



Application Number: LU/15643  
Our File Reference Number: Erf 1014 Stellenbosch  
Your Reference Number:  
Enquiries: Ulrich von Molendorff  
Contact No: 021 – 808 8682  
Email address: [Ulrich.Vonmolendorff@stellenbosch.gov.za](mailto:Ulrich.Vonmolendorff@stellenbosch.gov.za)

**PER E-MAIL:** [REDACTED]

Sir / Madam

**APPLICATION FOR CONSENT USE IN ORDER TO UTILISE THE EXISTING DWELLING HOUSE AS GUEST HOUSE ON ERF 1014 STELLENBOSCH.**

1. The above application refers.
2. The duly authorised decision maker hereby decides on the above application as follows.
3. That the application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023 on Erf 1014 Stellenbosch, for a

**Consent Use** in terms of Section 15 (2)(o) of the said by-law in order to utilise the existing dwelling house as a guest house,

**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 applies only to the proposed application under consideration as indicated on Site Development Plan referenced as Drawing No: 01 & 02, Project No. 143, Drawn by MG (Geringer Architects), dated October 2022 attached as **Annexure A**, and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council.
  - 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 The development be implemented substantially in accordance with the Site Development Plan referenced as Drawing No: 01 & 02, Project No. 143, Drawn by MG (Geringer Architects), dated October 2022 attached as **Annexure A**.
  - 4.4 Building plans must be generally in accordance with the layout plans as referenced Drawing No: 01 & 02, Project No. 143, Drawn by MG (Geringer Architects), dated October 2022 and attached as **Annexure A**.
  - 4.5 Parking details including parking layout, access to parking, parking bay dimensions etc must be indicated on building plans for approval and parking bays 5-10 as indicated on the SDP to be provided with an ingress and egress.

- 4.6 A maximum number of **eight (8) bedrooms** shall be used for the accommodation of paying guests or lodgers.
- 4.7 No directional signage or advertising signs may be erected without prior approval of the Municipality.
- 4.8 Development contributions are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the submission of any building plans, or as may be agreed on in writing with the Director Infrastructure Services attached as **Annexure B**.
5. The reasons for the above decision are as follows:
- 5.1 The application would not negatively affect the surrounding environment as the new additions are located within the existing establishment.
6. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023, 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.
7. 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:
- (a) The personal particulars of the Appellant, including:
- i. First names and surname
  - ii. ID number
  - iii. Company of Legal person's name (if applicable)
  - iv. Physical Address
  - v. Contact details, including a Cell number and E-Mail address
- (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.
- (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.
8. 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](mailto:landuse.appeals@stellenbosch.gov.za).
9. 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.
10. 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](mailto:landuse.appeals@stellenbosch.gov.za).
11. 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.
12. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
13. 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.

