NOTICE OF LAND DEVELOPMENT APPLICATION TO INTRESTED AND AFFECTED PARTIES FOR COMMENT

Neem asseblief kennis dat hierdie kennisgewing in Afrikaans hieronder volg.

Affected person's Name
Affected persons Physical Address

Owner:

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2015, refers:

Application Property Address: Muratie Wine Farm, R44 Main Road, Stellenbosch

Application Property Number: Farm 48, Stellenbosch

Applicant: Alwi Theart t/a Urban Rural SA

082 411 7914 | alwi@urbanrural.co.za Muratie Wine Farm (Pty) Ltd, Stellenbosch

rijk@muratie.co.za

Application Reference: LU/11776
Application Type: Consent Use

Detailed description of land use or development proposal, including it's intent and purpose:

Application is made in terms of Section 15(2)(0) of the Stellenbosch Municipal Land Use Planning By-law, promulgated by notice number 354/2015, dated 20 October 2015, for consent use to use an existing steel structure with see-through panels as a function venue that will accommodates approximately 250-300 guests.

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing:
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
 - Indicate the facts and circumstances that explain the comments;
 - Where relevant demonstrate the undesirable effect that the application will have if approved;
 - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
 - o Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: Alwi Theart t/a Urban Rural SA (email: alwi@urbanrural.co.za)

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of 12 March 2021. For the relevant Government Departments the closing date is within 60 days – 12 April 2021

It should be noted that the Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/objection received after the closing date.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at **082 411 7914** during normal office hours.

Yours faithfully

Alwi Theart t/a Urban Rural SA

AFRIKAANSE WEERGAWE VAN ADVERTENSIE:

KENNISGEWING VAN GROND ONTWIKKELINGS AANSOEK AAN GETRESEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR.

Naam van geaffekteerde persoon Fisiese adres van geaffekteerde persoon

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning, 2015, verwys:

Adress van aansoek eiendom Aansoekeiendom beskrywing:

Aansoeker:

Eienaar:

Aansoek Verwysing: LU/

Tipe Aansoek:

Muratie Wine Farm, R44 Main Road, Stellenbosch

Farm 48. Stellenbosch

Alwi Theart t/a Urban Rural SA

082 411 7914 | alwi@urbanrural.co.za Muratie Wine Farm (Pty) Ltd, Stellenbosch

riik@muratie.co.za

LU/11776

Vergunningsgebruik

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoek in terme van Artikel 15(2)(o) van die Stellenbosch Munisipale Verordening op Grondgebuikdsbeplanning(2015) soos afgekondig onder kennisgewing 354/2015, gedateer 20 Oktober 2015, vir 'n vergunningsgebruik om 'n bestaande staalstruktuur met deursigtige panele aan te wend as a funksie fasiliteit wat 250 ot 300 gaste kan akkommodeer.

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydsduur van die publieke deelname proses by die volgende adres: [https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements]. Indien die webtuiste of tersaaklike dokumente nie toeganglik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening wat die volgende vereistes en besonderhede moet bevat:

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.
- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsite van die volgende aspekte;
 - o Die feite en omstandighede aantoon wat die die kommentaar toelig;
 - Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;

- Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
- o Dat die insette voldoende inlgting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: (Alwi Theart t/a Urban Rural SA (email: alwi@urbanrural.co.za)

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van 12 Maart 2021 Vir die relevante staatsdepartemente is die komentaartydperk 60 dae – sluitingsdatum 12 April 2021.

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by **082 411 7914** gedurende normale kantoor ure.

Die uwe

Alwi Theart t/a Urban Rural SA



URBAN RURAL SOUTH AFRICA

LAND USE SPECIALISTS

PO BOX 7257 STELLENBOSCH 7599

A.THEART | Tch.Pin (SA) | MPhil NHDip NDip PPRE CEA

ALWI THEART T/A URBAN RURAL SA | LAND USE SPECIALISTS

REGISTERED WITH THE SOUTH AFRICAN COUNCIL FOR PLANNERS

SACPLAN REG NR B.8133.2005 | TEL 021 855 1919 | CELL 082 411 7914

alwi@urbanrural.co.za! www.urbanrural.co.za

Date: 18 August 2020

Ref: 345.2020.48STELL

Stellenbosch Municipality
Department of Planning & Economic Development
PO Box 17
STELLENBOSCH
7599

For attention

Director: Planning and Economic Development

FARM 48, STELLENBOSCH APPLICATION FOR CONSENT USE, ADDITIONAL USE AND SDP

- 1.1 Application is hereby formally made in terms of the Stellenbosch Municipal Planning Bylaw, 2015 and Section 13 and 216 of the Stellenbosch Zoning Scheme (2019) for a Consent Use (Venue), an Additional Use (Tourist Facility Distillery) and a Site Development Plan on Farm 48, Stellenbosch.
- 1. Attached please find the following documentation:
- 2.1 Application Form
- 2.2 Motivation Report
- 2.3 Additional Documentation relevant to the application
- 3. We trust that the application is complete and that the processing of the application can start immediately.
- 4. Should you require any additional information, please do not hesitate to contact us.
- 5. Your final decision in this regard is awaited.

Yours faithfully

Alwi Theart
Principal Planner

Urban Rural South Africa



LAND USE PLANNING APPLICATION FORM 2017 (Section 15 of the Stellenbosch Municipal Land Use Planning By-Law (2015) and other relevant legislation) KINDLY NOTE: Please complete this form using BLOCK letters and ticking the appropriate boxes. **PART A: APPLICANT DETAILS** Alwi First name(s) Surname Theart Company name Alwi Theart t/a Urban Rural SA (if applicable) PO Box 7257 Postal Address Postal Stellenbosch 7599 Code Email alwi@urbanrural.co.za Fax Tel Cell 082 411 7914 PART B: REGISTERED OWNER(S) DETAILS (If different from applicant) Registered Muratie Wine Farm (Pty)Ltd owner(s) Farm 48, Stellenbosch, Stellenbosch Physical address Postal Stellenbosch 7600 code E-mail rijk@muratie.co.za 021 865 2330 Fax Cell Tel PART C: PROPERTY DETAILS (in accordance with title deed) Allotment Erf / Erven / Farm Portion(s) 48 Stellenbosch if Farm area No. Farm 48, Stellenbosch, Driehoek Minor Road, Stellenbosch Physical Address Are there existing <u>_m²</u> / ha **Current Zoning** Agriculture & Res V Extent 106 buildings?

