



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/11484

Our File Reference Number: Farm 1505, 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 FOR SUBDIVISION AND REZONING OF REMAINDER FARM 1505, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
3. That the application in terms of Section 15(2)(d) of the Stellenbosch Municipal Land Use Planning Bylaw for the **subdivision** of Remainder Farm No. 1505, Stellenbosch Division into two (2) portions measuring $\pm 56,1251$ ha in extent (Remainder) and $\pm 2 965$ m² in extent (Portion A).

BE REFUSED in terms of Section 60 of the said Bylaw

3.1 The reasons for the above decision are as follows:

- a. The proposed subdivision does not comply with the provisions of the Western Cape Land Use Planning Guidelines: Rural Areas, in that subdivision of agricultural land is discouraged and lease agreements are preferred.
 - b. The proposal is not in line with the Stellenbosch Spatial Development Framework.
 - c. The approval of the subdivision will create a precedent for future subdivisions in the area.
4. That the application in terms of Section 15(2)(a) of the Stellenbosch Municipal Land Use Planning Bylaw for the **rezoning** of a portion of Remainder Farm No. 1505, Stellenbosch Division from **Agriculture and Rural Zone** to **Education Zone** ($\pm 2 965$ m² in extent) for education purposes (training centre),

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

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

5.1 The approval only applies to the rezoning under consideration, as indicated on the referenced, **Plan Nr. Re 1505/Rez, dated 28 February 2020**, site plan, attached as **ANNEXURE C** 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.

5.2 The development must be undertaken in accordance with the site plan as referenced, Plan Nr. Re 1505, dated 28 February 2020, and attached as **ANNEXURE C**.

5.3 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.

5.4 The conditions of the **Manager: Health Department (Cape Winelands District)** as specified in their memo dated 08 April 2021, attached as **ANNEXURE H**, be complied with.

5.5 The conditions of the **Director: Engineering Services** as specified in their memo dated 18 May 2021, attached as **ANNEXURE I**, be complied with.

5.6 The following conditions of the **Department of Transport and Public Works** as specified in their letter dated 20 January 2021, attached as **ANNEXURE J**, be complied with;

5.6.1 *The use of the facility shall be for adult education only.*

5.6.1 *The gate to the property shall be kept open at times when the arrival of users is expected, allowing for unrestricted entry; and*

5.6.2 *Any expansion of the facilities shall be subject to the approval of this Branch.*

5.7 The approval be limited to existing training centre facility.

5.8 A Site Development Plan be submitted if any extension and/or additions to the existing building are planned.

5.9 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.

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

- 6.1. The proposed use will have no visual impact on the surrounding area as no new buildings are proposed.
- 6.2. The proposal will not affect the existing agricultural viability of any of the properties involved or any adjacent properties.
- 6.3. The proposed development will not generate additional traffic to a degree that will place undue pressure on the local road network and the proposal was supported by the Provincial Roads Engineer.
- 6.4. The facility will make a valuable contribution to the community of Stellenbosch as it specializes in skills training to equip unemployed people with the necessary skills needed.

7. Matters to be noted:

- 7.1 All electrical requirements be directed to Eskom.
8. 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.
9. 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:
 - 9.1 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 Reference to this correspondence and the relevant property details on which the appeal is submitted.
 - 9.2 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.

9.3 Whether the appeal is lodged against the whole decision or a part of the decision.

9.4 If the appeal is lodged against a part of the decision, a description of the part.

9.5 If the appeal is lodged against a condition of approval, a description of the condition.

9.6 The factual or legal findings that the appellant relies on.

9.7 The relief sought by the appellant.

9.8 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.

9.9 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.

9.10. 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.

10. 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.

11. 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.

12. 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:

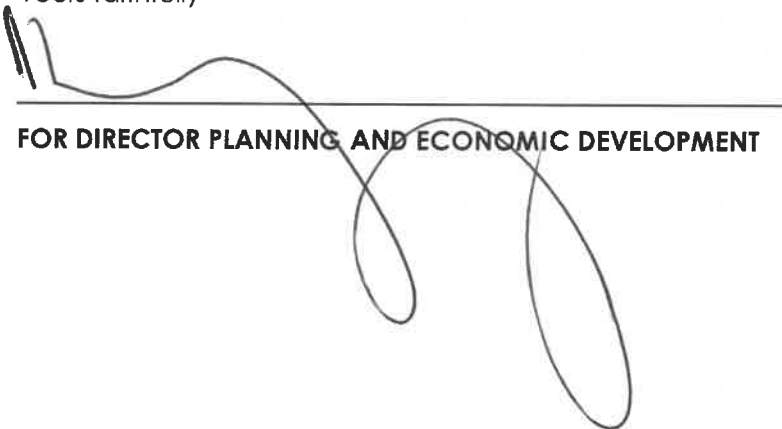
- (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.

