



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16290(TP518/2023)

Our File Reference Number: Erf 15689, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

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PER E-MAIL Ulrich.Vonmolendorff@vidut.com

Sir

APPLICATION FOR CONSENT USE ON ERF 15689, 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 applications in terms of Section 15(2)(o) of the Stellenbosch Municipality By-law for Municipal Land Use Planning, 2023 for a Consent Use for an outdoor sports facility in order to develop active recreation and sports facilities on Erf 15689, Stellenbosch.

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 proposed consent use 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 development must be undertaken in accordance with the referenced Site/Ground Plan with Drawing No. 0119d-A-100 Revision 06, dated July 2024 and drawn by Francois Malan Architects and attached as **Annexure D**.
 - 3.3. The development be limited to tennis courts, padel courts, picnic area, swimming pools, pump tracks and a club house ($\pm 272\text{m}^2$) as indicated on the site plan number 0119d-A-100 Revision 06, dated July 2024 and drawn by Francois Malan Architects
 - 3.4. The proposed outdoor sports facilities shall be exclusively accessible to residents of Welgevonden Estate.
 - 3.5. 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.

- 3.6. The padel courts including the lighting, shall not be in operation outside of the hours of 09:00 to 19:00 on weekdays and 07:30 – 21:00 on Saturdays & Sundays.
- 3.7. All lighting installations must utilize energy-efficient fixtures and be designed to direct light downwards to minimize light pollution and reduce spillage into adjacent areas.
- 3.8. No amplified music shall be permitted on this property.
- 3.9. The 3m firebreak next to Gevonden Estate (indicated on the site plan) must be kept open and not used for hiking, jogging walking or any kind of activity.
- 3.10. The 12-meter-wide buffer zone, designated for greenery, must be preserved. Should any shrubs be removed, they must be replaced with alternative forms of vegetation to minimize noise levels and mitigate the visual impact of the development.

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

- 4.1. The proposed development is in line with the zoning of the property and complies with the development parameters of the subject property's zoning.
 - 4.2. The proposed development would deliver economic and social benefits by enhancing the existing Private Open Space which diversify sporting and recreational activities for Welgevonden Estate residents.
 - 4.3. Parking has been provided sufficiently on-site.
 - 4.4. Visual impact and Noise emanating from the property will be minimal as the existing greenery on the property will act as a buffer between the Gevonden Estate and the proposed development.
 - 4.5. Traffic generated by the proposal will be negligible as the proposal will only be open to the residents of Welgevonden Estate.
5. 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.
6. 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.
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.

