

# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/11776

Our File Reference Number: Farm 48, Stellenbosch

Your Reference Number:

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:** [REDACTED]

Sir / Madam

## **APPLICATION FOR CONSENT USE AND TECHNICAL APPROVAL ON FARM 48, STELLENBOSCH**

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
  - 2.1 That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015 on Farm 48 Stellenbosch Division, namely:
    - 2.1.1 Consent Use in terms of Section 15(2)(o) of the said By-Law to use an existing steel structure with a see-through panel as a function venue that will accommodate a total number of 250 – 300 guests.
    - 2.1.2 Permission required in terms of the Zoning Scheme in terms of Section 15 (2)(g) of the said By-Law for a tourist facility to utilize a portion of  $\pm 50\text{m}^2$  of the existing shed for a distillery to make gin and rum

**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 the said Bylaw:
  - (i) The approval will lapse if not implemented / confirmed within five years from the date of final notification of approval of the application.
  - (ii) The approval only applies to the proposed consent use and technical approval under

consideration, as indicated on the referenced Project Number 345.2020, Dated July 2020, drawn by, Urban Rural SA, attached as **Annexure B** 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.

- (iii) The approval granted shall not be contradictory to any other legislation which has a bearing on the use of the property and that should any other legislation be applicable and be more restrictive then the most restrictive conditions will apply.
- (iv) Building plans must be generally in accordance with the site plan / floor layout plan as referenced Project Number 345.2020, Dated July 2020, drawn by, Urban rural sa, and attached as Annexure B.
- (v) Sufficient parking must be clearly indicated on the building plan.
- (vi) Development contributions are payable before building plan approval.

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

- a. The development proposal will have no impact on the agricultural potential of the subject land unit as no viable agricultural land will be lost
- b. The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape
- c. The proposed development will comply with the vision of the Stellenbosch Municipal Spatial Development Framework

**2.4 Matters to be noted:**

- i. Building plans be approved by the Municipality prior to any building work commencing.
- ii. All electrical work to comply with SANS 142 and Municipal by-laws.
- iii. All electrical requirements be directed to Eskom.
- iv. A business license and a liquor license be applied for if required.

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](mailto: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.

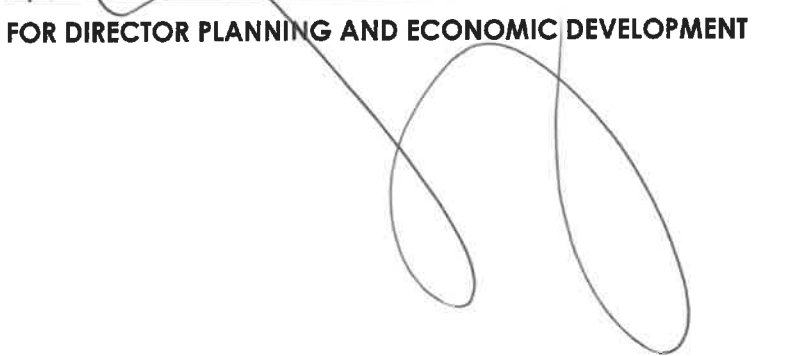
9. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
10. Kindly note the above decision is suspended, and in the case of any approval, may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully



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**FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT**



2/12/2021  
DATE:

**COPIES:**

Delheim Wines (Pty) Ltd

Nora Thiel

Email: [REDACTED]

