



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/12038

Our File Reference Number: Farm 127/24, 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

APPLICATION FOR CONSENT USE: FARM NO. 127/24, STELLENBOSCH 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 applications in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, on Farm No. 127/24, Stellenbosch Division, namely:
 - 2.1.1 **Consent Use** for a tourist facility in terms of Section 15(2)(o) of the said by-law to utilise the existing approved farm shed (375m²) as a function venue;

BE APPROVED in terms of Section 60 of the said Bylaw and subject to the following conditions of approval in terms of Section 66 of the said Bylaw:

3. Conditions of approval:

- 3.1 The approval applies only to the application under consideration as indicated on Site Development Plan no: 1278-04 and Floor plan no: 2019/02-M1 dated 27/02/19, Drawn by Mitchell's Drafting Solutions and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.

- 3.2 The development shall be implemented substantially in accordance with the Site Development Plan referenced as no: 1278-04 and Floor plan No: 2019/02-M1 dated 27/02/19, Drawn by Mitchell's Drafting Solutions and attached as **Annexure D**.
- 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 The conditions imposed by the Director: Engineering Services as contained in their memo dated 28 January 2021, attached as **Annexure K**, be complied with.
- 3.5 The tourist activities should be subservient or related to the dominant agricultural use of the property.
- 3.6 The current access onto Main Road 172 (\pm 7.85 km LHS) shall remain the only access to Farm 127/24.
- 3.7 The proposed function venue shall be limited to **375m²**.
- 3.8 No directional signage may be erected without the prior approval of the Provincial Roads Engineer and the Municipality.
- 3.9 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.
- 3.10 The land use shall not create any undue noise or be a nuisance to the neighbourhood and that precautionary measures be taken in order to avoid environmental noise pollution in terms of the Noise Control Regulations (PN627 dated 20 November 1998) made in terms of Section 25 of the Environmental Conservation Act, 1989 (Act No 73 of 1989).
- 3.11 Building plans must be generally in accordance with the layout plans as referenced Site Development Plan referenced as no: 1278-04 and Floor plan No: 2019/02-M1 dated 27/02/19, Drawn by Mitchell's Drafting Solutions drawn by Graham Goosen Architects, dated 15/09/2020 and attached as Annexure C.
- 3.12 Building plans must be submitted for all changes of use in the existing buildings and which building plan(s) must be approved and related occupancy certificates be issued prior to the vesting of any of the related approvals.

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

4.1 The proposals will be used for agricultural industrial and ancillary tourist related activities, which will provide several new direct and indirect employment opportunities and are not prohibited by the principles of the Stellenbosch Municipal Spatial Development Framework.

4.2 Sufficient onsite vineyards are planted to sustain and maintain the agriculture dominant of the property and sufficient onsite parking can be provided for the tourist facilities.

4.3 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.

Additional matters to be noted

5. 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 concerning water for irrigation, effluent disposal from the activities and any other applicable activities requiring a separate approval, licence or permit.

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:

(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.

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 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>).
11. 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.
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 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

29/4/2022
DATE

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ANNEXURE D: SITE DEVELOPMENT PLAN

Portion 8 of the
farm No. 127

Remainder of the
farm No. 116

NO. 127

Portion 15 of the
farm No. 127

Portion 14 of the
farm No. 127

5077 - P. 1 - 18

Portion 1

Portion
farm

HELSHOOG

NOTE

THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE AN OFFER OF INVESTMENT. ALL INVESTMENTS ARE SUBJECT TO RISK AND THE VALUE OF INVESTMENTS MAY FLUCTUATE. ALL INVESTMENTS ARE SUBJECT TO RISK AND THE VALUE OF INVESTMENTS MAY FLUCTUATE. ALL INVESTMENTS ARE SUBJECT TO RISK AND THE VALUE OF INVESTMENTS MAY FLUCTUATE. ALL INVESTMENTS ARE SUBJECT TO RISK AND THE VALUE OF INVESTMENTS MAY FLUCTUATE.

