



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14243

Our File Reference Number: Erf 714, Franschhoek

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 CONSENT USE TO UTILIZE A PORTION OF THE EXISTING BUILDING FOR PURPOSES OF A LIQUOR STORE ON ERF 714, FRANSCHHOEK

1. The above application refers.
2. The duly authorised decision maker hereby decides on the above application as follows.
 - 2.1 That the application in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015 for a **Consent Use** to utilize a portion of the existing building for purposes of a liquor store on Erf 714, Huguenot Street, Franschhoek,

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

3. The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:
 - 3.1 The approval only applies to the proposed application under consideration, as indicated on the referenced (**WD001, dated 02 April 2021**) Site Plan, attached as **ANNEXURE C** and shall not be construed as authority to depart from any other

Page 1 of 5

legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.

3.2 The development must be undertaken generally in accordance with the site plan as referenced **WD001, dated 02 April 2021** and attached as **ANNEXURE C**.

3.3 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.

3.4 Building plans must be generally in accordance with the site plan as referenced **WD001, dated 02 April 2021** and attached as **ANNEXURE C**.

3.5 The conditions imposed by **Manager: Electrical Services** as contained in their email dated 25 August 2022, be complied with (see **ANNEXURE F**);

3.6 The following condition imposed by **Manager: Heritage Section** as contained in their email dated 05 December 2022, be complied with (see **ANNEXURE I**);

3.6.1 The signage application must be submitted to the Heritage Section for approval.

3.7 The area for the liquor shop be limited to $\pm 52,60\text{m}$.

3.8 The proposal must adhere to the Stellenbosch Municipality Liquor Trading hours By-law.

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

4.1 The principle of establishing a bottle store/liquor shop on a business zone property is generally accepted as being a sound planning practice.

4.2 The proposal will not have any impact on the natural or built environment as it will be operated from an existing building.

4.3 The proposal is in line with the surrounding land uses of the area.

4.4 It is clearly evident that the proposed use would be compatible with existing developments and will not require additional parking as no additions are proposed.

5. Matters to be noted:

5.1 Building plans be approved by the Municipality prior to any building work commencing.

5.2 A business license and a liquor license be applied for if required.

6. 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.

7. 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:

7.1. 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

7.2. Reference to this correspondence and the relevant property details on which the appeal is submitted.

7.3. 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.

7.4. Whether the appeal is lodged against the whole decision or a part of the decision.

7.5. If the appeal is lodged against a part of the decision, a description of the part.

7.6. If the appeal is lodged against a condition of approval, a description of the condition.

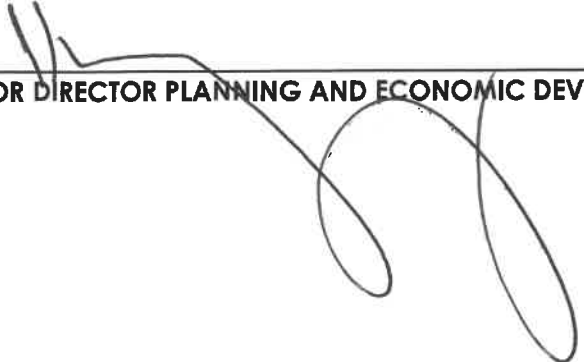
7.7. The factual or legal findings that the appellant relies on.

7.8. The relief sought by the appellant.

- 7.9. Any issue that the appellant wishes the Appeal Authority to consider in making its decision.
- 7.10. 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.
8. 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.
9. 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.
10. The approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za.
11. An applicant who lodges 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.
12. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

13. Kindly note the above decision in the case of any approval, 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



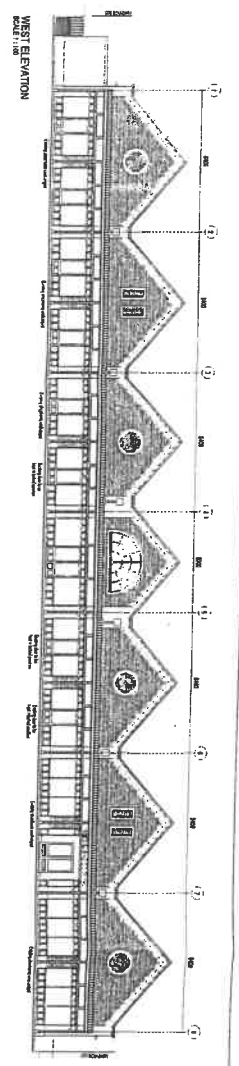
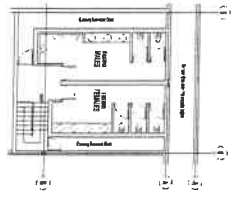
FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