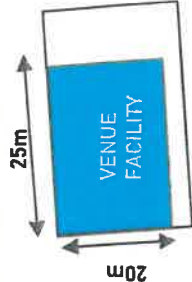


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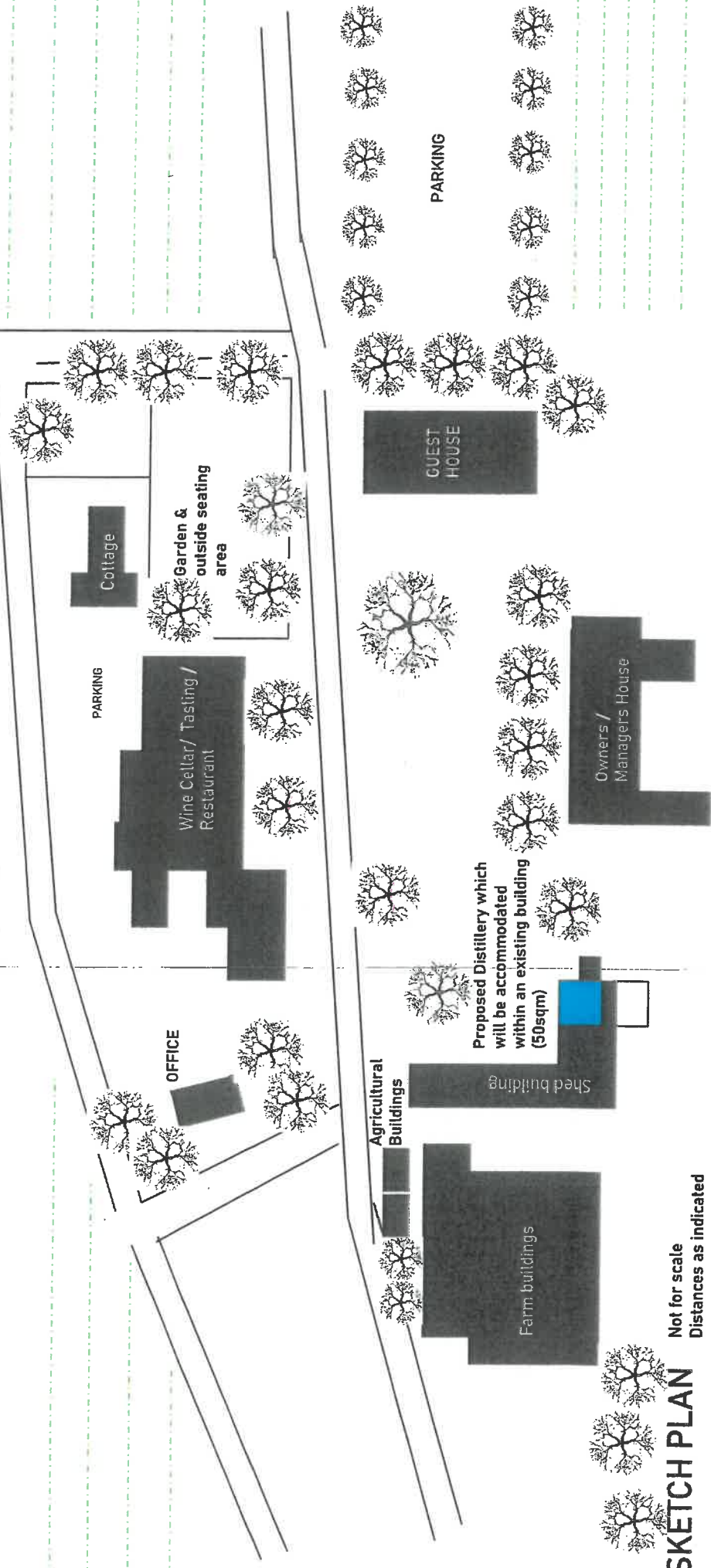
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# **Annexure B:** Site Development Plan

# MURATIE FARM WERF



Existing steel structure (500sqm) with plastic sides and roof on a concrete slab which will be used as a venue facility.