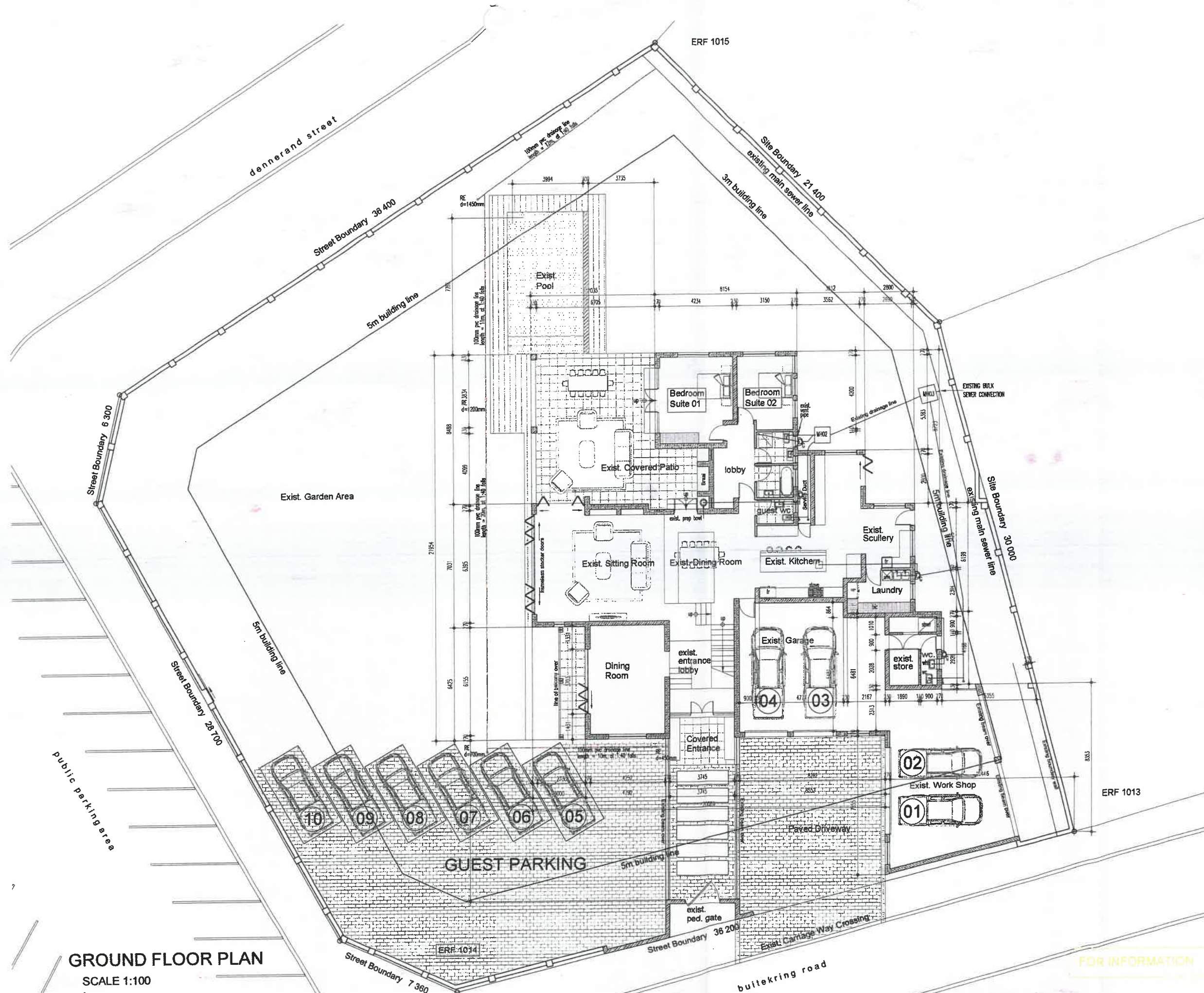
Yours faithfully



**MANAGER: LAND USE MANAGEMENT**

**DATE: 29.11.2023**

**ANNEXURE A: SITE DEVELOPMENT PLAN**



**GROUND FLOOR PLAN**  
SCALE 1:100

**NOTES / NOTAS**  
 Alle vereties van munisipale en ander betrokke owerheids moet streng nagevolg word.  
 Kontrakteurs en sub-kontrakteurs moet alle mate en vlakke op die teken nagaan voor aanvang van werk.  
 Getekende mate het voorkeur bo algemene mate en groot skaal detail het voorkeur bo klein skaal tekeninge.

All requirements of municipal and other authorities concerned must be adhered to.  
 Contractors and sub-contractors are to check all dimensions and levels on the site before commencing work.  
 Figured dimensions have preference over scaled measurements and large scale details supersede small scale drawings.

**REVISIONS / WYSIGINGS**

No.	Description

**CLIENT SIGNATURE:**  
 \_\_\_\_\_  
 DATE: 20-06-2022

**ARCHITECT SIGNATURE:**  
**GERINGER ARCHITECTS**  
 \_\_\_\_\_

**PROJECT**  
**PROPOSED BUILDING ALTERATIONS**  
**On Erf 1014**  
**Dalsig, Stellenbosch**  
**for the Du Toit Family Trust**

