



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/11544

Our File Reference Number: Farm 1359, 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 TO COMPLY WITH A CONDITION OF APPROVAL ON FARM 1359, 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 application in terms of section 15(2)(l) of the Stellenbosch Municipality Land Use Planning Bylaw, 2015 for a permission required in terms of a condition of approval, to comply with Conditions 3.2 as stipulated in the decision letter, dated 29 October 2021, for the approval of the Site Development on Farm No. 1359 and Farm No. 147/5, Stellenbosch Division;

BE APPROVED in terms of Section 60 of the said Bylaw and subject to the conditions in terms of Section 66 of said Bylaw.

2.2 The approval is subject to the following **conditions** imposed in terms of Section 66 of said Bylaw:

2.2.1 The approval only applies to the proposal 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.

2.2.2 The development must be undertaken generally in accordance with the site development plan as referenced (SD-3456-M101; M209 & M102, dated 05 November 2021 and 16 November 2020) and attached as **ANNEXURE B**.

2.2.3 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.

2.2.4 The remaining conditions imposed by council in its approval letter dated 29 October 2021, are still applicable (see **ANNEXURE C**);

2.3 The **reasons** for the above decision are as follows:

2.3.1 The Site Development Plan will not result in any additional rights being granted.

2.3.2 The property will be developed in accordance with the approved land use rights.

2.3.3 The submission of the site development plan is to comply with a condition of approval as indicated in the letter dated 29 October 2021.

3. 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.

4. 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.
5. 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
6. 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.
7. 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>).

8. 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.
9. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
10. 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

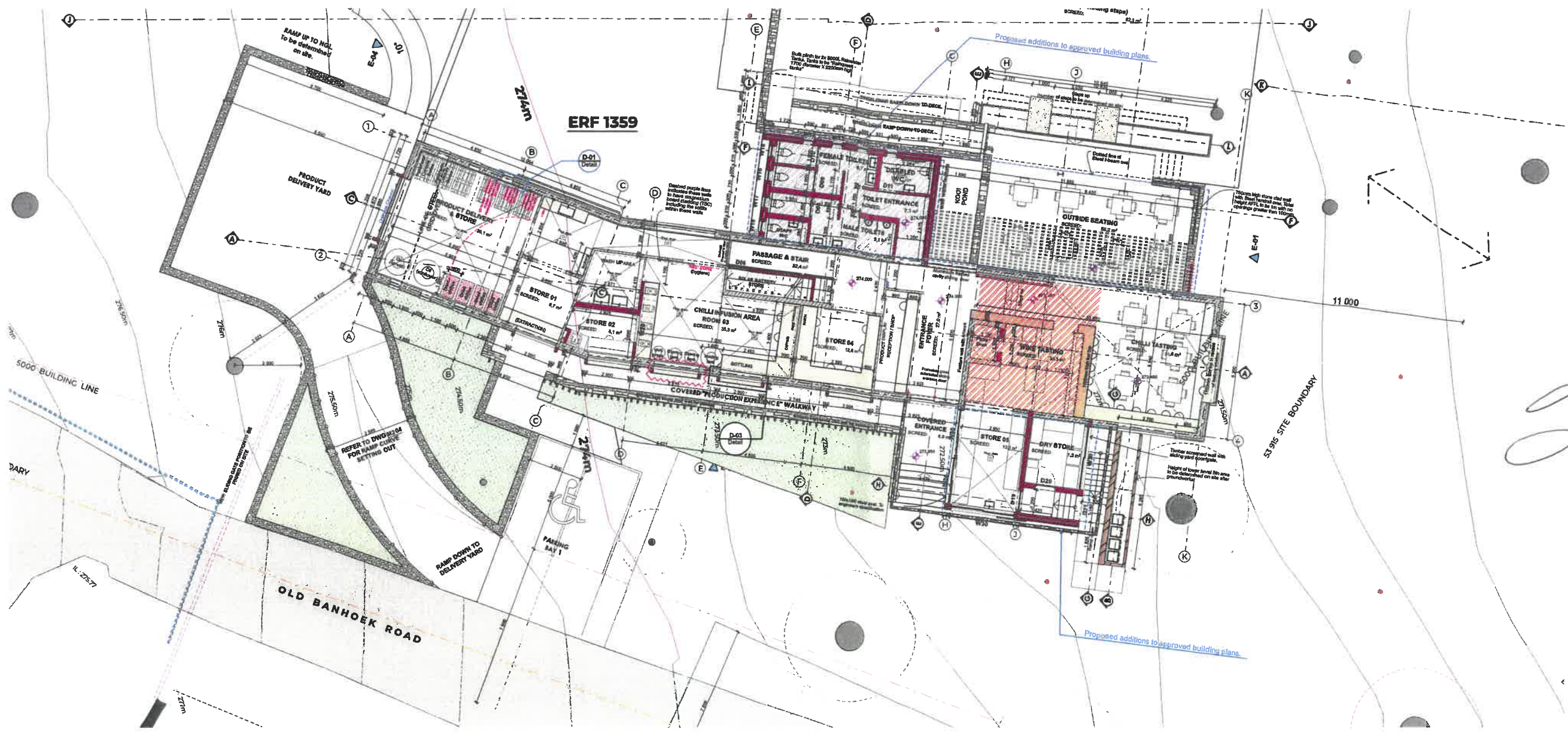

For: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

6/4/2022
DATE:

