

# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/12210

Our File Reference Number: Farm 528/6, 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: e [REDACTED]

Sir / Madam

## APPLICATION FOR CONSENT USE FOR TOURIST FACILITIES FOR A RESTAURANT ON FARM 528/6 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 in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015 for a **Consent Use** for a tourist facility to utilize the existing farm building for restaurant purposes.

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

3. The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:
  - 3.1. The approval only applies to the approval granted above and shall not be construed as authority to depart from any legal prescriptions or requirements from the Council.
  - 3.2. An application must be submitted for any signage to be erected which must be in line with the signage policy of the municipality and be approved before any signage is erected.

- 3.3. Building plans are to be submitted for all changes of use in the existing building or any new structures to be erected and building plan(s) must be approved and related occupancy certificates be issued before the vesting of any of the related approvals.
- 3.4. The conditions imposed by the Directorate Infrastructure Services as contained in their memo dated 14 February 2022 attached as **(ANNEXURE F)** must be complied with.
- 3.5. That the conditions imposed by the Western Cape Department of Transport and Public Works: Roads, as contained in their letter dated 14 September 2022, attached as **ANNEXURE J**, be complied with.
- 3.6. The conditions imposed by the Manager Spatial Planning as contained in their MEMO dated 25 March 2022 attached as **ANNEXURE G**.
- 3.7. The conditions imposed by the Cape Winelands District Municipality (Municipal Health Services), as contained in their email dated 06 April 2022, attached as **ANNEXURE H**.
- 3.8. The restaurant be limited to a floor area of  $\pm 465\text{m}^2$ .
- 3.9. No event, function, conference, etc, be operated or hosted on the property without the prior written approval of the council.

**4. The reasons for the above decision are as follows:**

- 4.1. The proposed tourist facilities are in keeping with the objectives of the Stellenbosch Municipality Spatial Development Framework (MSDF) and Rural Guidelines, which promotes the diversification of land use on agricultural land to supplement income derived from farming and its ancillary uses such as Restaurant wine-tasting and sales etc.
- 4.2. The proposal will not negatively impact the aesthetics of the area since no new buildings are proposed and the rural character is not compromised in any way.

**5. Matters to be noted:**

- 5.1. All electrical requirements be directed to Eskom.
  - 5.2. A business license and a liquor license be applied for if required.
6. 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.

7. 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:

7.1 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

7.2 Reference to this correspondence and the relevant property details on which the appeal is submitted.

7.3 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.

7.4 Whether the appeal is lodged against the whole decision or a part of the decision:

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

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

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

7.8 The relief sought by the appellant.

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

7.10 That the appeal includes the following declaration by the Appellant:

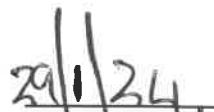
- i. The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
- ii. That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers 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.

8. 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).

9. 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.
10. 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](mailto:landuse.appeals@ Stellenbosch.gov.za).
11. 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.
12. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
13. 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**

  
**DATE:**



**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

## **Annexure F:**

Comments received from  
Internal Departments:  
(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:** 14 Feb 2022  
**Our Ref ▫ Ons Verw:** Civil LU 2257  
**Your Ref:** LU/12210  
**Re ▫ Insake:** Farm 258/6: Application is made in terms of Section 15(2)(o) for a Consent Use for a Tourist Facility(exceeds the threshold) to utilize the existing Farm/Shed area (±240m<sup>2</sup>), the existing undercover stoep (±105m<sup>2</sup>), and the concrete slab above the kitchen (±120m<sup>2</sup>) for restaurant purposes.

---

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

- 1. Civil Engineering Services**
  - 1.1 Existing services to be retained (borehole water and conservancy tanks).
  
- 2. Roads**
  - 2.1 Access is from a provincial road (R44) – please obtain approval from Provincial Roads Engineer.
  
- 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 a Section 28 Clearance certificate can be issued.

