



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16029 (TP458/2023)

Our File Reference Number: Erf 214, De Zalze

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: [REDACTED]

Sir / Madam

APPLICATION FOR THE AMENDMENT OF A CONDITION OF APPROVAL: ERF 214, DE ZALZE

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the application for the **amendment of a condition of approval** (site development plan) to allow for the relocation of the existing approved restaurant on Erf 214, De Zalze, Stellenbosch in terms of Section 15(2)(h) Stellenbosch Municipal Land Use Planning Bylaw, 2023

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 said Bylaw:**

- 3.1 The approval only applies to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.
- 3.2 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.
- 3.3 The development be implemented in accordance with the Site Development Plan as referenced **Drawing Nr. 110, dated 03 August 2023; Drawing Nr 111, dated 25 July 2023;**

Drawing Nr112, dated 25 July 2023; Drawing Nr. 204, dated 03 August 2023 drawn by Malherbe Rust Architects, and attached as ANNEXURE B.

3.4 The area for the restaurant be limited to 420m².

3.5 Sufficient on-site parking be provided in accordance with the provisions of the Zoning Scheme Bylaw as illustrated on the site plan to the satisfaction of the Municipality.

3.6 Building plans be generally in accordance with the Site Development Plan as referenced Drawing Nr. 110, dated 03 August 2023; Drawing Nr 111, dated 25 July 2023; Drawing Nr112, dated 25 July 2023; Drawing Nr. 204, dated 03 August 2023 drawn by Malherbe Rust Architects and attached as **ANNEXURE B**.

3.7 Building plans be submitted for all changes of use in the existing buildings and which building plan(s) must be approved and related occupancy certificates be issued prior to the vesting of any of the related approvals.

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

4.1 The Site Development Plan will not result in any additional rights being granted.

4.2 The property will be developed in accordance with the approved land use rights

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:

(a) The personal particulars of the Appellant, including:

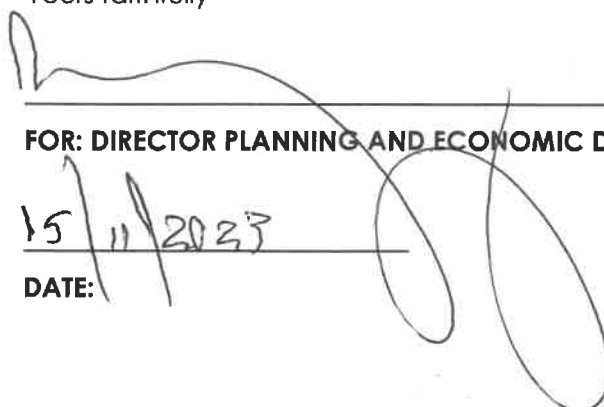
- (I) First names and surname;
- (II) ID number;
- (III) Company of Legal person's name (if applicable)
- (IV) Physical Address;
- (V) Contact details, including a Cell number and E-Mail address;

- (b) Reference to this correspondence and the relevant property details on which the appeal is submitted.
 - (c) The grounds of the appeal which may include the following grounds:
 - (i) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000);
 - (ii) grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.
 - (d) whether the appeal is lodged against the whole decision or a part of the decision;
 - (e) if the appeal is lodged against a part of the decision, a description of the part;
 - (f) if the appeal is lodged against a condition of approval, a description of the condition;
 - (g) the factual or legal findings that the appellant relies on;
 - (h) the relief sought by the appellant; and
 - (i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;
 - (j) That the appeal includes the following declaration by the Appellant:
 - (i) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
 - (ii) That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.
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
15/11/2023
DATE: _____

ANNEXURE B

**APPLICATION FOR PERMISSION REQUIRED IN TERMS
OF CONDITION OF APPROVAL IN TERMS OF
SECTION 15(2)(I) OF THE STELLENBOSCH MUNICIPAL
LAND USE PLANNING BYLAW, 2015 ON ERF 241, DE
ZALZE, STELLENBOSCH**

SITE DEVELOPMENT PLAN

NOTE:
THIS DRAWING IS THE COPYRIGHT OF THE ARCHITECTS. DO NOT SCALE AND
REFER TO DIMENSIONS ONLY. ALL LEVELS AND DIMENSIONS MUST
BE CHECKED ON SITE PRIOR TO SETTING OUT OR MANUFACTURE. ANY
DISCREPANCIES MUST BE REPORTED TO THE ARCHITECT IMMEDIATELY.

