



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/17460 (TP854/2024)

Our File Reference Number: Farm 1581, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL

Sir /Madam

APPLICATION FOR PERMANENT DEPARTURE ; CONSENT USE AND ADMINISTRATORS CONSENT TO RELAX THE RESTRICTIVE TITLE DEED CONDITION ON FARM 1581, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows.
 - 2.1 That the Administrator's consent in terms of restrictive title deed condition in Section 5 E "2" on page 7 of Title Deed No. T60182/2016, in order to permit the property to be used as a place of business (tourist accommodation establishment).

BE GRANTED

- 2.2. That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Farm No. 1581, Stellenbosch Division for:
 - i. The **consent use** application in terms of Section 15(2)(o) of the Stellenbosch Land Use Planning Bylaw, 2023 to allow to the construction of 3 additional dwelling units.
 - ii. The **consent use** application in terms of Section 15(2)(o) of the Stellenbosch land Use Planning Bylaw, 2023 to utilise the proposed 3 additional dwelling units, existing farm managers cottage and second dwelling as a tourist accommodation establishment (10 bedrooms in total).

- iii. The **permanent departure** application in terms of Section 15(2)(b) of the Stellenbosch Land Use Planning Bylaw, 2023 to permit the additions (covered veranda) on the existing managers cottage to exceed the existing coverage from 273m² to 349.7m².

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

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

- 2.3.1. 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.
- 2.3.2. 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.
- 2.3.3. The development be implemented in accordance with the Site Plan and floor plans Referenced as D_101 drawn by: VDM Architects (EvdM) dated 20/04/2024 and Drawing No. 1809171.02.01 drawn by PJ van Heerden dated 18/09/20217 and attached as **Annexure A**.
- 2.3.4. The following conditions imposed by Directorate: Infrastructure Services, attached as **Annexure B** be adhered to:
- a). The existing conservancy tank must be used for the proposed tourist accommodation establishment.
- b). The existing boreholes must be used for the proposed tourist accommodation establishment.
- 2.3.5. 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.
- 2.3.6. The conditions imposed by Directorate: Health Services, attached as **Annexure E** be adhered to.
- 2.3.7. The proposed 3 additional dwelling units (pods) are limited to $\pm 15\text{m}^2$ per dwelling unit.
- 2.3.8. Building plans for all new structures and for all changes of use in the existing buildings be submitted and approved by the Municipality prior to the commencing of any

building works, including the preparation of land, which will only be approved when all relevant (or qualified) conditions of approval have been complied with.

- 2.3.9. A contravention penalty relating to the unlawful utilisation of land, is payable within 30 days from the date of the letter of approval and prior to building plan approval being granted.

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

- 2.4.1 The scale and nature of the proposed tourist accommodation establishment will not compromise the existing character of the surrounding landscape.
- 2.4.2 The proposed use is subservient to the agricultural use of the property and surrounding farms.
- 2.4.3 The proposed increase in the footprint of the managers cottage does not consists in the increase of additional bedrooms which could increase the number of bedrooms within the tourist accommodation establishment, it is however to cover the existing veranda. The impact of the new footprint will not have an impact on the overall scale of the tourist accommodation establishment.
- 2.4.4 The application aligns with the spatial planning objectives of the Stellenbosch Spatial Development Framework, which promotes development of an appropriate scale and form within the relevant Spatial Planning Category (SPC), clustered within visually discreet nodes. Furthermore, the proposal is consistent with the Framework's objective of ensuring that ancillary and non-agricultural land uses do not detract from the rural character of the landscape or compromise the primary agricultural activities conducted on the property.
- 2.4.5 The administrators consent to relax the restrictive title deed condition to permit the use of the property as place of business (tourist accommodation establishment) is considered to have minimal impact. This is due to the fact that such use is commonly associated with agricultural properties and does not entail intensive commercial activity.
- 2.4.6 The permanent departure application consists of a minor increase in coverage to accommodate the covered stoep in addition to the existing 349.7m² coverage. The additional area will not negatively impact the scale or character of the existing tourist accommodation establishment.
- 2.4.7 A site inspection was conducted on the property, during which it was noted that one of the proposed pods had already been constructed. Accordingly, a contravention

penalty shall apply in respect of the unauthorised construction of the additional dwelling unit.