- (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.

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

14. 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



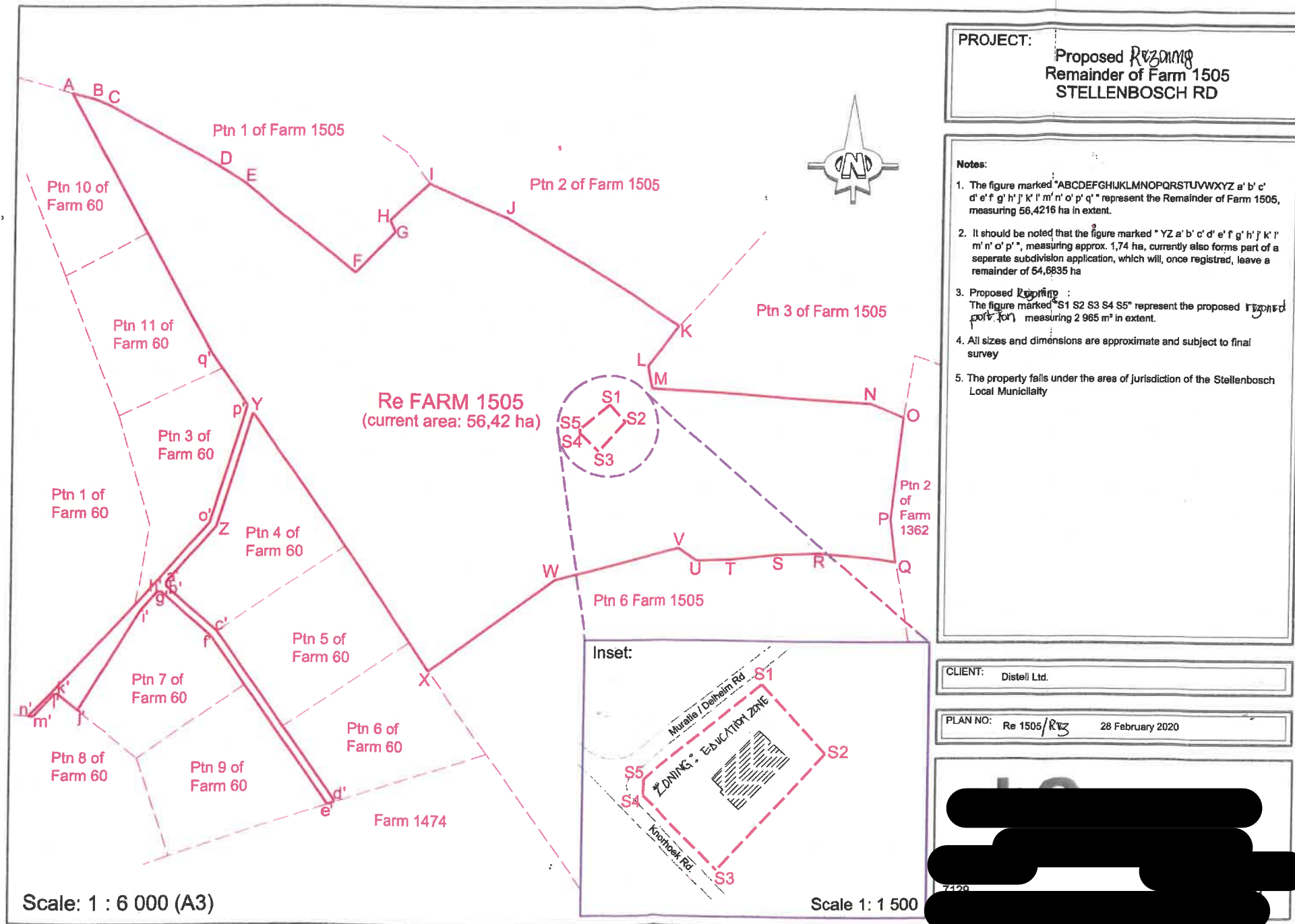
FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

22/4/2024,
DATE:

