



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15096 (TP237/2022)

Our File Reference Number: Erf 7635 & Erf 7636, 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

APPLICATION FOR CONSENT USE ON ERF 7635 AND ERF 7636, STELLENBOSCH

1. The above application refers.

2. The duly authorised decision maker has decided on the above application as follows:

2.1 That the application in terms of Section 15(2)(o) of the Stellenbosch Municipality By-law on Municipal Land Use Planning, 2023 for a **Consent Use** to regularise the existing liquor shop currently operating on Erf 7635 & 7636, Stellenbosch.

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:

2.2.1 The approval only applies to the proposed application (consent use) under consideration, as indicated on the referenced (S390/22) site plan dated December 2022 and drawn by David Hellig & Abrahamse professional land surveyors, attached as **ANNEXURE C** 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.

2.2.2 The development must be undertaken generally in accordance with the site plan as referenced (S390/22) and attached as **ANNEXURE C**.

2.2.3 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.

- 2.2.4 The conditions imposed by **Cape Winelands District (Health Services)** as contained in their memo dated 28 June 2023, be complied with (see **ANNEXURE H**).
- 2.2.5 The conditions imposed by **Electrical Services** as contained in their memo dated 10 March 2023, be complied with (See **ANNEXURE I**).
- 2.2.6 The area for the liquor shop be limited to $\pm 193\text{m}^2$.
- 2.2.7 The proposal must adhere to the Stellenbosch Municipality Liquor Trading hours By-law.

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

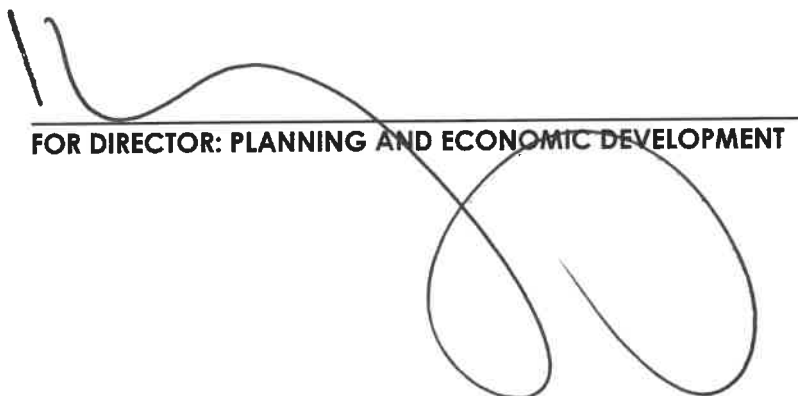
- 3.1 The principle of establishing a liquor store on a business zone property is generally accepted as being a sound planning practice.
- 3.2 The proposal will not have any impact on the natural or built environment as it will be operated from an existing building
- 3.3 The proposed use will be compatible with existing developments and will not require additional parking as no additions are proposed.

4. Matters to be noted:

- 4.1 A business license and a liquor license be applied for if required.
- 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

