STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16667 (TP627/2024)
Our File Reference Number: Erf 17353, 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 PERMISSION REQUIRED IN TERMS OF A CONDITION OF APPROVAL ON ERF 17353, 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 Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Erf 17353, Stellenbosch:

i. Permission in terms of a condition of approval, to obtain approval for the Site Development Plan for Erf 17353, Stellenbosch 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.

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

a. 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.
b. 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.

c. The development be undertaken in accordance with the Site Development Plan for Erf 17353, Stellenbosch, Plan No. D042_101 SDP, dated 13/12/2023, drawn by Douglas & Company Architects, as attached as **ANNEXURE A.**

d. A detailed landscaping plan be submitted with the building plan for approval.

e. The conditions imposed by the *Directorate Infrastructure Services*: Engineering Services in their memo dated 22 April 2024, attached as **ANNEXURE B**, be adhered to.

f. The conditions imposed by the *Directorate Infrastructure Services*: Electrical Department in their memo dated 3 June 2024, attached as, **ANNEXURE C,** be adhere to.

g. The conditions imposed by the Deputy-Director -General: Transport Infrastructure Branch in their memo dated 12 August 2024, attached as **ANNEXURED D,** be adhere to.

h. 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 may be agreed on in writing with the Director Infrastructure Services.

i. Building plans be submitted and approved by the Municipality prior commencing of any building works, including the preparation of land, which will only be approved when all relevant (or qualified) conditions of approvals have been complied with.

j. Building plans be generally in accordance with the Site Development Plan for erf 17353, Stellenbosch, Site Development Plan for Erf 17353, Plan No. D042_101 SDP, dated 13/12/2023, drawn by Douglas & Company Architects, attached as **ANNEXURE A.**

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

2.3.1. 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.

2.3.2. The proposal is compliant with the approval granted for the subdivision and rezoning of the property.

3. 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.

4. 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.

5. **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**

6. 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.

7. 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.

8. 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.

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

10. 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

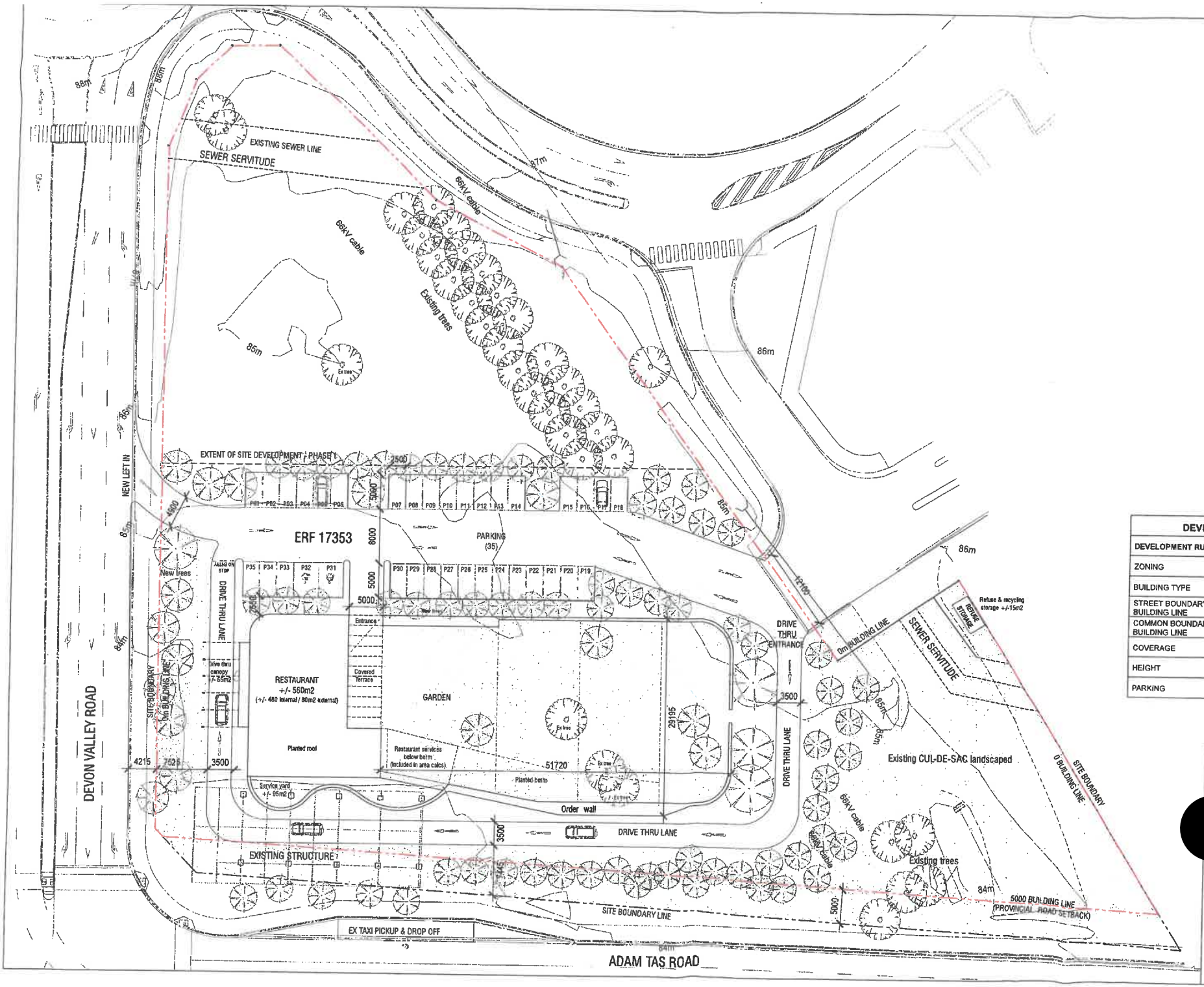
FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

