



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15601 (TP 361/2023)

Our File Reference Number: P 41S

Your Reference Number: Farm 41, Stellenbosch

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: [REDACTED]

Sir / Madam

APPLICATION FOR CONSENT USE ON FARM NO. 41, STELLENBOSCH DIVISION

1. The above application refers.
2. The duly authorised decision maker hereby decides as follows.
3. That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw,

3.1. A consent Use in terms of Section 15(2)(o) of the said bylaw for an Agricultural Industry (>2000m²) in order to increase the existing wine cellar (1107m²) by 522m² (±258m² floor space and ±264m² hard surface) and for the construction of a new fermentation cellar (±1655m²) with supporting infrastructure (total coverage of the wine cellar with additions and the new fermentation cellar with supporting infrastructure ±3284m²) on Farm No. 41, Stellenbosch Division.

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 only applies to the application under consideration, as indicated on the building plan referenced A100-A108, dated 12 April 2023, drawn by Christof Albertyn Architect and 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.
 - 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 proposed use.
 - 4.3 This approval shall lapse if not acted upon within a period of five years from the date of the final letter of approval.
 - 4.4 Conditions imposed by the **Directorate: Infrastructure Services** as stipulated in their memo dated 01 December 2023 be adhered to (**See Annexure D**).

- 4.5 Building plans must be generally in accordance with the site plan / floor layout plan as referenced A100-A108, dated 12 April 2023, drawn by Christof Albertyn Architect and attached as **Annexure C**.
- 4.6 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.
5. Matters to be noted
- 5.1 Conditions imposed by the **Directorate: Cape Winelands District Health** as stipulated in their memo dated 12 September 2023 be adhered to (**See Annexure E**).
6. The reasons for the above decision are as follows:
- 6.1. The proposed is ancillary to the existing agricultural activity on the farm and will diversify the existing land use.
- 6.2. The proposal is not in conflict with the principles of the Stellenbosch Municipality Spatial Development Framework.
7. 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.
8. 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:
- 8.1. 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
- 8.2 Reference to this correspondence and the relevant property details on which the appeal is submitted.
- 8.3 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.
- 8.4 Whether the appeal is lodged against the whole decision or a part of the decision.
- 8.5 If the appeal is lodged against a part of the decision, a description of the part.
- 8.6 If the appeal is lodged against a condition of approval, a description of the condition.
- 8.7 The factual or legal findings that the appellant relies on.
- 8.8 The relief sought by the appellant.
- 8.9 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.
- 8.10 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.
9. 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
10. 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.
11. 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
12. 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.
13. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
14. 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: 14.03.2024

Annexure C:
Building plan

EXISTING BUILDING COVERAGE:
PROPOSED PRESSING CELLAR COVERAGE:
NEW COVERAGE ON PREVIOUS HARD SURFACE.
NEW COVERAGE ON PREVIOUS UNCOVERED SURFACE.

1107m²
1455m²
264m²
258m²

Site 1: 10

1:1000

Summary

0101 A100

CURRENT
REVENUE

Scale 1000

DE 15 81 01 0447503



**LADYBIRD VINEYARDS •
PROPOSED
ALTERATIONS AND
ADDITIONS TO EXISTING
WINERY**

Project Number	0101
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Date	12-04-2023
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Drawn by	Exp

