



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16141

Our File Reference Number: Farm1320, Stellenbosch Division

Your Reference Number: None

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 1320, STELLENBOSCH DIVISION

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 An application is made in terms of Stellenbosch Municipal Land Use Planning By-Law, 2023, on Farm 1320, Stellenbosch, for the following;
 - 2.1.1 **Consent Use** in terms of Section 15 (2) (o) of the said bylaw for agricultural industry in order to accommodate extensions ($\pm 495 \text{ m}^2$) to the existing red wine cellar and to provide an undercover loading area ($\pm 645 \text{ m}^2$).

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 said By law:**
 - 3.1 The approval applies only to the application under consideration as indicated on Site Development Plan referenced as Drawing No. 22037 – 001, dated Sept 2022, drawn by Andre Franzsen and Associates, Drawing No. CD 100, Project No. SZ 21 13, Rev 00, dated July 2021 and Drawing No. CD 100, Project No. SZ 21 13, Rev 02, dated August 2021, drawn by Charni B Art & Architecture 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 Drawing No. 22037 – 001, dated Sept 2022, drawn by Andre Franzsen and Associates, Drawing No. CD 100, Project No. SZ 21 13, Rev 00, dated July 2021 and Drawing No. CD 100, Project No. SZ 21 13, Rev 02, dated August 2021, drawn by Charni B Art & Architecture 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 layout plans referenced as Site Development Plan referenced as Drawing No. 22037 – 001, dated Sept 2022, drawn by Andre Franzsen and Associates, Drawing No. CD 100, Project No. SZ 21 13, Rev 00, dated July 2021 and Drawing No. CD 100, Project No. SZ 21 13, Rev 02, dated August 2021, drawn by Charni B Art & Architecture and attached as Annexure C.
- 3.5 The extensions to the existing red wine cellar shall be limited to **495 m²** and to provide an undercover loading area shall be limited to **645 m²**.
- 3.6 The agricultural industry should be subservient or related to the dominant agricultural use of the property and/ or surrounding farms.

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

- 4.1 The application would not negatively affect bona fide agricultural activity on the property.
- 4.2 The proposed use is complimentary to approved existing use on the property.

5. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 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 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
10. 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.
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 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.