DATE 4/11/2024

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

ANNEXURE A



NOTE

PRECINCT SITE AREA	10 780m2
LAND USE	
RESTAURANT (A:Interior)	+/- 480m2
RESTAURANT (B:Covered terrace)	+/- 80m2
RESTAURANT (C: Service yard)	+/-100m2
RESTAURANT (D: Drive Thru Canopy Pay & Collect)	+/- 65m2
RESTAURANT (E: Refuse Storage)	+/- 15m2
TOTAL GLA (A+B+C)	**+/- 660m2**
TOTAL COVERAGE (A+B+C+D+E)	**+/- 740m2**
GARDEN	+/- 1370m2
PERIMETER LANDSCAPING	+/- 3610m2
PARKING AREA & ROAD	+/- 1260m2
DRIVE THRU LANE	+/- 615m2

All areas and dimensions are approximate and should be verified by a professional land surveyor. Any discrepancies should be reported to the architect prior to commencement of work on site.

North

DEVELOPMENT RULES TABLE		
DEVELOPMENT RULE	**PERMISSIBLE**	**PROPOSED**
ZONING	MIXED-USE ZONE	MIXED-USE ZONE
BUILDING TYPE	BUSINESS PREMISES (INCL RESTAURANTS)	RESTAURANT
STREET BOUNDARY BUILDING LINE	0 m	0 m
COMMON BOUNDARY BUILDING LINE	0 m	0 m
COVERAGE	85%	6.86%
HEIGHT	6 storeys	2 storeys
PARKING	4 bays @ 100m2 GLA = 29 bays	35 bays

[redacted]

NANDO'S RESTAURANT STELLENBOSCH
THE WOODMILL- PRECINCT G

DWG NO: D042_101 SDP

TYPICAL SITE DEVELOPMENT PLAN
SCALE 1:500 / A3 REV 0 13.12.2023

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

ANNEXURE B

STELLENBOSCH MUNICIPALITY

STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	**Director: Planning + Economic Development**
Att Aandag:	**Nolusindiso Momoti**
From ▫ Van:	**Manager: Development (Infrastructure Services)**
Author ▫ Skrywer:	**Tyrone King**
Date ▫ Datum:	**22 April 2024**
Our Ref ▫ Ons Verw:	**Civil LU 2687**
Town Planning Ref:	**LU/16667**
Re ▫ Insake:	**Erf 17353, Stellenbosch: Application in terms of Section 15(2)(l) of the Stellenbosch Municipal Land Use Planning By-Law (2015) for a permission required in terms of a condition of approval on Erf 17353, Stellenbosch, to obtain approval for the Site Development Plan submitted.**

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

1. Traffic Engineering (Mr Nigell Winter)

1.1 Due to the close proximity of the traffic signals, the advertisements/signage cannot be illuminated and the colours displayed must not be in conflict with the standard traffic signal colours (red, amber and green). Please submit an outdoor advertising application for consideration and approval.

