STELLENBOSCH
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Application Number: TP1720/2026
Our File Reference Number: Farm 1003/8, Paarl Division
Your Reference Number: S 50-136
Enquiries: Ulrich von Molendorff
Contact No: 021 808 8682
Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL [redacted]

Sir / Madam

APPLICATION FOR AMENDMENT OF CONDITION OF APPROVAL, PERMISSION IN TERMS OF THE ZONING SCHEME AND PERMANENT DEPARTURE ON FARM NO. 1003/8, PAARL DIVISION

1. The above application refers.

2. The duly authorised decision maker hereby decides on the above application as follows.

3. That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning By-law on Farm No. 1003/8, Paarl Division for:

   3.1. Application in terms of Section 15(2)(g) of the said By-law for permission in terms of the Zoning Scheme By-law in respect of the subject property zoned Private Open Space Zone (with consent for outdoor sport), for the following:

   a) To permit the padel courts and associated infrastructure, replacing the old tennis courts, in the Rural Conservation Overlay Zone and the Rural Scenic Route Overlay Zone in accordance with the provisions of Sections 246(2) and 256(1) of the Zoning Scheme By-law,
   b) The approval of a site development plan in accordance with the provisions of Sections 196(1) and 251(1) of the Zoning Scheme By-law,

   3.2. Application in terms of Section 15(2)(b) of the said By-law for permanent departure to relax the 30m street building line (along the R45 Road) applicable to the Rural Scenic Route Overlay Zone to ±10m to permit the padel courts and associated infrastructure,

   3.3. Application in terms of Section 15(2)(h) of the said By-law for the deletion of condition 7 of the approval dated 11/01/1979 pertaining to applicable additional building lines (60m from the centre line of the R45 Road, 10m from the western boundary and 30m from the northern and eastern boundary) to permit the padel courts and associated infrastructure ±30m from the centre line of the R45 Road and ±5m from the western boundary,

BE APPROVED in terms of Section 60 of the said By-law and subject to conditions of approval.

4. The approval is subject to the following conditions imposed in terms of Section 66 of the said By-law:

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

4.2. The development be implemented substantially in accordance with the endorsed Site Development Plan with drawing No. 3, drawn by PJLR and dated July 2026 and attached as **Annexure A**.

4.3. Building plans be submitted to the Municipality for consideration and approval for the padel courts in accordance with the Site Development Plan with drawing No. 3, drawn by PJLR and dated July 2026 and attached as **Annexure A**.

4.4. A landscaping plan be submitted to the satisfaction of the Municipality for approval as part of the building plan application. The landscaping plan must indicate appropriate additional measures to adequately mitigate the visual impact of the padel courts located next to a scenic route. Vegetation must be planted and maintained along the property's R45 Road boundary to adequately mitigate the visual impact and light pollution associated with the padel courts.

4.5. The padel courts surface area must be green, and the use of bright colours and reflective finishes are not permitted for any structure associated with the padel courts.

4.6. The number of padel courts be restricted to a maximum of three (3) courts unless otherwise approved by the Municipality.

4.7. The padel courts may not be covered by any roofed structure.

4.8. Sufficient on-site parking be provided in accordance with the provisions of the Zoning Scheme By-law to the satisfaction of the Municipality.

4.9. Any external lighting of structures associated with the padel courts be shielded from adjacent properties and the R45 Road by being downward facing to minimise light spill and avoid upward and horizontal light pollution. Any lighting associated with the padel courts must be turned off when the said facility is not in operation.

4.10. The land use to not create any undue noise or be a nuisance to the surrounding rural area and that precautionary measures be taken to avoid environmental noise pollution in terms of the Western Cape Noise Control Regulations, 2013, PN. 200/2013 made in terms of Section 25 of the Environmental Conservation Act, 1989 (Act No 73 of 1989).

4.11. A contravention penalty in accordance with the prevailing and applicable Council Tariffs in respect of the unlawful utilisation of land is payable within 30 days from the date of final notification that the approval comes into operation and prior to the approval of any building plan.

4.12. Should the padel courts cease to operate, the repurposing of any structure and facilities associated with the subject approved land use activity will not be permitted and the

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subject structures, facilities and related infrastructure, at the cost of the owner be demolished and the site be rehabilitated and the land and any buildings or structures that are not demolished be restored for uses permitted as primary or approved use rights in terms of the zoning of the property within a year of ceasing the approved land use activity.

5. The reasons for the above decision are as follows:

   5.1. The zoning of the subject property is Private Open Space Zone, and the property is located in proximity to the current urban edge of Groot Drakenstein where a range of diverse urban and rural land uses are found.

