



Application Number: LU/10305

Our File Reference Number: Erf 3462, Franschhoek

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: [REDACTED]

Sir / Madam

APPLICATION FOR A CONSENT USE: ERF 3462, FRANSCHHOEK

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 terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-Law, October 2015 for consent use to permit a tourist accommodation establishment on Erf 3462, Franschhoek;

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.

3. **Conditions of approval:**

3.1 The approval only applies to the consent use application under consideration, as indicated on the Site Plan with Drawing No. GA3, Ground Floor Plan with Drawing No. GA1, and First Floor Plan with Drawing No. GA2, drawn by Graham Goosen Architects and dated September 2019 (attached as **Annexure B**), 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.

3.2 The development be undertaken generally in accordance with the Site Plan with Drawing No. GA3, Ground Floor Plan with Drawing No. GA1, and First Floor Plan with Drawing No.

GA2, drawn by Graham Goosen Architects and dated September 2019 (attached as **Annexure B**).

- 3.3 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.
- 3.4 Building plans must be generally in accordance with the Site Plan with Drawing No. GA3, Ground Floor Plan with Drawing No. GA1, and First Floor Plan with Drawing No. GA2, drawn by Graham Goosen Architects and dated September 2019 (attached as **Annexure B**).
- 3.5 Building plans must be submitted for all changes of use in any existing buildings and which building plan(s) must be approved and related occupancy certificates be issued prior to the vesting of any of the related approvals.
- 3.6 The conditions imposed by the Directorate: Infrastructure Services as contained in their internal memo dated 08/11/2022 (attached as **Annexure F**) be complied with. Development contributions area payable.
- 3.7 No directorial, advertisement, or any other signs may be erected prior to the approval of Stellenbosch Municipality or the competent authority.
- 3.8 The tourist accommodation establishment shall be restricted to the existing buildings with a maximum number of seven (7) guest accommodation units used for the accommodation of paying overnight guests or lodgers.
- 3.9 The guest accommodation units and manager's unit shall not be alienated and shall not be registered as units each holding separate titles.
- 3.10 The owner's accommodation and manager's unit shall only be occupied by the owner and employees involved in activities on the property and shall under no circumstances be made available for long-term letting to non-employees or for accommodating paying overnight guests or lodgers.
- 3.11 The selling or supply of meals and/or refreshments shall be limited to paying overnight guests or lodgers only.
- 3.12 No parking shall be permitted in the road reserve of Dassenberg Road.

4. The reasons for the above decision are as follows:

4.1 The proposal is for the expansion of an existing approved bed and breakfast establishment. All guest accommodation units are accommodated within existing buildings and no agricultural land are converted to accommodate the additional guest accommodation units.

4.2 The proposal is of such a scale and nature that its impact on the agricultural potential of the surrounding rural area is insignificant.

5. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, 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.

6. 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; 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.

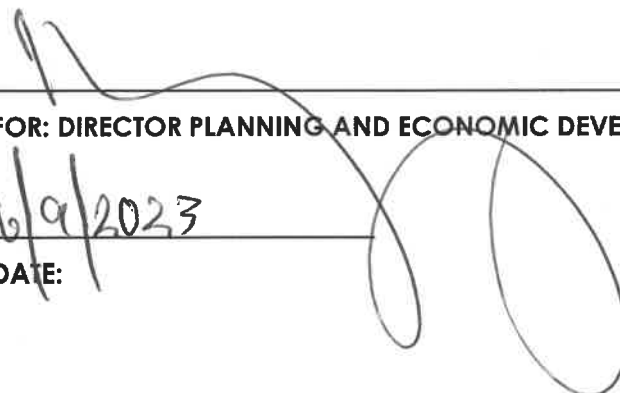
7. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@stellenbosch.gov.za.
8. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal 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.
9. 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.
10. 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.

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

12. 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



A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke, is written over a horizontal line.

FOR: DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

6/9/2023

DATE:



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

ANNEXURE B

SITE PLAN

Application for Additional Guest Rooms - Franschhoek Manor



AMENDMENTS

PROJECT
FRANSCHHOEK MANOR
ERF 3462
FRANSCHHOEK

DRAWING TITLE
GROUND FLOOR PLAN

THE ARCHITECT ASSURES THAT THIS DRAWING IS A TRUE COPY OF THE ORIGINAL AND THAT IT IS THE PROPERTY OF THE ARCHITECT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY MENTIONED HEREIN. ANY REUSE OR MODIFICATION OF THIS DRAWING WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT IS PROHIBITED. THE ARCHITECT ACCEPTS NO LIABILITY FOR ANY DAMAGE OR LOSS, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS DRAWING.

