



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/14332

Our File Reference Number: Farm 1456, Stellenbosch

Your Reference Number:

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 1456, STELLENBOSCH

1. The above application refers.

2. The duly authorised decision maker hereby decides 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 Bylaw, promulgated by notice number 354/2015, dated 20 October 2015 for consent use to permit a tourist facility consisting of a proposed gazebo ($\pm 35\text{m}^2$) to be used for entertainment purposes (restricted for the exclusive use by the owner and overnight guests only) on Farm No. 1456, Division Stellenbosch.

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

2.2 The approval is subject to the following **conditions** imposed in terms of Section 66 of the said Bylaw:

2.2.1 The approval only applies to the consent use application under consideration, as indicated on the Site Plan with Drawing No. 3.0/Rev. A, drawn by Van Der Wolf Weyer Architects and dated June 2022, and Plans, Sections & Perspective with Drawing No. 3.1, drawn by Van Der Wolf Weyer Architects and dated Nov. 2021, attached as **Annexure B**, and shall not be construed as authority to depart from any other legal

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prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.

- 2.2.2 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.
- 2.2.3 The development must be undertaken in accordance with the Site Plan with Drawing No. 3.0/Rev. A, drawn by Van Der Wolf Weyer Architects and dated June 2022, and Plans, Sections & Perspective with Drawing No. 3.1, drawn by Van Der Wolf Weyer Architects and dated Nov. 2021, attached as **Annexure B**.
- 2.2.4 Building plans must be in accordance with the Site Plan with Drawing No. 3.0/Rev. A, drawn by Van Der Wolf Weyer Architects and dated June 2022, and Plans, Sections & Perspective with Drawing No. 3.1, drawn by Van Der Wolf Weyer Architects and dated Nov. 2021, attached as **Annexure B**.

3. **Matters to be noted:**

- 3.1. All electrical requirements should be directed to Eskom. All electrical work to comply with SANS142 and Municipal Bylaws.

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

- 4.1. The proposed non-agricultural activity (gazebo) is ancillary to the existing dwelling house and tourist accommodation establishment.
 - 4.2. The proposal is of such a scale and nature that it will have little too no impact on the agricultural potential of the farm and surrounding area.
 - 4.3. The Department of Agriculture supported the application, and the identified adjoining neighbour's consent was obtained.
- 5. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.
 - 6. Appeals must be submitted with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law. The following prescribed information is accordingly required:

6.1. 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

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

6.3 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.

6.4 Whether the appeal is lodged against the whole decision or a part of the decision.

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

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

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

6.8 The relief sought by the appellant.

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

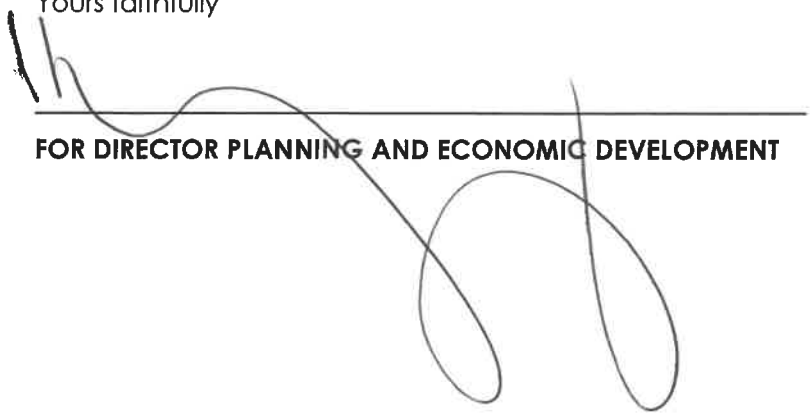
6.10 That the appeal includes the following declaration by the Appellant:

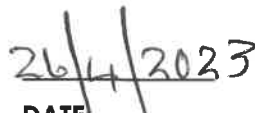
- i. The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
- ii. That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers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

7. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@ Stellenbosch.gov.za.

8. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
9. The approved tariff structure 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.
10. 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.
11. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
12. Kindly note the above decision 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:

All required notes, drawings and other information must be submitted with the application for a building permit. The applicant is responsible for ensuring that the drawings and other information submitted are accurate and complete. The applicant is also responsible for ensuring that the drawings and other information submitted are in accordance with the applicable laws and regulations.

GENERAL NOTES

ALL CONSTRUCTION WORK TO BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS AND RELEVANT LOCAL AUTHORITIES BY-LAWS.
QUALITY OF ALL MATERIALS AND WORKMANSHIP TO COMPLY WITH SALES SPECS.
CONTRACTOR IS RESPONSIBLE FOR CORRECT SETTING OUT OF THE BUILDINGS. ALL EXTERNAL AND INTERNAL WALLS WITH PARTICULAR REFERENCE TO BOUNDARIES AND BUILDING LINES.