ANNEXURE C

**APPLICATION FOR SUBDIVISION AND REZONING OF REMAINDER
FARM NO. 1505, STELLENBOSCH DIVISION**

SUBDIVISIONAL PLAN



PROJECT: Proposed Rezoning
Remainder of Farm 1505
STELLENBOSCH RD

- Notes:
1. The figure marked "ABCDEFGHIJKLMNOPQRSTUVWXYZ a' b' c' d' e' f' g' h' i' j' k' l' m' n' o' p' q'" represent the Remainder of Farm 1505, measuring 56,4216 ha in extent.
 2. It should be noted that the figure marked "YZ a' b' c' d' e' f' g' h' i' j' k' l' m' n' o' p'", measuring approx. 1,74 ha, currently also forms part of a separate subdivision application, which will, once registered, leave a remainder of 54,6835 ha
 3. Proposed Rezoning:
The figure marked "S1 S2 S3 S4 S5" represent the proposed rezoned portion measuring 2 965 m² in extent.
 4. All sizes and dimensions are approximate and subject to final survey
 5. The property falls under the area of jurisdiction of the Stellenbosch Local Municipality

CLIENT: Distelli Ltd.

PLAN NO: Re 1505/R3 28 February 2020



Scale: 1 : 6 000 (A3)

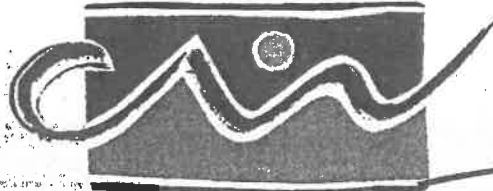
Scale 1: 1 500

ANNEXURE H

**APPLICATION FOR SUBDIVISION AND REZONING OF REMAINDER
FARM NO. 1505, STELLENBOSCH DIVISION**

**COMMENT FROM THE MANAGER:
HEALTH SERVICES**

17



CAPE WINELANDS DISTRICT
MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

DEPARTEMENT/DEPARTMENT/CANDELO:
NAVRAE/ENQUIRIES/IMBUZO:
TELEFOON/TELEPHONE/UMNKEBA:
FAKS/FAX/IFEKSI:
E-POS/E-MAIL/E-MAIL:
U VERW/OUR REF/REF YAKHO:
ONS VERW/OUR REF/REF YETHU:

MUNISIPALE GESONDHEIDSDIENSTE
Mnr. J Krüger
021-8885800
021-8879365
julian@capewinlands.gov.za
Farm 1505 + 60/4(P)
Plaas 1505 + 60/4, Klapmuts

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

08-04-2021

Munisipale Bestuurder
Munisipaliteit Stellenbosch
Posbus 17
Stellenbosch
7599

FILE NR:
SCAN NR:
F 1505 S
OPERATOR NR: 705223

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES
15 APR 2021
RECEIVED

Vir aandag: Beplanning en Ekonomiese Ontwikkelingsdienste

Meneer

**AANSOEK OM HERSONERING EN ONDERVERDELING: PLAAS, NO. 1505
EN 60/4, AFDELING STELLENBOSCH**

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

1. Alle riool –en afloop/ waswater moet gekoppel word aan die bestaande stelsel en so beskik word dat dit nie 'n oorlas veroorsaak nie.
2. Alle waswater vanaf die kombuise moet deur 'n vetvanger gaan voordat dit in die rioolsisteam vloei.
3. In die geriewe vir dames moet voorsiening gemaak word vir die wegdoen van sanitêre doekies.
4. Die applikant moet aansluit by die Raad se vullisverwyderingsdiens.
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 ingevolge R638 van 22 Junie 2018.
6. Alle voedselvoorbereiding/hanteringspersele moet voldoen aan die vereistes van R638 wat betrekking het op voedselpersele.

7. 'n Voldoende voorraad veilige skoon gepype drinkwater moet voorsien word.

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 SABS Gebruikskode Q103 van 1994 asook die Regulasies van die Wet op Omgewingsbewaring Nr.73 van 1989 moet as riglyn dien.)

Die uwe


nms. Munisipale Bestuurder

ANNEXURE I

**APPLICATION FOR SUBDIVISION AND REZONING OF REMAINDER
FARM NO. 1505, STELLENBOSCH DIVISION**

**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 Nolusindiso Momoti
 From ▫ Van: Manager: Development (Infrastructure Services)
 Author ▫ Skrywer: Tyrone King
 Date ▫ Datum: 18 May 2021
 Our Ref ▫ Ons Verw: Civil LU 2080
 Your Ref: LU/11484
 Re ▫ Insake: Farm 1505, Stellenbosch: Subdivision and rezoning to accommodate an existing school

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICE

20 MAY 2021

RECEIVED

Background:

As per 3.5.2 of the motivation report: This application is not for a new development and the building and facility already exist and is already connected to service infrastructure. Existing engineering services such as sewage, water, electricity and roads are not affected. There will be no additional service connections or capacity upgrades required which is triggered by this application.

