



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/12196

Our File Reference Number: Farm 1646/9, Paarl Division

Your Reference Number: V 30-80

Enquiries: Ulrich von Molendorff

Contact No: 021 808 8682

Email address: [Ulrich.Vonmolendorff@stellenbosch.gov.za](mailto:Ulrich.Vonmolendorff@stellenbosch.gov.za)

**PER E-MAIL:** ~~XXXXXXXXXXXXXXXXXXXX~~

Sir

## **APPLICATION FOR CONSENT USE ON PORTION 9 OF FARM NO. 1646, PAARL DIVISION**

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
  - 2.1 The application made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated October 2015, on Farm 1646/9, Paarl Division, for **Consent Use** to permit a portion (7 bedrooms) of the manager's house as Tourist Accommodation Establishment;

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

### **3. CONDITIONS OF APPROVAL:**

- 3.1 The approval applies only to the application under consideration as indicated on drawing drawn by Drone 8 CO (Pty) Ltd, dated 07/07/2021 and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;
- 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 conditions imposed by the Director: Engineering Services as contained in their memo dated 16 February 2021, attached as **Annexure I**, be complied with;
- 3.4 The agricultural activities should be subservient or related to the dominant agricultural use of the property and/or surrounding farms;
- 3.5 The use of a portion of the manager's house be limited to 7 bedrooms.
- 3.6 The approval will lapse if not confirmed within 5 years from date of final notification of approval of the application.

**4. REASONS FOR APPROVAL:**

- 4.1 The proposed development will comply with the vision of the Stellenbosch Municipal Spatial Development Framework;
  - 4.2 The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape;
  - 4.3 The development proposal will have no impact on the agricultural potential of the subject land unit as no viable agricultural potential of the subject land unit as no viable agricultural land will be lost;
  - 4.4 There will be no negative impact on existing infrastructure and no negative additional traffic will be generated.
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](mailto: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



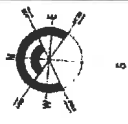
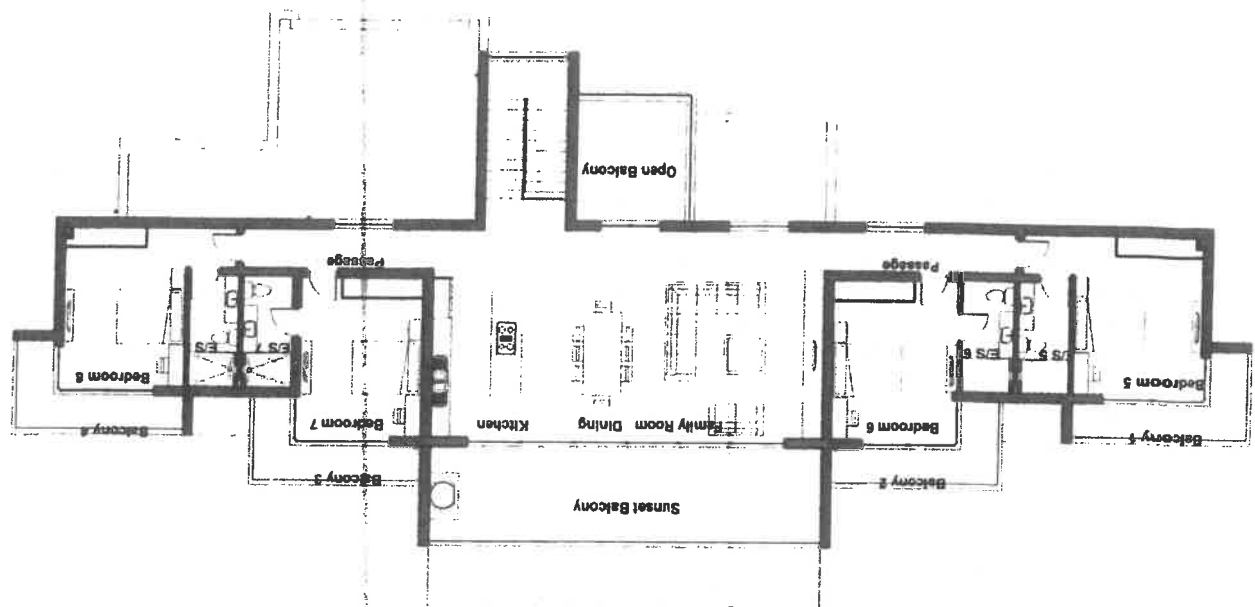
**FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT**

16/07/2021  
DATE:

