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Application Number: TP1291/2025
Our File Reference Number: Erf 2476, Mooiwater, Franschhoek
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 CONSENT USE ON ERF 2476, MOOIWATER-FRANSCHHOEK

1. The above application refers.

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

   2.1 Application for Consent Use in terms of section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 to permit the use of a portion of the property for Business Premises to allow a recycling business of Brass and aluminium on Erf 2476, Mooiwater, Franschhoek.

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 proposed business premises (recycling of Brass and aluminium) 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.

   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.

   3.3 The business premises, including storage, may not exceed 40m² as indicated on the site plan/floor layout plan with drawing number: Erf 2476 Site Plan, dated: 20/11/2026, as attached as **Annexure A.**

3.4 Any new or temporary structure or alteration to the property must be compatible with the residential character of the area, particularly regarding the streetscape, and must be capable of reverting to be used as part of the dwelling house and primary use rights.

3.5 The residential character of the façade of the dwelling house shall be retained to the satisfaction of the Municipality.

3.6 No more than 3 persons, including the owner of the dwelling or residing family member, be employed in the recycling business.

3.7 The hours of operation be limited between 08:00am to 17:00 pm Mondays to Fridays.

3.8 The conditions imposed by the Directorate Infrastructure Services as contained in the memorandum dated 31 October 2025, and attached as **Annexure B**, be complied with to the satisfaction of the said department.

3.9 The conditions imposed by the Directorate Community Service (Environmental) as contained in the memorandum dated 07 September 2026, and attached as **Annexure C**, be complied with to the satisfaction of the said department.

3.10 The conditions imposed by the Directorate Community Service (Air Quality Control & Noise Control) as contained in the memorandum dated 07 October 2025, and attached as **Annexure D**, be complied with to the satisfaction of the said department.

3.11 The conditions imposed by the Directorate Health Department as contained in the email dated 05 October 2026, and attached as **Annexure E**, be complied with to the satisfaction of the said department.

3.12 Building plans be submitted for any permanent structures proposed, which building plans be approved and related occupancy certificates be issued.

3.13 The land use not to create any undue noise or be a nuisance to the neighbourhood 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. The **reasons** for the above decision are as follows:

4.1 The proposed development would not negatively affect the aesthetic appearance of the structure, property or surrounding environment, and the primary use of the property will remain residential.

4.2 The scale and nature of the proposed recycling business will not compromise the existing character of the surrounding residential area.

5. Matters to be **noted:**

5.1 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 business premises (recycling business of brass and aluminium) be in breach of any of the conditions of approval,
c) The property be used for any unauthorised uses not permitted in terms of this approval, the 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.

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

24/11/2026.

DATE

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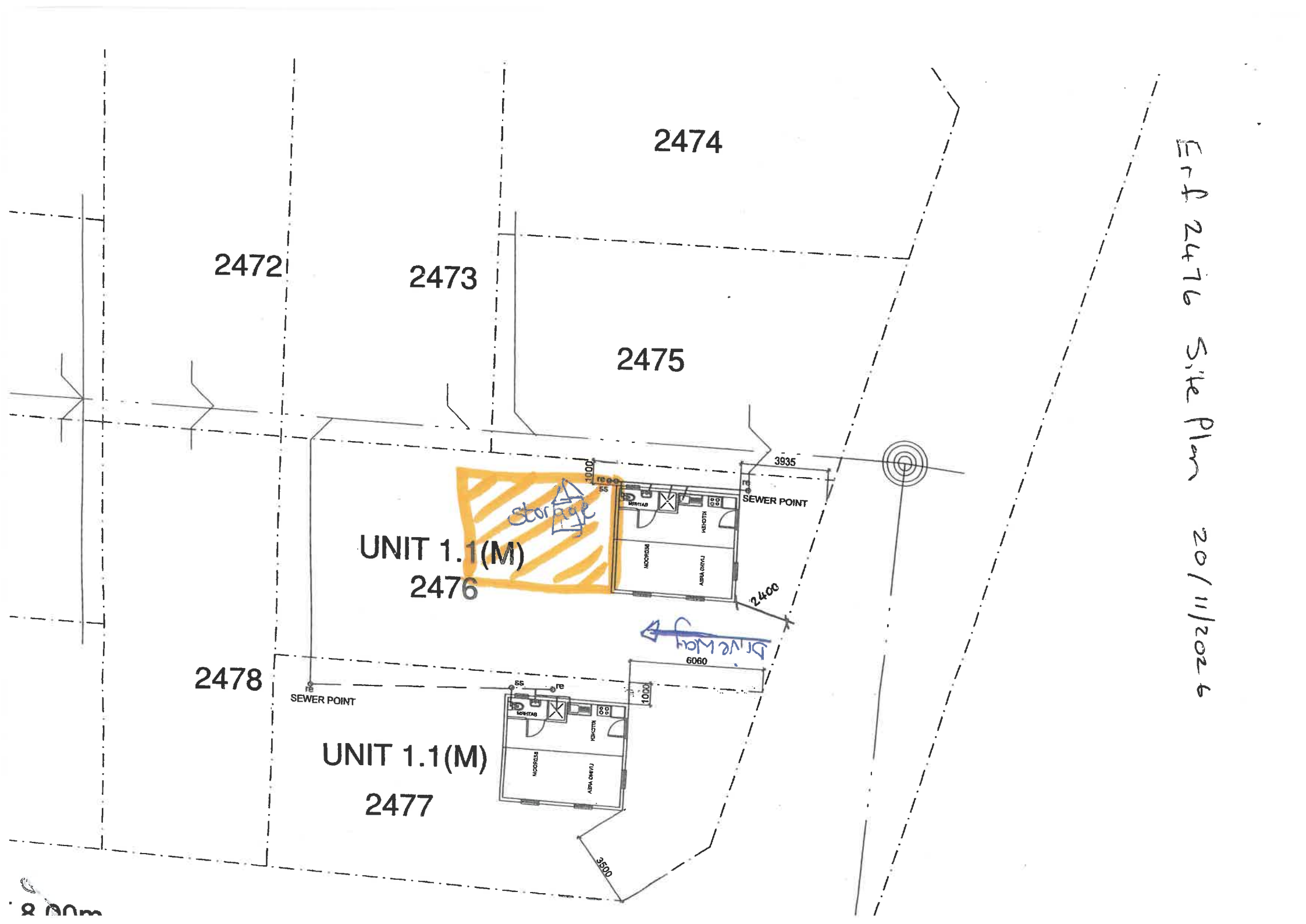
Annexure A:
Site Plan