**SKETCH PLAN** Not for scale  
Distances as indicated

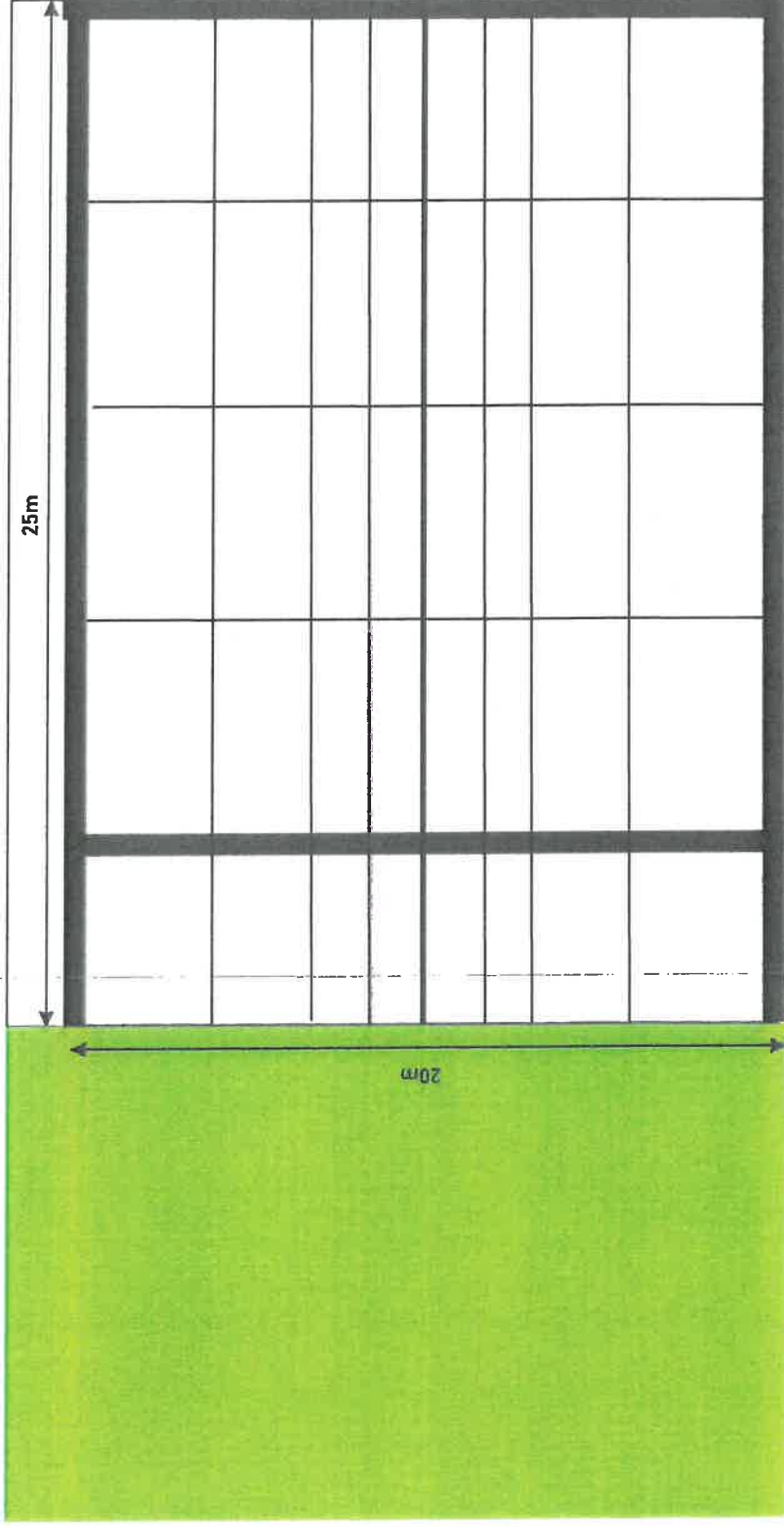
DESCRIPTION		Property	Application	Date	ANNEXURE	
<b>SITE PLAN</b>		Farm 48	Consent & Add Use	July 2020	<b>B04</b>	
Division	Stellenbosch	Utilisation	Function & Distillery	Source		
Municipality	Stellenbosch	Scale	as indicated/or unknown	Project Number	345.2020	

**urb**  
urban rural

www.urbanrural.co.za

Please take note that these plans and drawings were copied into this document and although it is close to scale it is not suitable for physical measurements. Although the drawings indicated on the plans / maps are considered to be correct, it must be verified on site.






**SKETCH PLAN**

Not for scale  
Measurements as indicated

**VENUE AREA**  
500 Sqm

<p>DESCRIPTION</p> <p><b>FLOOR PLAN</b></p>		Property Farm 48	Application Consent & Add Use	Date July 2020	 <p>www.urbanrural.co.za</p> <p>Please take note that these plans and drawings were copied into this document and although it is done to scale it is not suitable for physical measurements. Although the dimensions indicated on the plans / maps are considered to be correct, it must be verified on site.</p>	ANNEXURE
		Division Stellenbosch	Utilisation Function & Distillery	Source Client		<p><b>B05</b></p>
		Municipality Stellenbosch	Scale as indicated/or unknown	Project Number 345.2020		