27/3/2023
DATE:

ANNEXURE C

**APPLICATION FOR CONSENT USE TO UTILIZE A PORTION OF THE
EXISTING BUILDING FOR PURPOSES OF A LIQUOR STORE ON ERF
714, FRANSCHHOEK**

SITE DEVELOPMENT/SITE PLAN

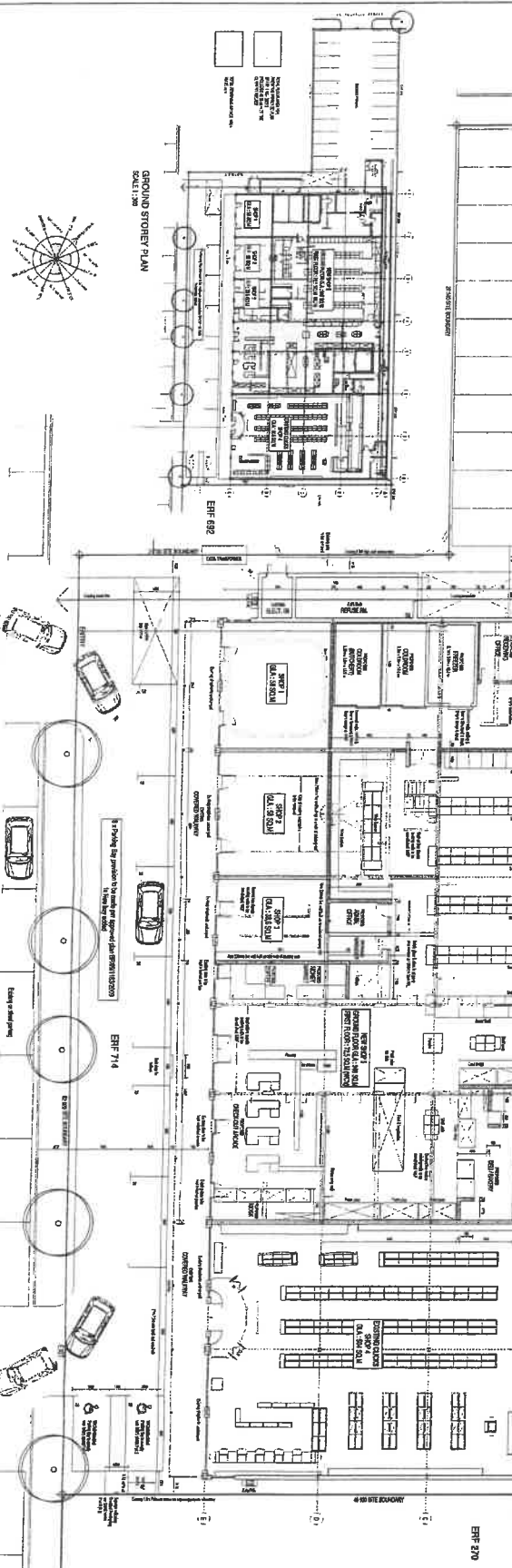
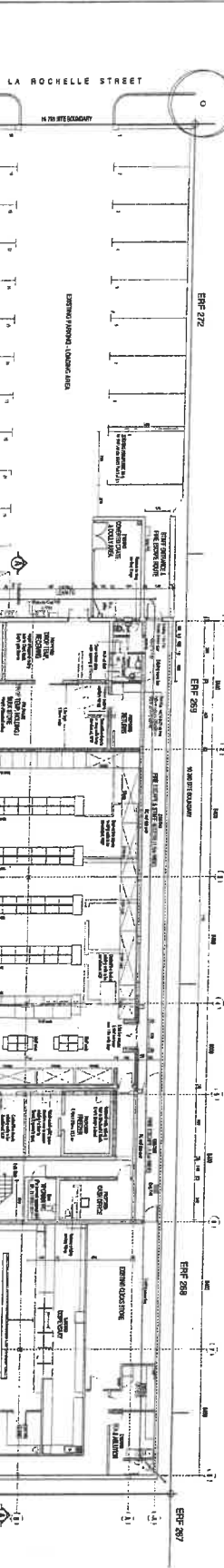
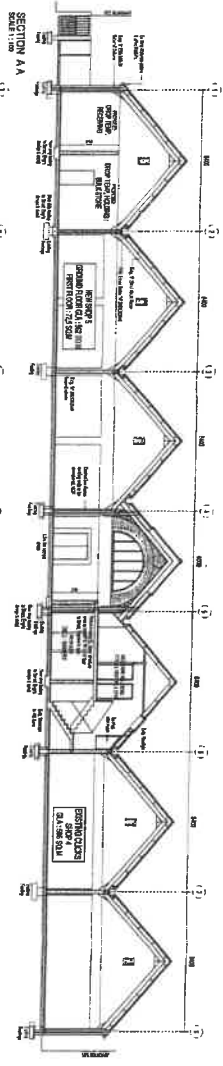


