

# MASIPALA WASE THEEWATERSKLOOF MUNISIPALITEIT

Munisipale Kantoor/Municipal Office  
Pleinstraat/Plein Street  
Posbus/P.O Box 24  
CALEDON  
7230



Tel. no.: 028 214 3300  
Faks/Fax no.: 028 214 1289  
E-pos/E-mail:twkmun@twk.org.za

Our Reference Number: FA 450/Re  
Your Reference Number:  
Enquiries: Sunet du Toit, 028 214 3300 / sunetdu@twk.org.za

Date: 14 October 2019

## REGISTERED MAIL

HEADLAND Town Planners  
M J Dicey  
P. O. Box 36  
ELGIN  
7180

(E-Mail: [claughtona@mweb.co.za](mailto:claughtona@mweb.co.za))

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## DECISION LETTER TO APPLICANT

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Dear Mr/Mrs/Ms

### APPLICATION FOR AMENDMENT, DELETION OR IMPOSITION OF CONDITIONS IN RESPECT OF AN EXISTING APPROVAL: REMAINDER OF THE FARM ARIES KRAAL NO. 450, CALEDON DISTRICT

1. This Municipality's letter dated 2 September 2019, refers.
2. The Authorised Employee, on 10 October 2019 **approved, in whole**, the following applications, in terms of section 60 of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning, 2015:
  - 2.1. Consent Use Application in terms of Section 15(2)(o) to operate a Tourist Facility for Gin Tasting and manufacturing; and
  - 2.2. Amendment of condition 4.1 in respect of an existing approval [Section 15(2)(h)] dated 04 February 2019 and replaced with Site Development Plan No 450/09/03 drawn by Headland Town Planners dated June 2019.
3. **Reasons** for the above decision are as follows:
  - 3.1. Sufficient access and parking are available.
  - 3.2. Land Use rights will still be restricted to Agricultural related activities.
  - 3.3. The proposal complies with the SPLUMA and LUPA development principles.
  - 3.4. The proposal will strengthen agricultural activities within the area.
  - 3.5. The proposal does not contradict any forward planning documents.
  - 3.6. The proposed change of activity is small in scale.

4. **The abovementioned approval is subject to the following conditions in terms of Section 66 of the Theewaterskloof Municipality: By-law on Municipal Land Use Planning, 2015:**
- 4.1. This approval is linked generally in accordance with Site Development Plan No 450/09/03 drawn by Headland Town Planners dated June 2019;
  - 4.2. All previous approvals as per letter dated 04 February 2019 be complied with except for condition 4.1; and
  - 4.3. The approval of this application does not exempt the applicant from compliance with any other legislation.
5. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) and 80 of the said legislation.
- 5.1. The attached appeal form must be completed and should be directed to the Appeal Authority and received by the Theewaterskloof Municipality, 6 Plein Street, Caledon, 7230 telephone: 028 214 3300, within 21 days of notification of this decision together with proof of payment of the appeal fee.
  - 5.2. You are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine (see attached list). Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.
  - 5.3. The notice must be served in accordance with section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
6. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

Yours faithfully



**JC PIENAAR**  
**MANAGER: TOWN PLANNING AND BUILDING CONTROL**

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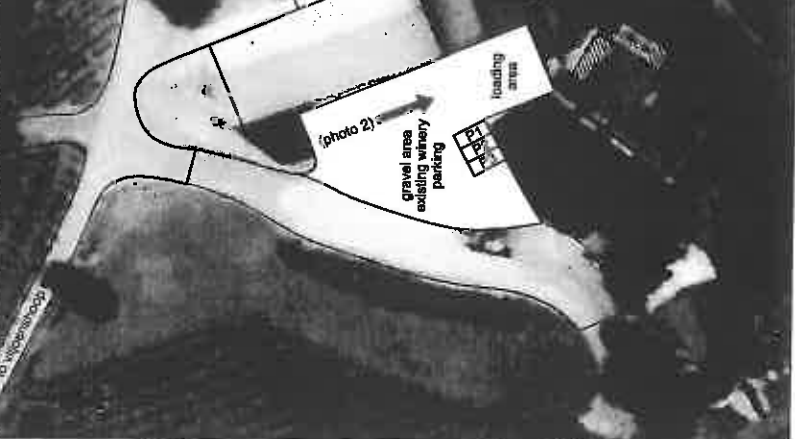
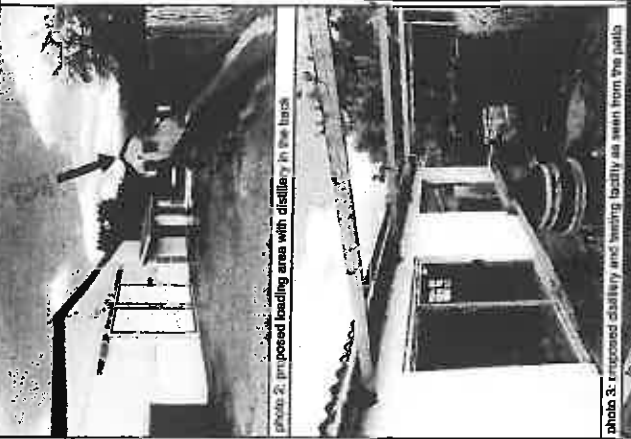
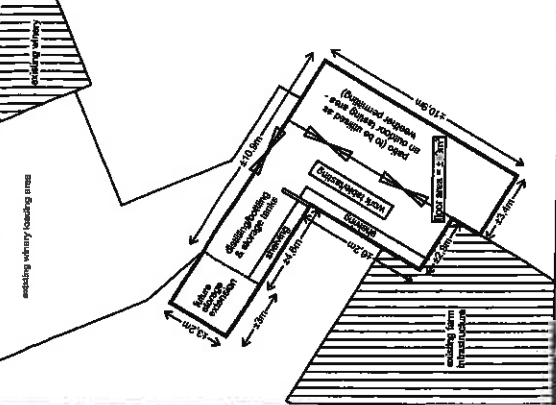
**APPENDIX C**  
14 OCT 2019  
MUNICIPALITY