PROPERTY

# MURATIE ESTATE

FARM 48, STELLENBOSCH

## DESCRIPTION

1. WESTERN VIEW
2. WESTERN VIEW FROM A DISTANCE
3. EASTERN VIEW
4. SOUTH WESTERN VIEW

Division  
Stellenbosch

Municipality  
Stellenbosch

Application  
Consent Use

Utilisation  
Venue

Scale  
as indicated/or unknown

Date  
JULY 2020

Source  
Client

Project Number  
345.2020

DESCRIPTION

# PHOTO PRESENTATION

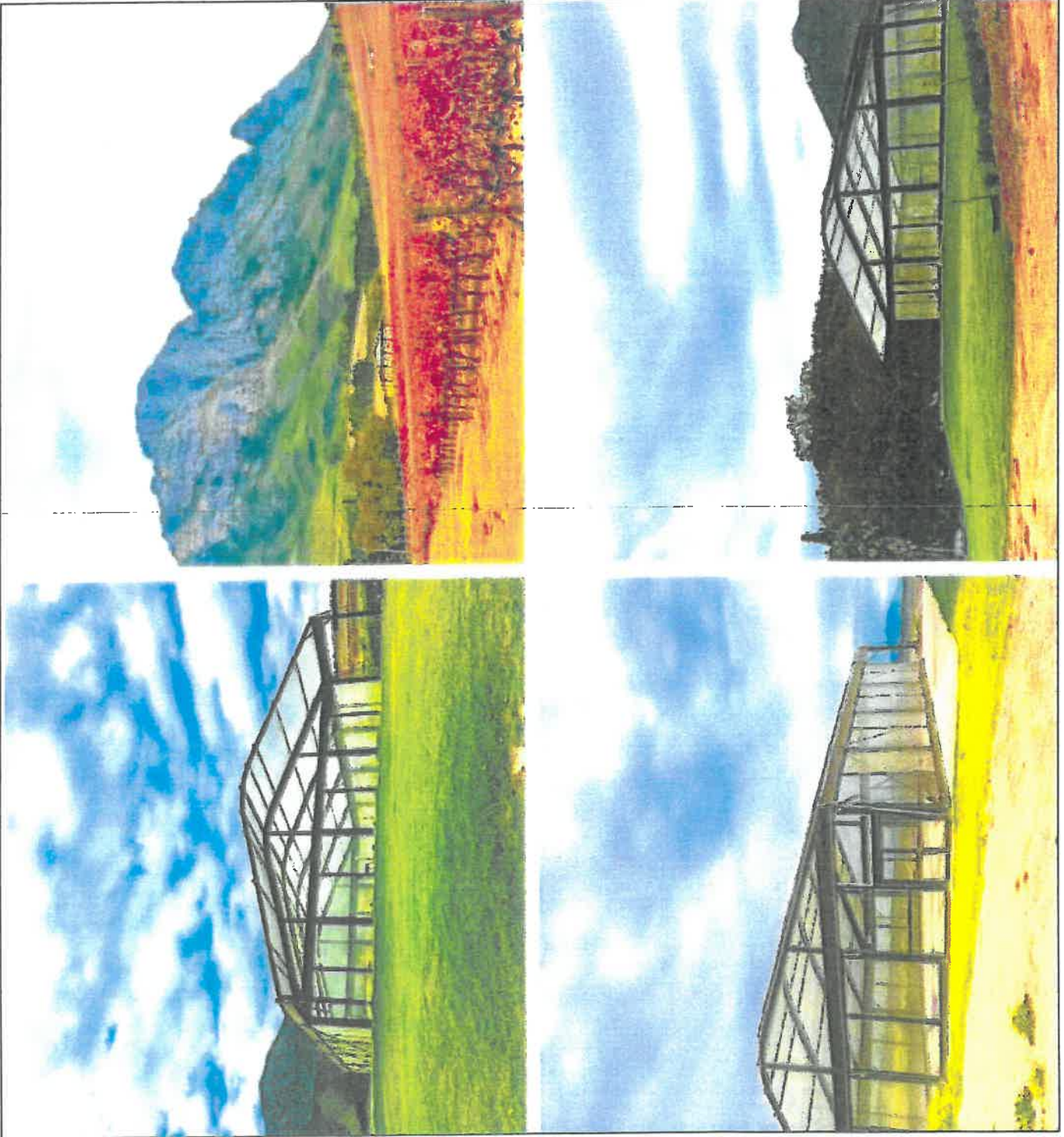


www.urbanatural.co.za

Please take note that these plans and drawings were copied into this document and although it is close to scale it is not suitable for physical measurements. Although the dimensions indicated on the plans / maps are considered to be correct, it must be verified on site.

