



STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15779(TP389/2023)

Our File Reference Number: FARM 135, 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 / Madam

APPLICATION IN TERMS OF SECTIONS 15(2)(G) OF THE STELLENBOSCH MUNICIPALITY BY-LAW OF MUNICIPAL LAND USE PLANNING ON FARM 135, STELLENBOSCH

1. The above application refers.

2. The duly authorised decision maker has decided on the above application as follows:

2.1 That the application in terms of Section 15(2)(g) of the Stellenbosch Municipality By-law on Municipal Land Use Planning, 2023 for additional use (technical approval) to permit a tourist facility consisting of an outdoor wine tasting and sales area ($\pm 75\text{m}^2$) on Farm No. 135, Stellenbosch 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 under consideration 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 in accordance with the endorsed site plan (Site Plan 001) and site development plan (Site Plan 002), and attached as **Annexure B**.

- 3.4 Only wine produced from produce originating from Farm No. 135 and wine produced on Farm No. 1406 must be available for tasting and sale.
 - 3.5 The land use shall not create any undue noise or be a nuisance to the area 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).
 - 3.6 Sufficient on-site parking be provided in accordance with the provisions of the Zoning Scheme Bylaw to the satisfaction of the Municipality and that on-site parking be provided on the same land unit where the use is located.
 - 3.7 Conditions imposed by the Directorate Infrastructure Services as contained in the memorandum dated 12/10/2023, and attached as **Annexure E**, be complied with.
 - 3.8 Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment as may be agreed on in writing with the Director Infrastructure Services.
4. The reasons for the above decision are as follows:
 - 4.1 The proposal adheres to the technical requirements of the Zoning Scheme By-law and will not detract from the rural character or have a negative impact on the existing farming activities of the surrounding area.
5. **Matters to note:**
 - 5.1 No directorial, advertisement, or any other signs may be erected prior to the approval of 3.2 Stellenbosch Municipality or the competent authority.
 - 5.2 The production and storage of wine on Farm No. 135 is not permitted unless the appropriate land use rights have been obtained.
6. You may now act on the above decision subject to compliance with the conditions of approval.

Yours faithfully


FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

30/10/2023
DATE



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ANNEXURE B

SITE PLAN

(SITE PLAN 001)