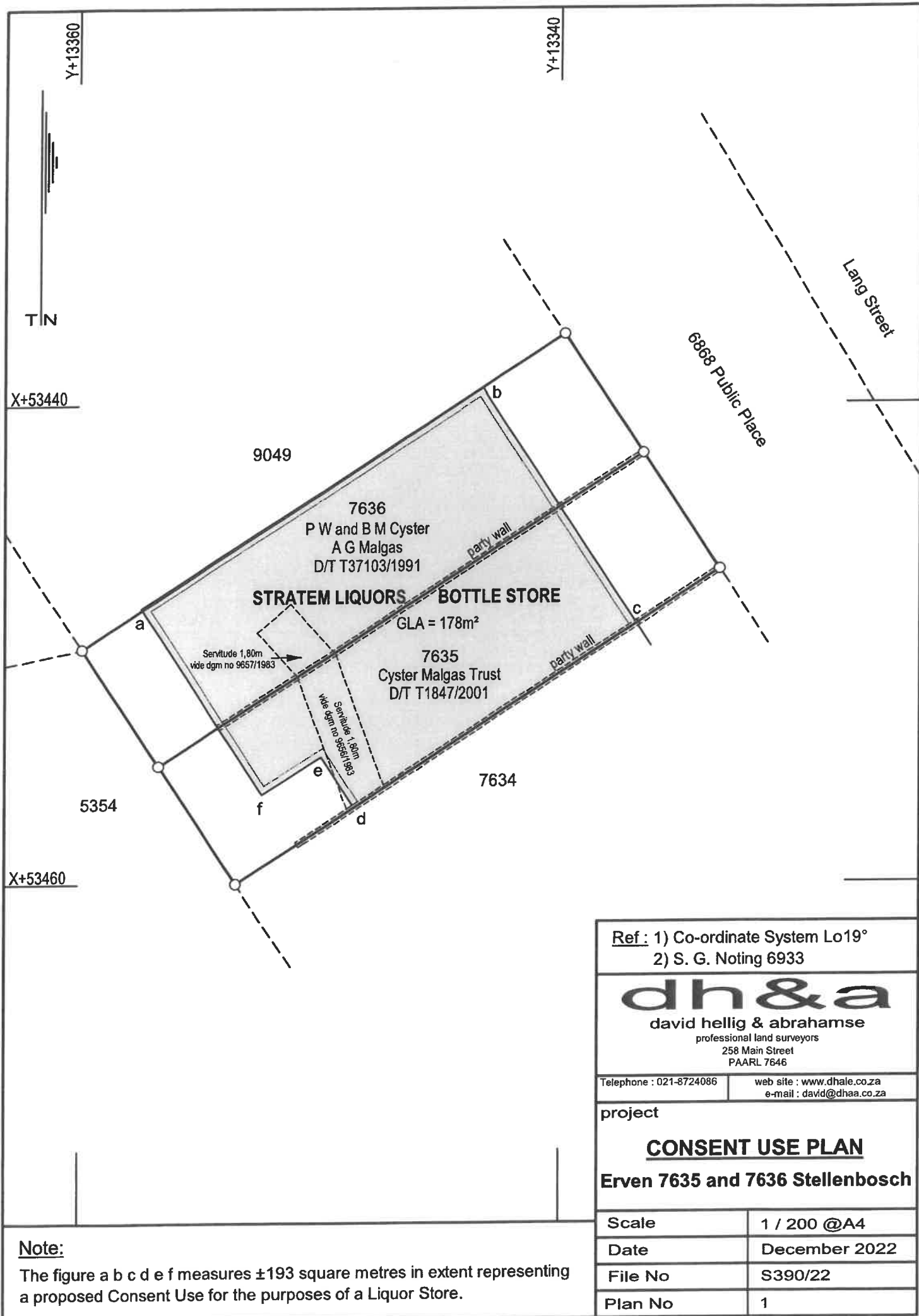
17/9/2024
DATE

[REDACTED]

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Annexure C: Site Plan



Note:

The figure a b c d e f measures ± 193 square metres in extent representing a proposed Consent Use for the purposes of a Liquor Store.

Ref : 1) Co-ordinate System Lo19°
2) S. G. Noting 6933

dh&a

david hellig & abrahamse
professional land surveyors
258 Main Street
PAARL 7646

Telephone : 021-8724086

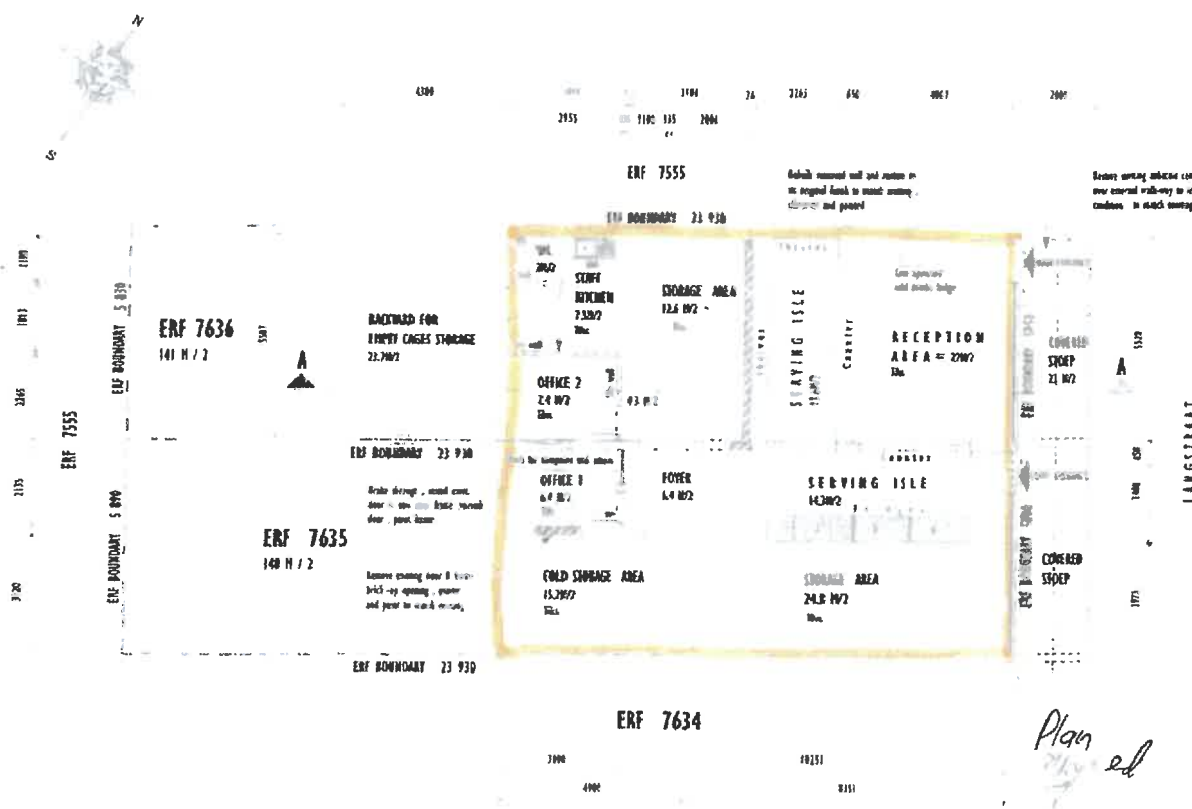
web site : www.dhale.co.za
e-mail : david@dhale.co.za