Checked by

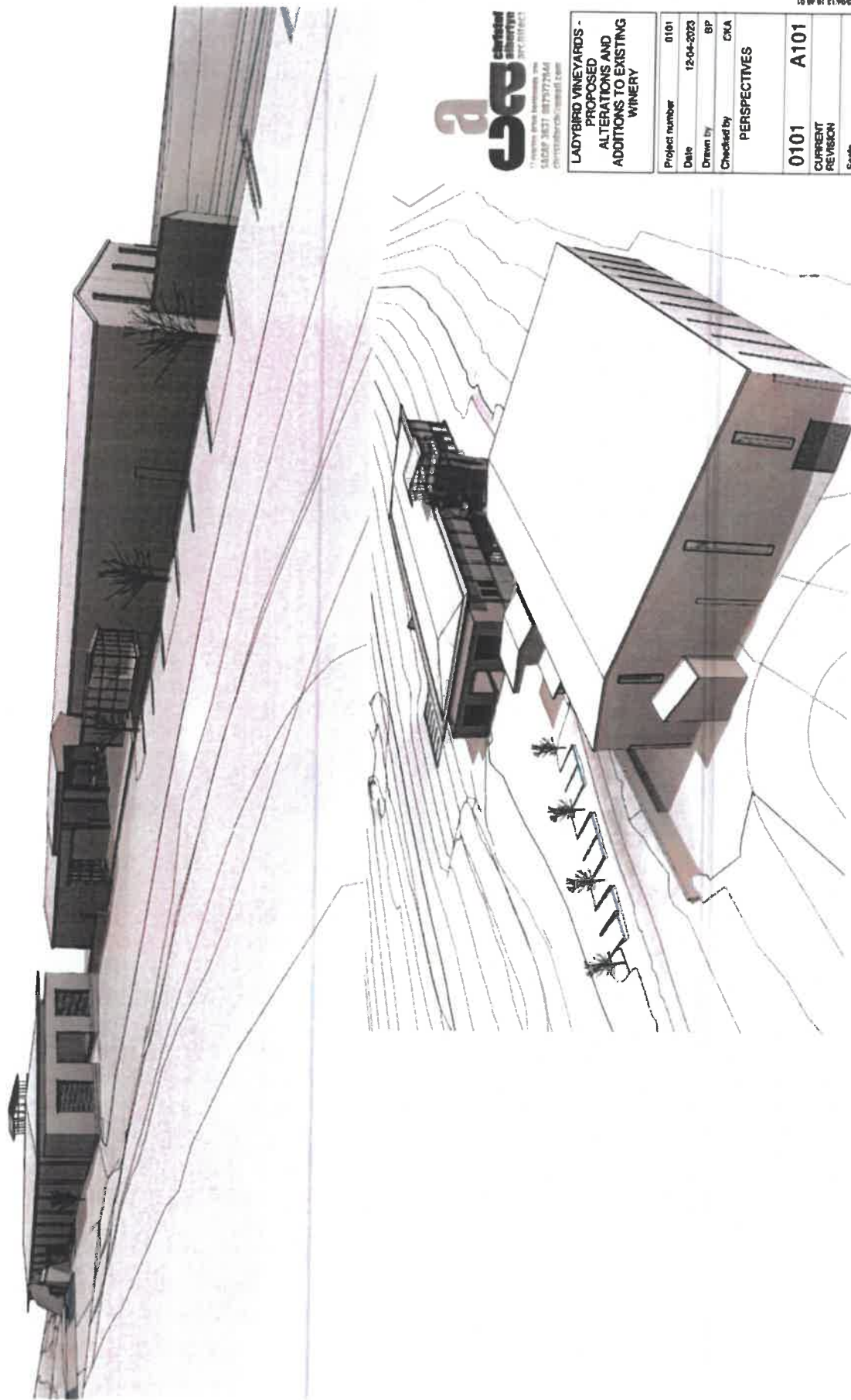
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PLAN SHEET 24.11