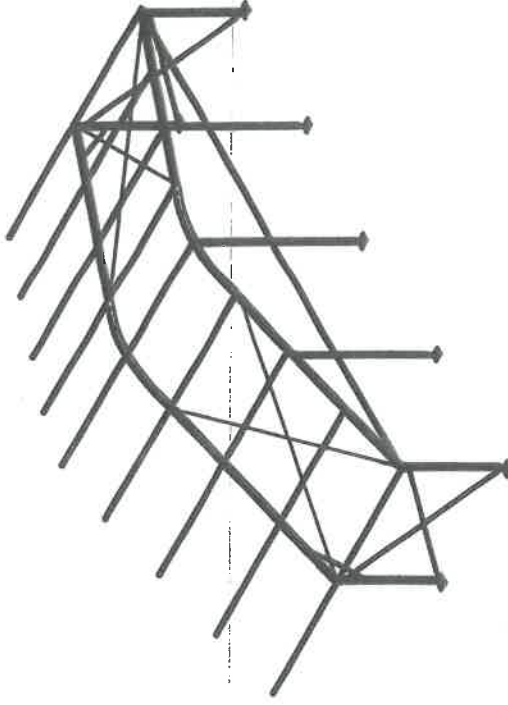
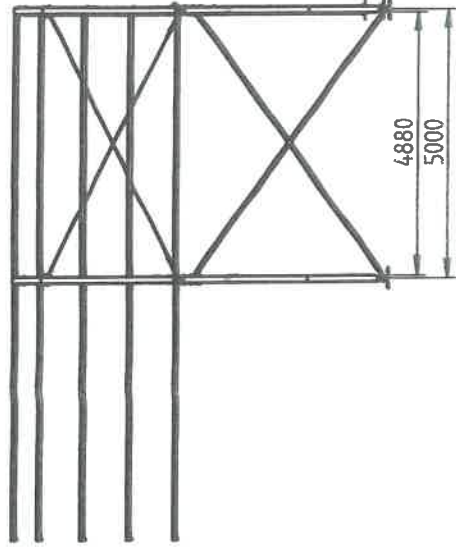
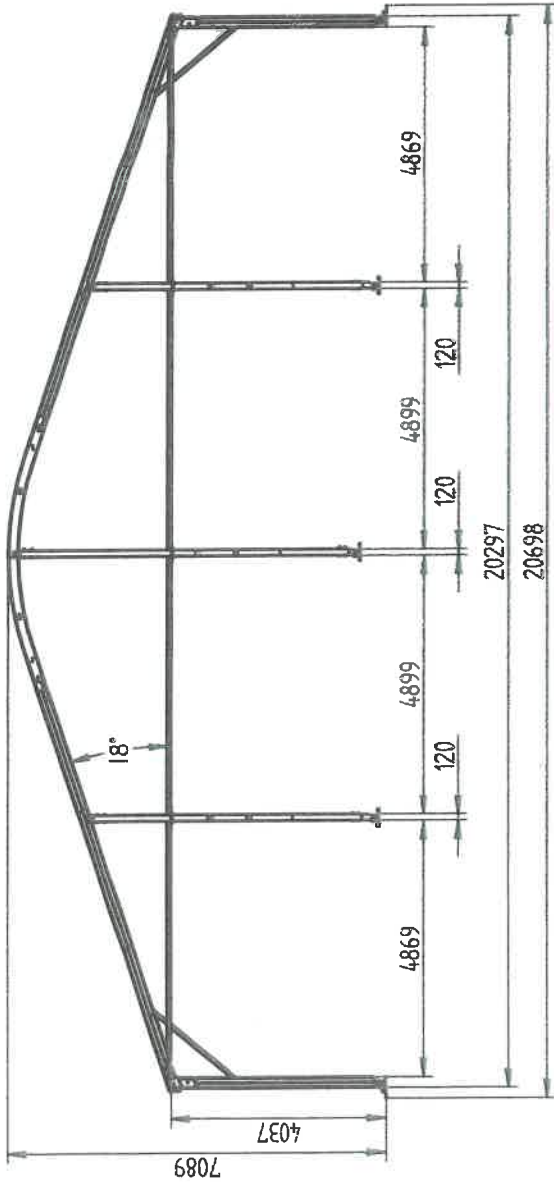
ANNEXURE