Applico Zoning	able Scheme	St	Stellenbosch Zoning Scheme, 2019					
Current	t Land Use	А	Agriculture, Guesthouse, Wine Cellar, Restaurant, Additional dwellings					
Title numbe date		-	Г	11789/88				
Certific	yance's ate	Υ	W	Any Restrictions ito the Attached Conveyance's Certificate? If yes, please list condition(s) as per certificate				
conditi	of a third	Y	₩	If Yes, list the party(ies):				
ls the encum a bond	bered by	Υ	W	If Yes, list the bondholder(s):				
Is the owned Counci	by	Y	W	If Yes, kindly <u>attach a power of attorney</u> from the Manager Property Management				
Is the located the core?	_	Y	₩	Is the building older than 60 years? Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999) Is the application triggered by the which section are triggered and attached the relevant permit if applicable.				
'	isting unaut subject proj			ouildings and/or land use If yes, is this application to legalize the building / land use ² ?				
	re there any pending court case(s) / order(s) Plating to the subject property(ies)? Are there any land claim(s) registered on the subject property(ies)?							
PART D	PRE-APPLIC	ATIC	N C	ONSULTATION				
1	ere been any preation consultation? If Yes, please attach the minutes of the pre-application consultation.							
				S APPLICATIONS AND APPLICATION FEES PAYABLE				
				SECTION 15 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015)				
				Cost are obtainable from the Council Approved tariffs ³				
			oning of Land					
		(2) (b) a permanent departure from the development parameters of the zoning scheme (2) (c) a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of						
t	he primary i	rights	of tl	he zoning applicable to the land;				
	5(2)(d) a su ervitude or			of land that is not exempted in terms of section 24, including the registration of a reement;				
	15(2)(e) a consolidation of land that is not exempted in terms of section 24:							

¹ Ali applications triggered by section 38(1)(a)-{e} in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999) may not be processed without a permit issued by the relevant department

² No application may be submitted to legalize unauthorised building work and or land use on the property if a notice have been served in terms of Section 87(2){a), and until such time a Section 91 Compliance Certificate have been issued in terms of the Stellenbosch Land Use Planning By-law (2015)

³ http://www.stellenbosch.gov.za/documents/idp-budget/2017-2/4873-appendix-3-fariff-book-2017-2018/file

		n or amendment of restrictive conditions in respect of a I	and unit;			
		d in terms of the zoning scheme;				
		etion or imposition of conditions in respect of an existing	approval;			
	15(2)(i) an extension of the v					
		erlay zone as contemplated in the zoning scheme;				
	general plan or diagram;	cancellation of an approved subdivision plan or part t	hereof, including a			
		in terms of a condition of approval;				
	15(2)(m) a determination of	a zoning;				
	15(2)(n) a closure of a public	place or part thereof;				
✓	15(2)(o) a consent use conte	emplated in the zoning scheme;				
	15(2)(p) an occasional use o	f land;				
	15(2)(q) to disestablish a hon	ne owner's association				
	15(2)(r) to rectify a failure by over or maintenance of servi	a home owner's association to meet its obligations in resces;	spect of the control			
		ed for the reconstruction of an existing building that byed or damaged to the extent that it is necessary to de				
	15(2)(6) When the Municipal	ty on its own initiative intends to conduct land developm	nent or an activity			
	15(2)(I) Amendment of Site D	Pevelopment Plan				
	15(2)(I) Compilation / Establis	shment of a Home Owners Association Constitution / Des	ign Guidelines			
OTHE	R APPLICATIONS					
	Deviation from Council Polic	es/By-laws;	R			
	Other (specify): Section 1	3 - Technical Approval - Tourist facility - Distillery	R			
		TOTAL A:	R			
PRESC	CRIBED NOTICE AND FEES** (for	completion and use by official)				
Tick	Notification of application in media	Type of application	Cost			
	SERVING OF NOTICES	Delivering by hand; registered post; data messages	R			
	PUBLICATION OF NOTICES	Local Newspaper(s); Provincial Gazette; site notice; Municipality's website	R			
	ADDITIONAL PUBLICATION OF NOTICES	Site notice, public meeting, local radio station, Municipality's website, letters of consent or objection	R			
	NOTICE OF DECISION	Provincial Gazette	R			
	INTEGRATED PROCEDURES	T.B.C	R			
		TOTAL B:	R			
		TOTAL APPLICATION FEES* (TOTAL A + B)	R			
accoi	* Application fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany an application.					

BANKING DETAILS

Name:

Bank: Branch no.: Stellenbosch Municipality NEDBANK

Account no.: SWIFT

198765 1152271679 NEDSZAJJ

Payment reference:

(Erf/Farm number)

The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable and the applicant will be informed accordingly.

DETAILS FOR INVOICE	
Name & Surname/Company name (details of party responsible for payment)	Muratie Wine Farm Pty Ltd
Postal Address	PO Box 133 Koelenhof, 7605
Vat Number (where applicable)	485 010 3682

	Street	From	m	То	m
	Street	From	m	То	m
Building line encroachment	Side	From	m	То	m
	Side	From	m	То	m
	Aggregate side	From	m	То	m
	Rear	From	m	То	m
Exceeding permissible site coverage		From	%	То	%
Exceeding maximum permitted bulk / floor factor / no of habitable rooms		From		То	
Exceeding height restriction		From	m	То	m
Exceeding maximum storey height		From	m	То	m
To permit Function Venue - new in terms of Section Other (please specify)					
To permit Function Venue - new in terms of Section	building				
To permit Function Venue - new in terms of Section	buildingof the				
To permit Function Venue - new in terms of Section Other (please specify)	buildingof theof theof theopment / intent of applications	cation:	Zor		
To permit Function Venue - new in terms of Section Other (please specify) description of proposed development use : Tourist facilities : Function	buildingof the opment / intent of applic	cation: ure with plastic si	de and roof -	ning Scheme	Regulation
permit. Function Venue - new in terms of Section	buildingof the opment / intent of applic	cation: ure with plastic si	de and roof -	ning Scheme	Regulatio
permit Function Venue - new in terms of Section	buildingof the opment / intent of applic	cation: ure with plastic si	de and roof -	ning Scheme	Regulatio
permit Function Venue - new in terms of Section	buildingof the opment / intent of applic	cation: ure with plastic si	de and roof -	ning Scheme	Regulatio
To permit Function Venue - new in terms of Section Other (please specify) description of proposed development use : Tourist facilities : Function	buildingof the opment / intent of applic	cation: ure with plastic si	de and roof -	ning Scheme	Regulatio

PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE PLANNING APPLICATION

Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete.