   5.2. The application involves the context appropriate diversification, expansion, and replacement in part (old tennis courts) of an existing and established outdoor sport facility without being detrimental to the rural character of the surrounding area.

   5.3. The building line departure, deletion of conditions of approval pertaining building lines and operation of the padel courts will not have a negative impact to surrounding property owners. This is due to its locational distance from existing buildings found on surrounding properties and the fact that the said area is already well screened from the R45 Road by mature trees and by existing buildings and trees from surrounding properties.

   5.4. Mitigation measures such as the enhancement of the existing screening along the R45 Road are imposed as conditions of approval to lessen the visual impact and light pollution of the padel courts located in the Rural Conservation Overlay Zone and the Rural Scenic Route Overlay Zone area.

6. Matters to be noted:

   6.1. 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.

   6.2. Any conditions or requirements from the Western Cape Department of Infrastructure (Transport Infrastructure Branch) be complied with to the satisfaction of the said department.

   6.3. Any engineering services and infrastructure requirements from the Directorate Infrastructure Services be complied with to the satisfaction of the said department, including the following:

      a) If any electrical services must move, remove, change or upgrade – apply via recoverable cost application, for applicants cost.
      b) Subject to SANS 10142,204-1-2008, energy savings and efficiency implementation and Municipal By-laws - only existing electrical connection is available, installation of 10A electrical control units, solar water heating/heat pump installation, energy efficient lightning, roof insulation, cooking with gas fired appliances, control air condition equipment with energy saving devices, and preheat at least 50% of hot water with alternative energy savings devices.

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6.4. Building plans for all new or unauthorised structures or uses be submitted to and approved by the Municipality and no land uses associated with any unauthorised structures may commence operation before building plan approval.

6.5. The approval of any building plan is subject to full compliance with all relevant and qualified conditions of land use rights to be indicated on the Town Planning Compliance Checklist for Building Plans to be submitted with an application for the approval of the building plan.

6.6. An application for the erection of advertising signs to be submitted for approval to the Municipality and that all signage on the property be erected to the satisfaction of the Municipality or be in line with the relevant signage policy of the Municipality.

6.7. No directional signage be erected without the prior approval of the applicable authority.

6.8. The approved land use rights only come into effect once all suspensive conditions or relevant legislative provisions, including the payment of the contravention penalty, have been complied with.

7. You are hereby informed of your **right to appeal Section 15(2)(a) to (f), (h) to (k), (n), (o) or (r) application decisions in terms of Section 79(2)** of the Stellenbosch Municipal Land Use Planning By-law. The appeal 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. Appeals must be addressed to the Municipal Manager and submitted to the following email address: **landuse.appeals@stellenbosch.gov.za**.

8. As applicant, you are hereby informed of your **right to appeal Section 15(2)(g), (l), (m), (p) or (q) application decisions in terms of Section 62** of the Local Government Municipal Systems Act, no 32 of 2000 as determined by Section 68(e) of the Stellenbosch Municipal Land Use Planning By-law. The appeal must be submitted by completing the required form with the prescribed information to satisfy the requirements of Section 62 of the Local Government Municipal Systems Act, no 32 of 2000, failing which the appeal will be invalid. Appeals must be addressed to the Municipal Manager and submitted to the following email addresses: **municipal.manager@stellenbosch.gov.za** and copy to **landuse.appeals@stellenbosch.gov.za**.

9. Notwithstanding the above, kindly note, you are not permitted to submit a revised proposal as part of such an appeal. Should this be the case, your submission will not be regarded as an appeal, but rather a new application which should be submitted on the manner prescribed, as only the above decision can be appealed at this stage.

10. Any party (applicant or other) who lodges a Section 79(2) 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 approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. The LU and/or TP Reference number on this correspondence must be used as the reference for the payment of the appeal fee.

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11. An applicant who lodges a Section 79(2) appeal must also adhere to the following requirements stipulated in terms of Section 80(3) to (7) of the said By-law:
    (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
    (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
    (c) The notice must be served in accordance with Section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
    (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.

12. All appeals must be submitted to the authorised Appeal Authority **within 21 days** from the date of notification of the above decision. Note that no late appeals or an extension of time for the submission of appeals is permitted.

13. The appeal form can be accessed on the municipal website. For any enquiries relating to appeals, the Land Use Management office can be contacted at 021 808 8684 or landuse.appeals@stellenbosch.gov.za.

