



Application Number: LU/11468

Our File Reference Number: Farm 24/1, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER EMAIL. [REDACTED]

APPLICATION FOR CONSENT USE IN TERMS OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW, 2015 ON FARM 24/1, 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 submitted is in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-Law (2015) on Portion 1 of Farm 24, for Consent use to operate a day care facility.

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

- 2.2 The approval is subject to the following conditions imposed in terms of Section 66 of said Bylaw:
- 2.3 The approval only applies to the application under consideration as indicated on the Site Development Plan drawing no: SBP 24 1/001 & SBP 24 1/002, dated March 2015, drawn by I. Marais 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.
- 2.4 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.

- 2.5 The development must be undertaken generally in accordance with the drawing no: SBP 24 1/001 & SBP 24 1/002, dated March 2015, drawn by I. Marais attached as **Annexure C**.
 - 2.6 The preschool may only accommodate children whose parents are farm employees on the subject property and surrounding farms.
 - 2.7 Building plans must be submitted for approval and be generally in accordance with the site development plan as referenced (SBP 24 1/001 & SBP 24 1/002, dated March 2015, drawn by I. Marais) and attached as **Annexure C**.
 - 2.8 A maximum of 20 children be accommodated in the preschool.
 - 2.9 The quality of the potable water on the premises must comply with the minimum bacteriological and chemical standards for potable water, as determined by SANS code 241.
 - 2.10 Refuse collection and storage must be done in a way that will not cause a health nuisance.
 - 2.11 Sewage disposal on the premises must always take place in a nuisance-free manner and shall be the owner's responsibility.
3. To be noted.
 - 3.1 The person in charge of the proposed day-care facility must consult with an Environmental Health Practitioner regarding the health requirements prior the opening of the day-care facility in order to determine compliance in terms of Cape Winelands District Municipal Health By-Laws, Chapter 5: Child Care facilities and Institutions.
 - 3.2 The necessary approvals be obtained from the Western Cape Government: Department of Social Development.
4. The reasons for the above decision are as follows:
 - 4.1 The application will have no negative impact on its surrounding as the facility is located within the rural area.
 - 4.2 The proposal will have no impact on existing traffic volumes as the children making use of the facility will stay within walking distance.

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.

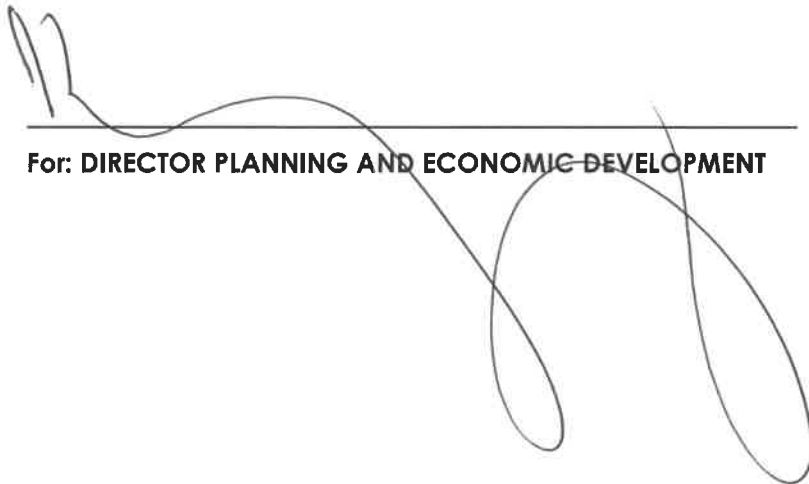
(b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.

(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.

