



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14051

Our File Reference Number: Erf 12641, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: [REDACTED]

Sir / Madam

APPLICATION FOR THE AMENDMENT OF AN APPROVED SITE DEVELOPMENT PLAN IN TERMS OF SECTION 15(2)(h) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW, 2015: ERF 12641, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the application is made in terms of Section 15(2) (h) of the Stellenbosch Municipal Land Use Planning By-law, promulgated by notice number 354/2015, dated 20 October 2015 for the **Amendment of the approved Site Development Plan** to allow for the conversion of the existing patio and to incorporate this portion with the adjacent shop on Erf 12641, Die Boord, Stellenbosch,

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

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

- 2.2.1 The approval only applies to the proposal under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.
- 2.2.2 The development must be undertaken generally in accordance with the site development plan as referenced (IPIC/DB Rev C, dated 24 February 2022, and drawn by Quoin Studio Architectural and Retail Design Practice) and attached as **Annexure B**.

- 2.2.3 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.
- 2.2.4 The conditions imposed by the **Director: Engineering Services** as contained in their memo dated 22 June 2022, attached as **ANNEXURE C**, be complied with.
- 2.2.5 Development contributions are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first property or submission of any building plans, whichever occurs first, or as may be agreed on in writing with the Director Infrastructure Services.
- 2.2.6 The conditions imposed by the **Manager: Electrical Services** as contained in their memo dated 28 June 2022, attached as **ANNEXURE D**, be complied with.
- 2.2.7 Building plans must be generally in accordance with the site development plan as referenced (IPIC/DB Rev C, dated 24 February 2022, and drawn by Quoin Studio Architectural and Retail Design Practice) and attached as **Annexure B**.

2.3. The reasons for the above decision are as follows:

- 2.3.1 The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape.
- 2.3.2 The proposal is in line with the existing land use of the property and will not have a negative impact on the character of the surrounding area.

- 3. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.
- 4. Appeals must be submitted with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law. The following prescribed information is accordingly required:

- (a) The personal particulars of the Appellant, including:
 - (I) First names and surname;
 - (II) ID number;
 - (III) Company of Legal person's name (if applicable)
 - (IV) Physical Address;

- (V) Contact details, including a Cell number and E-Mail address;
- (b) Reference to this correspondence and the relevant property details on which the appeal is submitted.
- (c) The grounds of the appeal which may include the following grounds:
 - (i) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000);
 - (ii) grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.
- (d) whether the appeal is lodged against the whole decision or a part of the decision;
- (e) if the appeal is lodged against a part of the decision, a description of the part;
- (f) if the appeal is lodged against a condition of approval, a description of the condition;
- (g) the factual or legal findings that the appellant relies on;
- (h) the relief sought by the appellant; and
- (i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;
- (j) That the appeal includes the following declaration by the Appellant:
 - (i) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
 - (ii) That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.

5. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: landuse.appeals@stellenbosch.gov.za

6. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
7. The approved tariff structure may be accessed and viewed on the municipal website (<https://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs>) and the banking details for the General Account can also be accessed on the municipal website (<https://www.stellenbosch.gov.za/documents/general/8314-stellenbosch-municipality-banking-details-1/file>).
8. An applicant who lodge an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
 - (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
 - (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
 - (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
 - (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.
9. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
10. Kindly note the above decision is suspended, and in the case of any approval, 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 AND ECONOMIC DEVELOPMENT

26/7/2022
DATE

ANNEXURE B

**APPLICATION FOR THE AMENDMENT
OF AN APPROVED SITE
DEVELOPMENT PLAN IN TERMS OF
SECTION 15(2)(h) OF THE
STELLENBOSCH MUNICIPAL LAND USE
PLANNING BYLAW, 2015**

**AMENDED SITE
DEVELOPMENT PLAN**

THE DESIGN ON THIS DRAWING REMAINS THE PROPERTY OF QUOINSTUDIO (PTY) LTD. COPYRIGHT RESERVED.