**Annexure B:
Site Development Plan**

11/4/2022

| REV | DATE | DESCRIPTION |
|-----|---------|-------------------|
| 01 | 11/2020 | ISSUE FOR COMMENT |
| 02 | 11/2020 | ISSUE FOR COMMENT |
| 03 | 11/2020 | ISSUE FOR COMMENT |
| 04 | 11/2020 | ISSUE FOR COMMENT |
| 05 | 11/2020 | ISSUE FOR COMMENT |
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STELLENBOSCH MUNICIPALITY

THIS SITE DEVELOPMENT PLAN IS APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015), SUBJECT TO THE CONDITIONS AS PER APPENDIX K.

MUNICIPAL MANAGER

DATE: 11/11/2022



ARCHITECT'S SIGNATURE: S·DESIGN ARCHITECTS

CLIENT'S SIGNATURE:

SCALE: 1:100 DATE: 2020/11/16

DRAWING NUMBER: SD-3456-M209 DRAWN BY: AM REVISION: 1

TownPlanning - Layout Drawings

BANHOEK CHILLI OIL

ERF 1359, KYLEMORE, STELLENBOSCH

PLANNING APPLICATION

S·DESIGN ARCHITECTS

| REV | DATE | DESCRIPTION |
|-----|------------|-----------------------------|
| 1 | 2021-02-08 | ISSUED FOR COMMENT |
| 2 | 2021-02-25 | REVISED TO REFLECT COMMENTS |
| 3 | 2021-03-18 | ISSUED TO THE BOARD |

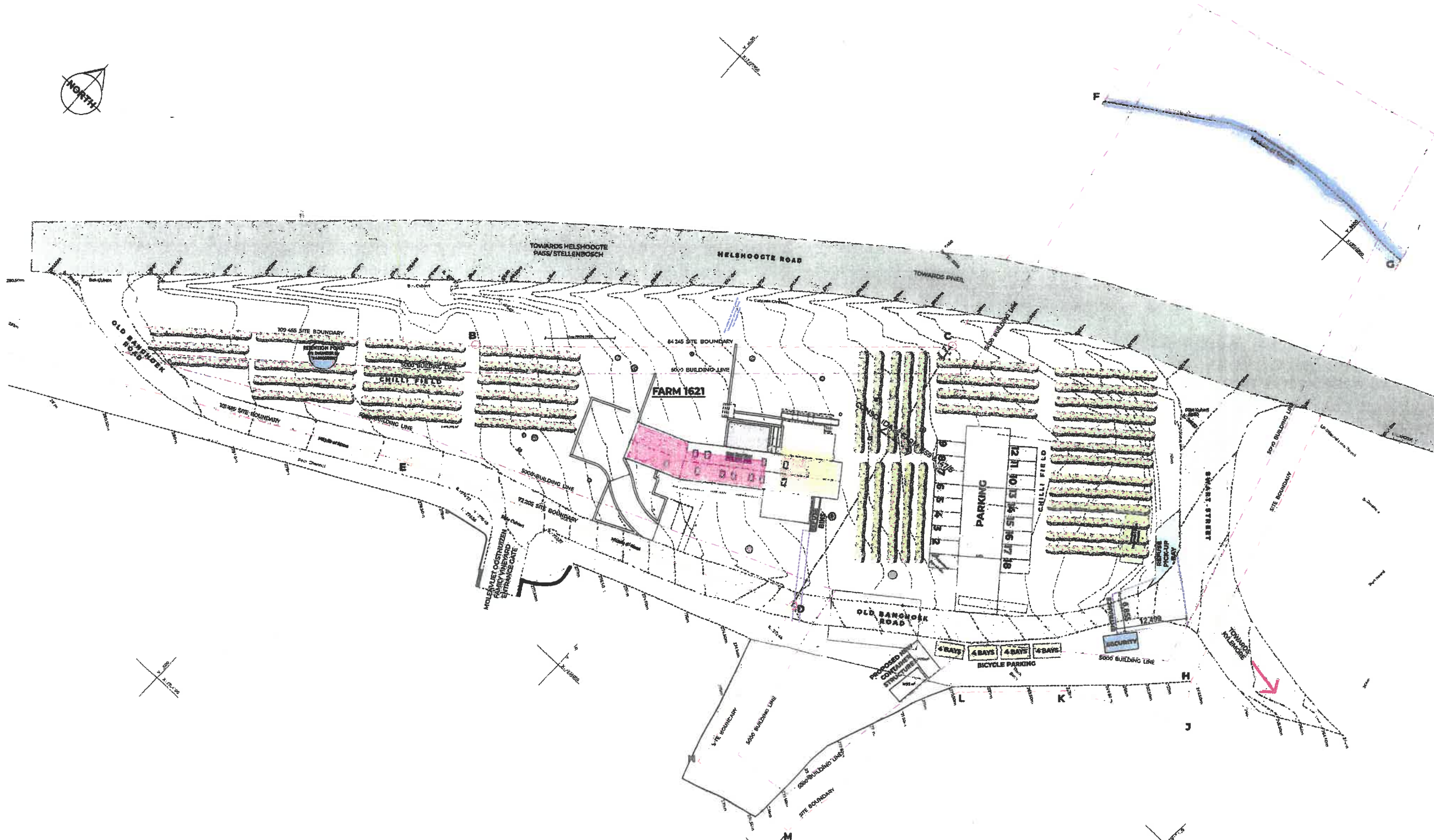
TASTING AREAS:

