



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16703

Our File Reference Number: Farm 81/33, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: c

Sir / Madam

APPLICATION FOR PERMISSION REQUIRED IN TERMS OF A CONDITION OF APPROVAL ON FARM 81/33, STELLENBOSCH

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(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Farm 81/33 (Phase A), Stellenbosch:
 - 2.2 Permission in terms of a condition of approval, to obtain approval for the Site Development Plan of Phase A, in terms of Section 15(2)(l) of the Stellenbosch Municipal Land Use Planning Bylaw.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.
 - 2.3 The approval is subject to the following **conditions** imposed in terms of Section 66 of the said Bylaw:
 - 2.3.1 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.
 - 2.3.2 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.
 - 2.3.3 The development be undertaken in accordance with the Site Development Plan for Phase A of Farm 81/33, Plan No: PTN81/33-CED-LU001, dated 03-08-2023, drawn by Yuliya Gaiduk Architects, as attached as **ANNEXURE A**.
 - 2.3.4 The development be undertaken in accordance with the Landscaping Plan for **Phase A** of Farm 81/33, Plan No: PTN81/33-CED-LU001, dated 03-08-2023, drawn by Yuliya Gaiduk Architects, as attached as **ANNEXURE B**.

- 2.3.5 The conditions imposed by the Directorate Infrastructure Services: Engineering Services in their memo dated 16 July 2024, attached as **ANNEXURE C**, be adhered to.
- 2.3.6 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.
- 2.3.7 The conditions imposed by the WCG Transport Infrastructure Branch in their letter dated 11 June 2024, attached as **ANNEXURE D**, be adhered to.
- 2.3.8 Building plans 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.
- 2.3.9 Building plans be generally in accordance with the Site Development Plan for Phase A of Farm 81/33, Plan No: PTN81/33-CED-LU001, dated 03-08-2023, drawn by Yuliya Gaiduk Architects, attached as **Annexure A**.

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

- 3.1 The scale and nature of the proposal is in line with the approval granted and thus the proposal will not compromise the existing character of the surrounding landscape.
- 3.2 The design and layout of the proposed building has taken the topography of the property into consideration to aid in reducing its impact on the surrounding area.
- 3.3 The subject property forms part of the Adam Tas Corridor overlay zone which promotes higher density development with integrated NMT facilities to reduce traffic volumes.
- 3.4 The implementation of the Landscaping Plan will further aid in soften any impact that the proposal could have on the receiving environment.

4. 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.

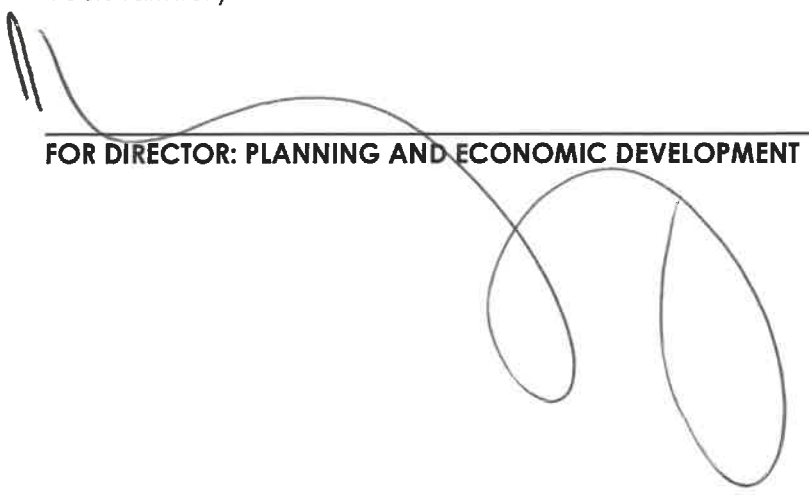
5. Appeals must be submitted by completing the required form with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law.

6. **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**

7. 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.

8. 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.
9. 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.
10. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
11. 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

29/10/2024
DATE



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

ANNEXURE A

SCHEDULE OF AREAS			
AREA	EXISTING	WITH ADDITIONS AND ALTERATIONS	Comments (New usage)
1. SITE AREA	1,85 ha	1,85 ha	
2. BUILDING AREA:			
2.1 GRAPPA SHED	548,25 m ²	843,25 m ²	Church Hall
2.2 CHAPEL	195,5 m ²	486 m ²	Church Auditorium
2.3 HOUSE	79,6 m ²		Church office
2.4 STORE	215,25 m ²	215,25 m ²	Bathrooms
2.5 LIVING UNITS	183,65 m ²	183,65 m ²	Church admin
2.6 GUARD HOUSE		15 m ²	Guard house
4. MAIN (permanent) PARKING FOR 241 parking bays and 11 bike racks		2900,5 m ²	
5. ROAD, PAVING		3456,4 m ²	
6. PLANTS, VINEYARDS		10321,1 m ²	

