



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16162 (TP490/2023)

Our File Reference Number: Erf 9045, 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 AND DEPARTURE IN TERMS OF SECTION 15(2)(G) & (B) OF THE
STELLENBOSCH MUNICIPALITY BY-LAW ON MUNICIPAL LAND USE PLANNING, 2023 ON ERF 9045,
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)(b) & (g) of the Stellenbosch Municipality:
Bylaw on Municipal Land Use Planning 2023:
 - 2.1.1 A permission in terms of the Zoning Scheme in order to construct a polytunnel (5,5m high)
within an Urban Conservation Overlay Zone.
 - 2.1.2 For a departure in order to relax the common building line (adjacent to Erf 9046,
Stellenbosch) in order to accommodate the proposed polytunnel on Erf 9045, 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 said Bylaw:
 - 2.2.1 The approval will lapse if not implemented/confirmed within five years from the date of final
notification of approval of the application.

- 2.2.2 The approval only applies to the proposed departure 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
- 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 Building plans must be generally in accordance with the site plan / floor layout plan as referenced drawing no. as indicated on building plan no. 9045_stb, dated 18 June 2024 and attached as **Annexure C**.

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

3.1 The proposed use is in line with the land uses found on this property and surrounding properties, it will therefore not have a negative impact on the character of the area.

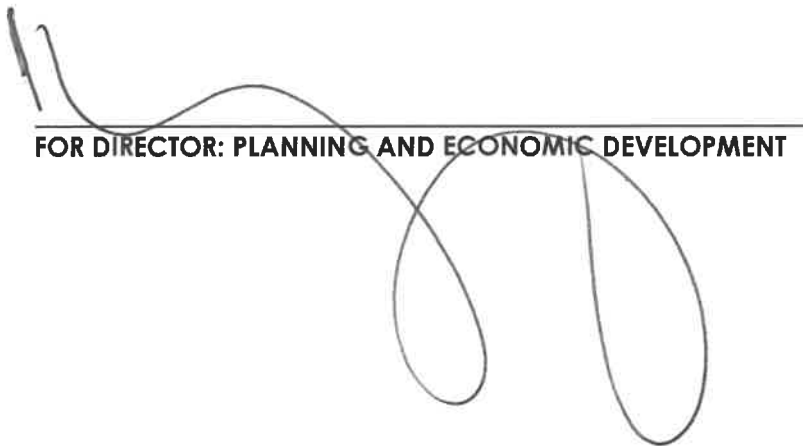
4. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.
5. 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.
6. **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**
7. 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.
8. 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.
9. 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.

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

11. 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



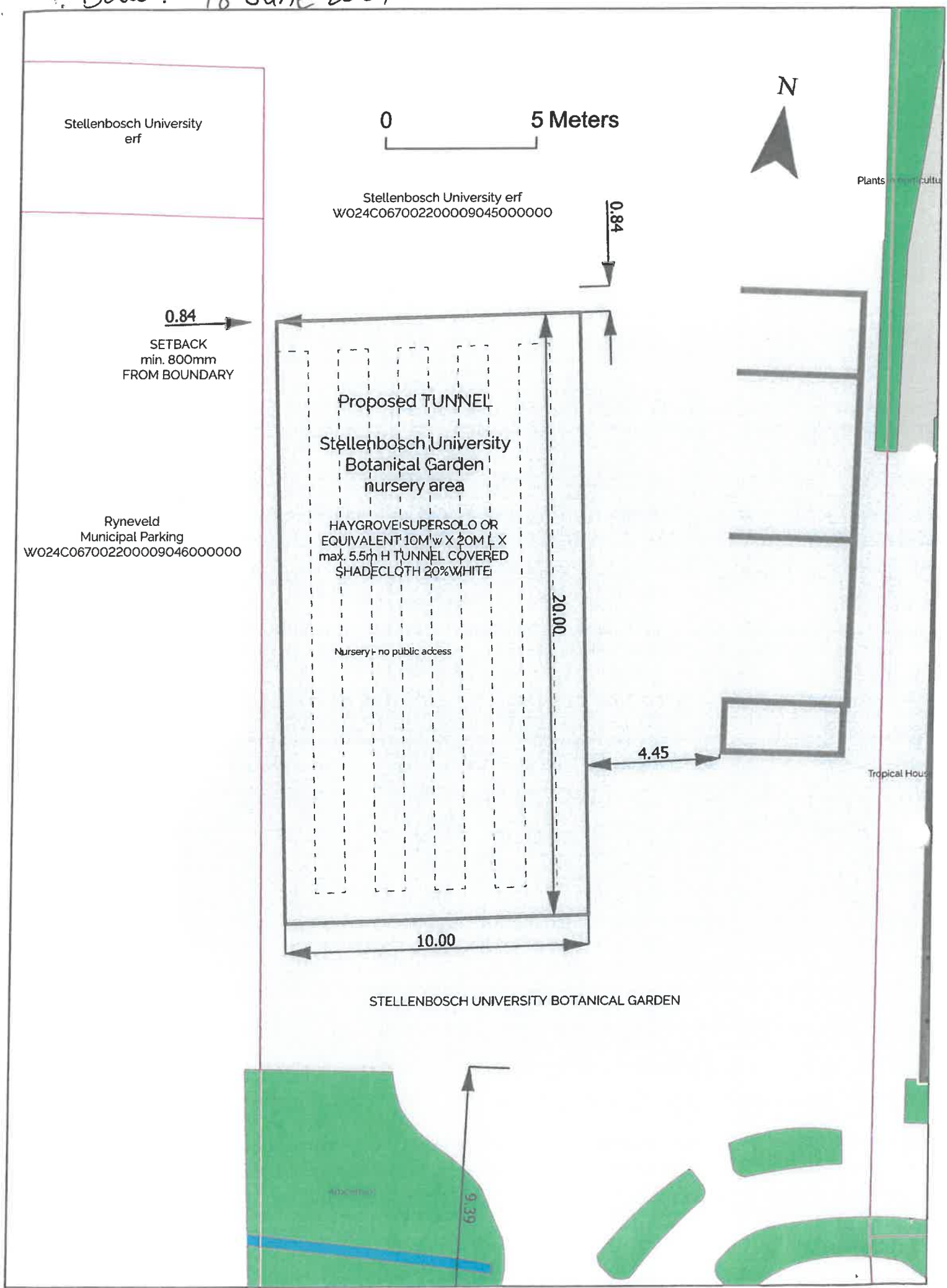
A large, stylized handwritten signature in black ink, consisting of a series of loops and curves, positioned over a horizontal line.

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

17/7/2024
DATE

Annexure C:
Site Plan

PLAN NO. 9045-Stb
Date: 18 June 2024



PLAN NO.: 9045 Sub
DATE: 18 JUNE 2024

Stellenbosch University Parking



0 10 Meters

Municipal Parking
(Ryneveld)

Parcel No.: 9046
W024C067002200009046000000

gate

Parcel No.: 9045
W024C067002200009045000000

compost bays

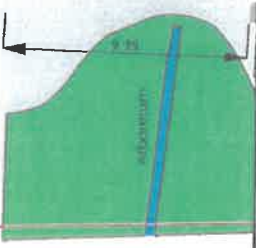
PROPOSED TUNNEL
Haygrove
SuperSolo
or equivalent
turfery plant
public access

Parcel No.: 1836
W024C06700220000904500000000

Tropical plants

Tropical House 1

Atid House 1



Office & laboratories

PLAN NO.: 4045 - SEC
DATE: 18 JUNE 2024

