



STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/13247

Our File Reference Number: Farm 1075/14, Paarl

Your Reference Number: 1075/14 – 5/21

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: FARM NO. 1075/14, PAARL DIVISION

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the following application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015 for a consent use for a tourist facility in terms of Section 15(2)(o) of the said Bylaw to use an existing $\pm 14\text{m}^2$ offices space in an agricultural outbuilding, as a tourist facility to operate an onsite and online wine sales area on Farm 1075/14, Paarl Division.

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 for consent use under consideration, as indicated on the relevant site / floor layout plan in **ANNEXURE B** 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.
 - 3.2 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.

3.3 The development be undertaken generally in accordance with the site plan as referenced (Drawing LR3-100 dated 03/08/2020 drawn by Architects Incorporated) and attached as **ANNEXURE B**.

3.4 Building plans be generally in accordance with the floor layout plan as referenced (unreferenced floor layout plan) and attached as **ANNEXURE B**.

3.5 Only the Farm No. 1075/14, Paarl Division labelled wines produced on the property or produced from grapes cultivated on the property be sold from the proposed ±14m² wines sales area.

3.6 Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the approval of any building plans, if applicable.

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

4.1 The proposed facility will be operated behind a controlled access, predominantly serve clients to the tourist facilities on the property, will partially be online with minimum additional traffic impact, operated from an existing office space and operated from a building which is well screen from the surrounding property owners, with no negative impact envisaged.

5. 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.

6. 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.

7. 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

8. 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.

9. 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>).
10. 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.
11. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
12. 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

35/1/2023
DATE

ANNEXURE B

Proposed site and building floor layout
plans

GENERAL NOTES

Client drawings to be taken in preference to any other drawings, and any discrepancies to be reported to the designer for resolution before any work is put in hand.
This drawing is copyright and remains the property of Lockhart-Remondini. It may not be retained, copied, or used in any way without the designer's written consent.

REVISION DATE

1. 15/01/2020 New Drawing
2. 01/02/2020 Revised Drawing

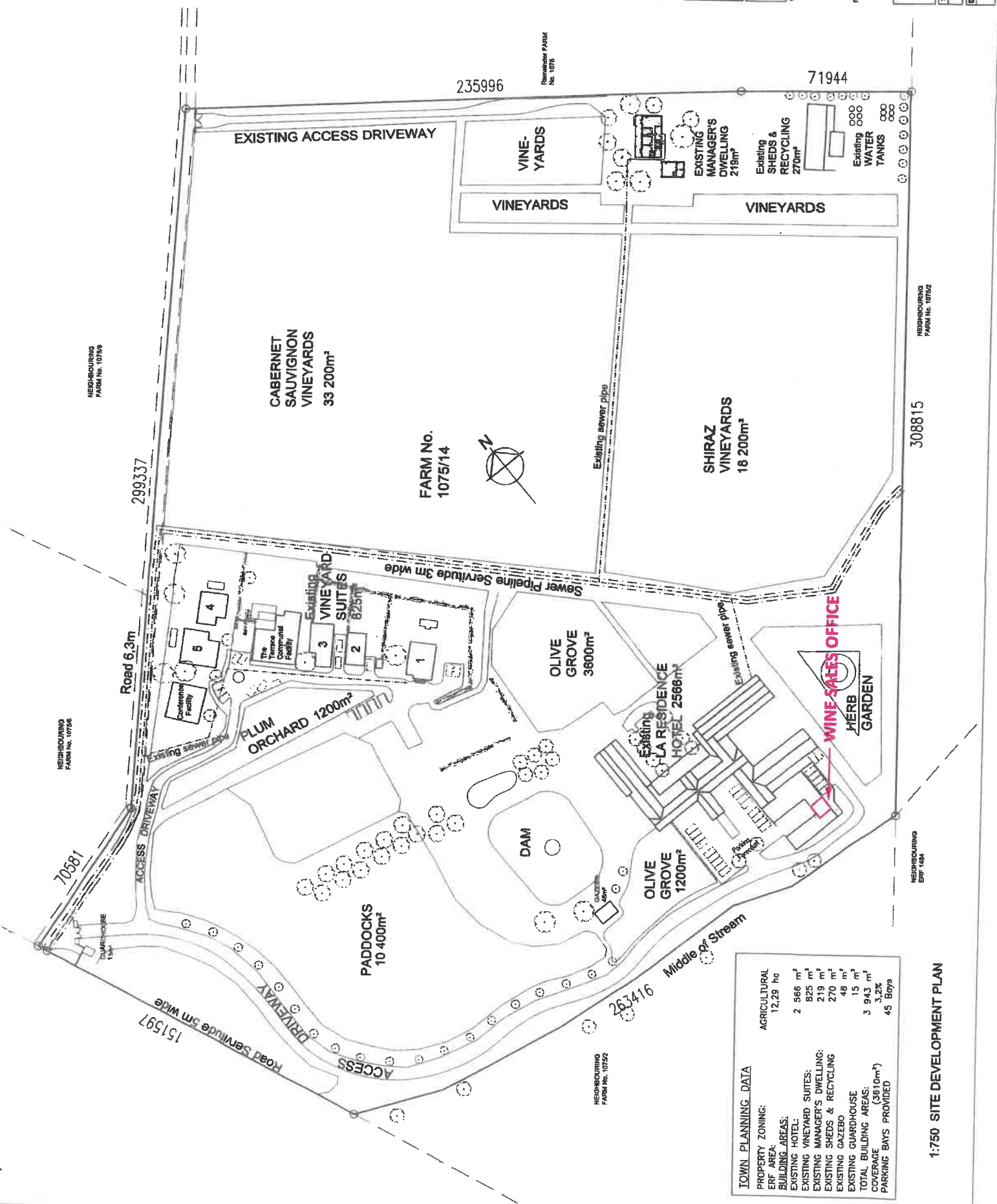
OWNER: [Redacted]
DATE: [Redacted]
CLIENT: [Redacted]