Information and documentation required

	1	Powe	er of attorney / Owner's consent if		_			
V	N	1	cant is not owner	Y		₩	Bond	holder's consent (if applicable)
Υ	W.	appli	ution or other proof that cant is authorised to act on alf of a juristic person	Y		V	Proof of any other relevant right the land concerned	
V	Z	1	en motivation pertaining to the I and desirability of the proposal	¥	′	N	or A3	diagram / General plan extract (A4 only)
V	N	Loca	lity plan (A4 or A3 only) to scale	V	/	N	1	development plan or conceptual of plan (A4 or A3 only) to scale
Υ	N		osed subdivision plan (A4 or A3 to scale	Y		₩	1	of agreement or permission for red servitude
Υ	W	Proof	of payment of application fees	V	′	N	1	of registered ownership (Full copy title deed)
Υ	W	Conv	reyancer's certificate	Y		N	1	tes of pre-application consultation ing (if applicable)
Υ	N	N / A	Consolidation plan (A4 or A3 only) to scale	Y		N	NVA	Land use plan / Zoning plan
Υ	И	N/A	Street name and numbering plan (A4 or A3 only) to scale					(A4 or A3 only) to scale
Υ	N	N/A	Landscaping / Tree plan (A4 or A3 only) to scale	Y		N	NVA	1 : 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale
Υ	V	N/A	Abutting owner's consent	Y		N	NVA	Home Owners' Association consent
Υ	N	N/A	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD)	Y		ı√	N/A	Services Report or indication of all municipal services / registered servitudes
Υ	V	N/A	Copy of original approval and conditions of approval	Y		N	N / A	Proof of failure of Home owner's association
Υ	N	№ A	Proof of lawful use right	Y		N	N/A	Any additional documents or information required as listed in the pre-application consultation form / minutes
V	N	N/A	Required number of documentation copies	Y		Z	N/A	Other (specify)

PART	PART H: AUTHORISATION(S) SUBJECT TO OR BEING CONSIDERED IN TERMS OF OTHER LEGISLATION							
Y	NIZ	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been		Specific Environmental Management Act(s) (SEMA) (e.g. Environmental Conservation Act, 1989 (Act 73 of 1989)				
	~	made? If yes, attach documents / plans / proof of submission etc.		Y	NVA	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)		
Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)		Υ	NVA	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)		
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)		Y	N/A	National Water Act, 1998 (Act 36 of 1998)		
Y	NVA	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations		Y	N/A	Other (specify)		
Υ	NVA	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)						
Υ	~	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, please attach motivation.						

SECTION I: DECLARATION

I hereby wish to confirm the following:

- 1. That the information contained in this application form and accompanying documentation is complete and correct.
- 2. I'm aware that it is an offense in terms of section 86(1)(e) to supply particulars, information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.
- 3. I am properly authorized to make this application on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto.
- 4. Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.
- 5. I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.
- 6. I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.
- 7. It is the owner's responsibility to ensure that approval is not sought for a building or land use which will be in conflict with any applicable law.
- 8. The Municipality assesses an application on the information submitted and declarations made by the owner or on his behalf on the basis that it accepts the information so submitted and declarations so made to be correct, true and accurate.
- Approval granted by the Municipality on information or declarations that are incorrect, false or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.
- 10. The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false or misleading information or declarations being set aside.
- 11. Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or

- declarations made as to his or her qualification as a Competent person and/or registration as a professional.
- 12. A person who provides any information or certificate required in terms of Regulation A19 of the National Building Regulations and Building Standards Act No 103 of 1977 which he or she knows to be incomplete or false shall be guilty of an offence and shall be prosecuted accordingly.
- 13. A person who supplies particulars, information or answers in a land use application in terms of the Stellenbosch Municipality Land Use Planning By-law knowing it to be incorrect, false or misleading or not believing them to be correct shall be guilty of an offence and shall be prosecuted accordingly.
- 14. The Municipality will refer a complaint to the professional council or similar body with whom a Competent Person/professional person is registered in the event that it has reason to believe that information submitted or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.

Applicant's signature:	Juni lum		Date:	29/07/2020	
Full name:	Alwi Theart t/a Urban Rural S.	A			
Professional capacity:	Land Use Consultant				
FOR OFFICE USE ONLY					
Date received:					
Received By:					

CREATING PLACES FOR PEOPLE TO LIVE WORK AND PLAY LIFE TO THE FULL



VENUE & DISTILLERY

PROPERTY: FARM 48, STELLENBOSCH

DATE JULY. 2020 PROJECT: 345.2020

CLIENT: Muratie Wine Farm (Pty) Ltd





URBAN RURAL SOUTH AFRICA

POBox 7257 Stellenbosch 7599 A.Theart t/a Urban Rural SA Land Use Specialists Registered with the South African Council for Planners SACPLAN No. B8133.2005 | 021 855 1919 | 082 411 7914 atwi@urbanrural.co.za | www.urbanrural.co.za

