



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/8091

Our File Reference Number: Farm 1311, Paarl

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 REZONING AND CONSENT USE: FARM NO. 1311, 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 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. 1311, Paarl Division, namely:
 - 2.1.1 Application in terms of Section 15(2)(a) of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for rezoning of $\pm 2968\text{m}^2$ from Agricultural Zone I to Agricultural Zone II to regularize the existing winery activities on Farm No. 1311, Paarl Division; and,
 - 2.1.2 Application in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for a consent use for a tourist facility in order to use a $\pm 225\text{m}^2$ portion of the proposed rezoned area for a wine tasting and sales facility and to convert an existing store ($\pm 438\text{m}^2$) into a restaurant (See **ANNEXURE B**).

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 rezoning and consent use in question (See **ANNEXURE B**) and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council and external authorities.

3.2 That no pollution, including noise pollution from the proposed restaurant activities may take place on the property.

3.3 Building plans be submitted to this Municipality for consideration and approval for all extensions and alterations prior to construction commencing on site.

3.4 The approval will lapse if not implemented within 5 years from date of final notification.

3.5 That the conditions of approval listed in **ANNEXURE G** from the municipal Directorate: Infrastructure Services be adhered to.

3.6 That the conditions of approval listed in **ANNEXURE H** from the Cape Winelands District Municipalities Health Services be adhered to.

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 the capacity of the proposed wine processing and storage facilities 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

22/07/2021
DATE:

ANNEXURE B

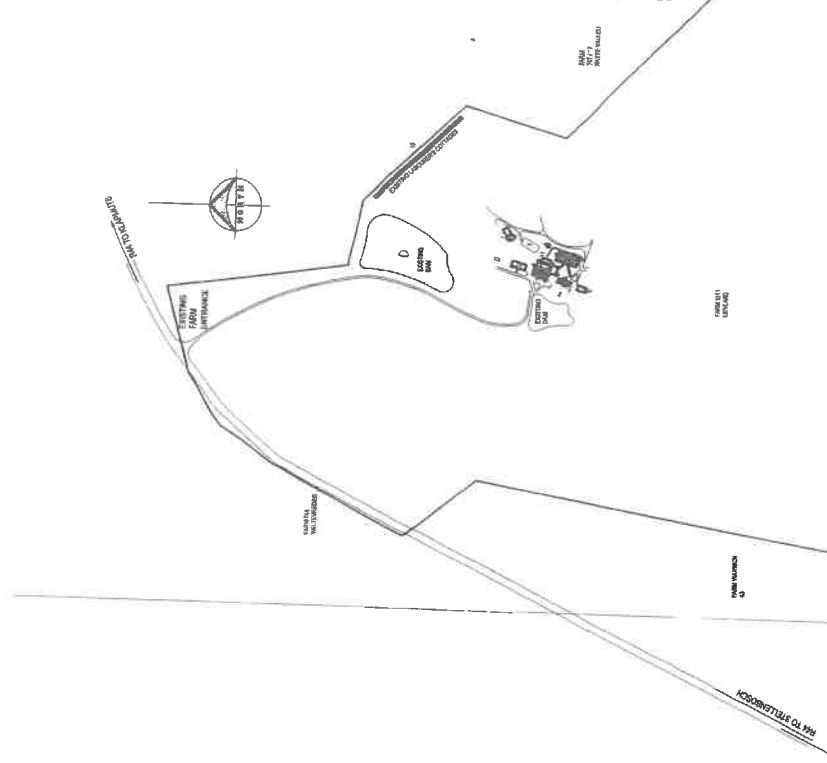
Building Plan and Zoning Plan

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ARCHITECT'S NOTE: ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS. ALL FINISHES SHALL BE AS SHOWN ON THE DRAWINGS.

JOHN. C. PHEIFFER ARCHITECTURE & INTERIOR DESIGN
 1710 S. KANAWHA BLVD., SUITE 100
 SUITE 100, KANAWHA BLVD., SUITE 100, KANAWHA, WV 26048
 PHONE: 304.873.7222
 FAX: 304.873.7223
 WWW.JCPHEIFFER.COM
 PROJECT: PROPOSED RESTAURANT ON FARM LIEVLAND ON FARM NO. 1511 KANAWHA, WV
 SHEET: 1 OF 2
 DATE: 12-11-2014