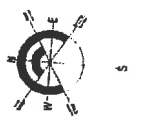
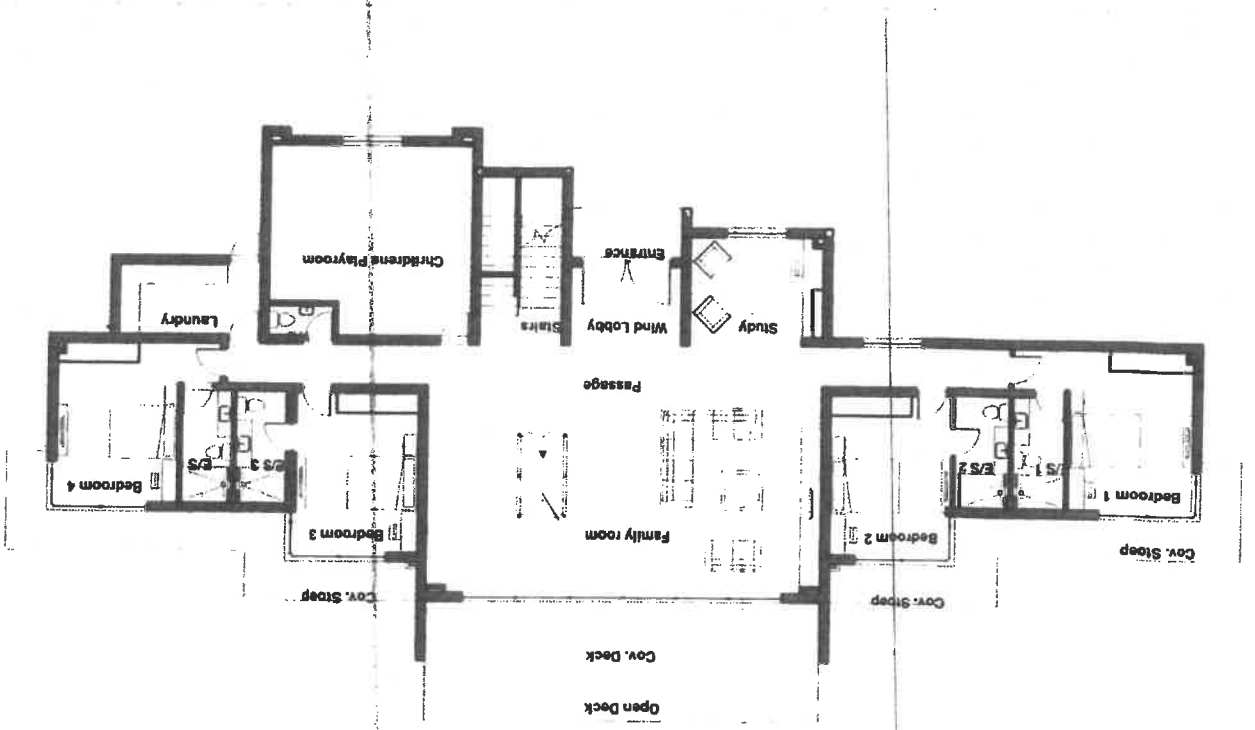




FIRST STOREY



GROUND STOREY



**ANNEXURE I: Comment from the Director: Engineering Services**





**STELLENBOSCH MUNICIPALITY**  
STELLENBOSCH · PNIEL · FRANSCHHOEK

# MEMORANDUM

**DIREKTEUR: INFRASTRUKTUURDIENSTE**  
**DIRECTORATE: INFRASTRUCTURE SERVICES**

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**To ▫ Aan:** Director: Planning + Economic Development  
**Att Aandag** Salome Newman  
**From ▫ Van:** Manager: Development (Infrastructure Services)  
**Author ▫ Skrywer:** Tyrone King  
**Date ▫ Datum:** 16 February 2021  
**Our Ref ▫ Ons Verw:** Civil LU 2134  
**Your Ref:** LU/12196  
**Re ▫ Insake:** Farm 1646/9, Paarl: Consent use to convert managers house to tourist accomodation

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**Background:**

- 8 Bedrooms in total:
  - 1 Bedroom to be used by Farm Manager.
  - 7 Bedrooms to be used as tourist accommodation.
- Water supply via CoCT – Wemmershoek supply.
- Sewer discharge via conservancy tank.

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

- 1. Civil Engineering Services**
  - 1.1 No objection, no municipal services are affected.
  - 1.2 Stellenbosch municipality does not have a water and sewer reticulation network in the vicinity of the farm. The existing method of water supply and sewer discharge will be retained as explained in the application.

**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 2020/2021 tariff structure. If DC's are paid after 30 June 2021, it will have to be recalculated by using the tariff structure applicable at date of payment.
- 2.3 The appropriate DC's are payable before building plan approval. If building plans are not applicable, because the house is already existing, then DCs are payable before the building is put to its intended new use.

**3. Electrical Engineering (Martin Slabber – Supt Dwarsrivier Elect)**

- 3.1 Comment: None
- 3.2 General: If any, moving, removing, changes or increase of electrical services are required – apply via recoverable cost application. Only fully completed forms will be accepted.