ARCHITECT

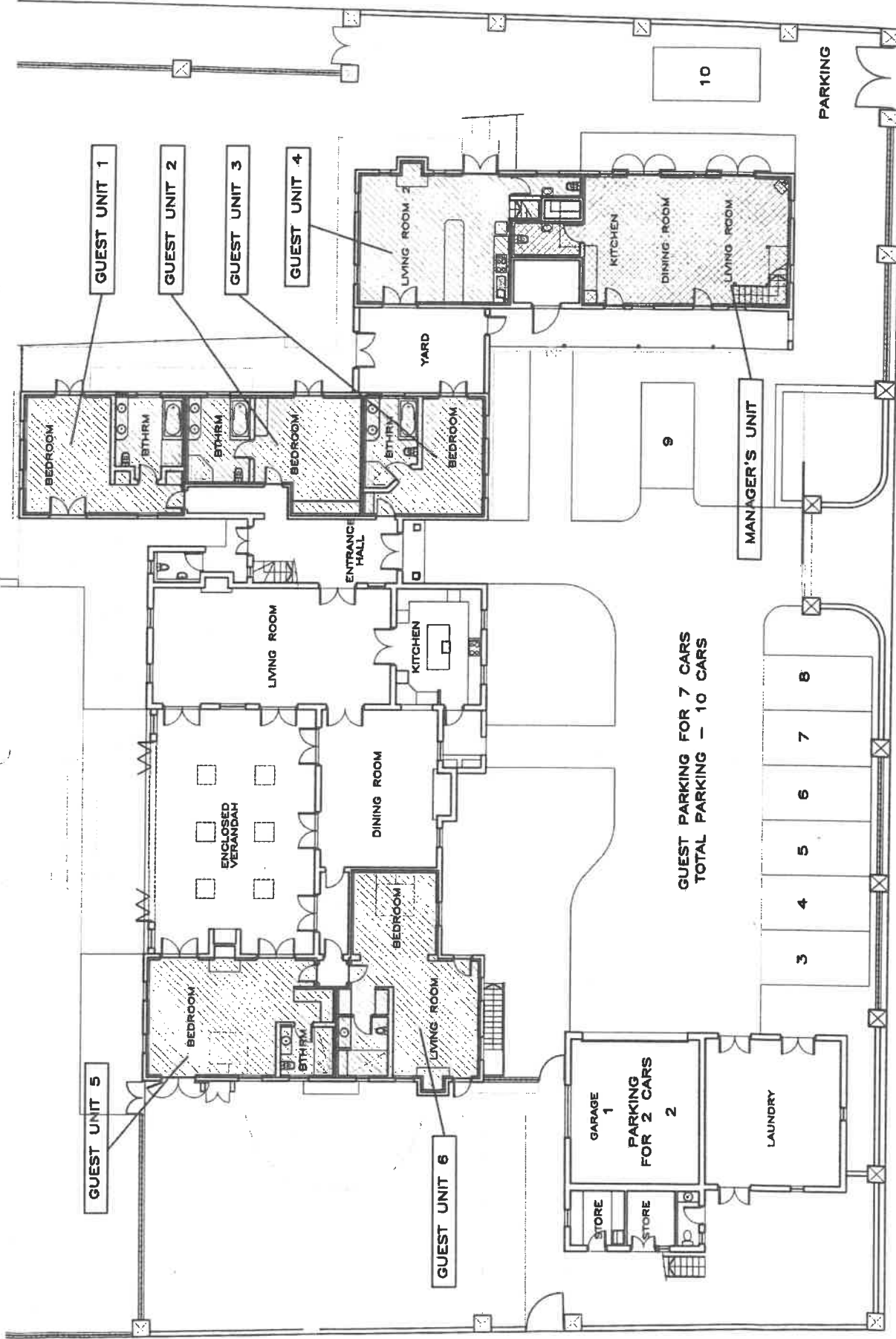
OWNER

SCALE
1:200

DATE
SEPTEMBER 2019

DWG NO.
GA1

REV



Ground Floor Plan 1:200

Layout of Guest Rooms - Franschoek Manor



AMENDMENTS

PROJECT

FRANSCHHOEK MANOR
ERF 3462
FRANSCHHOEK

DRAWING TITLE

FIRST FLOOR PLAN

THE DESIGN HEREIN IS THE PROPERTY OF THE ARCHITECT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE, MODIFICATION, OR ALTERATION OF THIS DESIGN WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT IS STRICTLY PROHIBITED. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGE, LOSS, OR INJURY ARISING FROM THE USE OF THIS DESIGN.