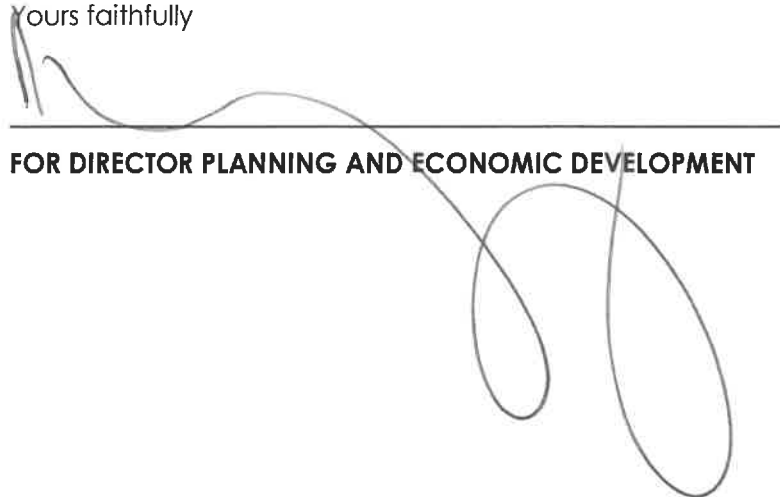
2.5. Matters **to be noted**:

2.5.1. None

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



A handwritten signature in black ink, consisting of a series of loops and curves, is written over a horizontal line.

FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

10/6/2026.
DATE



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ANNEXURE A

SITE DEVELOPMENT PLAN

General Notes:

- 1. All dimensions are in millimeters unless otherwise stated.
- 2. All work shall be in accordance with the relevant building regulations and standards.
- 3. The client is responsible for obtaining all necessary permits and approvals.
- 4. The contractor is responsible for obtaining all necessary permits and approvals.
- 5. The contractor is responsible for obtaining all necessary permits and approvals.
- 6. The contractor is responsible for obtaining all necessary permits and approvals.
- 7. The contractor is responsible for obtaining all necessary permits and approvals.
- 8. The contractor is responsible for obtaining all necessary permits and approvals.
- 9. The contractor is responsible for obtaining all necessary permits and approvals.
- 10. The contractor is responsible for obtaining all necessary permits and approvals.



Revisions	
No.	Description
01	Initial Design
02	Revised Design
03	Final Design

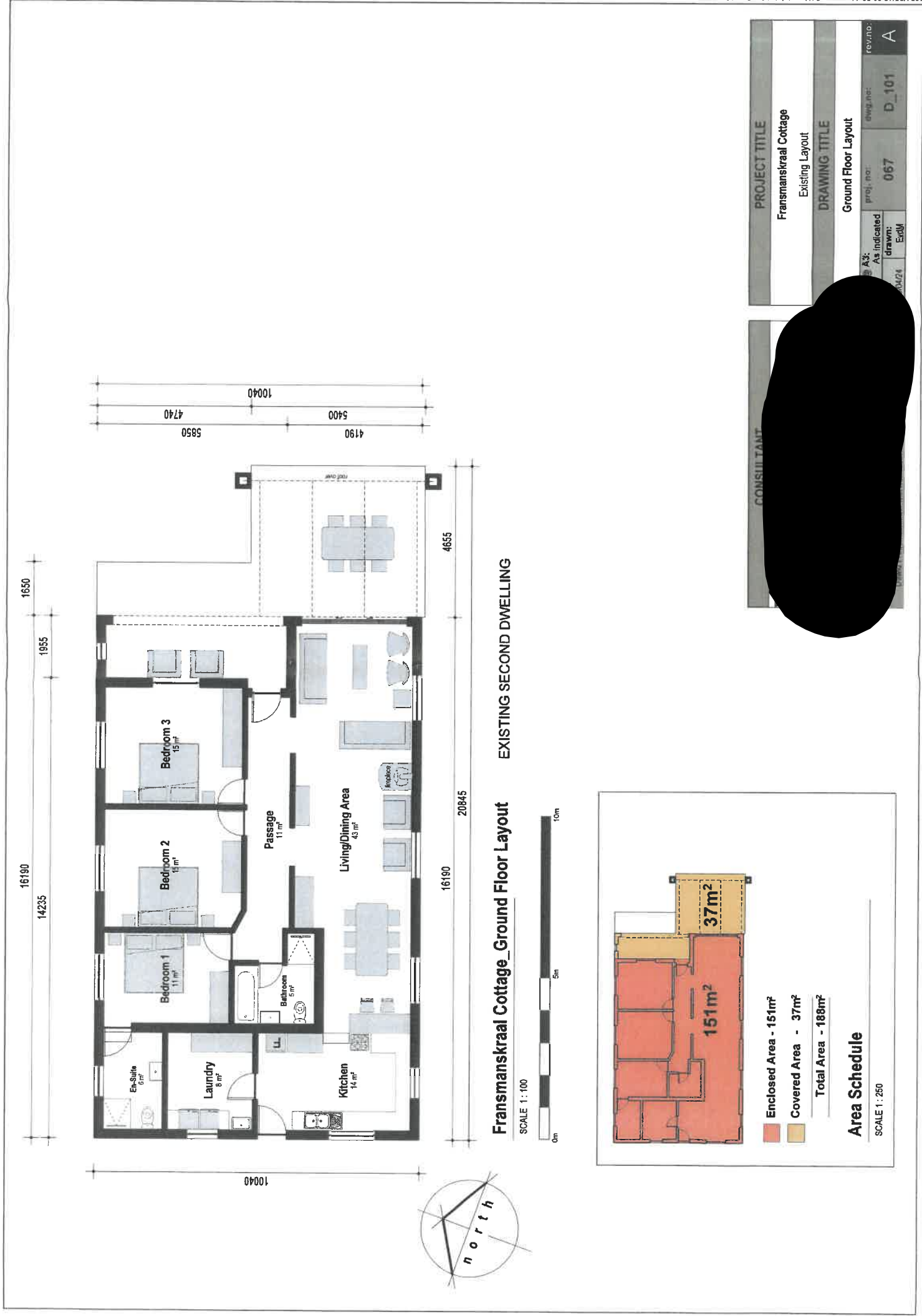
Schedule of Costs	
Cost of Building	100%
Cost of Materials	100%
Cost of Labour	100%
Cost of Services	100%
Cost of Contingency	100%
Cost of Professional Fees	100%
Cost of Insurance	100%
Cost of Taxes	100%
Cost of Other	100%
Total Cost	100%

