



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/8827

Our File Reference Number: Farm 220/6, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-M

Sir /Madam

APPLICATION FOR CONSENT USE ON FARM 220/6, 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 term of Section 15 (2) (o) of the Stellenbosch Municipal Land Use Planning Bylaw 2023, for **Consent Use** in order to permit a restaurant on Farm No. 220/6, Stellenbosch Division,

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 only applies to the land use hereby approved and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or By-laws or Regulations that may be applicable.

2.2.2. 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.

2.2.3. The area used for restaurant purposes be generally in accordance with the areas indicated on the Site Plan, drawn by Winelands Architectural Designs and dated 5th October 2016, the Ground Floor Plan, drawn by Winelands Architectural Designs and dated 1st February 2017 and the Seating Plan, drawn by Winelands Architectural Designs and dated 5th October 2016, attached as **Annexure A**.

- 2.2.4 Sufficient on-site parking to be provided in accordance with the provisions of the Zoning Scheme By-law to the satisfaction of the Municipality.
- 2.2.5. The land use hereby permitted, and all related premises must comply with the relevant health regulations at all times.
- 2.2.6. The non-agricultural land use hereby permitted shall not create any undue noise or be a nuisance to the surrounding area and that precautionary measures be taken in order to avoid environmental noise pollution in terms of the Noise Control Regulation PN200/2013 and the By-law on the Prevention of Public Nuisances & the Keeping of Animals.
- 2.2.7. The non-agricultural land use hereby permitted must remain subservient to and not adversely impact the primary agricultural land use activities on the subject property or surrounding properties.
- 2.2.8. Building plans be submitted for all changes of use in the existing buildings and which building plan(s) be approved and related occupancy certificates be issued prior to the vesting of any of the related approvals.
- 2.2.9. Building plans be generally in accordance with the Ground Floor Plan, drawn by Winelands Architectural Designs and dated 1st February 2017 and the Seating Plan, drawn by Winelands Architectural Designs and dated 5th October 2016, attached as **Annexure A**.
- 2.2.10. 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 or as may be agreed on in writing with the Director Infrastructure Services.
- 2.2.11. The conditions imposed by the Directorate Infrastructure Services as contained in the memorandum dated 08/10/2019, and attached as **Annexure B**, be complied with to the satisfaction of the said department.

2.3. The **reasons** for the above decision are as follows:

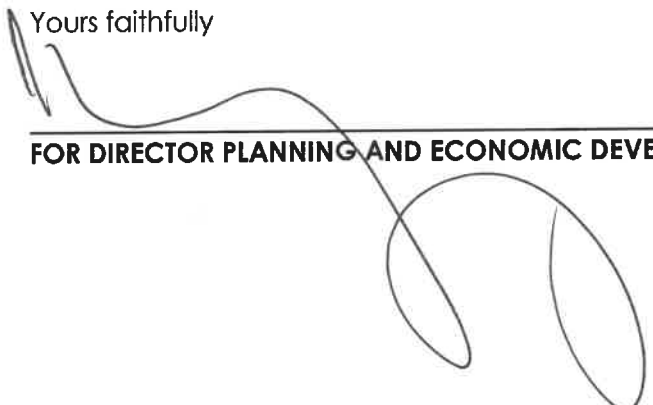
- a. The proposal will not undermine the agricultural potential of the subject property or surrounding properties.
- b. The land use hereby approved is compatible with the surrounding farms and serves as the diversification of farm income through appropriate and acceptable means. Similar agricultural and rural tourism uses are currently conducted on the surrounding properties.