REVISIONS

NO.	DATE	DESCRIPTION

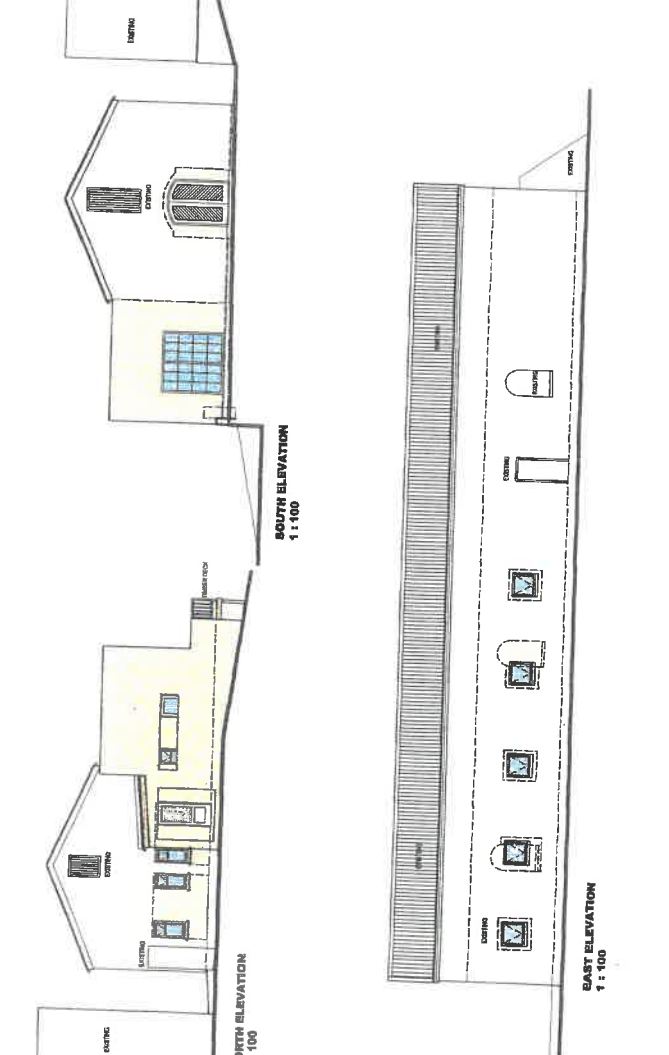
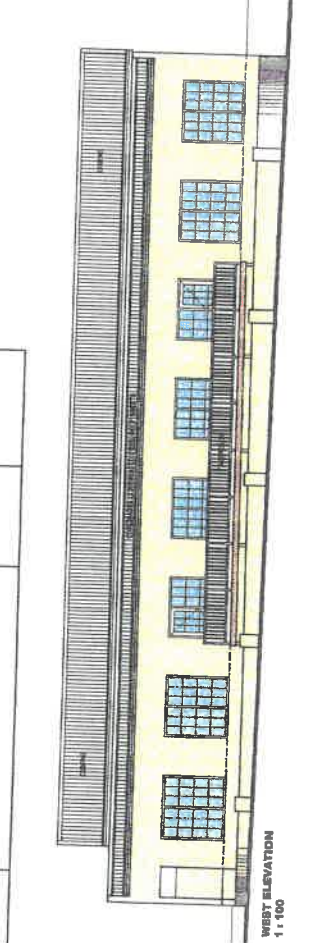
JOHN. C. PHEIFFER ARCHITECTURE & INTERIOR DESIGN
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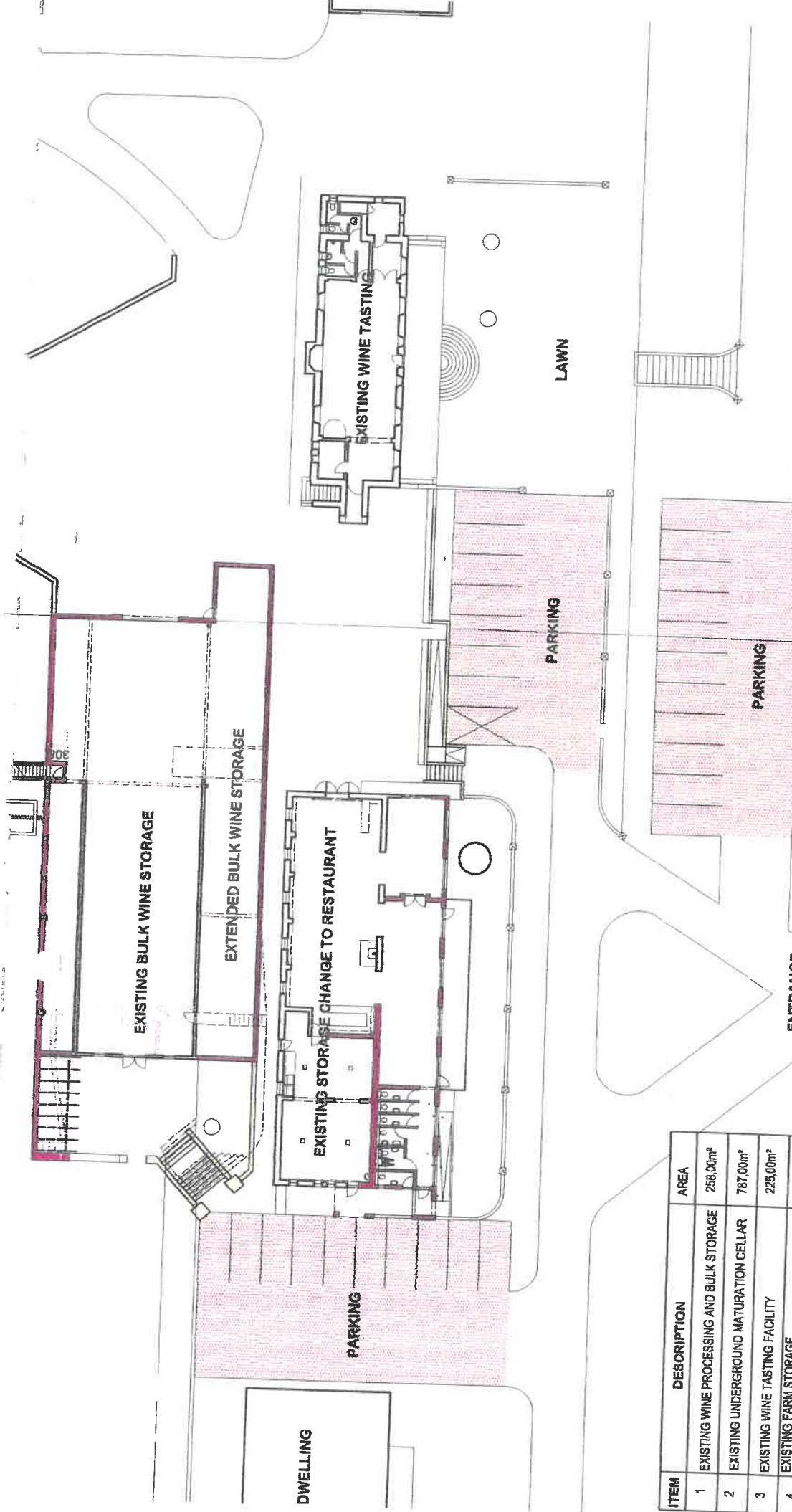
DOOR SCHEDULE