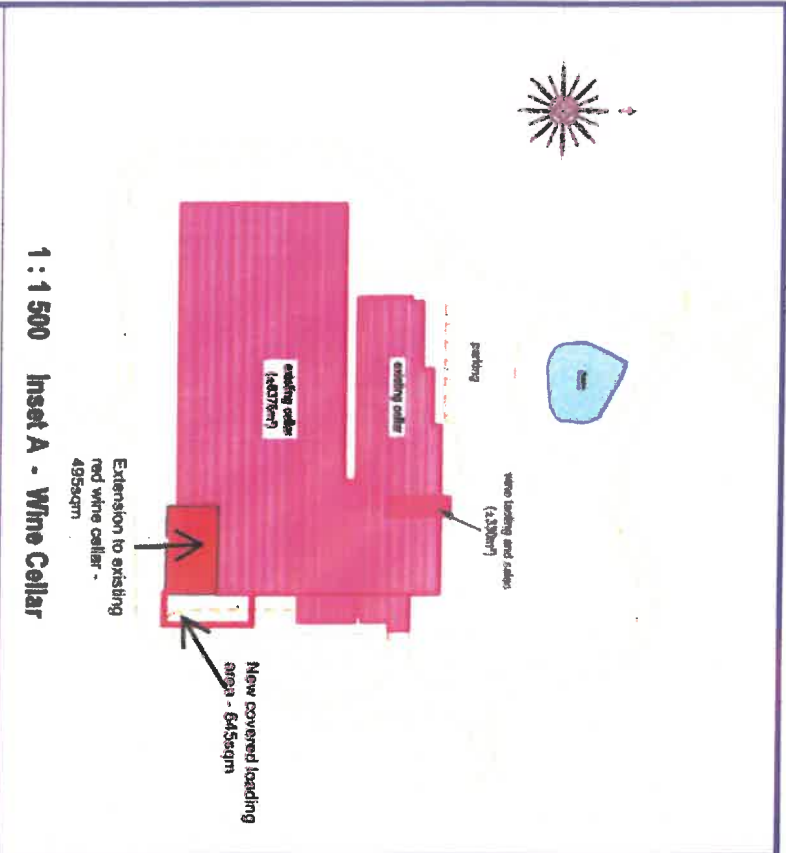
Yours faithfully

FOR: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

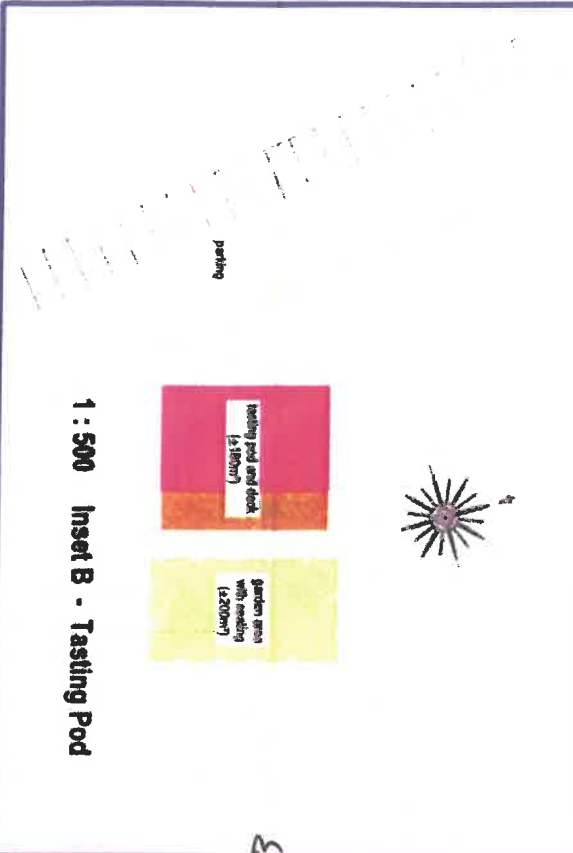
DATE: 25/3/2024

ANNEXURE C: SITE DEVELOPMENT PLAN

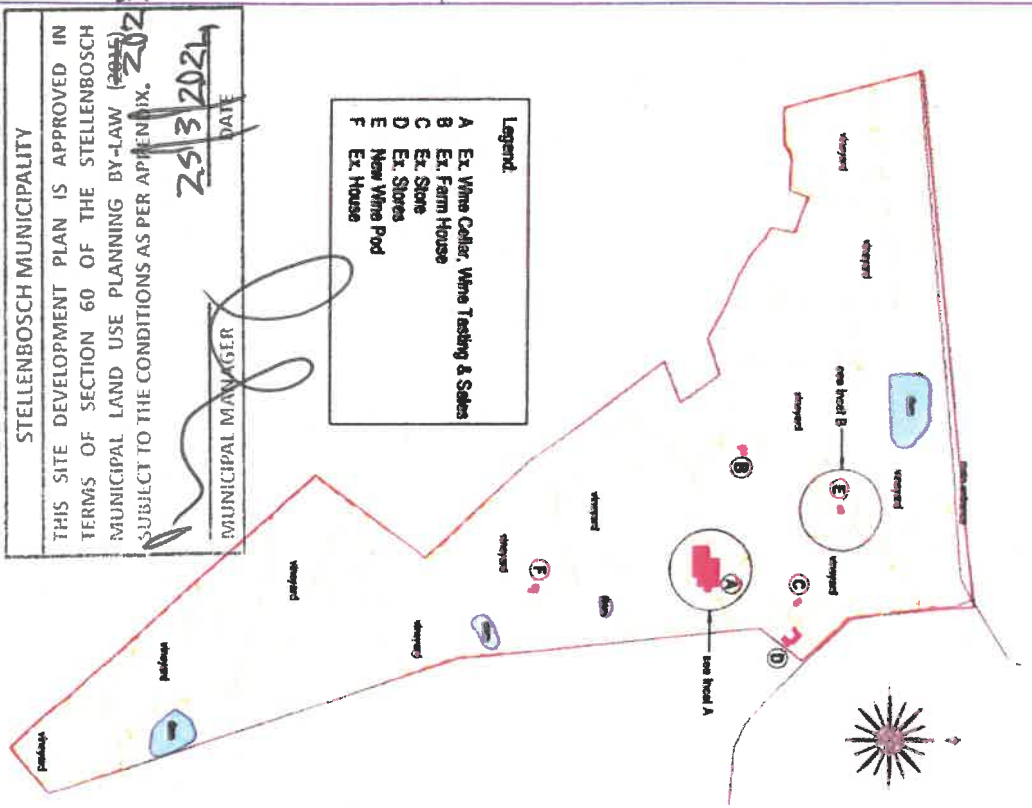
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1 : 1 500 Inset A - Wine Cellar