2.4. Matters to be noted:

- i. An application for the erection of advertising signs to be submitted for approval to the Municipality and that all signage on the property be erected to the satisfaction of the Municipality or be in line with the relevant signage policy of the Municipality.
 - ii. No directional signage to be erected without the prior approval of the applicable authority.
 - iii. All electrical requirements to be directed to Eskom.
 - iv. A business license and a liquor license to be applied for if required.
 - v. Should, after following due process -
 - a) The subject approved land use remains in breach of complying with any of the conditions of approval required for the vesting of the subject approval, and/ or
 - b) The operational use of the approved tourist facilities or tourist accommodation establishment be in breach of any of the conditions of approval, inclusive of persistent complaints of undue noise levels, and/ or
 - c) The property be used for any unauthorised uses not permitted in terms of this approval, the authorised official of the Municipality will exercise its discretion in terms of Section 90(c) of the Municipal Land Use Planning By-Law to withdraw the subject approval granted and the building structures to be reverted to uses in line with the primary use of the property.
3. 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.
4. 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.
5. **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**
6. 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.

7. 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.
8. 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.
9. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
10. 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



DATE



STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INGENIEURSDIENSTE
DIRECTORATE: ENGINEERING SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag	C Peterson
From ▫ Van:	Abdullah Daniels (Development)
Date ▫ Datum:	08 October 2019
Our Ref ▫ Ons Verw:	Civil Lu 1874
Re ▫ Insake:	Farm 220 Portion 6, Consent Use.

The application is for the following items:

- i. Consent Use in order to extend the existing tourist facility (+-140m²) to include a restaurant (+-341m²) on portion 6 of farm 220, Stellenbosch.

Comments from the Transport, Roads and Stormwater, Water Services, Traffic Engineering and Development Departments will be reflected in this memo and is to be regarded as development conditions to be reflected in the land-use approval.

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

1. Waste Water and Sewage

- 1.1 Indicate conservancy tank specification on SDP at building plan stage.
- 1.2 Provide a layout plan showing the site's sewer reticulation at building plan stage.

2. Water

- 2.1 The quality of the water stored and distributed by the owner has to comply with SANS 241 Drinking Water Quality Standards. Current proof of compliance must be available on request.

3. Solid Waste

- 3.1 Please note: Solid waste must be removed from the site to a lawful solid waste disposal site in accordance with the requirements of section 26 of the National Environmental Management Waste Act 2008 (Act 59 of 2008).

4. Development Charges (DCs)

- 4.1 Based on the information provided, the Development Charges payable by the developer is R173 471.90 (Vat incl.) as per attached Development Charges calculation.
- 4.2 The DC's were calculated for the 2019/2020 financial year. If the account is paid after 30 June 2020 it has to be recalculated using the then applicable tariffs.
- 4.3 The appropriate DC's are payable before a Clearance certificate can be issued.

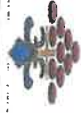


ABDULLAH DANIELS

PRINCIPAL TECHNICIAN: DEVELOPMENT (INFRASTRUCTURE SERVICES)

W:\2.0 DEVELOPMENT\00 Developments\1874 (AD) Farm 220-6, Stellenbosch Farms, Restuarant\1874 (AD) Farm 220-6, Stellenbosch Farms, Restuarant.doc

Stellenbosch Municipality - Development Charge Calculation



APPLICATION INFORMATION

Application Number	
Date	Monday, 07/Oct/2019
Financial Year	2019-20
Erf Location	Stellenbosch Town
Erf No	Farm 220/6
Erf Size (m ²)	
Suburb	Stellenbosch Town
Applicant	
Approved Building Plan No.	

SUMMARY OF DC CALCULATION

Unit(s)	Water	Sewer	Storm-water	Solid-Waste	Roads	Community Facilities	Totals
	kl/day	kl/day	ha°C	l/week	trips/day	person	
Total Increased Services Usage	0,896	0,784	0,018	0,090	20,16	20,2	
Total Development Charges before Deductions			R 1 766,14	R 4 589,62	R 141 269,26	R 3 220,12	R 150 845,13
Total Deductions							
Total Payable (excluding VAT)			R 1 766,14	R 4 589,62	R 141 269,26	R 3 220,12	R 150 845,13
VAT			R 264,92	R 688,44	R 21 190,39	R 483,02	R 22 626,77
Total Payable (including VAT)			R 2 031,06	R 5 278,06	R 162 459,65	R 3 703,13	R 173 471,90

APPLICANT INFORMATION

Application Processed by:	Abdullah Daniels
Signature	
Date	As Above
Amount Paid:	
Date Payment Received	
Receipt Number	

Stellenbosch Town

[illegible]

* Complete yellow/green cells.