CONTRACTOR TO VERIFY ALL LEVELS, HEIGHTS AND DIMENSIONS ON SITE AND DRAWINGS BEFORE STARTING THE WORK.
ANY ERRORS, DISCREPANCIES OR DIMENSIONS TO BE REPORTED IMMEDIATELY.
THIS DRAWING IS NOT TO BE SCALED ONLY FULLY DIMENSIONS ARE TO BE USED AT ALL TIMES.
IF IN ANY DOUBT, ASK IMMEDIATELY.
DIMENSIONS ARE TO BE USED AT ALL TIMES.

WINDOW NOTES

GLASS THICKNESSES - 675mm HFR
ALL FRAMELESS GLASS TO BE EDGE SEALED
ANY WINDOW LESS THAN 300mm ABOVE FFL TO BE SAFETY GLASS
ANY THROUGHFLOORS TO BE SAFETY GLASS

REVISIONS

No.	Description	Date
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

OWNER:
ARCHITECT:
SACAP Reg. No. (P. Act. No. 48/93):
Van der Wolf Weyer Architects

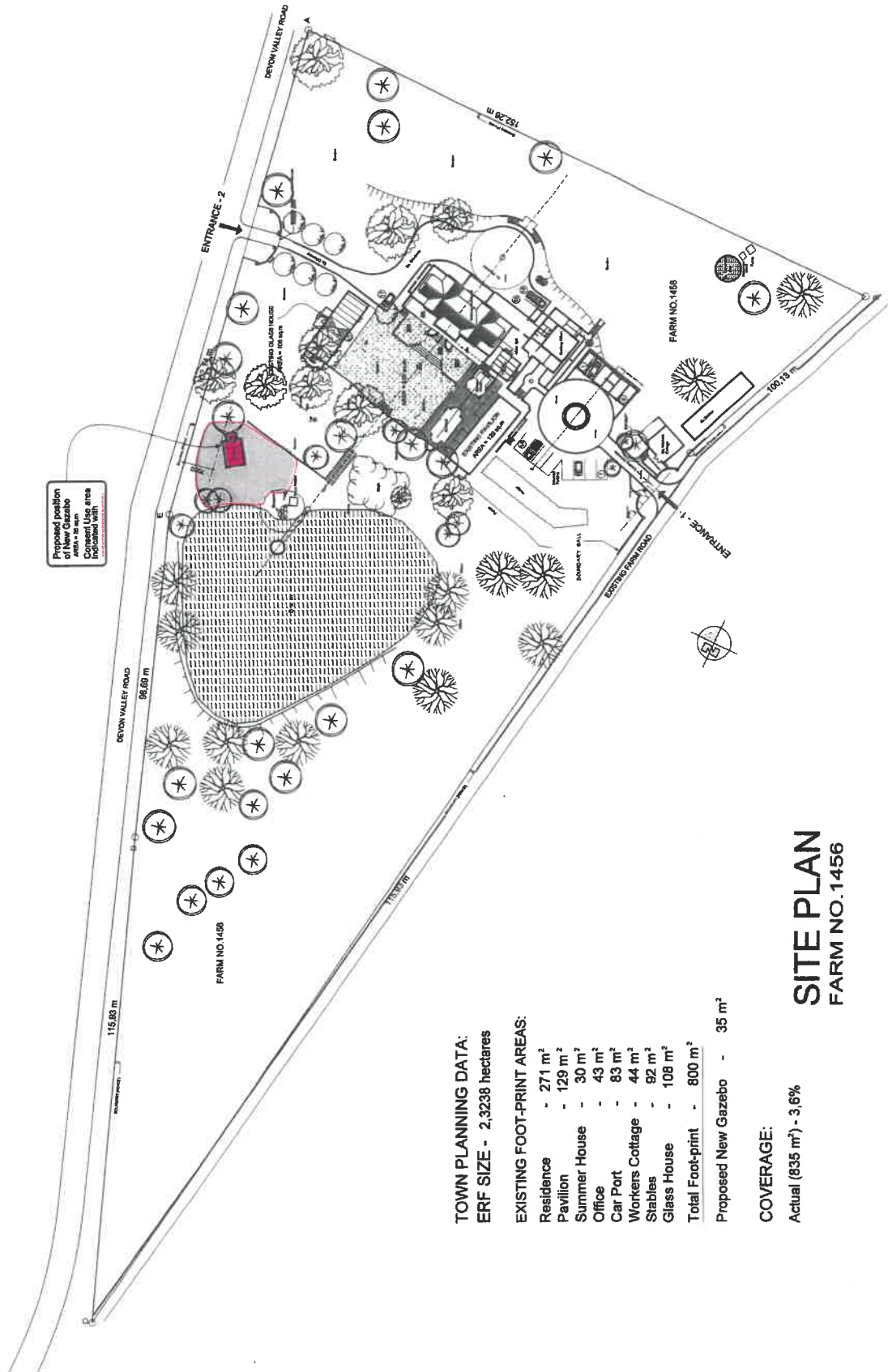


LE JARDIN
PROPOSED NEW GAZEBO
FOR
SILBURY INVESTMENTS (PTY) LTD
ON FARM NO 1456
DEVON VALLEY
STELLENBOSCH

MUNICIPAL SUBMISSION

SITE PLAN

PROJECT No.	094	Scale	3.0	Version	A
Date	11.05.2022	Drawn	June 2022	Checked	GWB



TOWN PLANNING DATA:

ERF SIZE - 2,3238 hectares

EXISTING FOOT-PRINT AREAS:

Residence	- 271 m ²
Pavilion	- 129 m ²
Summer House	- 30 m ²
Office	- 43 m ²
Car Port	- 83 m ²
Workers Cottage	- 44 m ²
Stables	- 92 m ²
Glass House	- 108 m ²
Total Foot-print	- 800 m ²
Proposed New Gazebo	- 35 m ²

COVERAGE:

Actual (835 m²) - 3.6%

SITE PLAN

FARM NO. 1456

All dimensions are in millimeters unless otherwise stated. All materials are to be of the highest quality and to conform to the relevant standards. All work is to be done in accordance with the relevant building regulations and the relevant standards. The drawings are to be used as a guide only and are not to be used for construction purposes without the approval of the relevant authorities.