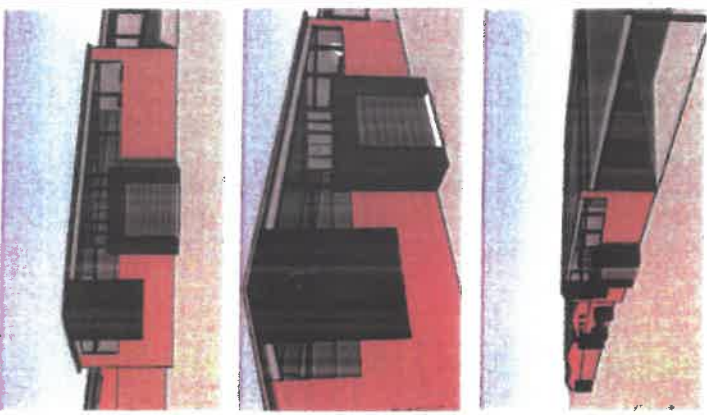
1 : 500 Inset B - Tasting Pod



1 : 15 000 Site Layout

STELLENBOSCH MUNICIPALITY
 THIS SITE DEVELOPMENT PLAN IS APPROVED IN
 TERMS OF SECTION 09 OF THE STELLENBOSCH
 MUNICIPAL LAND USE PLANNING BY-LAW
 SUBJECT TO THE CONDITIONS AS PER APPENDIX
 DATE: 12/07/2023
 MUNICIPAL MANAGER

Angie Ferguson and Associates
 Farm 1320, Stellenbosch
 Site Development Plan
 Site Layout
 20037-091
 12/07/2023