PLA 4 HUNTERS
89718/118
INVESTOR
1278-04

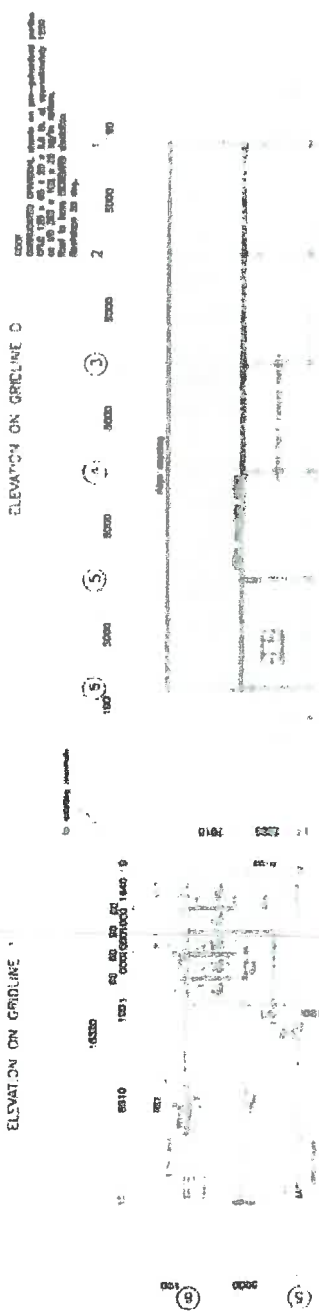
1100 1200 1300 1400 1500 1600 1700 1800 1900 2000 2100 2200 2300 2400 2500 2600 2700 2800 2900 3000 3100 3200 3300 3400 3500 3600 3700 3800 3900 4000 4100 4200 4300 4400 4500 4600 4700 4800 4900 5000 5100 5200 5300 5400 5500 5600 5700 5800 5900 6000 6100 6200 6300 6400 6500 6600 6700 6800 6900 7000 7100 7200 7300 7400 7500 7600 7700 7800 7900 8000 8100 8200 8300 8400 8500 8600 8700 8800 8900 9000 9100 9200 9300 9400 9500 9600 9700 9800 9900 10000



ELEVATION ON GRIDLINE 6

ELEVATION ON GRIDLINE D

ELEVATION ON GRIDLINE A



EXISTING BARRN TO BE USED AS FUNCTION FACILITY



GENERAL
1. All work shall conform to the latest editions of the specifications for building construction.
2. All materials shall be of the highest quality and shall be approved by the architect before use.
3. All work shall be completed within the specified time schedule.
4. The contractor shall be responsible for obtaining all necessary permits and licenses.
5. The contractor shall maintain access to all existing utilities and structures on the site.
6. The contractor shall be responsible for the removal and disposal of all debris and waste materials.
7. The contractor shall be responsible for the protection of all existing structures and utilities on the site.
8. The contractor shall be responsible for the safety of all workers and the public.
9. The contractor shall be responsible for the cleanliness and appearance of the site at all times.
10. The contractor shall be responsible for the payment of all taxes and fees.
11. The contractor shall be responsible for the completion of all required documentation.

DOORS & WINDOWS
1. All doors and windows shall be of the highest quality and shall be approved by the architect before use.
2. All doors and windows shall be installed in accordance with the manufacturer's instructions.
3. All doors and windows shall be finished with a high quality paint or stain.

PLUMBING AND DRAINAGE
1. All plumbing and drainage work shall conform to the latest editions of the plumbing code.
2. All plumbing and drainage work shall be installed in accordance with the manufacturer's instructions.
3. All plumbing and drainage work shall be finished with a high quality paint or stain.

FOUNDATIONS
1. All foundations shall be of the highest quality and shall be approved by the architect before use.
2. All foundations shall be installed in accordance with the manufacturer's instructions.
3. All foundations shall be finished with a high quality concrete.

OTHER
1. The contractor shall be responsible for the completion of all required documentation.
2. The contractor shall be responsible for the payment of all taxes and fees.
3. The contractor shall be responsible for the safety of all workers and the public.

OWNER
1. The owner shall be responsible for the payment of all taxes and fees.
2. The owner shall be responsible for the safety of all workers and the public.

ARCHITECT
1. The architect shall be responsible for the design and construction of the building.
2. The architect shall be responsible for the payment of all taxes and fees.

CONTRACTOR
1. The contractor shall be responsible for the construction of the building.
2. The contractor shall be responsible for the payment of all taxes and fees.

DATE
1. The date of this document is 11/18/00.



ROUND PL. ELEV. N AND S SECTIONS

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2. The contractor shall be responsible for the payment of all taxes and fees.

DATE
1. The date of this document is 11/18/00.

PROJECT INFORMATION
1. The project name is 'NEW BUILDING'.

CLIENT
1. The client name is 'ABC COMPANY'.

ADDRESS
1. The address is '123 MAIN ST, ANYTOWN, CA 90001'.

PHONE
1. The phone number is '(555) 123-4567'.

FAX
1. The fax number is '(555) 987-6543'.

EMAIL
1. The email address is 'info@abc.com'.

WEBSITE
1. The website is 'www.abc.com'.

CONTACT PERSON
1. The contact person is 'JOHN DOE'.

CONTACT TITLE
1. The contact title is 'GENERAL MANAGER'.