# B08



REVISION HISTORY

REV	DESCRIPTION	DATE	APPROVED



NAME	DATE
Adin Louw	02/21/19

UNLESS OTHERWISE SPECIFIED  
DIMENSIONS ARE IN MILLIMETERS  
ANGLES ±XX°  
2 PL ±XXX 3 PL ±XXXX

TITLE: 20m Curved Marquee, 200x120 Profile, 4m Leg	
SIZE	DWG NO
A3	
SCALE	WEIGHT:
SHEET	OF

- Material**  
Aluminum  
T6 6061  

 A1-Rafter Beams  
A2-Rafter Extension  
A3-Stanchion Beams
- Material**  
Aluminum  
T6 6061  

 B1-Gable Leg Beams
- Material**  
Aluminum  
T6 6061  

 C1-Wall Purtrins  
C2-Gable End  
Wall Purtrins
- Material**  
Aluminum  
T6 6061  

 D1-Roof Purtrins
- Material**  
Hot Rolled  
M/Steel  

 E1-Side Braces
- Material**  
Steel Cable  
Safe Load  
1000kg  

 F1-Roof Braces  
(6x19FC)



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## **Annexure F:**

Comments received from  
Internal Departments:  
(Engineering Services)

8



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**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:** 2 August 2021

**Our Ref ▫ Ons Verw:** Civil LU 2190

**Your Ref:** LU/11776

**Re ▫ Insake:** Farm 48, Stellenbosch: additional use (technical approval) for a tourist facility to utilize a portion of (50m<sup>2</sup>) of the existing shed for distillery to make gin and rum. Consent Use to use the existing steel structure with see-through panels as a function venues that will accommodate approximately 250-300 guests.

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

**1. Civil Engineering Services**

1.1 Sufficient parking as prescribed by the zoning scheme must be provided on-site  
Parking bays must be indicated on the building plans.

F48S  
711845

**2. Roads**

2.1 Access is from a provincial road – please obtain approval from Provincial Roads Engineer. All conditions of the Provincial Roads Engineer will be applicable and must be complied with before the issuing of an Occupation Certificate.

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PLANNING AND DEVELOPMENT SERVICES

16 AUG 2021

**RECEIVED**

**3. Development Charges (DCs)**

- 3.1 DCs are applicable to the 500m<sup>2</sup> function venue that will attract 250-300 guests.
- 3.2 The following DC's are payable: See **Development Charge Calculation** attached.
- 3.3 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.
- 3.4 The appropriate DC's are payable before building plan approval (consent use/sectional title).

**4. Electrical Engineering**

- 4.1 Refer to **Annexure: Electrical**



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

W:\2.0 DEVELOPMENT\00 Developments\2190 () Farm 48, Stellenbosch (LU-11776)\2190 (TK) Farm 48, Stellenbosch (LU-11776).doc

## Stellenbosch Municipality - Development Charge Calculation



### APPLICATION INFORMATION

Application Number	2190 (TK) Farm 48, Stellenbosch (LU-11776)
Date	Monday, 02/Aug/2021
Financial Year	2021/22
Erf Location	Stellenbosch Town
Erf No	Farm 48
Erf Size (m <sup>2</sup> )	
Suburb	
Applicant	
Approved Building Plan No.	Site Plan, Annexure B4 of application

### SUMMARY OF DC CALCULATION

Unit(s)	Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Totals
	kl/day	kl/day	ha°C	t/week	trips/day	person	
Total Increased Services Usage	2.000	1.750	0.040	0.200	45.00	45.0	
Total Development Charges before Deductions				R 10 624.82	R 327 036.93	R 7 454.53	R 345 116.39
Total Deductions				R 10 624.82	R 327 036.93	R 7 454.53	R 345 116.39
Total Payable (excluding VAT)				R 1 593.74	R 49 055.54	R 1 118.18	R 51 767.46
VAT							
Total Payable (including VAT)				R 12 218.66	R 376 092.47	R 8 572.72	R 396 883.84