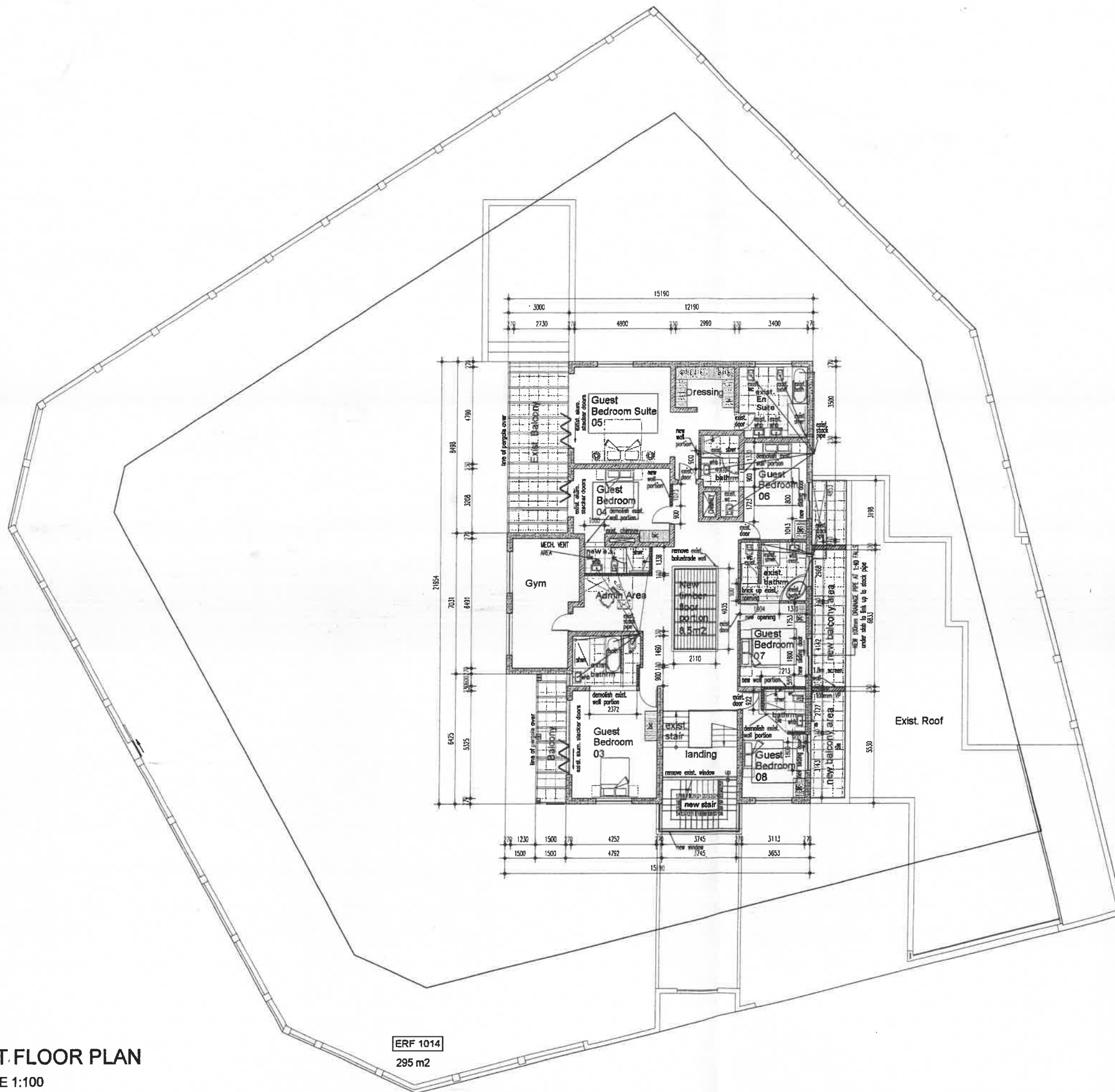
**DRAWING**  
**TYPERING**  
**GROUND FLOOR PLAN**

<input type="checkbox"/> PROJECT No. 143	<input type="checkbox"/> DRAWING No. 01	<input type="checkbox"/> REVISION No. 
<input type="checkbox"/> SCALE shown	<input type="checkbox"/> DATE OCT 2022	<input type="checkbox"/> DRAWN BY MG

FOR INFORMATION

**FIRST FLOOR PLAN**  
SCALE 1:100

ERF 1014  
295 m2



NOTES / NOTAS

All verities van munisipale en ander betrokke owertrade moet streng nagevolg word.  
Kontroleurs en sub-kontroleurs moet alle mate en vlakke op die terrein nagaan voor  
sawing van werk.  
Getrewe mate het voorkeur bo afgetrewe mate en groot skaal detail het voorkeur bo  
klein skaal tekening.