ARCHITECT: _____ NAME SURNAME _____
CLIENT: _____ NAME SURNAME _____
(Besp. Reg. PrArch3000000) (Registered Owner)

PARKING SCHEDULE

PARKING REQUIRED

- RESTAURANT 420m ² @ 4 bays/100m ²	= 17
- WINE TASTING 128m ² @ 4 bays/100m ²	= 5
- OFFICES 180m ² @ 4 bays/100m ²	= 8

TOTAL REQUIRED = 30

PARKING PROVIDED

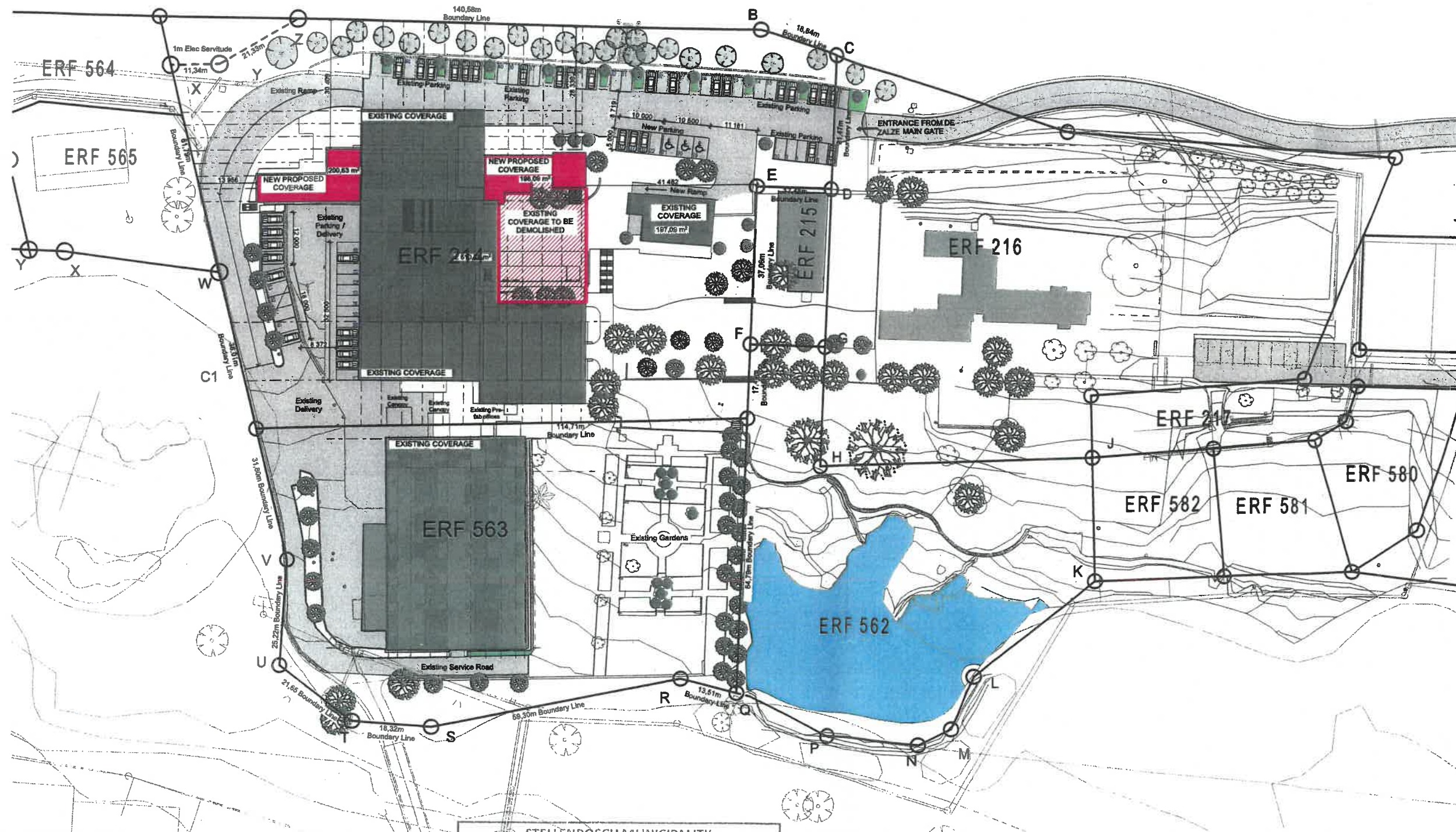
- VISITORS PARKING	= 48
- STAFF PARKING	= 23
TOTAL	= 71