3.4 The appropriate DC's are payable before building plan approval (consent use/sectional title).

**4. Electrical Engineering**

4.1 Refer to **electrical engineering comments attached.**



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

W:\2.0 DEVELOPMENT\00 Developments\2257 () Farm 528-6 Stellenbosch (LU-12210)\2257 (TK) Farm 528-6 Stellenbosch (LU-12210).doc

## Stellenbosch Municipality - Development Charge Calculation



### APPLICATION INFORMATION

Application Number	DC 2257 (TI) Farm 528-6 Stellenbosch (LU-12210)
Date	Monday, 14/Feb/2022
Financial Year	2021/22
Erf Location	Stellenbosch Town
Erf No	
Erf Size (m <sup>2</sup> )	
Suburb	
Applicant	
Approved Building Plan No.	SDP in application

### SUMMARY OF DC CALCULATION

Unit(s)	Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Totals
	k/day	k/day	ha°C	t/week	trips/day	per600	
Total Increased Services Usage	1,860	1,628	0,037	0,186	41,85	41,8	
Total Development Charges before Deductions				R 9 881,18	R 304 144,35	R 6 932,72	R 320 958,24
Total Deductions				R 9 881,18	R 304 144,35	R 6 932,72	R 320 958,24
Total Payable (excluding VAT)				R 1 482,18	R 45 621,85	R 1 039,91	R 48 143,74
VAT							
Total Payable (Including VAT)				R 11 363,35	R 349 766,00	R 7 972,63	R 369 101,98

### APPLICANT INFORMATION

Application Processed by:	Tyrone King
Signature	
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 levied (incl VAT)						
		du	du/ha	du/ha	% GLA	du	du/ha	du/ha	% GLA		Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Total
Infrastructure Type applicable? (yes/no)											no	no	no	yes	yes	yes	
	m2 GLA	area (m2)	du	du/ha	% GLA	area (m2)	du	du/ha	% GLA	m2 GLA							
Residential	Single Residential >100m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-	R	
	Single Residential <100m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-	R	
	Single Residential >250m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-	R	
	Single Residential <250m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-	R	
	Low Density Residential >250m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-	R	
	Low Density Residential <250m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-	R	
	Group Residential >250m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-	R	
	Group Residential <250m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-	R	
	Medium Density Residential >250m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-	R	
	Medium Density Residential <250m2	du	0	0	0	0	0	0	0	R	-	R	-	R	-	R	
Density Residential - Beta	du	0	0	0	0	0	0	0	0	R	-	R	-	R	-	R	
	du	0	0	0	0	0	0	0	0	R	-	R	-	R	-	R	
Commercial	Local Business - office	m2 GLA	0%	0%	0%	0%	0%	0%	0%	R	-	R	-	R	-	R	
	Local Business - retail	m2 GLA	0%	0%	0%	603	0%	465	0%	R	-	R	-	R	-	R	
	General Business - office	m2 GLA	0%	0%	0%	0	0%	0	0%	R	-	R	-	R	-	R	
	General Business - retail	m2 GLA	0%	0%	0%	0	0%	0	0%	R	-	R	-	R	-	R	
	Community	m2 GLA	0%	0%	0%	0	0%	0	0%	R	-	R	-	R	-	R	
Industrial	Education	m2 GLA	0%	0%	0%	0	0%	0	0%	R	-	R	-	R	-	R	
	Light Industrial	m2 GLA	0%	0%	0%	0	0%	0	0%	R	-	R	-	R	-	R	
	General Industrial - light	m2 GLA	0%	0%	0%	0	0%	0	0%	R	-	R	-	R	-	R	
	Manufacturing	m2 GLA	0%	0%	0%	0	0%	0	0%	R	-	R	-	R	-	R	
	General Industrial - heavy	m2 GLA	0%	0%	0%	0	0%	0	0%	R	-	R	-	R	-	R	
Other	Recreational	m2 GLA	0%	0%	0%	0	0%	0	0%	R	-	R	-	R	-	R	
	Public Open Space	m2	0%	0%	0%	0	0%	0	0%	R	-	R	-	R	-	R	
	Private Open Space	m2	0%	0%	0%	0	0%	0	0%	R	-	R	-	R	-	R	
	Natural Environment	m2	0%	0%	0%	0	0%	0	0%	R	-	R	-	R	-	R	
	Utility Services	m2 GLA	0%	0%	0%	0	0%	0	0%	R	-	R	-	R	-	R	
	Public Roads and Parking	m2	0%	0%	0%	0	0%	0	0%	R	-	R	-	R	-	R	
	Transport Facility	m2	0%	0%	0%	0	0%	0	0%	R	-	R	-	R	-	R	
	Limited Use	m2	0%	0%	0%	0	0%	0	0%	R	-	R	-	R	-	R	
	Special	To be calculated based on equivalent demands															