All requirements of municipal and other authorities concerned must be adhered to.  
Contractors and sub-contractors are to check all dimensions and levels on the site before  
commencing work.  
Figured dimensions have preference over scaled measurements and large scale details  
supersede small scale drawings.

REVISIONS / WYSIGINGS

No.	Description	Date

CLIENT SIGNATURE:

  
DATE: 20-05-2022

ARCHITECT SIGNATURE:

   
GINGER ARCHITECTS

PROJECT

PROPOSED BUILDING ALTERATIONS  
On Erf 1014  
Dalsig, Stellenbosch  
for the Du Toit Family Trust

DRAWING

FIRST FLOOR PLAN

<input type="checkbox"/> PROJECT No. 143	<input type="checkbox"/> DWG No. 02	<input type="checkbox"/> REVISION No. 
<input type="checkbox"/> SCALE shown	<input type="checkbox"/> DATE OCT 2022	<input type="checkbox"/> DRAWN MG

FOR INFORMATION

**ANNEXURE B: COMMENT FROM THE DIRECTOR: ENGINEERING SERVICES**



# STELLENBOSCH MUNICIPALITY

STELLENBOSCH · PNIEL · FRANSCHHOEK

## MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE  
DIRECTORATE: INFRASTRUCTURE SERVICES

### CIVIL ENGINEERING SERVICES

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**To ▫ Aan:** Director: Planning + Economic Development  
**Att Aandag:** Nolusindiso Momoti  
**From ▫ Van:** Manager: Development (Infrastructure Services)  
**Author ▫ Skrywer:** Tyrone King  
**Date ▫ Datum:** 20 July 2023  
**Our Ref ▫ Ons Verw:** Civil LU 2541  
**Town Planning Ref:** LU/15643  
**Re ▫ Insake:** Erf 1014, Stellenbosch: Application is made in terms of Section 15 (2) (o) of the Stellenbosch Municipality Land Use Planning By-law, 2015 for a Consent Use in order to utilize the existing dwelling house as Guest house on Erf 1014, Stellenbosch.

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

1. **Civil Engineering services**
  - 1.1 Parking details including parking layout, access to parking, parking bay dimensions etc must be indicated on building plans for approval.
2. **Development Charges (DCs)**
  - 2.1 The following DC's are payable: See **Development Charge Calculation** attached. Please note that this calculation is indicative at this stage and will be amended based on the detail information provided on subsequent applications ie building plans.
  - 2.2 The DC's were calculated by using the 2023/2024 tariff structure. If DC's are paid after 30 June 2024 it will have to be recalculated by using the tariff structure and DC Policy principles applicable at date of payment.



2.3 The appropriate DC's are payable before building plan approval.



**Tyrone King Pr Tech Eng**  
**Manager: Development (Infrastructure Services)**

W:\2.0 DEVELOPMENT\01 Land Use applications\2541 () Erf 1014 Stellenbosch (LU-15643)\2541 () Erf 1014 Stellenbosch (LU-15643).doc



# Stellenbosch Municipality

## Development Charge Calculation



APPLICATION INFORMATION	
Application Number:	DC 2541 ( ) Erf 1014 Stellenbosch (LU-15640)
Development Name:	
Date:	01 July 2023
Financial Year:	2023/2024
Erf Location (Select from 7 Locations):	Stellenbosch Town
Erf Region (Select Urban or Rural):	Urban
Erf No. / Farm No.:	
DC Parameters Reference:	Page 3 of land use motivation report; Dwg No 143-01 and 02 dated Oct 2022 by Gefinger Architects