2. DCs

2.1 At building plans stage - please submit an updated DCs register indicating the value of upgrades done in lieu of DCs vs DCs payable to date.

Tyrone King Pr Tech Eng
Manager: Development (Infrastructure Services)

W:\2.0 DEVELOPMENT\01 Land Use applications\2687 (TK) Erf 17353 Stellenbosch (LU-16667) (Nandos)\2687 () Erf 17353 Stellenbosch (LU-16667).doc

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

ANNEXURE C

Erf 17353, Stellenbosch (LU/16667)

1. No Objection

CONDITIONS:

.

2. Appropriate caution shall be taken during construction, to prevent damage to existing service cables and electrical equipment in the vicinity. **(11kV cables 66kVcables and 66kV Oil filled cables)** Should damage occur, the applicant will be liable for the cost involved repairing damages.
3. To work near Oil filled cable a method statement needs to be send to electrical department before construction commence.
4. **All electrical work to comply with SANS142 and Municipal electrical by-laws**

Bradley Williams

Date.....03/6/2024.....

.....

Signiture

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

ANNEXURE D

Western Cape Government

Departement of Infrastructure
Vanessa Stoffels
Chief Directorate: Road Planning
Vanessa.Stoffels@westerncape.gov.za | Tel: 021 483 4669

Ref: TPW/CFS/RP/LUD/REZ/SUB-25/364 (Job 18835 -7)

The Director: Planning and Development
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7600

Attention: Mr U von Molendorff

Dear Sir

ERF 17353, STELLENBOSCH: MUNICIPAL MAIN ROAD 177: APPLICATION FOR APPROVAL OF THE WOODMILL SITE DEVELOPMENT PLAN I.T.O. A CONDITION OF APPROVAL [LU/16667]

1. The following refer:

1.1. The email from TV3 Projects dated 6 March 2024 containing the application;

1.2. Motivation Report prepared by TV3 Projects dated 22 January 2024;

1.3. Master Site Development Plan prepared by Matin Kruger Architects dated 24 March 2023;

1.4. Site Development Plan (Dwg No: D042_101 SDP) prepared by Douglas & Company Architects dated 13 December 2023;

1.5. The letter from UDS Africa to Douglas & Company Architects dated 15 January 2024 containing the Traffic Impact Assessment (TIA);

1.6. The internal memorandum from the Manager: Development (Infrastructure Services) to the Director: Planning & Economic Development recommending the conditional approval of the application dated 22 April 2024;

1.7. Email correspondence between this Branch and UDS Africa pertaining to the left-in access from Devon Valley Road dated 6 August 2024; and

1.8. Our letter TPW/CFS/RP/LUD/REZ/SUB-25/364 (Job 18835 -7) dated 1 June 2020.

2. Main Road 177 (MR177) is directly affected by this application. Stellenbosch is the Road Authority for the affected section of MR177 in terms of the Roads Ordinance 19 of 1976.

top EMPLOYER SOUTH AFRICA 2024

3. Your Manager: Development (Infrastructure Services) recommended the approval of this application subject to conditions related to advertisements/signage and Development Contributions (DCs).

4. This application entails the development of a restaurant/fast food (Nando's) facility with a drive-thru consisting of 560m² (480m² internal and 80m² external) on Erf 17353 (Precinct G) as part of Phase 2.

5. The table below provides a summary of the peak hour trips taken up for Phase 1 (Precinct A), those that will be taken up by Phase 2 (Precinct G) and the remainder:

Application	AM Peak Hour			PM Peak Hour		
	Total	In	Out	Total	In	Out
Framework	1 777	1 273	504	2 353	815	1 538
Precinct A	231	174	57	870	378	492
Precinct G	**216**	**119**	**97**	**270**	**149**	**121**
Remainder	*1348*	*980*	*350*	*1 213*	*288*	*925*

6. This Branch offers an unconditional no objection to the application for the development of a restaurant/fast food (Nando's) facility with a 560m² drive-thru (480m² internal and 80m² external) on Precinct G (Erf 17353) as part of Phase 2.

7. However, this Branch recommends that Stellenbosch Municipality approve the development on the condition that the left-in access off Devon Valley Road is designed to prevent vehicles from using it as an exit, as proposed by UDS Africa in their email to this Branch dated 6 August 2024

Yours Sincerely

pp

SW CARSTENS
***For* DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE BRANCH**
DATE: 12 AUGUST 2024