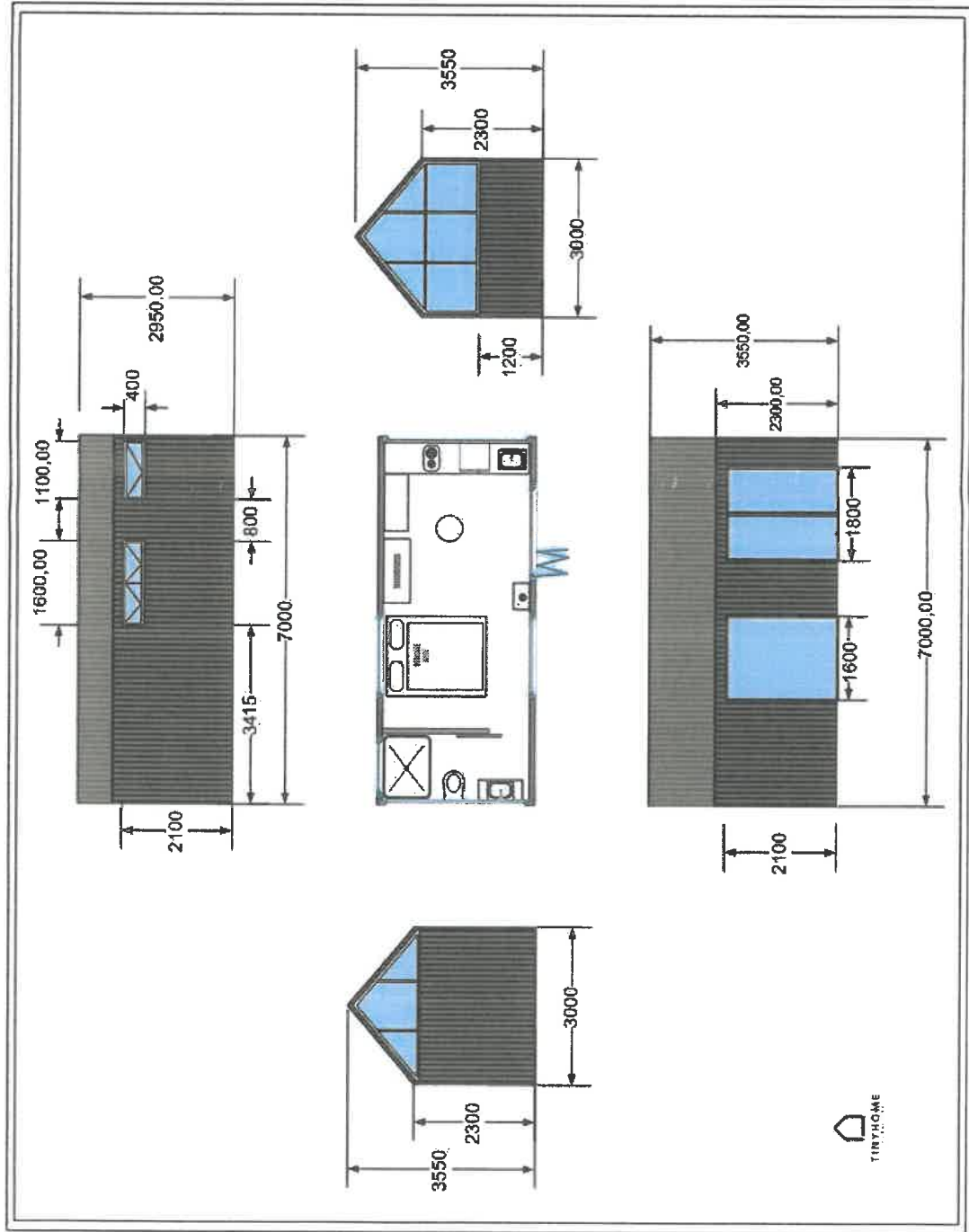
FARM 1531, DEVON VALLEY ROAD, STELLENBOSCH	
Drawing & Description	
FLOOR LAYOUT	
Unit:	LANDTOP
Scale:	1:500
Author:	10/05/2017
Drawn By:	10/05/2017
Checked By:	10/05/2017
Drawn:	10/05/2017
Scale:	1:500