SUMMARY OF DC CALCULATION									
Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Totals	
Unit(s):	kl/day	kl/day	ha°C	t/week	trips/day		persons		
Total Increased Services Usage:	0.56	0.74	-0.016	0.08	20		4		
Total Service Usage Reduction:	0	0	0	0	0.0		0		
Total Service Usage after Reduction:	0.56	0.74	-0.01600	0.080	20.0		4		
Charges before adjusting for positive only, before Deductions	R 17 549.15	R 25 523.17	R 3 314.66	R 7 824.93	R 120 704.74	R 168 287.34	R 15 430.31	R 183 717.65	
Charges adjusted for positive only, before Deductions	R 17 549.15	R 25 523.17	R -	R 7 824.93	R 120 704.74	R 168 287.34	R 15 430.31	R 187 032.31	
Total Deductions:	R -	R -	R -	R -	R -	R -	R -	R -	
Total Development Charges Payable (excluding VAT):	R 17 549.15	R 25 523.17	R -	R 7 824.93	R 120 704.74	R 168 287.34	R 15 430.31	R 187 032.31	
VAT:	R 2 632.37	R 3 828.48	R -	R 1 173.74	R 18 105.71	R 25 243.10	R 2 314.55	R 28 054.85	
Total Development Charges Payable (including VAT):	R 20 181.53	R 29 351.65	R -	R 8 998.67	R 138 810.46	R 193 530.44	R 17 744.85	R 215 087.15	

APPLICANT INFORMATION	
Application Processed by:	Tyrone King
Signature:	
Notes:	Existing Dwelling house converted to 8 room guest - house. Erf size = 1872m2.

**Stellenbosch Town**

Land Use Category	Description	Unit Type	Existing Usage		Proposed New Usage		Increased Usage Amount	Water	Sewer	Stormwater	Development Charges	
			Area (m2)	Unit Amount	Area (m2)	Unit Amount					Result	Result
Residential	Single Residential >1000m2	du		1			-1	-R 37 605,33	-R 24 143,54	-R 9 843,97	-R	3 912,46
	Single Residential >500m2	du					0	-	-	-	R	-
	Single Residential >250m2	du					0	-	-	-	R	-
	Single Residential <250m2	du					0	-	-	-	R	-
	Second Dwelling	du					0	-	-	-	R	-
	Less Formal Residential	du					0	-	-	-	R	-
	Group Residential	du					0	-	-	-	R	-
	Apartments	du					0	-	-	-	R	-
	Retirement Village	du					0	-	-	-	R	-
	Old age home	du					0	-	-	-	R	-
Accommodation	Student Accommodation/Commune/Hostels	rooms					0	-	-	-	R	-
	Guest House	rooms			8		8	55 154,48	R 49 666,71	R 6 629,32	R	11 737,39
	Converted Guest House	rooms					0	-	-	-	R	-
	Hotel, Residential	rooms					0	-	-	-	R	-
Commercial	General Business	m2 GLA					0	-	-	-	R	-
	Office	m2 GLA					0	-	-	-	R	-
	Retail/Shop	m2 GLA					0	-	-	-	R	-
	Restaurant	m2 GLA					0	-	-	-	R	-
	Outdoor Dining/Function Area (area)	m2 GLA					0	-	-	-	R	-
	Outdoor Dining/Function Area (persons)	persons					0	-	-	-	R	-
	Conference Facility/Place of assembly	m2 GLA					0	-	-	-	R	-
	Hospital/Clinic/Medical Rooms	m2 GLA					0	-	-	-	R	-
	University/College	student					0	-	-	-	R	-
	School/Day Care	student					0	-	-	-	R	-
Industrial	Industrial - light	m2 GLA					0	-	-	-	R	-
	Industrial - heavy	m2 GLA					0	-	-	-	R	-
	Warehousing/Light Manufacturing	m2 GLA					0	-	-	-	R	-
	Storage Facilities	unit					0	-	-	-	R	-
Non demand	Open Space/Natural Environment/Utility Site	ha					0.0000	-	-	-	R	-
	Roads and Parking	ha					0.0000	-	-	-	R	-
Other	To be calculated	n/a					0	-	-	-	R	-
	(Based on equivalent demands)	n/a					0	-	-	-	R	-
			<b>Total Area:</b>	<b>0</b>							<b>Total Area:</b>	<b>0</b>

**Erf 1014, Stellenbosch (LU/15643)**

. No Comment

1.

