



Application Number: LU/17224 (TP773/2024)

Our File Reference Number: Farm 1091/1, Stellenbosch

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-

Sir / Madam

APPLICATION FOR A CONSENT USE: FARM 1091/1, STELLENBOSCH DIVISION

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the following application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Farm 1091/1, Stellenbosch Division for:
 - 2.1.1 Consent Use in terms of Section 15 (2) (o) of the said bylaw for tourist facility in order to utilise the existing manor house as restaurant and wine tasting facility.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.
3. **The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:**
 - 3.1 The approval only applies to the proposed 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 restaurant and wine tasting facility be limited to **120 people** with a restriction on the total floor area of **342 m²**.

3.4 Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the approval of any building plans or as may be agreed on in writing with the Director Infrastructure Services.

3.5 The development be implemented in accordance with the Site Development Plan, referenced as drawing No: B05 -B07 (Project nr. 380.2024), drawn by: Urban Rural SA, dated June 2024.

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

3.7 Sufficient parking be provided for the proposed use.

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

4.1 The proposal is in line with the existing land use of the property and will not have a negative impact on the character of the surrounding area.

4.2 The proposed uses are subservient to the agricultural use of the property and surrounding farms.

4.3 The proposal will assist to diversify the land uses on the farm without impacting on the existing agricultural activities.

5. Matters to be noted:

5.1 This approval replaces the consent use approval of the 21/01/2020.

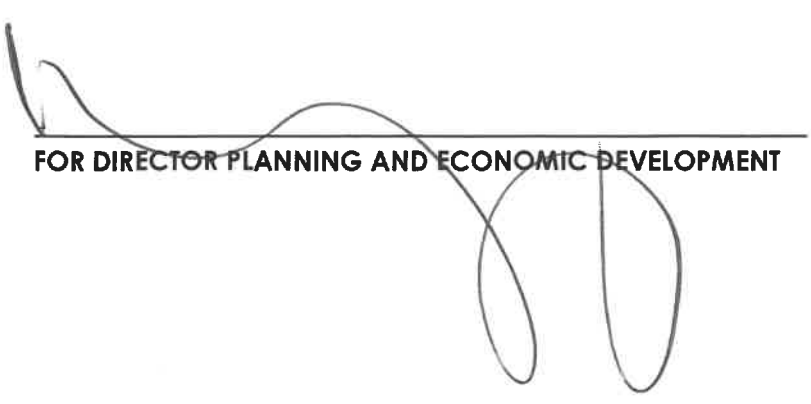
5.2 Should, after following due process -

- a) The subject approved land use remains in breach of complying with any of the conditions of approval required for the vesting of the subject approval, and/ or,
- b) The operational use of the facilities be in breach of any of the conditions of approval, inclusive of persistent complaints of undue noise levels, and/ or,
- c) The property be used for any unauthorised uses not permitted in terms of this approval, the authorised official of the Municipality will exercise its discretion in terms of Section 90(c) of the Municipal Land Use Planning By-Law to withdraw the subject approval granted and the building structures to be reverted to uses in line with the primary use of the property.

6. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

7. Appeals must be submitted by completing the required form 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.
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 appeal form and 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 or 021 – 808 8684.
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.