MEZZANINE ELEVATIONS FOR ALL VISITORS & STAFF
SCALE 1:10

SHOP 1000 PLAN 1
SCALE 1:10

SHOP 1000 PLAN 2
SCALE 1:10

SHOP 1000 PLAN 3
SCALE 1:10



NOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
2. ALL WALLS ARE TO BE CONCRETE UNLESS OTHERWISE SPECIFIED.
3. ALL ROOFS ARE TO BE AS SHOWN UNLESS OTHERWISE SPECIFIED.
4. ALL FLOORS ARE TO BE AS SHOWN UNLESS OTHERWISE SPECIFIED.
5. ALL CEILING ARE TO BE AS SHOWN UNLESS OTHERWISE SPECIFIED.
6. ALL LIGHTING IS TO BE AS SHOWN UNLESS OTHERWISE SPECIFIED.
7. ALL MECHANICAL SERVICES ARE TO BE AS SHOWN UNLESS OTHERWISE SPECIFIED.
8. ALL ELECTRICAL SERVICES ARE TO BE AS SHOWN UNLESS OTHERWISE SPECIFIED.
9. ALL SANITARY SERVICES ARE TO BE AS SHOWN UNLESS OTHERWISE SPECIFIED.
10. ALL STRUCTURAL SERVICES ARE TO BE AS SHOWN UNLESS OTHERWISE SPECIFIED.
11. ALL FINISHES ARE TO BE AS SHOWN UNLESS OTHERWISE SPECIFIED.
12. ALL MATERIALS ARE TO BE AS SHOWN UNLESS OTHERWISE SPECIFIED.
13. ALL WORK IS TO BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS 2011.
14. ALL WORK IS TO BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL REGULATIONS 2017.
15. ALL WORK IS TO BE IN ACCORDANCE WITH THE NATIONAL PLUMBING REGULATIONS 2017.
16. ALL WORK IS TO BE IN ACCORDANCE WITH THE NATIONAL MECHANICAL REGULATIONS 2017.
17. ALL WORK IS TO BE IN ACCORDANCE WITH THE NATIONAL LIGHTING REGULATIONS 2017.
18. ALL WORK IS TO BE IN ACCORDANCE WITH THE NATIONAL STRUCTURAL REGULATIONS 2017.
19. ALL WORK IS TO BE IN ACCORDANCE WITH THE NATIONAL FINISHES REGULATIONS 2017.
20. ALL WORK IS TO BE IN ACCORDANCE WITH THE NATIONAL MATERIALS REGULATIONS 2017.

REVOLUTIONS

NO.	DATE	BY	DESCRIPTION
1	15/10/2018	JM	ISSUED FOR PERMIT
2	20/10/2018	JM	REVISED TO SHOW PERMIT CONDITIONS
3	25/10/2018	JM	REVISED TO SHOW PERMIT CONDITIONS