0101 A100

CURRENT
REVENUE

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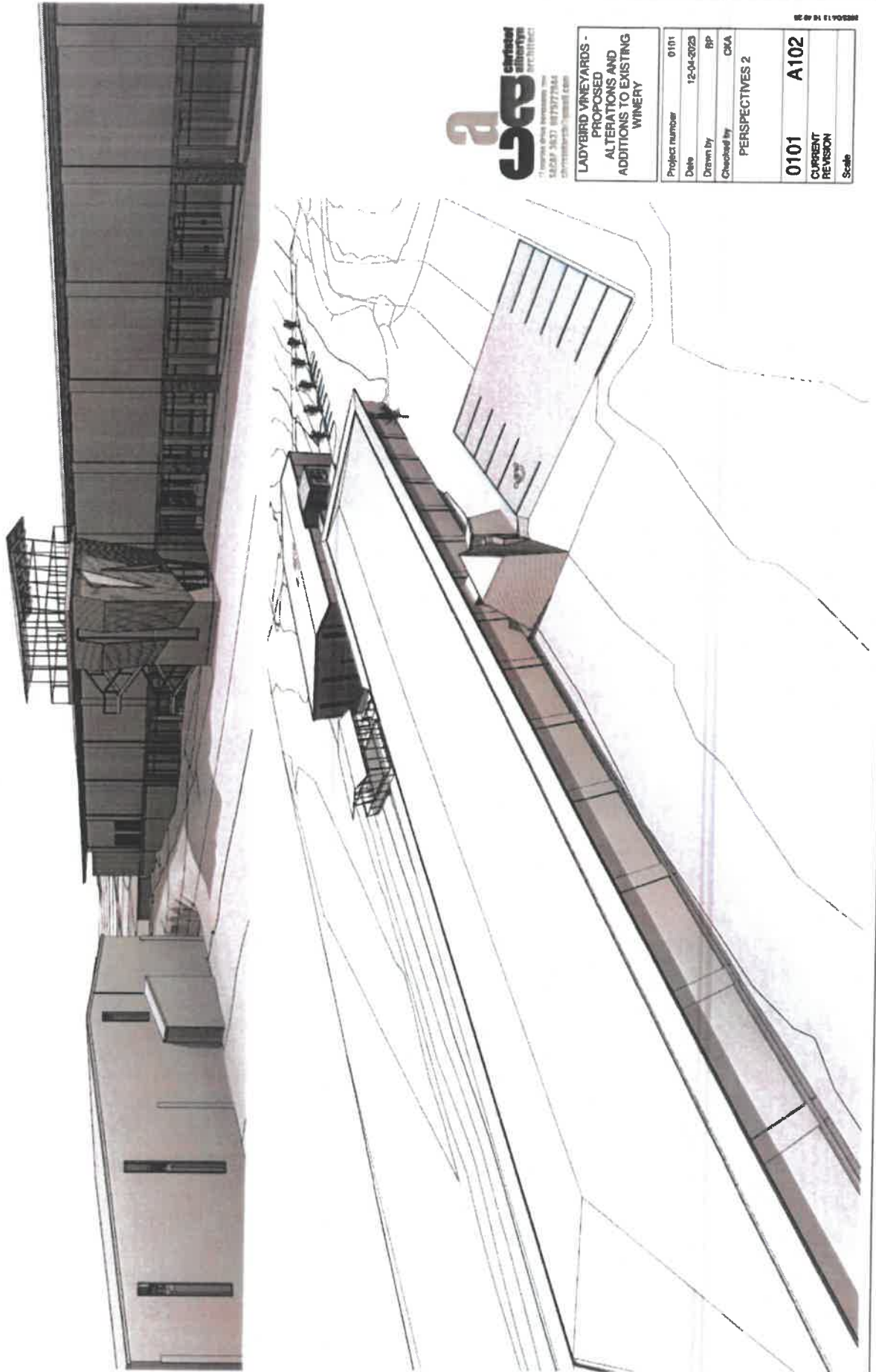


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 03 9237 3631 0873772646
 carlisle@carlislearch.com.au

**LADYBIRD VINEYARDS -
 PROPOSED
 ALTERATIONS AND
 ADDITIONS TO EXISTING
 WINERY**

Project number	0101
Date	12-04-2023
Drawn by	BP
Checked by	CKA
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REVISION	
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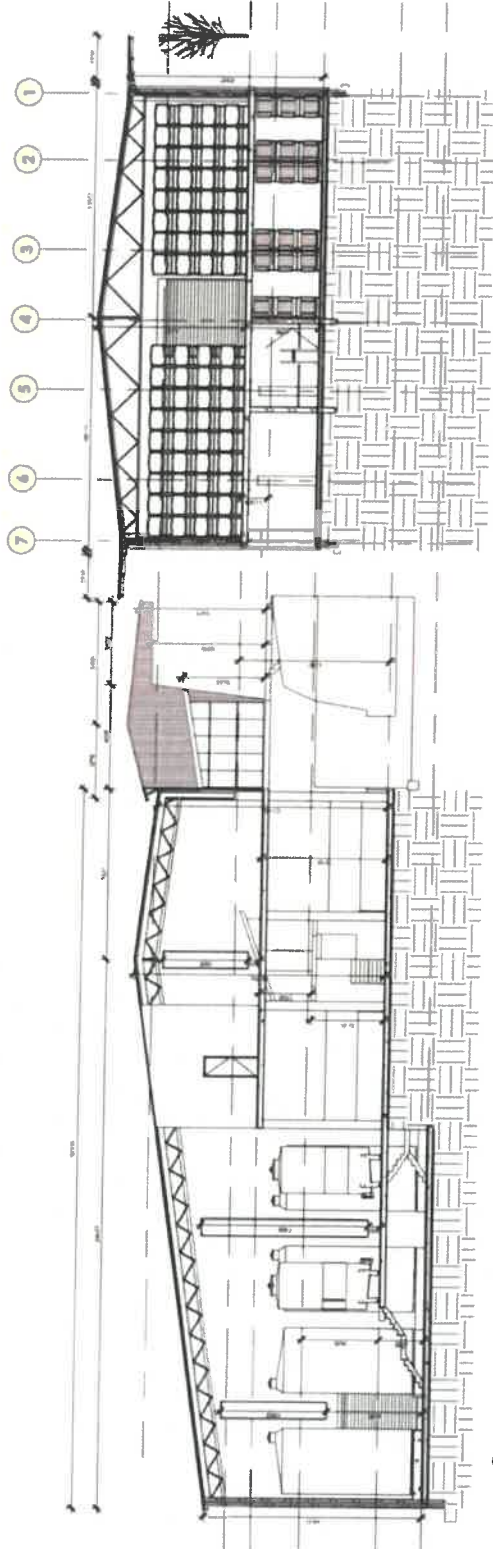
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**LADYBIRD VINEYARDS -
 PROPOSED
 ALTERATIONS AND
 ADDITIONS TO EXISTING
 WINERY**