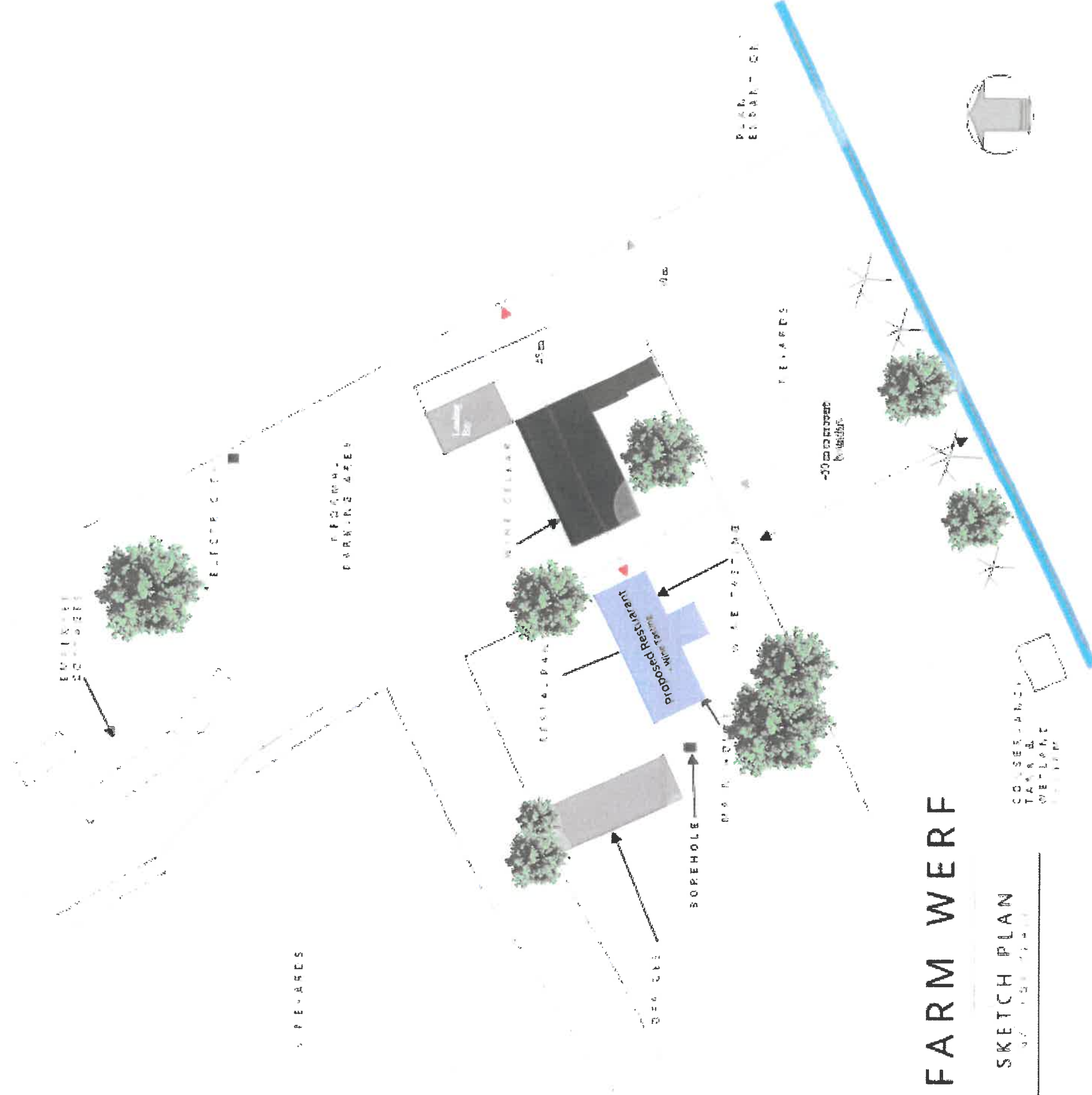
Yours faithfully



FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

22/11/2024
DATE

ANNEXURE A
SITE DEVELOPMENT PLAN

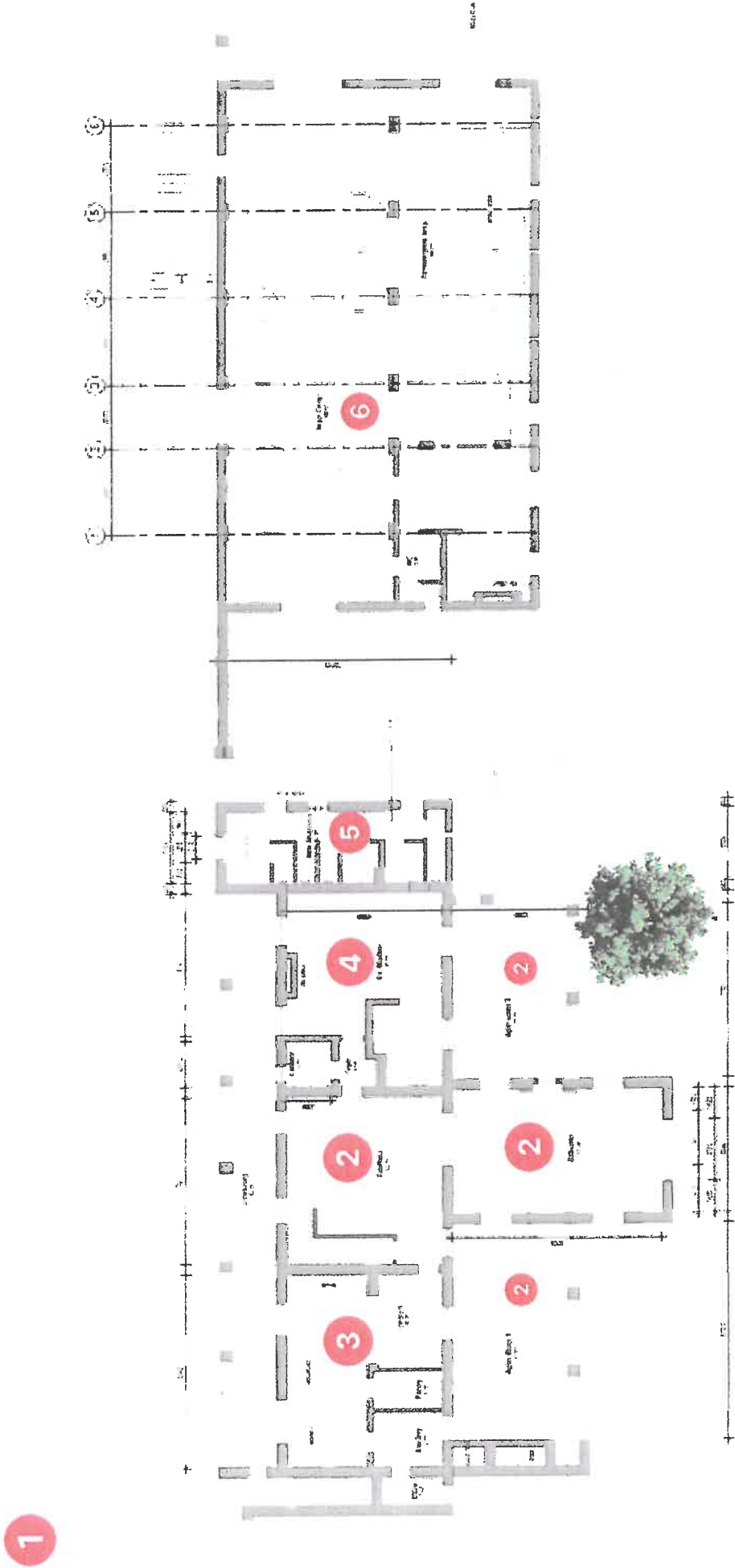


SITE DEVELOPMENT PLAN

Land Use Application : Vriesenhof

Property :	Farm 1091/1
Town :	Stellenbosch
Municipality :	Stellenbosch Municipality
Location :	South of Paradyskloof Neighbourhood
Date :	June 2024
Scale :	Unknown or as Indicated
Source :	Urban Rural SA
Project Nr :	380-2024

Proposed New Location



source : Slee Architects

- 2 Restaurant seating
- 3 Restaurant kitchen
- 4 Wine Tasting Room
- 5 Ablution facilities
- 6 Existing Wine Cellar

urkh
urban rural sa

FLOOR PLAN Land Use Application : Vriesenhof

Property : Farm 1091/1
Town : Stellenbosch
Municipality : Stellenbosch Municipality
Location : South of Paradyskloof Neighbourhood
Date : June 2024
Scale : Unknown or as Indicated
Source : Cape Mapper
Project Nr : 380.2024

PREPARED BY
TRAINING PRACTITIONERS

PLAN

B06