GENERAL NOTES

ALL CONSTRUCTION WORK TO BE IN ACCORDANCE WITH THE RELEVANT BUILDING REGULATIONS AND RELEVANT LOCAL AUTHORITIES BY-LAWS.

QUALITY OF ALL MATERIALS AND WORKMANSHIP TO COMPLY WITH SABS SPECS.

CONTRACTOR TO BE RESPONSIBLE FOR OBTAINING SETTING OUT OF THE BUILDING AND TO PROVIDE A REFERENCE TO BUILDINGS AND BUILDING LINES.

CONTRACTOR TO VERIFY ALL LEVELS, HEIGHTS AND DIMENSIONS ON SITE AND DIMENSIONS BEFORE STARTING THE WORKS.

ANY ERRORS, OMISSIONS OR DISCREPANCIES TO BE REPORTED IMMEDIATELY.

THIS DRAWING IS NOT TO BE SOLOED OR FOLDED DIMENSIONS ARE TO BE USED AT ALL TIMES.

IF IN ANY COLLISION IMMEDIATELY.

DIMENSIONS ARE TO BE USED AT ALL TIMES.

DRAINAGE NOTES

ALL PLUMBING AND DRAINAGE WORK TO COMPLY WITH THE RELEVANT LOCAL AUTHORITY BY-LAWS AND REGULATIONS.

IS TO ALL BEANS AND JOINTS WITH SUITABLE MARKERS AT GROUND LEVEL, AND TO BE FULLY ACCESSIBLE AT ALL TIMES.

MINIMUM 100mm FALL TO ALL DRAIN PIPES.

REVEAL TRAPS TO ALL WASTE FITTINGS.

AE TO FOOT OF ALL SOIL STACKS.

ALL SOIL PIPES UNDER BUILDINGS TO BE PROTECTED IN CASE OF MINIMUM 100mm THICKNESS ALL ROUND THE PIPE.

WINDOW NOTES

WINDOWS TO HABITABLE ROOMS TO PROVIDE 80% FLOOD AREA NATURAL LIGHT WITH 80% OPENING.

GLASS THICKNESSES - 8-12mm - 3mm thick.

8-12mm - 3mm thick.

ANY WINDOW LESS THAN 1000mm ABOVE FFL TO BE SAFETY GLASS.

ANY THUNDERFIRE TO BE SAFETY GLASS.