CONTACT PHONE
1. The contact phone number is '(555) 123-4567'.

CONTACT FAX
1. The contact fax number is '(555) 987-6543'.

CONTACT EMAIL
1. The contact email address is 'john.doe@abc.com'.

CONTACT WEBSITE
1. The contact website is 'www.abc.com'.

CONTACT ADDRESS
1. The contact address is '123 MAIN ST, ANYTOWN, CA 90001'.

CONTACT CITY
1. The contact city is 'ANYTOWN, CA'.

CONTACT STATE
1. The contact state is 'CA'.

CONTACT ZIP
1. The contact zip code is '90001'.

CONTACT COUNTRY
1. The contact country is 'USA'.

CONTACT LANGUAGE
1. The contact language is 'English'.

CONTACT CURRENCY
1. The contact currency is 'USD'.

CONTACT TIMEZONE
1. The contact timezone is 'PST'.

CONTACT HOURS
1. The contact hours are '9:00 AM - 5:00 PM'.

CONTACT DAYS
1. The contact days are 'Monday - Friday'.

CONTACT WEEKENDS
1. The contact weekends are 'None'.

CONTACT HOLIDAYS
1. The contact holidays are 'None'.

CONTACT SPECIAL
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CONTACT NOTES
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CONTACT COMMENTS
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CONTACT HISTORY
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CONTACT REPORTING
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CONTACT TRAINING
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CONTACT DOCUMENTATION
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CONTACT COMPLIANCE
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CONTACT SECURITY
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CONTACT PRIVACY
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CONTACT TERMS
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CONTACT POLICY
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CONTACT AGREEMENT
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CONTACT DECLARATION
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CONTACT SUGGESTION
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CONTACT COMPLAINT
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CONTACT REQUEST
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CONTACT DELIVERY
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CONTACT SUBCATEGORY
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CONTACT SOURCE
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CONTACT CHANNEL
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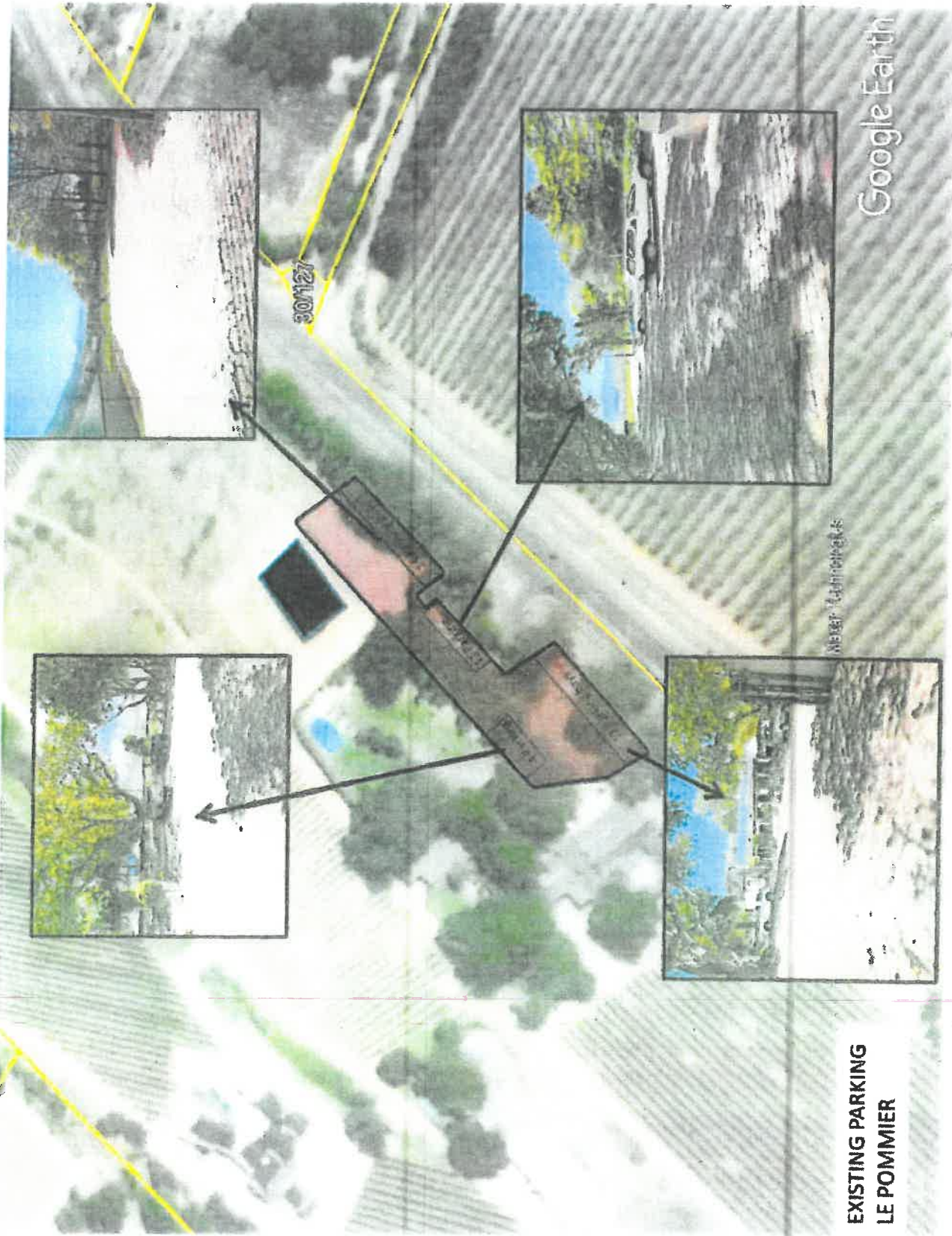
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CONTACT FREQUENCY
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CONTACT DURATION
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CONTACT EFFICIENCY
1. The contact efficiency is 'None'.