Project number	0101
Date	12-04-2023
Drawn by	BP
Checked by	CMA
PERSPECTIVES 2	
0101	A102
CURRENT	
REVISION	
Scale	

02 OF 04 01/06/2024



Section 1

1 : 200



*Telephone 0800 800 800
 0438 3437 00727244
 christina@architect.com

**LADYBIRD VINEYARDS -
 PROPOSED
 ALTERATIONS AND
 ADDITIONS TO EXISTING
 WINERY**

Project number	0101
Date	12-04-2023
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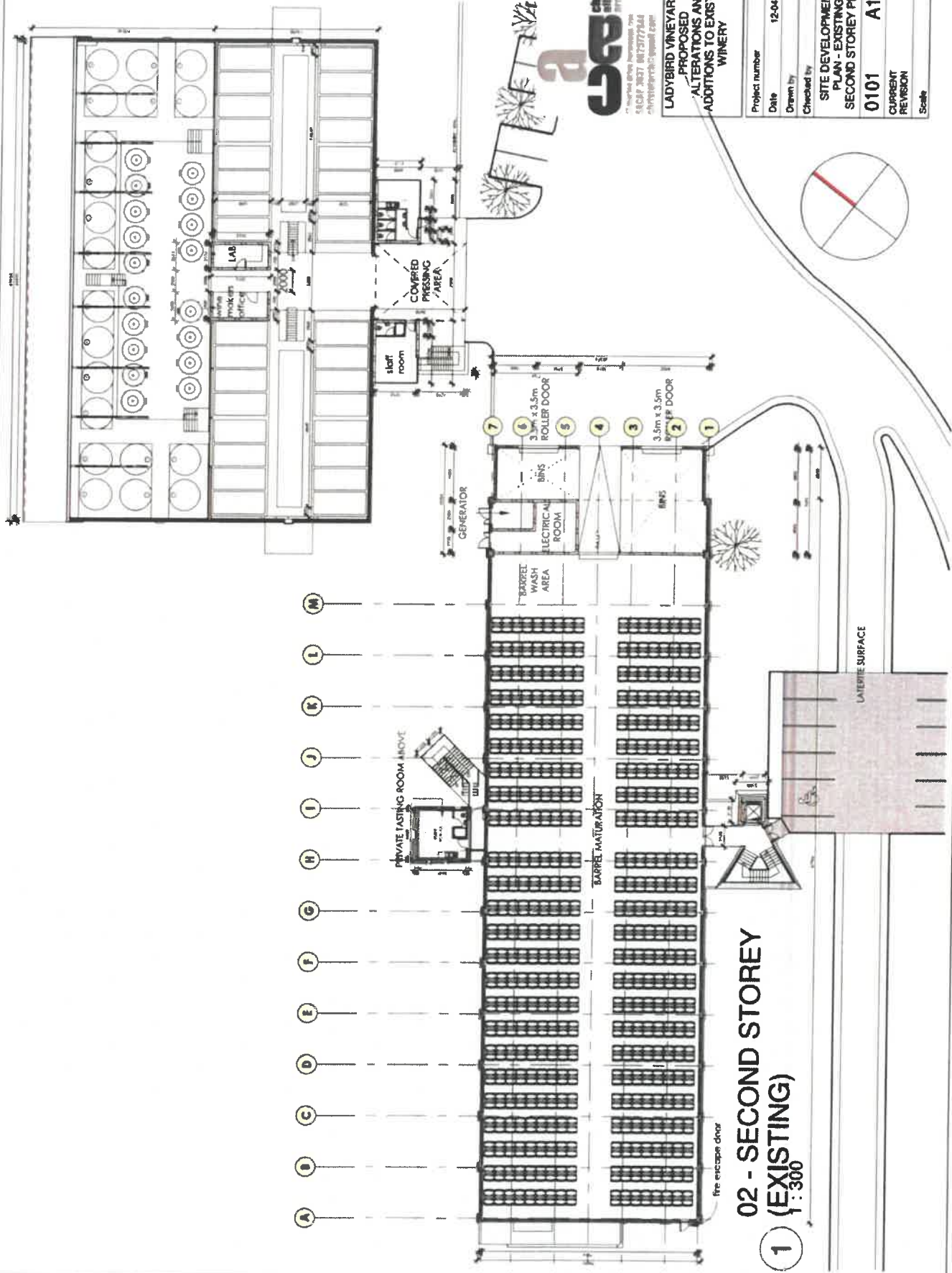
0101 12-04-2023

