



STELLENBOSCH

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Application Number: LU/7831

Our File Reference Number: Farm 1012/16, Paarl Division

Your Reference Number: P1012/16 02/18

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: petergm@fibresky.co.za

Sir

APPLICATION FOR TEMPORARY DEPARTURE AND DELETION OF A CONDITION OF APPROVAL: PORTION 16 (A PORTION OF PORTION 11) OF THE FARM BELLEGAM NO. 1012, PAARL DIVISION

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - (a) A **Temporary departure** to permit the use of an area of the property located between the railway line reserve and main road for group team building activities.
 - (b) The **deletion of condition (2)** of the approval granted in March 2014 which limits the use of the extended picnic area(0,84ha) to a period of five (5) years so that the consent use to incorporate the area become a permanent land use right.

BE APPROVED in terms of Section 60 of the said By-Law for the following reasons:

- (i) The proposal complies with the relevant provincial and municipal forward planning policies;
- (ii) The property is already established as a tourist attraction;
- (iii) The scale and nature of the proposed activities in general will not have a detrimental impact on the character and attraction of the area but will contribute towards tourism in the rural area and add variety in the region's tourism offerings;
- (iv) The proposal will promote sustainable economic development. Several new direct and indirect employment opportunities will be created to the benefit of the local community and economy;

- (v) The visual impacts will be negligible as the required infrastructure is already in place for the consent use component of the application and the team building activity area will not be readily visible from the R45 (Main Road) due to existing vegetation and the difference in elevation between the R45 and the subject property.
- (vi) The proposal complies with the land use planning principles referred in Section 59 (spatial justice, spatial sustainability, efficiency and good administration) of LUPA.

3. That such approval **BE SUBJECT** to the following conditions in terms of Section 66 of the said Bylaw:

3.1 The approval applies only to the applications in question, as indicated on the Site Development Plan, Project No. 127-04, Drawing No. C11 (refer to **Annexure B**) and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council;

Water

3.2 All potable water supplied to all consumers on the farm shall comply with SANS Drinking Water Quality Standards. Current proof of compliance must be available on request.

Waste Water and Sewage

3.3 No new septic tanks and soak-aways are permitted to be built.

3.4 Use of existing septic tanks to collect and treat sewage generated by the proposed development is not allowed.

Solid Waste

3.5 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).

Roads

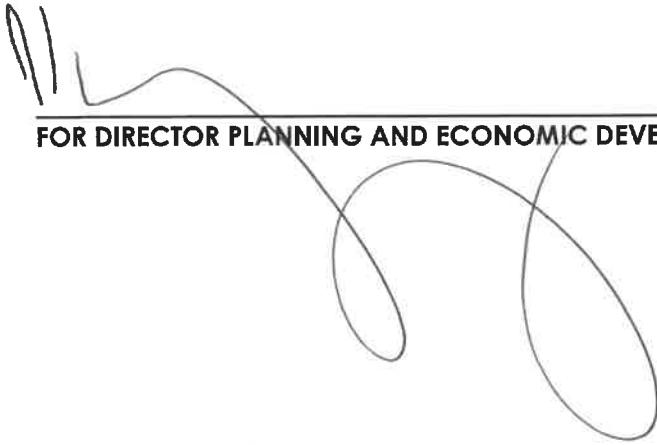
3.6 Sufficient parking must be indicated on the building plan.

- (b) Reference to this correspondence and the relevant property details on which the appeal is submitted.
- (c) The grounds of the appeal which may include the following grounds:
 - (i) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000);
 - (ii) 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.
- (d) whether the appeal is lodged against the whole decision or a part of the decision;
- (e) if the appeal is lodged against a part of the decision, a description of the part;
- (f) if the appeal is lodged against a condition of approval, a description of the condition;
- (g) the factual or legal findings that the appellant relies on;
- (h) the relief sought by the appellant; and
- (i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;
- (j) That the appeal includes the following declaration by the Appellant:
 - (i) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
 - (ii) 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.

