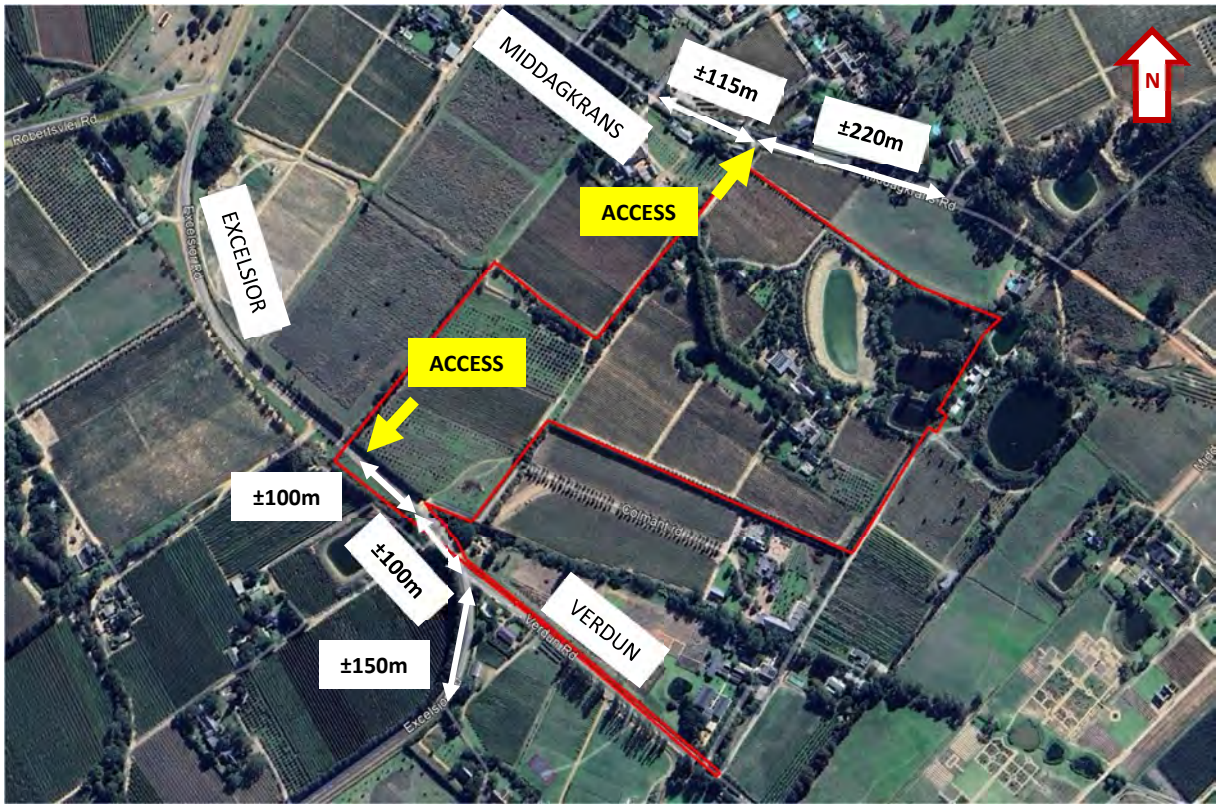


Diagram 5: *Intersection Spacing*

5.1.2 Layout and Access Control

Details of access control are currently not provided, however, based on location of existing gates, it should be ensured that gates remain open during operating hours to ensure no queue back into surrounding public roads.

5.1.3 Sight Distance

According to the WCG AMG, the minimum shoulder sight distance at the proposed Excelsior Road access is approximately 155m for a passenger car entering a 7.5m wide road with an operating speed

of 80 km/h. The available sight distances to the southeast and northwest of the access along Excelsior Road were deemed sufficient.

5.2 INTERNAL CIRCULATION

The internal on-site circulation is assumed to be via existing gravel roads. Based on the proposed land uses, the existing gravel roads on-site are considered sufficient.

