



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/11454

Our File Reference Number: Erf 177, Raithby

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 A CONSENT USE: ERF 177, RAITHBY

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)(o) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023 to use an existing barn as a tourist facility on Erf 177, Raithby.

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 applies only to the consent use and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council and external authorities.
 - 3.2 The floor area of the tourist facility be restricted to the existing shed (See **ANNEXURE B**).
 - 3.3 Parking for the tourist facility must at all times be provided on site, at the required ratio as per the zoning scheme bylaw.
 - 3.4 Building Plans be submitted for approval for the proposed conversion to the existing shed to a tourist facility (Restaurant, Farm stall, Craft & Art area, etc.).

3.5 That no audio equipment is set-up outside of the facility and background music only be allowed within the building, to prevent any negative impacts on the surrounding properties.

3.6 No special events and functions may be hosted in the building and on the property without the prior approval of the local authority, unless it is a primary right on the subject property

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

4.1 The aesthetic appearance of the site and surrounding environment will not be altered or have a negative visual impact from close by scenic routes, considering that an existing building will be used with no proposed extensions.

4.2 The existing services is regarded sufficient by all relevant authorities, to accommodate the proposed use.

4.3 The existing access point of a public road and onsite parking provision, will provide safe access to and from the property and safe onsite parking.

5. Matters to be noted:

5.1 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.

5.2 All electrical requirements must be directed to Eskom, considering that the property is outside the Stellenbosch area of supply.

5.3 All business and liquor licenses be obtained from the relevant authorities.

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 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:

7.1 The personal particulars of the Appellant, including:

- a) First names and surname
- b) ID number
- c) Company of Legal person's name (if applicable)

d) Physical Address

e) Contact details, including a Cell number and E-Mail address

8. Reference to this correspondence and the relevant property details on which the appeal is submitted.

9. The grounds of the appeal which may include the following grounds:

a) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)

b) 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.

9.1 Whether the appeal is lodged against the whole decision or a part of the decision.

9.2 If the appeal is lodged against a part of the decision, a description of the part.

9.3 If the appeal is lodged against a condition of approval, a description of the condition.

9.4 The factual or legal findings that the appellant relies on.

9.5 The relief sought by the appellant.

9.6 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.

9.7 That the appeal includes the following declaration by the Appellant:

a) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct

b) 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.

10. 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

11. 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.

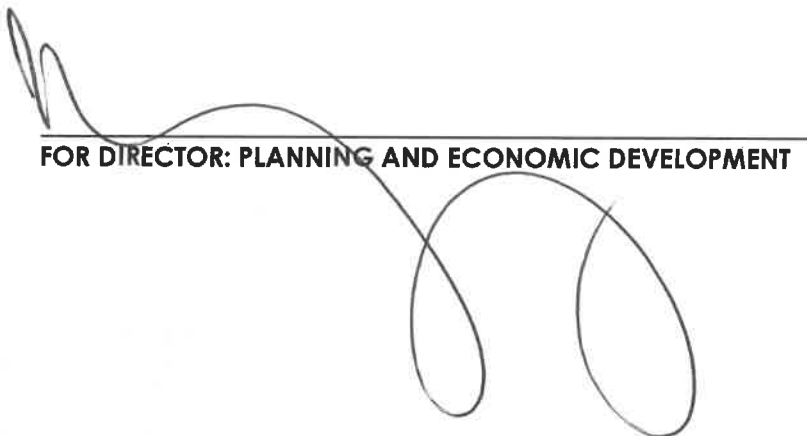
12. The approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za

13. 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.

14. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
15. 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



A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned over the printed text.

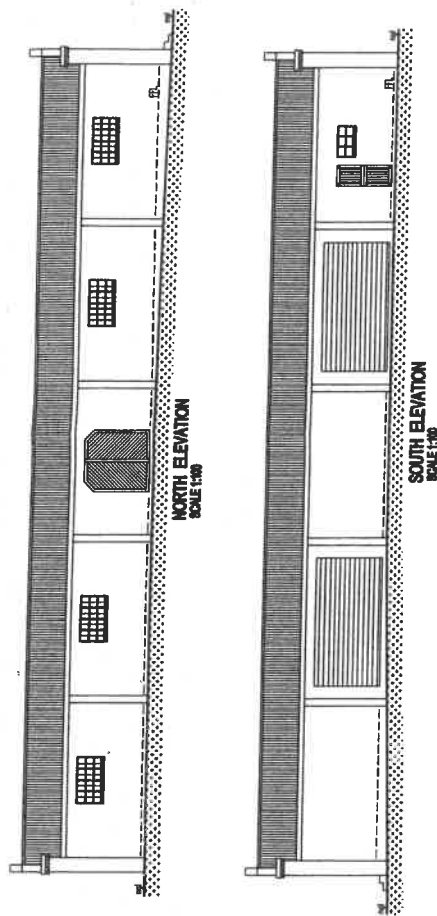
FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