- 1. visitors' parking requirements as per the waterskloof integrated zoning scheme (table B: on-street parking requirements) for agricultural industry = 1 bay/100m<sup>2</sup> of gross floor area.
- 2. gross floor area = 189m<sup>2</sup>.
- 3. required visitors' parking = 1 bay.
- 4. visitors' parking provided = 3 bays.
- 5. loading bay requirements as per the waterskloof integrated zoning scheme (table D: requirements for loading bays) = 1 bay for up to 1000m<sup>2</sup> of total floor area.
- 6. loading bays provided = 1 bay (marked loading area).

date	description
June 2019	450/09/02
December 2018	450/09/01
date	description
amended tourist facility consent use (gin tasting) on farm arles kraal extension no 450, caledon division	
drawing	site development plan
client	XDSL trading 359 (pty) ltd
ref no	450/09/03
authority	the waterskloof municipality
scale	as indicated

**headland**  
planning & design  
tel: 072 447 2948  
con@headland.co.za  
www.headland.co.za

inset 2 - tasting facility detail layout scale 1/250



inset 1 scale 1/750

locality plan scale 1/10 000

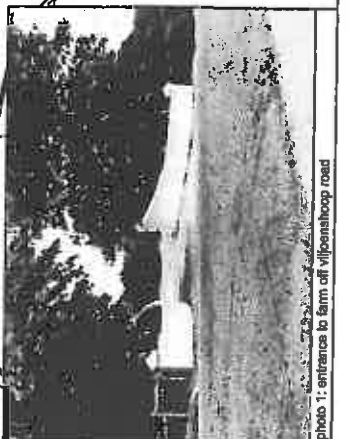
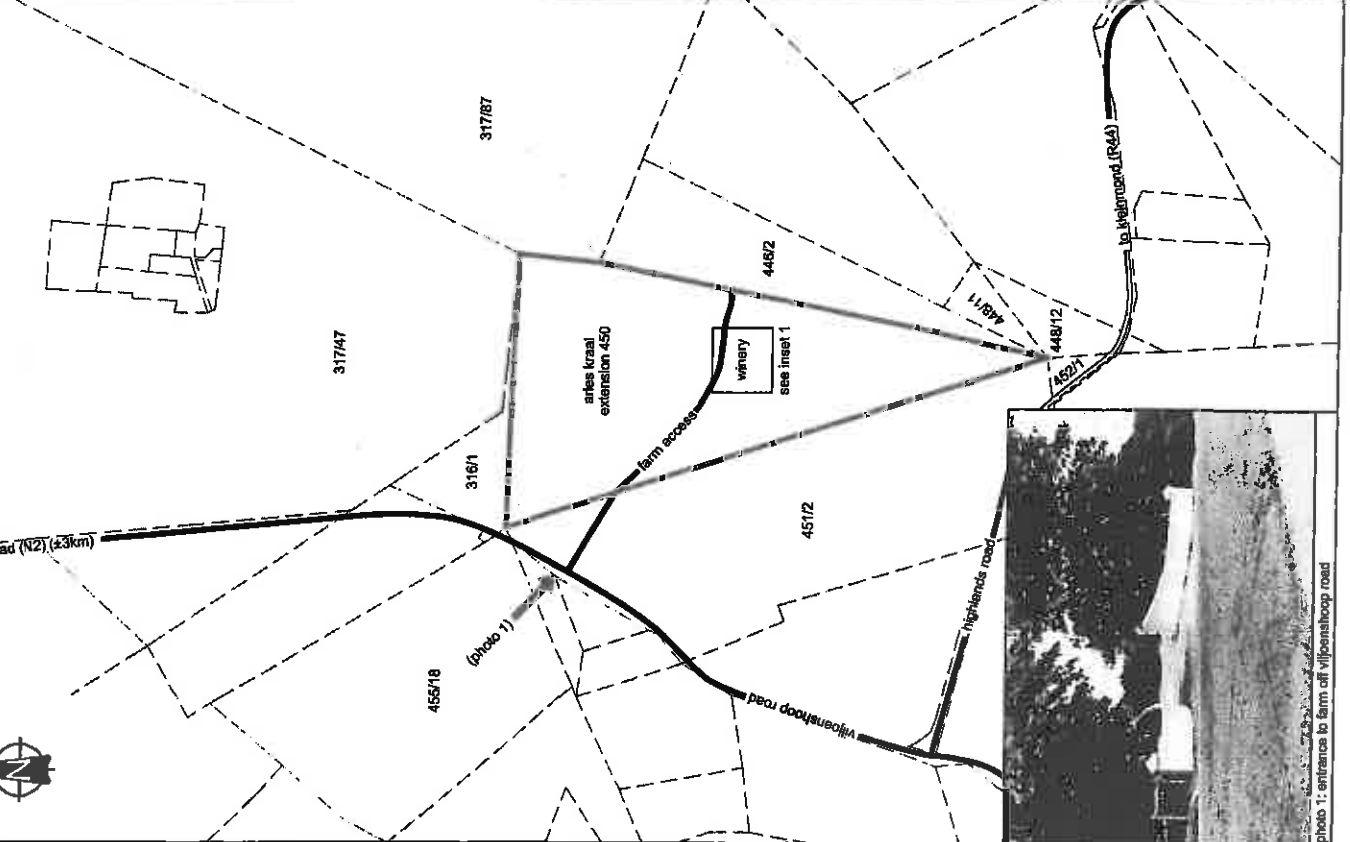