⁴⁴ du = dwelling unit, GLA =Gross lettable area.

Total Development Charges before Deductions

% Deductions per service (%)

% Deductions per service (amount)

Sub Total after Deductions (excluding VAT)

VAT Total

IP10.1

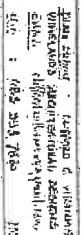
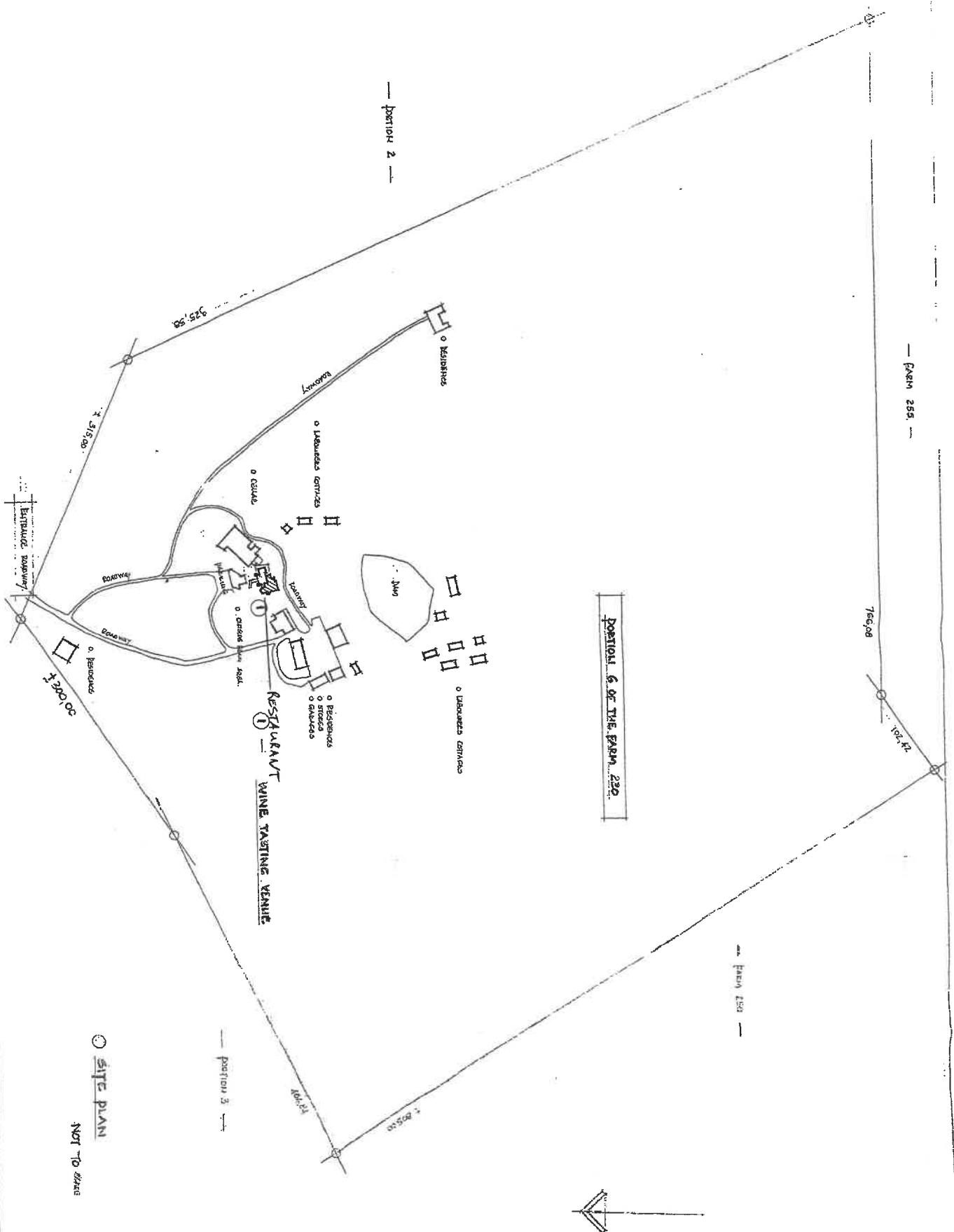
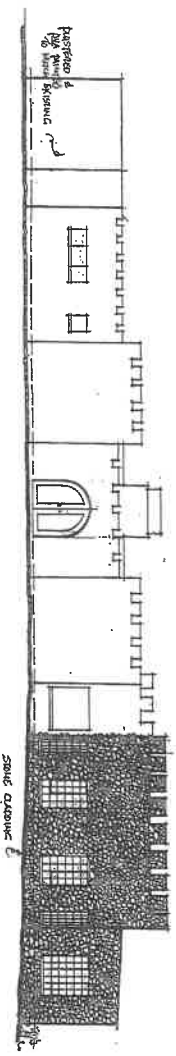
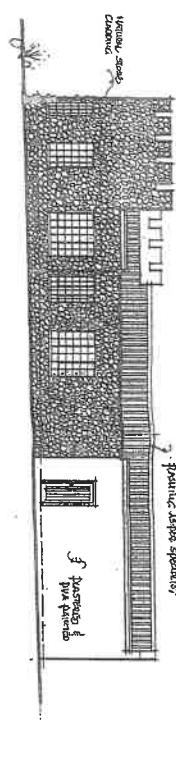