ARCHITECT

OWNER

SCALE

1:200

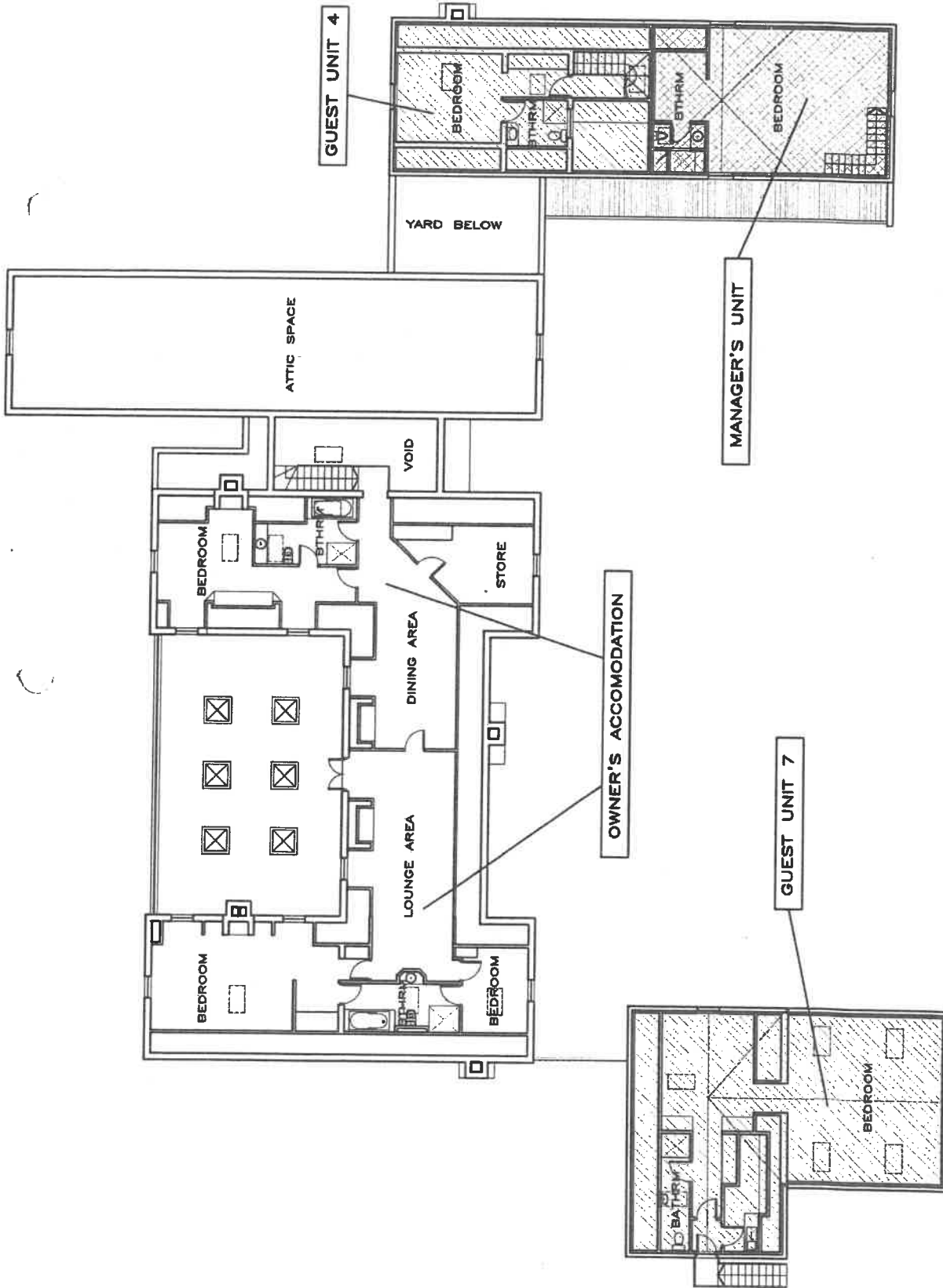
DATE

SEPTEMBER 2019

REV

DWG NO.

