STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16486
Our File Reference Number: Farm 513/5, Stellenbosch
Your Reference Number: None
Enquiries: Ulrich von Molendorff
Contact No: 021 – 808 8682
Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

[redacted]

PER E-
Sir / Ma

APPLICATION FOR A CONSENT USE AND PERMISSION REQUIRED IN TERMS OF THE TITLE DEED: FARM 513/5, STELLENBOSCH

1. The above application refers.

2. The duly authorised decision maker has decided on the above application as follows:

   2.1 That the following application in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 on Farm 513/5, Stellenbosch Division for:

   2.1.1 A consent use approval in terms of Section 15(2)(o) of the said By-Law to permit a Day Care Centre that accommodates 80 children.

   BE REFUSED in terms of Section 60 of the said Bylaw.

   2.1.2 A permission required in terms of the title deed to deviate from the restrictive title deed condition contained in Clause E.3 of the title deed to allow the operation of a Day Care Centre.

   NOT GRANTED

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

   3.1 The property has minimal agricultural activity, and the proposed daycare centre would become the dominant use, making the application inconsistent with the Rural Guidelines, which require non-agricultural uses to be secondary to existing agricultural activity.

3.2 The proposed development introduces a non-agricultural land use that is incompatible with the area's rural residential character and may disrupt the agricultural character and land use pattern which exists in the area.

3.3 The existing 5m-wide access to the property does not comply with the Western Cape Government's required 6.8m standard for main farm access, raising road safety concerns and will therefore restrict safe and functional access to the property

4. 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.

5. 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.

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: landuse.appeals@stellenbosch.gov.za**

7. 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.

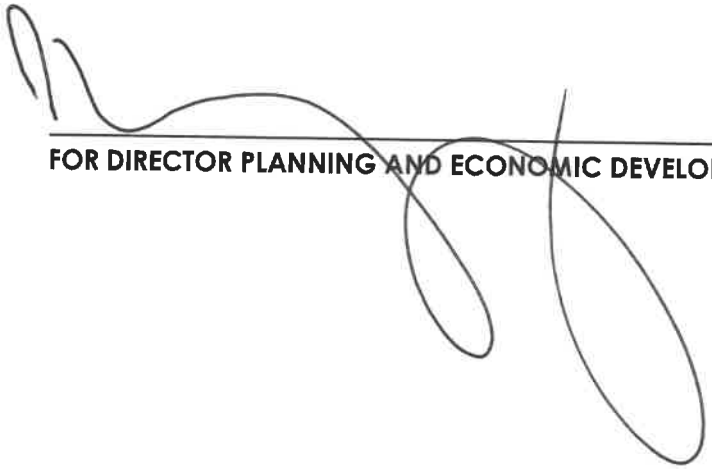
8. The appeal form and approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za or 021 – 808 8684.

9. 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.

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

11. 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

16/7/2025

DATE:

OBJECTORS

[redacted]