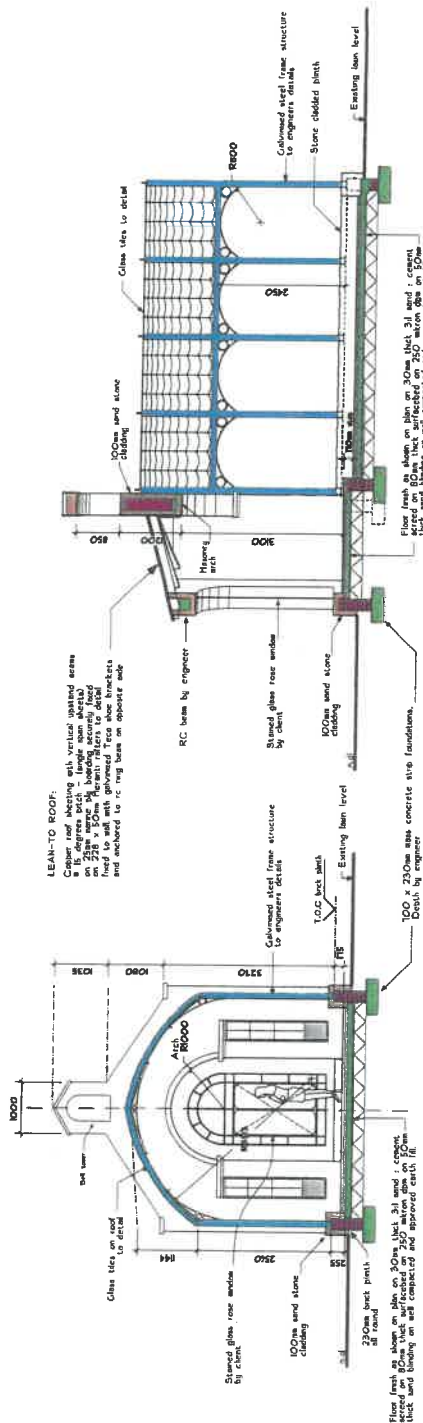
OWNER :
ARCHITECT :
BACAP Reg. no. (P. Arch. no. 4851) - Gerrit van der Walt



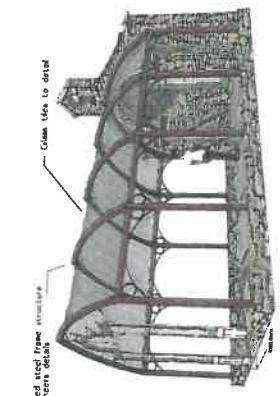
LE JARDIN
PROPOSED NEW GAZEBO
SILBURY INVESTMENTS (PTY) LTD
ON FARM NO 1654
DEVON VALLEY
STELLENBOSCH

MUNICIPAL SUBMISSION
PLANS, SECTIONS
& PERSPECTIVES

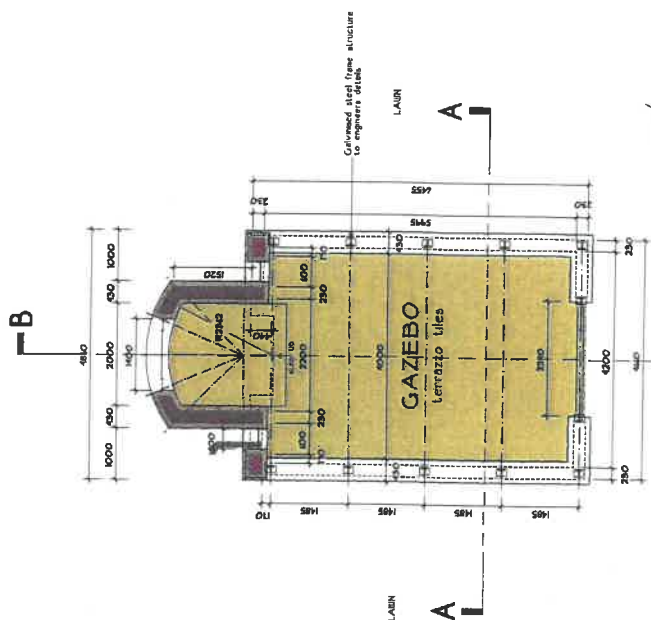
Project No.	056	Drawing No.	3.1	Revision No.	
Client	11/20	Scale	1:50	Date	04/04/2024



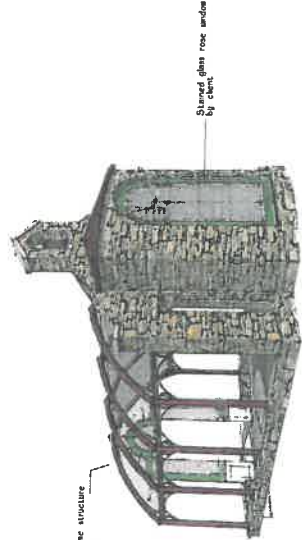
SECTION A-A



SECTION B-B



FLOOR PLAN
Scale 1:50



PERSPECTIVE VIEWS