NOTICE OF LAND DEVELOPMENT APPLICATION

To Whom It May Concern

APPLICATION FOR CONSENT USE: ERF 561 FRANSCHHOEK

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw refers:

Application Property Address: 42 Huguenot Street Franschhoek

Application Property Number: Erf 561 Franschhoek

Applicant: P-J le Roux Town Planners Pty Ltd (pj@pjleroux.co.za – 0760317607)

Owner: TK RETIAL CONSULTANTS CC

Application Reference: LU/19107 (TP1213/2025)

Description of land development proposal:
Application is made for the following:

(i) *In terms of* ***Section 15(2)(o)*** *of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for* ***CONSENT USE*** for a ***liquor store*** to permit the applicant to sell some of the ***specialised crafted liquor products*** to customers from inside the existing ***Franks Corner Restaurant on Erf 561 Franschhoek.***

Notice is hereby given in terms of the provisions of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements. If the website or documents cannot be accessed, an electronic copy of the application must be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw. Written comment, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the

person who submits the comment in the application, may be submitted to the Applicant by electronic mail as follows: P-J le Roux Town Planners Pty Ltd pj@pjleroux.co.za. By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **(21 August** – 30 day notice period must exclude the first day on which the notice was served and include the last day, save for when the last day falls on a weekend day, in which case the closing date will be considered the following Monday, or if the closing day falls on a public holiday, in which case the closing date will fall on the next normal working day).

The Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/ objection received after the closing date.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at (0760317607) during normal office hours.

Yours faithfully

Pierre-Jean le Roux
Pr. Pln A/803/1995
Ba Hons, M (TRP)
(MSAPI)

Email: pj@pjleroux.co.za / Cell No: 0760317607

P-J Le Roux
Stads-en Streekbeplanners/
Town and Regional Planners

TAX INVOICE

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

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

DATE:	2025-05-29	**DOCUMENT NO:**	786835
ERF / FARM NO:	561	**CREATED BY:**	Nicole Katts
LOCALITY:	42 Huguenot Street , FRANSCHHOEK	**APPLICATION NO:**	LU/19107
OWNER'S NAME:	TK Retail Consultants	**APPLICATION VAT NO:**	4860288747
ADDRESS:	PO Box 3457 Paarl 7620	**VAT NO:**	4700102181
		APPLICANT:	PJ Le Roux Town Planners
		TEL NO:	0760317607

FEE DESCRIPTION	AMOUNT PER UNIT (R)	NUMBER OF UNITS	VOTE NUMBER	AMOUNT (R)
TEMPORARY DEPARTURE, CONSENT USE, PERMISSION IN TERMS OF ZONING SCHEME, PERMISSION REQUIRED IN TERMS OF THE TITLE DEED - Submitted in urban and rural areas, Per application per property	2700.00	1	20220630081392	2700.00

TOTAL AMOUNT PAYABLE	**2700.00**
VAT INCLUDED @ 15%	**352.17**

NEW TARIFFS IMPLEMENTED ON 1 JULY ANUALLY

ESH FH

SCANNED
COLLABORATOR

CALCULATED BY
NAME: Nicole Katts
SIGNATURE NKatts

DATE: 29-05-2025

VERIFIED BY
NAME:
SIGNATURE

DATE:

RECEIVED
13 JUN 2025
STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

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: First National Bank (FNB)
ACCOUNT NUMBER: 62869253684
BRANCH CODE: 210554
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.

0.00

0

Nicole Katts

From: Sharise De Klerk
Sent: Wednesday, 04 June 2025 16:11
To: Bulelwa Mdoda; Nicole Katts; Nolusindiso Momoti; Salome Newman

Local Authority : STB Stellenbosch Municipality LIVE UKEY : 20220630081392
Financial Year : 2024
Period : 11

Pr	Post.Date	TC	LV	Reference	Amount	Shadow Amount	Comment
11	05 05 2025	11		1000286834	504.35-	0.00 A:DIR1	4334 LU/18895 FAR
11	05 05 2025	11		1000286855	1008.70-	0.00 A:DIR1	4334 LU/18868 FAR
11	02 05 2025	11		0000401068	504.35-	0.00 A:CASH1	2071B202505060016
11	07 05 2025	11		1000287052	2347.83-	0.00 A:DIR1	4334 LU/1182 ERF
11	07 05 2025	11		1000287060	2347.83-	0.00 A:DIR1	4334 LU/1152 ERF
11	07 05 2025	11		1000287124	2347.83-	0.00 A:DIR1	4334 TP1150/2025
11	08 05 2025	11		1000287201	504.35-	0.00 A:DIR1	4334 LU/18924 FAR
11	08 05 2025	11		1000287202	504.35-	0.00 A:DIR1	4334 LU/18926 LAN
11	08 05 2025	11		1000287207	1008.70-	0.00 A:DIR1	4334 LU/18930 ERF
11	09 05 2025	11		1000287256	504.35-	0.00 A:DIR1	4334 LU/1888 ERF
11	12 05 2025	11		1000287355	2521.74-	0.00 A:DIR1	4334 INV785297 MA
11	12 05 2025	11		1000287358	504.35-	0.00 A:DIR1	4334 INV785298 LA
11	12 05 2025	11		1000287393	1660.87-	0.00 A:DIR1	4334 BP6825/2025
11	12 05 2025	11		1000287402	2347.83-	0.00 A:DIR1	4334 TP1189/2025
11	12 05 2025	11		1000287403	2347.83-	0.00 A:DIR1	4334 FARM 1621 TO
11	13 05 2025	11		1000287472	2347.83-	0.00 A:DIR1	4334 TP1110/2025
11	13 05 2025	11		1000287473	2347.83-	0.00 A:DIR1	4334 TP1132/2025
11	13 05 2025	11		1000287474	2347.83-	0.00 A:DIR1	4334 TP114/2025 E
11	13 05 2025	11		1000287475	2347.84-	0.00 A:DIR1	4334 TP1123/2025
11	13 05 2025	11		1000287476	2347.84-	0.00 A:DIR1	4334 TP1139/2025
11	14 05 2025	11		0000401698	191.30-	0.00 A:CASH1	2079B202505150008
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11	16 05 2025	11		1000287632	2347.83-	0.00 A:DIR1	4334 LU/19002/174
11	16 05 2025	11		1000287669	2017.40-	0.00 A:DIR1	4334 INV785628 FI
11	16 05 2025	11		1000287675	2347.83-	0.00 A:DIR1	4334 TP1183/2025
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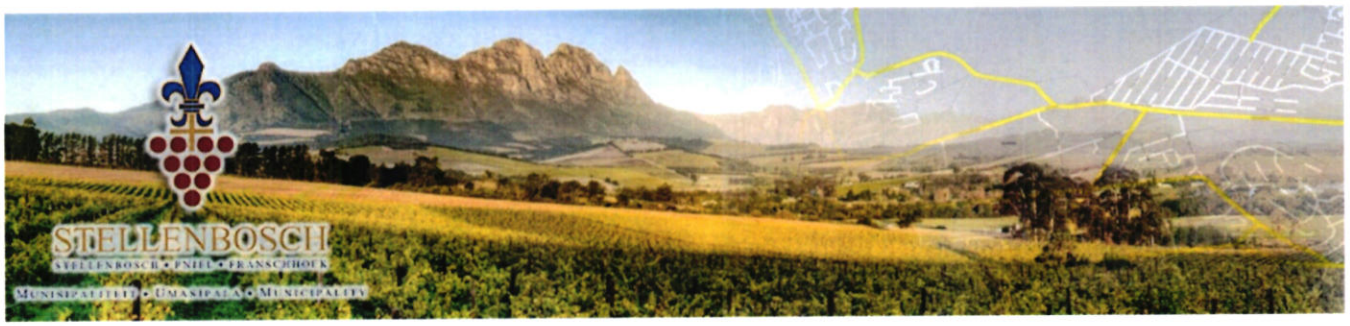
11	19 05 2025	11		1000287747	4695.66-	0.00 A:DIR1	4334 LU/18816 ERF
11	20 05 2025	11		1000287761	2347.83-	0.00 A:DIR1	4334 TP1153/2025
11	20 05 2025	11		1000287789	504.35-	0.00 A:DIR1	4334 LU19047 ERF
11	20 05 2025	11		1000287799	2347.83-	0.00 A:DIR1	4334 TP1213/2025
11	20 05 2025	11		1000287800	2347.83-	0.00 A:DIR1	4334 ERF 131 S YO
11	20 05 2025	11		1000287801	2347.83-	0.00 A:DIR1	4334 TP876/2024 T



Enquiries	Phone Number	E-mail
Nicole Katts	0218088318	nicole.katts@stellenbosch.gov.za

BTW/VAT Invoice No: 17512

Invoice VAT Reference: 4700102181

Name: PIERRE-JEAN LE ROUX

Reference No: TP1213/2025

Client Street address: 262 MAIN ROAD, PAARL
Buitenverwagting paarl Western Cape South Africa 7646

Client Postal address: P O BOX 3457 PAARL PAARL
Western Cape South Africa 7620

Client VAT No: 4860288747

Invoice Date: 2025/5/29

Payment Due Date: 2025/6/12

Municipality street address: PLEIN STREET
STELLENBOSCH STELLENBOSCH Western Cape 7600

Municipality postal address: PLEIN STREET
STELLENBOSCH STELLENBOSCH Western Cape 7600

Town Planning Application Fees

Vote No	Description	Qty	Rate	UoM	Amount (Incl VAT)
20220630081392	Consent Use	1	2 700.00	Per application per property	2 700.00
				Total Excl VAT	2 347.83
				VAT	352.17
				Invoice Total	**2 700.00**

*VAT Exempt

Created By: Petersen, Nicole

Signature: NKatts

Verified By: Petersen, Nicole

Signature: NKatts

Please note that application fees that are paid to the municipality are non-refundable and proof of payment must accompany the application. It is the responsibility of the applicant to ensure that the payment is made into the correct account.

Bank Details: First National Bank Acc# 62869253684 Branch Code 250655

Please use the following as reference number: TP1213/2025

To expedite the application, please send proof of payment by e-mail or fax as per the detail above.

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

LAND USE APPLICATION
COMPLIANCE CHECKLIST ITO S38 OF THE LAND USE PLANNING BYLAW

Date of submission of application	**29-05-2025**				
TP Number	**1213/2025**				
Erf No	**561**	**Town**	**Franschhoek**	**Suburb**	**Franschhoek**
Farm No	**n/a**	**Farm Portion**	**n/a**	**Area / Division**	**n/a**
Owner/Applicant	**PJ Le Roux Town Planners Pty Ltd**		**Contact Number**		**076 031 7607**
Email address	pj@pjleroux.co.za				

INFORMATION AND DOCUMENTATION CHECK	**ADMIN TO VERIFY[1]**		
	YES	**NO**	**NOTES**
1. Correct application form completed in full and duly signed	✓		
2. Power of Attorney / Owners' Consent if the applicant is an agent and Company Resolution	✓		
3. Copy of the correct Title Deed	✓		
4. Motivation report	✓		
5. Locality plan	✓		
6. Site layout plan / Subdivision plan	✓		
7. Proof of payment	✓		
8. Other documents indicated by Applicant			

VERIFIED & SIGNED BY ADMIN	Nicole Katts	NKatts	29-05-2025

NOTES:

1. ***Should it be found that the application is not complete, the Applicant will be notified within 14 days of receipt of the application of outstanding information [s41(1)(c)(ii)].***
2. ***Should the application be complete, Admin will issue an invoice to the Applicant and submit same with proof of payment to Finance and to Registry for filing. The Applicant will be notified within 14 days of receipt of the application that the application is complete [s41(1)(c)(i)] [s41(2)].***
3. ***Should the outstanding information and/or proof of payment not be received, the Applicant will be notified that the application will not proceed due to failure to submit required information [s41(4)].***

[1] *Verification by Admin of the documentation attached and completeness of application*

Notification of Payment

Nedbank Limited confirms that the following payment has been made:

Date of Payment	:	20/05/2025
Reference Number	:	2025-05-20/Nedbank/005231697483

Beneficiary details

Recipient	:	stellenbosch municipality
Amount	:	R2700.00
Recipient Reference	:	TP1213/2025
Bank	:	FIRST NATIONAL BANK
Account Number	:	...253684
Channel	:	Internet payment

Payer details

Paid from Account Holder	:	*P J LE ROUX STADSBEPLANNERS (

Nedbank will never send you an e-mail link to access Verify payments, always go to Online Banking on www.nedbank.co.za and click on Verify payments.