FARM 48, STELLENBOSCH

VENUE & DISTILLERY & SDP

Application for Consent Use & Additional Use And Site Development Plan



EXECUTIVE SUMMARY

- 1. The purpose of this application is to obtain the rights to utilise a portion of an existing building and a new building on Farm 48, Stellenbosch as a distillery and function venue. Farm 48 is a well-known wine farm with various tourist attractions already vested on the property and the proposed additional uses will complement these facilities. The property is approximately 106 ha in size and is primary zoned for Agricultural with additional land uses which include a Wine Cellar, tasting facility, Guesthouse and additional cottages. The property is an active grape and wine producing farm. In order for the land owner to ensure the long term economic sustainability of the property and in the same time to ensure that the rural character is protected, the landowner wishes to add tourist related facilities to the property to ensure that the existing business is sustainable as well as to make optimal use of the property and its resources within the prescribed guidelines for development in the area. The landowner instructed Alwi Theart trading as Urban Rural SA to compile the necessary application report to obtain the legal development rights for the abovementioned purposes.
- 2. An application is therefore formally made for a consent use, an additional use and a site development plan in terms of the Stellenbosch Land Use Planning By-law to utilise two structures on Farm 48, Stellenbosch for the purpose of a *Venue and Small Distillery*.
- 3. All necessary infrastructures, such as buildings, electricity, water and sewerage are already in place on the property. No additional specialist reports have been prepared or were considered necessary to motivate the proposed development. The proposed development is of a small scale and should easily be accommodated on the property.
- 4. A thorough study was done of the proposed development and a report consisting of all the relevant information has been prepared for submission to the relevant authority.
- 5. The proposed development has been approached in a holistic manner to ensure that the safety and welfare of the community and the preservation of the natural and developed environment were taken into consideration.
- 6. It is believed that the comprehensive way in which aspects are addressed in this application will ensure that the impact on the environment is restricted to the minimum and that no adjacent landowners will be negatively affected by the proposal.
- 7. The proposed development will provide the land owners' the opportunity to earn an additional income from the property and simultaneously creating much needed work opportunities for the families of the existing property as well as the wider region.



A. CONTENT

Ex€	ecutive Summary	
	ble of Content	
Lis	st of Plans & Supplementary documentation	
Pro	operty Information	
	Introduction	
2.	•••	
3.	•	
4.		
5.	— 	
	Existing & Proposed Development	
7.		
8.	8 - 8	
9.		
	Motivation	
11.	. Conclusion	12
	LIST OF PLANS	
	01: Locality Plan 1: Cadastral Plan	
	02: Aerial View of Property	
	03: Aerial View of Property - Uses	
	04: Site Development Plan	
	05: Floor Plan Venue Sketch	
	06: Floor Plan Distillery Sketch	
	07: Aerial Photo Venue 08: Photo Images Venue	
	99: Photo Images Venue	
Dυ	33. Filoto illiages Distillery Bullullig	
C.	SUPPLEMENTARY DOCUMENTATION	
	l: Application Form	
C2	2: Power of Attorney	C2
C3	3: Title Deed	C3
	l: Surveyors Diagram	
C ₅	5: Engineering Certificate - Building	C5



PROPERTY INFORMATION

APPLICATION CONSULTANT

Alwi Theart t/a

URBAN RURAL SOUTH AFRICA

Land Use Consultants

PO Box 7257 Stellenbosch

7599

CONTACT PERSON: Mr Alwi Theart

Tel: 082 411 7914

Email: alwi@urbanrural.co.za

LAND OWNER Muratie Wine Farm (Pty)Ltd

PO Box 133, Koelenhof 7650

CONTACT PERSON : Mr Rijk Melck CEL: 082 553 1886 | rijk@muratie.co.za

PROPERTY SIZE 106,97 ha

TITLE DEED T 11789/88

PRIMARY ZONING OF PROPERTY Agricultural Zone I

Agricultural Zone II

Consent Uses | Restaurant & Garden area & Wine Tasting

Consent Uses | Additional Dwellings Residential Zone V : Guesthouse

BUILDINGS Agricultural Dwellings, Wine Cellar Complex, Agricultural

Buildings, Guesthouse, Cottages

LAND USES Agriculture & Tourism

SPECIALIST STUDIES No additional Specialist reports were compiled in support of this

application.

1. INTRODUCTION

- 1.1 The owner of Farm 48, Stellenbosch, Muratie Wine Estate (Pty) Ltd, represented by Dr Rijk Melck, has appointed Alwi Theart trading as Urban Rural SA to submit a land use application to Stellenbosch Municipality.
- 1.2 The purpose for the application is to obtain the land use rights to utilize a new and existing structure for the purpose of a venue and a small distillery.
- 1.3 The detail of the application is set out in the following report.
- 1.4 A letter of appointment is attached as Annexure C02.

2. APPLICATION

Application is hereby formally made in of:

- 2.1 Section 13 of the Stellenbosch Zoning Scheme, 2019, for an additional use (tourist facility) to accommodate a small distillery of approximately 50m² within an existing structure on Farm 48, Stellenbosch.
- 2.2 Section 216 of the Stellenbosch Zoning Scheme, 2019 for the approval of a Site Development Plan
- 2.2. Section 15(2)(o) of the Stellenbosch Municipal Planning By-law,2015 promulgated in terms of the Land Use Planning Act, 2014, Act No 3 of 2014, for consent use to utilize a new structure (already constructed) of approximately 500m² as a venue facility on Farm 48, Stellenbosch.

3. STELLENBOSCH ZONING SCHEME | 2015

3.1 Farm 48, Stellenbosch is deemed to be zoned for Agriculture Zone I & II and Residential Zone V with various other consent uses in place. See below a table of the zoning scheme relevant to Agricultural and Rural Zone.

PRIMARY USE	ADDITIONAL USES (NOT EXCEEDING THRESHOLD IN THIS CHAPTER AND SUBJECT TO TECHNICAL APPROVAL)	CONSENT USES (permission required)
Agriculture Agricultural Building (less than 2000 sqm) Dwelling house Second Dwelling Occasional use (on event/year) Private Road Polytunnel (less than 2000 sqm) Employee housing (on unit) Forestry Natural Environment	Agricultural Building (larger than 2000 sqm) Agricultural Industry (smaller than 2000 sqm) Bed and breakfast establishment Employment housing (exceeding one unit) Guest house Home day care center Home occupation practice Polytunnel larger than 2000 and smaller than 5000 sqm) Rooftop base telecommunication station Tourist dwelling units Tourist facility (existing buildings)	Abattoir Additional Dwelling units (max 4) Airfield Airstrip Agricultural Industry (larger than 2000 sqm) Camping site Day care centre Freestanding base telecommunication station Helicopter landing pad Intensive feed farming Kennels Occasional use (more than 1 event per year) Plant Nursery Polytunnels (larger than 5000 sqm) Renewable energy structures Service Trade Tourist Accommodation Establishment Tourist facility (new buildings or exceeding thresh Any additional use exceeding the threshold set out this chapter.

