



STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/12229

Our File Reference Number: Farm 528/8; Stellenbosch

Your Reference Number: V4305

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: [REDACTED]

Sir / Madam

APPLICATION FOR CONSENT USE ON FARM 528/8, STELLENBOSCH DIVISION

1. The above application refers. This letter replaces my previous letter dated 16 October 2023, in that it addresses the correct Development Charges calculations dated 7 April 2022.
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 By-Law, 2023 on Farm 528/8, Stellenbosch, namely:
 - 2.1.1 The Consent Use in terms of Section 15(2)(o) of the said By-law for a Kennel to allow the operation of a boutique canine hotel and associated services on Farm 528/8, Stellenbosch Division.

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 applies only to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.

- 3.2 The development shall be implemented substantially in accordance with the Site and Floor Layout Plans referenced as Drawing plans No: PL002, drawn by JLV, dated 02/07/2020 attached as **Annexure C**.
 - 3.3 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.
 - 3.4 The proposed Kennel (dog accommodation units) shall be limited to 530m² comprising of 33 accommodation units.
 - 3.5 The conditions noted in the letter dated 25/06/2021 from the Cape Winelands District Municipality attached as **Annexure H** be complied with.
 - 3.6 Development contributions are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to approval of any building plans, or as may be agreed on in writing with the Director Infrastructure Services as per memo dated 2 June 2021 attached as **Annexure F**.
 - 3.7 Building plans must be submitted and approved by the Municipality prior to the commencing of any building works, including the preparation of land, which will only be approved when all relevant (or qualified) conditions of approval have been complied with.
4. The reasons for the above decision are as follows:
 - 4.1 The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape.
 - 4.2 The development proposal will have no negative impact on the agricultural potential of the subject land unit as no viable agricultural land will be lost.
5. Matters to be noted:
 - 5.1 Compliance with Noise Control Regulation PN200/2013 and Prevention and Public Nuisances and the Keeping of Animals By-Law.
6. 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.

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
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
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

17/10/2023
DATE

[REDACTED]

[REDACTED]

[REDACTED]



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ANNEXURE C

SITE PLAN / FLOOR LAYOUT PLANS



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ANNEXURE F

COMMENT FROM THE DIRECTORATE: INFRASTRUCTURE
SERVICES



STELLENBOSCH MUNICIPALITY
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MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ◦ Aan:	Director: Planning + Economic Development
Att Aandag	Bulelwa Mdoda
From ◦ Van:	Manager: Development (Infrastructure Services)
Author ◦ Skrywer:	Tyrone King
Date ◦ Datum:	2 June 2021
Our Ref ◦ Ons Verw:	Civil LU 2168
Your Ref:	LU/12229
Re ◦ Insake:	Farm 528-8: Consent use in order to utilize a portion of the property for a boutique canine hotel and associated services and facilities

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

- 1. Civil Engineering Services**
 - 1.1 No objection, no municipal services are affected.

- 2. Roads**
 - 2.1 Access is from a provincial road (R44) – please obtain approval from Provincial Roads Engineer.

- 3. Development Charges (DCs)**
 - 3.1 DCs are payable on roads, solid waste and community facilities due to the commercial nature of the development.
 - 3.2 The following DC's are payable: See **Development Charge Calculation** attached.

- 3.3 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.
- 3.4 The appropriate DC's are payable before building plan approval (if applicable) or before the facility being put to its intended use.

4. **Electrical Engineering**

- 4.1 Refer to **Annexure: Electrical**



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

W:\2.0 DEVELOPMENT\00 Developments\2168 (TK) Farm 528-8 Stellenbosch (LU-12229)\2168 (TK) Farm 528-8 Stellenbosch (LU-12229).doc

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number	2168 (TK) Farm 528-8 Stellenbosch (LU-12229)
Date	Thursday, 07/Apr/2022
Financial Year	2020/21
Erf Location	Stellenbosch Town
Erf No	Farm 528-8
Erf Size (m ²)	
Suburb	
Applicant	
Approved Building Plan No.	See 5.1 of Motivation Report - 530m2 hotel for dogs

SUMMARY OF DC CALCULATION

Unit(s)	Water kl/day	Sewer kl/day	Storm-water ha°C	Solid-Waste t/week	Roads trips/day	Community Facilities person	Totals
Total Increased Services Usage	2.120	1.855	0.042	0.212	47.70	47.7	
Total Development Charges before Deductions				R 10 943.89	R 336 854.98	R 7 678.33	R 355 477.21
Total Deductions					R 284 823.26		R 284 823.26
Total Payable (excluding VAT)				R 10 943.89	R 52 031.72	R 7 678.33	R 70 653.94
VAT				R 1 641.58	R 7 804.76	R 1 151.75	R 10 598.09
Total Payable (including VAT)				R 12 585.48	R 59 836.48	R 8 830.08	R 81 252.03

APPLICANT INFORMATION

Application Processed by:	Tyrone King
Signature	Water: Borehole Sewer: Conservancy Tanks
Date	As above
Amount Paid:	Roads = 7.16 trips / day @ R 7 267 / trip = R 52 031. 72 As per motivation email by Jacques Voischenk Tue 2022/04/05 15:21
Date Payment Received	
Receipt Number	



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ANNEXURE H

COMMENT FROM THE HEALTH OFFICER:
CAPE WINELANDS DISTRICT MUNICIPALITY



CAPE WINELANDS DISTRICT MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

NAVRAE/ENQUIRIES/IMBUZO:
TELEFOON/TELEPHONE/UMXEBA:
FAKS/FAX/FEKSI:
E-POS/E-MAIL/E-MAIL:
U VERWY/OUR REF/REF YAKHO:
ONS VERWOUR REF/REF YETHU:

Ms Tracey-Lee Mouton
021 888 5636
021 887 8365
tracey-lee@capewinelands.gov.za
LU/12229
15/2/6/1

Alexanderstraat 46 Alexander Street
100
STELLENBOSCH
7599

25 June 2021

The Municipal Manager
Stellenbosch Municipality
P.O. Box 17
Stellenbosch
7599

OUTGOING POST
CF 528 S
PLAN NR: F 528/8 SB
COLLABORATOR NR: 709207

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES
30 JUN 2021
RECEIVED

Attention: To whom it may concern

Sir/Madam

RE: APPLICATION FOR CONSENT USE: REMAINDER PORTION 8 (PORTION OF PORTION 7) ERF 528, 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

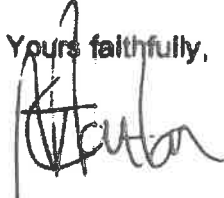
- 3.1 Refuse collection and storage must be done in a way that will not cause a health nuisance.

4. General conditions

4.1 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
Health Inspector
for MUNICIPAL MANAGER