\* Complete yellow-green cells.

\*\* du in existing with GLA denotes lettable area.

\*\*\* du/ha red if not equal to existing area

	R0.00	R0.00	R0.00	R5 631.18	R304 144.35	R 932.72	R320 958.24
Total Development Charges before Deductions	R0.00	R0.00	R0.00	R5 631.18	R304 144.35	R 932.72	R320 958.24
% 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)							
Sub Total after Deductions (excluding VAT)	R0.00	R0.00	R0.00	R5 631.18	R304 144.35	R 932.72	R320 958.24
VAT	R0.00	R0.00	R0.00	R1 482.18	R45 621.45	1 039.91	R48 143.74
Total	R0.00	R0.00	R0.00	R11 563.35	R349 765.80	7 972.63	R369 101.98



**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

## **Appendix G:**

Comments received from  
Internal Departments: (Heritage,  
Spatial and Environment)



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

## Spatial Planning

**To** : **Manager: Land Use Management**  
**From** : **Manager: Spatial Planning**  
**Reference** : **Farm 528/6, Stellenbosch**  
**LU No** : **LU/12210**  
**Date** : **25 March 2022**  
**Re** : **Application for Consent Use on Farm 528/6, Stellenbosch**

I refer to your request for comment on the above application.

### Application is made for the following:

- **Consent Use** for a Tourist Facility (exceeds the threshold) to utilize the existing Farm/Shed area ( $\pm 240\text{m}^2$ ), the existing undercover stoep ( $\pm 105\text{m}^2$ ), and the concrete slab above the kitchen ( $\pm 120\text{m}^2$ ) for restaurant purposes.

### 1) Opinion/reasoning:

The new approved Municipal Spatial Development Framework for the WC024 area was approved by Council in November 2019 and recognises that the spatial decisions and actions of many make what settlements are.

In terms of this approved document, seven principles need to be considered:

1. Maintain and grow the assets of Stellenbosch Municipality's natural environment and farming areas;
2. Respect and grow cultural heritage;
3. Direct growth to areas of lesser natural and cultural significance as well as movement opportunity;
4. Clarify and respect the different roles and potentials of existing settlements;
5. Clarify and respect the roles and functions of different elements of movement structure;
6. Ensure balanced, sustainable communities;
7. Focus collective energy on a few catalytic lead projects.

With the enactment of the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA), a new planning regime was introduced in South Africa. It replaced disparate apartheid era laws with a coherent legislative system as the foundation for all spatial planning and land use management activities in South Africa. It seeks to promote consistency and uniformity in procedures and decision-making. Other objectives include addressing historical spatial imbalances and the integration of the

principles of sustainable development into land use and planning regulatory tools and legislative instruments.