**EXISTING PARKING
LE POMMIER**

NEBET

30'127

**ANNEXURE K: COMMENT FROM THE DIRECTOR:
ENGINEERING SERVICES**



STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ◦ Aan: Director: Planning + Economic Development
Att Aandag Salome Newman
From ◦ Van: Manager: Development (Infrastructure Services)
Author ◦ Skrywer: Tyrone King
Date ◦ Datum: 28 January 2021
Our Ref ◦ Ons Verw: Civil LU 2126
Your Ref: LU/12038
Re ◦ Insake: Farm 127/24, Stellenbosch: Consent Use to utilise the existing farm shed as a function venue.

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

1. **Civil Engineering Services**
 - 1.1 Please note that the municipality does not have water and sewer infrastructure in the vicinity of the site and the Owner will be responsible for the provision of these services.
 - 1.2 The owner has confirmed that sewer collection and discharge is via conservancy tank, which is an acceptable method. No septic tanks are permitted. Any existing septic tanks to be replaced by conservancy tanks.
 - 1.3 The Owner has confirmed that water provision is via borehole. The Owner is responsible for the provision of potable water that complies with SANS 241 Drinking Water Quality Standards.
 - 1.4 DCs are payable before any further building plans are approved or before the building is put to its intended use, whichever comes first. See **DC calculation** attached. DCs only valid till 30 June 2021, after which a revised calculation will apply.
 - 1.5 The Provincial Roads Authority must provide comment on the application and any conditions by the Provincial Roads authority will be applicable.

2. Electrical Engineering

2.1 Refer to **Annexure: Electrical**

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

W:\2.0 DEVELOPMENT\00 Developments\2126 (TK) Farm 127-24 Stellenbosch (LU-12038)\2126 (TK) Farm 127-24 Stellenbosch (LU-12038).doc

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

| | |
|-----------------------------------|--|
| Application Number | 7126 (TR) Farm 127-24 Stellenbosch (LU-12033) |
| Date | Thursday, 20/Jan/2021 |
| Financial Year | 2020/21 |
| Erf Location | [Redacted] |
| Erf No | Farm 127-24 |
| Erf Size (m²) | |
| Suburb | |
| Applicant | |
| Approved Building Plan No. | "Plan and Elevations" drawing included in land use application |

SUMMARY OF DC CALCULATION

| | Water | Sewer | Stormwater | Solid Waste | Ports | Crashpads / Gas Blows | Totals |
|---|-------|-------|------------|-------------|--------------|-----------------------|--------------|
| Units | 1550 | 1113 | 0.330 | 0.150 | 51.75 | 33.30 | |
| Total Interim Services Charge | | | | | | | |
| Total Development Charge Before Discounts | | | | R 6 697.00 | R 134 350.50 | R 5 432.70 | R 146 480.20 |
| Total Discounts | | | | | | | |
| Total Payable (excluding VAT) | | | | R 6 697.00 | R 134 350.50 | R 5 432.70 | R 146 480.20 |
| VAT | | | | R 1 006.85 | R 23 162.57 | R 814.90 | R 21 872.00 |
| Total Payable (including VAT) | | | | R 7 703.85 | R 157 513.07 | R 6 247.60 | R 165 463.52 |

APPLICANT INFORMATION

| | |
|------------------------------|-------------|
| Requested by | Tyrone King |
| Signature | |
| Date | As above |
| Receipt No. | |
| Date Payment Received | |
| Receipt Number | |