This notification of payment is sent to you by Nedbank Limited Reg No 1951/000009/06. Enquiries regarding this payment notification should be directed to the Nedbank Contact Centre on 0860 555 111. Please contact the payer for enquiries regarding the contents of this notification.
Nedbank Ltd will not be held responsible for the accuracy of the information on this notification and we accept no liability whatsoever arising from the transmission and use of the information.
Payments may take up to three business days. Please check your account to verify the existence of the funds.

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Nedbank Limited email

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Security Code : 3636A192A43D2268E0CACFB237A13DD11885748F

TP 1213/2025

P-J le Roux

STADS- EN STREEKBEPLANNERS /TOWN AND REGIONAL PLANNERS

The Municipal Manager
Stellenbosch Municipality
P O Box 17
STELLENBOSCH
7599

20 May 2025
V 30-150

Attention: Mr. S Carstens

Dear Stiaan

APPLICATION IN TERMS OF STELLENBOSCH MUNICIPALITY LAND USE PLANNING BY-LAW, 2023
APPLICATION FOR CONSENT USE: ERF 561 FRANSCHHOEK

Hereby formal application is made for the following:

(i) In terms of **Section 15(2)(o)** of the Stellenbosch Municipal Land Use Planning By-Law for ***'liquor store***" as a **CONSENT USE** to permit the applicant to sell some of the ***specialized crafted liquor products*** to customers from inside the existing **Franks Corner Restaurant** on **Erf 561 Franschhoek.**

Please do not hesitate to contact this office should you require any more information. We trust that this application meets your requirements and that it will be dealt with in a timely manner.

Kind regards

PIERRE-JEAN LE ROUX
Pr. Pln. A./803/1995

P-J le Roux Stadsbeplanners Edms. Bpk. (Reg nr: 2015/058583/07)
BTW No. 4860288747
Hoofstraat 262 Main Road, Paarl, 7646 Posbus / P O Box 3457, Paarl, 7620
Selfoon: 0760317607 Tel: + 27 21 8722499 Epos: pj@pjleroux.co.za Webtuiste: pj@pjleroux
Direkteur P.J le Roux Pr. Pln A/803/1995 Ba Hons.M(S&S) MSAPI

Application for Consent Use: Erf 561 Franschhoek

May 2025

V 30-150

P-J le Roux
Stads-en Streekbeplanners/
Town and Regional Planners

Hoofstraat 262 Main Road Paarl
(Ph) 021-8722499 (Cell) 076 031 7607
(email) pj@pjleroux.co.za

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1. INTRODUCTION

1.1 Application

Hereby formal application is made for the following:

(i) In terms of **Section 15(2)(o)** of the Stellenbosch Municipal Land Use Planning By-Law for ***'liquor store***" as a **CONSENT USE** to permit the applicant to sell some of the ***specialized crafted liquor products*** to customers from inside the existing **Franks Corner Restaurant** on **Erf 561 Franschhoek.**

Details regarding the proposed use and products will be discussed in Sections 5 & 6 of this report.

1.2 Applicant

ALEXANDER MURDOCH MCCRMACK, as Director and duly authorised by **TK RETAIL CONSULTANTS CC** as registered owners of **Erf 561 Franschhoek** appointed this firm *P-J Le Roux Town Planners* to prepare a formal application for the consent use and to submit it to the relevant authorities for formal approval (***Power of Attorney and Resolution*** *attached*).

2. PROPERTY INFORMATION

Description	Erf 561 Franschhoek
Location	42 Huguenot Street Franschhoek
Extent	728m²
Registered owner	TK RETAIL CONSULTANTS CC
Title Deed	T88841/2003 (Copy of Title Deeds attached)
Existing zoning	Mixed-Use Zone
Restrictive Conditions	None
Planning Legislation	Stellenbosch Municipality: Zoning Scheme By-Law (2023) Stellenbosch Municipality: Land Use Planning By-Law (2023)

Table 1: property description

The subject property is located almost in the centre of Franschhoek and falls in the area of jurisdiction of the Stellenbosch Municipality, Western Cape Province.

3. LOCATION

The subject property is located along Huguenot Street in the centre of Franschhoek town and forms part of the existing business corridor and CBD of Franschhoek.

Fig.1: Locality: Erf 561 Franschhoek

The subject property is an existing restaurant situated on the corner of Bordeaux Street and Huguenot Street in the centre of Franschhoek. The subject property is bounded by Bordeaux Street to the north, Huguenot Street to the east, and existing business and commercial activities to the south and

west. The Franschhoek Town Hall is directly opposite the subject property to the east. The subject property forms part of the existing central business area (CBD) of Franschhoek that developed on both sides of Huguenot Street.

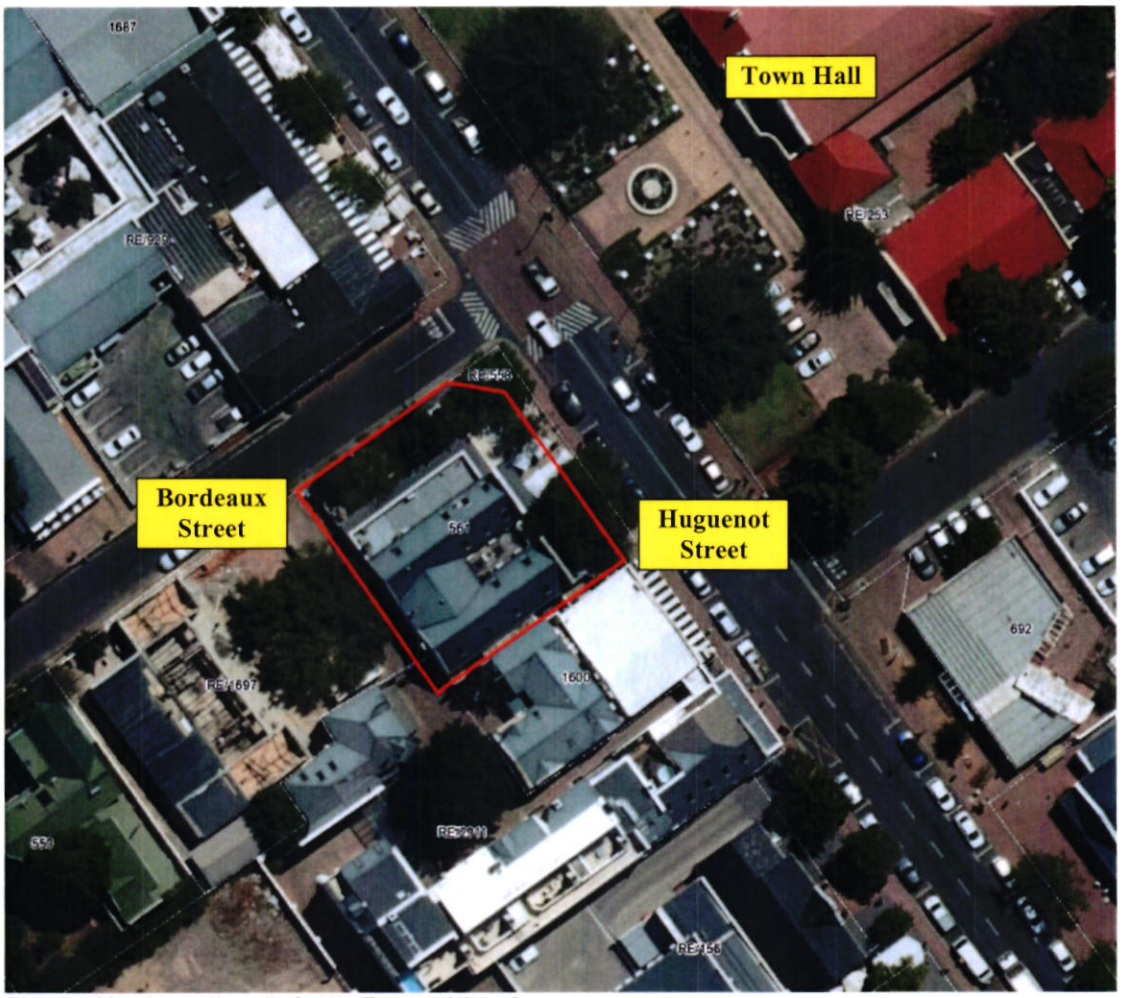


Fig. 2: Site Locality: Erf 561 Franschhoek

Pedestrian access to the subject property and existing restaurant is taken directly from Huguenot Street as well as Bordeaux Street, while the existing onsite parking is along Bordeaux Street. Since the intention is merely to utilize the same space of the inside of the restaurant for the sale of specialised crafted alcoholic beverages, no additional space or parking will be required.

4. LEGAL LAND USE RIGHTS

4.1 Existing zoning

Stellenbosch Municipality has confirmed vide a zoning certificate dated 13 December 2022 that Erf 561 Franschhoek is zoned in terms of the newly promulgated Stellenbosch Municipality Zoning Scheme By-Law (2023) as **Mixed-Use Zone** as depicted in figure 3 below.