FLOOR LAYOUT
Scale: 1:500

EXISTING FARM MANAGERS HOUSE





TYPICAL FLOOR PLAN: GUEST POD
±15m²



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ANNEXURE B

COMMENTS FROM DIRECTORATE:
INFRASTRUCTURE SERVICES



STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag:	Nolusindiso Momoti
From ▫ Van:	Technician: Development (Infrastructure Services)
Author ▫ Skrywer:	Xolani Tika
Date ▫ Datum:	12 March 2025
Our Ref ▫ Ons Verw:	Civil LU 2848
Town Planning Ref:	LU/17460 – TP854/2024
Re ▫ Insake:	<p>Farm 1581, Stellenbosch: 1. Application in terms of Section 15(2)(o) of the Stellenbosch Land Use Planning Bylaw 2023 for consent use to allow 3 additional dwelling units ($\pm 15\text{m}^2$/dwelling unit) on Farm No. 1581 Stellenbosch 2. Application in terms of Section 15(2)(o) of Stellenbosch Land Use Planning Bylaw 2023, for consent use to utilize the proposed 3 additional dwelling units, existing managers house and second dwelling as a tourist accommodation establishment (10 bedrooms in total) 3. Administrators consent to relax the restrictive title deed condition contained in section 5 E “2” of Deed of Transfer No. T60182/2016 stating: - “The land shall be used for residential and agricultural purposes only and no store or place of business or industry whatsoever may be opened or conducted on the land, without the written approval of the controlling authority, as defined in Act No.21 of 1940.”</p>

Ktitus

4. Application in terms of Section 15(2)(b) of the Stellenbosch Land Use Planning Bylaw 2023, for a permanent departure to permit the additions to the existing managers cottage (covered veranda) to exceed the coverage from 120m² to 349.7m².

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

1. Sewer

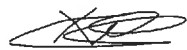
- 1.1 The existing conservancy tank must be used for the proposed tourist accommodation establishment.

2. Water

- 2.1 The existing boreholes must be used for the proposed tourist accommodation establishment.

3. Development Charges (DCs)

- 3.1 The following DC's are payable: See **Development Charge Calculation** attached.
- 3.2 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.
- 3.3 The appropriate DC's are payable before the facility is put to its approved use.