DESIGNER: [Redacted]
DATE: [Redacted]
CLIENT: [Redacted]

PROJECT: [Redacted]

DRAWING: SITE DEVELOPMENT PLAN

SCALE:	DRAWN BY:	DATE:
1:750	SPS	03 08 2020
DRAWING NUMBER:	REV:	
LR3-100	B	

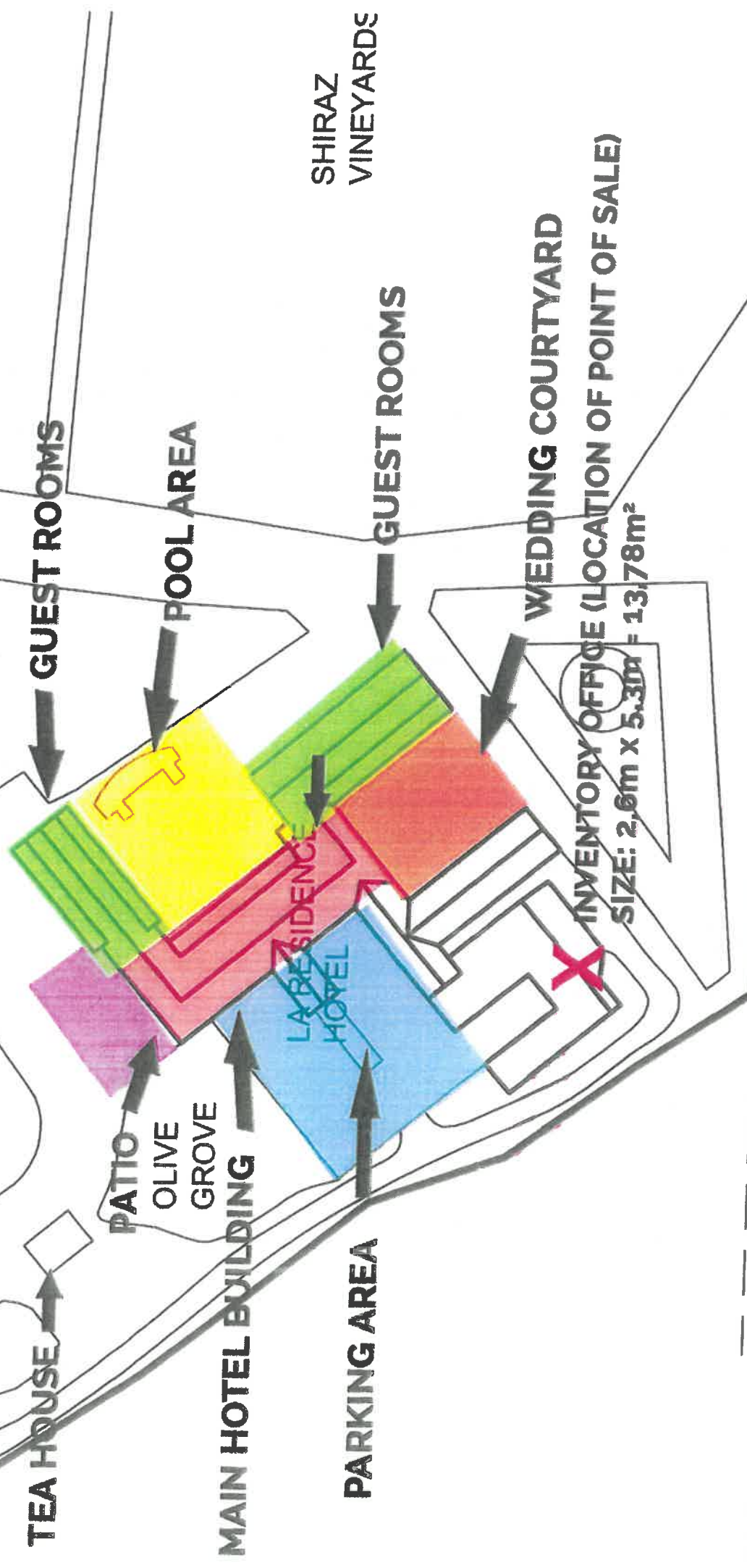


TOWN PLANNING DATA

PROPERTY ZONING:	AGRICULTURAL
ERP AREA:	12.29 ha
BUILDING AREAS:	2 566 m ²
EXISTING VINEYARD SUITES:	825 m ²
EXISTING HOTEL:	219 m ²
EXISTING MANAGER'S DWELLING:	270 m ²
EXISTING SHEDS & RECYCLING:	48 m ²
EXISTING GARAGE:	15 m ²
EXISTING GUARDHOUSE:	3 943 m ²
TOTAL BUILDING AREAS:	(3610 m ²)
COVERAGE:	3.2%
PARKING BAYS PROVIDED:	45 Bays

1:750 SITE DEVELOPMENT PLAN

OVERVIEW MAP OF HOTEL AREA



**PLEASE NOTE: LA RESIDENCE (PTY) LTD. ALREADY HAS A VALID ON-CONSUMPTION LIQUOR LICENSE - LICENSE NUMBER WCP/036057

Location of Sales Office within Building

ERF 27

108 810

3m building line

Location
of
Sales Office



22600

EXIST HOTEL

AGRICULTURAL
BUILDING

18000

STREAM

32m building line

ERF

Farm 1075/14

262 700

PORTION 13

Floor Plan Indicating Location of Sales Office

22550