PHOTO T-403
C. J. Moore
JANUARY 1943

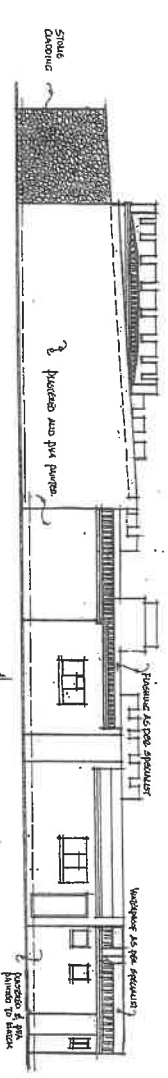




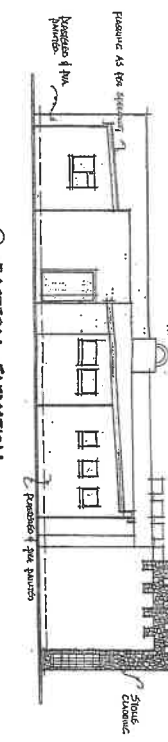
FRONT ELEVATION



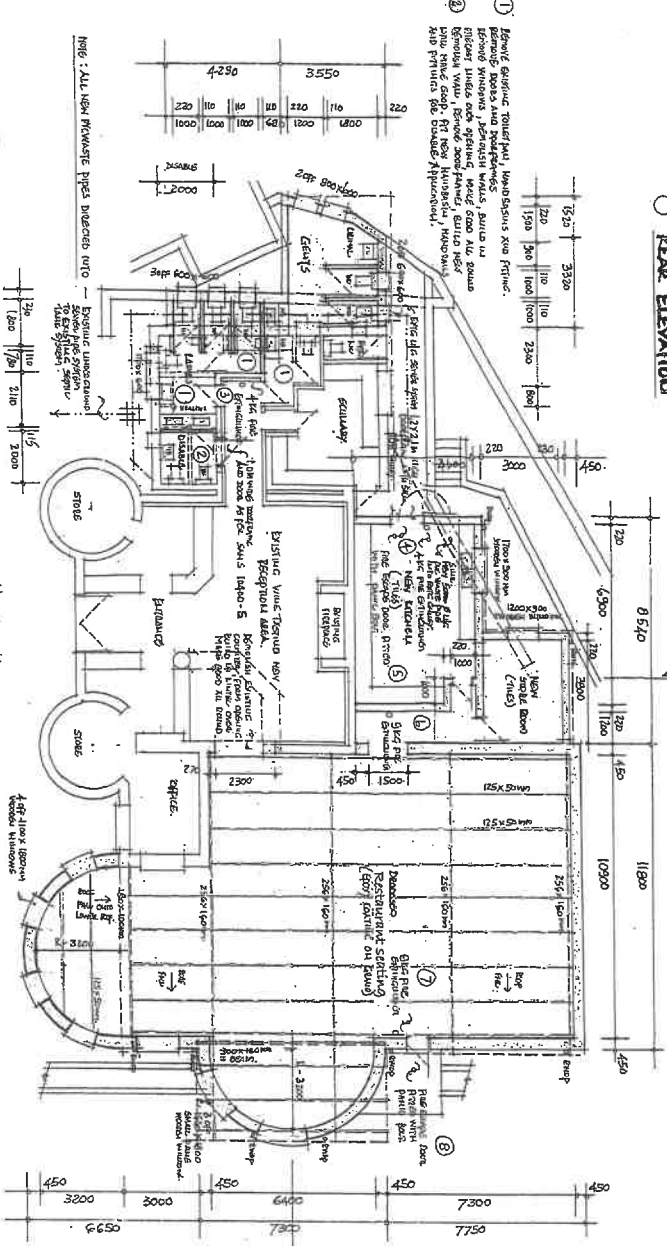
WESTERN ELEVATION



REAR ELEVATION



EASTERN ELEVATION



AREA CALCULATIONS:
 PROPOSED ADDITIONS:
 KITCHEN & PANTRY: 41.20 x 8.90 = 366.68 sq. ft.
 BREAKFAST ROOM: 11.80 x 14.00 = 165.20 sq. ft.
 RESTROOM: 3.45 x 3.65 = 12.59 sq. ft.
 TOTAL: 544.47 sq. ft.

EXISTING LIVING ROOM: 12.00 x 12.00 = 144.00 sq. ft.
 EXISTING DINING ROOM: 12.00 x 12.00 = 144.00 sq. ft.
 EXISTING KITCHEN: 12.00 x 12.00 = 144.00 sq. ft.
 EXISTING BEDROOM: 12.00 x 12.00 = 144.00 sq. ft.
 EXISTING BATHROOM: 5.00 x 6.00 = 30.00 sq. ft.
 TOTAL: 500.00 sq. ft.

EXISTING PORCH: 12.00 x 12.00 = 144.00 sq. ft.
 EXISTING PATIO: 12.00 x 12.00 = 144.00 sq. ft.
 EXISTING DRIVEWAY: 12.00 x 12.00 = 144.00 sq. ft.
 TOTAL: 432.00 sq. ft.

EXISTING GARAGE: 12.00 x 12.00 = 144.00 sq. ft.
 EXISTING PORCH: 12.00 x 12.00 = 144.00 sq. ft.
 EXISTING PATIO: 12.00 x 12.00 = 144.00 sq. ft.
 EXISTING DRIVEWAY: 12.00 x 12.00 = 144.00 sq. ft.
 TOTAL: 576.00 sq. ft.

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 EXISTING DRIVEWAY: 12.00 x 12.00 = 144.00 sq. ft.
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FOR T. SIMON
 STELLENBOSCH DISTRICT