Additional use means a land use that is exercised in addition to the primary right on the land unit, and which remains subservient to the primary use and which is specified in the land use table of this scheme as an additional use which may approved by the Municipality after a technical evaluation, provided it complies with the parameters and thresholds in the scheme.

Tourist Facilities are described as land uses that provides facilities, amenities and activities, aimed at tourists and visitors, such as shops, markets, restaurants and places of entertainment (which may be licensed to sell alcohol), outdoor sport, conference facilities, place of assembly, wellness centres and/or open spaces, and may also include ancillary uses, limited industry only related to the manufacturing of clothing, food, beverages or making of craft items an/or art, a liquor store for the sale of alcoholic beverages for off-site consumption, provided that the alcoholic beverages are produced under license on the land unit, and examples include farm stalls, farm shops, farmer's markets, farm deli's, wine sales, wine tasting facilities, 4x4 or mountain bike trails, cycle and hiking trails, picnic facilities, function venues, brew-pubs, craft gin distilleries, coffee roasteries, bakeries, charcuterie but excludes tourist accommodation, guesthouses, bed and breakfast establishments and hotels.

Distillery:

The proposed distillery will be accommodated within an existing structure and will fall within the parameters and threshold of the zoning scheme and can be approved with a technical approval.

Venue:

The Venue will be accommodated within a new structure (already build) and therefore the application for a consent use as it will deviate from the prescribed parameters (will be accommodated in new building) and will be larger than the 250m² threshold as prescribed in the zoning scheme.

4. TITLE DEED

- 4.1 The property is held under Title Deed T11789/88.
- 4.2 There are no restrictions in the Property Title Deed, based on our preliminary desktop assessment, which prohibit the proposed development.
- 4.3 A copy of the Title deed is attached as Annexure C03 of this document.
- 4.4 Should the Municipality considered it necessary for my client to obtain a Conveyancer's Certificate to confirm, it will be obtained. Due to all the previous approvals which were given on the property it was not considered necessary to obtain the relevant certificate.

5. LOCATION

- 5.1 The property is located within the jurisdictional area of Stellenbosch Municipal.
- 5.2 The property is located approximately 10km north of Stellenbosch along the R44 Main Road.
- 5.3 The property gains access to the R44 Main Road via Divisional Road 1084 and Driehoek Minor Road 5223 which runs through the subject property. The property is located approximately 3km eastern of the R44 Main Road. (See annexure B01)



6. EXISTING & PROPOSED DEVELOPMENT

Muratie Wine Farm is an active wine farm which consist of approximately 106 ha. The property is an active wine farm with additional uses such as a winery, restaurant, guesthouse and additional cottages which are operating all from the property with great success. In order to provide the tourists visiting the property with a wider variety of activities and experiences, the owners' have decided to add a venue facility as well as a gin/rum distillery to the mix of activities.

Venue Facility:

A steel structure with see-through plastic panels has been constructed on the property for a once of wedding which took place on the property. It was therefore the owners' intention to demolish the structure after the wedding but has reconsider the use of the facility for future functions. The landowner has therefore bought over the structure from the client who constructed the facility for his daughters' wedding. The owner now search for the land use rights to utilise the facility on a permanent basis. The structure is located on the southern portion of the farm werf on a piece of land which is not cultivated. The area was previously not used for anything specific and was also the reason why this area was chosen to erect the structure. The facility will be able to accommodate approximately 250-300 people. Electricity has been extended from an existing building to service the new structure. No water or ablution facilities will be provided at the "new" facility as the guests will either make use of the existing ablution facilities available in the nearby cellar/restaurant building or additional mobile facilities which will be hired-in when necessary. A large parking area is located to the west of the farm werf (see annexure B03) which currently provides parking for tourists visiting the property. The parking area is considered to be sufficient to accommodate guests to the venue facility when in use. The position of the facility is indicated on Annexure B04.

Distillery:

The space which will used for the distillery (gin and rum) will be approximately 50m². Water and Electricity are already available in the attached shed building and will be extended to this specific section of the building. The water will be filtered/treated to the prescribed standard to be used in the Distillery.

Gin making process:

Ethanol with a 96% Alcohol by volume will be used in the gin making process.

The Ethanol will be diluted with water (ratio of 60l spirits with 35 l water) during the distil process.

The mix will then be distilled again with chosen botanicals to add the required flavours.

The mix will then be diluted with water again to obtain the required 43% alcohol per volume mix.

The above process will produce approximately 135 bottles of gin per batch.

One day a week will be set aside to make the 135 bottles which calculate to 540 bottles per month.

Rum making process:

Trickle 1 Molasses will be used for the process

The distillery will be able to ferment approximately 180 I, and will take a week to complete.

For every 180 I fermented product, about 60kg of Molasses and 120I water will be used.

The fermented "wash" will be distilled twice before it can be bottled

It will take a week to produce approximately 110 bottles which will calculate to 400 bottles per month.



The facility will produce a small amount of gin and rum per month. Most of the stock will be sold to visitors and although tasting will be done (similar to wine tasting) the products will not be serve from the facility on a sit down basis. The facility will join in perfectly with the existing winery to present to tourists the art of making of wine and the distil process of how gin and rum are produced





Picture 1* Picture 2**

*In the picture is an example of 300 I stills which produces 3000 bottles per month

**The Still in picture 2 has a capacity of 100I which will be simlar to the one that will be used in the facility.

7. SERVICE & INFRASTRUCTURE

A network of services (Water, Electricity, and Sewerage) is already in place on the property. The existing services in the adjacent building to the proposed distillery building will be extended (water & electricity) to service the distillery. The area which will be occupied by the distillery will be approximately 50 m².