According to this By-Law, the land uses permitted within a *Mixed-Use Zone* is tabulated below:

Primary Uses	Additional Uses	Consent Uses (Application required)
• Commune Business premises(including shops, markets, restaurants, office) • Clinic • Community residential building • Extramural facility • Flats • Guest house • Hostel • Hotel • Occasional use (one event/year) • Plant nursery • Public institution • Public parking area • Private road • Tourist dwelling unit • Tourist accommodation establishment • Welfare institution	• None	• Adult entertainment • Builders yard • Commercial gymnasium • Conference facility • Daycare • Filling station • Freestanding base telecommunication station • Funeral parlour • Gambling place • Helicopter landing pad • Hospital • Indoor sport • Liquor store • Motor vehicle fitment centre • Motor showroom • Occasional use (>one event/year) • Parking garage • Place of assembly • Place of education • Place of entertainment • Renewable energy structure • Rooftop base telecommunication station • Tertiary educational institution • Warehouse

Table 2: Extract from Stellenbosch Municipality: Zoning Scheme By-Law (2023)

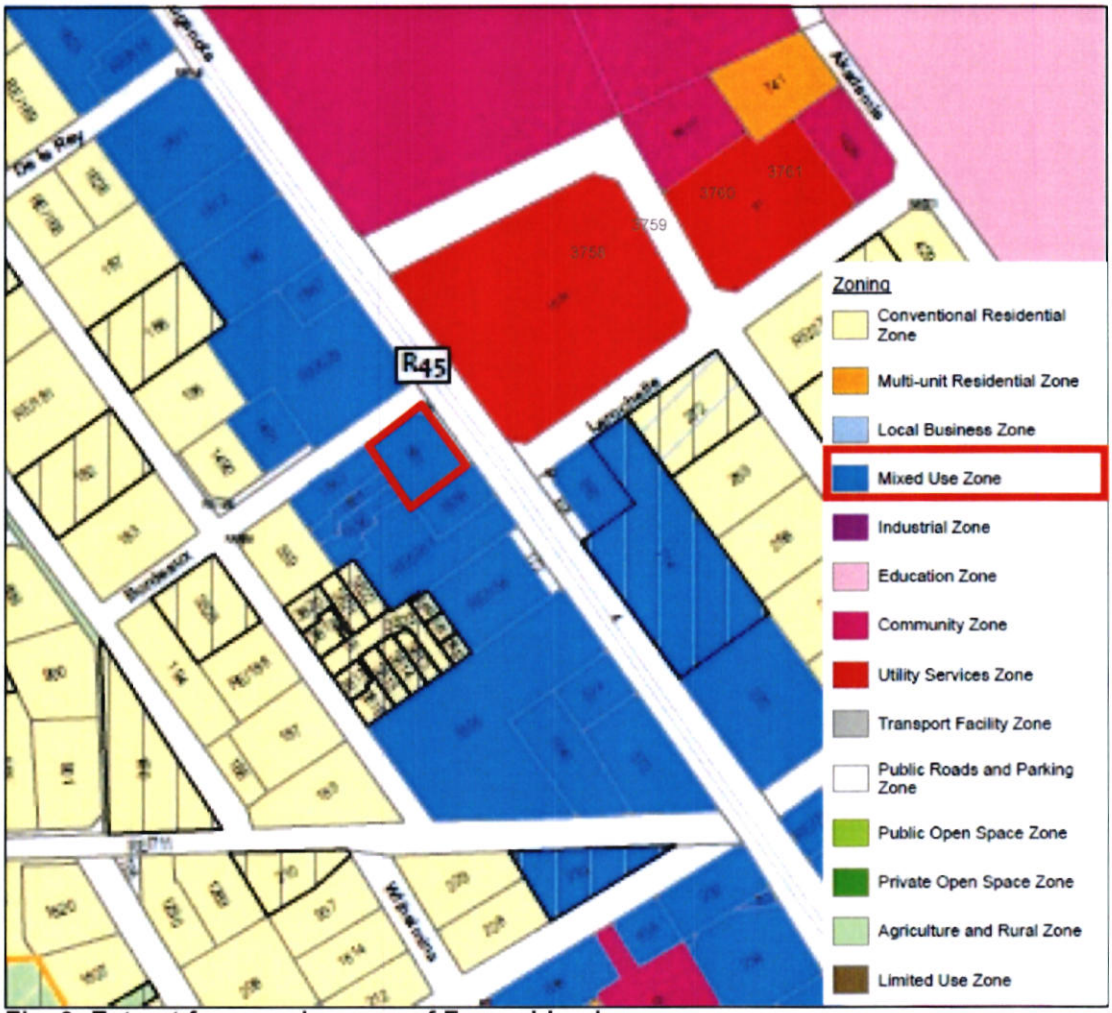


Fig. 3: Extract from zoning map of Franschhoek

4.2 Existing land uses

The improvement on the subject property comprises a well-constructed building positioned in the southwestern corner of the subject property with a set back from both Bordeaux and Huguenot Streets.

The building house the very familiar ***Franks Corner Bar & Grill*** restaurant that is highly frequented by tourist and visitors to Franschhoek. The existing restaurant has an inside as well as an outside seating area with direct pedestrian access from Huguenot Street. The inside of the existing restaurant includes the kitchen, storerooms, ablution facilities, a bar counter as well as

tables for seating. The intention is to utilize this bar counter area inside the restaurant for the sale of the specialised craft alcoholic beverages.

Inside seating area (counter for proposed sale of craft alcoholic beverages)

Inside seating area

Outside seating area

Outside seating area

There are six (6) existing onsite parking bays along Bordeaux Street. Since no additional GLA is proposed by this application no additional parking is required.

View onto existing onsite parking bays along Bordeaux Street

.

5. DEVELOPMENT PROPOSAL

It is the objective with this application to optimise the existing Franks Corner restaurant activities on the subject property to its fullest potential by introducing an opportunity to sell some of the locally specialised crafted alcoholic beverages to tourists and visitors to the restaurant.

Franks Corner is also owned by the owners of Franschhoek Beer Company located along the R45 north of Franschhoek, who specialises in craft beer and gin. Since these specialised alcoholic beverages are also served to guests in Franks Corner restaurant, many tourists and visitors want to purchase some of these craft drinks to take home.

The intention is to use the existing counter area inside the restaurant as point of sale for the specialised craft beverages. **It is worth noting that no other alcoholic beverages other than what is produced by the Franschhoek Beer Company, will be sold as off-consumption at the premises**.

Since the existing liquor license only permits on-consumption as part of the restaurant, an additional license is required to permit the off-consumption of these specialised craft alcoholic beverages. To obtain such an off-consumption liquor license the land use rights pertaining to the subject property must be extended to also include the sale of alcoholic beverages from inside the existing restaurant. **On successful competition of this application a formal liquor license application in terms of the Liquor Act will be submitted for approval.**

This application is therefore to permit the **sale of specialised craft alcoholic beverages from the inside of the existing restaurant footprint on Erf 561 Franschhoek**.

6. APPICATION

To achieve the objective of this application, formal approval is required in terms of the Stellenbosch Municipal land Use Planning By-Law (2023) as well as the Stellenbosch Municipality Zoning Scheme By-Law (2023) respectively.

In terms of Section 105(1) of the Stellenbosch Municipality Zoning Scheme By-Law, 2023, the sale of alcoholic beverages is not permitted as a primary land use right from a Mixed-Use Zone property. In terms of this By-Law provision is made for a "***liquor store***" as a Consent Use.

Liquor store is defined as follows:

*"**liquor store** means a shop licensed in terms of the relevant Liquor Act, in which mainly alcoholic beverages are sold to the public for off-site consumption."*

To facilitate the intended land use, formal application is made in terms of **Section 15(2)(o)** of the Stellenbosch Municipal Land Use Planning By-Law for ***'liquor store***" as a **CONSENT USE** to permit the applicant to sell some of the ***specialized crafted liquor products*** to customers from inside the existing **Franks Corner Restaurant** on **Erf 561 Franschhoek.**

7. SPATIAL PLANNING PRINCIPLES

In terms of National, Provincial and Local spatial planning legislation certain development principles were adopted to apply to spatial planning, land development and land use management. The development principles on National level is in terms of Section 7 of the **Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)**, while the land use planning principles on Provincial level is in terms of Section 59 of the **Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)**.

These development principles were all adopted and included into the subsequent **Land Use Planning By-Laws** promulgated for each Local Municipality.

The proposed application for **Consent Use on Erf 561 Franschhoek** will be evaluated as follows against the five development principles:

(a) Principle of spatial justice

- The spatial justice principle requires that the past spatial and development imbalances should be redressed through improved access to and utilization of land. We are of the opinion that the **proposed off-consumption permission promotes this principle by optimizing the use of the existing restaurant inside the existing central business area of Franschhoek.** This proposal involves the **optimising of space inside an existing building within an urban area and urban crawl is therefore counteracted**.

(b) Principle of spatial sustainability

- The principle of spatial sustainability will be achieved by a development if it is spatially compact, using resources sparingly. The **proposed application embodies this principle with the optimal use of the existing restaurant and infrastructure without compromising the surrounding area.**

- The proposal promotes land development that is **spatially compact and economical** as the proposed land use will form part of the existing business corridor along Huguenot Street in Franschhoek.

- Since the intention is to use the existing internal space of the restaurant for an additional service to tourists and guests, **no safety hazards are anticipated through this application**.

- The proposal promotes land development in a **location that is sustainable in respect of a socio-economic point** of view and abuts the main road through Franschhoek (Huguenot Street).

- The proposed development **will not have any detrimental impact on the surrounds** since no additional GLA or structures are proposed.

(c) Principle of efficiency

- The proposed off-consumption activities will be confined to the inside of the existing restaurant and will therefore **optimize the use of existing resources, infrastructure, land, and services** within the established urban footprint of Franschhoek.

- Since only specialized craft alcoholic beverages will be sold to customers, **no negative impact** is expected on the immediate surrounds.

- The proposed off consumption will be an extended service to customers, while the normal restaurant will continue uninterrupted.

- The subject property forms part of the existing business corridor and is surrounded by other restaurants and retail shops.

- The primary land use will remain a restaurant with the consent use as a logic extension thereof.

- No changes are proposed to the access to and from the subject property.

(d) Principle of spatial resilience

- This principle is **not applicable** since the subject property forms part of an existing central business area of Franschhoek and is surrounded by similar business activities.

(e) Principle of good administration

- The formal application will be submitted to the local authority for approval and will be administered in accordance with the procedures contemplated in the Stellenbosch Municipality's Land Use Planning By-Law and Stellenbosch Municipality Zoning Scheme By-Law respectively.

8. DESIRABILITY OF THE APPLICATION

In terms of Section 65(c) of the Stellenbosch Municipality Land Use Planning By-Law, August 2023, the proposed utilization of the land must be desirable.

The concept of "desirability" in a land use planning context and as contemplated in Section 65(c) of the Stellenbosch Municipality Land Use Planning By-Laws can be described as the "degree of acceptability" of the specific land use(s) on a said property within an existing natural or manmade environment and the guideline proposals included in the relevant spatial development framework plans and policies, and municipal engineering services in so far as it relates to desirability, or on the basis of its effect on existing rights and the biophysical environment concerned.

The desirability of this application for **consent use on Erf 561 Franschhoek** will be evaluated against the following aspects.

- Physical characteristics
- Character of the area
- Location and Accessibility
- Spatial Planning Policies
- Provision of services

8.1 Physical characteristics

8.1.1 Topography

The subject property is an existing business property located in the centre of Franschhoek along Huguenot Street. The property is extensively developed with an existing building positioned in the southwestern corner of the subject property, while a large open area fronts onto Huguenot Street. This open area with tables and umbrellas is also extensively developed and serves as the outside seating area for the existing restaurant. Apart from a large tree on

the outside corner of the subject property, there is no conservation worthy vegetation or any ecological habitats present on the subject property.

8.1.2 Climate

The subject property is situated in the centre of Franschhoek town, inside the Franschhoek Valley and forms part of the Mediterranean climate system of the Western Cape. The area is known for its cold and wet winters and dry warm summers. The wind is predominantly north westerly during the winter months and strong south easterly in the summertime. February is the warmest month of the year, while July is the coldest month. Since the intended off consumption activity will be confined to the inside of the existing restaurant building, no impact on the existing microclimate of the area is expected.

8.2 Character of the area

The subject property is located along Huguenot Street inside the central part of Franschhoek. Huguenot Street serves as the main road traversing Franschhoek and along which most businesses and restaurants are positioned. The subject property is one of these existing restaurants and is surrounded by other businesses. The existing Town Hall and Municipal offices are located across Huguenot Street, while the Dutch Reform Church is located to the northeast of the subject property.