Xolani Tika

Technician: Development (Infrastructure Services)

T:\2.0 DEVELOPMENT\01 Land Use applications\2848 (XT) Farm 1581 Stellenbosch (LU-17460 TP854-2024)\2848 () Farm 1581 Stellenbosch (LU-17460 TP854-2024).doc

Ktitus



Stellenbosch Municipality

Development Charge Calculation



APPLICATION INFORMATION	
Application Number:	DC 2848 (XT) Farm 1581 - Stellenbosch (LU-17460 TP854-2024)
Development Name:	
Date:	12 March 2025
Financial Year:	2024/2025
Erf Location (Select from 7 Locations):	Stellenbosch Town
Erf Region (Select Urban or Rural):	Rural
Erf No. / Farm No.:	Farm 1581
DC Parameters Reference:	Changing the existing use to convert it to a tourist accommodation establishment (GFP dated 2017/04/15 Drawing no-15C517-02-01)(GFP dated 2024/04/20 Drawing no-D-101)

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:	1,54	1,28	0,028	0,105	21		7		
Total Service Usage Reduction:	0	0	0	0	10,5		0		
Total Service Usage after Reduction:	1,54	1,28	0,02800	0,105	10,5		7		
Charges before adjusting for positive only, before Deductions	R -	R -	R 6 096,48	R 10 794,00	R 133 203,72	R 150 094,21	R 28 380,19	R	178 474,40
Charges adjusted for positive only, before Deductions	R -	R -	R 6 096,48	R 10 794,00	R 133 203,72	R 150 094,21	R 28 380,19	R	178 474,40
Total Deductions:	R -	R -	R -	R -	R 66 601,86	R 66 601,86	R -	R	66 601,86
Total Development Charges Payable (excluding VAT):	R -	R -	R 6 096,48	R 10 794,00	R 66 601,86	R 83 482,35	R 28 380,19	R	111 872,54
VAT:	R -	R -	R 914,47	R 1 619,10	R 9 990,28	R 12 523,85	R 4 257,03	R	16 780,88
Total Development Charges Payable (including VAT):	R -	R -	R 7 010,96	R 12 413,10	R 76 592,14	R 96 016,20	R 32 637,22	R	128 653,42

APPLICANT INFORMATION	
Application Processed by:	Xolani Tika
Signature:	
Notes:	See the attached GFP

Ktltus

Stellenbosch Town

Land Use Category	Unit Type	Existing Usage		Proposed New Usage		Increased Usage Amount	Development Charge Levied (excl VAT)						Sub Total (Civil Eng Services)	Community		Total		
		Area (m2)	Unit Amount	Result	Area (m2)		Unit Amount	Result	Water No	Sewer No	Stormwater Yes	Solid Waste Yes		Roads & Transport Yes	Yes		No	
Residential	Single Residential >1000m2	du						0	R	-	R	-	R	-	R	-	R	-
	Single Residential >900m2	du						0	R	-	R	-	R	-	R	-	R	-
	Single Residential >250m2	du						0	R	-	R	-	R	-	R	-	R	-
	Single Residential <250m2	du						0	R	-	R	-	R	-	R	-	R	-
	Second Dwelling	du						0	R	-	R	-	R	-	R	-	R	-
	Less Formal Residential	du						0	R	-	R	-	R	-	R	-	R	-
Accommodation	Group Residential	du						0	R	-	R	-	R	-	R	-	R	-
	Apartments	du						0	R	-	R	-	R	-	R	-	R	-
	Retirement Village	du						0	R	-	R	-	R	-	R	-	R	-
	Old age home	du						0	R	-	R	-	R	-	R	-	R	-
Accommodation	Student Accommodation/Commune/Hostels	rooms						0	R	-	R	-	R	-	R	-	R	-
	Guest House	rooms						7	R	-	R	-	R	-	R	-	R	-
	Converted Guest House	rooms						0	R	-	R	-	R	-	R	-	R	-
	Hotel Residential	rooms						0	R	-	R	-	R	-	R	-	R	-
Commercial	General Business	m2 GLA						0	R	-	R	-	R	-	R	-	R	-
	Office	m2 GLA						0	R	-	R	-	R	-	R	-	R	-
	Retail/Shop	m2 GLA						0	R	-	R	-	R	-	R	-	R	-
	Restaurant	m2 GLA						0	R	-	R	-	R	-	R	-	R	-
	Outdoor Function / Picnic Area	persons						0	R	-	R	-	R	-	R	-	R	-
	Conference Facility/Place of assembly	m2 GLA						0	R	-	R	-	R	-	R	-	R	-
	Hospital/Clinic/Medical Rooms	m2 GLA						0	R	-	R	-	R	-	R	-	R	-
	University/College	student						0	R	-	R	-	R	-	R	-	R	-
	School/Day Care	student						0	R	-	R	-	R	-	R	-	R	-
	Industrial - light	m2 GLA						0	R	-	R	-	R	-	R	-	R	-
Industrial	Industrial - heavy	m2 GLA						0	R	-	R	-	R	-	R	-	R	-
	Warehousing/Light Manufacturing	m2 GLA						0	R	-	R	-	R	-	R	-	R	-
	Storage Facilities	unit						0	R	-	R	-	R	-	R	-	R	-
Non demand	Open Space/Natural Environment/Utility Site	ha						0	R	-	R	-	R	-	R	-	R	-
	Roads and Parking	ha						0,0000	R	-	R	-	R	-	R	-	R	-
Other	To be calculated	n/a						0,0000	R	-	R	-	R	-	R	-	R	-
	(Based on equivalent demands)	n/a						0	R	-	R	-	R	-	R	-	R	-
Total Area:		0						0	Total Area:		0							
		176 474,40																