COVERAGE SCHEDULE

ERF 214	12832m ²
EXISTING DEVELOPMENT FOOTPRINT	3143m ²
NEW DEVELOPMENT FOOTPRINT	3105m ²
NEW COVERAGE	25%

FLOOR AREA SCHEDULE

EXISTING GROUND LEVEL	2750m ²
EXISTING RESTAURANT LEVEL	1780m ²
TOTAL EXISTING	4530m²
PROPOSED GROUND LEVEL	2817m ²
PROPOSED RESTAURANT LEVEL	1438m ²
TOTAL PROPOSED	4255m²



SITE DEVELOPMENT PLAN
scale 1:500



STELLENBOSCH MUNICIPALITY
THIS SITE DEVELOPMENT PLAN IS APPROVED IN
TERMS OF SECTION 60 OF THE STELLENBOSCH
MUNICIPAL LAND USE PLANNING BY-LAW (2016) 2023
SUBJECT TO THE CONDITIONS AS PER APPENDIX.
15/11/2023
MUNICIPAL MANAGER DATE

B - WP	Work in Progress	Ch-07	REVISION DESIGN REDUCTION
A	2023/06/08	Ch-06	SITE DEVELOPMENT PLAN
DATE:	DATE:	DATE:	DATE:

Malherbe Rust Architects

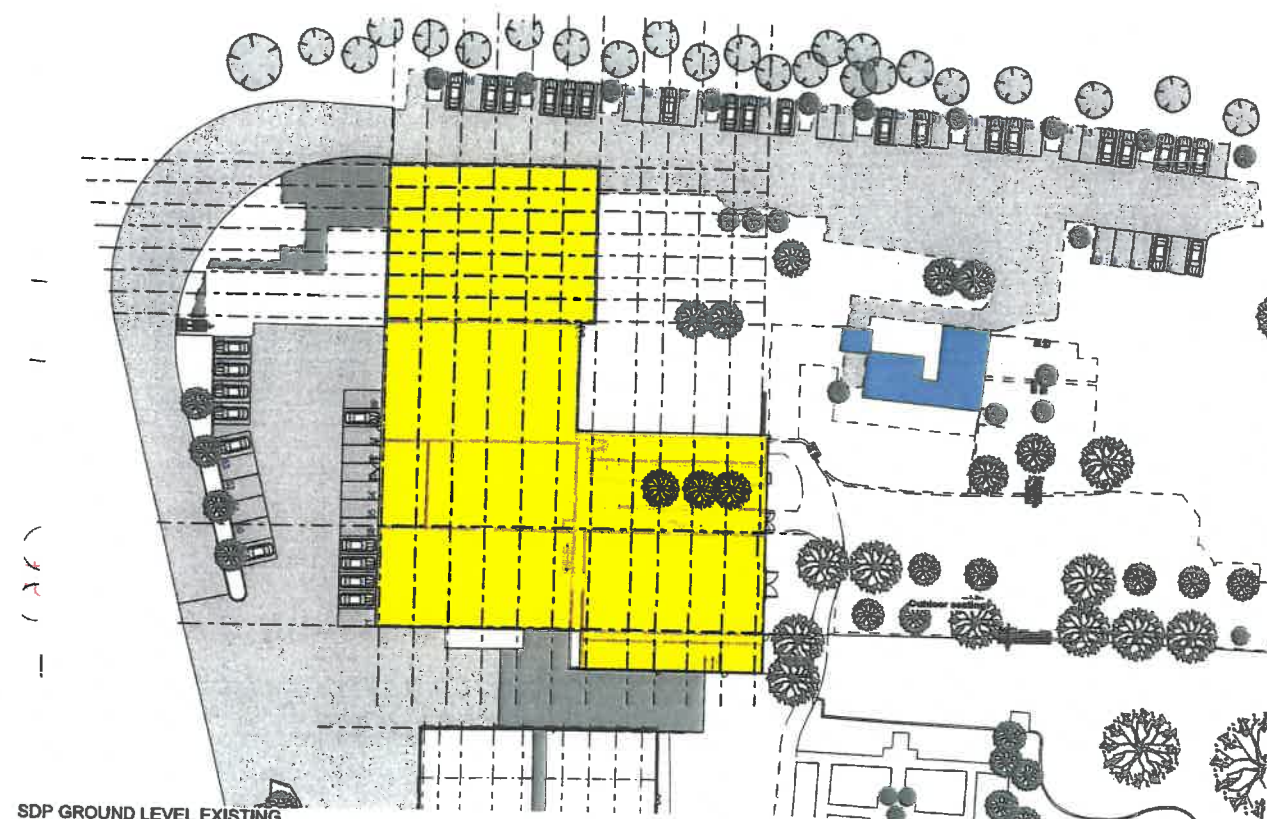
CLIENT: **Kleine Zalze**
Erf RE/214, RE/214, Strand Road (R44), Stellenbosch
PROJECT: **Kleine Zalze Winery**
Alterations & Additions
DRAWING: **SITE DEVELOPMENT PLAN**

DESIGNER: JB/AV/AS	DRAWN: SDK
DATE: 2023/08/03	SCALE: As shown @ A1
PROJECT: 1732	110 B - WIP

NOTE:
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DISCREPANCIES MUST BE REPORTED TO THE ARCHITECT IMMEDIATELY.

ARCHITECT: _____ CLIENT: _____
Name Surname Name Surname
(Basic Reg. Pr. Arch. No. 000000) (Registered Owner)