5.3 PARKING

The minimum off-street parking requirements as specified in the Stellenbosch *Municipal Zoning Scheme* and summarised in ***Table 4*** apply to the new uses of the subject property.

Table 4: *Minimum Off-Street Parking Requirements for Proposed Development*

Land Use	Required Bays	Total Required (Scenario 1)	Total Required (Scenario 2)
Guest House (19 rooms)	1 bay/bedroom or suite	19	19
Restaurant (304 m^2 GLA)	4 bays per 100 m^2 GLA	12	n/a
Function Venue (120 seats)	0,25 bays/seat	n/a	30
Specialty Retail (377 m^2 GLA)	4 bays per 100 m^2 GLA	15	n/a
TOTAL		**46**	**49**

A total minimum of **49** parking bays is required for the proposed development.

According to the SDP, 35 parking bays are provided in the vicinity of the proposed new building, which will accommodate the restaurant/venue, wine-tasting facility and olive press and tasting facility. The proposed parking provision is considered sufficient to accommodate the parking demand generated by these facilities, as set out in ***Table 4*** above. The 19 parking bays required for the guest accommodation will be provided informally in the immediate vicinity of the respective accommodation units. Sufficient space is available on the property to accommodate these vehicles without the need for additional formal parking areas.

5.4 REFUSE COLLECTION

It is expected that refuse removal will continue as per current practice.

6 PROPOSED TRANSPORT IMPROVEMENTS

6.1 PROPOSED ROAD NETWORK IMPROVEMENTS

Based on the traffic analyses, no external road upgrades are considered necessary to accommodate the proposed development traffic.

6.2 PUBLIC TRANSPORT AND NON-MOTORISED TRANSPORT (NMT)

From the land uses, locality and extent of the proposed development, no additional public transport or non-motorised transport (NMT) are deemed necessary to accommodate the proposed development.

7 CONCLUSION

This Traffic Impact Assessment (TIA) accompanies the application for consent use and additional use on Farm 1753, Paarl (Franschhoek). Based on the traffic analyses undertaken, the surrounding road network is expected to adequately accommodate the additional traffic generated by the proposed development, and no external road upgrades are considered necessary.

8 RECOMMENDATIONS

From the above it is recommended that the proposed development on the subject property be considered for approval from a traffic impact perspective.

We trust that the Traffic Impact Assessment will be to your satisfaction and will gladly provide any additional information required on request.

Compiled by:

Frederick Louw (BEng)

Yolandi Obermeyer (BEng)