31/1/2024
DATE

ANNEXURE B

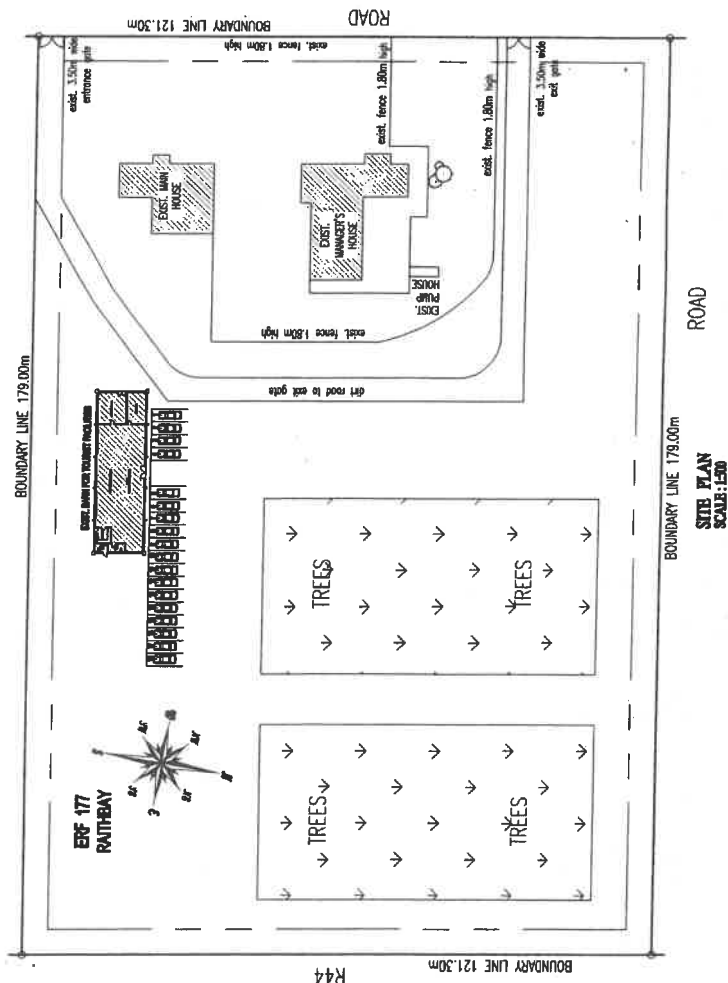
Site Development Plan

Architectural floor plan of the first floor of a building. The plan shows a large central area divided into two sections by a dashed line. The left section is labeled "RESTAURANT & LOBBY AREA 2113.35m²" and the right section is labeled "RESTAURANT & LOBBY AREA". The top section contains a "REST. OFFICE" and a "REST. STORAGE ROOM". The bottom section contains a "REST. OFFICE" and a "REST. STORAGE ROOM". The plan includes various dimensions and a north arrow.



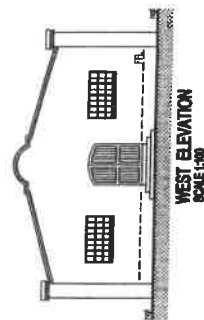
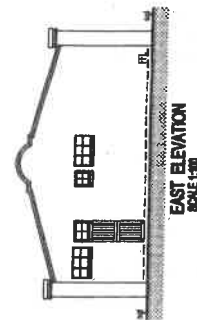
NORTH ELEVATION
SCALE 1:40

SOUTH ELEVATION
SCALE 1:40

[illegible]

Section AA shows a cross-section of the building. The roof is a gable with a total width of 2800 and a peak height of 2500. The internal width is 2000. The section is labeled 'SECTION AA' and includes labels for 'wall footings', 'wall', 'ceiling', 'floor', and 'ceiling & floor joists'.

Section AA shows a cross-section of the building. The roof is a gable with a height of 2800 mm. The internal height of the main floor is 2500 mm. The section is labeled 'SECTION AA' and shows the internal structure, including the roof, walls, and floor. The roof is labeled 'Roof' and the walls are labeled 'Walls'. The floor is labeled 'Floor' and the internal height is labeled '2500'. The total height is labeled '2800'.



EAST ELEVATION
SCALE 1" = 4'-0"

END	2.46	218.35m ²
RESTAURANT & ARTS	=	21.00m ²
EXST. OFFICE	=	33.06m ²
EXST. STORAGE	=	9.00m ²
KITCHEN	=	9.44m ²
ABLUTIONS		

Exclusion order
All work must comply with National Building Regulations and Local Authorities By-laws. Builders to verify all working plans and use own discretion where necessary. All loads and dimensions to be checked before any work commences. Permission to be given in writing. Discretion shown unless stated otherwise.

Project

[illegible]