The existing character of the area reflects a typical business corridor with activities fronting onto Huguenot Street. Since no changes are proposed to the existing primary restaurant business on the subject property, no impact is expected on the existing character of the area. Even though provision will be made for a "liquor store" the products that will be sold will be limited to the specialised craft alcoholic beverages produced by the applicant at a different location.

It is worth noting that the same specialised craft beverages are currently served with meals in the restaurant. The proposed application will permit the sale of these specialised craft beverages to customers to take home.

8.3 Location and Accessibility

The subject property is an existing restaurant that forms part of the existing business properties along Huguenot Street. Access to the subject property is taken directly from Huguenot Street via an existing pedestrian access onto the outside seating area of the restaurant. Access onto the outside seating area is also taken from Bordeaux Street and the onsite parking bays.

There is existing street parking in Huguenot Street and since no additional GLA or spaces are proposed by this application, no additional parking bays than the existing right for the restaurant will be required.

8.4 Spatial Planning Policies

The subject property is situated in the existing urban area of Franschhoek inside within the area of jurisdiction of the Stellenbosch Municipality. The existing spatial planning policy, which is applicable to this area, the Stellenbosch Municipal Amended Spatial Development Framework (SMSDF), was adopted by Council on 27 June 2023 and provides guidelines for spatial developments within the municipal area. The subject property falls inside the

approved urban edge of Franschhoek and included into the urban area as depicted in figure 7 below.

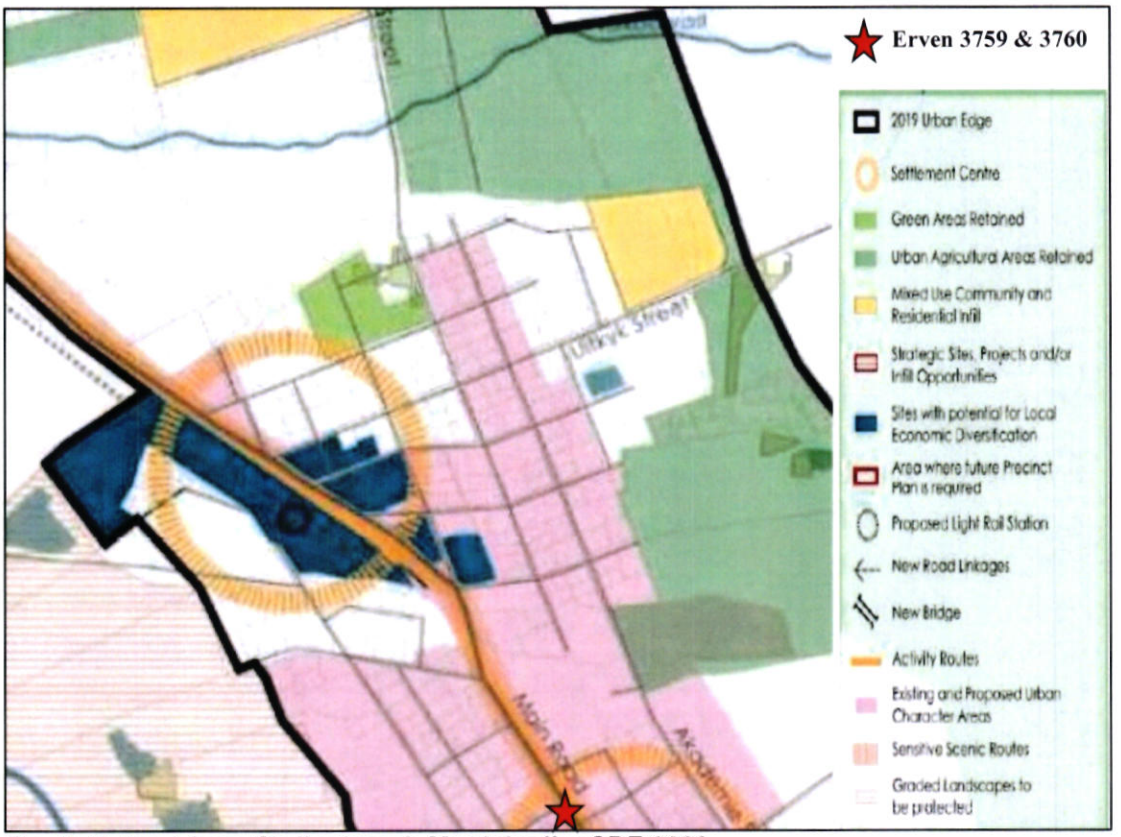


Fig. 7: Extract from Stellenbosch Municipality SDF 2023

In terms of Section 525(2) of the Stellenbosch Municipality Zoning Scheme By-Law, 2023, Franschhoek town is located inside the designated Franschhoek Urban Conservation Area as depicted in figure 8 below.

Since no changes are proposed to the exterior of the existing building on Erf 561 Franschhoek, we are confident that this property and land uses comply with the provisions of this urban conservation area and that no departures are required. All activities will be confined to the existing footprint of the restaurant.

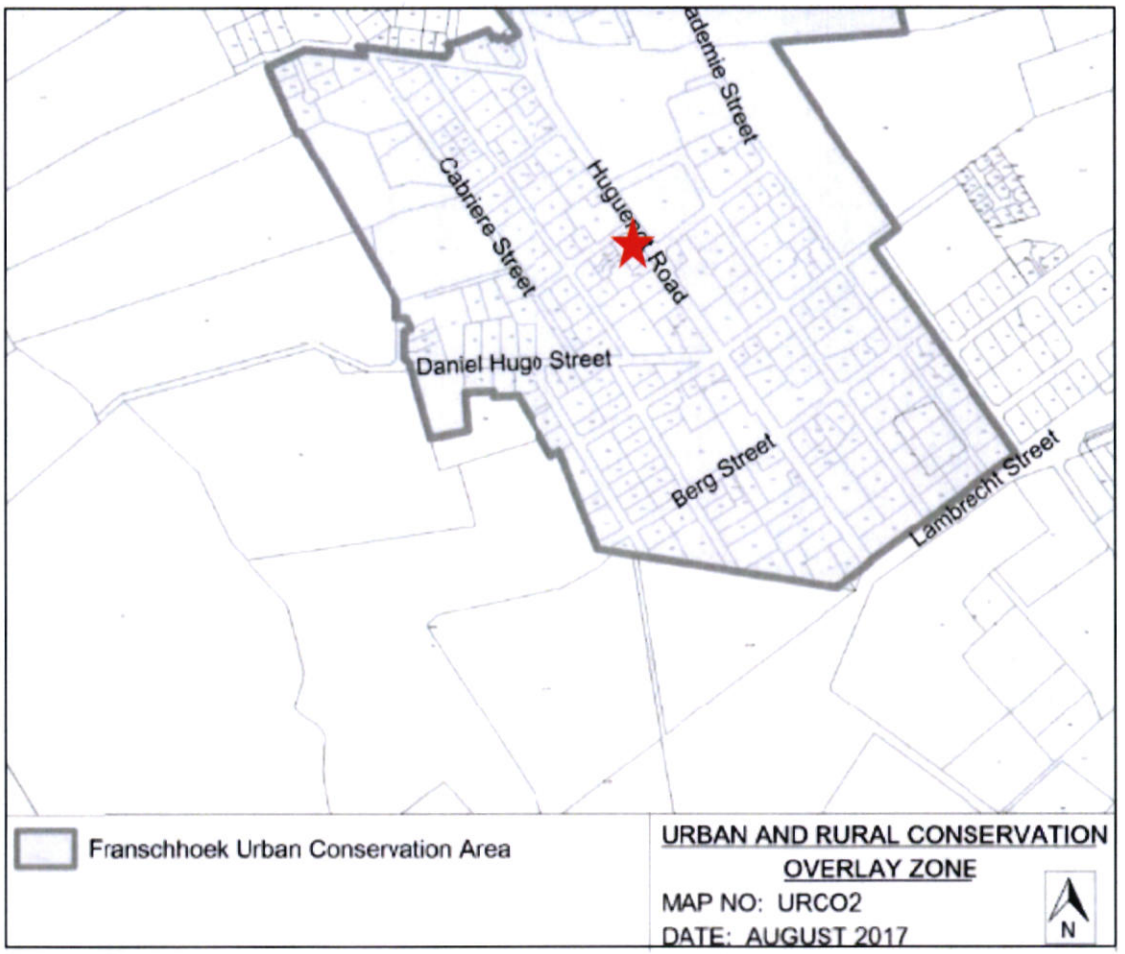


Fig. 8: Extract from Stellenbosch Municipality SDF 2023 (overlay zone)

It suffices to say that the proposed application is **not in conflict** with the spatial planning policies of the Stellenbosch Municipality and can therefore be regarded as desirable.

8.5 Provision of services

The subject is an existing business property in which Franks Corner restaurant is operating. This existing building has all the required municipal infrastructure and services and since no additions are proposed to the existing building and all off consumption activities will be confined to the inside of the existing restaurant building, no additional services or infrastructure will be required.

9. SUMMARY AND CONCLUSION

From the previous it is evident that the consent use on Erf 561 Franschhoek to permit the sale of specialised craft alcoholic beverages from inside the existing restaurant, is in line with Section 65 of the Stellenbosch Municipality: Land Use Planning By-Law and in particular Section 65(1)(c) thereof. The motivation for the proposal can be summarized as follows:

Economic impact

- The proposal will add economic value to the existing restaurant.
- The proposal will optimize existing spaces and infrastructure inside the existing building.
- The proposal will not conflict with the abutting businesses in the surrounds and along Huguenot Street.

Social impact

- Since the proposal introduce an additional service to customers to the Franks Corner restaurant, no negative impact is expected from a social point of view.
- Even though application is made for a liquor store, **only specialised craft alcoholic beverages** will be for sale and **no other liquor** will be sold from the premises.

Compatibility with surrounding land uses

- The subject property will remain a business property that is used for a restaurant.
- The proposal will not change the zoning or business use of the property nor impact negatively on the abutting business properties.

Impact on external engineering services

- Since all activities will be confined to the footprint of the existing business property that already has all the necessary municipal services and infrastructure, no additional service or infrastructure will be required.

Impact on safety, health and wellbeing of the surrounding community

- There is no reason to believe that this proposal will result in any changes to the existing safety and security in the area since all activities will be confined to the existing restaurant.
- The proposed off consumption is limited to customers to the restaurant and the use will not attract any vagrants to the property or surrounds.
- The proposal will also have no impact (visual, health and safety) on any of the surrounding properties since all activities will be inside the existing restaurant.

Impact on heritage

- Since no changes are proposed to the existing building (exterior and interior) this application has no heritage implications.

Impact on the biophysical environment

- Since the subject property is extensively developed with no conservation worthy vegetation thereon, the use of the inside of the restaurant for the intended use, will have no impact on the biophysical environment.

Traffic impacts, parking, access and other transport related considerations

- There will be no traffic or parking implications since no additional spaces or GLA are proposed to the existing restaurant building. The existing extent and onsite parking bays will remain unchanged.