carlisle
albert
architect

1800 207 0677/7744
carlislearchitect.com

**LADYBIRD VINEYARDS -
PROPOSED
ALTERATIONS AND
ADDITIONS TO EXISTING
WINERY**

Project number	0101
Date	12-04-2023
Drawn by	BP
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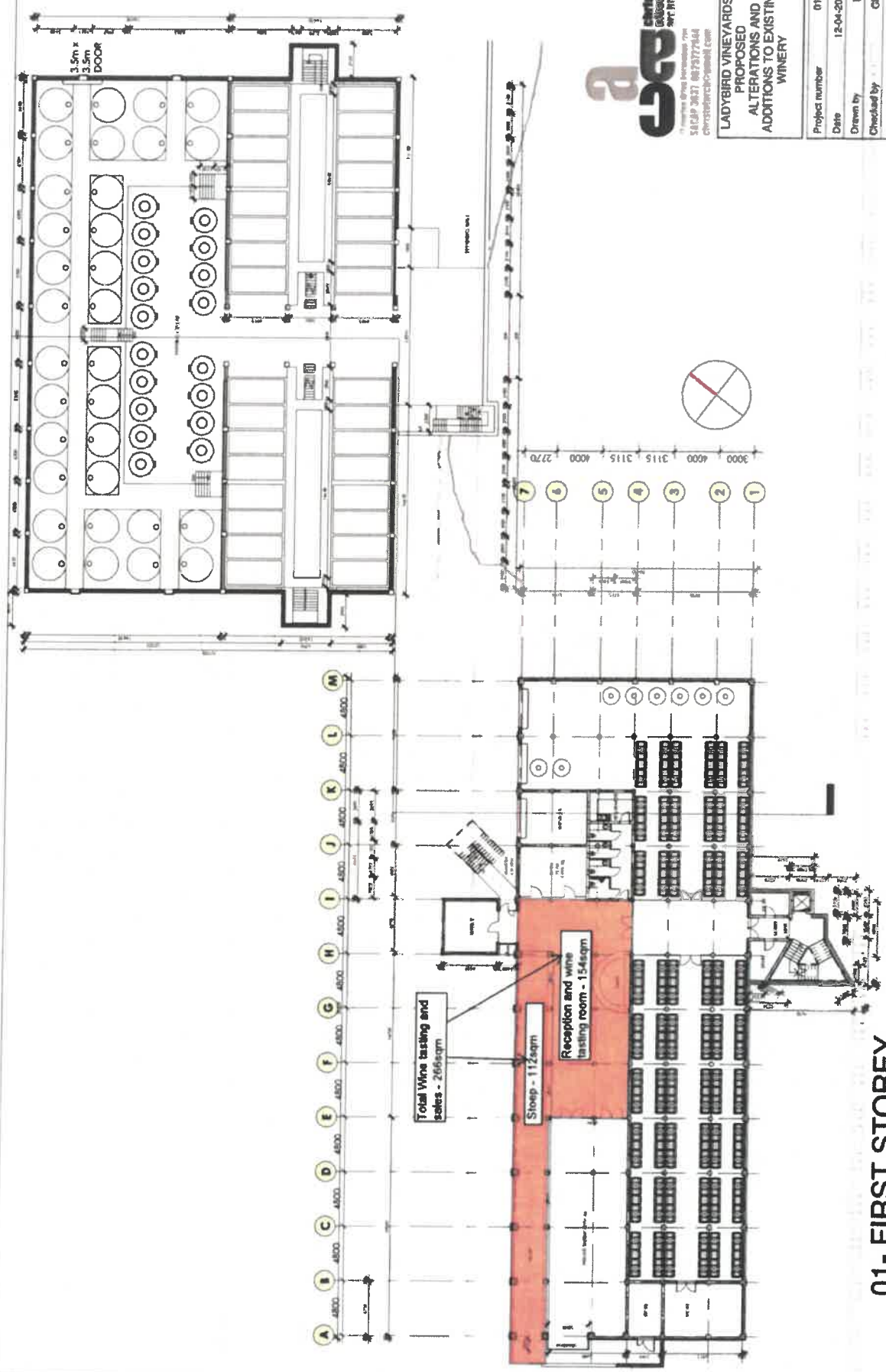
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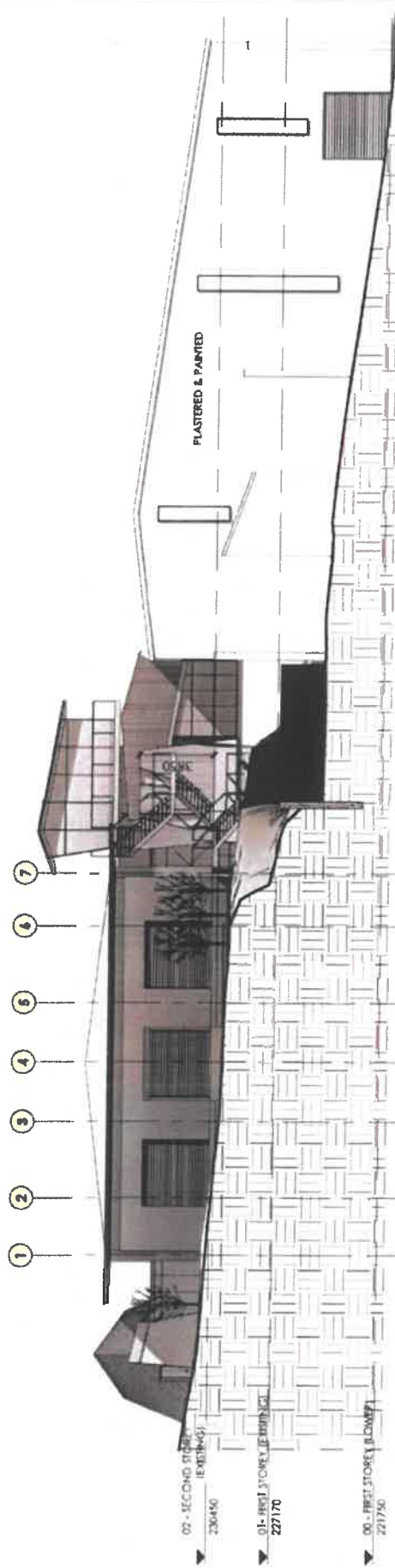
17 reserves drive, Burnside, TAS
5414 AP 3821 087377444
christiearchitect.com