GA2



First Floor Plan 1:200

Layout of Guest Rooms - Franschoek Manor



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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

ANNEXURE F

COMMENTS FROM DEPARTMENTS



STELLENBOSCH MUNICIPALITY

STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTEUR: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag	Nicole Katts
From ▫ Van:	Manager: Development (Infrastructure Services)
Author ▫ Skrywer:	Tyrone King
Date ▫ Datum:	8 Nov 2022
Our Ref ▫ Ons Verw:	Civil LU 2343
Your Ref:	LU/10305
Re ▫ Insake:	Erf 3462, Franschhoek: A consent use in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-law to permit a tourist accommodation establishment on Erf 3462, Franschhoek is considered a more appropriate application given the existing/proposed establishment.

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

1. Civil Engineering Services

- 1.1 There are no municipal service networks in the area and the owner will be responsible for own service provision. Please note no septic tanks are allowed – conservancy tanks are allowed for sewer. Service infrastructure must be indicated on building plans for approval.
- 1.2 Owner proposes borehole water for potable water source – potable water must comply with SANS 214 standards.

2. Roads

- 2.1 Access is from a provincial road – Dassenberg Road - please obtain approval from Provincial Roads Engineer.

3. Development Charges (DCs)

- 3.1 According to the application, there are 2 existing guest units and five additional guest units are applied for, giving a total of 7 guest units. DCs are therefore applicable for the 5 additional guest units (Page 5 of motivation report by Peter Mons).
- 3.2 The following DC's are payable: See **Development Charge Calculation** attached.
- 3.3 The DC's were calculated by using the 2022/2023 tariff structure. If DC's are paid after 30 June 2023 it will have to be recalculated by using the tariff structure applicable at date of payment.
- 3.4 The appropriate DC's are payable before building plan approval or before the facility being put to it's intended use.

4. Electrical Engineering

- 4.1 Refer to **Annexure: Electrical**



Tyrone King Pr Tech Eng
MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)



Stellenbosch Municipality

Development Charge Calculation



APPLICATION INFORMATION	
Application Number:	2343 (Erf 3462 Franschhoek (LU-10305)
Development Name:	
Date:	08 November 2022
Financial Year:	2022/2023
Erf Location (Select from 7 Locations):	Franschhoek
Vehicle Ownership (Select Normal or Low):	Normal
Erf Region (Select Urban or Rural):	Rural
Erf No:	3462
DC Parameters Reference:	See notes below

SUMMARY OF DC CALCULATION									
Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Community	Totals		
Unit(s):	kl/day	kl/day	ha°C	t/week	trips/day	persons			
Total Increased Services Usage:	1.1	0.9	0.02	0.075	15	5			
Total Service Usage Reduction:	0	0	0	0	7.5	0			
Total Service Usage after Reduction:	1.10	0.90	0.02000	0.075	7.5	5			
Total Development Charges before Deductions:	R -	R -	R 2 707.10	R 6 570.30	R 104 193.00	R 17 275.00	R	130 745.40	R
Total Deductions:	R -	R -	R -	R -	R 52 096.50	R -	R	52 096.50	R
Total Payable (excluding VAT):	R -	R -	R 2 707.10	R 6 570.30	R 52 096.50	R 17 275.00	R	78 648.90	R
VAT:	R -	R -	R 406.07	R 985.55	R 7 814.48	R 2 591.25	R	11 797.34	R
Total Payable (including VAT):	R -	R -	R 3 113.17	R 7 555.85	R 59 910.98	R 19 866.25	R	90 446.24	R

APPLICANT INFORMATION	
Application Processed by:	Tyrone King
Signature:	
Notes:	3.1 According to the application, there are 2 existing guest units and five additional guest units are applied for, giving a total of 7 guest units. DCs are therefore applicable for the 5 additional guest units (Page 5 of motivation report by Peter Mons).