Whether the imposition of conditions can mitigate and adverse impact of the proposed land use

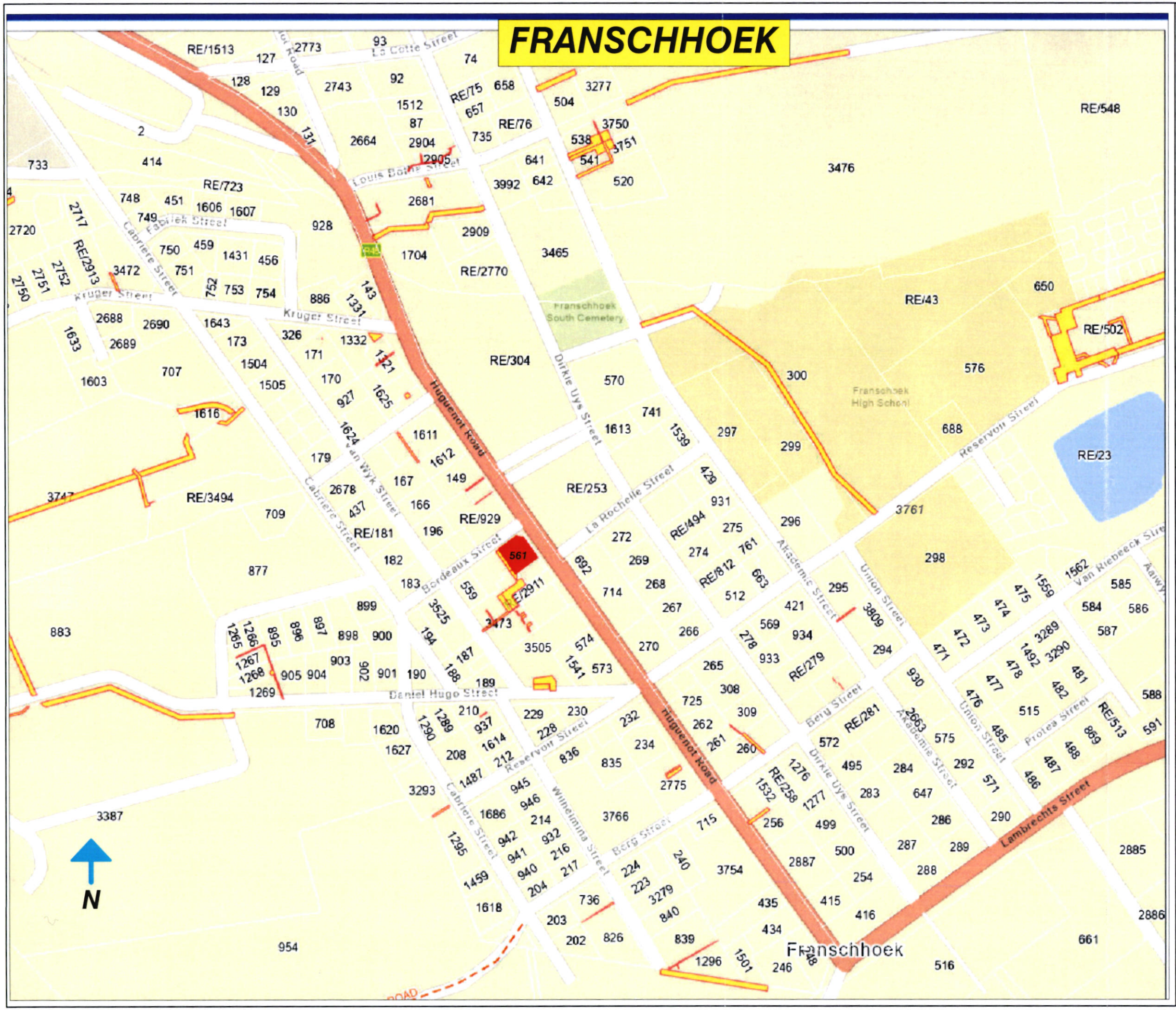
- It is our view that the proposal will have an enhancing impact on the surrounding area and **no mitigation is foreseen for the development project**.

I trust therefore that the application for a "***liquor store***" as a **Consent Use** to permit the ***sale of specialised craft alcoholic beverages*** from the inside of the existing **Franks Corner restaurant** on **Erf 561 Franschhoek** as depicted on the attached ***Floor Plan dated May 2025,*** will be approved.

PIERRE-JEAN LE ROUX

Pr. Pln. A./803/1995

FRANSCHHOEK



P-J le Roux
Stads-en Streekbeplanners/
Town and Regional Planners
Hoofstraat 262 Main Road Paarl
(Ph) 021-8722499 (Cell) 076 031 7607
(email) pj@pjleroux.co.za

Project:

Application for Consent Use: Erf 561 Franschhoek

Description:

Locality Plan

FRANKS CORNER

Skaal	N.T.S.	Leer nr.	V 30-150
Teken	PJLR	Datum	MAY 2025
Keur	PJLR	Tekening nr.	1

Huguenot Street

Bordeaux Street

RE/558

561

1600

RE/1697

RE/2911

N

P-J le Roux
Stads-en Streekbeplanners/
Town and Regional Planners
Hoofstraat 262 Main Road Paarl
(Ph) 021-8722499 (Cell) 076 031 7607
(email) pj@pjleroux.co.za

Project:

Application for Consent Use: Erf 561 Franschhoek

Description:

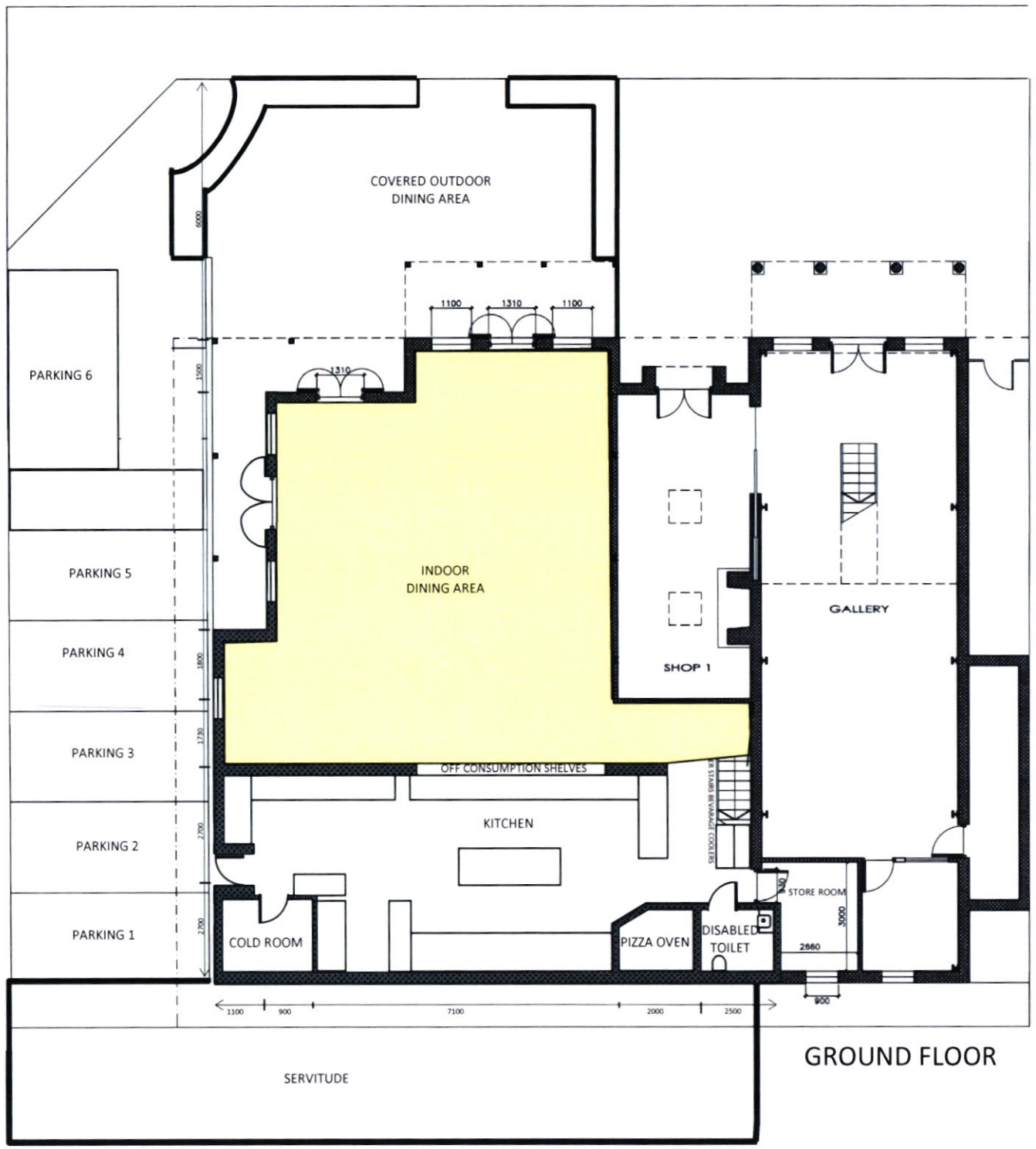
Aerial Photo

FRANKS CORNER

Skaal	N.T.S.	Leer nr.	V 30-150
Teken	PJLR	Datum	MAY 2025
Keur	PJLR	Tekening nr.	2

HUGENOTE STREET

BORDEAUX STREET

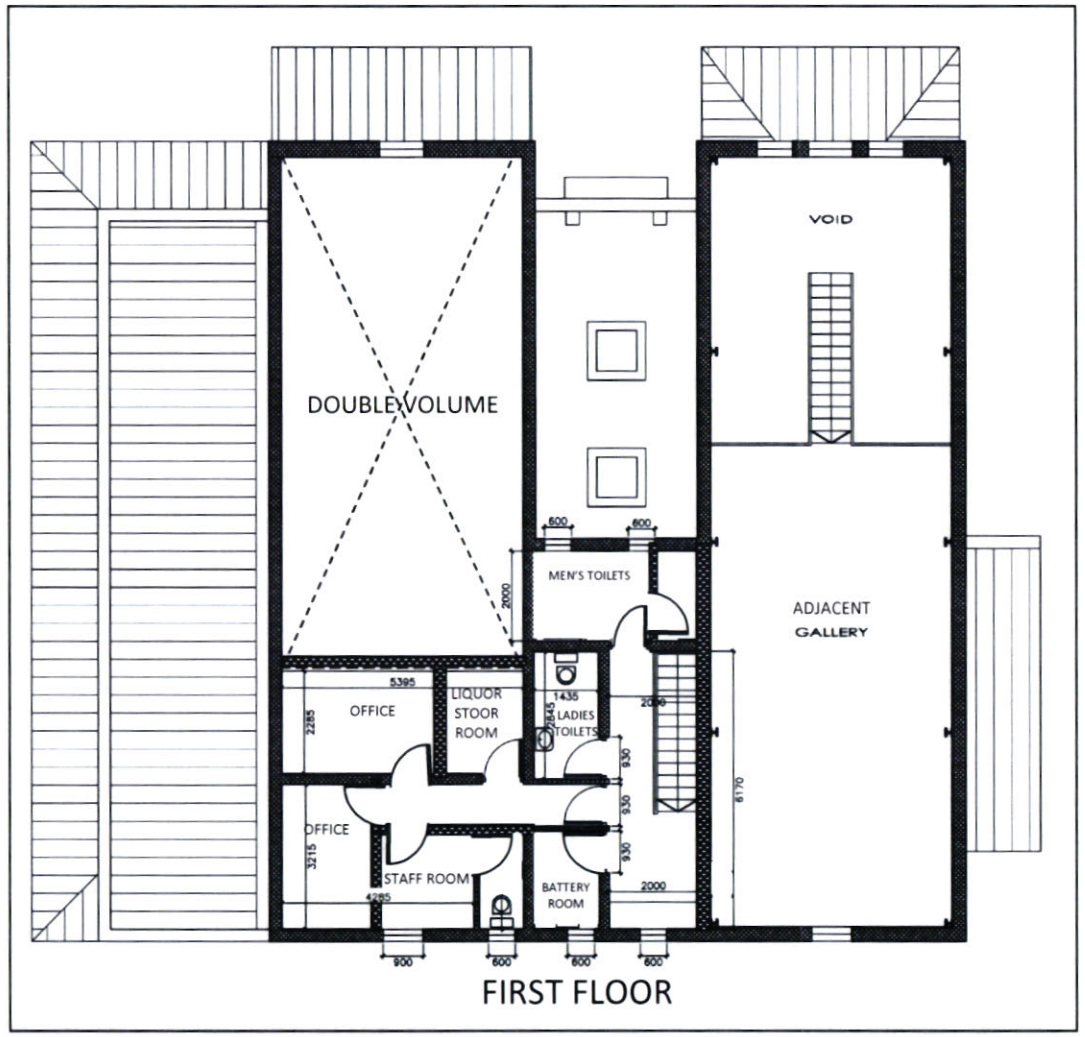


GROUND FLOOR

STREET FRONT FROM HUGUENOT STREET

INSIDE DINING AREA

OUTSIDE DINING AREA



FIRST FLOOR

FLOOR PLAN

FRANKS CORNER BAR & GRILL

APPLICANT : TK RETAIL CONSULTANTS CC
TRADING NAME : FRANK'S CORNER BAR AND GRILL

PREMISES : ERF 561 FRANSCHHOEK,
42 HUGUENOT STREET,
FRANSCHHOEK, 7690

EXTENT: 728m²

ZONING: MIXED-USE ZONE

APPLICATION : CONSENT USE FOR "LIQUORE STORE"

PROJECT : **FLOOR PLAN OF RESTAURANT AND LIQUOR LICENSE AREA**

P-J le Roux
Stads-en Streekbeplanners/
Town and Regional Planners
Hoofstraat 262 Main Road Paarl
(Ph) 021-8722499 (Cell) 076 031 7607
(email) pj@pjleroux.co.za

VAN DER MERWE & DUXBURY

LAND SURVEYORS, PAARL

S. G. No. 8814/65.

Approved.

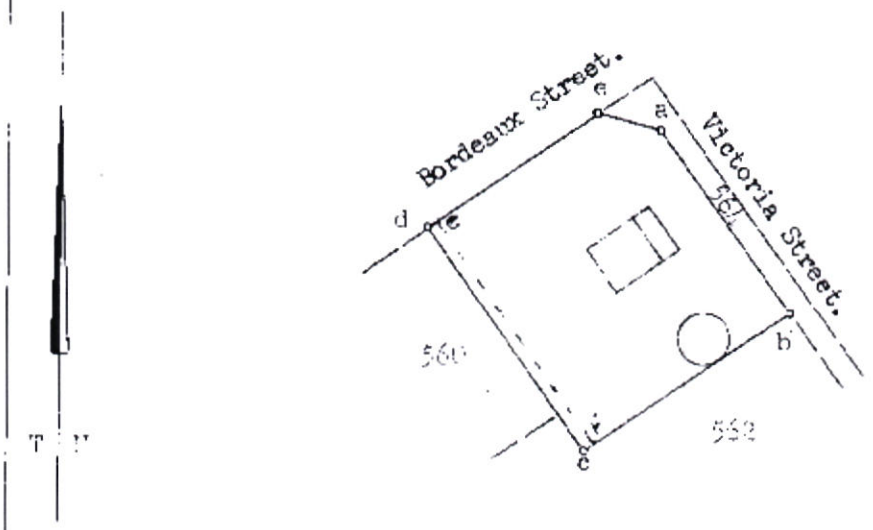
R L Barry

/Surveyor-General

16 -11- 1965

SIDES Cape Feet		DIRECTIONS	CO-ORDINATES y System [illegible] x		OFF. DESIG.
		Bearings	+	-	
ab	73.00	[illegible]	a - 35 216.21	+ 21 347.24	
bc	83.00	54 50 40	b - 35 [illegible]	+ 21 [illegible]	
cd	60.64	144 43 30	c - 35 [illegible]	+ 21 [illegible]	
de	68.02	234 37 20	d - 35 [illegible]	+ 21 [illegible]	
ea	91.17	272 32 40	e - 35 [illegible]	- 21 [illegible]	

a b c d e ½" x 30" round iron peg.



Scale 1: 250

The figure a b c d e

represents [illegible] square feet *of land, being*

Erf 561 a portion of Erf 552 Franschhoek.

situate in the Municipality of Franschhoek.

Administrative District of Paarl. *Province of the Cape of Good Hope.*

Surveyed in June 1965 *by me*

Land Surveyor.

This diagram is annexed to	*The original diagram is*	*File No.* [illegible]
No.	*No.* 8813/65	*S.R. No.* [illegible]

SURVEY RECORD	DEDICATION NO.	DESCRIPTION	DEED	INITIALED
E994\1998	2345\1998	The figure defc represents a servitude road 4,20 m wide		

TRANSMISSION

I certify that the [illegible] setting out this road reserve has been registered with.

TOWN CLERK.

- 8 NOV 1965

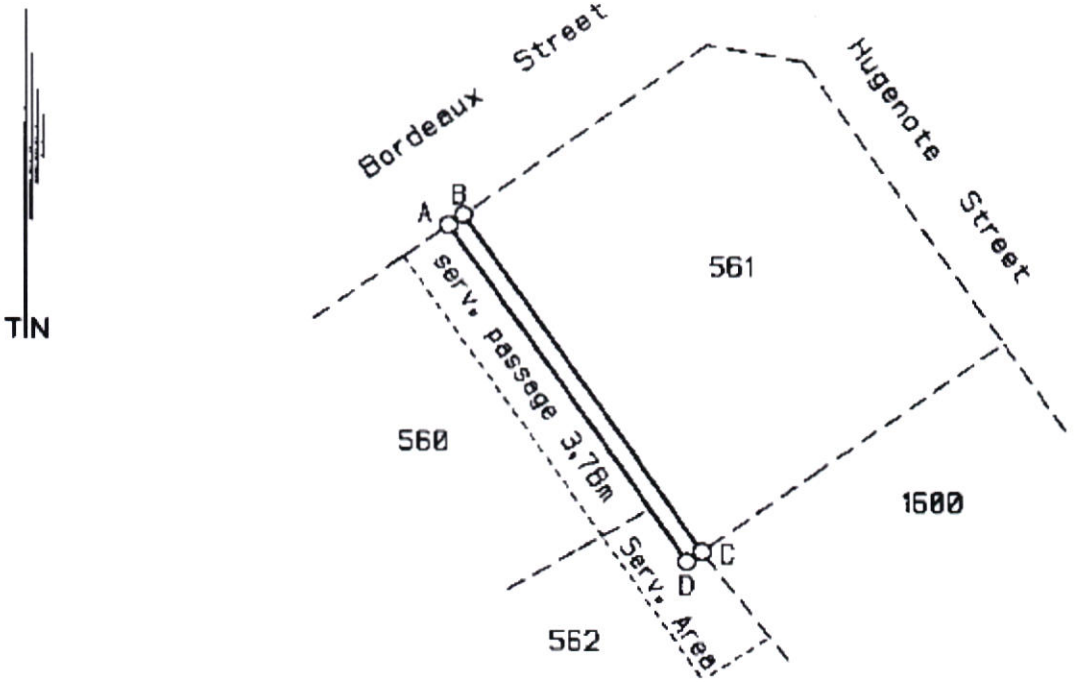
DAVID HELLIG & ABRAHAMSE, LAND SURVEYORS

SERVITUDE DOM.

OFFICE COPY

SIDES Metres		ANGLES OF DIRECTION	CO-ORDINATES Y System Lo 19° X			S.G. No
		Constant		± 0,00	+3 700 000,00	2345/1998
AB	1,22	234 37 20	A	- 11 064,16	+ 53 450,82	Approved
BC	28,22	324 43 30	B	- 11 065,16	+ 53 450,11	
CD	1,22	54 50 40	C	- 11 081,46	+ 53 473,16	for Surveyor-General
DA	28,22	144 43 30	D	- 11 080,46	+ 53 473,86	
		272 Du Toitskop	△	- 13 931,36	+ 50 366,00	1998-05-22
		274 Robert	△	- 9 222,64	+ 53 953,50	

Beacon Description
A B C D 12 mm iron peg



Scale 1:500

The figure **A B C D**

represents **34 square metres** of land being

A Servitude Road Area 1,22 m wide over Erf 561 Franschhoek

situate in **the Municipality for the Area of Franschhoek**

Administrative District of **Paarl** Province of the Western Cape

Surveyed in **September 1997 and March 1998**

by me,

S G DREYER
PLS 1028
Land Surveyor

APPROVED IN TERMS OF SECT. 25 OF ORD. 15/1985
REF 15/4/1/2 (3s)
DATE 1998-02-26

This diagram is annexed to	The original diagram is	File No. S/7042/36
No. dated i.f.o. Registrar of Deeds	No. 8814/1965 annexed to Transfer No. 1997. .112420	S.R. No. E994/1998 Comp. BI-7CA/X54 (1602)

SERVITUDE DOM.

P-J le Roux

STADS- EN STREEKBEPLANNERS /TOWN AND REGIONAL PLANNERS

POWER OF ATTORNEY

I.....
.....ALEXANDER MURDOCH MCCORMACK.....

in my capacity as.....DIRECTOR.....
.....
.....

of (property description) FRANSCHHOEK BEER CO (PTY) LTD T/A FRANKS CORNER.....
.....
.....

Address.....42 HUGUENOT ROAD FRANSCHHOEK 7690.....
.....
.....

hereby formally appoints

PJ le Roux Town and Regional Planners (Pty) Ltd
Main Road 262
Paarl
7646

to represent me at all times and in all instances at any authority or institution in the execution of the following application on the said property:

Consent Use

Signed at .....FRANSCHHOEK.....on this.....8TH.....

day of .....MAY.....20.25.

.....
Signature

.....
Witness

P-J le Roux Stadsbeplanners Edms. Bpk. (Reg nr: 2015/058583/07)
BTW No. 4860288747
Hoofstraat 262 Main Road, Paarl, 7646 Posbus / P O Box 3457, Paarl, 7620
Mobile: 0760317607 Tel: + 27 21 8722499 Faks: + 27 86 605 8431 Epos: pj@pjleroux.co.za
Direkteur P.J le Roux Pr. Pln A/803/1995 Ba Hons.M(S&S) MSAPI

COMPANY RESOLUTION

At a recent meeting of **T K RETAIL CONSULTANT CC** held on

6 May 2025 at Franschhoek it was resolved as follows:

1) To submit a formal application in terms of the following:
    a. Stellenbosch Municipality: Municipal Land Use Planning By-Law, 2023
    b. Any other relevant legislation

With respect to the proposed **CONSENT USE**

ERF 561 FRANSCHHOEK

Situated within the area of jurisdiction of the Drakenstein Municipality, Division, Paarl, Province of the Western Cape

2) To authorise **ALEX MURDOCH MCCORMACK** to sign the necessary Power of Attorney in favour of *Messrs PJ le Roux Town Planners Pty Ltd*

DIRECTOR

WITNESS

Signed on this 8 day of May ~~2024~~ 2025.

SEËLREG
DUTY R.....
FOOI
FEE R.....

Prepared by me

CONVEYANCER
STEYN, D. H.

VERBIND MORTGAGED

VIR
FOR R

B

SEP 2003

REGISTRATEUR/REGISTRAR

T 00008884 / 2003

DEED OF TRANSFER

DR. STEENKAMP & ASSOCIATES ATTORNEYS
8 LOUIS BOTHA STREET
FRANSCHHOEK 7690
TEL. NO. (021) 876 2000

BE IT HEREBY MADE KNOWN :

THAT

appeared before me, **REGISTRAR OF DEEDS** at CAPE TOWN, he/she the said Appearer, being duly authorised thereto by virtue of a Power of Attorney granted to him/her by

ERROL BOYLEY CC
Registration no.: 1987/029333/23

which said Power of Attorney is dated 14 August 2003
and signed at Franschhoek

For Information Only
For Information Only

AND the said Appearer declared that his principals the said TRANSFEROR had on 30th July 2003 truly and legally sold and that he/she, the said Appearer in his capacity aforesaid, did by these presents cede and transfer, in full and free property, to and on behalf of:

T K RETAIL CONSULTANTS CC
Registration number: 1996/023053/23

its successors in title or assigns, the following property, namely:

ERF 561 FRANSCHHOEK
Situate in the Municipality of STELLENBOSCH
In the Administrative District of PAARL
In the Province of the WESTERN CAPE

MEASURING: 728 (seven hundred and twenty eight) square metres

First transferred by Deed of Transfer no. T112417/1997 with Diagram No. S.G. 8814/1965 relating thereto and held by Deed of Transfer No. T112420/1997.

A. SUBJECT to the conditions referred to in Deed of Transfer No. T11002/1922.

B. SUBJECT FURTHER to a servitude right of way 1,22 metres wide in favour of the property described as:

Erf 582 Franschhoek, situate in the Municipality for the Area of Franschhoek, Division of Paarl, Western Cape Province.

In Extent: 1 059 (One thousand and fifty nine) square metres

the south western boundary of which servitude right of way is represented

For Information Only

by the line cd on diagram S. G. No. 8814/1965 annexed to Deed of Transfer No. T 112417/1997

WHEREFORE the said Appearer, renouncing all the right and title which the said **ERROL BOYLEY CC** heretofore had to the premises, did in consequence also acknowledge them to be entirely dispossessed of, and disentitled to, the same; and that, by virtue of these presents, the said :

T K RETAIL CONSULTANTS CC

Its successors in title or assigns now are and henceforth shall be entitled thereto, conformably to local custom, the State, however, reserving its rights, and finally acknowledging the purchase price of the property hereby transferred to be the sum of **R2 600 000,00 (Two million six hundred thousand Rand)**.

IN WITNESS WHEREOF I, the said Registrar of Deeds together with the Appearer, have subscribed to these presents and have caused the Seal of Office to be affixed thereto.

THUS DONE AND EXECUTED at the Office of the REGISTRAR OF DEEDS at CAPE TOWN on 25 September 2003 .

q.q.

In my presence:

REGISTRAR OF DEEDS

f:\D

For Information Only
For Information Only

A

VERBIND MORTGAGED

VIR
FOR R 2 200 000,00

B [illegible]/2004

8 SEP 2004

REGISTRATEUR/REGISTRAR

For Information Only

For Information Only

STELLENBOSCH • IDAS VALLEI • TRANSHOEKE
UMASIPALA • MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

Our Ref: 561
Contact per: T. Mazana
Contact no.: (021) 808 8695
Date: 13 December 2022

ZONING CERTIFICATE

Erf 561, Franschhoek, Province of the Western Cape

1. ZONING SCHEME PROVISIONS APPLICABLE TO THE SUBJECT PROPERTY

In accordance with the Stellenbosch Zoning Scheme Bylaw 2019, the base zone allocated to the above property, is:

MIXED-USE ZONE

In terms of the provisions of the said Bylaw, this base zone may provide for the following Primary, Additional and Consent land uses:

PRIMARY USES PERMITTED	ADDITIONAL USES Land development requiring technical approval in terms of Section 15 of the Stellenbosch Land Use Planning Bylaw, 2015	CONSENT USES Land development requiring approval in terms of Section 15 of the Stellenbosch Land Use Planning Bylaw, 2015
Commune Business premises (including shops, markets, restaurants, office) Clinic Community residential building Extramural facility Flats Guest house Hostel Hotel Occasional use (one event/year) Plant nursery Public institution Public parking area Private road Tourist dwelling unit Tourist accommodation establishment Welfare institution	None	Adult Entertainment Builders yard Commercial gymnasium Conference facility Day care Filling station Freestanding base telecommunication station Funeral parlour Gambling place Helicopter landing pad Hospital Indoor sport Liquor Store Motor vehicle fitment centre Motor showroom Occasional use (> one event/year) Parking garage Place of assembly Place of education Place of entertainment Renewable energy structure Rooftop base telecommunication station Tertiary educational institution Warehouse

T: +27 21 808 8111 • F: +27 21 886 6899
Plein St, Stellenbosch, 7600 • PO Box 17, Stellenbosch, 7599
www.stellenbosch.gov.za

2. PERMITTED LAND USES ATTACHED TO THE SUBJECT PROPERTY

a) The land uses which are permitted on the subject property in accordance with the zoning provisions and the approvals granted and on record, are the following:
All primary land uses as per zoning scheme By-law as shown in the land use table above.

3. LAND USE RESTRICTIONS

This property may only be used for the permitted land uses detailed above and for no other purpose.

The above land uses are subject to various definitions, development parameters and restrictions contained in the applicable zoning scheme, a copy of which is available on the Stellenbosch Municipality website at https://stellenbosch.gov.za/planning-portal/.

4. STATUS OF THE ZONING CERTIFICATE

a) A Zoning Certificate is not a legal mechanism to vest any land use rights and where there are any discrepancies between the zoning information contained in this certificate and any current Municipal decision on the permitted land use rights and any qualification thereon, such Municipal decision on the land use rights will override the contents of this zoning certificate.
b) The permitted land use rights attached to the subject property does not exempt the owner/occupier from compliance with any other statutory requirement which may be applicable to the subject property, inclusive of restrictive title deed conditions,

Director: Planning and Economic Development

T: +27 21 [illegible] F: +27 21 883 8699
[illegible] Stellenbosch, 7599 PO Box 17, Stellenbosch, 7599
www.stellenbosch.gov.za

STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

DIRECTORATE: PLANNING & ECONOMIC DEVELOPMENT

www.stellenbosch.gov.za/planning-portal/
FOR ENQUIRIES CONTACT landuse.enquiries@stellenbosch.gov.za or 021- 808 8606

SUBMIT APPLICATION BY UPLOADING COMPLETED FORM AND RELEVANT INFO TO THE
Town Planning Application Management System (TPAMS)
AFLA Portal (stellenbosch.gov.za) /
https://citymaps.stellenbosch.gov.za/aflaportal/home

NOTE: *Land Use Application Form A* is the main application form for all types of land use activities. *Land Use Application Form B* can be used if the application comprises ONLY an application for a departure or for permission either in terms of the zoning scheme or in terms of a condition of approval or in terms of the title deed. If any other type of application is also required, *Land Use Application Form A* must be completed.

LAND USE APPLICATION FORM A

Section 15 of the Land Use Planning Bylaw (LUPB) and other relevant legislation

Complete form using BLOCK letters and ticking the appropriate boxes

PART A: APPLICANT DETAILS	
First name(s)	PIERRE-JEAN
Surname	LE ROUX
Company name *(if applicable)*	P-J LE ROUX TOWN PLANNERS PTY LTD
Street or Postal Address	P O BOX 3457, PAARL, 7620
Email Address	pj@pjleroux.co.za
Contact Number(s)	0760317607

PART B: REGISTERED LANDOWNER(S) DETAILS *(If different from applicant)*	
Registered owner(s) Name	TK RETAIL CONSULTANTS CC
Street or Postal Address	42 HUGUENOT STREET, FRANSCHHOEK
E-mail Address	c/o pj@pjleroux.co.za
Contact Number	c/o 0760317607

PART C: PROPERTY DETAILS *(in accordance with title deed)*						
Erf No	561	Suburb	CBD	Town	FRANSCHHOEK	
Farm no		Farm Portion		Nearest Town		
Physical or Street Address	42 HUGUENOT STREET		Property / Business / Farm known as		FRANKS CORNER RESTAURANT	
Current Zoning	MIXED-USE ZONE					
Additional or Consent Uses						
Current activities	FRANKS CORNER RESTAURANT					
Property Size / Extent	728m²			Are there existing buildings?	Y	N
Title Deed number	T88841/2003					

Any restrictions ito Conveyance's Certificate?	Y	N	If yes, list condition(s) in motivation report.		
Are the restrictive conditions in favour of a third party?	Y	N	If yes, list the party(ies) in motivation report.		
Is the property owned by Council?	Y	N	If yes, attach a power of attorney signed by the Municipal Manager or delegated authority.		
Is the application triggered by the National Heritage Resources Act, 1999 (Act 25 of 1999)[1]	Y	N	If yes, indicate which section are triggered in motivation report and attach relevant permit.		
Is the property or building located within the historical core or contains any heritage significant features?	Y	N	Is the building older than 60 years?	Y	N
Does the property fall inside the urban edge?	Y	N	Does the property fall within a Local Overlay Zone, i.e. Technopark or ATC?	Y	N
Does the property fall within the Urban or Rural Conservation Overlay Zone?	Y	N	Does the property fall within the Scenic Route Overlay Zone?	Y	N
Any existing unauthorized buildings and/or land use on the subject property(ies)?	Y	N	If yes, is this application to legalise the building / land use[2]?	Y	N
Note: A contravention penalty is payable as condition of approval as per the approved Council Tariffs.					
Are there any pending court case(s) / order(s) relating to the subject property(ies)?	Y	N	Are there any land claim(s) registered on the subject property(ies)?	Y	N

PART D: PRE-APPLICATION CONSULTATION			
Has there been any pre-application consultation ito Section 37 of the Land Use Planning Bylaw (LUPB)?	Y	N	If yes, attach the minutes / written feedback received.
Has there been any pre-application consultation ito Section 53 of the Land Use Planning Act (LUPA)?	Y	N	If yes, attach the minutes / written feedback received.

A pre-application consultation with the Municipality is compulsory for a rezoning to subdivisional area and any proposal that triggers the Inclusionary Zoning Policy. It is advised for any other land use application that involves enhanced land use rights in the Multi-Unit Residential, Mixed-Use and Agricultural & Rural zones. A pre-application consultation may be requested for any type of application by either the applicant or by the Municipality as deemed necessary.

[1] All applications triggered by section 38(1)(a) - (e) in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999) may not be processed without a permit issued by the relevant department

[2] No application may be submitted to legalize unauthorised building work and or land use on the property if a notice has been served in terms of Section 87(2)(a), and until such time a Section 91 Compliance Certificate have been issued in terms of the Stellenbosch Land Use Planning By-law

PART E: LAND USE APPLICATIONS AND PAYMENT OF FEES

APPLICATIONS IN TERMS OF SECTION 15 OF THE LAND USE PLANNING BYLAW		Number	Fee
15(2)(a)	rezoning of land		R10 800.00
15(2)(b)	a permanent departure from the development parameters of the zoning scheme		R2 700.00
15(2)(c)	a departure granted on a temporary basis to utilise land for a purpose not permitted in terms of the primary rights of the zoning		R2 700.00
15(2)(d)	a subdivision of land that is not exempted in terms of section 24, including the registration of a servitude or lease agreement		R5 450.00
15(2)(e)	a consolidation of land that is not exempted in terms of section 24		R5 450.00
15(2)(f)	a removal, suspension or amendment of restrictive conditions in respect of a land unit		R2 700.00
15(2)(g)	a permission required in terms of the zoning scheme		R2 700.00
15(2)(h)	an amendment, deletion or imposition of conditions in respect of an existing approval		R5 450.00
15(2)(i)	an extension of the validity period of an approval *(50% of current application fee)*		R.....
15(2)(k)	an amendment or cancellation of an approved subdivision plan or part thereof, including a general plan or diagram		R5 450.00
15(2)(l)	a permission required in terms of a condition of approval		R2 700.00
15(2)(m)	a determination of a zoning		R10 800.00
15(2)(n)	a closure of a public place or part thereof		R5 450.00
15(2)(o)	a consent use contemplated in the zoning scheme		R2 700.00
15(2)(o)	a consent use for a house shop, home day care centre, day care centre		R 220.00
15(2)(p)	to disestablish a homeowners' association		R2 700.00
15(2)(q)	to rectify a failure by a homeowners' association to meet its obligations in respect of the control over or maintenance of services		R2 700.00
15(2)(r)	a permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged		R5 450.00

OTHER APPLICATIONS	Number	Fee
Approval required in terms of the bylaw for street naming and numbering		R2 700.00
Consent / Permission required in terms of a title deed (includes planning permission in terms of the Advertising on Roads and Ribbon Development Act, Act 21 of 1940)		R2 700.00
Complexity fee – Per study / assessment		R4 520.00
TOTAL APPLICATION FEE PAYABLE	**R**	

DETAILS FOR INVOICE

Name & Surname (party responsible for payment)	P-J LE ROUX TOWN PLANNERS PTY LTD
Street or Postal Address	P O BOX 3457, PAARL, 7620
Vat Number (where applicable)	4860288747

1. ***Application fees are per the approved Council Tariffs. Application fees that are paid to the Municipality are non-refundable as per the Tariff Rules. Once an invoice is issued, the application is regarded as duly submitted.***
2. ***All indigent residents who are registered as such with the Municipality and <u>with proof submitted together</u> with application will be exempted from applicable as per the Tariff Rules. Contact: Indigent.office@stellenbosch.gov.za or 021 808 8501 or 021 808 8579.***
3. ***The applicant is liable for the cost of publishing and serving notice of an application. Additional fees may become applicable, and the applicant will be informed accordingly.***

BANKING DETAILS

Account Holder Name:	Stellenbosch Municipality
Bank:	FIRST NATIONAL BANK (FNB)
Branch no.:	210554
Account no.:	62869253684
Payment reference:	TP_____ and ERF/FARM _____

Please use both the TP reference number and the Erf/Farm number indicated in Section C as a reference when making EFT payment

PART F: DETAILS OF PROPOSAL *(Brief description of intent of development listing proposed land use activities. Full motivation report must be attached, addressing the desirability of the proposal, the criteria listed in Section 65 of the LUPB and, if applicable, motivation for site specific justification.)*

APPLICATION FOR CONSENT USE FOR "LIQUORE STORE" TO PERMIT THE SALE OF SPECIALISED CRAFT ALCOHOLIC BEVERAGES PRODUCED BY THE APPLICANT AT ANOTHER PREMISES FROM THE INSIDE OF THE EXISTING FRANKS CORNER RESTAURANT

Is the proposal consistent / compliant with municipal **plans, policies and guidelines**, or any national or provincial policies (e.g., Western Cape Land Use Planning Guidelines: Rural Areas), restrictive title conditions, other legislation / authorisations?	Y	N
Is the proposal consistent with the Municipal Spatial Development Framework (**MSDF**)?	Y	N
Does the proposal require additional infrastructure / civil **engineering services** e.g., electricity; water; sewerage; road network etc.?	Y	N
Does the development proposal include the provision of **residential units**? The target market re: range in income bracket/ selling price or rental must be addressed in the motivation report.	Y	N
Does the proposal fall within a priority development area as defined in the MSDF where the provision of inclusionary housing is mandatory in terms of the **Inclusionary Zoning Policy**?	Y	N
HOA Constitution – Name & Date of approval		N/A
Design Guidelines – Name & Date of approval		N/A

Departure / Relaxation / Suspension	Zoning Scheme Development Parameter	Design Guideline Development Parameter	Restrictive Title Condition

		Adjoining erf number		**ZS / DG / RTC**		**Proposal**
Building line encroachment	Street		**From**	m	**To**	m
	Street		**From**	m	**To**	m
	Side / Common		**From**	m	**To**	m
	Side / Common		**From**	m	**To**	m
	Aggregate side		**From**	m	**To**	m
	Rear		**From**	m	**To**	m
Exceeding permissible coverage / footprint			**From**	%	**To**	%
Exceeding maximum permitted bulk / floor factor / habitable rooms			**From**		**To**	
Exceeding height restriction			**From**	m	**To**	m
Exceeding maximum storey height			**From**	m	**To**	m
Exceeding maximum boundary wall height	Street		**From**	m	**To**	m
	Side / Rear		**From**	m	**To**	m

Relaxation of on-site parking / loading requirements	**From**	bays	**To**	bays

PART G: ATTACHMENTS AND SUPPORTING INFORMATION AND DOCUMENTATION FOR LAND USE APPLICATION

Complete the following checklist and attach all the information and documentation relevant to the proposal. Failure to submit all information and documentation required will result in the application being deemed incomplete.

Information and documentation required in terms of Section 38 of the LUPB

Y	N		Power of attorney / Owner's consent if applicant is not owner	Y	N		Proof of any other relevant right held in the land concerned
Y	N		Resolution or other proof that applicant is authorised to act on behalf of a juristic person	Y	N		S.G. diagram / General plan extract (A4 or A3 only)
Y	N		Written motivation pertaining to the desirability and impact of the proposal	Y	N		Site plan or conceptual layout plan (A4 or A3 only) to scale
Y	N		Locality plan (A4 or A3 only) to scale	Y	N		Proof of agreement or permission for required servitude
Y	N		Proposed subdivision plan (A4 or A3 only) to scale	Y	N		Proof of registered ownership **(Full copy of the title deed)**
Y	N		Conveyancer's certificate	Y	N		Minutes or Written feedback of pre-application consultation (if applicable)
Y	N	N/A	Consolidation plan (A4 or A3 only) to scale	Y	N	N/A	Land use plan / Zoning plan (A4 or A3 only) to scale
Y	N	N/A	Street name and numbering plan (A4 or A3 only) to scale				
Y	N	N/A	Landscaping / Tree plan (A4 or A3 only) to scale	Y	N	N/A	1: 50 / 1:100 Flood line determination (plan / report) (A4 or A3 only) to scale
Y	N	N/A	Abutting owner's consent	Y	N	N/A	Owners' Association consent
Y	N	N/A	Copy of Environmental Impact Assessment (EIA) / Heritage Impact Assessment (HIA) / Traffic Impact Assessment (TIA) / Traffic Impact Statement (TIS) / Major Hazard Impact Assessment (MHIA) / Environmental Authorisation (EA) / Record of Decision (ROD)	Y	N	N/A	Civil Services Report or indication of all municipal services / registered servitudes
Y	N	N/A	Copy of original approval and conditions of approval	Y	N	N/A	Proof of failure of owner's association
Y	N	N/A	Proof of lawful use right **ZONING CERTIFICATE**	Y	N	N/A	Other (specify):

PART H: AUTHORISATION(S) SUBJECT TO OR BEING CONSIDERED IN TERMS OF OTHER LEGISLATION					
Y	N	If required, has application for EIA / HIA / TIA / TIS / MHIA approval been made? If yes, attach documents / plans / proof of submission etc.		Specific Environmental Management Act(s) (SEMA) (e.g., Environmental Conservation Act, 1989 (Act 73 of 1989):	
				Y	N/A	National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004)
Y	N/A	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)		Y	N/A	National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
Y	N/A	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)		Y	N/A	National Water Act, 1998 (Act 36 of 1998)
Y	N/A	Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations		Y	N/A	Other (specify)
Y	N/A	Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)				
Y	N	Do you want to follow an integrated application procedure in terms of section 44(1) of the Stellenbosch Municipality Land Use Planning By-Law? If yes, attach motivation.				

SECTION I: DECLARATION

I hereby wish to confirm the following:

1. *That the information contained in this application form and accompanying documentation is complete and correct.*
2. *I'm aware that it is an offense in terms of section 86(1)(e) of said bylaw to supply particulars, information or answers knowing the particulars, information, or answers to be false, incorrect, or misleading or not believing them to be correct.*
3. *I am properly authorized to make this application on behalf of the owner and that a copy of the relevant power of attorney or consent is attached hereto.*
4. *Where an agent is appointed to submit this application on the owner's behalf, it is accepted that correspondence from and notifications by the Municipality in terms of the by-law will be sent only to the agent and that the owner will regularly consult with the agent in this regard.*
5. *I confirm that the relevant title deed(s) have been read and that there are no restrictive title deed restrictions, which impact on this application, or alternatively an application for removal/suspension or amendment forms part of this submission.*
6. *I confirm that I have made known all information relating to possible Land / Restitution Claims against the application property.*
7. *It is the owner's responsibility to ensure that approval is not sought for a building or land use which will conflict with any applicable law.*
8. *The Municipality assesses an application on the information submitted and declarations made by the owner or on his behalf on the basis that it accepts the information so submitted and declarations so made to be correct, true, and accurate.*
9. *Approval granted by the Municipality on information or declarations that are incorrect, false, or misleading may be liable to be declared invalid and set aside which may render any building or development pursuant thereto illegal.*
10. *The Municipality will not be liable to the owner for any economic loss suffered in consequence of approval granted on incorrect, false, or misleading information or declarations being set aside.*
11. *Information and declarations include any information submitted or declarations made on behalf of the owner by a Competent Person/professional person including such information submitted or declarations made as to his or her qualification as a Competent person and/or registration as a professional.*
12. *A person who provides any information or certificate required in terms of Regulation A19 of the National Building Regulations and Building Standards Act No 103 of 1977 which he or she knows to be incomplete or false shall be guilty of an offence and shall be prosecuted accordingly.*
13. *A person who supplies particulars, information, or answers in a land use application in terms of the Stellenbosch Municipality Land Use Planning By-law knowing it to be incorrect, false, or misleading or not believing them to be correct shall be guilty of an offence and shall be prosecuted accordingly.*
14. *The Municipality will refer a complaint to the professional council or similar body with whom a Competent Person/professional person is registered if it has reason to believe that information submitted, or declaration/s made by such Competent Person/professional person is incorrect, false or misleading.*
15. *I am aware that by lodging an application, the information in the application and obtained during the process may be made available to the public.*

Applicant's signature: _____ **Date: MAY 2025**

Full name: PIERRE-JEAN LE ROUX

Professional capacity: PROFESSIONAL PLANNER A/803/1995