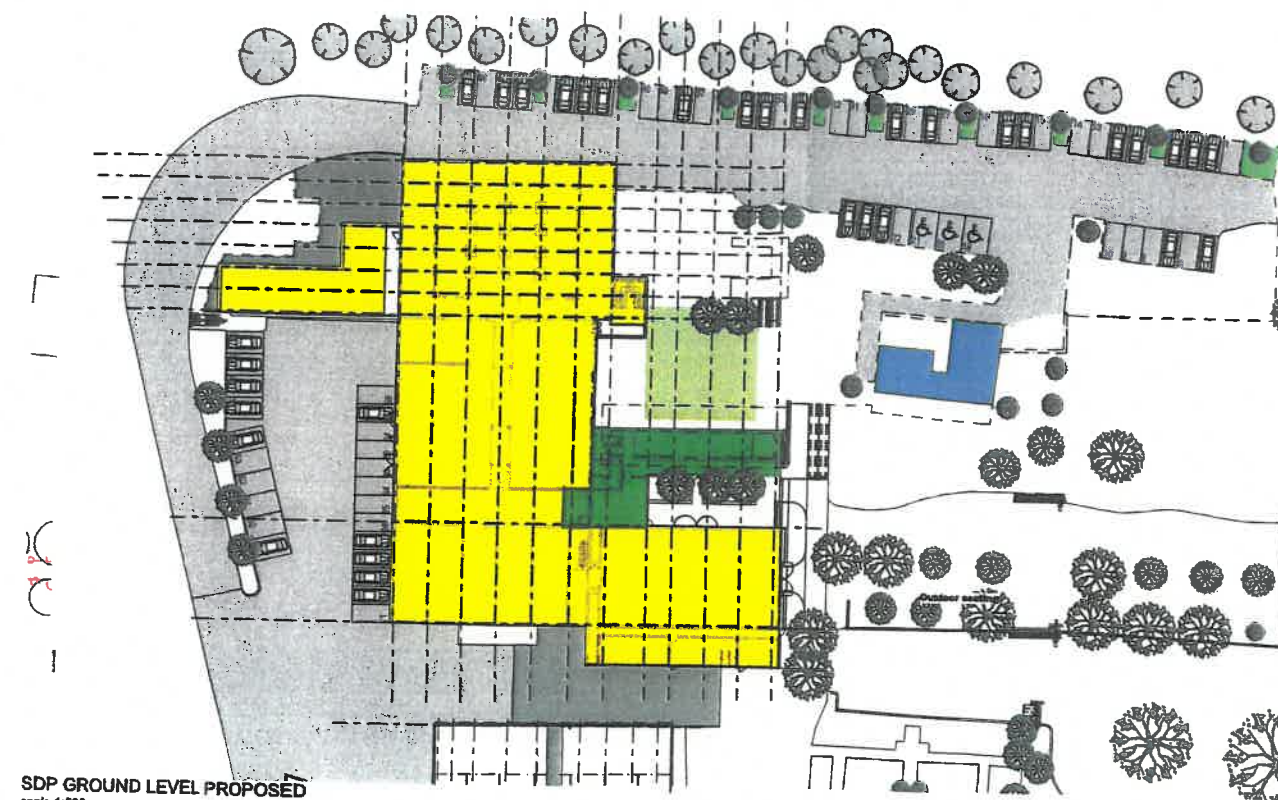
EXISTING AREA LEGEND GROUND LEVEL	
EXISTING WINERY & SERVICES	2810m ²
EXISTING WINE TASTING	140m ²
TOTAL FLOOR AREA	2750m ²



SDP GROUND LEVEL EXISTING
scale 1:500



NEW AREA LEGEND GROUND LEVEL	
NEW WINERY & SERVICES	2448m ²
NEW WINE TASTING	128m ²
NEW RESTAURANT	240m ²
TOTAL FLOOR AREA	2817m ²



SDP GROUND LEVEL PROPOSED
scale 1:500



STELLENBOSCH MUNICIPALITY
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MUNICIPAL LAND USE PLANNING BY-LAW (2015), 2023
SUBJECT TO THE CONDITIONS AS PER APPENDIX.
MUNICIPAL MANAGER
15/11/2023
DATE

B - WIP	Work in Progress	Ch-07	REVISION DESIGN REDUCTION
A	2023/09/08	Ch-06	SITE DEVELOPMENT PLAN
DATE	DATE	DATE	DATE

Malherbe Rust Architects

CLIENT: Kleine Zalze
Erf RE/214, RE/214, Strand Road (R44),
Stellenbosch
PROJECT: Kleine Zalze Winery
Alterations & Additions
TYPING: SDP GROUND LEVEL COMPARISON