Franschoek

Land Use Category	Unit Type	Existing Usage		Proposed New Usage		Increased Usage Amount	Development Charge Level (incl VAT)					Total	
		Area (m²)	Unit Amount	Result	Area (m²)	Unit Amount	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Community	Total
Residential	Single Residential >1000m²	du					R	R	R	R	R	R	R
	Single Residential >500m²	du					R	R	R	R	R	R	R
	Single Residential >250m²	du					R	R	R	R	R	R	R
	Single Residential <250m²	du					R	R	R	R	R	R	R
	Second Dwelling	du					R	R	R	R	R	R	R
	Less Formal Residential	du					R	R	R	R	R	R	R
	Group Residential	du					R	R	R	R	R	R	R
	Apartments	du					R	R	R	R	R	R	R
	Retirement Village	du					R	R	R	R	R	R	R
	Old age home	du					R	R	R	R	R	R	R
Accom.	Student Accommodation/Commune	rooms					R	R	R	R	R	R	R
	Guest House	rooms					R	R	R	R	R	R	R
	Converted Guest House	rooms					R	R	R	R	R	R	R
Commercial	Hotel, Residential	rooms					R	R	R	R	R	R	R
	General Business	m² GLA					R	R	R	R	R	R	R
	Office	m² GLA					R	R	R	R	R	R	R
	Retail/Shop	m² GLA					R	R	R	R	R	R	R
	Restaurant	m² GLA					R	R	R	R	R	R	R
	Conference Facility/Place of assembly	m² GLA					R	R	R	R	R	R	R
	Hospital/Clinic/Medical Rooms	m² GLA					R	R	R	R	R	R	R
	School/University/College/Day Care	student					R	R	R	R	R	R	R
	Industrial - light	m² GLA					R	R	R	R	R	R	R
	Industrial - heavy	m² GLA					R	R	R	R	R	R	R
Industrial	Warehousing/Light Manufacturing	ha					R	R	R	R	R	R	R
	Public Open Space	ha					R	R	R	R	R	R	R
	Private Open Space	ha					R	R	R	R	R	R	R
	Natural Environment	ha					R	R	R	R	R	R	R
	Public Roads and Parking	ha					R	R	R	R	R	R	R
Non-Industrial	To be calculated	ha					R	R	R	R	R	R	R
	Other (based on equivalent demands)	ha					R	R	R	R	R	R	R
Total Area:		0											
Total Area:		0											

Total Development Charges before Deductions		R	-	R	-	R	2 707	R	8 570	R	104 183	R	17 275	R	130 748
Deductions per service (amount)		R	-	R	-	R	-	R	-	R	-	R	-	R	-
Additional Deduction (per service - from Service Agreement (sum))		R	-	R	-	R	-	R	-	R	-	R	-	R	-
Sub Total after Deductions (excluding VAT)		R	-	R	-	R	2 707.10	R	8 570.30	R	52 098.50	R	17 275.00	R	78 846.90
VAT		R	-	R	-	R	408.07	R	983.35	R	7 814.40	R	2 591.25	R	11 797.34
Total		R	-	R	-	R	3 115.17	R	9 553.65	R	59 912.90	R	19 866.25	R	90 642.34

From: Martin Slabber
Sent: Monday, 25 July 2022 09:37
To: Development Admin
Subject: RE: ERF 3462, FRANSCHHOEK (LU/10305): APPLICATION FOR CONSENT USE - ENGINEERING SERVICES (COMMENTS BY E-MAIL)

GENERAL: None

CONDITIONS: If any electrical services have to move-, remove-, change or upgrade - apply via recoverable cost application, for applicants cost.

Subject to SANS 10142,204-1-2008, energy savings and efficiency implementation and Municipal bylaws - Only existing electrical connection is available.

1.Installation of 10A electrical control units 2.Solar water heating/heat pump installation 3.Energy efficient lighting
4.Roof insulation 5.Cooking with gas
fired appliances 6.Control air condition equipment with energy saving devices 7.Preheat at least 50% of hot water with
alternative energy saving devices

TX

Groete:
Martin Slabber
Supt. Dwarsrivier Elect.
Engineering Services



Martin.slabber@ Stellenbosch.gov.za

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www.stellenbosch.gov.za



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Published at the following link: <http://www.stellenbosch.gov.za/main/pages/disclaimerpage.htm>

From: Development Admin <Development.Admin@stellenbosch.gov.za>
Sent: Friday, 22 July 2022 12:50
To: Martin Slabber <Martin.Slabber@stellenbosch.gov.za>