- CHILLI TASTING = 31,8m²
- WINE TASTING = 33,3m²
- EXTERNAL SEATING = 55,2m²
- TOTAL AREA = 120,1m²**

- ABLUTION 25m²
- SECURITY 20m²
- CONTAINER STRUCTURES
 - CHILLI OIL PRODUCTS SHOP (35,5m²)
 - DELI/COFFEE (27m²)
 - Ablution (15m²)
 - Outside Seating (42,5m²)
Total area: 120m²

PARKING:
 FARMSHED - Required 4/100m² = 5 bays
 CONTAINERS - Required 4/100m² = 5 bays
 Total bays required = 10
 Total bays Provided = 15 bays

MANUFACTURING = 135m²



SITE PLAN

Scale 1:350

STELLENBOSCH MUNICIPALITY

THIS SITE DEVELOPMENT PLAN IS APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015), SUBJECT TO THE CONDITIONS AS PER APPENDIX.

[Signature]
 MUNICIPAL MANAGER

6/4/2022
 DATE

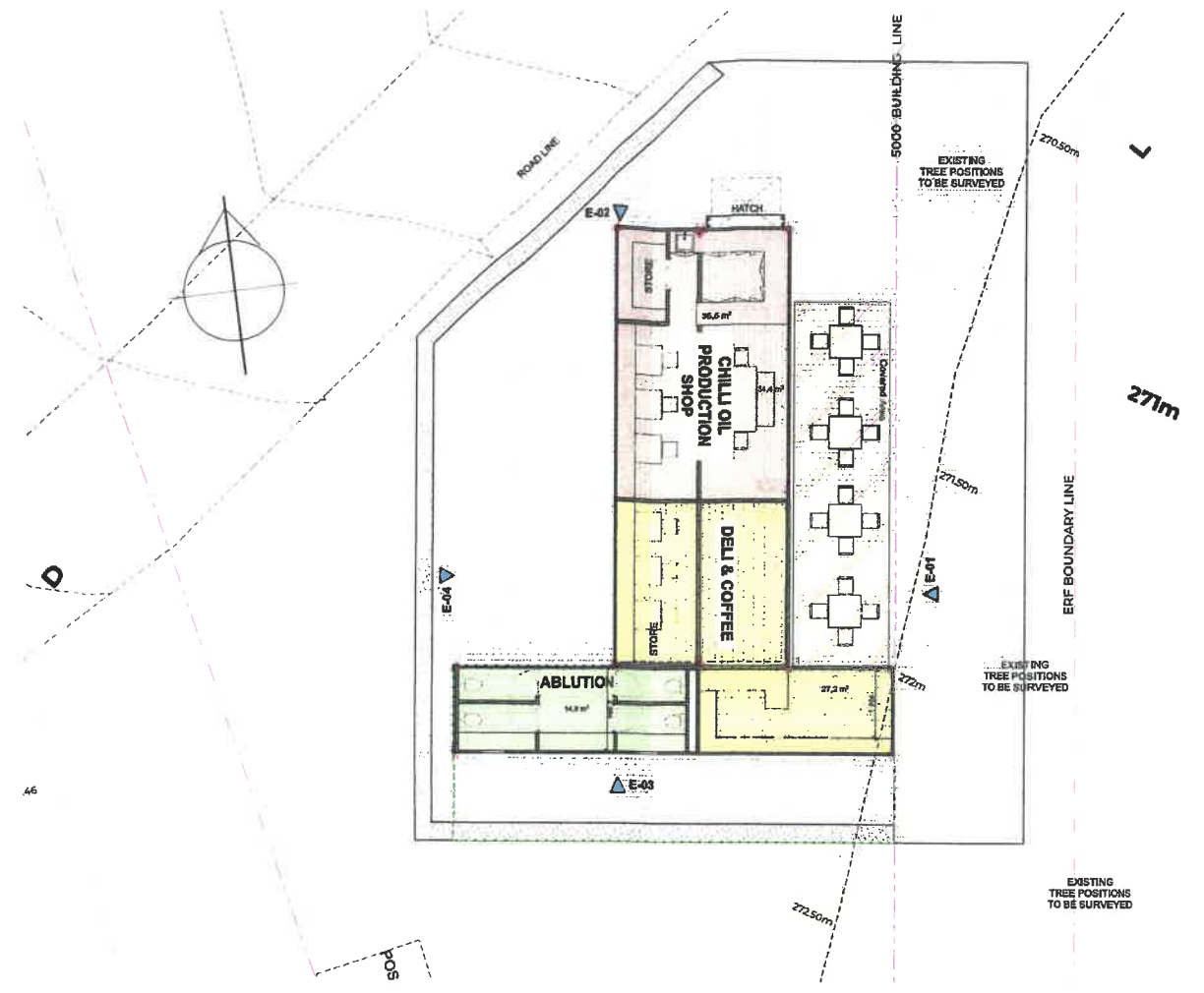
FARM 1359 AND FARM 147/5 TO BE CONSOLIDATED