NO.	TYPE	DESCRIPTION
01	PRE DOOR	PRE DOOR
02	WOOD DOOR	WOOD DOOR
03	GLASS DOOR	GLASS DOOR
04	GLASS DOOR	GLASS DOOR
05	GLASS DOOR	GLASS DOOR
06	GLASS DOOR	GLASS DOOR
07	GLASS DOOR	GLASS DOOR
08	GLASS DOOR	GLASS DOOR
09	GLASS DOOR	GLASS DOOR
10	GLASS DOOR	GLASS DOOR
11	GLASS DOOR	GLASS DOOR

WINDOW SCHEDULE

NO.	TYPE	DESCRIPTION
01	TRANSOM WINDOW	TRANSOM WINDOW
02	TRANSOM WINDOW	TRANSOM WINDOW
03	TRANSOM WINDOW	TRANSOM WINDOW
04	TRANSOM WINDOW	TRANSOM WINDOW
05	TRANSOM WINDOW	TRANSOM WINDOW
06	TRANSOM WINDOW	TRANSOM WINDOW
07	TRANSOM WINDOW	TRANSOM WINDOW
08	TRANSOM WINDOW	TRANSOM WINDOW
09	TRANSOM WINDOW	TRANSOM WINDOW
10	TRANSOM WINDOW	TRANSOM WINDOW
11	TRANSOM WINDOW	TRANSOM WINDOW





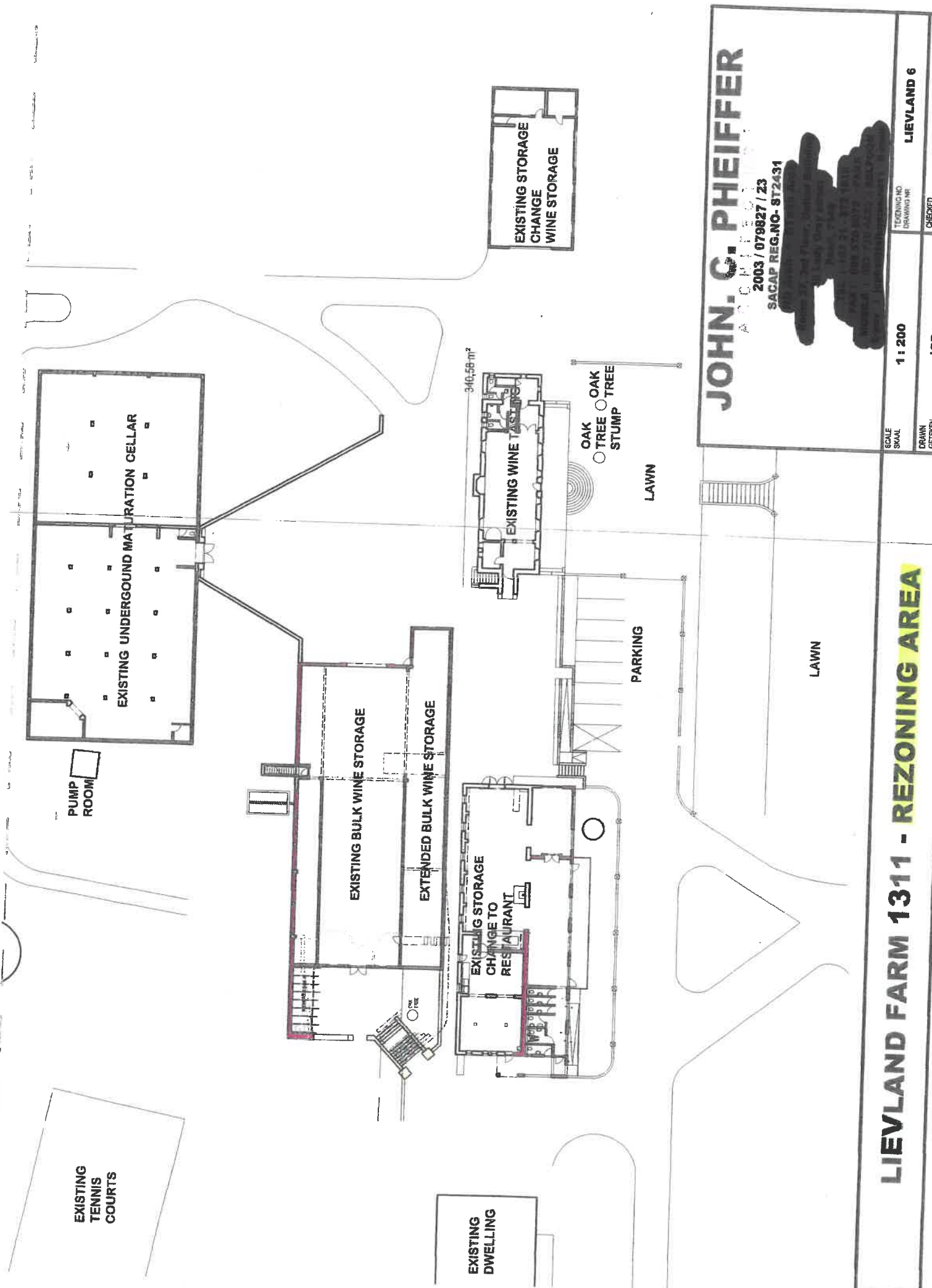
ITEM	DESCRIPTION	AREA
1	EXISTING WINE PROCESSING AND BULK STORAGE	268,00m ²
2	EXISTING UNDERGROUND MATURATION CELLAR	787,00m ²
3	EXISTING WINE TASTING FACILITY	225,00m ²
4	EXISTING FARM STORAGE CHANGE TO WINE STORAGE	175,00m ²
5	EXTENSIONS TO BULK STORAGE	335,00m ²
6	EXISTING STORE CHANGE TO RESTAURANT	438,00m ²
7	PARKING AREA	750,00m ²
8	TOTAL AREA TO BE REZONED TO AGRICULTURAL ZONE II	2968,00m ²

