



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/5510

Our File Reference Number: Erf 179, Devonvale

Your Reference Number: J3045

Enquiries: C Charles / B Mdoda

Contact No: 021 808 8699 / 8690

Date: 7 February 2018

REGISTERED MAIL

Dennis Moss Partnership

PO Box 371

Stellenbosch

7599

Sir

APPLICATION FOR APPROVAL OF CONSTITUTIONS AND ARCHITECTURAL AND LANDSCAPE ARCHITECTURE FRAMEWORK ON ERF 179, DEVONVALE GOLF AND WINE ESTATE, STELLENBOSCH

1. This Municipality's letter dated 5 May 2017, refers.
2. The Authorised Employee on 25 January 2018, **approved, in whole** in terms of section 60 of the Stellenbosch Municipal Land Use Planning By-law, promulgated by Notice no 354/2015 dated 20 October 2015, your application:
 - (i) for the constitution of the Devonvale Golf and Wine Estate Phase 2 Home Owners' Association;
 - (ii) for the constitution of the Devonvale Golf and Wine Estate Master Home Owners' Association;
 - (iii) for the Phase 2 Architectural and Landscape Architecture Framework.

Subject to the following conditions in terms of section 66 of the Stellenbosch Municipal Land Use Planning By-law dated 20 October 2015:

- (a) The approval applies only to the constitutions and phase 2 architectural and landscape architecture framework in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;

- (b) Item 3.6 of the Phase 2 Architectural and Landscape Architecture Framework (boundary walls and palisade fencing) – the palisade fencing must have openings not more than 100mm to be able to act as pool protection should pools be installed at a later stage;
- (c) Procedures should be stipulated for the collection and sorting of recyclable materials;
- (d) Provision should be made for centralized containers for recyclable materials including cardboard, glass, metal and plastic and green waste;
- (e) A service provider should be appointed to collect recyclable waste. Such service provider must be legally compliant in terms of all Environmental legislation and/or approved by the Municipality's Solid Waste Management Department;
- (f) Procedures for removal of waste (materials that cannot be reused or recycled) from the site should be stipulated;
- (g) General visual monitoring should be undertaken to identify if these measures are being adhered to;
- (h) Record shall be kept of any steps taken to address reports of dumping or poor waste management within the Department;
- (i) Each party's (developer/owners' association/home owner) responsibilities with regard to waste management and waste minimisation should be clearly defined;
- (j) A set of penalties for non-compliance should be imposed;
- (k) That the Municipality reserves the right to impose further conditions if deemed necessary.

3. Reasons for the above decision are as follows:

- (a) No negative impact is foreseen on the surrounding natural or built environment;
- (b) No objections were received against the application.

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

5. If you intend to appeal, the appeal form, which can be obtained from our Advice Centre; Land Use Management, Ground floor, Plein Street, Stellenbosch or the municipal website at www.stellenbosch.gov.za/planning_portal, must be completed and should be directed to the Appeal Authority and received by the Municipal Manager at P O Box 17, Stellenbosch, 7599 or faxed to 021 886 6899, or hand delivered to the Office of the Municipal Manager, third floor, Plein Street, Stellenbosch within 21 days of notification of this decision together with proof of payment of the appeal fee. (See the approved tariff structure on the municipal website: <http://www.stellenbosch.gov.za/documents/idp-budget/2017-2/4873-appendix-3-tariff-book-2017-2018/file>)
6. You are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine. Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.
7. The notice must be served in accordance with section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
8. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
9. Kindly note the above decision is suspended until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully



B.J.G. DE LA BAT
ACTING DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT