STELLENBOSCH
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Application Number: LU/17746 (TP940/2024)
Our File Reference Number: Erf 834, Franschhoek
Your Reference Number:
Enquiries: Ulrich von Molendorff
Contact No: 021 – 808 8682
Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL [redacted]

Sir/Madam

APPLICATION FOR CONSENT USE ON ERF 834 FRANSCHHOEK

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(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Erf 834, Franschhoek for:

   2.1.1 Consent Use in terms of Section 15 (2) (o) of the said bylaw in order to utilise the existing five (5) bedrooms dwelling unit as tourist dwelling unit.

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

3. The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:

   3.1 The approval only applies to the proposed application under consideration 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 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.

3.3 The development be implemented in accordance with the Site Development Plan referenced as drawing no: S 01 001, project no: SL-A-25-100, drawn by: Studio Limn architecture, dated 2025/02/24.

3.4 The tourist dwelling unit be limited to **five (5) bedrooms** and a maximum of 10 paying guests or lodgers shall be permitted at any one time.

3.5 A contravention penalty of R25 000 is payable within 30 days from date of the subject approval in respect of the unlawful utilisation of land.

3.6 Development charges are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment and within 30 days of the decision on the application

3.7 The land use shall not create any undue noise or be a nuisance to the neighbourhood and that precautionary measures be taken in order to avoid environmental noise pollution in terms of the Noise Control Regulations (PN627 dated 20 November 1998) made in terms of Section 25 of the Environmental Conservation Act, 1989 (Act No 73 of 1989).

3.8 This approval is valid for **five (5) years** from date of final notification.

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

4.1 The scale and nature of the proposed development will not compromise the existing character of the surrounding landscape.

4.2 The proposal is in line with the existing land use of the property and will not have a negative impact on the character of the surrounding area.

4.3 Sufficient parking has been provided on site.

5. Matters **to be noted:**

5.1 Should, after following due process –

a) The subject approved land use remains in breach of complying with any of the conditions of approval required for the vesting of the subject approval, and/ or,

b) The operational use of the facilities be in breach of any of the conditions of approval, inclusive of persistent complaints of undue noise levels, and/ or,

c) The property be used for any unauthorised uses not permitted in terms of this approval, the authorised official of the Municipality will exercise its discretion in terms of Section 90(c) of the Municipal Land Use Planning By-Law to withdraw the subject approval granted and the building structures to be reverted to uses in line with the primary use of the property.

6. 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.

7. 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.

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**

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 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.

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

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

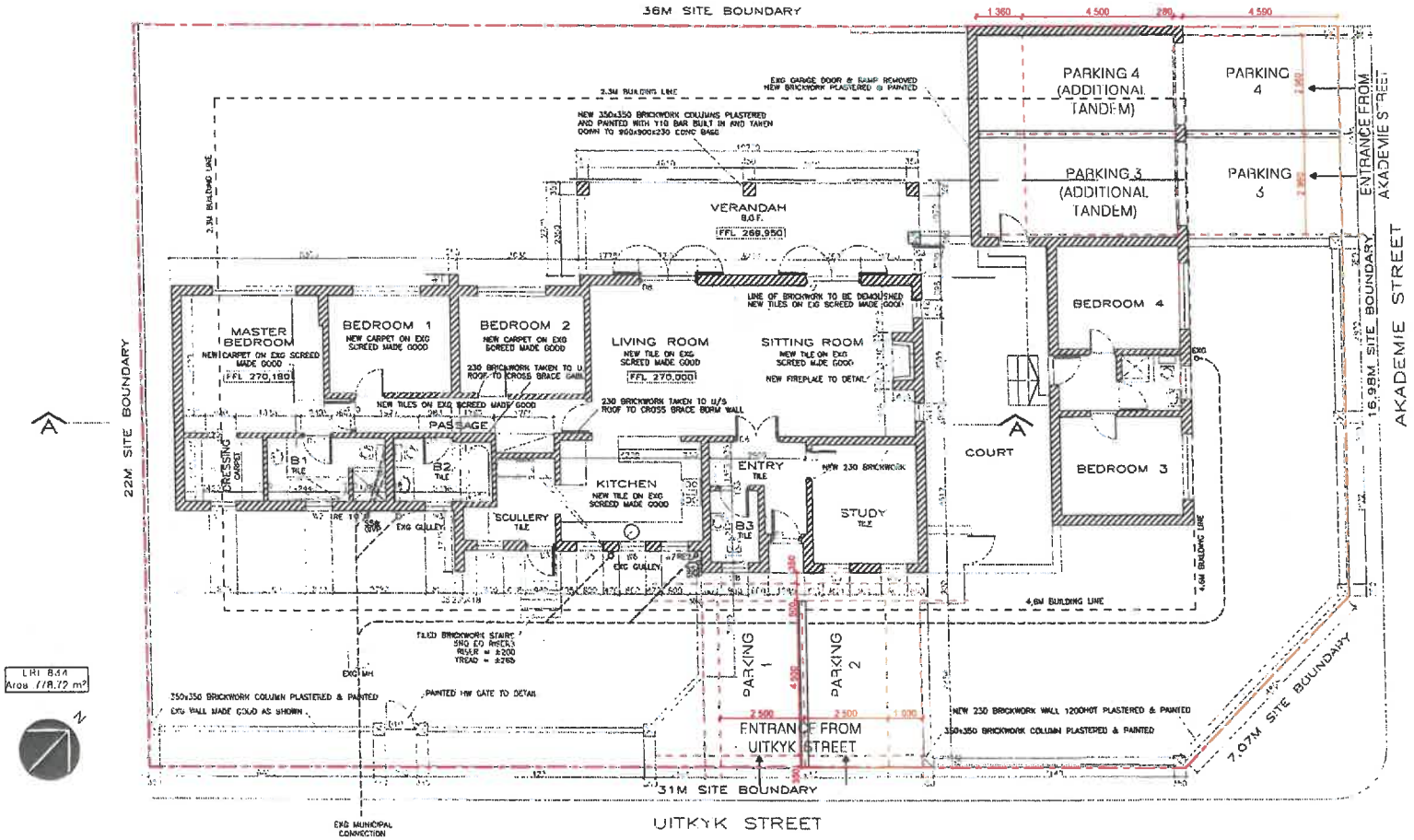
16/7/2025
DATE

ANNEXURE A

SITE AND FLOOR PLANS

STUDIO **LIMN**
architecture & interiors

hello@studiolimn.com | www.studiolimn.com | 076 716 5381
Unit 2, Oaklands, 4 Herte Stellenbosch, 7600



Ground Floor
1:100

notes

1. All statutory requirements shall be adhered to (including national building regulations and municipal zoning scheme by-laws)
2. All work to be carried out in strict compliance with relevant sans 10400 regulations and national building regulations.
3. Contractors are to check and verify all dimensions and levels on site prior to any work being carried out.
4. This drawing is not to be scaled, only figured dimensions are to be used.
5. Any discrepancies are to be brought to the attention of the architect or other responsible consultant/agent.
6. The design & detail on this drawing remains the property of studio limn and copyright is reserved (explicit written permission to be obtained for any reproduction or use of core essence of the drawings illustrated)
7. Contractor to first obtain written confirmation of any contract instructions before work is to be carried out.

erf details:
26 Uitkyk Street
Franschhoek

ERF 834

revision history:

REV	DISCRIPTION	DATE

status:

project name:
[redacted]

drawing title:
Supplementary Documentation - Parking Allocation

revision:	
modified by:	
approved by:	
published date:	2025/02/24
project number:	SL - A - 25 - 100
drawing scale:	1:100

S | 01 | 001

ANNEXURE B

COMMENTS FROM INTERNAL DEPARTMENTS

STELLENBOSCH MUNICIPALITY

STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	**Director: Planning + Economic Development**
Att Aandag:	**Bulelwa Mdoda**
From ▫ Van:	**Principal Technician: Development (Infrastructure Services)**
Author ▫ Skrywer:	**Kurt Titus**
Date ▫ Datum:	**6 March 2025**
Our Ref ▫ Ons Verw:	**Civil LU 2829**
Town Planning Ref:	**LU/17746**
Re ▫ Insake:	**Erf 834, Franschhoek: An application is made in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Erf 834, Franschhoek for: Consent Use in terms of Section 15 (2) (o) of the said bylaw to utilize the existing five (5) bedrooms dwelling unit as tourist dwelling unit.**

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

1. Water Services

1.1 No upgrading or additional water and sewer erf connections are permitted.

2. Development Charges (DCs)

2.1 The following DC's are payable: See **Development Charge Calculation** attached.

2.2 The appropriate DC's are payable immediately after the approval of this land use application and before the facility is put to its approved use (where building plans are not applicable).

2.3 The DC's were calculated by using the 2024/2025 tariff structure. If DC's are paid after 30 June 2025 it will have to be recalculated by using the tariff structure and DC Policy principles applicable at date of payment.

Ktitus

Kurt Titus
Principal Technician: Development (Infrastructure Services)

Z:\2.0 DEVELOPMENT\01 Land Use applications\2829 (Ku) Erf 834 Franschhoek (LU-17746)\2829 () Erf 834 Franschhoek (LU-17746) B.doc

Stellenbosch Municipality

Development Charge Calculation

APPLICATION INFORMATION	
Application Number:	Civil LU 2629
Development Name:	
Date:	06 March 2025
Financial Year:	2024/2025
Erf Location (Select from 7 Locations):	Franschhoek
Erf Region (Select Urban or Rural):	Urban
Erf No. / Farm No.:	834
DC Parameters Reference:	DC_ DRW NO: S/01/001_Studio LIMN_ DC BURTON_ DATE: 24 February 2025

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:	0.44	0.36	0.008	0.03	6		2	
Total Service Usage Reduction:	0	0	0	0	0.0		0	
Total Service Usage after Reduction:	0.44	0.36	0.00800	0.030	6.0		2	
Charges before adjusting for positive only, before Deductions	R 13 727.87	R 13 758.50	R 1 270.67	R 3 084.00	R 48 906.63	R 80 747.67	R 8 108.63	R 88 856.30
Charges adjusted for positive only, before Deductions	R 13 727.87	R 13 758.50	R 1 270.67	R 3 084.00	R 48 906.63	R 80 747.67	R 8 108.63	R 88 856.30
Total Deductions:	R -	R -	R -	R -	R -	R -	R -	R -
Total Development Charges Payable (excluding VAT):	R 13 727.87	R 13 758.50	R 1 270.67	R 3 084.00	R 48 906.63	R 80 747.67	R 8 108.63	R 88 856.30
VAT:	R 2 059.18	R 2 063.77	R. 190.60	R 462.60	R 7 335.99	R 12 112.15	R 1 216.29	R 13 328.44
Total Development Charges Payable (including VAT):	R 15 787.05	R 15 822.27	R 1 461.27	R 3 546.60	R 56 242.63	R 92 859.82	R 9 324.92	R 102 184.74

APPLICANT INFORMATION	
Application Processed by:	Kurt Titus
Signature:	Ktitus
Notes:	Credit given for the first three bedrooms in the guesthouse

Franschhoek

	Land Use Category	Unit Type	Existing Usage			Proposed New Usage			Increased Usage	Development Charge Levied (excl VAT)							
	Description	Unit	Area (m2)	Unit Amount	Result	Area (m2)	Unit Amount	Result	Amount	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Total
										Yes	Yes	Yes	Yes	Yes		Yes	
Residential	Single Residential >1000m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Single Residential >500m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Single Residential >250m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Single Residential <250m2	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Second Dwelling	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Less Formal Residential	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Group Residential	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Apartments	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Retirement Village	du							0	R -	R -	R -	R -	R -	R -	R -	R -
	Old age home	du							0	R -	R -	R -	R -	R -	R -	R -	R -
Accommodation	Student Accommodation/Commune/Hostels	rooms							0	R -	R -	R -	R -	R -	R -	R -	R -
	Guest House	rooms							0	R -	R -	R -	R -	R -	R -	R -	R -
	Converted Guest House	rooms				2			2	R 13 727,87	R 13 758,50	R 1 270,67	R 3 084,00	R 48 906,63	R 80 747,67	R 8 108,63	R 88 856,30
	Hotel, Residential	rooms							0	R -	R -	R -	R -	R -	R -	R -	R -
Commercial	General Business	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Office	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Retail/Shop	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Restaurant	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Outdoor Function / Picnic Area	persons							0	R -	R -	R -	R -	R -	R -	R -	R -
	Conference Facility/Place of assembly	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Hospital/Clinic/Medical Rooms	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	University/College	student							0	R -	R -	R -	R -	R -	R -	R -	R -
	School/Day Care	student							0	R -	R -	R -	R -	R -	R -	R -	R -
Industrial	Industrial - light	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Industrial - heavy	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Warehousing/Light Manufacturing	m2 GLA							0	R -	R -	R -	R -	R -	R -	R -	R -
	Storage Facilities	unit							0	R -	R -	R -	R -	R -	R -	R -	R -
Non demand	Open Space/Natural Environment/Utility Site	ha							0	R -	R -	R -	R -	R -	R -	R -	R -
	Roads and Parking	ha							0	R -	R -	R -	R -	R -	R -	R -	R -
Other	To be calculated	n/a							0.0000	R -	R -	R -	R -	R -	R -	R -	R -
	(Based on equivalent demands)	n/a							0.0000	R -	R -	R -	R -	R -	R -	R -	R -
		Total Area:	0		Total Area:	0			0	R -	R -	R -	R -	R -	R -	R -	R -

	Charges before adjusting for positive only, before Deductions	R 13 727,87	R 13 758,50	R 1 270,67	R 3 084,00	R 48 906,63	R 80 747,67	R 8 108,63	R 88 856,30	
Deduct	Charges adjusted for positive only, before Deductions	R 13 727,87	R 13 758,50	R 1 270,67	R 3 084,00	R 48 906,63	R 80 747,67	R 8 108,63	R 88 856,30	
	Deductions per service (from usage reductions)	R -	R -	R -	R -	R -	R -	R -	R -	
	Discount Deduction (%) Percentage: 0.00%	R -	R -	R -	R -	R -	R -	R -	R -	
	Additional Deduction per service - from Service Agreement (sum)	R -		R -	R -	R -	R -	R -	R -	
Totals	Sub Total after Ajustments and Deductions (excluding VAT)	R 13 727,87	R 13 758,50	R 1 270,67	R 3 084,00	R 48 906,63	R 80 747,67	R 8 108,63	R 88 856,30	
	VAT	R 2 059,18	R 2 063,77	R 190,60	R 462,60	R 7 335,99	R 12 112,15	R 1 216,29	R 13 328,44	
	Total Development Charges	R 15 787,05	R 15 822,27	R 1 461,27	R 3 546,60	R 56 242,63	R 92 859,82	R 9 324,92	R 102 184,74	

TAX INVOICE

STELLENBOSCH
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MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

PO BOX 17, STELLENBOSCH, 7599
PLANNING & ECONOMIC DEVELOPMENT: PLANNING

DATE:	2025-07-15	**DOCUMENT NO:**	790158
ERF / FARM NO:	[redacted]	**CREATED BY:**	BULELWAM
LOCALITY:		**APPLICATION NO:**	LU/17746
OWNER'S NAME:		**APPLICATION VAT NO:**	
ADDRESS:	[redacted]	**VAT NO:**	4700102181
		APPLICANT:	[redacted]
		TEL NO:	

FEE DESCRIPTION	AMOUNT PER UNIT (R)	NUMBER OF UNITS	VOTE NUMBER	AMOUNT (R)
CONTRAVENTION PENALTY - The retrospective approval of any unauthorised land use activity that is being conducted from any dw, Per application and per Dwelling Unit separate str	25000.0000	1	20220630081392	25000.00
			TOTAL AMOUNT PAYABLE	**25000.00**
			VAT INCLUDED @ 15%	**3260.87**

NEW TARIFFS IMPLEMENTED ON 1 JULY ANUALLY

CALCULATED BY

NAME:

SIGNATURE

DATE: 15 July 2025

VERIFIED BY

NAME:

SIGNATURE

DATE:

PAYMENTS MUST BE MADE AT THE APPLICABLE DISTRICT OFFICE
CHEQUES TO BE MADE PAYABLE TO STELLENBOSCH MUNICIPALITY

APPLICANT TO RETURN THIS FORM TO THE ADVICE CENTRE FOR DIRECTOR: PLANNING & ECONOMIC DEVELOPMENT

BANKING DETAILS FOR EFT PAYMENT:

ACCOUNT HOLDER: Stellenbosch Municipality
BANK: Standard Bank
ACCOUNT NUMBER: 242637280
BRANCH CODE: 051001
REFERENCE: LU/_____ and ERF/FARM_____

Please use both the Land Use Application number and the Erf/Farm number indicated on this invoice as a reference when making EFT payment.