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

W:\2.0 DEVELOPMENT\00 Developments\2134 (TK) Farm 1646-9 Paarl (LU-12196)\2134 (TK) Farm 1646-9 Paarl (LU-12196).doc

**APPLICATION INFORMATION**

2134 (TK) Farm 1646-9 Paarl (LU-12196)  
 Wednesday, 01/Jul/2020  
 2020/21

Farm 1646-9

0. Ground Storey and First Storey plans Included in land use application

**SUMMARY OF DC CALCULATION**

Usage	Water		Sewer		Storm-water		Solid-Waste		Roads		Community Facilities	
	kl/day	kl/day	kl/day	kl/day	ha°C	t/week	t/week	t/week	trips/day	trips/day	trips/day	person
is before Deductions	0.240	0.500	0.000	0.080								
(VAT)						R 4 472.32	R 39 027.34					R 13 038.67
(AT)						R 4 472.32	R 39 027.34					R 13 038.67
						R 670.85	R 5 854.10					R 1 955.80
						R 5 143.16	R 44 881.44					R 14 994.47

**APPLICANT INFORMATION**

Tyrone King	
Water and Sewer - non municipal - no DCs. DC credit given for existing farm managers f DCs calculated on 8 bedrooms (accommodation establishment)	
As above	

Infrastructure Type applicable? (yes/no)	Unit Type	Existing Usage	Proposed Usage	Design	Rehabilitated Building	Water		Sewer		Roads		Community Facilities	
						NO	YES	NO	YES	NO	YES	NO	YES
Residential	m2 GLA	area (m2)	du/ha	% GLA	du/ha	% GLA	du/ha	% GLA	du/ha	% GLA	R	R	R
Single Residential >100m2	m2		0	0%	0	0%	0	0%	0	0%	R	R	R
Single Residential >50m2	du		0	0%	0	0%	0	0%	0	0%	R	R	R
Single Residential >25m2	du		0	0%	0	0%	0	0%	0	0%	R	R	R
Single Residential <25m2	du		0	0%	0	0%	0	0%	0	0%	R	R	R
Less Formal Residential >250m2	du		0	0%	0	0%	0	0%	0	0%	R	R	R
Less Formal Residential <250m2	du		0	0%	0	0%	0	0%	0	0%	R	R	R
Group Residential >250m2	du		0	0%	0	0%	0	0%	0	0%	R	R	R
Group Residential <250m2	du		0	0%	0	0%	0	0%	0	0%	R	R	R
Medium Density Residential >250m2	du		0	0%	0	0%	0	0%	0	0%	R	R	R
Medium Density Residential <250m2	du		0	0%	0	0%	0	0%	0	0%	R	R	R
High Density Residential - flats	du		0	0%	0	0%	0	0%	0	0%	R	R	R
High Density Residential - student rooms	du		0	0%	0	0%	0	0%	0	0%	R	R	R
Local Business - office	m2 GLA		0	0%	0	0%	0	0%	0	0%	R	R	R
Local Business - retail	m2 GLA		0	0%	0	0%	0	0%	0	0%	R	R	R
General Business - office	m2 GLA		0	0%	0	0%	0	0%	0	0%	R	R	R
General Business - retail	m2 GLA		0	0%	0	0%	0	0%	0	0%	R	R	R
Community	m2 GLA		0	0%	0	0%	0	0%	0	0%	R	R	R
Education	m2 GLA		0	0%	0	0%	0	0%	0	0%	R	R	R
Light Industrial	m2 GLA		0	0%	0	0%	0	0%	0	0%	R	R	R
General Industrial - light	m2 GLA		0	0%	0	0%	0	0%	0	0%	R	R	R
General Industrial - heavy	m2 GLA		0	0%	0	0%	0	0%	0	0%	R	R	R
Noxious Industrial - heavy	m2 GLA		0	0%	0	0%	0	0%	0	0%	R	R	R
Resort	m2 GLA		0	0%	0	0%	0	0%	0	0%	R	R	R
Public Open Space	m2		0	0%	0	0%	0	0%	0	0%	R	R	R
Private Open Space	m2		0	0%	0	0%	0	0%	0	0%	R	R	R
Natural Environment	m2		0	0%	0	0%	0	0%	0	0%	R	R	R
Utility Services	m2		0	0%	0	0%	0	0%	0	0%	R	R	R
Public Roads and Parking	m2 GLA		0	0%	0	0%	0	0%	0	0%	R	R	R
Transport Facility	m2		0	0%	0	0%	0	0%	0	0%	R	R	R
Limited Use	m2		0	0%	0	0%	0	0%	0	0%	R	R	R
To be calculated based on equivalent demands													
Commercial													
Industrial													
Other													
Special													
*** displays red if not equal to existing area													
Total													

Infrastructure Type	du/ha	% GLA	du/ha	% GLA	du/ha	% GLA	du/ha	% GLA	du/ha	% GLA	du/ha	% GLA	du/ha	% GLA
Residential	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Commercial	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Industrial	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Other	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Special	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Total														

Infrastructure Type	du/ha	% GLA	du/ha	% GLA	du/ha	% GLA	du/ha	% GLA	du/ha	% GLA	du/ha	% GLA	du/ha	% GLA
Residential	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Commercial	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Industrial	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Other	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Special	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Total														

\* Complete yellowgreen cells.  
 \*\* du = dwelling unit, GLA=Gross lettable area.  
 Total Development Charges before Deductions  
 % Deductions per service (%)  
 Additional Deduction per service (amount)  
 Sub Total after Deductions (excluding VAT)  
 VAT  
 Total