project

CONSENT USE PLAN

Erven 7635 and 7636 Stellenbosch

Scale	1 / 200 @A4
Date	December 2022
File No	S390/22
Plan No	1



NOTES :

RECEPTION AREA	= 22 M / 2
SERVING AREAS	= 28.3 M / 2
STORAGE AREAS	= 37.4 M / 2
COLD STORAGE	= 15.2 M / 2
OFFICE 1	= 4.4 M / 2
OFFICE 2	= 2.4 M / 2
FOYER	= 6.4 M / 2
ISLE	= 4.3 M / 2
STAFF W.C.	= 2 M / 2
STAFF W.C.	= 7.5 M / 2
COVERED STOOP	= 21 M / 2
BACKYARD (EMPTY CASES)	= 23.7 M / 2
TOTAL AREAS TO BE USED	= 183.7 M / 2

J.F.S. Prodraft & Design
 James Selomons
 S.A.C.A.P. Reg. no. 871779

Postbox 41, Storking Street, Pretoria 7681

Ph: 012 712 6110
 Fax: 021 865 1472

PROPOSED LAYOUT FOR NEW LIQUOR SALES STORE AND STORAGE

owner: ERF 7635, 7634
 LANGSTRAAT, CLOETESVILLE
 STELLENBOSCH, 7600

SITE AND GROUND FLOOR PLAN
 Scale 1:100

drawn by: J.F. Selomons
 date: February 2006
 scale: 1:100

Plan ed
1/10/2010

Annexure H:
Comments from Cape Winelands Health



CAPE WINELANDS DISTRICT

MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

MEMORANDUM TO/ AAN : B. Mdoda
(Directorate Planning Economic &
Development Services: Stellenbosch Municipality)
Official / Beampste : Ms. N. Ngola
Your ref/ U vrew. : Erf 7636
Ref No / Verw. No : 15/2/6/1
Date / Datum : 28/06/2023

APPLICATION FOR A CONSENT USE AND DEPARTURE: ERF 7636, 103 LANG STREET, CLOETESVILLE, STELLENBOSCH

There are no objections from an Environmental Health point regarding this application, subject to compliance with the following:

1. All sewage / wastewater must be disposed of in such a manner that it does not create a health nuisance. Must be connected to the existing municipal system.
2. The applicant should apply for the Refuse Removal Service from Stellenbosch Municipality or alternately an adequate waste removal service must be used.
3. In the event where food will be prepared or handled and or served to the public, the applicant must apply in writing to the Municipal Health Services Department of the Cape Winelands District Municipality for a Certificate of Acceptability in terms of 638 of 22 June 2018 under the Foodstuffs Act.
4. In the event where any noise generating activity will be conducted on the premises, the onus lies on the owner to ensure that the necessary noise evaluation is carried out and that the results are submitted to local authority (SANS 10103 of 2003)
5. An adequate water supply that complies with the national standards for drinking water (SANS 0241:2001) must be provided.
6. Kindly note that this Department do have the authority to set additional requirements during the operation of business to ensure that the facility always complies with the Municipal health services legislation.

Yours faithfully

A handwritten signature in black ink, appearing to be 'N. Nqola', written in a cursive style.

N. NQOLA
for **MUNICIPAL MANAGER**

Annexure I:
Comments from Electrical Services

File

ERF 7635 & 7636

1. No Objection

CONDITIONS:

2. All electrical work to comply with SANS142 and Municipal electrical by-laws
4. If connecting a generator for backup, the generator needs to comply to SANS10142

Bradley Williams

Date.....10/03/2023.....



Signature