ALL DIMENSIONS AND LEVELS ARE TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF ANY WORK.

REVISIONS			
REV	DATE	DESCRIPTION	BY
A	23/02/2022	SITE DEVELOPMENT PLAN FOR PROPOSED BUILDING ADDITION.	AJW
B	24/02/2022	ADD COVERED WALKWAY PATIO TO NEW ADDITION.	AJW
C	24/02/2022	ADJUSTMENTS TO PARKING BAY PATIOS.	AJW

DRAWING STATUS:
FOR COUNCIL APPROVAL _____
FOR COUNCIL SUBMISSION _____
FOR TENDER _____
FOR CONSTRUCTION _____
FOR CLIENT _____
FOR SITE _____

CLIENT: **IPIC Properties (Pty) Ltd**
SIGNATURE: *Robert* 25/02/2022

PROJECT:
SITE DEVELOPMENT PLAN
ERF NO: 12641
THE EXISTING SHOPPING CENTRE ON THE REMAINDER OF 12641, DIE BOORD, OFF MAIN ROAD & SAFRAAN AVE.

DRAWING TITLE:
SITE DEVELOPMENT PLAN
ERF NO: 12641

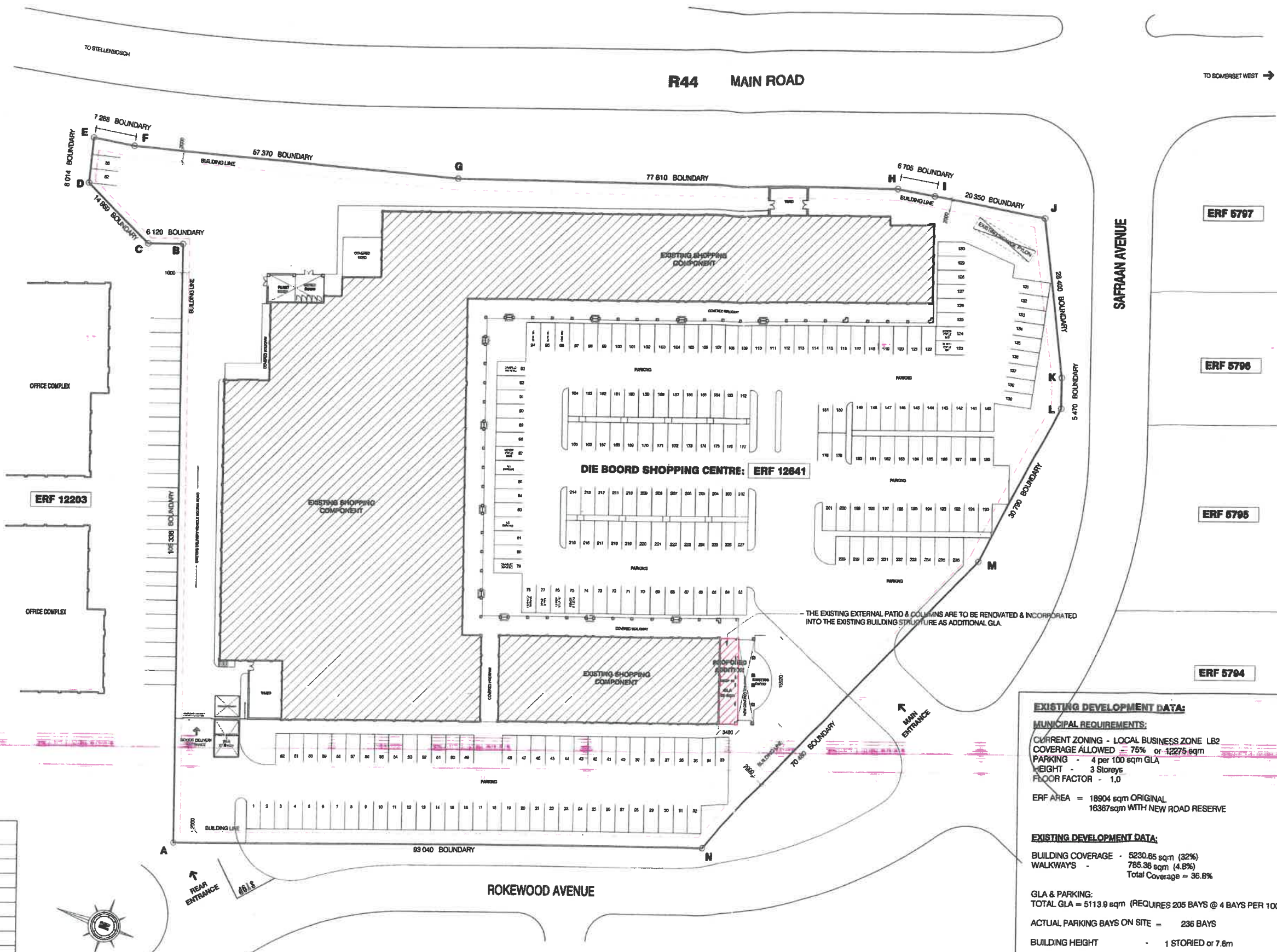
DRAWN BY: **AJW**
CHECKED BY: _____
SCALE: **1 : 500**
DATE: **24/02/2022**
REVISION: **C**
DWG NO: **IPIC/DB**