Existing Coverage	1222,25 m ²	6,6%
NEW Coverage	1822,75 m ²	9,85%

Erf. Number 537
Retail, Commercial

Main access point for N47

Guard house

Permanent Parking

Church

Church Office

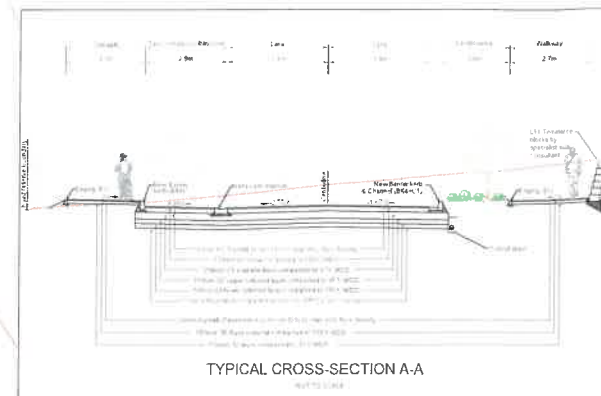
Church Hall and Auditorium

Assembly area

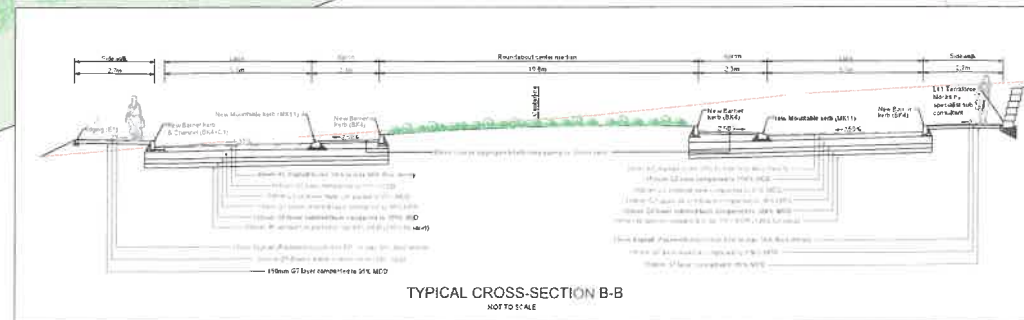
Transformer for 600 kVA

Erf. Number 533
School

Parking Required 239 bays as per 40 bays/100m² of seating and aisle area (Ground floor = 548,25m²)
Parking provided 241 parking bays and 11 bike racks
Paralegic Bays - 20 bays
Staff Parking - 15 bays



TYPICAL CROSS-SECTION A-A
NOT TO SCALE



TYPICAL CROSS-SECTION B-B
NOT TO SCALE

NOTES:

- ALL WORKS IS TO BE CARRIED OUT IN ACCORDANCE WITH THE N.B.R. SANS 10400 AND LOCAL AUTHORITY REGULATIONS.- CONTRACTORS, SUB-CONTRACTORS and SPECIALIST SUB-CONTRACTORS TO CHECK ALL DIMENSIONS AND LEVELS ON SITE PRIOR TO ANY CONSTRUCTION.
- ALL RELEVANT DETAILS, LEVELS & DIMENSIONS TO BE CHECKED BEFORE WORK COMMENCES.
- ANY OMISSIONS DISCREPANCIES TO BE IMMEDIATELY REPORTED TO THE ARCHITECT FOR CLARIFICATION.THE ARCHITECT ACCEPTS NO RESPONSIBILITY FOR ERRORS RESULTING FROM THE MISINTERPRETATION OF THE DRAWING.
- USE FIGURED DIMENSIONS, DO NOT SCALE.
- SETTING OUT TO BE DONE FROM SURVEYOR'S PEGS.
- CONTRACTORS, SUB-CONTRACTORS and SPECIALIST SUB-CONTRACTORS TO ENSURE WORKS TENDERED UPON COMPLY WITH ALL RELEVANT SAFETY AND/OR HEALTH STANDARDS, CONSTRUCTION REGULATIONS. ANY DEVIATIONS REQUIRED TO ARCHITECTS DESIGN AND DETAIL DRAWINGS TO ENSURE LEGAL/SAFETY COMPLIANCE ARE TO BE QUALIFIED AT TENDER STAGE.
- THE DESIGN ON THE DRAWINGS IS COPYRIGHT AND REMAINS THE PROPERTY OF YULIYA GAIDUK ARCHITECTS AND MAY NOT BE DISCLOSED TO A THIRD PARTY, COPIED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE PERMISSION OF YG ARCHITECTS.