Chapter 2 of SPLUMA sets out the development principles that must guide the preparation, adoption and implementation of any SDF, policy or by-law concerning spatial planning and the development or use of land. These principles are the following:

- Spatial Justice
- Spatial Efficiency
- Spatial Sustainability
- Spatial Resilience
- Good Administration

The subject property is located outside the urban edge of the Stellenbosch node and situated on the R44 within the rural area of Stellenbosch. The R44 was declared a scenic route in terms of the Heritage Management and Inventory Plan, it is located outside the urban edge and therefore should be used as a green transition zone.

In terms of the approved MSDF the following guidelines are applicable to this specific application:

- Tourist accommodation should preferably make use of existing buildings or new buildings on disturbed footprints, and these should take the natural and heritage significance of the site into consideration.
- Rural place-bound businesses (including farm stalls and farm shops, restaurants and venue facilities) of appropriate location and scale to complement farming operations, and not compromise the environment, agricultural sustainability, and the scenic, heritage and cultural landscape.
- Rural place-bound agricultural industry related to the processing of locally sourced (i.e. from own and/or surrounding farms) products, and not compromise the environment, agricultural sustainability, and the scenic, heritage and cultural landscape.
- Support for various forms of leisure and tourism activities across the rural landscape, of appropriate location, scale, and form not to compromise the environment, agricultural sustainability, and the scenic, heritage and cultural landscape.
- Agricultural industry should be subservient or related to the dominant agricultural use of the property and/ or surrounding farms.
- All place-bound agricultural industry related to the processing of locally sourced (i.e. from own and/or surrounding farms) products, should be located within the farmstead precinct in the agricultural area.

- Industry in rural areas should not adversely affect the agricultural potential of the property.
- Activities and uses directly related to the primary agricultural enterprise are permitted, including farm buildings and associated structures (e.g. one homestead, barns, agri-worker housing, etc.), as well as additional dwelling units to support rural tourism opportunities and to diversify farm income, comprising 1 additional non-alienable dwelling unit per 10ha, up to a maximum of 5 per farm.
- Ancillary rural activities of appropriate scale that do not detract from farming production, that diversify farm income, and add value to locally produced products (e.g. restaurant and function venue facility, farmstall and farm store, home occupation, local product processing, and rural recreational facilities.
- Recognising the prospects of tourism to diversify and strengthen the rural economy, the provision of a variety of short-term tourism accommodation across the rural landscape that is in keeping with the local character is supported.
- Large scale tourist accommodation should preferably be provided in or adjacent to existing towns and rural settlements. Tourist accommodation in the rural landscape could be allowed if, of an appropriate scale and form, appropriate to the SPC.
- Tourist accommodation situated outside of the urban edge should be clustered in visually discreet nodes, preferably make use of existing buildings or new buildings on disturbed footprints, located within or peripheral to the farmstead, reinforce rural landscape qualities, and cater exclusively for the temporary accommodation for in transit visitors.

**1) Supported / not supported:**

This department therefore supports the application subject to the following condition:

- The agricultural industry should be subservient or related to the dominant agricultural use of the property and/ or surrounding farms;
- No permanent closure of the existing undercover stoep area.



**BJG de la Bat**  
**MANAGER: SPATIAL PLANNING**



**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

## **Appendix H:**

Comments received from:  
Health Services  
(Cape Winelands)

## Emile van der merwe

---

**From:** Nolusindiso Momoti <Nolusindiso.Momoti@stellenbosch.gov.za>  
**Sent:** 30 August 2022 07:24 AM  
**To:** Emile van der merwe  
**Subject:** FW: Application for Consent Use on Farm 528/6 Stellenbosch: Health Comment

Good day Emile,

Please find below comment from Health Cape Winelands.

Thanks



**STELLENBOSCH**  
STELLENBOSCH • FRANS • FRANSCHOUER  
MUNICIPALITEIT • É. MASIENIA • MUNICIPAALITY



### About Stellenbosch Municipality

Our mission is to deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens.