### APPLICANT INFORMATION

Application Processed by:	Tyrone King
Signature	Venue Facility - 20 x 25m = 500m <sup>2</sup> . DCs for trip generation, solid waste and comm facilities only
Date	As above
Amount Paid:	
Date Payment Received	
Receipt Number	

Stellenbosch Town

Land Use Category	Unit Type	Existing Usage				Proposed New Usage				Increased Usage	Development Charges Involvement (incl VAT)						Total		
		Infrastructure Type applicable? (yes/no)		Water		Sewer		Storm-water			Solid-Waste		Roads		Community Facilities				
		du	m2 GLA	du	m2 GLA	no	no	no	no		yes	yes	yes	yes	yes	yes			
		du	area (m2)	du/ha	area (m2)	m2 GLA	% GLA	du	m2 GLA	% GLA	du	m2 GLA							
Residential	Single Residential >1000m2	du		0			0%	0		0%	R								
	Single Residential >500m2	du		0			0%	0		0%	R								
	Single Residential >250m2	du		0			0%	0		0%	R								
	Single Residential <250m2	du		0			0%	0		0%	R								
	Less Formal Residential >350m2	du		0			0%	0		0%	R								
	Less Formal Residential <250m2	du		0			0%	0		0%	R								
	Group Residential >250m2	du		0			0%	0		0%	R								
	Group Residential <250m2	du		0			0%	0		0%	R								
	Medium Density Residential >250m2	du		0			0%	0		0%	R								
	Medium Density Residential <250m2	du		0			0%	0		0%	R								
	High Density Residential - flats	du		0			0%	0		0%	R								
	High Density Residential - student rooms	du		0			0%	0		0%	R								
Commercial	Local Business - office	m2 GLA		0%			0%	0		0%	R								
	Local Business - retail	m2 GLA		0%			0%	500		0%	R				10 624.92		327 036.93		7 454.53
	General Business - office	m2 GLA		0%			0%	0		0%	R								
	General Business - retail	m2 GLA		0%			0%	0		0%	R								
	Community	m2 GLA		0%			0%	0		0%	R								
	Education	m2 GLA		0%			0%	0		0%	R								
Industrial	Light Industrial	m2 GLA		0%			0%	0		0%	R								
	General Industrial - light	m2 GLA		0%			0%	0		0%	R								
	Warehousing	m2 GLA		0%			0%	0		0%	R								
	General Industrial - heavy	m2 GLA		0%			0%	0		0%	R								
	Noxious Industrial - heavy	m2 GLA		0%			0%	0		0%	R								
Other	Recreation	m2 GLA		0%			0%	0		0%	R								
	Public Open Space	m2		0%			0%	0		0%	R								
	Private Open Space	m2		0%			0%	0		0%	R								
	Natural Environment	m2		0%			0%	0		0%	R								
	Utility Services	m2 GLA		0%			0%	0		0%	R								
	Public Roads and Parking	m2		0%			0%	0		0%	R								
	Transport Facility	m2		0%			0%	0		0%	R								
	Limited Use	m2		0%			0%	0		0%	R								
Special	To be calculated based on equivalent demands																		

\* Complete yellow/green cells.      \*\* du = dwelling unit, GLA = Gross lettable area.      \*\*\* displays red if not equal to existing area

Total Development Charges before Deductions	R0.00	R0.00	R0.00	R10 624.92	R327 036.93	7 454.53	R945 116.39
% Deductions per service (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	R 0.00
% Deductions per service (amount)	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00	R 0.00
Additional Deduction per service - from Service Agreement (sum)							
Total after Deductions (excluding VAT)	R0.00	R0.00	R0.00	R10 624.92	R327 036.93	7 454.53	R945 116.39
	R0.00	R0.00	R0.00	R1 583.74	R49 055.54	1 118.18	R51 767.46
	R0.00	R0.00	R0.00	R12 211.66	R376 092.47	8 572.71	R996 883.84



Farm 48 –(LU11776)

**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.....30/07/2021



Signature.