Erf. Number 531
Flats



TYPICAL SITE DEVELOPMENT PLAN

SCALE 1:500



YG
YULIYA GAIDUK
ARCHITECTS

P.O.BOX 23
ELSENBURG
1. KNOXHOEK ROAD
STELLENBOSCH
WESTERN CAPE
7599

t. 021 888 4740 cel. 076 406 7245 email: yuliyagaiduk.com

Professional Architect
SACAP registration No 57300007

PROJECT: Alteration and redevelopment of the existing Grappa Shed into the multipurpose community center with the place of worship and assembly.
CLIENT: CEDARS COMMUNITY CHURCH

PROJECT REF.	01-PTN81/33 CEDARS COMMUNITY CHURCH
DRAWING N	PTN81/33-CED-LU001 SITE PLAN
SKETCH	COUNCIL LAND USE APPLICATION
SCALE:	AS SHOWN DATE: 03-08-2023
DRAWN:	Y. GAIDUK CHECKED: Y. GAIDUK



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALÁ • MUNISIPALITEIT

ANNEXURE C



STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag:	Salome Newman
From ▫ Van:	Manager: Development (Infrastructure Services)
Author ▫ Skrywer:	Tyrone King
Date ▫ Datum:	16 July 2024
Our Ref ▫ Ons Verw:	Civil LU 2746
Town Planning Ref:	LU/16703
Re ▫ Insake:	Farm 81/33, Stellenbosch: SDP - Church

The following engineering documents were evaluated as part of this application:

- Civil engineering services report by Bart Senekal dated 10 Nov 2023
- TIS by UDS dated 7 Nov 2024
- SDP Drawing No PTN81/33-CED-LU001 dated 03-08-2023 by YG Architects

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

All conditions of our previous Memo dated 8 Sept 2021 (for LU/10917) for the overall development remain valid. If there is a contradiction between any of the conditions, then the condition in this Memo will govern. The conditions below are specific to the Church site.

1. Water

- 1.1 According to the GLS report dated 13 January 2023 and the Civil Engineering services report by Bart Senekal dated 14 October 2023, there is **293 kl/day** AADD spare capacity available in the municipal bulk water network to accommodate the cumulative water demand of the Newinbosch development. This spare capacity is

subject to on-site storage being provided by Newinbosch, which has been established by means of a 480kl private reservoir that the Developer constructed on site.

The current cumulative demand taken up by Newinbosch, including the demand created by this application, is **247 kl/day**, which is still within the demand capacity available.

- 1.2 The Developer's consulting engineer has motivated how reliable water supply will be achieved with the temporary storage and distribution system - "Water supply interim measures – Design Report" by Bart Senekal Inc dated 26 July 2022, and the developments water supply must be implemented according to this report.

The Developer's consulting Engineer shall take full responsibility for the performance of the system. Additionally, all conditions of approval listed in **Annexure: Water Services** must be adhered to.

It must be noted that this arrangement will only be allowed as an interim measure and the Development will have to connect to the Municipality's reticulation network as soon as it is in place – this will be at the Developer's cost.

2. Sewer

- 2.1 The development will connect to the existing internal sewer network, which has recently been completed as part of the first phase of the development.
- 2.2 The developer will be responsible for the registration of any servitudes (if applicable), including negotiations with the private land-owners. No further approval for this development (engineering drawings or building plans) will be given until written agreement has been reached between the Developer and private land owners for the registration of such servitudes.

3. Roads

- 3.1 The left in access road from the R304, between the R304 and Isikolo Road, must be constructed, to municipal standards, before any Occupation Certificate is issued. This will be for the Developer's cost.
- 3.2 Any conditions stated by the Provincial Roads Engineer must be complied with.

4. NMT

- 4.1 The external NMT routes serving the site (blue lines) must be completed before an Occupation Certificate is issued.