AS CHECKED BY: [Name]
 DATE: [Date]

SCALE: 1:350 DATE: 2021/11/05
 DRAWING NUMBER: SD-3456-M101 DRAWN BY: AM REVISION: 5

SITE PLAN
 PROJECT: BANHOEK CHILLI OIL
 FARM 1621, KYLENMORE, STELLENBOSCH





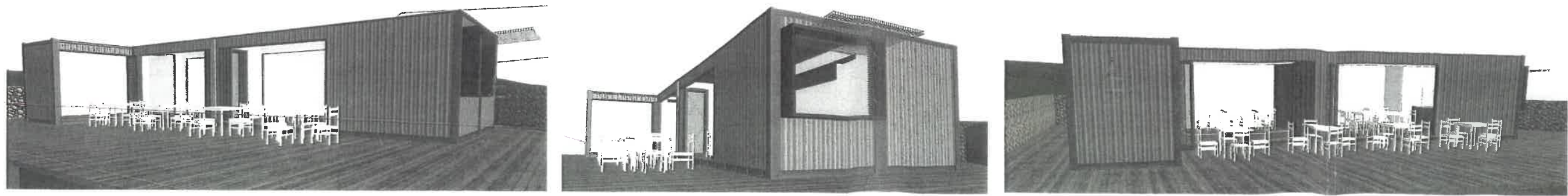
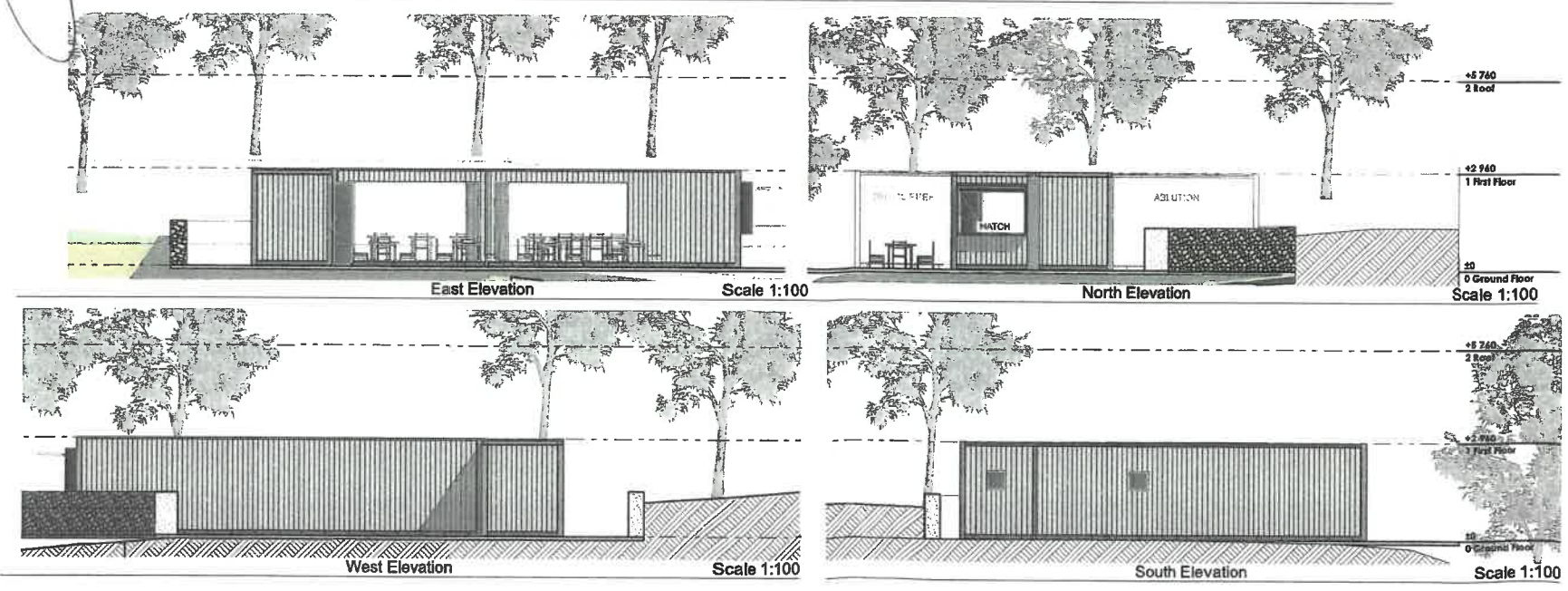
- DELI & COFFEE = 27m²
- CHILLI PRODUCTION SHOP = 35,5m²
- ABLUTION = 15m²
- Outside Seating = 42,5m²