LIEVLAND FARM 1311 - PARKING

JOHN. C. PHEIFFER
 2003 / 079827 / 23
 SACAP REG.NO- ST2431

TECHNICAL DRAWING NO. [REDACTED]
 CHECKED: [REDACTED]
 DRAWN: [REDACTED]

SCALE: 1 : 200
 DRAWN: GETZEM
 CHECKED: JCP
 LIEVLAND 8



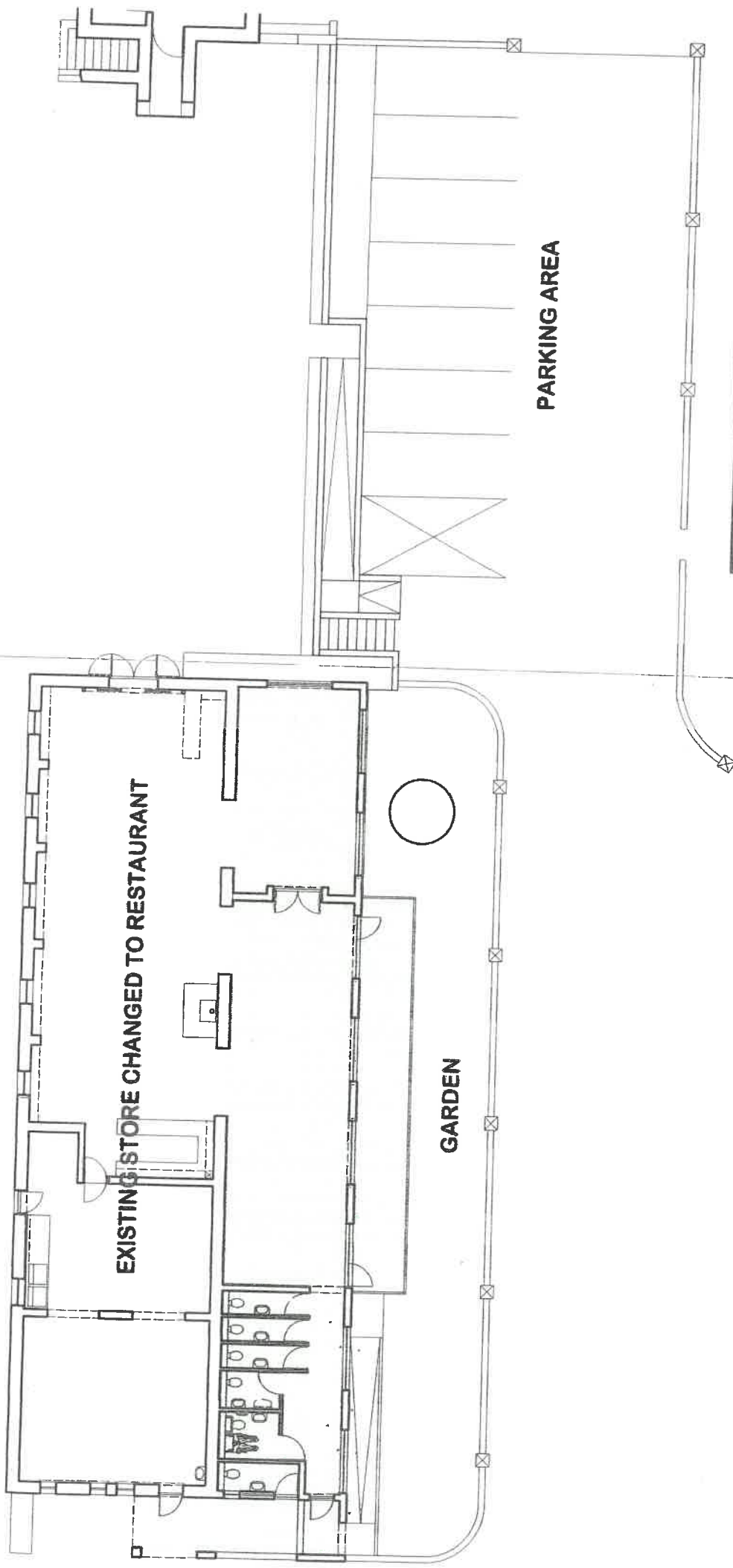
JOHN. C. PHEIFFER
 ARCHITECTS
 2003 / 079827 / 23
 SACAP REG. NO. ST2431