14. 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

MANAGER: LAND USE MANAGEMENT

DATE: 13-11-2026

Copy:

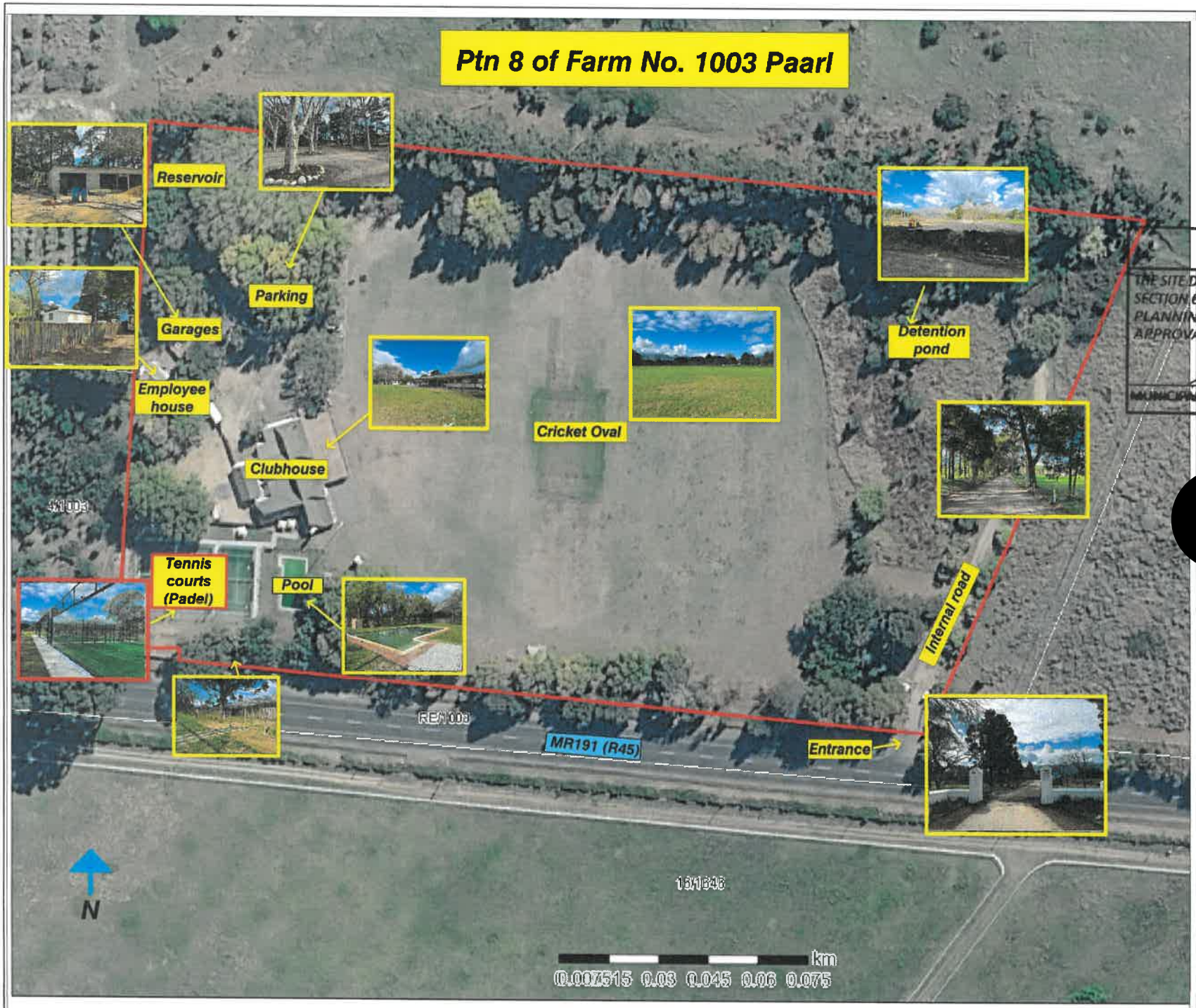
Western Cape Department of Infrastructure (Transport Infrastructure Branch)
Land.Use@westrncape.gov.za

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ANNEXURE A

SITE DEVELOPMENT PLAN

Ptn 8 of Farm No. 1003 Paarl



Old tennis courts replaced by Padel courts (subject of application)

STELLENBOSCH MUNICIPALITY

THE SITE DEVELOPMENT PLAN IS APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW, SUBJECT TO THE CONDITIONS OF APPROVAL.

MUNICIPAL MANAGER

13-11-2026
DATE

[redacted]

Project:
Amendment of Approval, Departure & Permission from Council: Portion 8 of Farm No. 1003 Paarl

Description:
Site Development Plan

GROOT DRAKENSTEIN GAMES CLUB

Skaal	N.T.S.	Leer nr.	S 50-136
Teken	PJLR	Datum	JULY 2026
Keur	PJLR	Tekening nr.	3