APP. NO. 1

PROJECT: 1000

CLIENT: 1000

DATE: 15/10/2018

SCALE: 1:50

PROJECT: 1000

CLIENT: 1000

DATE: 15/10/2018

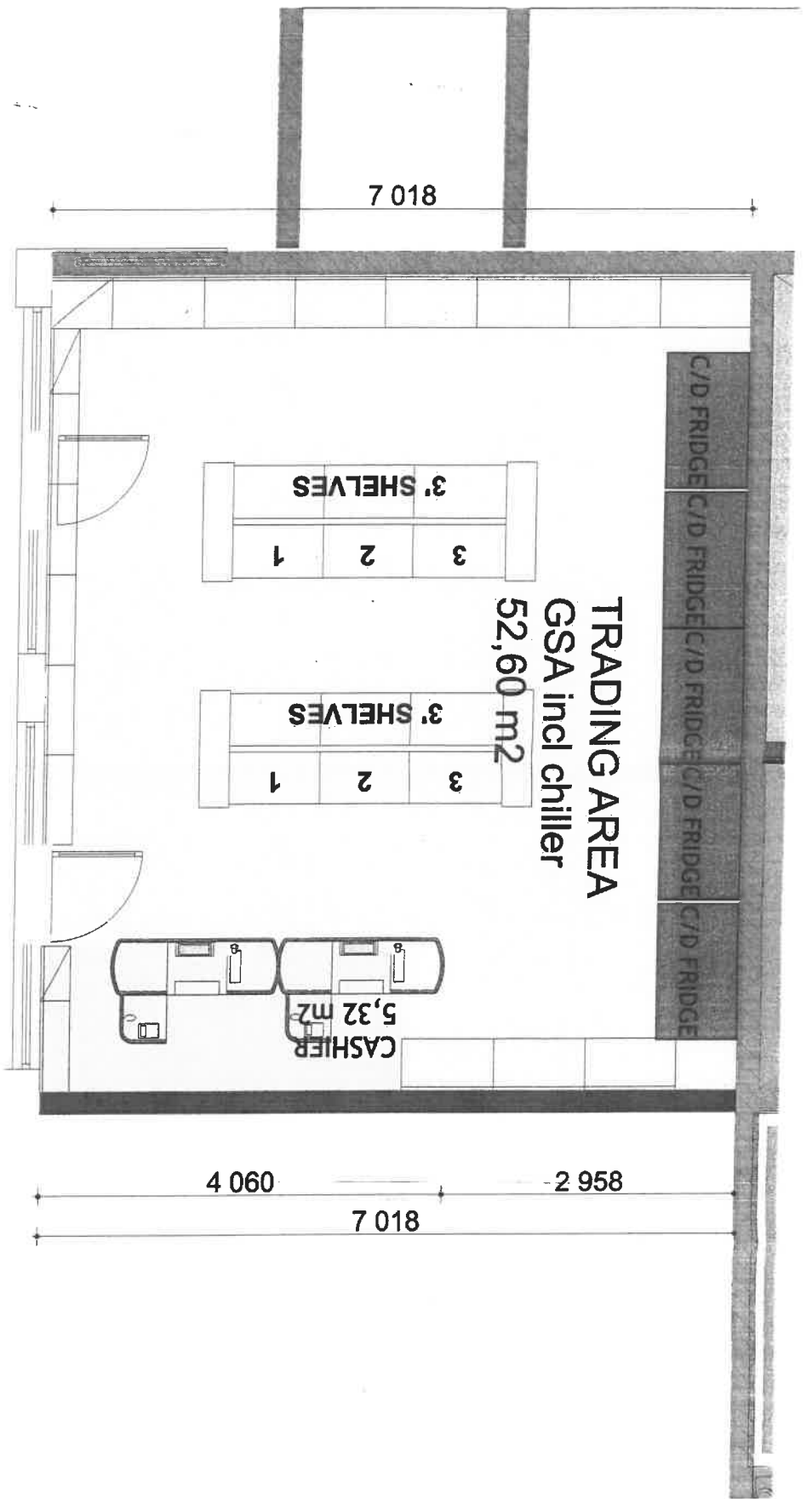
SCALE: 1:50

PROJECT: 1000

CLIENT: 1000

DATE: 15/10/2018

SCALE: 1:50



REG. NO. 1929/001817/07 (PTY) LTD
PROPERTY DIVISION

HEAD OFFICE
 CNR WILLIAM DABS &
 OLD PAARL ROADS,
 BRACKENFELL, 7560
 P O BOX 1160,
 BRACKENFELL, 7561
 SOUTH AFRICA
 TEL: 27 (0) 21 980 4400
 FAX: 27 (0) 21 980 4450