TOTAL AREA = 120m²

Parking required @ 4/100m² = 5 BAYS

STELLENBOSCH MUNICIPALITY
 THIS SITE DEVELOPMENT PLAN IS APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015), SUBJECT TO THE CONDITIONS AS PER APPENDIX.
 MUNICIPAL MANAGER: _____ DATE: 6/11/2022

Ground Floor Scale 1:100



ARCHITECT'S SIGNATURE: A. NORT | P. FAYEN | 21151 | 07 528346
 CLIENT'S SIGNATURE: _____
 SCALE: _____ DATE: 2020/11/16
 DRAWING NUMBER: SD-SDA3490-M102 DRAWN BY: _____ REVISION: _____
 PROJECT: CHILLI PRODUCE SHOP & DELI
 PROJECT: BCO - CONTAINER PROJECT
 FARM 5147, Kylemore, STELLENBOSCH
PLANNING APPLICATION
S-DESIGN ARCHITECTS
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Annexure C:
Decision letter dated 29 October
2021



Application Number: LU/11544

Our File Reference Number: Farm 1359, 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 CONSOLIDATION AND CONSENT USES FOR TOURIST FACILITIES & FARM SHOP ON FARM 1359 AND PORTION 5 OF FARM 147, 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 1359 and Portion 5 of Farm 147, Stellenbosch, namely:
 - 2.1.1 **Consolidation** in terms of Section 15(2)(e) of Farm 1359 (3967m²) and Portion 5 of Farm 147 (7435m²), Stellenbosch to create one land unit of approximately 1,1ha;
 - 2.1.2 **Consent use** in terms of Section 15(2)(o) for a tourist facility in a portion (±145,1m²) of the existing farm shed to permit a chilli oil tasting facility (±31,6m²), a wine tasting facility (±33,3m²), ablution facility (±25m²), an outside seating area (±55,2m²) and a pizza oven for the serving of light lunches to patrons visiting the tourist facility;
 - 2.1.3 **Consent use** in terms of Section 15(2)(o) for a tourist facility to permit a farm shop (±120m²) in container structures to accommodate a chilli products sales area (±35,5m²), coffee/deli serving area (±27m²), outside seating deck (±42,5m²) and an ablution facility (±15m²);

2.2 **Permission required in terms of the zoning scheme** in terms of section 15(2)(g) for an **Additional Use** in terms of Section 13 of the Stellenbosch Municipality Zoning Scheme By-law, 2019, to allow for an agricultural industry for the production of chilli oil with an extent of $\pm 135\text{m}^2$ in a portion of the existing farm shed;

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

3. Conditions of approval

3.1 The approval only applies to the approval granted above and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.

3.2 A detailed site development plan as contemplated in terms of Section 16 of the Zoning Scheme Bylaw, 2019 be submitted for approval to the Municipality and which must satisfactorily address all the conditions to this approval and to be approved prior to the submission of any building plans.

3.3 That a consolidation plan be submitted to the Municipality for endorsement.

3.4 Building plans to be submitted for all changes of use in the existing buildings or any new structures to be erected, and which building plan(s) must be approved and related occupancy certificates be issued prior to the vesting of any of the related approvals.

3.5 An application be submitted for any signage to be erected and which must be in line with the signage policy of the Municipality and be approved prior to any signage being erected.

3.6 That development contributions are payable with the issuing of the clearance certificate for consolidation, which amount will be calculated in accordance with the approved Council tariffs in force at the time of payment.

3.7 That consolidation of the subject erven occurs prior to building plan approval and that the permitted land uses may not be implemented prior to the issuing of a certificate of consolidated title and endorsement of the relevant title deed by the Registrar of Deeds.

3.8 That the following conditions imposed by the Directorate Infrastructure Services (see **ANNEXURE J** for memo dated 02 July 2021), be complied with to the satisfaction of the relevant Directorate:

3.8.1 Civil Engineering Services

3.8.1.1 Existing service connections must be used. Any alterations or upgrades required to existing services will be for the Owner's account.

3.8.1.2 The existing building plan approval indicates a conservancy tank. A package plant was not indicated on the building plans for the farm shed but has been constructed on site. This approval does not constitute the approval of the package plant and before the package plant can be made operational, ensure that revised building plans are submitted together with the relevant information:

- Proof of approval by DWS
- Proof of agreement with service provider to operate and maintain the plant.
- Engineering drawings, indicating inter alia overflow and treated effluent discharge.

3.8.2 Roads

3.8.2.1 Access is from a provincial road. Obtain approval from Provincial Roads Engineer. All conditions must be adhered to before occupation certificate is issued.

3.8.2.2 According to the TIS the refuse room is 72m inside the access gate - on private property. This is not supported and the refuse room and refuse embayment must be moved to the entrance gate, so it is accessible from the public road. This must be indicated on the plans.

3.8.2.3 The access road (as indicted on the SDP) must be widened at the access to accommodate two-way traffic flow.

3.8.2.4 According to the TIS by UDS dated 30 June 2021, Par 4: "The access is proposed to be gated, however, the gate will be open from 07:00 to 19:00. The access will only be used by the proposed development." If the owner divers from this arrangement and access control is implemented, then the stacking distance will be re-assessed and any modifications to the entrance layout and position will have to be implemented by the owner at his own cost.