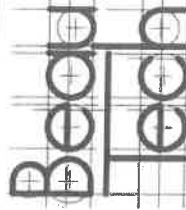
Yours faithfully



A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

For: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

14/2/2023
DATE



Tel: 082 852 0028
beep@beep.tech.za.net

Project: New Crèches on Erfno. 1 of Farm 24/1

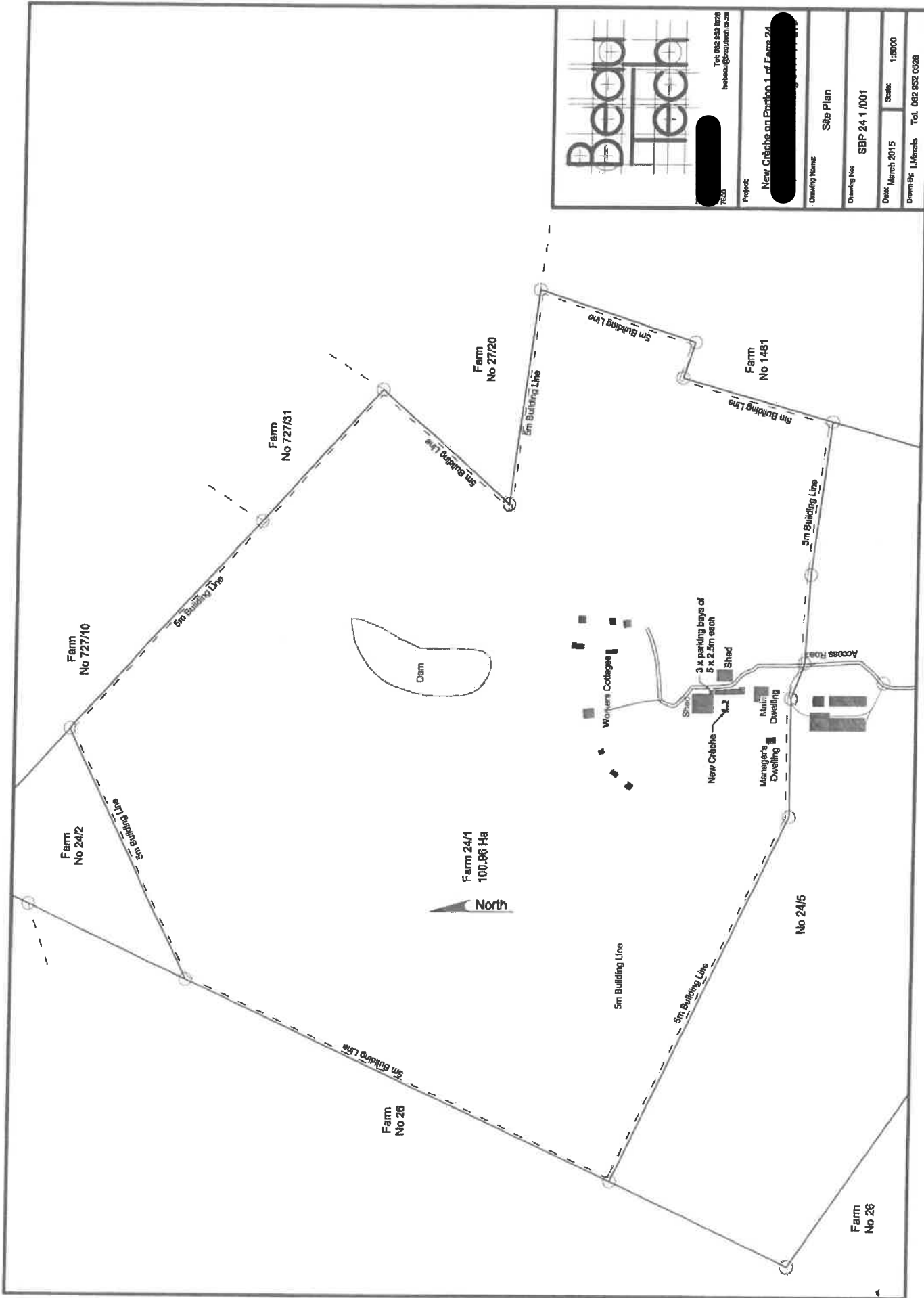
Drawing Name: [Redacted]

Drawing No: SBP 24 1 /001

Date: March 2015

Scale: 1:5000

Drawn By: L.Merens Tel: 082 852 0528

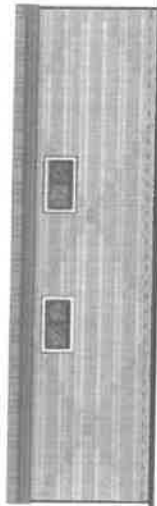




West Elevation



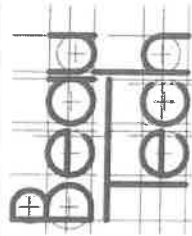
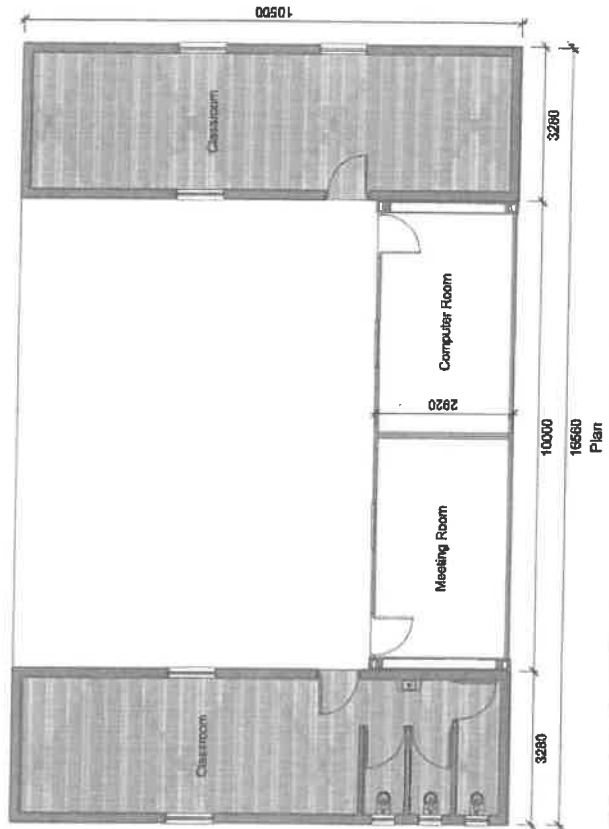
North Elevation



East Elevation



South Elevation



20 Tubular Concept
Architecture

Project

New Credits on Edition 1 of Form 24

Drawn By: [Redacted]

Plan & Elevations

Drawing No:

SBP 24 1 / 002

Date:

March 2015

Scale:

1:100

Drawn By: J. Marais Tel: 082 662 6628