UDS AFRICA

ANNEXURE A

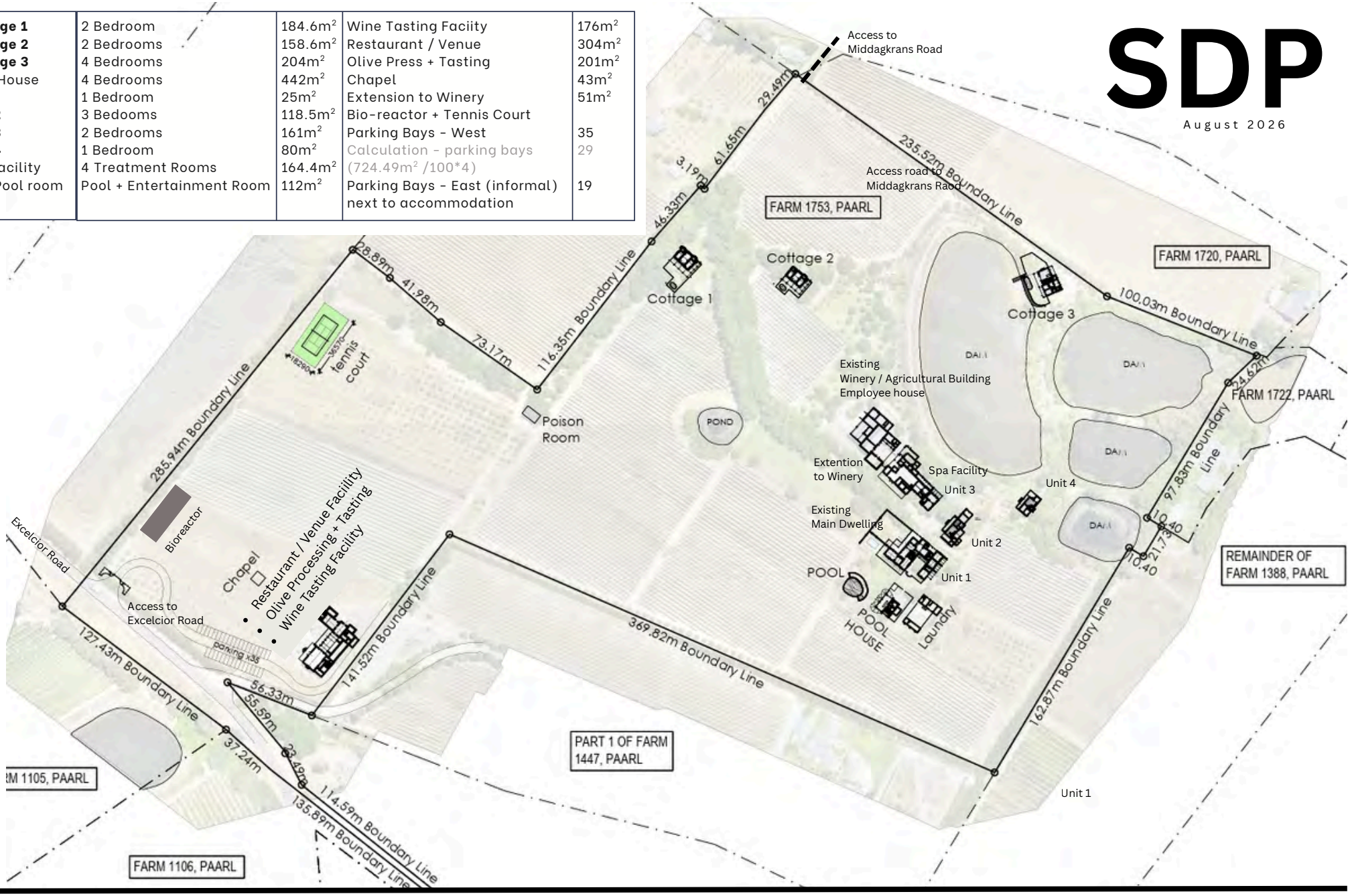
SDP:

'Site Development Plan' (*Urban Rural South Africa Planning Practioners*)

Cottage 1	2 Bedroom	184.6m²	Wine Tasting Faciity	176m²
Cottage 2	2 Bedrooms	158.6m²	Restaurant / Venue	304m²
Cottage 3	4 Bedrooms	204m²	Olive Press + Tasting	201m²
Main House	4 Bedrooms	442m²	Chapel	43m²
Unit 1	1 Bedroom	25m²	Extension to Winery	51m²
Unit 2	3 Bedooms	118.5m²	Bio-reactor + Tennis Court	
Unit 3	2 Bedrooms	161m²	Parking Bays - West	35
Unit 4	1 Bedroom	80m²	Calculation - parking bays	29
Spa Facility	4 Treatment Rooms	164.4m²	(724.49m² /100*4)	
New Pool room	Pool + Entertainment Room	112m²	Parking Bays - East (informal) next to accommodation	19

SDP

August 2026



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PROJECT NUMBER
A411.2026

urb
urban rural sa

FARM 1753, PAARL (Franschhoek)
SITE DEVELOPMENT PLAN
Existing + Proposed Development

Annexure

C07

ARCHITECTURAL PLANS