3.8.2.5 The access, internal road layout and parking layout must be indicated on the building plans for approval. It must clearly indicate the land widths, stacking distances and parking dimensions.

3.8.3 Development charges (DC's)

3.8.3.1 The following DC's are payable: See Development Charge Calculation attached.

3.8.3.2 The DC's were calculated by using the 2021/2022 tariff structure. If DC's are paid after 30 June 2022 it will have to be recalculated by using the tariff structure applicable at date of payment.

3.8.3.3 The appropriate DC's are payable before building plan approval, or the facility being put to its intended use.

3.8.4 Electrical Engineering conditions: All electrical work must comply with SANS142 and Municipal electrical by-laws.

3.9 That the following conditions imposed by the Western Cape Department of Transport and Public Works: Roads, as contained in their memo dated 13 August 2021 (as qualified in the letter dated 25 October 2021), attached as **ANNEXURE I** be complied with to the satisfaction of the relevant authority.

3.9.1 The extent of the tourist facility and farm shop must be limited to the areas as listed in the application.

3.9.2 The only access to the facility must be off DR1079 approximately 45m from the MR172/DR1079 intersection.

3.9.3 No access will be allowed via OP5228.

3.9.4 The access gate must be 6,8m wide to allow for two-way traffic flow.

3.9.5 ... (removed in terms of letter dated 25 October 2021)

3.9.6 ... (removed in terms of letter dated 25 October 2021)

3.9.7 The legally registered property owner of the consolidated Portion 5 of Farm 147 and Farm 1359 shall enter into a non-compensation agreement with this Branch to ensure that:

3.9.7.1 This Branch as Road Authority is indemnified against all claims of whatsoever nature, including legal costs, as a result of any costs incurred and or loss suffered in the event that the existing electrical fence needing to be moved as a result of any road infrastructure deemed necessary within the road reserve or the statutory 5m building line, by the road authority.

3.9.7.2 This non-compensation agreement is included in a notarial deed of restraint of sale attached to the Title Deed of the above property preventing the registered owner of the property from disposing of the unit until the intended future owner has furnished Stellenbosch Municipality with a similar non-compensation agreement.

3.9.7.3 A certified copy of the amended Title Deed is lodged with this Branch.

3.9.7.4 Receipt of the certified copy of the amended Title Deed is acknowledged by this Branch.

3.9.8 Proof must be provided that the relevant department at the Municipality has approved the billboard on the corner of MR172/DR1079 with the consent of this Branch as a structure within the statutory 5m building line in terms of Act 21 of 1940.

3.10 That the following conditions imposed by the Cape Winelands District Municipality (Municipal Health Services), as contained in their memo dated 03 March 2021, attached as **ANNEXURE K** be complied with to the satisfaction of the relevant authority:

3.10.1 Sufficient ablution facilities must be provided.

3.10.2 Provision must be made for the disposal of sanitary products.

3.10.3 All sewerage and wastewater must be properly dealt with.

3.10.4 All washing water must pass through a fat trap before it is released in the sewerage system.

3.10.5 The development must form part of the Stellenbosch Municipality waste removal services.

3.10.6 The applicant must apply with Stellenbosch Municipality for the necessary licence and the Cape Winelands District Municipality for a competency certificate in terms of R638 of 22 June 2018, should any food preparation for sale to the public take place on site.

3.10.7 A sufficient supply of clean, safe piped drinking water must be provided.

3.10.8 No sound amplifying devices may be used outside.

3.10.9 Should any activity on the site generate noise the obligation is on the owner to conduct the required sound tests and to submit the results to Health Department. The SABS Code of Practice 0103 of 1994 and the Regulations in terms of the Environmental Conservation Act No 73 of 1989 must serve as a guideline.

4. Reasons for the Decision

4.1 The proposed tourist facilities are in keeping with the objectives of the Stellenbosch MSDP and Rural Guidelines, which promotes the diversification of land uses on agricultural land to supplement income derived from farming and to add value to locally produced products.

4.2 The nature of the proposed tourist facilities is compatible with the rural area and the scale of the proposed activities, is regarded as appropriate in relation to the size of the application property.

4.2 It is not foreseen that the proposal will have a negative impact on the surrounding property owners.

4.3 The scale of the tourist activities is subservient to the primary agricultural use of the property.

4.4 From an agricultural perspective, the consolidation of farming units is supported.

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

29/10/2021
DATE



STELLENBOSCH MUNICIPALITY
STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To - Aan: Director: Planning + Economic Development
Att Aandag Salome Newman / Nolusindiso Momoti / Nicole Katts
From - Van: Manager: Development (Infrastructure Services)
Author - Skrywer: Tyrone King
Date - Datum: 2 July 2021
Our Ref - Ons Verw: Civil LU 2142
Your Ref: LU/11544
Re - Insake: Farm 1359: Application to use portions of the farm shed as a tourist facility – 145.1m² and the erection of container structures to accommodate a farm shop -120m²