TECHNICAL DRAWING NO. [REDACTED] **LIEVLAND 6**

SCALE: 1 : 200

DRAWN BY: JCP
 CHECKED BY: MABESSEN

LIEVLAND FARM 1311 - REZONING AREA



EXISTING STORE CHANGED TO RESTAURANT

GARDEN

PARKING AREA

JOHN. C. PHEIFFER
 ARCHITECT

2003 / 079827 / 23
 SACAP REG.NO- ST2431

TECHN. NO.
 DRAWING NO.

1 : 200

SCALE

DRAWN
 GETEKEN

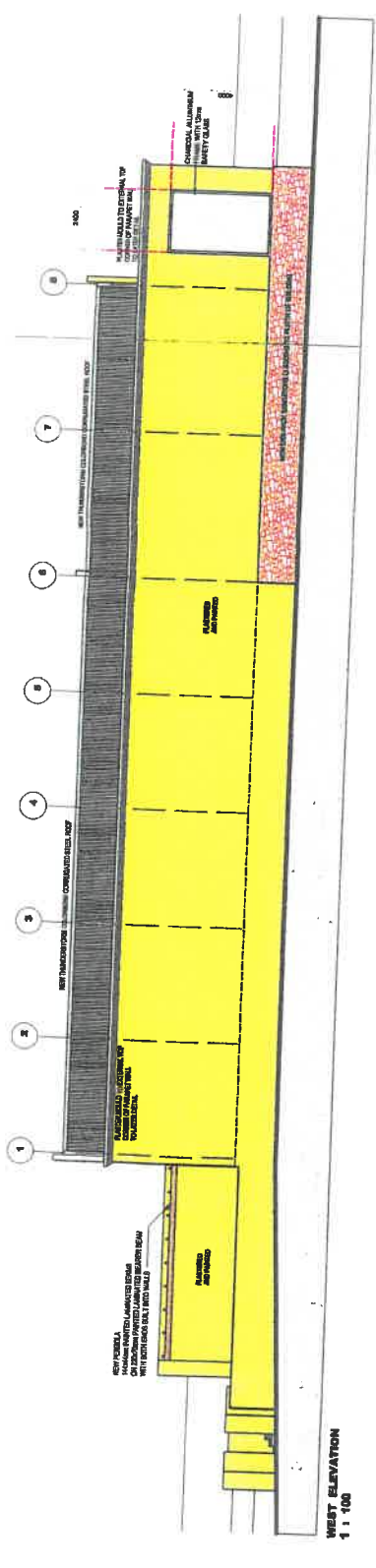
CHECKED
 INGESIEEN

LIEVLAND 7

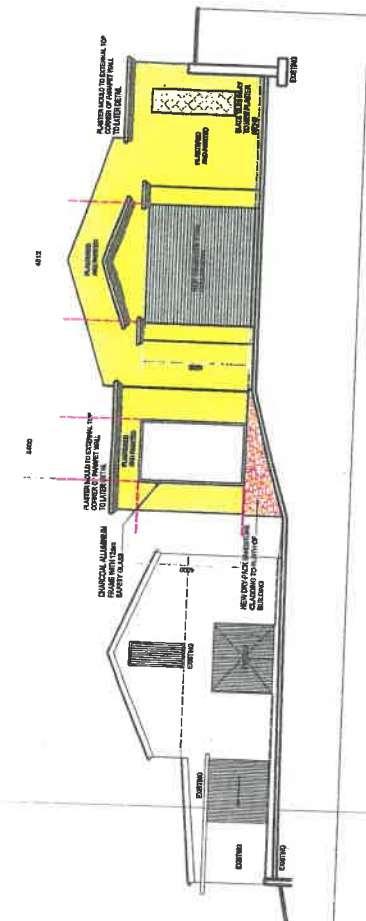
JCP

JCP

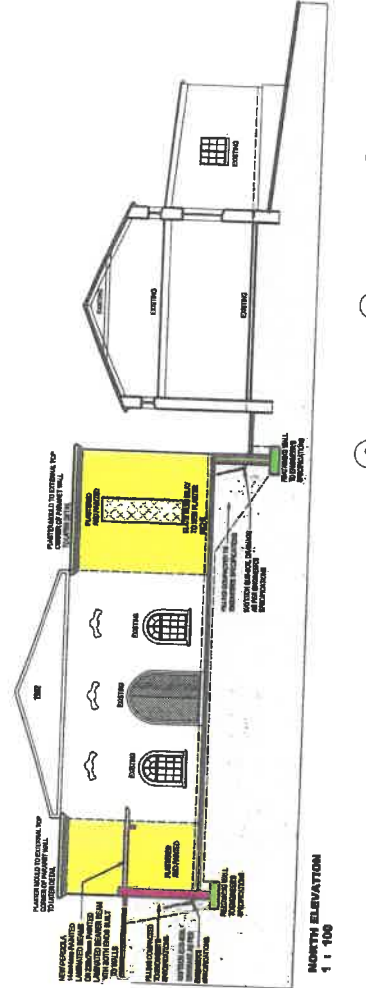
LIEVLAND FARM 1311 - STORE CHANGE TO RESTAURANT



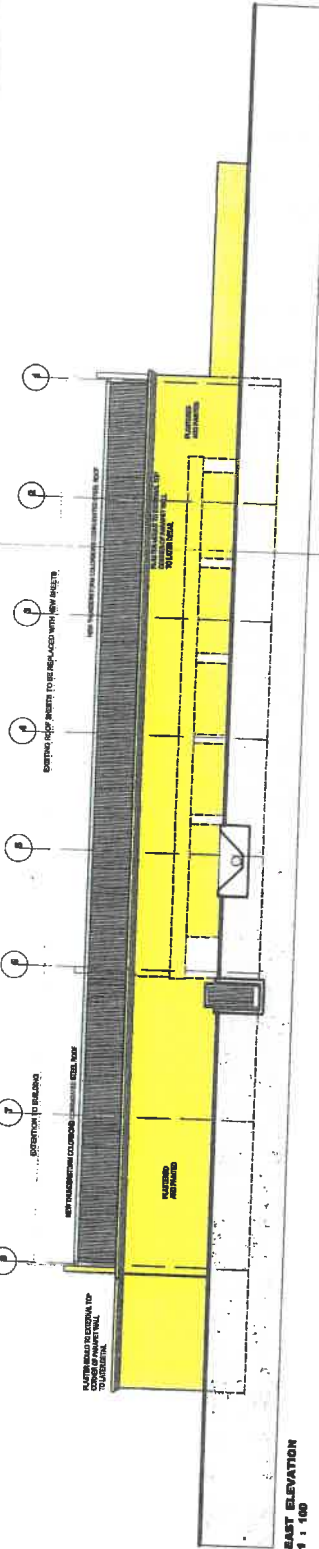
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1 : 100