Project Name

1. The purpose of this floor plan is to provide a visual representation of the proposed floor layout for the existing Farm Managers House. The plan is based on the information provided by the client and the architect. It is not intended to be a final construction document. The plan is subject to change without notice. The plan is not to be used for any other purpose without the written consent of the architect.



Legend
 N North
 S South
 E East
 W West

Notes
 1. All dimensions are in millimeters.
 2. All dimensions are to the center of the wall unless otherwise specified.
 3. All dimensions are to the finished floor level unless otherwise specified.

STELLERBOCH

FLOOR LAYOUT

Legend

Legend

Legend

Legend

Legend

Legend

Legend

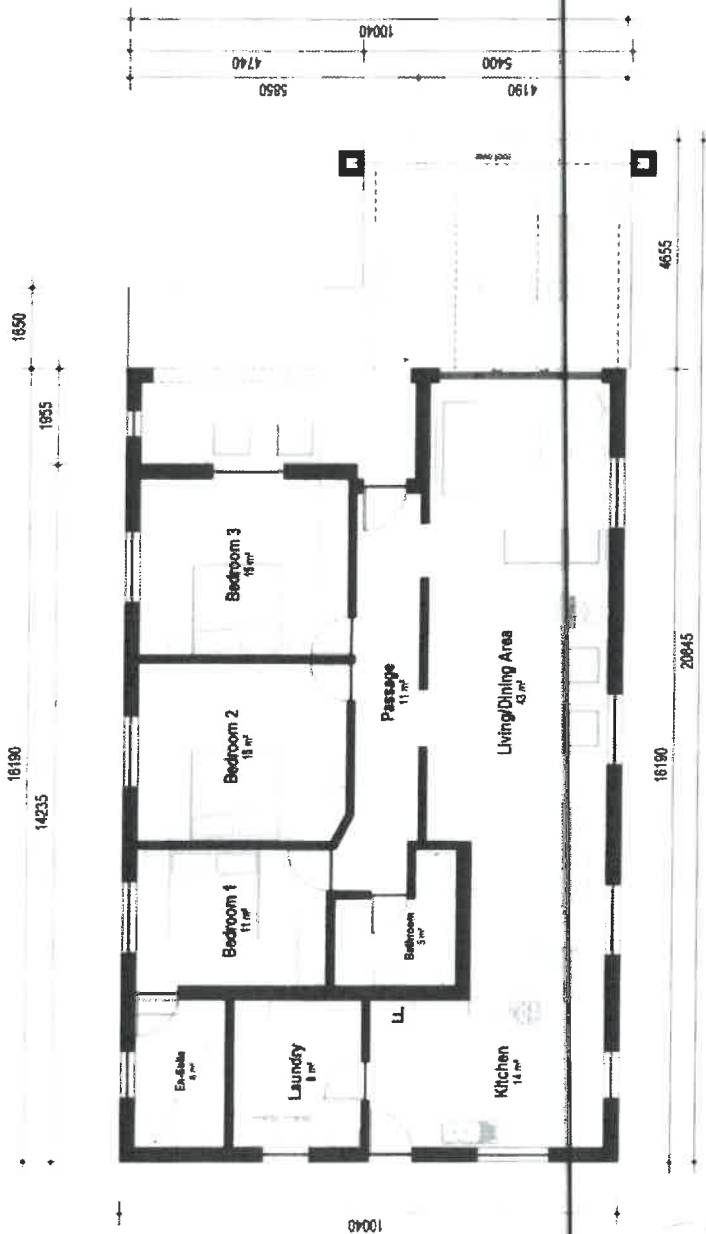
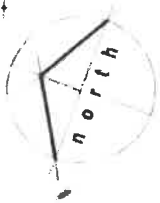
Legend