Our head office is at Town House Complex, Plein Street, Stellenbosch, 7600, South Africa. For more information about Stellenbosch Municipality, please call +2721-808-8111, or visit [www.stellenbosch.gov.za](http://www.stellenbosch.gov.za)

### Disclaimer:

The information contained in this communication from [nolusindiso.momoti@stellenbosch.gov.za](mailto:nolusindiso.momoti@stellenbosch.gov.za) sent at 2022-08-30 07:23:58 is confidential and may be legally privileged. It is intended solely for use by [emilevdm@adept.co.za](mailto:emilevdm@adept.co.za) and others authorized to receive it. If you are not [emilevdm@adept.co.za](mailto:emilevdm@adept.co.za) you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this information is strictly prohibited and may be unlawful. Powered by [IOCO](#)

**From:** Nolusindiso Momoti  
**Sent:** Wednesday, 06 April 2022 16:15  
**To:** Emile van der merwe <[emilevdm@adept.co.za](mailto:emilevdm@adept.co.za)>  
**Subject:** FW: Application for Consent Use on Farm 528/6 Stellenbosch: Comment

Good day Emile,

Please find below comment from Health Cape Winelands.

Thanks

**From:** Fabian van Wyk <[fabian@capewinelands.gov.za](mailto:fabian@capewinelands.gov.za)>  
**Sent:** Wednesday, 06 April 2022 14:44  
**To:** Nolusindiso Momoti <[Nolusindiso.Momoti@stellenbosch.gov.za](mailto:Nolusindiso.Momoti@stellenbosch.gov.za)>  
**Subject:** [EX] Fwd: Application for Consent Use on Farm 528/6 Stellenbosch: Comment

Good day Madam

For your attention.

Kind regards

Get [Outlook for Android](#)

**From:** Tracey-Lee Mouton <[Tracey-lee@capewinelands.gov.za](mailto:Tracey-lee@capewinelands.gov.za)>  
**Sent:** Wednesday, April 6, 2022 2:23:28 PM  
**To:** Fabian van Wyk <[fabian@capewinelands.gov.za](mailto:fabian@capewinelands.gov.za)>  
**Subject:** RE: Application for Consent Use on Farm 528/6 Stellenbosch: Comment

Good day,

**Attention:** To whom it may concern

Sir/Madam

**RE: APPLICATION FOR CONSENT USE: FARM 528-6, STELLENBOSCH.**

From an Environmental Health perspective this application may be recommended for approval, provided that the following conditions are complied with:

1. Sewerage/Sanitary facilities

- 1.1 The sewerage system from the proposed development must be connected to the Municipal sewerage system according to Stellenbosch Municipality's specifications, conditions and approval.
- 1.2 Sewage disposal on the premises must at all times take place in a nuisance-free manner and shall be the owner's responsibility.

2. Potable water/Storm water

- 2.1 The quality of the potable water on the premises must always comply with the minimum bacteriological and chemical standards for potable water, as determined by SANS code 241.

3. Solid waste disposal

- 3.1 Refuse collection and storage must be done in a way that will not cause a health nuisance.

4. Food Handling - Certificate of Acceptability

- 4.1 All areas where food is handled must comply with the minimum requirements for food handling premises as determined in Regulation R638 of 22 June 2018 (Regulations Governing General Hygiene Requirements for Food Premises, the Transport of Food and Related Matter) in terms of the Foodstuffs, Cosmetics and Disinfectants Act, Act 54 of 1972.
- 4.2 The Said food handling areas may in no circumstances be operated without application being made to the responsible Health Inspector in the Municipal Health Department of the Cape Winelands District Municipality for a Certificate of Acceptability. This certificate will only be issued after an inspection is conducted and if the premises meet the requirements of Regulation R638.

5. General conditions

- 5.1 This Department reserves the right to set further requirements during the running of the business.

Please contact me if you have any further questions or comments in this regard.