The venue facility consist of a steal structure and concreate floor. Electricity has been extended from the adjacent wine cellar building. No water or sewerage networks will be required as the guests will make use of the existing facilities which are already accommodated within the existing cellar building. The kitchen and ablution facilities which service the restaurant, winery, tasting facility etc. will also service the venue facility. Mobile kitchens and ablution facilities will be hiredin used should the amount of guest exceed the amount of people which can be accommodated with the existing facilities.

The property gains access from the R44 Main Road via the Knorhoek Divisional Road and the Driehoek. The access roads are in a good condition, tarred and well maintained. The additional traffic that will be created by the additional facilities can be considered reasonable and no changes will have to be made to the access roads. Sufficient parking is already available on the property to accommodate the proposed facilities. The parking is provided at the entrance of the farm werf as indicated on Annexure B03. With the other tourist attractions on the property which are mostly operating during normal day business hours, the venue facility will most probably be operation over weekends and evenings outside the abovementioned times. Nevertheless we do not anticipated that there will be a shortage of parking available on the property. The area available for parking is mostly covered with grass.

8. PLANNING LEGISLATION

Various legislation is applicable when applications of this nature is evaluated developed and approved. The proposed development is considered to be in line with the following legislation and is presented as follows:

8.1 WESTERN CAPE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (PSDF - 2014)

To deliver on the strategy objectives of the Western Cape Government, the PSDF focuses on growing the economy, building greater environmental resilience and much better inclusion. The framework also focusses on the important role of sustainable agriculture as part of a growing economy. The proposed development will contribute to sustainable agriculture in a positive manner without being detrimental to the surrounding area or population. The proposed development might also present new employment opportunities and will have a positive economic impact on the immediate area, and will also support the owner financially during poor performances by the agricultural sector and in specific, the wine industry. To diversify a property's various income streams ensure the agricultural sustainability of a property in the long run.

8.2 STELLENBOSCH SPATIAL DEVELOPMENT FRAMEWORK, 2019

The Stellenbosch Spatial Development Frame Work (SDF) has been approved in May 2019 and was drafted in accordance with relevant legislative requirements to guide the future spatial form of the greater Stellenbosch Area. It is aimed at developing a binding set of principles which guide development and development rights of property owners. The main aim of the SDF is to:

- To grow the assets of Stellenbosch natural environment and farming areas
- · Grow the cultural heritage
- Build on existing infrastructure investments
- Clarify and respect the different roles and potentials of existing settlements
- Address human needs such as housing, infrastructure and facilities
- Pursue balanced communities
- Focus energy on areas which offer extensive opportunities

Tourism is a big economic contributor to the area and should be promoted and supported where possible. The promoting of work, skills and training opportunities are also high on the agenda, all of which the proposed new facilities can provide. With most of the infrastructure already in place, the approval of the proposed application should be seen as a viable option to achieve these goals.

8.3 STELLENBOSCH ZONING SCHEME, 2019

The Stellenbosch Zoning Scheme, 2019 is now applicable to the property. Based on the zoning records the property have various zonings namely Agricultural Zone I and II, Residential Zone V and various consent uses which include tourist related uses such a tasting facility, restaurant, additional cottages and trail facilities. The Stellenbosch Zoning Scheme makes provision for both the proposed venue facility as well the distillery to be accommodated on an agricultural property. The scale of the proposed new facilities can be considered reasonable taking into account the already vested tourist related facilities on the property. Applications of this nature are regularly



being approved on agricultural properties in the Stellenbosch Municipal jurisdiction area and this application should be no different.

9. DESIRABILITY OF PROPOSED DEVELOPMENT

The application has been evaluated and prepared in terms of the Western Cape Land Use Planning Act, 3 of 2014 and the Stellenbosch Spatial Development Framework, 2018, Stellenbosch Municipality Land Use Planning By-law, 2015 and the Stellenbosch Zoning Scheme, 2019.

It is our considered opinion that the proposed additional land use rights can be considered suitable and sustainable and that it also satisfies the criteria as set out in the abovementioned legislation. Various tourist related activities are already present on the property as well as nearby properties and to accommodate the proposed facilities on the property will ensure the long term sustainability of the property. Successful facilities will lead to more revenue and economic security for the land owners' and their employees and it will also ensure growth in the regional tourism sector.

The new facilities will not only increase tourism in the area, but will also provide much needed work opportunities and job stability to the current employees and their families and will also have economic possibilities and growth to other sectors which providing a service to these proposed facilities. It should also be bear in mind that to establish such facilities in a way that can be economic sustainable and simultaneously complies with all the relevant sustainability factors, are a costly and risky exercise and when someone is willing to invest money in such ventures, the necessary support should be giving by the local authority to ensure the success of such an investment.

From the evaluation of this application it is clear that the proposed facilities can be considered as sustainable, functional, and practical and it also satisfies the desirability criteria as set out above.

10 MOTIVATION

- 10.1 The Provincial Spatial Development Framework for the Western Cape as well as the Spatial Development Framework for Stellenbosch promotes tourist related facilities in the rural area especially if they are supplementary to the existing agricultural activities of the area.
- 10.2 To establish tourist facilities on the property will provide the owners' with additional income streams while still retaining the property's agricultural component and rural character.
- 10.3 The proposed development will also contribute to ensure the sustainability of the property in the long run and will create further job opportunities for existing employees and for the wider community.
- 10.4 Tourism has become a fiercely competitive business. For tourist destinations the world over, natural features alone are no longer sufficient, but increasingly man tourist facilities that can complement the existing natural environment are required. As such it is not simply the stock of natural resources of the region that will determine the regions competitiveness in tourism but also how these resources are managed and to what extent they are complemented with man-made innovations.



