



STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/7003

Our File Reference Number: Erf 221, Raithby

Your Reference Number: Erf 221, Raithby

Enquiries: Pedro April / Nicole Katts

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Private Bag X15

SOMERSET-WEST

7129

Sir / Madam

APPLICATION FOR A TEMPORARY DEPARTURE: ERF 221, RAITHBY

1. The application in the above regard, refers.
2. The Authorised Employee, on 10 October 2019, **approved, in whole** in terms of section 60 of the Stellenbosch Municipal Land Use Planning By-law, promulgated by Notice no 354/2015 dated 20 October 2015, the application for :
 - 2.1 A **temporary departure** in order to utilise $\pm 100\text{m}^2$ of an existing shed for micro-winery purposes on Erf No. 221, Raithby (See **Appendix 2**).
3. **The above approval is subject to the following conditions in terms of Section 66 of the Stellenbosch Municipal Land Use Planning By-law dated 20 October 2015:**
 - 3.1 The approval applies only to the temporary departure in question and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council and external departments;
 - 3.2 The conditions of the Directorate; Engineering Services, in **Appendix 4** at all times be adhered;
 - 3.3 The conditions of the Municipal Spatial Planning, Heritage and Environmental Section, in **Appendix 5** at all times be adhered;

- 3.4 It will be the responsibility of the owners to obtain the necessary approval and comply with any other law, regulation, permits or conditions from external departments with regards to water for irrigation, effluent disposal from the activities and any other applicable activities requiring a separate approval or permit;
- 3.5 The necessary liquor licences must be obtained in terms of the Liquor Act, 1989 (Act 27 of 1989);
- 3.6 That no pollution, may take place on the property;
- 3.7 All electrical requirements should be directed to Eskom, considering that the property falls outside the Stellenbosch area of supply;
- 3.8 The approval will lapse if not implemented within the 5 years from date of final notification.

4. REASONS FOR THE ABOVE DECISION

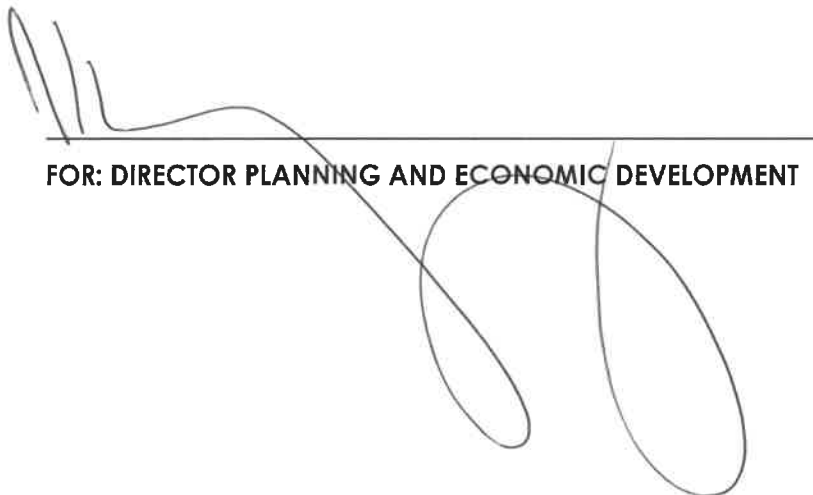
The application is supported for the following reasons:

- 4.1 The proposed land use is in conformance with the principles of the Stellenbosch Municipal Spatial Development Framework in relation to agricultural processing activities.
 - 4.2 The intended facilities and its location on the property will be of a nature that should not be detrimental to the immediate and surrounding areas, if all conditions of approval are complied with.
 - 4.3 No significant heritage and environmental impacts are envisaged by the development.
 - 4.4 Existing access point and access road to the property will be used.
 - 4.5 No objections were raised against the possible impact of the development.
 - 4.6 All required loading and parking to be provided will be onsite.
 - 4.7 Existing services will be used, upgraded or newly built to the satisfaction of the engineering department.
 - 4.8 There are no restrictive title deed conditions registered against the title deed that prohibit the proposed development of the property,
 - 4.9 The proposed land uses are low intensity agricultural processing activities which would not impact negatively on the property and area.
5. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.
 6. If you intend to appeal, the appeal form, which can be obtained from our Advice Centre; Land Use Management, Ground floor, Plein Street, Stellenbosch or the municipal website at www.stellenbosch.gov.za/planning_portal, must be completed and should be directed to the Appeal Authority and received by the Municipal Manager at P O Box 17, Stellenbosch, 7599 or faxed to 021 886 6749, or hand delivered to the Office of the Municipal Manager, third floor, Plein Street, Stellenbosch within 21 days of registration of this decision letter together with proof

of payment of the appeal fee (*only applicable to applicant appeals*). See the approved tariff structure on the municipal website.