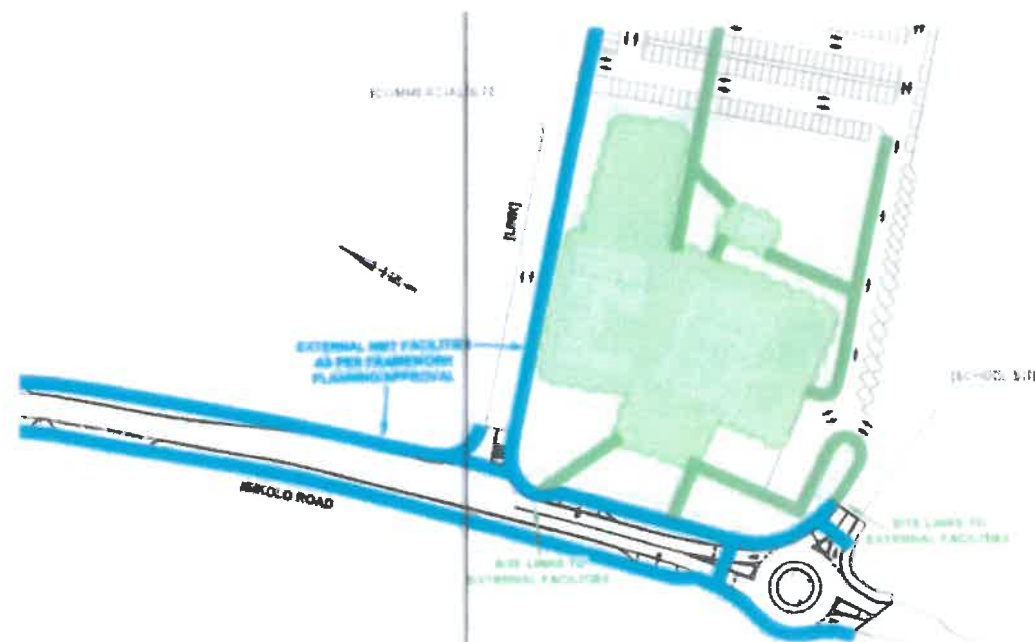


Diagram 4 : Surrounding NMT routes and links thereto

5. Stormwater

- 5.1 The difference between the pre-and post-development run-off must be attenuated on site. The detention pond, associated stormwater pipelines, inlet and outlet structures and erosion protection must be completed to municipal standards before an Occupation Certificate is issued. All earthworks, trimming and shaping of the pond must also be completed. See **Annexure SW** for conceptual layout of pond

(located on the Phase B site) – details must be clearly indicated on the building plans and/or engineering drawings submitted for approval prior to construction.

6. Solid Waste

- 6.1 The solid waste removal position must be indicated on the building plans and must be accessible from a public street.

7. General

- 7.1 Engineering drawings must be approved by the municipality before commencement of any services construction. Further conditions may be set during this process. Any amendments required to the SDP / subdivision layout will be for the Developer's cost.

8. Development Charges (DCs)

The following general conditions will apply to the payment of DCs:

- 8.1 that the "*Developer*" hereby acknowledges that the development charges levy as determined by the "*Municipality*" and or the applicable scheme tariffs will be paid by the "*Developer*" towards the provision of bulk municipal civil services in accordance with the relevant legislation and as determined by Council's Policy, should this land-use application be approved.
- 8.2 that the "*Developer*" accepts that the Development Charges will be subject to annual adjustment up to date of payment. The amount payable will therefore be the amount as calculated according to the applicable tariff structure at the time that payment is made.
- 8.3 that the "*Developer*" may enter into an engineering services agreement with the "*Municipality*" to install or upgrade bulk municipal services at an agreed cost, to be off-set against Development Charges payable in respect of bulk civil engineering services.
- 8.4 A final DC calculation will be provided prior to Building Plan approval. The details on the approved subdivision plans or SDP plans or building plans will be used for such DC calculation.

- 8.5 It is acknowledged that the Developer has done upgrades in lieu of DCs as part of the roll-out of this development. A DCs reconciliation must be submitted together with the building plans to see the amount of DCs payable.
- 8.6 that the Development Charges levy be paid by the "*Developer*" per phase –
- prior to the approval of any building- and/or services plans in the case of a Sectional title erf in that phase or where a clearance certificate is not applicable and/or;
 - prior to the approval of subdivision clearance in terms of the Stellenbosch Municipal Land Use Planning By-law in all cases and or.
- 8.7 that the development shall be substantially in conformance with the development parameters and Site Development Plan submitted in terms of this application. Any amendments and/or additions to the parameters and/or Site Development Plan, once approved, which might lead to an increase in the Gross Leasable Area or residential units, will result in the recalculation of the Development Charges.
- 8.8 Bulk infrastructure Development Charges and repayments are subject to VAT and are further subject to the provisions and rates contained in the Act on Value Added Tax of 1991 (Act 89 of 1991) as amended;



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