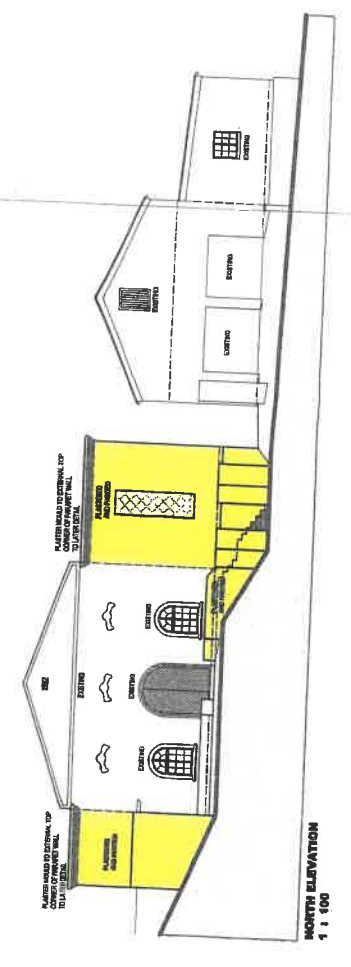
SOUTH ELEVATION
1 : 100



NORTH ELEVATION
1 : 100



EAST ELEVATION
1 : 100



NORTH ELEVATION
1 : 100

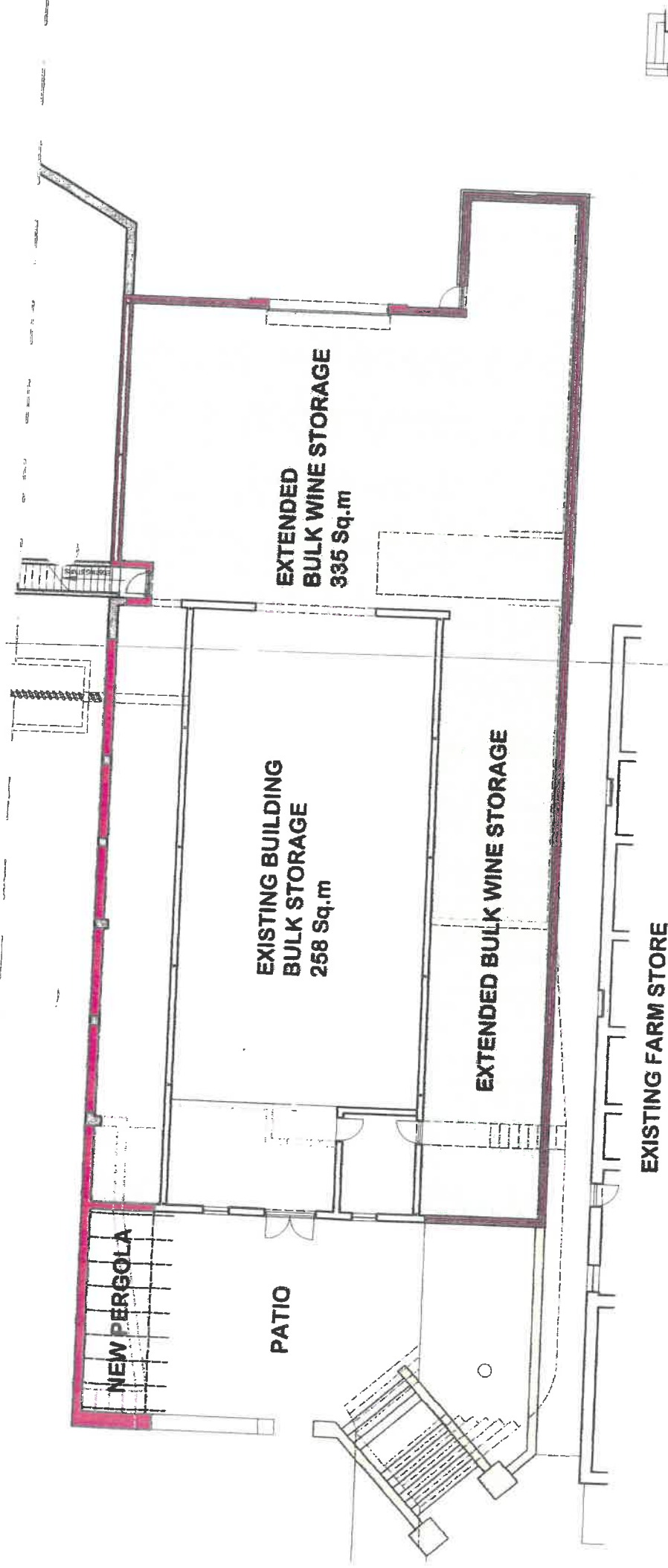
John C. Pfeiffer
 JOHN C. PHEIFFER
 ARCHITECT
 1000 S. W. 10TH AVENUE, SUITE 100
 MIAMI, FL 33135
 TEL: 305.556.1111
 FAX: 305.556.1112
 WWW.JCPHEIFFER.COM

DATE	REVISIONS	DESCRIPTION



EXTENSION TO EXISTING BUILDING
 ON FARM LOTS 1 AND 2
 FARM NO. 13141
 KILPATRICK

PROJECT	NO. 13141
DATE	08/20/10
SCALE	AS SHOWN
DRAWN	JCP
CHECKED	JCP
DATE	08/20/10



EXISTING
WINE TASTING

JOHN. C. PHEIFFER
 ARCHITECTURE
 2003 / 079827 / 23
 SACAP REG. NO. - 9T2431

PROJECT NO. [REDACTED]

SCALE: 1 : 200

DRAWING NO. [REDACTED]

DRAWN BY: [REDACTED]

CHECKED BY: [REDACTED]

DATE: [REDACTED]

LIEVLAND 5

JCP

LIEVLAND FARM 1311 - EXTENSION: WINE STORAGE

ANNEXURE G

Directorate: Infrastructure Services
comments



STELLENBOSCH MUNICIPALITY
STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INGENIEURSDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag: C Petersen
From ▫ Van: Colin Taylor (Development)
Date ▫ Datum: 8/07/2019
Our Ref ▫ Ons Verw: Civil Lu 1843
Re ▫ Insake: Farm 1311 Paarl: Rezoning and consent use

The application is for the following items:

- i. The rezoning of 2986m² from Agricultural Zone I to Agricultural Zone II to regularize the existing winery activity in terms of Section 15(2)(a) on Farm No 1311, Paarl Division
- ii. Consent Use for Tourist Facility in order to use a 225m² portion of proposed rezoned area for a wine tasting and sales facility and to convert an existing store (438m²) into a restaurant in terms of section 15(2)(o) on Farm No. 1311, Paarl Division

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

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

1. **Water**
 - 1.1 It was indicated in the application that borehole water will used.
 - 1.2 All potable water supplied to all consumers on the farm shall comply with SANS Drinking Water Quality Standards. Current proof of compliance must be available on request.
2. **Waste Water and Sewage**
 - 2.1 No new septic tanks and soak-aways are permitted to be built.
 - 2.2 Use of existing septic tanks to collect and treat sewage generated by the proposed development is not allowed.
 - 2.3 The conservancy tank must be accessible to the removal truck and of a volume to necessitate not more than a fortnightly service.
 - 2.4 The surface/layerworks of such an access should be designed to accommodate a 15ton/10000ℓ service truck.
 - 2.5 Only Stellenbosch Municipality is allowed to empty conservancy tanks.
 - 2.6 A service contract has to be entered into with the municipality to service the conservancy tanks on a regular basis.