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DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

LAND USE APPLICATION: CONTRAVENTION PENALTY

Council Tariffs 2025/26

#	Penalty Type	Unit of Measure	Amount
1	**Applicable to any property with a residential zoning, or a dwelling unit permitted in another zoning, and which dwelling unit is the primary residential unit and will continue to be used primarily for the continued purpose as a permanent residence and with no change in the base zone or if no additional land use rights will be obtained.**		
1a	The retrospective approval of any unauthorised permanent departure from a prescribed development parameter that resulted from the unauthorised commencement of any structural changes or additions to existing structures or buildings, or newly built structures or buildings associated with a dwelling unit.	Per application and/ or per distinguishable structure for which a land use approval is required for the departures required to authorise the changes, additions or development.	5 000
1b	Retrospective approval of an unauthorised land use activity that is being conducted from any dwelling unit where no unauthorised material structural changes or additions have been undertaken or unauthorised new structures have been developed to facilitate the unauthorised land use activity.	Per application and per Dwelling Unit where applicable	10 000
1c	Retrospective approval of an unauthorised land use activity that is being conducted from any dwelling unit where unauthorised material structural changes or additions have been undertaken or unauthorised new structures have been developed to facilitate the unauthorised land use activity.	Per application and per Dwelling Unit where applicable	25 000
2	**Applicable to any property with a residential zoning, or a dwelling unit permitted in another zoning, and in which instance the subject dwelling unit is or will no longer be used primarily for the continued purpose as a permanent residence and / or if the base zone will change or additional land use rights will be obtained, and will also be applicable to residential units that is not the primary residential unit or will forthwith be used primarily for any lodging or tourism related accommodation.**		
2a	The retrospective approval of any unauthorised permanent departure from a prescribed development parameter that resulted from the unauthorised commencement of any structural changes or additions to existing structures or buildings, or newly built structures or buildings associated with a dwelling unit.	Per application and/ or per distinguishable structure for which a land use approval is required for the departures required to authorise the changes, additions or development.	10 000
2b	Retrospective approval of an unauthorised land use activity that is being conducted from any dwelling unit where no unauthorised material structural changes or additions have been undertaken or unauthorised new structures have been developed to facilitate the unauthorised land use activity.	Per application and per Dwelling Unit or separate structures where applicable	25 000

2c	Contravention penalty related to any dwelling unit where unauthorised material structural changes or additions have been undertaken or unauthorised new structures have been developed to facilitate the unauthorised land use activity.	Per application and per Dwelling Unit or separate structures where applicable	50 000
3	**Applicable to any property that is not zoned for a residential zoning and / or any structure which are not a dwelling unit and used primarily for the purpose as a permanent residence.**		
3a	The retrospective approval of any unauthorised permanent departure from a prescribed development parameter that resulted from the unauthorised commencement of any structural changes or additions to existing structures or buildings, or newly built structures or buildings, irrespective if any new or additional land use rights resulted from such contravention.	Per application and/ or per distinguishable structure for which a land use approval is required for the departures required to authorise the changes, additions or development.	50 000
3b	The retrospective approval of an unauthorised land use activity being conducted from any property and where no unauthorised material structural changes or additions have been undertaken or unauthorised new structures have been developed to facilitate the unauthorised land use activity.	Per application or each required type of approval granted or associated separate structure as may be applicable.	100 000
3c	The retrospective approval of any unauthorised land use activity where there were unauthorised material structural changes or additions or where new unauthorised structures have been developed to facilitate the unauthorised land use activity.	Per application or each required type of approval granted or associated separate structure as may be applicable.	250 000

Ref Number (LU / TP)		**Erf or Farm No**	

Penalty Type #	**Description of unlawful land use activity**	**Unit of measure**	**Unit Penalty Amount**	**Total Penalty Payable**
2b	Utilizing the existing five (5) bedroom dwelling unit as tourist dwelling unit	X1	R25 000	R25 000

SIGNED BY TOWN PLANNER	NAME	Bongiwe Zondo	SIGNATURE		DATE 11/07/25
SIGNED BY MLUM	NAME	C. Kriel	SIGNATURE		DATE 11.07.2025