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Application Number: TP1654/2026
Our File Reference Number: Erf 6367, Stellenbosch
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 TEMPORARY DEPARTURE ON ERF 6367, STELLENBOSCH

1. The above application refers.

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

2.1 That the application in terms of Section 15(2)(c) of the Stellenbosch Land Use Planning Bylaw 2023, for a Temporary Departure to permit the operation of a motor vehicle repair centre on Erf 6367, Stellenbosch;

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

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

a) The approval only applies to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from the Municipality or other legislation or By-laws or Regulations that may be applicable.

b) 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.

c) The conditions imposed by the **Directorate: Infrastructure Services** contained in the memorandum dated 15 September 2026, and attached as **Annexure B**, be complied with to the satisfaction of the said department.

d) The conditions imposed by the **Community Services Department** contained in the memorandum dated 13 August 2026, and attached as **Annexure C**, be complied with to the satisfaction of the said department.

e) The temporary departure hereby approved be valid for a period of 5 years from the date of final notification that the approval comes into operation and lapses after one year from the date of final notification that the approval comes into operation if within that period the temporary departure is not utilised in accordance with the approval.

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

i. The proposal will not have a negative impact on the character of the area, the streetscape, or neighbouring properties. The temporary nature of the approval provides the Municipality with an opportunity to monitor the operation and assess its ongoing compatibility with the surrounding environment.

ii. The property can be reverted to its primary residential use should the approval lapse or be discontinued.

iii. Written consent was obtained from surrounding property owners and no objections were received during the public participation process.

2.4. **Matters** to be noted:

2.4.1. 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.

2.4.2. ***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 facility and establishment 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, 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.

3. 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.

4. 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.
5. **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**

6. 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.

7. 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.

8. 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.

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

10. 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

DATE 26/10/2026

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ANNEXURE B

COMMENTS FROM DIRECTORATE:

INFRASTRUCTURE SERVICES

STELLENBOSCH MUNICIPALITY

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MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	**Director: Planning + Economic Development**
Att Aandag:	**Nolusindiso Momoti**
From ▫ Van:	**Development (Infrastructure Services)**
Author ▫ Skrywer:	**Tyrone King**
Date ▫ Datum:	**15 September 2026**
Our Ref ▫ Ons Verw:	**Civil LU 3176**
Town Planning Ref:	**TP1654/2026**
Re ▫ Insake:	**Erf 6367, Stellenbosch: Application is made in terms of Section 15(2) (c) of the Stellenbosch Municipality By-law on Municipal Land Use Planning By law, 2023 for temporary departure to utilise the property for automotive, Service & Repairs.**

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

1.1 No customer or workshop vehicles may be parked on the public road or sidewalk.

1.2 All vehicles associated with the business must be accommodated within the property boundaries.

1.3 The number of customer's vehicles on the premises must be limited to the available space, so that there is no overspill of vehicles into the public road and sidewalk.

Should the above not be adhered to, it will lead to a disturbance and inconvenience of the neighbors and other road users, including pedestrians. Should this happen, this approval will be withdrawn.

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

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ANNEXURE C

COMMENTS FROM THE COMMUNITY SERVICES DEPARTMENT

INTEROFFICE
MEMORANDUM

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DEPARTMENT: COMMUNITY SERVICES
Stellenbosch Municipality, 123 Merriman Avenue, Stellenbosch, 7599

To:	**Administrative Officer: Land Use Management – Nolunsindiso Momoti**	From:	**Principal Officer: Air Quality & Noise Control - Martin van As**
CC:	**Manager: Environmental Management: Tammy Leibrandt**	Date:	**13 August 2026**
Re:	**LAND USE APPLICATION: TP1654/2026 – ERF 6367 SB**		

The above application refers. From an environmental noise control point of view this department has no objection to the application on condition that:

1. All activities on site comply with the Western Cape Noise Control Regulations and the By-Law on the Prevention of Public Nuisance and the Keeping of Animals

2. Business activities be limited to the operating hours of 09:00 - 16:00, Mondays to Fridays.

3. No business activities permitted on Sundays or Public Holidays.

3. The local authority reserves the right to impose additional noise mitigation measures should complaints from the general public be received.

M. van As

PRINCIPAL OFFICER: AIR QUALITY & NOISE CONTROL
COMMUNITY & PROTECTION SERVICES