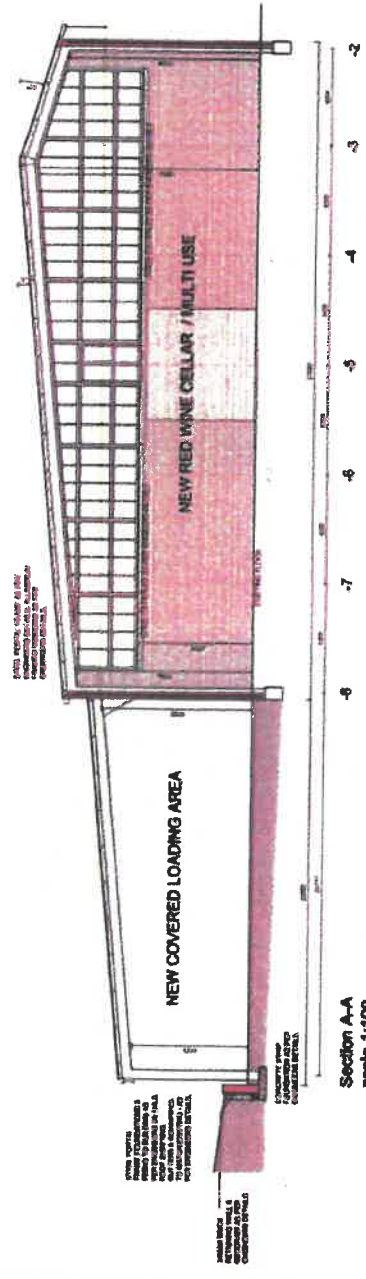
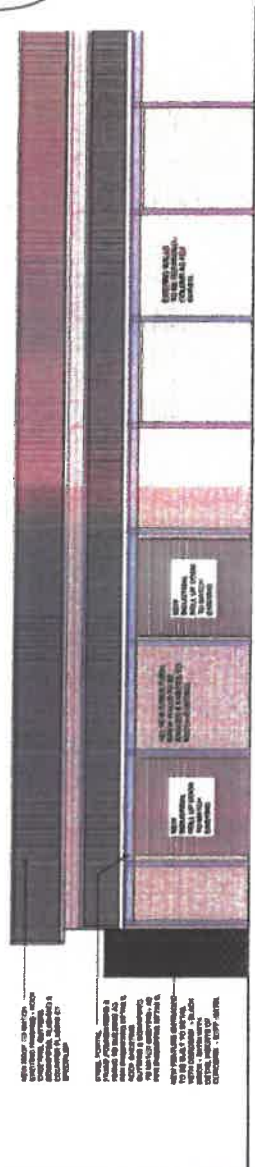
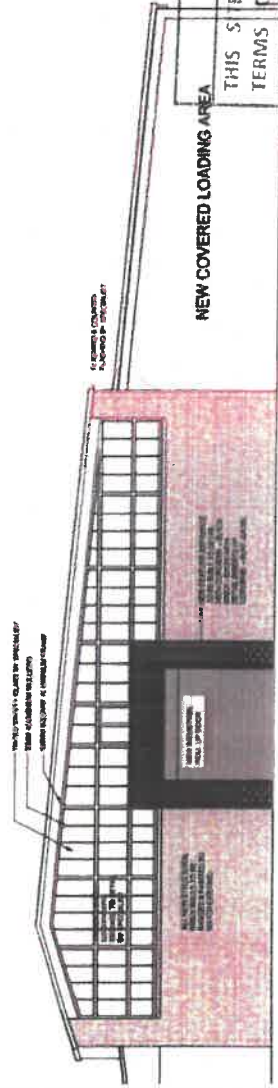
PROJECT DETAILS

DATE	2021
PROJECT TYPE	RENOVATION & SECTION
CLIENT	STELLENZICHT
DATE	AUG 2021
PROJECT NO.	2021-001
SCALE	1:100



NOT FOR CONSTRUCTION

STELLENZICHT MUNICIPALITY
 THIS SITE DEVELOPMENT PLAN IS APPROVED IN
 TERMS OF SECTION 60 OF THE STELLENZICHT
 MUNICIPAL LAND USE PLANNING BY-LAW (2015),
 SUBJECT TO THE CONDITIONS AS PER APPENDIX 2025
 25/3/2021
 DATE
 MUNICIPAL MANAGER



STELLENBOSCH MUNICIPALITY

THIS SITE DEVELOPMENT PLAN IS APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2011) SUBJECT TO THE CONDITIONS AS PER APPENDIX A.