Legend



FLOOR LAYOUT
 Scale: 1:50

EXISTING FARM MANAGERS HOUSE

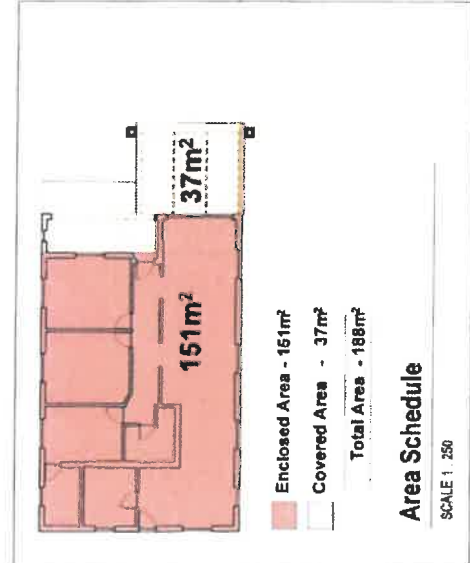


Fransmanskraal Cottage_Ground Floor Layout

SCALE 1:100



EXISTING SECOND DWELLING



CONSULTANT

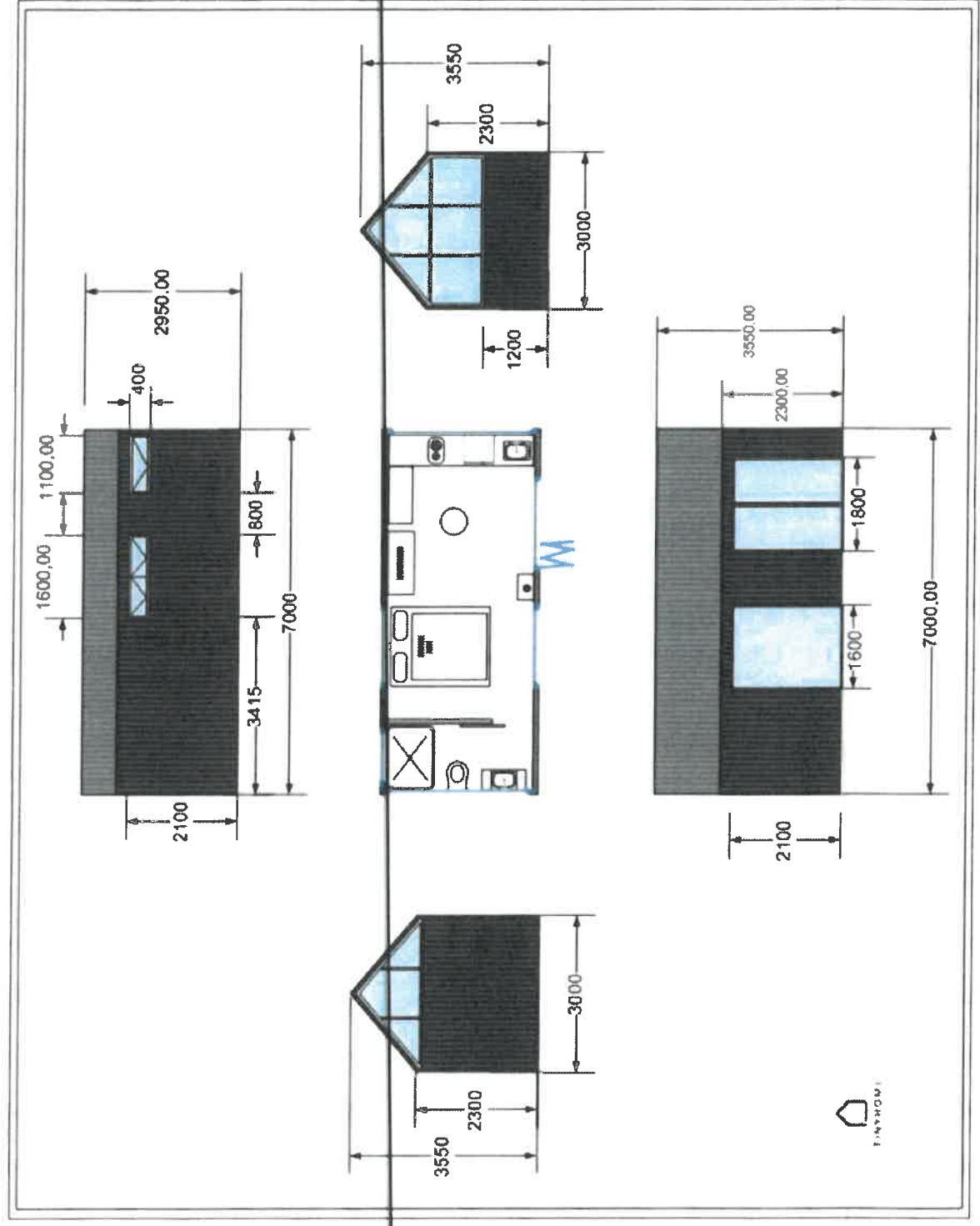
PROJECT TITLE

Fransmanskraal Cottage
Existing Layout

DRAWING TITLE

Ground Floor Layout

date: 20/07/24	drawn: EdM	proj. no: 067	design. no: D_101	rev. no: A
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TYPICAL FLOOR PLAN: GUEST POD
±15m²



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ANNEXURE E

COMMENT FROM CAPE WINELANDS MANAGER:
HEALTH SERVICES

Charlene Williams

From: Nolusindiso Momoti
Sent: Tuesday, 20 May 2025 13:12
To: emilevdm@adept.co.za
Cc: Charlene Williams
Subject: FW: FARM 1581, STELLENBOSCH: COMMENT

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELOPMENT SERVICES

20 MAY 2025

RECEIVED

Dear Emile,

Please find below Health comment for the above-mentioned application.



Kind regards / Vriendelike Groete

Nolusindiso Momoti (Sindi)

Administrative Officer

Land Use Management

Planning & Economic Development

T: +27 21 808 8673; F + 27 21 886 6899
NPK Building, 1st Floor, C/O Plein & Ryneveld
Street, Stellenbosch, 7600
www.stellenbosch.gov.za



Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions published at the following link:
<http://www.stellenbosch.gov.za/main/pages/disclaimer-page.htm>

FILE NO.	F 1581 S
SUBJECT	
COLLECTED BY	

From: Fabian van Wyk <fabian@capewinelandsgov.za>
Sent: Tuesday, 20 May 2025 12:43
To: Nolusindiso Momoti <Nolusindiso.Momoti@stellenbosch.gov.za>
Subject: [EX] RE: FARM 1581, STELLENBOSCH: COMMENT

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good day Madam.

Please find below comments with regards to the application.

MUNICIPAL HEALTH SERVICES COMMENTS: FARM 1581, STELLENBOSCH