7. In the event of an applicant appeal, you as applicant are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine. Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.
8. The notice must be served in accordance with section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
9. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
10. Kindly note the above decision is suspended 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



A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

FOR: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

16/10/19.

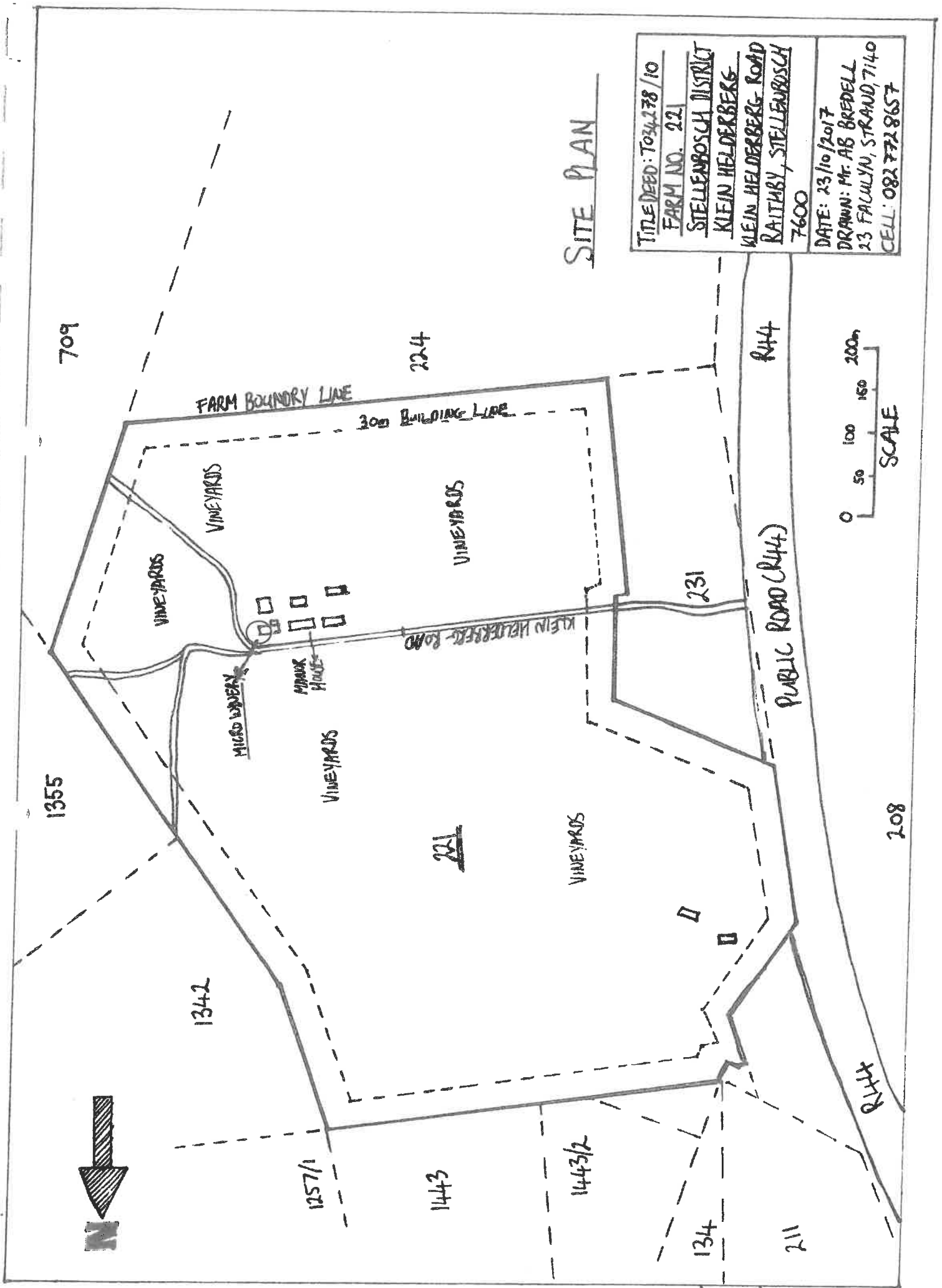
DATE

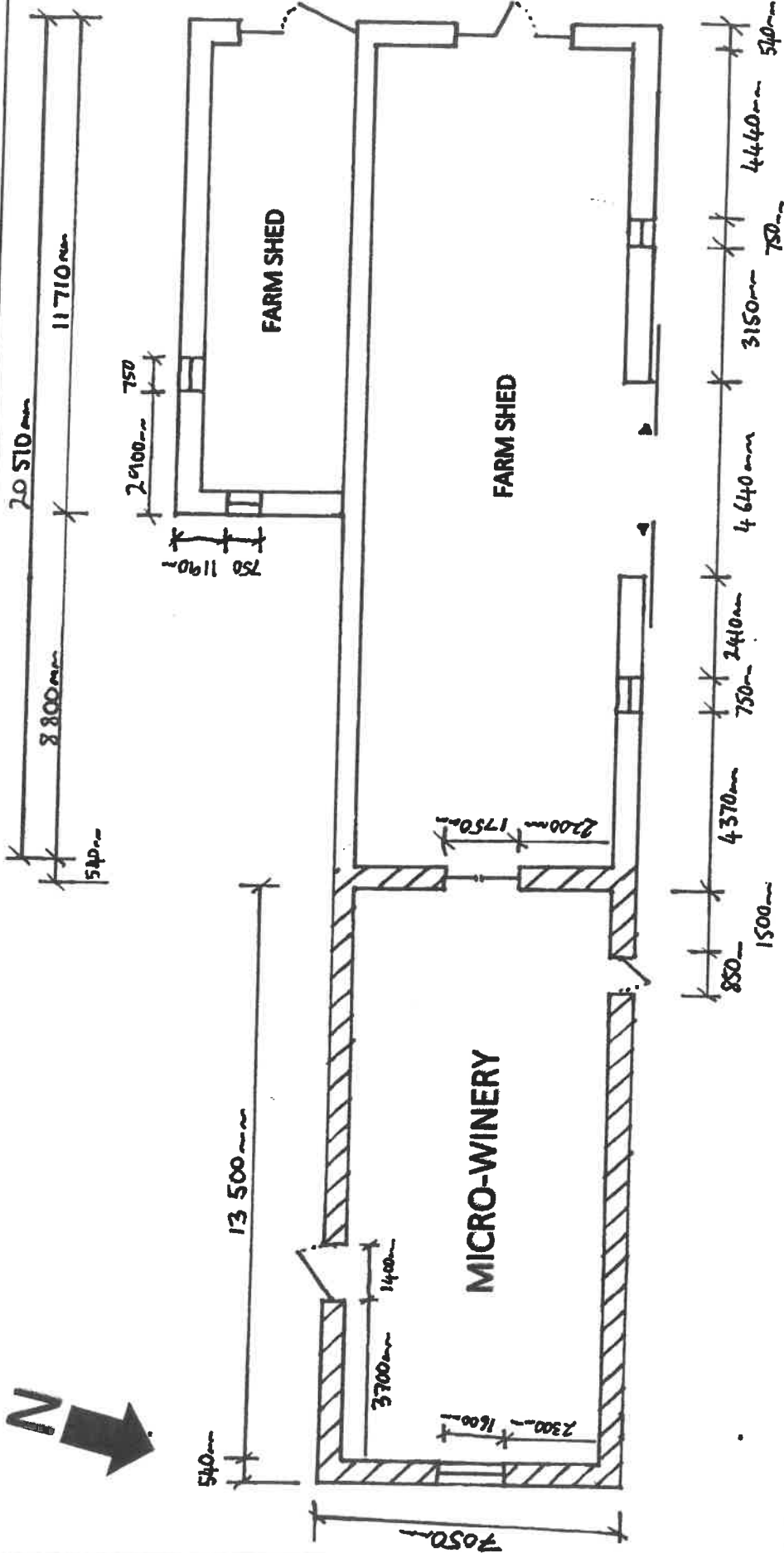
Appendix 2:
Proposed building plan.

A handwritten signature in black ink, consisting of a stylized 'T' followed by a series of horizontal strokes.