- 10.5 Due to the uncertainty of the agricultural industry additional income sources (such as tourism) have to be considered. Tourist facilities, in rural areas are very much in demand and the proposed development will contribute towards satisfying this niche market without destroying the rural character. Tourist facilities can be regarded as an excellent supplementary facility to promote the unique Winelands environment. Applications of this nature are frequently approved by Municipalities all over the Western Cape.
- 10.6 All the necessary services and infrastructure are already available and installed on the property and no major alterations or upgrading to the infrastructure will be required.
- 10.7 The visual impact of the proposed development can be considered to be acceptable. The distillery will be accommodated within an existing structure. The venue facility will be accommodated within a 500 m² steel structure. The new building forms part of the existing farm werf area and is located close to large trees which softens the impact. Vineyards are also planted close to the structure which makes the structure part of the agricultural landscape.
- 10.8 The proposed facilities are not located close to any of the property boundaries and should not have a negative impact on the adjacent land owners.
- 10.9 The adjacent land owners will also be informed through the normal advertising process conducting by the Municipality as prescribed in the Stellenbosch Municipality Land Use Planning Bylaw of the development and any relevant comments will be address in the best possible manner. The scale of the proposed development can be considered to be small and will be restricted to a specific area on the property. It is our considered opinion that the adjacent landowners will support the proposed application.
- 10.10 The access roads are tarred and well maintained and it is the considered opinion that the potential increase in traffic should easily be accommodated by the road networks.
- 10.11 Similar applications for tourist facilities are frequently being approved in the rural area by the Municipality. To permit the proposed facilities will play a major role in supplementing and complementing the tourism industry in the Stellenbosch. This application should therefore be supported by the Municipality.



11. CONCLUSION

To conclude,

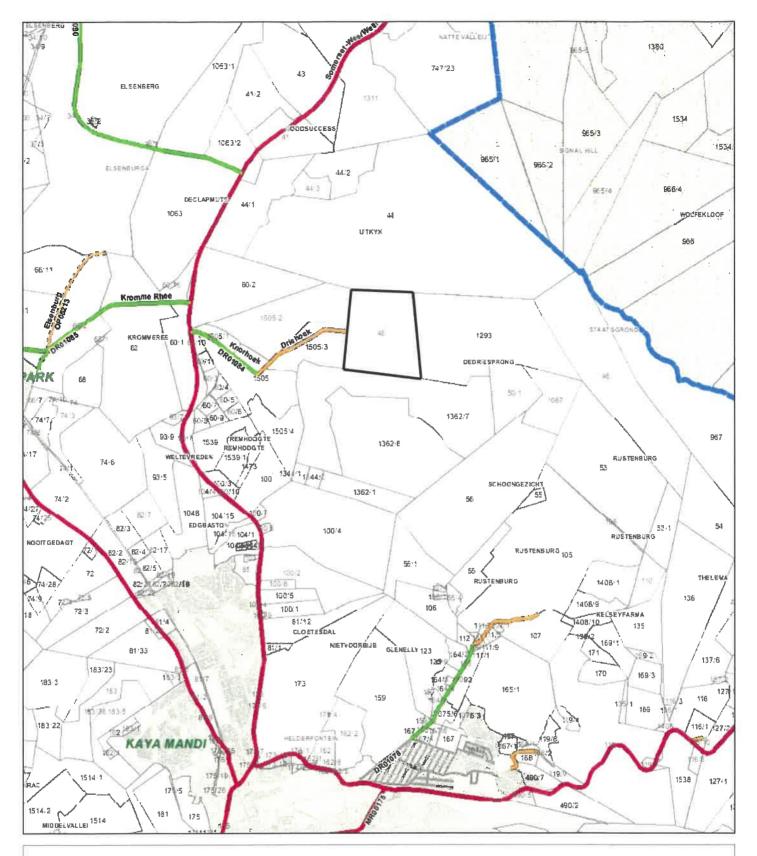
- The proposed facilities will add value to tourism in the area.
- The proposed development can be considered to be in line with rural development policies of the area, which promotes supplementary facilities for agricultural properties;
- The development can be considered to be on an acceptable scale and will not compete with or be to the determent of the agricultural activities of the surrounding properties, or the wellbeing of any abutting land owners;
- The primary use of the property will still be agricultural and the rural atmosphere will be maintained;
- The additional traffic that will be generated by the new development can be regarded as acceptable.
- The development should have a positive impact on the local economy of the area.
- The proposed development will not negatively affect the environment.
- All the required service infrastructure are already in place and will comply with prescribed standards.
- No negative visual impact will be created by the new development. The buildings will form part of the farm werf set up and with all the large trees the facilities will form a unity with the existing farm werf buildings.
- The new facilities will ensure job security and may even lead to new job opportunities and can therefore contribute towards reducing the high level of unemployment in the area and surroundings;
- Similar applications are regularly approved by Municipalities.

In the light of this motivation and arguments putting forward in this document, it is the considered opinion that the proposed development will achieve the necessary economic sustainability for the owners' as well as making a positive contribution towards the local tourist and economic markets, providing much needed employment opportunities all of which will be done without having a negative impact on the environment, the abutting land owners or the general public. It is therefore requested that the Municipal Council and all the Departments and Parties involved in the decision making process, to find the development desirable and that the application be approved.



ANNEXURE B PLANS & MAPS





DESCRIPTION

LOCALITY PLAN



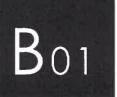
Property FARM 48	Application Consent & Additional Use	July 2020	
Division	Utilisation	Source	
Stellenbosch	Distillery & Venue facility	CWDM	
Municipality	Scale	Project Number	
Stellenbosch	as indicated/or unknown	345.2020	



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Please take note that these plans and drawings were copied into this document and eithough 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.