Yours faithfully,

Tracey-Lee Mouton

From: Fabian van Wyk <[fabian@capewinelands.gov.za](mailto:fabian@capewinelands.gov.za)>

Sent: Wednesday, 06 April 2022 11:58





**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

## **Appendix I:**

Comments received from  
External Departments:  
(Agriculture. Elsenburg)



**OUR REFERENCE** : 20/9/2/5/6/687  
**YOUR REFERENCE** : LU/12210  
**ENQUIRIES** : Cor van der Walt

Emile Van Der Merwe Town Planning Consultants  
PO Box 204  
STELLENBOSCH  
7599

Att: Emily Van Der Merwe

**PROPOSED CONSENT USE: DIVISION STELLENBOSCH  
PORTION 6 OF THE FARM NO 528**

Your application received by our office on the 22<sup>nd</sup> of June 2022 has reference.

The Western Cape Department of Agriculture: Land Use Management has no objection to the proposed application.

Please note:

- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.
- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely

Mr. CJ van der Walt

**LANDUSE MANAGER: LANDUSE MANAGEMENT**

**2022-08-26**

Copy:

Stellenbosch Municipality  
PO Box 17  
STELLENBOSCH  
7599



**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

## **Appendix J:**

Comments received from  
External Departments: (Transport  
& Public Works)



36/14

Ref: 16/9/6/1-25/151 (Job 17154)

The Municipal Manager  
Stellenbosch Municipality  
PO Box 17  
STELLENBOSCH  
7599



Attention: Mr U von Molendoff

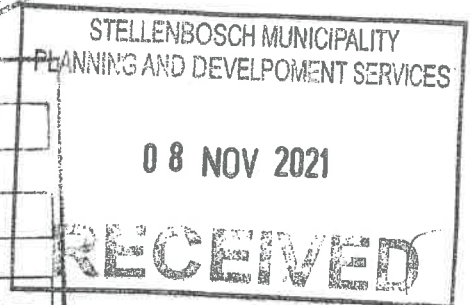
Dear Sir

FILE NR: \_\_\_\_\_

SCAN NR: \_\_\_\_\_

F 528/6 S

738159



**PORTION 6 OF FARM 528, STELLENBOSCH: MAIN ROAD 27: CONSENT USE APPLICATION**

1. The following refer:
  - 1.1. Email with the application dated 24 June 2022 from Emile van der Merwe Town Planning consultants; and
  - 1.2. Site visit held on 18 July 2022.
2. The application is for a tourist facility to utilize the existing shed area ( $\pm 240m^2$ ), the existing undercover stoep ( $\pm 105m^2$ ) and the concrete slab above the kitchen ( $\pm 120m^2$ ) for restaurant purposes. Stellenbosch Municipality approved in 2013 a temporary departure to utilize the existing shed for restaurant purposes ( $\pm 240m^2$ ) and the facility since its inception accommodated the Espana restaurant.
3. Main Road 27 is affected by this application at  $\pm km 28.48$  left hand side (LHS) with a posted speed limit of 100 km/h.
4. The current shared access used by this property at  $\pm km 28.48$  LHS adheres to the minimum safe shoulder sight distances in both directions and to the minimum required geometric and permanent pavement requirements. There is also sufficient stacking distance available.
5. This Branch offers no objection to the application for consent use for portion 6 of farm 528, Stellenbosch for restaurant purposes to a maximum total GLA of  $\pm 465m^2$ , subject to the following conditions:
  - 5.1. On-site parking must be provided in accordance with the Scheme Regulations of Stellenbosch Municipality;
  - 5.2. Under no circumstances will parking be allowed in the road reserve of Main Road 27;

- 5.3. The current shared access at  $\pm$ km 28.48 LHS must be used and no new access onto Main Road 27 will be allowed.
6. Please note that once safe U-turn facilities have been implemented along Main Road 27 (R44) the Branch will close the median opening opposite the existing access.

Yours Sincerely



**SW CARSTENS**

**For DEPUTY DIRECTOR-GENERAL: ROADS**

**DATE: 14 SEPTEMBER 2022**