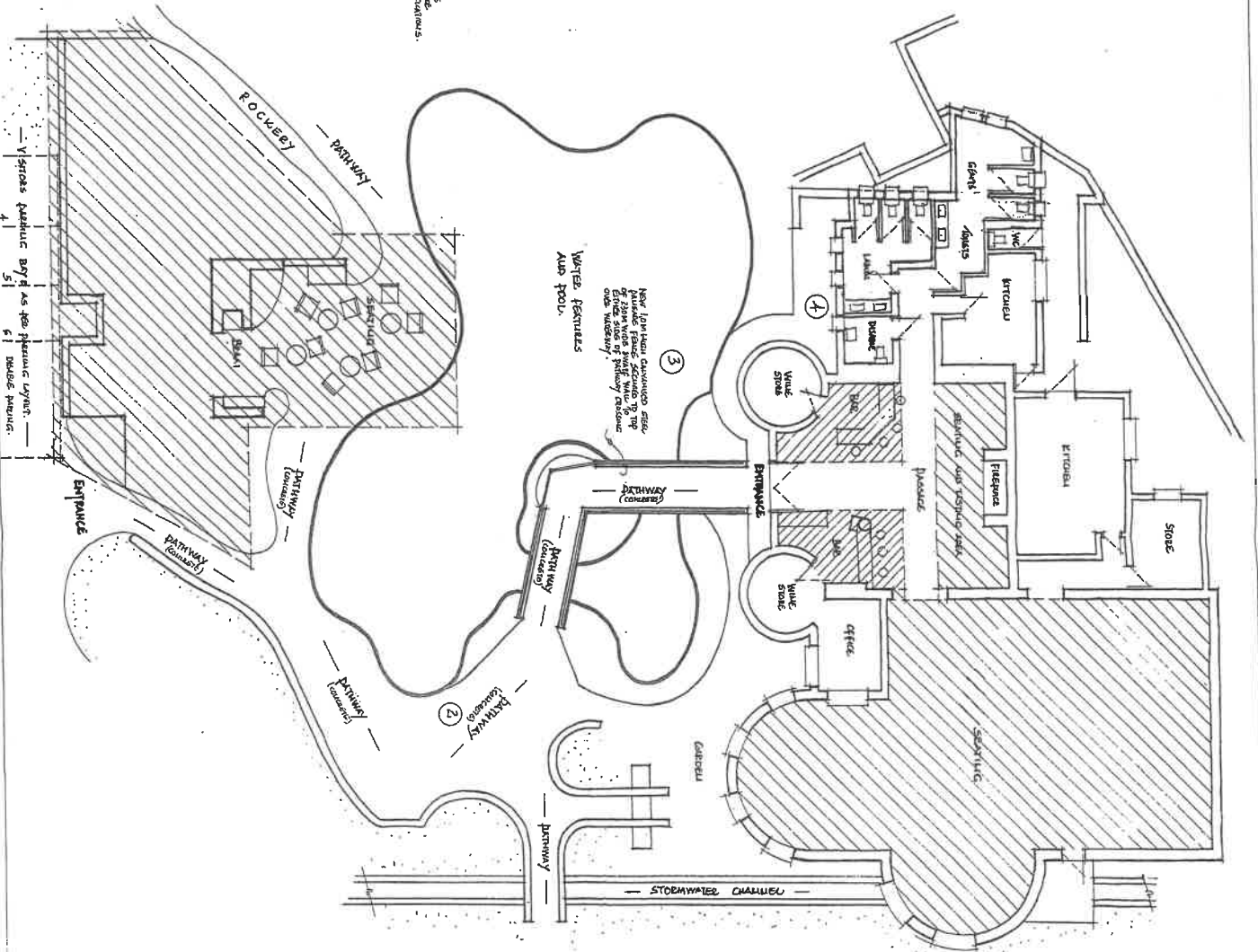
PROPOSED ALTERATIONS AND ADDITIONS TO EXISTING TASTING ROOM
 PORTION C OF THE FARM 220, STELLENBOSCH DISTRICT, FOR RENIER W.J. FAMILIETUST.



DATE: 1st February 2017
 12th November 2017
 28th March 2017
 14th April 2017
 14th May 2017
 14th June 2017
 14th July 2017
 14th August 2017
 14th September 2017
 14th October 2017
 14th November 2017
 14th December 2017

ON PORTION 6 OF THE FARM 220, STELLENBOSCH DISTRICT, FOR RENIER US FAMILIETRUST.

PAID DEPOSIT : clifford & williams PARCHÉ, T 1453
UNIVERSALIS ARCHITECTURAL DESIGNS
EMAIL : cliffordwilliams10@gmail.com
TEL : 083 553 7830 DATE : 5th OCTOBER 2016



Scale 1:200.

ASB-DW-1475

$$\begin{array}{c} \textcircled{1} \\ - \\ \textcircled{4} \end{array}$$

3rd October 2017.

Key

DE STAGNANT
- BAP APEA

RESTAURANT
SEATING AREA