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

1. **Civil Engineering Services**
 - 1.1 The Municipality has no service networks in this area.
 - 1.2 The Owner must make use of the existing service connections.
 - 1.3 If, for whatever reason any additions or upgrades to the existing services and/or connections are required, it will be the Owner's responsibility and for their cost.

FILE NR:	
SCAN NR:	F 1505 S
COLLABORATOR NR:	707195

2. Roads

2.1 Stellenbosch Municipality is not the roads authority + please obtain approval and conditions from the Provincial Roads department.

3. Electrical Engineering

3.1 Refer to Annexure: Electrical Engineering.



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

W:\2.0 DEVELOPMENT\00 Developments\2080 (TK) Farm 1505 Stellenbosch (LU-11484)\2080 (TK) Farm 1505 Stellenbosch (LU-11484).doc

FARM 1505

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.....19/04/2021.....



Signature

ANNEXURE J

**APPLICATION FOR SUBDIVISION AND REZONING OF REMAINDER
FARM NO. 1505, STELLENBOSCH DIVISION**

**COMMENT FROM THE DEPARTMENT
OF TRANSPORT AND PUBLIC WORKS**

(15)



ROADS
Email: Grace.Swanepoel@westerncape.gov.za
tel: +27 21 483 4669
Rm 335, 9 Dorp Street, Cape Town, 8001
PO Box 2603, Cape Town, 8000

REFERENCE: TPW/CFS/RP/LUD/REZ/SUB-25/375 (Job 27976)
ENQUIRIES: Ms GD Swanepoel
DATE: 20 January 2021

AHG Town Planning
PO Box 2992
SOMERSET WEST
7129

Attention: Mr Leon Justus

Dear Sir

FILE NO:	MISSING POST
	F 1505 S
SCAN NO:	
	700748



DIVISIONAL ROAD 1084 KNORHOEK ROAD AND MINOR ROAD 5223: APPLICATION FOR SUBDIVISION AND REZONING: REMAINDER FARM 1505, STELLENBOSCH

1. Your letter dated 19 November 2020 and attached land use application, Stellenbosch Land Use application No. LU/11484 refers.
2. The application relates to a portion of Farm 1505, Stellenbosch, on the north-east corner of Divisional Road 1084 Knorhoek Road and Minor Road 5223, the Muratie-Delheim Road.
3. The application is for:
 - 3.1 The subdivision of Farm 1505, Stellenbosch to create a portion ±2965m² in extent at the location described in paragraph 2 above, which will be subdivided from the rest of the farm and
 - 3.2 Rezoning of the portion referenced above from "Agricultural and Rural Zone" to "Education Zone".
4. The buildings on this portion have since 2005 been operated as a skills training centre by Stellemploy and the approval of this application will enable the portion to be transferred to the ownership of Stellemploy.
5. The vehicular access gate to the subject portion of Farm 1505 is located ±25m from the stop line on Minor Road 5223 where it intersects with Divisional Road 1084 Knorhoek Road. While this is not ideal in terms of access management standards, it is not a change from the current operating conditions. Vehicle movements into the property are likely to be relatively few in number, all-round visibility is good and the access to these facilities has been in use to date. As this is a T-intersection, vehicles

approaching the intersection will have made or be about to make a 90° turn, so speeds will be low. However, should any expansion of the facilities be envisaged, or the use changed to the education of children, this Branch would want the access point relocated further from the intersection. It will also be important to ensure that the gate is kept open at the times when vehicle arrivals are expected.

6. This Branch offers no objection to the land use application in respect of Farm 1505 Stellenbosch, as described above and in the land use application, subject to the following conditions:

6.1 The use of the facility shall be for adult education only;

6.2 The gate to the property shall be kept open at times when the arrival of users is expected, allowing for unrestricted entry and

6.3 Any expansion of the facilities shall be subject to the approval of this Branch.

7. In terms of Act 21 of 1940, this Branch approves the subdivision of Farm 1505, Stellenbosch.

Yours faithfully



SW CARSTENS

For DEPUTY DIRECTOR-GENERAL: ROADS