This comment is based on the following documents received:

- Town Planning motivation report by Emile vd Merwe, dated 2020-11-23
- TIS by UDS dated 30 June 2021
- SDP SD-3456-M101 Ref 4 by S-Design dated 2021/06/17

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

- 1. Civil Engineering Services**
 - 1.1** Existing service connections must be used. Any alterations or upgrades required to existing services will be for the Owner's Account.
 - 1.2** The existing BP approval indicates a conservancy tank. A package plant was not indicated on the BPs for the farm shed, but has been constructed on the site. This approval does not constitute the approval of the package plant, and before the

package plant can be made operational, please ensure that revised building plans are submitted together with the relevant information:

- 1.2.1 Proof of approval by DWS
- 1.2.2 Proof of agreement with service provider to operate and maintain the plant.
- 1.2.3 Engineering drawings, indicating inter alia overflow and treated effluent discharge.

2. Roads

- 2.1 **Access is from a provincial road – please obtain approval from Provincial Roads Engineer. All conditions must be adhered to before occupation certificate is issued.**
- 2.2 According to the TIS the refuse room is 72m inside the access gate – on private property. This is not supported and the refuse room and refuse embayment must be moved to the entrance gate so it is accessible from the public road. This must be indicated on the building plans.
- 2.3 The access road (as indicated on the SDP) must be widened at the access to accommodate two-way traffic flow.
- 2.4 According to the TIS by UDS dated 30 June 2021, Par 4: "The access is proposed to be gated, however, the gate will be open from 07:00 to 19:00. The access will only be used by the proposed development." If the Owner diverts from this arrangement and access control is implemented, then the stacking distance will be re-assessed and any modifications to the entrance layout and position will have to be implemented by the Owner at his own cost.
- 2.5 The access, internal road layout and parking layout must be indicated on the building plans for approval. It must clearly indicate the lane widths, stacking distances and parking dimensions.

3. Development Charges (DCs)

- 3.1 The following DC's are payable: See **Development Charge Calculation** attached.
- 3.2 The DC's were calculated by using the 2021/2022 tariff structure. If DC's are paid after 30 June 2022 it will have to be recalculated by using the tariff structure applicable at date of payment.

3.3 The appropriate DC's are payable before building plan approval, or the facility being put to its intended use.

4. Electrical Engineering

4.1 Refer to Annexure: Electrical



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

W:\2.0 DEVELOPMENT\00 Developments\2142 (TK) Farm 1359 Stellenbosch (LU-11544) (Banhoek Chilli Oil)\2142 (TK) Farm 1359 Stellenbosch (LU-11544) (Banhoek Chilli Oil).doc

**ANNEXURE:
ELECTRICAL**

FARM 1359,

GENERAL COMMENT:

1. Outside Stellenbosch area of supply.
2. All Electrical requirements should be directed to Eskom.

CONDITIONS

3. All electrical work to comply with SANS142 and Municipal electrical by-laws

Bradley Williams

Date.....13/04/2021.....



Signature



REFERENCE: TPW/CFS/RP/LUD/BPL-25/16 (Job 27597)
ENQUIRIES: Ms G Swanepoel
DATE: 13 August 2021

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES
31 AUG 2021
RECEIVED

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Attention: Mr Ulrich von Molendorff

Dear Sir

| | |
|-------------------------|--------|
| FILE NR: | |
| SWANEP: F 1359 S | |
| COORDINATOR NR: F 47/55 | |
| | 712833 |

MUNICIPALITY - MUNISIPALITEIT
20 AUG 2021
CENTRAL RECORDS STELLENBOSCH

FARM 1359 AND PORTION 5 OF FARM 147 STELLENBOSCH: MAIN ROAD 172, DIVISIONAL ROAD 1079 AND MINOR ROAD 5228: APPLICATION FOR CONSOLIDATION AND CONSENT USE

1. The following refer:
 - 1.1. This Branch's letter 16/9/6/1-25/203 (Job 24990) to you dated 26 March 2018;
 - 1.2. This Branch's email Job 27597 to you dated 6 February 2020;
 - 1.3. The Amended Application (Farm 1359 Stellenbosch) submitted to you by Emile van der Merwe Town Planning Consultants dated 23 November 2020;
 - 1.4. The undated Notice of Land Development Application to Interested and Affected Parties for Comment (LU/11544) received by this Branch on 3 March 2021 and
 - 1.5. The Traffic Impact Statement letter UDS486/Reports prepared by UDS Africa and addressed to you dated 30 June 2021; and
2. The application entails the following:
 - 2.1. The consolidation of Farm 1359 and Portion 5 of Farm 147 Stellenbosch;
 - 2.2. The use a portion of the existing farm shed as a tourist facility to permit a chilli oil tasting facility (31.6m²), a wine tasting facility (33.3m²) and an outside seating area (55.2m²) to accommodate the serving of light lunches and
 - 2.3. The erection of container structures to accommodate a farm shop (120m²) that includes a chilli product sales area (35.5m²), coffee/deli serving area (27m²) and outside seating deck (42.5m²).