There are no objections from an Environmental Health point of view subject to compliance with the following:

1. All sewage / wastewater must be disposed of in such a manner that it does not create a health nuisance and must be connected to the existing municipal system.
2. The applicant should apply for the Refuse Removal Service from Stellenbosch Municipality or alternately an adequate waste removal service must be used.
3. In the event where food will be prepared or handled and or served to the public, the applicant must apply in writing to the Municipal Health Services Department of the Cape Winelands District Municipality for a Certificate of Acceptability in terms of Regulation 638 of 22 June 2018.
4. In the event where any noise generating activity will be conducted on the premises, the onus lies on the owner to ensure that the necessary noise evaluation is carried out and that the results are submitted to local authority (SANS 10103 of 2003).
5. An adequate water supply that complies with the national standards for drinking water (SANS 0241:2001) must be provided.

Yours faithfully



FABIAN VAN WYK
for MUNICIPAL MANAGER

From: Nolusindiso Momoti <Nolusindiso.Momoti@ Stellenbosch.gov.za>
Sent: Tuesday, 20 May 2025 11:47
To: Fabian van Wyk <fabian@capewinelands.gov.za>
Cc: Ferencia September <ferencia@capewinelands.gov.za>
Subject: FW: FARM 1581, STELLENBOSCH: COMMENT

Dear Fabian,

Kindly provide comment for the above-mentioned application in order to process it further.



Kind regards / Vriendelike Groete
Nolusindiso Momoti (Sindi)
Administrative Officer
Land Use Management
Planning & Economic Development

T: +27 21 808 8673; F: +27 21 886 6899
NPK Building, 1 Floor, C/O Plein & Ryneveld
Street, Stellenbosch, 7600
www.stellenbosch.gov.za



Disclaimer and confidentiality note: The legal status of this communication is governed by the terms and conditions