DESIGNER: JB/AV/AS
DATE: 2023/07/25
CHECKED: SDK
SCALE: As shown @ A1

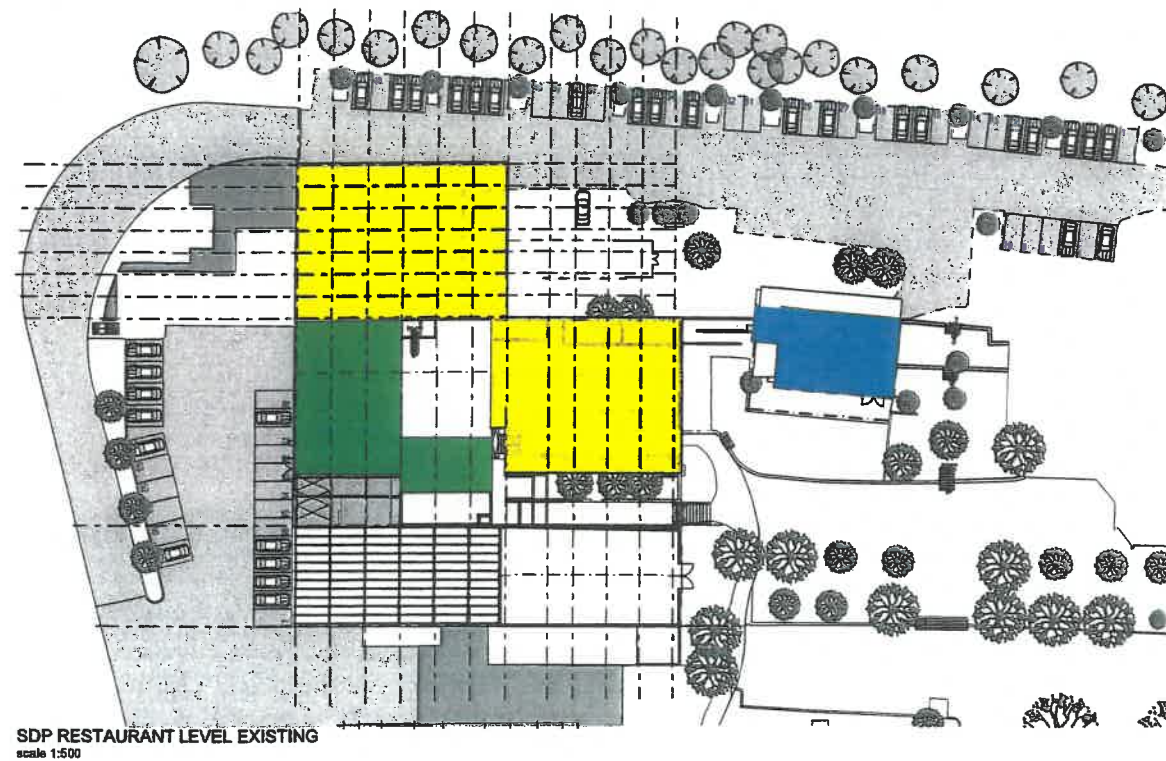