LADYBIRD VINEYARDS -
PROPOSED
ALTERATIONS AND
ADDITIONS TO EXISTING
WINERY

Project number	0101
Date	12-04-2023
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Checked by	GKA
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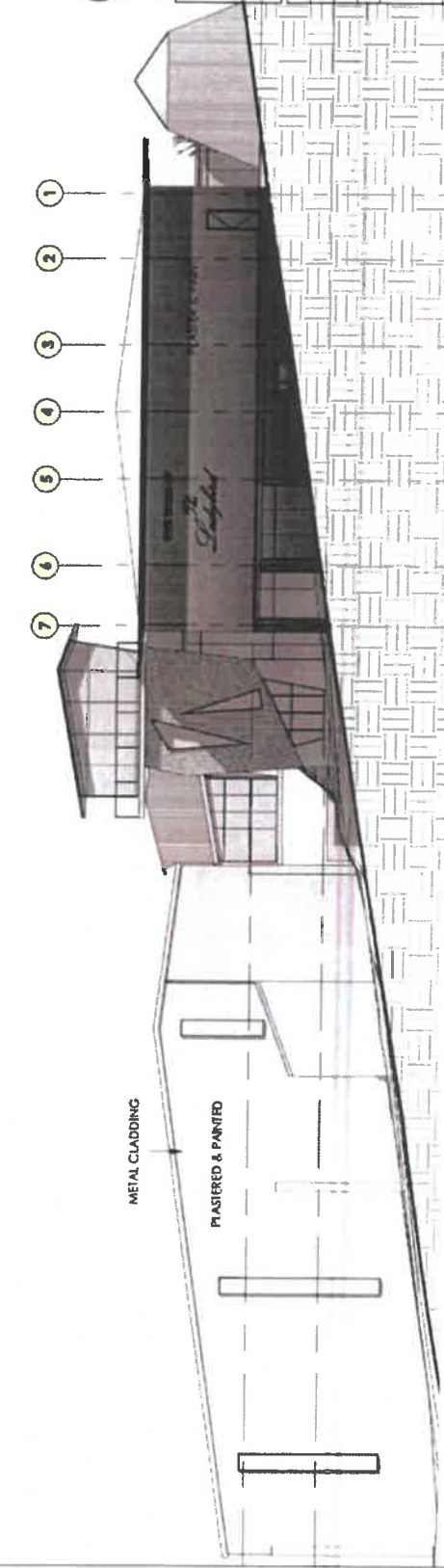
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NORTH EAST ELEVATION