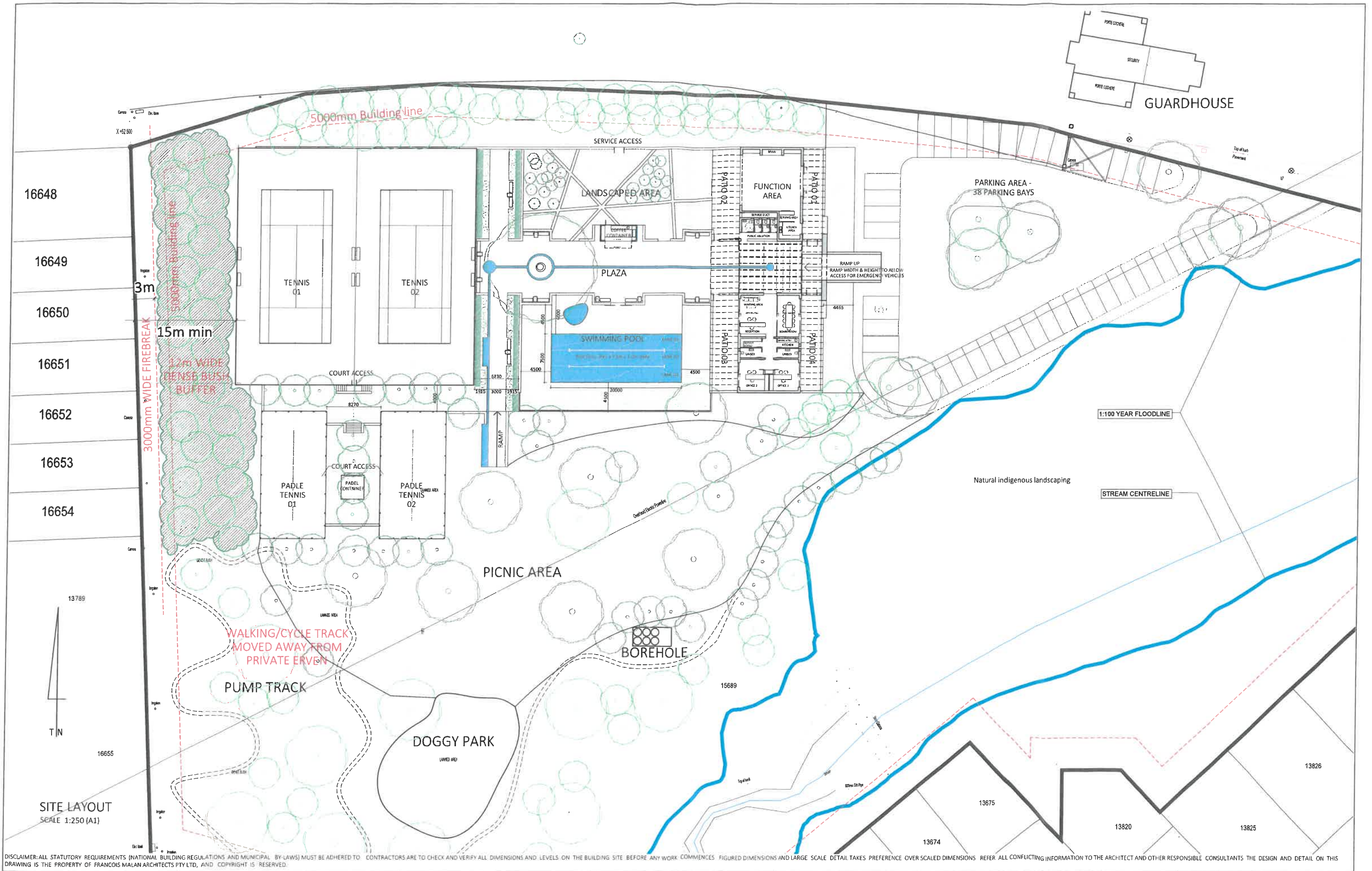
9. The appeal form and approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@ Stellenbosch.gov.za or 021- 808 8684.
10. An applicant who lodges an appeal must also 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

16/9/2024
DATE

Annexure D:
Site and floor layout plan



DISCLAIMER: ALL STATUTORY REQUIREMENTS (NATIONAL BUILDING REGULATIONS AND MUNICIPAL BY-LAWS) MUST BE ADHERED TO. CONTRACTORS ARE TO CHECK AND VERIFY ALL DIMENSIONS AND LEVELS ON THE BUILDING SITE BEFORE ANY WORK COMMENCES. FIGURED DIMENSIONS AND LARGE SCALE DETAIL TAKES PREFERENCE OVER SCALED DIMENSIONS. REFER ALL CONFLICTING INFORMATION TO THE ARCHITECT AND OTHER RESPONSIBLE CONSULTANTS THE DESIGN AND DETAIL ON THIS DRAWING IS THE PROPERTY OF FRANCOIS MALAN ARCHITECTS PTY LTD, AND COPYRIGHT IS RESERVED.

PROJECT/CLIENT NAME: NEW ADMIN, SPORT AND RECREATION FACILITIES ON ERF 15689, WELGEVONDEN		CLIENT: WELGEVONDEN HOA	DRAWING DESCRIPTION: SITE LAYOUT SCALE 1:250 (A1)	DATE: July 2024 DRAWN BY: FM	
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