STELLENBOSCH
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Application Number: TP1628/2026
Our File Reference Number: Erven 16836, 16838 & 16839, 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 THE REZONING OF ERVEN 16836, 16838 & 16839, LA ROCHE ESTATE, 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)(o) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023, for the **rezoning** of Erven 16836, 16838 & 16839, La Roche Estate, Idas Valley, Stellenbosch from **Conventional Residential Zone** to **Private Open Space Zone**;

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

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

   3.1 The approval only applies to the proposal under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from the Council or other legislation or Bylaws or Regulations that may be applicable.

   3.2 The development must be implemented substantially in accordance with the endorsed **PROPOSED REZONING PLAN, REFERENCED AS DRAWING NO. P001, DATED 16 FEBRUARY 2026, DRAWN BY DENNIS MOSS PARTNERSHIP**, and attached as **ANNEXURE B**

   3.3 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that have a bearing on the proposed use.

3.4 The subject properties shall be utilised exclusively for private open-space and recreational purposes.

3.5 The private open space erven be transferred at the cost by the applicant to the owners' association.

3.6 No buildings, structures, permanent installations or other physical improvements shall be erected on the subject properties, except for structures and facilities that are ordinarily associated with and ancillary to the approved private open-space use, subject t6o the applicable land-use and building-plan requirements.

3.7 The applicant shall submit amended Constitution of the Homeowners' Association, duly adopted in accordance with the provisions of the existing Constitution, to reflect the revised estate layout and composition from the rezoning of the subject properties to Private Open Space.

3.8 All remaining conditions of approval as per approval letters dated 26 November 2010, 13 August 2015 and 10 August 2017 is still applicable.

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

4.1 The steep topography and physical constraints of the subject properties render them unsuitable for conventional residential development, making their rezoning to Private Open Space a more appropriate and sustainable use that avoids intrusive development and extensive earthworks while preserving the natural characteristics of the land.

4.2 The proposal will enhance the estate's overall open space provision, creating additional opportunities for recreation, exercise, relaxation and social interaction, thereby improving residents' quality of life, strengthening community cohesion and enhancing the overall amenity and desirability of La Roche Estate.

4.3 Private Open Space is a compatible and complementary land use within the predominantly residential estate, and the proposal will not increase residential density or generate significant additional traffic, parking demand or pressure on existing municipal engineering services, thereby enhancing the residential environment without resulting in significant adverse land-use or infrastructure.

5. **Matters to be noted:**

5.1 Where the subject properties are intended to function as a single, integrated private open-space are, the applicant shall investigate the consolidation of the erven, subject to the necessary municipal approvals.

6. 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

7. 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.

8. 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.

9. 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.

10. 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.

11. 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

12. 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 26/11/2026.

ANNEXURE B

APPLICATION FOR REZONING: ERVEN 16836, 16838 & 16839, STELLENBOSCH

PROPOSED REZONING PLAN



LA ROCHE ESTATE REZONINGS				
ERF NO.	AREA (m²)	CURRENT ZONING	PROPOSED ZONING	PROPOSED LAND USE
16836	584	Conventional Residential Zone	Private Open Space Zone	Private Park
16838	462	Conventional Residential Zone	Private Open Space Zone	Private Park
16839	458	Conventional Residential Zone	Private Open Space Zone	Private Park

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

DATE 26/03/2026

[redacted]

CLIENT: LA ROCHE HOA

PROJECT TITLE: PROPOSED REZONING: ERVEN 16836, 16838 & 16839, STELLENBOSCH

DRAWING TITLE: PROPOSED REZONING

PROJECT No:	SCALE
R4161	1:1000
DRAWING No:	DATE
P001	2026/02/16
REV.	DRAWN / CHECKED
/	JLV / JLV

FOR APPROVAL

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