1 : 200

1



SOUTH WEST ELEVATION

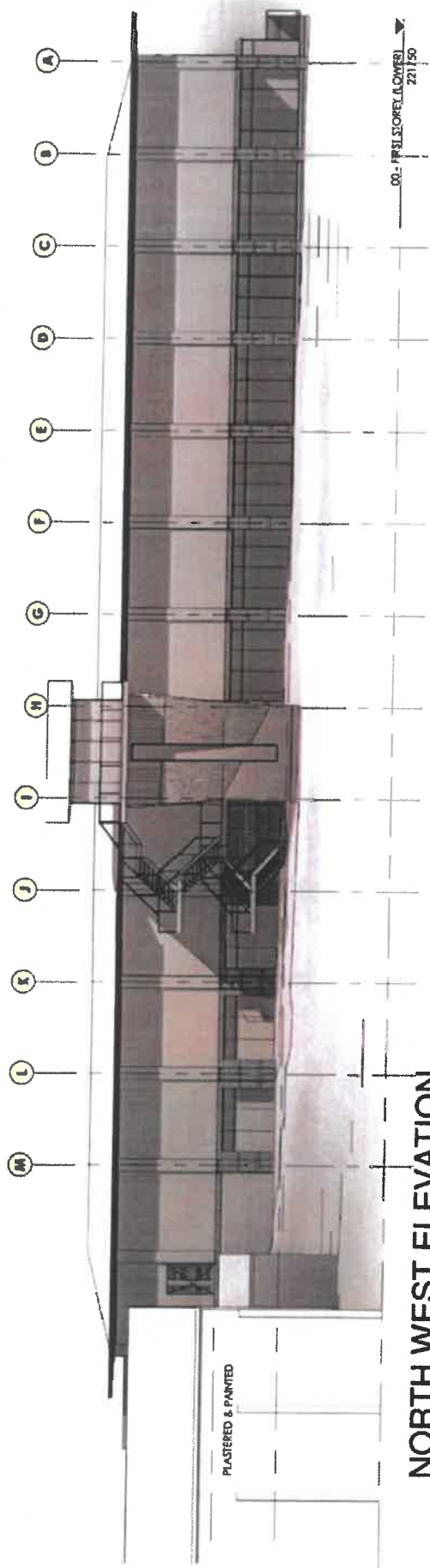
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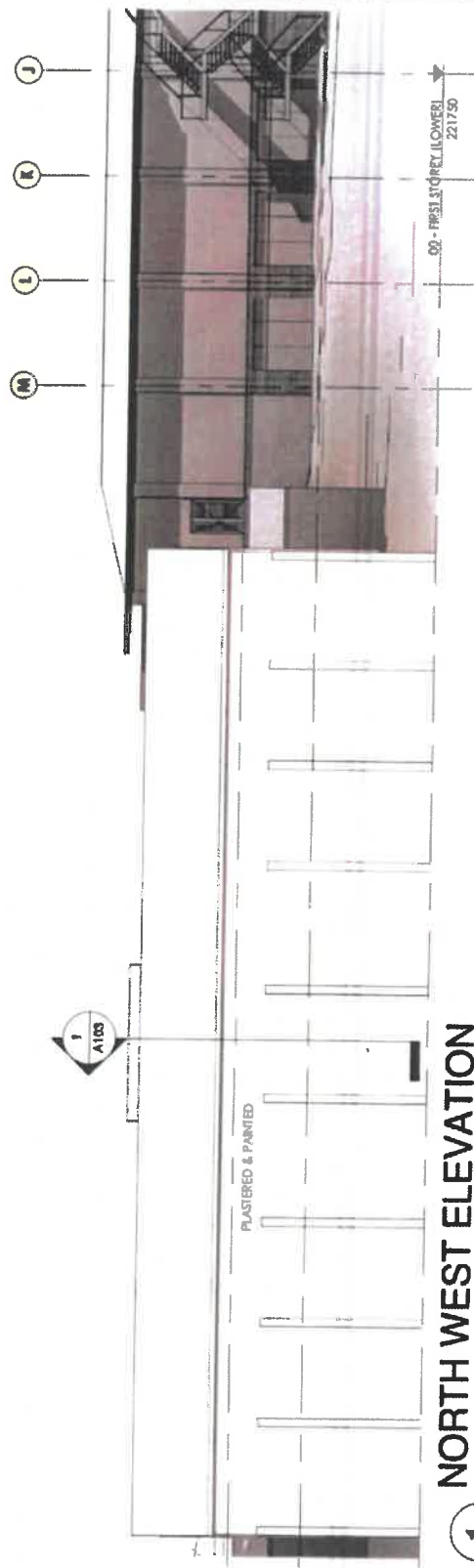
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PROPOSED
ALTERATIONS AND
ADDITIONS TO EXISTING
WINERY**