DRAWING INFO

PATH	Z:\WESTERN CAP-EO3 - CHECKERS FOODS\FRANSCHOEK FOODS (70382)\FRANSCHOEK
DESIGNED	Heinrich
DATE	22 04 2022
GLA	58 m ²

FRANSCHOEK
CHECKERS FOODS
LIQUOR SHOP



ANNEXURE F

**APPLICATION FOR CONSENT USE TO UTILIZE A PORTION OF THE
EXISTING BUILDING FOR PURPOSES OF A LIQUOR STORE ON ERF
714, FRANSCHHOEK**

**COMMENT FROM THE MANAGER:
ELECTRICAL SERVICES**

Development Admin

From: Martin Slabber
Sent: Thursday, 25 August 2022 09:42
To: Nolusindiso Momoti
Subject: RE: APPLICATION FOR CONSENT USE ON ERF 714, FRANSCHHOEK: COMMENT

GENERAL: None

CONDITIONS: If any electrical services have to move-, remove-, change or upgrade - apply via recoverable cost application, for applicants cost.

Subject to SANS 10142,204-1-2008, energy savings and efficiency implementation and Municipal bylaws - Only existing electrical connection is available.

1.Installation of 10A electrical contole units 2.Solar water heating/heat pump intallation 3.Energy efficient lighting

4.Roof insulation 5.Cooking with gas

fired appliances 6.Controle air condition equipment with energy saving devices 7.Preat at least 50% of hot water with alternative energy savings devices

TX

Groete:
Martin Slabber
Supt. Dwarsrivier Elect.
Engineering Services



Martin.slabber@stellenbosch.gov.za

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T: + 27 21 808 8338

www.stellenbosch.gov.za



www.facebook.com/stellenboschmunicipality



twitter.com/StellMun

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PO Box 17, Stellenbosch, 7599

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Published at the following link: <http://www.stellenbosch.gov.za/main/pages/disclaimerpage.htm>

From: Nolusindiso Momoti <Nolusindiso.Momoti@stellenbosch.gov.za>
Sent: Wednesday, 24 August 2022 10:48
To: Martin Slabber <Martin.Slabber@stellenbosch.gov.za>
Subject: APPLICATION FOR CONSENT USE ON ERF 714, FRANSCHHOEK: COMMENT

ANNEXURE I

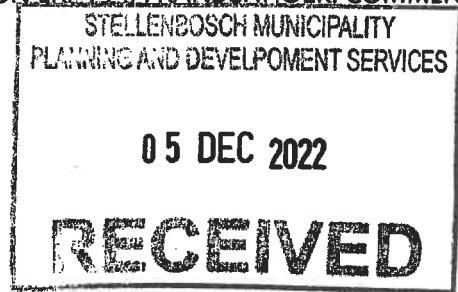
**APPLICATION FOR CONSENT USE TO UTILIZE A PORTION OF THE
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714, FRANSCHHOEK**

COMMENT FROM THE MANAGER:
HERITAGE PLANNING

Charlene Williams

11

From: Nolusindiso Momoti
Sent: Monday, 05 December 2022 11:05
To: cornelia@icaplan.co.za
Cc: Charlene Williams
Subject: FW: APPLICATION FOR CONSENT USE ON ERF 714, FRANSCHHOEK: COMMENT



Good day Cornelia,

Please find below comment from Heritage department.



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

T: +27 21 808 8673; F + 27 21 886 6899
43 Andringa Str, Eikestad Mall, 3rd
Floor
www.stellenbosch.gov.za



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FILE NR:
SCAN NR: E 714 FA
COLLABORATOR NR: 740523

From: Kaizer Makati <Kaizer.Makati@stellenbosch.gov.za>
Sent: Monday, 05 December 2022 09:47
To: Nolusindiso Momoti <Nolusindiso.Momoti@stellenbosch.gov.za>
Cc: Katherine Robinson <Katherine.Robinson@stellenbosch.gov.za>
Subject: RE: APPLICATION FOR CONSENT USE ON ERF 714, FRANSCHHOEK: COMMENT

Dear Nolusindiso

Heritage does not have any objection for the proposed consent use on the above mentioned property. The signage application must be submitted to Heritage Section.



Kind regards,
Kaizer Makati
Heritage Planner
Heritage Resource Management
Planning & Economic Development

T: +27 21 808 8603 Cell: 060 641 4074
Email: Kaizer.Makati@stellenbosch.gov.za