SIDES	Meters
AB	106 338
BC	6 120
CD	14 969
DE	6 014
EF	7 288
FG	57 370
GH	77 810
HI	6 750
IJ	20 350
JK	28 400
KL	5 470
LM	30 780
MN	70 480
NA	93 040



DIE BOORD CENTRE SITE DEVELOPMENT PLAN

SCALE: 1 : 500



THE EXISTING EXTERNAL PATIO & COLUMNS ARE TO BE RENOVATED & INCORPORATED INTO THE EXISTING BUILDING STRUCTURE AS ADDITIONAL GLA.

EXISTING DEVELOPMENT DATA:
MUNICIPAL REQUIREMENTS:
CURRENT ZONING - LOCAL BUSINESS ZONE LB2
COVERAGE ALLOWED - 75% or 12275 sqm
PARKING - 4 per 100 sqm GLA
HEIGHT - 3 Storeys
FLOOR FACTOR - 1,0
ERF AREA = 18904 sqm ORIGINAL
16387sqm WITH NEW ROAD RESERVE

EXISTING DEVELOPMENT DATA:
BUILDING COVERAGE - 5230.85 sqm (32%)
WALKWAYS - 785.38 sqm (4.8%)
Total Coverage = 36.8%

GLA & PARKING:
TOTAL GLA = 5113.9 sqm (REQUIRES 205 BAYS @ 4 BAYS PER 100 sqm GLA)
ACTUAL PARKING BAYS ON SITE = 236 BAYS
BUILDING HEIGHT - 1 STORED or 7.6m

PROPOSED DEVELOPMENT DATA:
BUILDING COVERAGE - 5282.65 sqm (32.32%)
WALKWAYS - 828.3 sqm (5.1%)
TOTAL COVERAGE = 37.42%

GLA & PARKING:
TOTAL GLA = 5162 sqm (REQUIRES 207 BAYS @ 4 BAYS PER 100 sqm GLA)
ACTUAL PARKING BAYS ON SITE = 236 BAYS
BUILDING HEIGHT - 1 STORED or 7.6m

ERF 11141

ANNEXURE C

**APPLICATION FOR THE AMENDMENT
OF AN APPROVED SITE
DEVELOPMENT PLAN IN TERMS OF
SECTION 15(2)(h) OF THE
STELLENBOSCH MUNICIPAL LAND USE
PLANNING BYLAW, 2015**