**CONDITIONS:**

1.All electrical work to comply to SANS 142, SANS 104 XA, SANS 1307, SANS 10106, SANS 10252-1 and SANS 10254, and Municipal By-Laws

ERF 

Date 11/10/2023

**ANNEXURE C: COMMENT FROM THE MANAGER: SPATIAL PLANNING**



**STELLENBOSCH**  
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

## Spatial Planning

**To** : **Manager: Land Use Management**  
**From** : **Manager: Spatial Planning**  
**Reference** : **Erf 1014, Stellenbosch**  
**LU No** : **LU/15643**  
**Date** : **16 August 2023**  
**Re** : **Application for a consent use on Erf 1014, Buitekring Street, Stellenbosch**

I refer to your request for comment on the above application.

Application is made for the following:

- **Consent Use** in order to utilize the existing dwelling house as Guest house on Erf 1014, Stellenbosch.

**1) Opinion/reasoning:**

The amended approved Municipal Spatial Development Framework for the WC024 area was approved by Council in June 2023 and recognises that the spatial decisions and actions of many make what settlements are.

In terms of this approved document, seven principles need to be considered:

1. Maintain and grow the assets of Stellenbosch Municipality's natural environment and farming areas;
2. Respect and grow cultural heritage;
3. Direct growth to areas of lesser natural and cultural significance as well as movement opportunity;
4. Clarify and respect the different roles and potentials of existing settlements;
5. Clarify and respect the roles and functions of different elements of movement structure;
6. Ensure balanced, sustainable communities;
7. Focus collective energy on a few catalytic lead projects.

With the enactment of the Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA), a new planning regime was introduced in South Africa. It replaced disparate apartheid era laws with a coherent legislative system as the foundation for all spatial planning and land use management activities in South Africa. It seeks to promote consistency and uniformity in procedures and decision-making. Other objectives include addressing historical spatial imbalances and the integration of the principles of sustainable development into land use and planning regulatory tools and legislative instruments.

Chapter 2 of SPLUMA sets out the development principles that must guide the preparation, adoption and implementation of any SDF, policy or by-law concerning spatial planning and the development or use of land. These principles are the following:

- Spatial Justice
- Spatial Efficiency
- Spatial Sustainability
- Spatial Resilience
- Good Administration

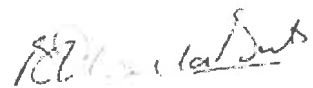
In terms of the approved MSDF for Stellenbosch Municipality, the subject property is located inside the approved urban edge of Stellenbosch and in the residential area known as Dalsig characterized by single residential dwelling units. The landowner wishes to convert the existing dwelling into a Guest House, consisting of 2 bedrooms suites on the ground floor level and 6 bedrooms suites on the first floor. A total of 8 bedrooms suites fitted into the existing building envelope. The subject property is currently zoned Conventional Residential Zone.

**2) Supported / not supported:**

This department supports the application subject to the following conditions:

- The scale of the building may not exceed that of a dwelling house or second dwelling house which would ordinarily accommodate one family and must be able to revert back to a dwelling house when no longer used for a guest house;
- The site development plan as approved by the Municipality with the consent use application shall constitute the development rules for the consent use and any expansion to or alteration in the land use will require a further consent use application.
- Landscaping shall be provided to the Municipality satisfaction which may include provisions, for the screening of parking areas to ensure visual impacts are mitigated.
- The parking bays 5-10 as indicated on the SDP to be provided with an ingress and egress.
- A guest house in this zone may not contain a meeting room, wellness centre or beauty treatment rooms.
- Meals and beverages may only be served to bona fide guests who reside at the guest house or commune.
- The Municipality may impose any conditions required to mitigate the potential impact of a guest house or commune on adjoining properties and the area.

*This department reserves the right to revise initial comments and request further information based on any new or revised information received.*



**BJG de la Bat**  
**MANAGER: SPATIAL PLANNING**