3. Solid Waste

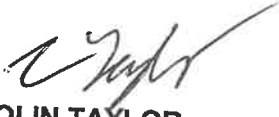
- 3.1 Please note: Solid waste must be removed from the site to a lawful solid waste disposal site in accordance with the requirements of section 26 of the National Environmental Management Waste Act 2008 (Act 59 of 2008).

4. Roads

- 4.1 The application has to be referred to the District Roads Engineer for comments and conditions.
- 4.2 All the conditions set by the District Roads Engineer will be applicable.
- 4.3 Sufficient parking must be provided and indicated on the SDP at building plan submission stage.

5. Development Charges (DCs)

- 5.1 Based on the information provided in application the Development Charges payable by the developer is R 598 679.17 (Vat incl.) as per attached Development Charges Calculation.
- 5.2 The DC's were calculated for the 2019/2020 financial year. If the account is paid after 30 June 2020 it has to be recalculated using the then applicable tariffs.
- 5.3 DCs are payable prior to the erf or portion thereof being put to the approved use or building plan approval which ever come first.

**COLIN TAYLOR****PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)**

V:\2.0 DEVELOPMENT\00 Developments\1843 (CT) Farm 1311 Paarl (R44)\1843 - Farm 1311, Paarl (R44).doc

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number	
Date	Monday, 08-Jul-2019
Financial Year	2019-20
Erf Location	Kleinburg
Erf No	Farm 1311 Paarl
Erf Size (m ²)	
Suburb	
Applicant	John.C.Pheiffer
Approved Building Plan No.	

SUMMARY OF DC CALCULATION

Unit(s)	Water kl/day	Sewer kl/day	Storm-water ha°C	Solid-Waste t/week	Roads trips/day	Community Facilities person	Totals
Total Increased Services Usage	2,652	2,321	0,053	0,265	59,67	59,7	
Total Development Charges before Deductions				R 17 324,87	R 493 734,74	R 9 530,97	R 520 590,58
Total Deductions							
Total Payable (excluding VAT)				R 17 324,87	R 493 734,74	R 9 530,97	R 520 590,58
VAT				R 2 596,73	R 74 060,21	R 1 429,64	R 78 088,58
Total Payable (including VAT)				R 19 923,60	R 567 794,96	R 10 960,61	R 598 679,17

APPLICANT INFORMATION

Application Processed by:	Colin Taylor
Signature	
Date	As Above
Amount Paid:	
Date Payment Received	
Receipt Number	

ANNEXURE H

Cape Winelands Health

Department



CAPE WINELANDS DISTRICT

MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

DEPARTEMENT/DEPARTMENT/ICANDELO:
NAVRAE/ENQUIRIES/IMIBUZO:
TELEFOON/TELEPHONE/UMNXEBA:
FAKS/FAX/IFEKSI:
E-POS/E-MAIL/E-MAIL:
U VERW/OUR REF/IREF YAKHO:
ONS VERW/OUR REF/IREF YETHU:

MUNISIPALE GESONDHEIDSDIENSTE

Mnr. J Krüger
021-8885800
021-8879365

julian@capewinelands.gov.za
Plaas 1311, Paarl
Plaas 1311, Klapmuts, Stellenbosch

Alexanderstraat 46 Alexander Street
☒ 100
STELLENBOSCH
7600

Alle korrespondensie moet aan die Munisipale Bestuurder gerig word/
All correspondence to be addressed to the Municipal Manager/Yonke imbalelwano mayithunyelwe kuMlawuli kaMasipala

13-06-2019

Munisipale Bestuurder
Stellenbosch Munisipaliteit
Posbus 17
Stellenbosch
7599

Vir aandag: Bepanning en Ekonomiese Ontwikkelingsdienste

Meneer

AANSOEK OM HERSONERING EN VERGUNNINGSGEBRUIK: PLAAS LIEVLAND, NO.1311, AFDELING PAARL

Daar is geen beswaar vanuit 'n gesondheidsoogpunt ten opsigte van die aansoek nie, onderworpe aan die volgende voorwaardes :

1. Daar moet voldoende toiletgeriewe vir die aantal gaste voorsien word.
2. In die geriewe vir dames moet voorsiening gemaak word vir die wegdoen van sanitêre doekies.
3. Alle riool –en kelder waswater moet so beskikbaar word dat dit nie 'n oorlas veroorsaak nie.
4. Alle waswater vanaf die kombuis moet deur 'n vetvanger gaan voordat dit in die rioolsisteem vloei.
5. Indien voedsel op die perseel voorberei word vir verkoop aan die publiek moet die applikant aansoek doen by Stellenbosch Munisipaliteit vir die nodige lisensie asook by die Kaapse Wynland Distriksmunisipaliteit vir 'n geskikheidsertifikaat in gevolg van R638 van 22 Junie 2018 .
6. 'n Voldoende voorraad veilige skoon gepypte drinkwater moet voorsien word.
7. Geen klankversterkende toerusting mag buite in die tuin gebruik word nie.
8. Indien enige aktiwiteit op die perseel geraas genereer berus die onus by die eienaar om die nodige klanktoetse te laat neem en die uitslae aan hierdie Departement voor te lê.

Die uwe

A handwritten signature in black ink, appearing to be 'J. J.', written in a cursive style.

nms. Munisipale Bestuurder