



**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK  
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16033  
Our File Reference Number: Erf 4163  
Your Reference Number: None  
Enquiries: Ulrich von Molendorff  
Contact No: 021 – 808 8682  
Email address: [Ulrich.Vonmolendorff@stellenbosch.gov.za](mailto:Ulrich.Vonmolendorff@stellenbosch.gov.za)

**PER E-MAIL** [REDACTED]

Sir / Madam

**APPLICATION FOR A CONSENT USE ON ERF 4163, STELLENBOSCH**

1. The above application refers.
2. The duly authorised decision maker hereby decides in accordance with the Categorisation Model Category (O1) on the above applications as follows:
3. That the application in terms of Section 15(2)(o) of the Stellenbosch Municipality By-Law on Municipal Land Use, 2023 for Consent Use to utilise a portion (the restaurant) of the existing building as a liquor store on Erf 4163, Stellenbosch.

**BE APPROVED** in terms of Section 60 of the said Bylaw and subject to conditions of approval.

4. The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:
  - 4.1 The approval applies only to the Consent Use application under consideration as indicated on the plan referenced as NE061 (Sheet no. pl016), dated 21/10/2021 and drawn by Nina Erasmus Architecture 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.
  - 4.2 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the use.
  - 4.3 The portion to be utilized as a liquor store be limited to the restaurant of  $\pm 100\text{m}^2$  as indicated on the site plan with reference NE061 (Sheet no. pl016), dated 21/10/2021 and drawn by Nina Erasmus Architecture.
5. The reasons for the above decision are as follows:
  - 5.1. The proposed liquor store is within the established business node where such uses are generally acceptable as it is compatible with the surrounding uses.
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

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

7.3 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.

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

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

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

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

7.8 The relief sought by the appellant.

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

7.10 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.

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](mailto: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 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](mailto:landuse.appeals@ Stellenbosch.gov.za)

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



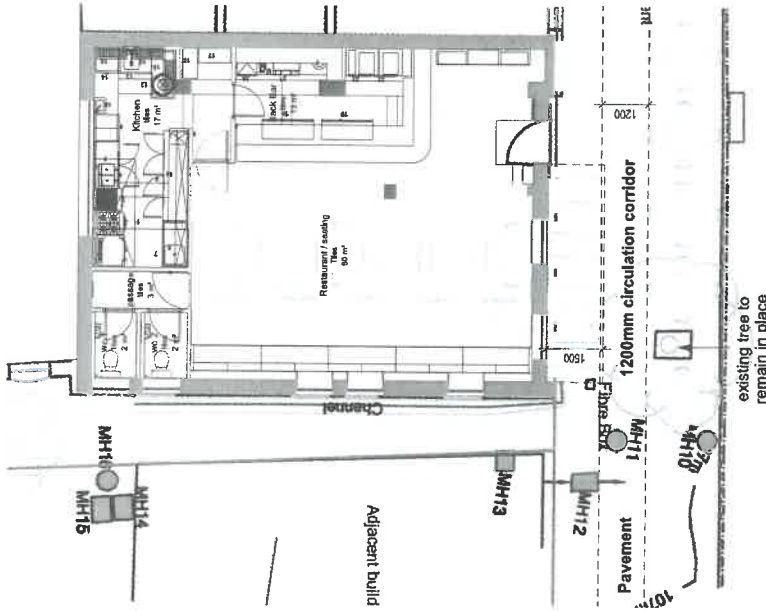
**MANAGER: LAND USE MANAGEMENT**

**DATE: 26.06.2024**

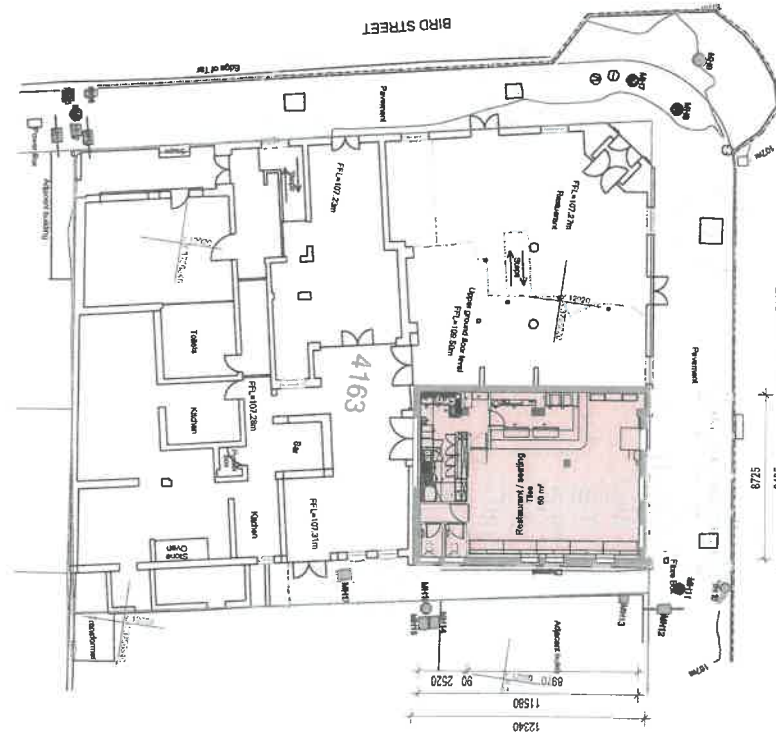
Annexure C:  
Building plan

| Areas |      |
|-------|------|
| Name  | Area |

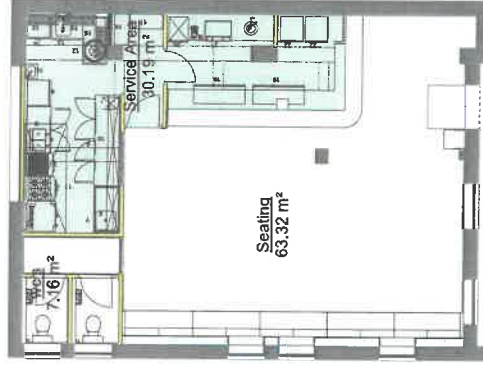
|              |                   |
|--------------|-------------------|
| Service Area | 30 m <sup>2</sup> |
| WC's         | 7 m <sup>2</sup>  |
| Seating      | 63 m <sup>2</sup> |



Le Grand Doman Wine Bar - floor plan  
1 : 100



Erf 4163 - site Plan  
1 : 200



Areas  
1 : 100

Seating:  
Interior - 50pax  
Exterior - 40pax

issued for  
INFORMATION

general notes

revisions

drawing title

project details

**NINA ERASMUS**  
ARCHITECTURE + INTERIOR

| DRAWN      | CHECKED      | DATE       | PROJECT NO. |
|------------|--------------|------------|-------------|
| Author     | Checker      | 21.10.2021 | ME081       |
| DISCIPLINE | SHEET NUMBER | REVISION   | STAGE       |
| AR         | p1016        |            | C           |

drawing number