6. Proof must be provided that the relevant department at the municipality has approved the billboard on the corner of MR172/DR1079 with the consent of this Branch as a structure within the statutory 5m building line in terms of Act 21 of 1940.
7. As Road Authority in terms of Act 21 of 1040, this Branch approved the consolidation of Farm 1359 and Portion 5 of Farm 147 Stellenbosch.

Yours Sincerely



SW CARSTENS

For DEPUTY DIRECTOR-GENERAL: ROADS



TRANSPORT & PUBLIC WORKS: ROADS
Chief Directorate: Road Planning
Email: grace.swanepoel@westerncape.gov.za
Tel: +27 21 483 4669
Room 335, 9 Dorp Street, Cape Town, 8001
PO Box 2603, Cape Town, 8000

REFERENCE: TPW/CFS/RP/LUD/BPL-25/16 (Job 27597)
ENQUIRIES: Ms G Swanepoel
DATE: 25 October 2021

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Attention: Mr Ulrich von Molendorff

Dear Sir

FARM 1359 AND PORTION 5 OF FARM 147 STELLENBOSCH: MAIN ROAD 172, DIVISIONAL ROAD 1079 AND MINOR ROAD OP5228: APPLICATION FOR CONSOLIDATION AND CONSENT USE

1. This Branch's letter TPW/CFS/RP/LUD/BPL-25/16 (Job 27597) dated 13 August 2021 refers.
2. After discussions with Mr Emile van der Merwe who submitted the application (LU11544) on behalf of the owners, the following condition is removed from the list contained in our letter above:
 - 2.1. Considering the land use application which will soon be submitted for Farm Molenvliet 1424 it was decided not to enforce conditions 5.5 and 5.6 in our letter above subject to our letter of comment on this application (LU/6068) when received.
3. The remainder of the conditions listed in our letter above remains.

Yours Sincerely

SW CARSTENS
For DEPUTY DIRECTOR-GENERAL: ROADS

ENDORSEMENTS

1. Stellenbosch Municipality

Attention: Mr U von Molendorff (e-mail: ulrich.vonmolendorff@stellenbosch.gov.za)

Mr S Carstens (e-mail: stiaan.carstens@stellenbosch.gov.za)

Mr D Louw (e-mail: deon.louw@stellenbosch.gov.za)

Mr J Fullard (e-mail: johan.fullard@stellenbosch.gov.za)

2. Emile van der Merwe Town Planning Consultants

Attention: Mr E van der Merwe (e-mail: emilevdm@adept.co.za)

3. UDS Africa

Attention: Mr P van Blerk (e-mail: piet@udsafrika.co.za)

4. District Roads Engineer

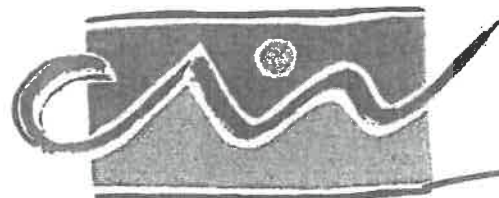
Paarl

5. Mr Eroy Smith (e-mail)

6. Mr SW Carstens (e-mail)

7. Mr H Thompson (e-mail)

8. Mr B du Preez (e-mail)



CAPE WINELANDS DISTRICT
MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

DEPARTEMENT/DEPARTMENT/CANDELO:
NAVRAE/ENQUIRIES/IMIBUZO:
TELEFOON/TELEPHONE/UMNKEBA:
FAKS/FAK/FEKSI:
E-POS/E-MAIL/E-MAIL:
U VERW/YOUR REF/REF YAKHO:
ONS VERW/OUR REF/REF YETHU:

MUNISIPALE GESONDHEIDSDIENSTE

Mnr. J Krüger
021-8885800
021-8879365

julian@capewinelands.gov.za
Farm 1359(P)
Plaas 1359, Banhoek

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 mayithunyelwa kuMlawuli kaMasipala

03-03-2021

Munisipale Bestuurder
Munisipaliteit Stellenbosch
Posbus 17
Stellenbosch
7599

Vir aandag: Beplanning en Ekonomiese Ontwikkelingsdienste

Meneer

**AANSOEK OM VERGUNNINGSGEBRUIK: PLAAS BANHOEK CHILLI OIL,
NO. 1359, AFDELING STELLENBOSCH**

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 afloop/ waswater moet so beskik 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. Die applikant moet aansluit by die Stellenbosch Munisipaliteit se vullis verwyderingsdiens.
6. 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 geskiktheidsertifikaat in gevolge van R638 van 22 Junie 2018 .
7. 'n Voldoende voorraad veilige skoon gepypde drinkwater moet voorsien word.
8. Geen klankversterkende toerusting mag buite in die tuin gebruik word nie.

9. Indien enige aktiwiteit op die perseel geraas genereer berus die onus by die eenaar om die nodige klanktoetse te laat neem en die uitslae aan hierdie Departement voor te lê. (Die SABS Gebruikskode 0103 van 1994 asook die Regulasies van die Wet op Omgewingsbewaring Nr.73 van 1989 moet as riglyn dien.)

Die uwe



nms. Munisipale Bestuurder