25/3/2021 DATE

MUNICIPAL MANAGER

STELLENZICHT

Charmie B

CHARMAINE BUGGER
ART & ARCHITECTURE

PROJECT DETAILS: [REDACTED]

STELLENBOSCH

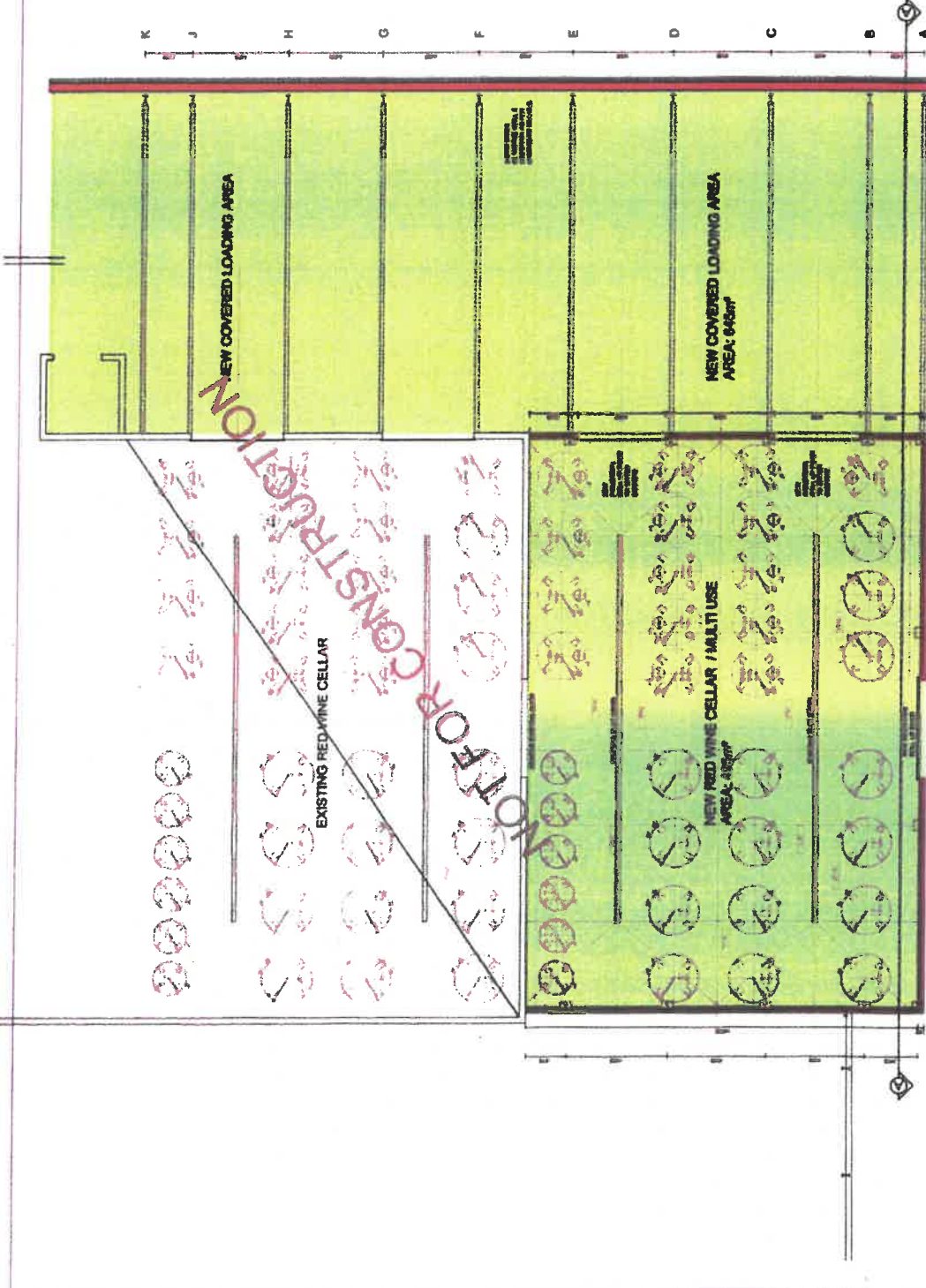
DRAWING DETAILS

BY: GROUND STOREY

PROJECT TYPE: [REDACTED]

DATE	NO.	REVISION

PROJECT NO: [REDACTED] CD 100



Ground Storey
scale 1:100