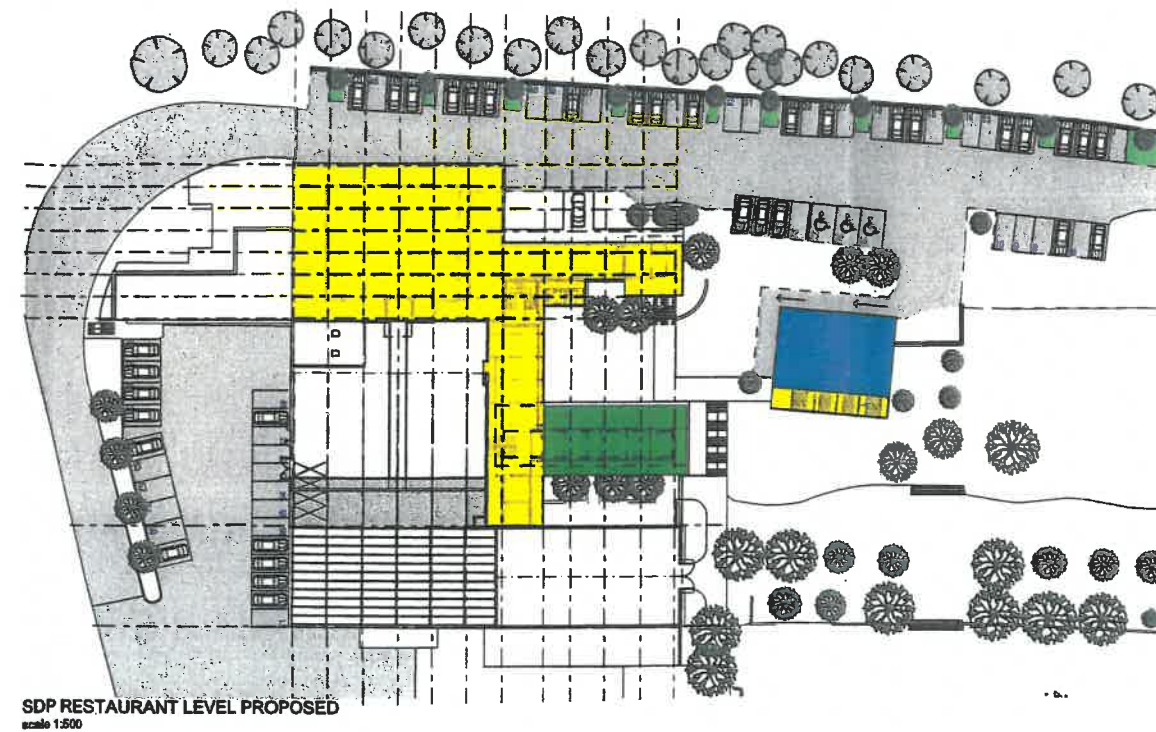
PROJECT NO. 1732
DRAWING NO. 111
REVISION: B - WIP