> 082 - 411 7914 alwi@urbanrural.co.za



MURATIE ESTATE



AERIAL VIEW



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B02





MURATIE ESTATE

DESCRIPTION

- An area of 20x25 has been leveled. A steel structure has been constructed on the area.
- Parking area for existing tourist facilities Will also be used for the venue and distillery
- Building of 50 sqm which will be utilize as a distillery

Municipality	Utilisation	Date	Project Number
Stellenbosch	Venue & Distillery	July 2020	345.2020
Division	Application	Scale	Source
Stellenbosch	Consent Use & Additional Use	as indicated/or unknown	Google Earth

AERIAL VIEW



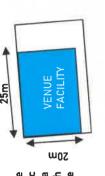
082 - 4117914 alwi@urbanrural.co.za

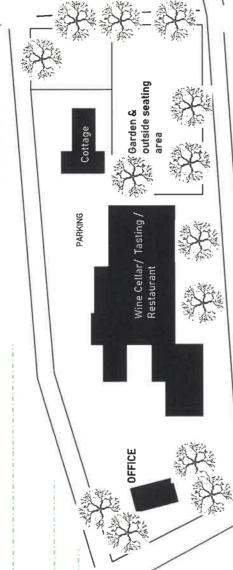
B03



MURATIE FARM WERF

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





within an existing building Proposed Distillery which

Agricultural Buildings

(20sdm)

Buiblind bad2

Farm buildings





7

Date July 2020

Application Consent & Add Use

Property Farm 48

Not for scale Distances as indicated

Source Client

Utilisation Function & Distillery

Division Stellenbosch

SITE PLAN DESCRIPTION

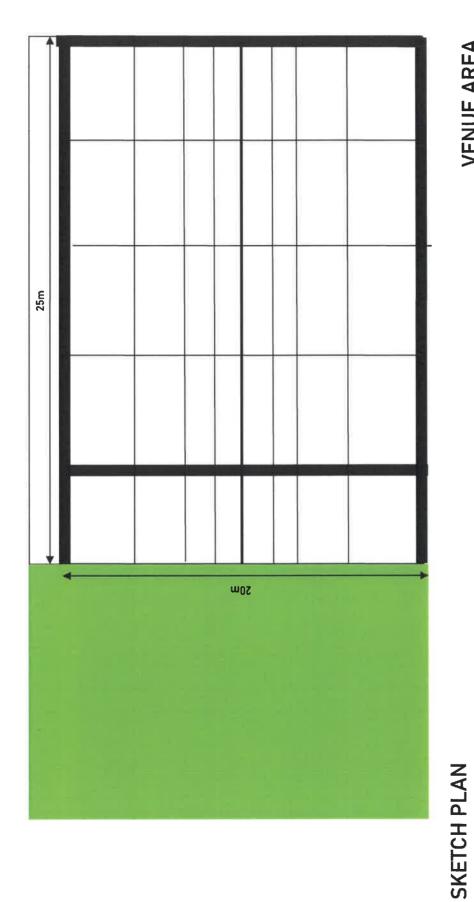
Municipality Stellenbosch

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Project Number 345,2020 Scale as indicated/or unknown



VENUE AREA



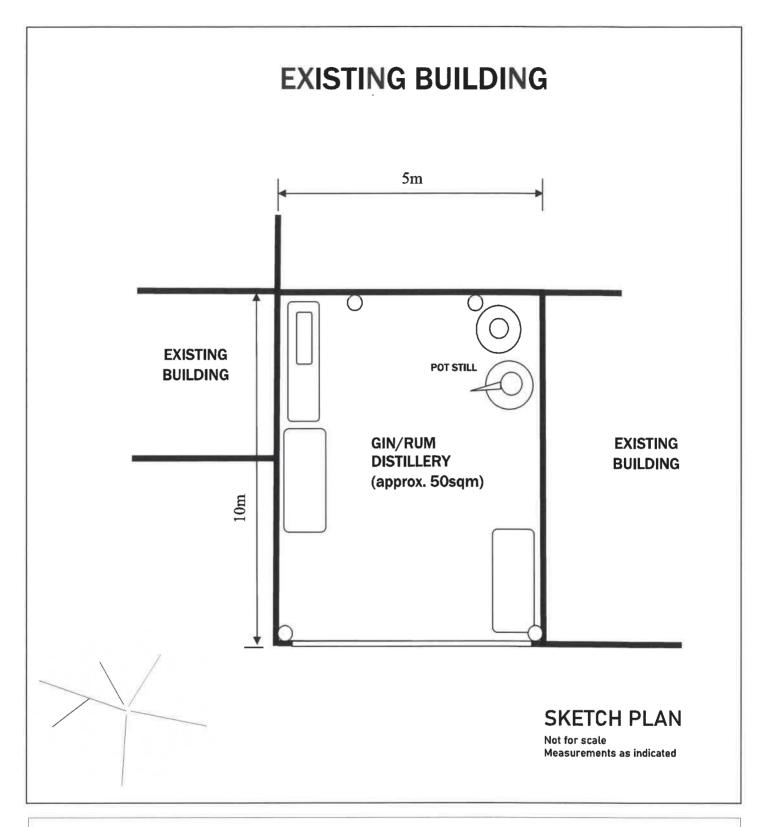
Property Farm 48 Consent & Add Use Division Stellenbosch Municipality Stellenbosch			
	Date	Source	Project Number
	July 2020	Client	345.2020
Property Farm 48 Division Stellenbosch Municipality Stellenbosch	Application	Utilisation	Scale
	Consent & Add Use	Function & Distillery	as indicated/or unknown
	Property	Division	Municipality
	Farm 48	Stellenbosch	Stellenbosch

Date	Source	Project Number
July 2020	Client	345,2020
Application	Utilisation	Scale
Consent & Add Use	Function & Distillery	as indicated/or unknown
Property	Division	Municipality
Farm 48	Stellenbosch	Stellenbosch

FLOOR PLAN

Not for scale Measurements as indicated

ANNEXURE		$\overset{\circ}{\mathbf{\Omega}}$	
7	www.urbanrural.co.za	Please take note that these plans and drawings were copied into this courtners and although it is close to scale it is not suitable for physical measurements. Although the dimensions indicated on the plans, I maps are considered to be correct, it must be verified on site.	082 - 4117914 ałwi@urbanrural.co.za



DESCRIPTION

FLOOR PLAN - DISTILLERY



WWW.urbanro Please take note that these plans into this document and although suitable for physical measur dimensions indicated on the plan be correct, it must be verified on 0 8 2 - 4 1.1 al wi@urbanru	July 2020	Application Additional Use	Property FARM 48
	Source Urban Rural SA	Utilisation Distillery	Division Stellenbosch
	Project Number 345.2020	Scale as indicated/or unknown	Municipality Stellenbosch



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