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Date	12-04-2023
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Checked by	CSA
SITE DEVELOPMENT PLAN - ELEVATIONS	
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NORTH WEST ELEVATION

2 Copy 1
1 : 200



NORTH WEST ELEVATION

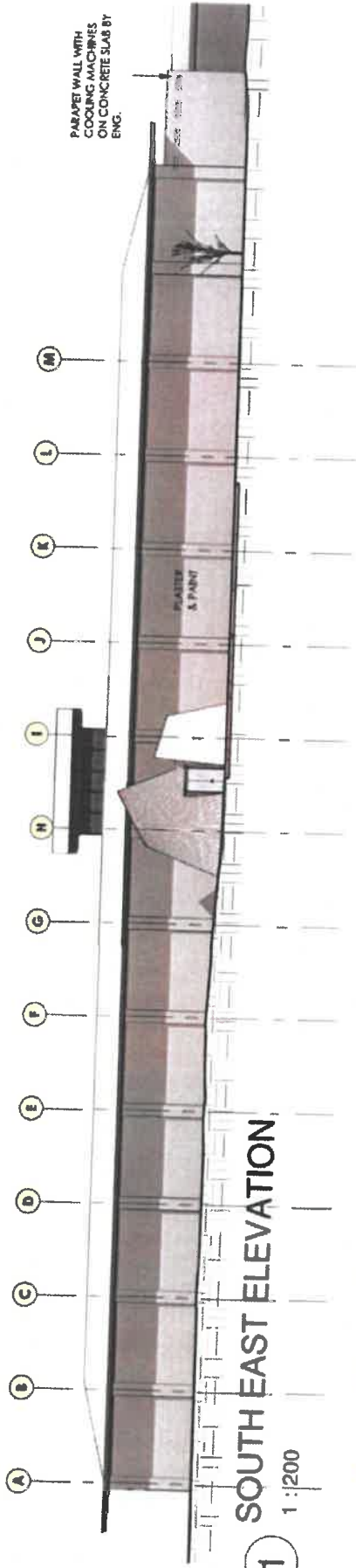
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**LADYBIRD VINEYARDS -
PROPOSED
ALTERATIONS AND
ADDITIONS TO EXISTING
WINERY**

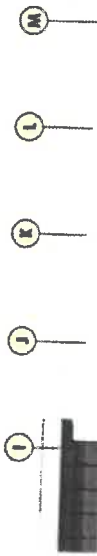
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1 SOUTH EAST ELEVATION

1:200



2 SOUTH EAST ELEVATION

Copy 1

1:200



11/04/2022 12:04:22
 11/04/2022 12:04:22
 11/04/2022 12:04:22

**LADYBIRD VINEYARDS -
 PROPOSED
 ALTERATIONS AND
 ADDITIONS TO EXISTING
 WINERY**

Project number	0101
Date	12-04-2022
Drawn by	SP
Checked by	CMA
SITE DEVELOPMENT PLAN - SOUTH EAST ELEVATION	
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CURRENT	
REVISION	
Scale	1:200

Annexure D:
Comments from the Engineering Services



STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag:	Salome Newman
From ▫ Van:	Manager: Development (Infrastructure Services)
Author ▫ Skrywer:	Kurt Titus
Date ▫ Datum:	01 December 2023
Our Ref ▫ Ons Verw:	Civil LU 2574
Town Planning Ref:	LU/15601
Re ▫ Insake:	Farm 41, Stellenbosch: Application is made in terms of Section 15(2)(b) of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for a Consent Use for an Agricultural Industry exceeding 2000m² in order to extend the existing wine cellar(1107m²) by 522m² and to construct a new fermentation cellar of 1655m² on Farm No. 41, Stellenbosch Division.

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

Civil Engineering services

The below information to be provided at building plan approval stage:

1. Water & Sewer
 - 1.1. The location of the borehole as potable water source.
 - 1.2. Provide proof of approval from the Department of Water and Sanitation for the operating of a package plant and discharging into a water source.

JK

2. Development Charges (DCs)

2.1 DC's will be applicable for this development.

2.2 Development charges are payable at build plan approval stage and will be calculated using the applicable rates at that time.

K Titus

Kurt Titus

Principal Technician: Development (Infrastructure Services)

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K