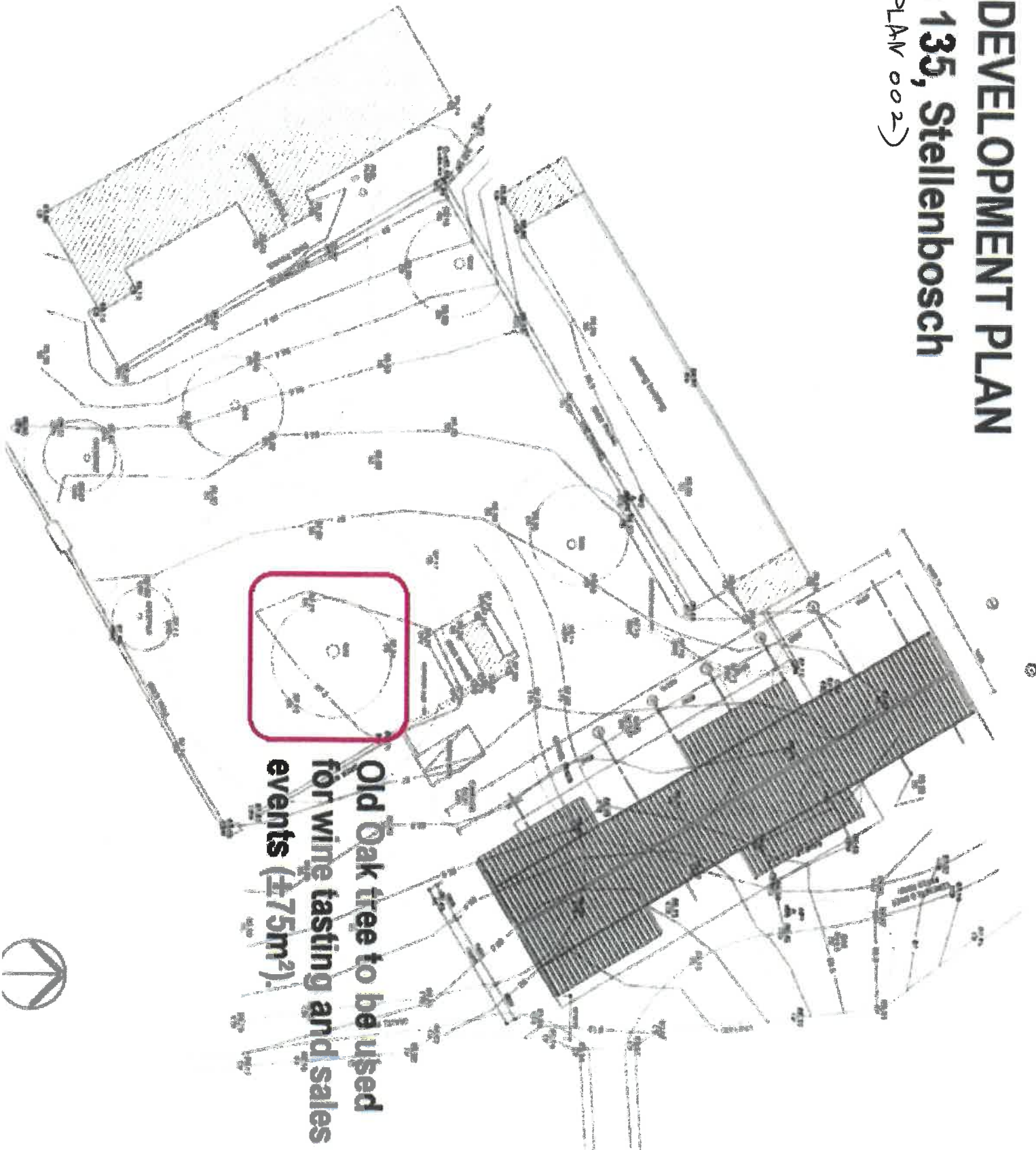


Site plan indicating the cadastral boundaries and access to Farm 135, Stellenbosch

SITE DEVELOPMENT PLAN

Farm 135, Stellenbosch

(SITE PLAN 002)



**Old Oak tree to be used
for wine tasting and sales
events ($\pm 75m^2$).**





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ANNEXURE E

COMMENT FROM THE DIRECTORATE:
INFRASTRUCTURE SERVICES



STELLENBOSCH MUNICIPALITY
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MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag: Salome Newman
From ▫ Van: Principal: Development (Infrastructure Services)
Author ▫ Skrywer: Kurt Titus
Date ▫ Datum: 12 October 2023
Our Ref ▫ Ons Verw: Civil LU 2563
Town Planning Ref: LU/15779
Re ▫ Insake: Farm 135, Stellenbosch: Application is made in terms of Section 15(2)(g) of the Stellenbosch Municipality By-law on Municipal Land Use Planning, 2023 for additional use (technical approval) to permit a tourist facility consisting of an outdoor tasting and sales area (±75m²) on Farm No. 135, Stellenbosch Division.

The application for additional use to permit a tourist facility on Farm 135, Stellenbosch is **recommended for approval**.

The decision is made after considering the pertinent services that can be adversely affected by the proposed additional use.

- 1. Civil Engineering services**
 - 1.1 No municipal services running through the property.
- 2. Development Charges (DCs)**
 - 2.1 The following DC's are payable: See **Development Charge Calculation** attached.

- 2.2 The DC's were calculated by using the 2023/2024 tariff structure. If DC's are paid after 30 June 2024 it will have to be recalculated by using the tariff structure and DC Policy principles applicable at date of payment.
- 2.3 The appropriate DC's are payable before land use approval is finalized.

K Titus

Kurt Titus
Principal Technician: Development (Infrastructure Services)

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Stellenbosch Municipality

Development Charge Calculation



APPLICATION INFORMATION	
Application Number:	LU 2563
Development Name:	Under the oak tree tourist facility
Date:	12 October 2023
Financial Year:	2023/2024
Erf Location (Select from 7 Locations):	Stellenbosch Town
Erf Region (Select Urban or Rural):	Rural
Erf No. / Farm No.:	Farm 135
DC Parameters Reference:	DC_Temp Develp_LU 2563_Stellenbosch_TV3 Projects_Development Proposal 3902-P_Clifford Hoys_Au built information on GIS_Confirmation email from Clifford

SUMMARY OF DC CALCULATION									
Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civl Eng Services)	Community	Totals	
Unit(s):	l/day	l/day	ha°C	t/week	trips/day		persons		
Total Increased Services Usage:	0.75	0.525	0.015	0.045	7.5		1.85		
Total Services Usage Reduction:	0	0	0	0	3.8		0		
Total Services Usage after Reduction:	0.75	0.53	0.01500	0.045	3.8		2		
Charges before adjusting for positive only, before Deductions	R -	R -	R -	R 4 401.52	R 50 293.64	R 54 695.17	R -	R 54 695.17	R
Charges adjusted for positive only, before Deductions	R -	R -	R -	R 4 401.52	R 50 293.64	R 54 695.17	R -	R 54 695.17	R
Total Deductions:	R -	R -	R -	R -	R 25 146.82	R 25 146.82	R -	R 25 146.82	R
Total Development Charges Payable (excluding VAT):	R -	R -	R -	R 4 401.52	R 25 146.82	R 29 548.34	R -	R 29 548.34	R
VAT:	R -	R -	R -	R 680.23	R 3 772.02	R 4 432.25	R -	R 4 432.25	R
Total Development Charges Payable (including VAT):	R -	R -	R -	R 5 081.75	R 28 918.84	R 33 990.60	R -	R 33 990.60	R

APPLICANT INFORMATION	
Application Processed by:	Kurt Thus
Signature:	<i>Kurtus</i>
Notes:	Water, Sewer, Stormwater and the Community components, not included in this calculation. The proposal main intention does not contribute additional loading on these components