**COMMENT FROM THE
DIRECTOR: ENGINEERING
SERVICE**



STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To - Aan: Director: Planning + Economic Development
Att Aandag Nolusindiso Momoti
From - Van: Manager: Development (Infrastructure Services)
Author - Skrywer: Tyrone King
Date - Datum: 22 June 2022
Our Ref - Ons Verw: Civil LU 2326
Your Ref: LU/14051
Re - Insake: Erf 12641, Stellenbosch: Application is made in terms of Section 15(2)(h) of the Stellenbosch Municipality Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015 for the Amendment of the Site Development Plan to enable the conversion of the existing patio into a coffee shop on Erf 12641, Die Boord, Stellenbosch.

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

- 1. Civil Engineering Services**
 - 1.1 No objection, no municipal services are affected.

- 2. Development Charges (DCs) (50m2 GLA added)**
 - 2.1 The following DC's are payable: See **Development Charge Calculation** attached.
 - 2.2 The DC's were calculated by using the 2022/2023 tariff structure. If DC's are paid after 30 June 2023 it will have to be recalculated by using the tariff structure applicable at date of payment.
 - 2.3 The appropriate DC's are payable before building plan approval. If GLA changes, DCs will be re-calculated at building plan stage.

3. Electrical Engineering

3.1 Refer to **Annexure: Electrical**



Tyrone King Pr Tech Eng
MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)

W:\2.0 DEVELOPMENT\00 Developments\2326 () Erf 12641 Stellenbosch (LU-14051)\2326 () Erf 12641 Stellenbosch (LU-14051).doc



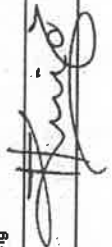

Stellenbosch Municipality

Development Charge Calculation



APPLICATION INFORMATION	
Application Number:	2326 Erf 12641 Stellenbosch (LU-14051)
Date:	14 July 2022
Financial Year:	2022-2023
Erf Location:	Stellenbosch Town
Erf Region:	Urban
Erf No:	12641
DC Parameters Reference:	50m2 GLA (retail) added according to motivation report.

SUMMARY OF DC CALCULATION							
Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Community	Totals
Unit(s):	kl/day	kl/day	ha°C	t/week	trips/day	persons	
Total Increased Services Usage	0.2	0.175	0.0075	0.01	10	0.5	
Total Service Usage Reduction:	0	0	0	0	0	0	
Total Development Charges before Deductions:	R 5 613.47	R 5 405.98	R 1 391.60	R 876.04	R 60 060.00	R 767.53	R 74 114.62
Total Deductions:	R -	R -	R -	R -	R -	R -	R -
Total Payable (excluding VAT):	R 5 613.47	R 5 405.98	R 1 391.60	R 876.04	R 60 060.00	R 767.53	R 74 114.62
VAT:	R 842.02	R 810.90	R 208.74	R 131.41	R 9 009.00	R 115.13	R 11 117.19
Total Payable (including VAT):	R 6 455.49	R 6 216.88	R 1 600.34	R 1 007.45	R 69 069.00	R 882.66	R 85 231.81

APPLICANT INFORMATION	
Application Processed by:	Tyrone King
Signature:	
Notes:	

ANNEXURE D

**APPLICATION FOR THE AMENDMENT
OF AN APPROVED SITE
DEVELOPMENT PLAN IN TERMS OF
SECTION 15(2)(h) OF THE
STELLENBOSCH MUNICIPAL LAND USE
PLANNING BYLAW, 2015**

**COMMENT FROM THE
MANAGER: ELECTRICAL
SERVICES**

ERF 12641

1. No Objection

CONDITIONS:

2. Appropriate caution shall be taken during construction, to prevent damage to existing service cables and electrical equipment in the vicinity. Should damage occur, the applicant will be liable for the cost involved repairing damages.
3. **All electrical work to comply with SANS142 and Municipal electrical by-laws**

Bradley Williams

Date.....28/06/2022.....



Signature