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: Lenacia.Kamineth@ Stellenbosch.gov.za

11. Kindly note the above decision is suspended, and in the case of any approval, 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

28/7/20.
DATE:

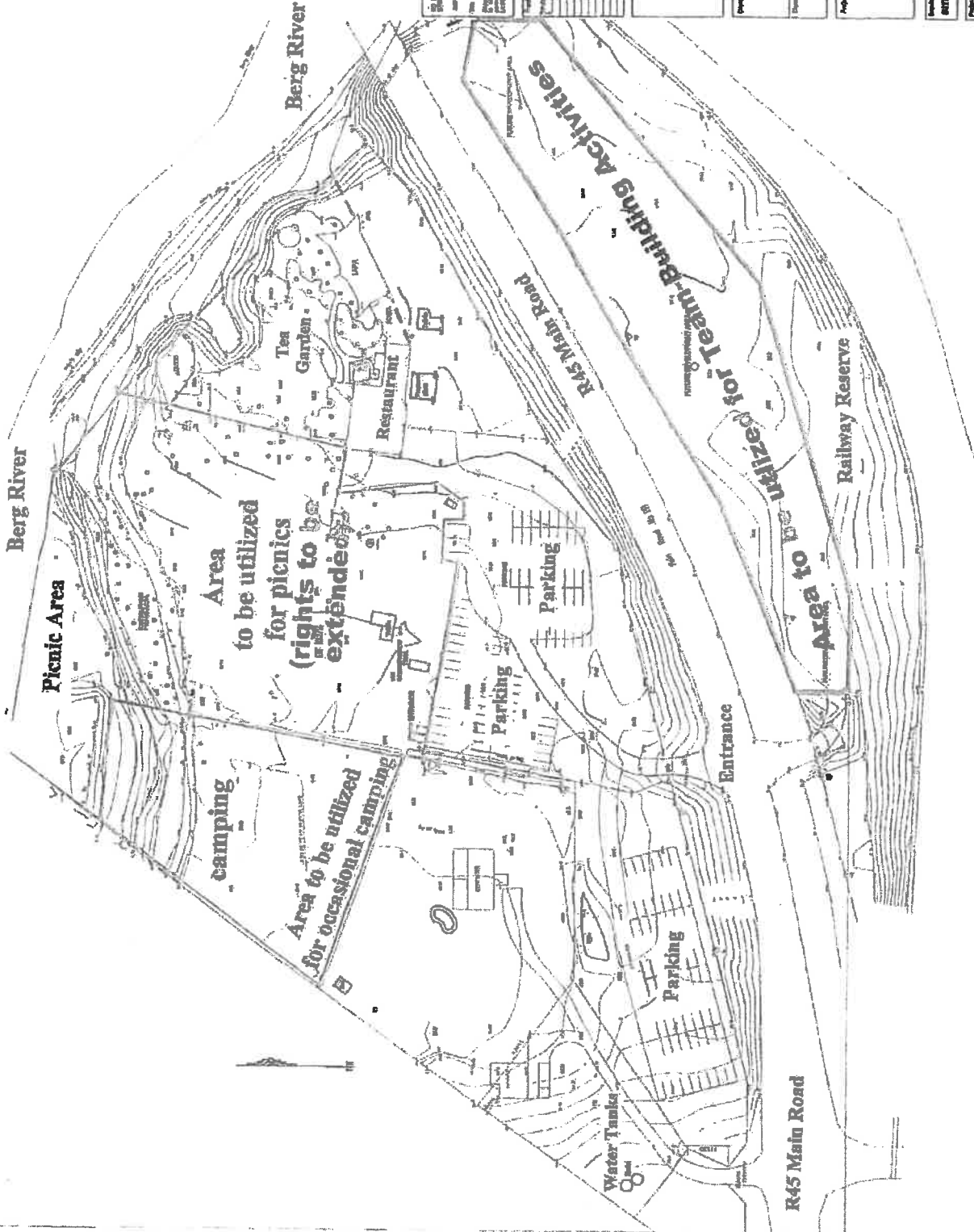
COPIES:

Werkmans Attorneys

Justin Truter

Email: jtruter@werksmans.com

ANNEXURE B



The ability to use the property as a residential area is not intended. The ability to use the property as a residential area is not intended. The ability to use the property as a residential area is not intended.

L.A. Design Studio
 Architects and Urban Planners
 11111 South Main Street
 Suite 100
 Los Angeles, CA 90048

CAPE TRANS PROPERTY INVESTMENTS (PTY) LTD

THE RIVERSIDE
 PORTION 16 OF ERF 1012

Project No.	127-04	Sheet No.	C11
Project Name	THE RIVERSIDE		
Scale	AS SHOWN		

SITE PLAN
SCALE 1:500