photo 1: entrance to farm off wineshop road

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## APPEAL FORM

(Section 79 of the Proposed Standard Draft By-law on Municipal Land Use Planning)

**KINDLY NOTE:** Please complete this form using BLOCK capitals and ticking the appropriate boxes. Append this form to your letter of appeal which must comply with section 80 of the Theewaterskloof Sstandard By-law on Municipal Land Use Planning.

### PART A: APPEAL

Are you appealing against the decision made by the authorised employee or Tribunal?	Y	N	If Yes, indicate in Part E if the appeal is lodged against the whole decision or part thereof. If the latter applies provide a description of the part.
Are you appealing in respect of the failure of the authorised employee or Tribunal to make a decision within the period contemplated in section 57(1) or (2)?	Y	N	If Yes, provide facts that prove the failure in Part E.
Are you appealing against the condition(s) of approval imposed by the authorised employee or Tribunal?	Y	N	If Yes, list relevant condition(s) and provide a description in Part E.
Is your appeal based on and primarily concerned with the process followed prior to the authorised employee or Tribunal decision?	Y	N	If Yes, specify in Part E.
Is your appeal based on and primarily concerned with the merits of the land development or land use application on which it is believed that the authorised employee or Tribunal erred in coming to the conclusion?	Y	N	If Yes, specify in Part E.
Date of decision	DD/MM/YYYY	Date receiving notice of decision	DD/MM/YYYY
Who took the original decision?	<input checked="" type="checkbox"/>	Authorised employee	<input type="checkbox"/> Tribunal

### PART B: APPELLANT'S DETAILS

First name(s)	
Surname	

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Company or legal person's name <i>(if applicable)</i>				
Postal address				Postal Code
Email				
Tel		Fax		Cell

## **PART C: APPELLANT'S PROPERTY DESCRIPTION** *(Property that is affected by proposed development)*

Number(s) of Erf/Erven/Portion(s) or Farm(s), allotment area.				
Physical Address				
GPS Coordinates		Town/City		

## **PART D: PROPERTY DESCRIPTION OF PROPOSED LAND DEVELOPMENT**

Number(s) of Erf/Erven/Portion(s) or Farm(s), allotment area.				
Physical Address				
GPS Coordinates		Town/City		

## **PART E: APPEAL MOTIVATION AND REASONS\***

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\* Appeal motivation, information and reasons may be attached.

## PART F: APPEAL FEE (for completion and use by official)

<b>Appeal</b>	R
<b>TOTAL APPEAL FEES*</b>	R

\* Appeal fees that are paid to the Municipality are non-refundable and proof of payment of the application fees must accompany the application.

## BANKING DETAILS

Name:

Bank:

Branch no.:

Account no.:

**Payment reference:** .....  
 (If applicable)

## PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION

Complete the following checklist and attach all the information and documentation relevant to the appeal.

Y	N	Proof of payment of appeal fees (applicant)	Y	N	Proof of serving notice of appeal (applicant)
Y	N	Copy of decision and proof of notification	Y	N	Copy of conditions of approval
Y	N	Motivation and reasons for appeal	Y	N	Other (specify)

## SECTION H: DECLARATION

I hereby wish to confirm the following :

- That the information contained in this appeal form and accompanying documentation is complete and correct.
- I'm aware that it is an offense in terms of section 85(1)(e) of the said legislation to supply particulars,

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information or answers knowing the particulars, information or answers to be false, incorrect or misleading or not believing them to be correct.

Appellant's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Full name: \_\_\_\_\_

## FOR OFFICE USE ONLY

Date received: \_\_\_\_\_

Received by: \_\_\_\_\_

Municipal Stamp