NOTE:
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ARCHITECT: Name Surname (Bacc Reg. PrArch000000) CLIENT: Name Surname (Registered Owner)

EXISTING AREA LEGEND RESTAURANT LEVEL	
EXISTING WINERY & SERVICES	1173m²
EXISTING RESTAURANT	420m²
EXISTING OFFICE	197m²
TOTAL FLOOR AREA	1790m²

NEW AREA LEGEND RESTAURANT LEVEL	
NEW WINERY & SERVICES	1079m²
NEW WINE OFFICE	180m²
NEW RESTAURANT	180m²
TOTAL FLOOR AREA	1439m²



B - WIP	Work in Progress	Ch-07	REVISION DESIGN REDUCTION
A	2023/06/08	Ch-06	SITE DEVELOPMENT PLAN
DATE	DATE	DATE	DATE



CLIENT:	Kleine Zalze
PROJECT:	Erf RE/214, RE/214, Strand Road (R44), Stellenbosch
PROJECT:	Kleine Zalze Winery Alterations & Additions
PROJECT:	SDP RESTAURANT LEVEL COMPARISON
DATE:	JB/AV/AS
DATE:	2023/07/25
DATE:	1732
DATE:	112
DATE:	B - WIP

NOTE:
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DISCREPANCIES MUST BE REPORTED TO THE ARCHITECT IMMEDIATELY.

ARGITEK: _____ KADIT: _____
 ARSITEK: _____ CLIENT: _____
 Name Surname Name Surname
 (Sesuai Reg. PrArchXXXXXXXX) (Registered Owner)

PARKING REQUIRED

- RESTAURANT 420m² @ 4 bays/100m² ≈ 17
- WINE TASTING 128m² @ 4 bays/100m² ≈ 5
- OFFICES 180m² @ 4 bays/100m² ≈ 8

TOTAL REQUIRED	= 30
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PARKING PROVIDED.

- VISITORS PARKING	= 48
- STAFF PARKING	= 23
TOTAL	= 71

STELLENBOSCH MUNICIPALITY

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TERMS OF SECTION 60 OF THE STELLENBOSCH
MUNICIPAL LAND USE PLANNING BY-LAW (2015),
SUBJECT TO THE CONDITIONS AS PER APPENDIX.

MUNICIPAL MANAGER

15/11/2027

B-WIP	Work In Progress	Ch-07	REVISION DESIGN REDUCTION
A	2023/04/14	Ch-04	WC,Office & Wine Pod Revision
Wsp.	GATUM	CHANGE	REVISION DESIGNING



Malherbe Rust Architects

Kleine Zalze
Erf RE/214, RE/214, Strand Road (R44)
Stellenbosch

Kleine Zalze Winery
Alterations & Additions

Roof Plan

OFFICE: DRAWING:	JB/AV/AS	NUMBER: CHECKED:	SDK
DATE: DATE:	2023/08/03	SCALE: SCALE:	As shown @ A
PURPOSE: PROJECT No.	1732	TECHNICAL DRAWING No.	204
		HYDROLOGIC PERMISSION	B - WIP

ROOF PLAN
scale 1:200