SITE PLAN

TITLE DEED: T034178/10
FARM NO. 221
STELLENBOSCH DISTRICT
KLEIN HELDERBERG
KLEIN HELDERBERG ROAD
RAITHBY, STELLENBOSCH
7600
DATE: 23/10/2017
DRAWN: MR. AB BREDELL
23 FACULYN, STRAND, 7140
CELL: 082 772 8657





540
1450
2790
2270
2650
1800

540
8800
20510
11710

750
1190
2910
750

540
13500

3700
1400
2300
1600

1750
2200

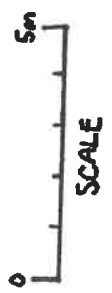
FARM SHED

FARM SHED

850
1500
4370
750
2410
4640
3150
4440
540

FLOOR PLAN OF
"MICRO-WINERY"
Farm no. 221
Klein Helderberg Farm
Klein Helderberg Road, Raithby,
Stellenbosch, 7600

FLOORPLAN ("WINERY")



DATE: 12 OCTOBER 2017
DRAWN: AB BREDELL
CELL: 082 772 8657
23 FACULYN STREET
STRAND
7140

Appendix 4:

Comment from Director: Engineering Services

Tim



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To Aan: Director: Planning + Economic Development
Att Aandag: Mr. U von Molendorff
From Van: JJ. Fourie (Development Services)
Date Datum: 23/04/2018
Our Ref/Ons Verw: Civil LU 1623
Your Ref/U Verw: LU7003
Re Insake: Erf 221 Raithby

The application for a Temporary Departure to use $\pm 100\text{m}^2$ of an existing outbuilding/shed for a Micro-Winery refers:

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

The application for a temporary departure to use an existing outbuilding for a micro-winery is **recommended for approval** subject to the following conditions namely.

1. **Water Supply**
 - 1.1 No municipal potable water available.
 - 1.2 The water supplied and used during the wine making process has to comply to the SANS 241 Drinking Water Quality Standards.
2. **Waste Water/Industrial effluent**
 - 2.1 Waste water/Industrial effluent may not pollute any surface water, stormwater or ground water.
 - 2.2 The use of waste water/industrial effluent may only be used for irrigation once a permit has been obtained from the Department of Water and Sanitation.
 - 2.3 A copy of the permit has to be submitted for record purposes.

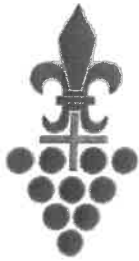
JJ. Fourie

Development Services (Engineering Services)

JJF/jj P:\AAUSERS\Joy\KobusF\Memorandums\Memo Erfs\1623 - Erf 221 Raithby\Memo Erf 221 Raithby.docx

Appendix 5:
Comment from Municipal Spatial Planning,
Heritage and Environment Section

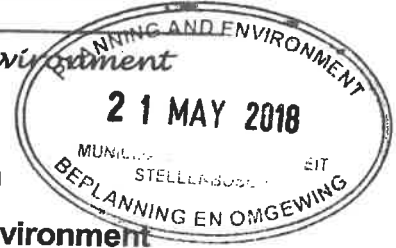
T. M.



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Spatial Planning, Heritage and Environment



To : Head: Customer Interface & Administration
From : Manager: Spatial Planning, Heritage & Environment
Date : 14 May 2018
Re : Application for temporary departure to allow use of existing outbuilding shed for micro winery on Erf 221, Raithby

I refer to your request for comment on the above application.

1) Opinion / reasoning:

In terms of the approved Stellenbosch Municipality MSDF, the subject property is located outside of the approved urban edge. The following principles apply to properties that fall outside the urban edge:

- Land outside of existing and proposed urban settlements should be used for agricultural production, biodiversity conservation, scenic quality and **agri-tourism**;
- Intensification of agriculture, biodiversity conservation and agri-tourism should be promoted in farming areas outside of urban settlements.

The subject property is located outside the urban edge and in principle this department supports agri-tourism uses if it is related to the farm and if the agricultural activities remain the primary use. Tourist related activities can be used as secondary use.

2) Supported / not supported:

This department therefore supports the proposal as the proposal subject to the following conditions.

3) Conditions:

- If any external or internal structural changes are proposed to the existing heritage building, a permit needs to be issued by Heritage Western Cape.
- The primary use must still remain agricultural with tourist related activities operating as a secondary use.

B de la Bat

MANAGER: SPATIAL PLANNING, HERITAGE AND ENVIRONMENT

FILE NR:	
SCAN NR:	E 221 RB
PRODUCER NR:	591949