2474
2472
2473
2475
UNIT 1.1(M)
2476
storage
3935
SEWER POINT
2400
Drive Way
6060
2478
SEWER POINT
UNIT 1.1(M)
2477
3500
8.00m
Erf 2476 Site Plan 20/11/2024

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Annexure B:
Comments received from Internal Departments: (Engineering Services)

STELLENBOSCH MUNICIPALITY

STELLENBOSCH·PNIEL·FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	**Director: Planning + Economic Development**
Att Aandag:	**Salome Newman**
From ▫ Van:	**Technician: Development (Infrastructure Services)**
Author ▫ Skrywer:	**Siyasanga Zweni**
Date ▫ Datum:	**31 October 2025**
Our Ref ▫ Ons Verw:	**Civil LU 2996**
Town Planning Ref:	**TP1291/2025**
Re ▫ Insake:	**Erf 2476, Franschhoek: Application in terms of Section 15 of the Stellenbosch Municipal Land Use Planning Bylaw 2023, on Erf 2476, Franschhoek, for the following: • Consent Use in terms of Section 15(2) (o) of said bylaw for Business premises in order to accommodate a recycling business of brass and aluminium.**

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

1. Civil Engineering services

1.1 No structures may be built on top of municipal services.

2. Roads

2.1 All recyclable materials must be securely contained during transport and offloading to prevent spillage or environmental contamination.

3. Solid Waste

3.1 Applicants must obtain approval from Provincial Government (WCG) to operate a recycling business.

3.2 Applicant to get accreditation from Stellenbosch municipality.

3.3 The applicant will be required to be accredited for General Waste: Storage and Recycling/ Separation in terms of the Stellenbosch Municipality's Integrated Waste Management By-law (2020).

3.4 The applicant will be required to meet all regulatory requirements as contemplated by the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008).

4. Delivery vehicles

4.1 Loading and offloading must occur within the erf, specifically in the designated storeroom area, to minimize disruption to neighboring properties and pedestrian traffic.

4.2 Care must be taken to ensure that hand deliveries, walk-ins, and delivery vehicles do not obstruct road traffic or pedestrian flows. If this becomes problematic, the approval may be revoked, and the Owner will be required to provide a designated delivery and parking area on the erf before operations may continue.

4.3 Only light vehicles and hand deliveries are permitted for deliveries.

5. General for customers

5.1 This approval is granted on the assumption that customers will primarily walk to the recycling storeroom area for hand deliveries. The applicant and customers must ensure that no unwanted materials are left outside the property. If this becomes an issue, the approval may be revoked, and the Owner will be required to provide sufficient on-site space before operations may continue.

5.2 If solid waste from recycling causes disturbances to neighbours or road users, the approval may be revoked. Solid waste must be managed responsibly to prevent any inconvenience or negative impact on neighbours and other affected parties.

S.Zweni

Siyasanga Zweni
Technician: Development (Infrastructure Services)

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Annexure C:
Comments received from Internal Departments: (Community Development) Environmental

INTEROFFICE
MEMORANDUM

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

To:	**Administrative Officer: Land Use Management Bulelwa Mdoda**	From:	**Senior Environmental Planner: Schalk van der Merwe**
CC:		Date:	**07 September 2026**
Re:	**LAND USE APPLICATION: ERF 2476 (TP1291/2025), GROENDAL**		

The above application refers. The relevant property is located within a residential area and in close proximity to a watercourse (Stiebeuelriver). The proposed use of Erf 2476 must not infringe on the rights of neighboring property owners and their enjoyment of their property nor pollute the nearby watercourse in any way. This department, from an environmental planning point of view, does not object to the approval of the land use application on condition that:

1. The proposed recycling activities be limited to the confines of Erf 2476, with no spillover of any kind to neighbouring properties or road;
2. Activities on site comply with the Western Cape Noise Control Regulations;
3. Activities on site comply with the Stellenbosch Municipality: Air Quality By-Law; and
4. All reasonable steps are taken to prevent nuisance caused by dust in accordance with the National Dust Control Regulations.

This department reserves the right to impose further conditions or restrictions, from an air quality and noise control perspective, should the proposed use of Erf 2476, Groendal, warrant such conditions or restrictions.

STELLENBOSCH MUNICIPALITY
PLANNING AND DEVELPOMENT SERVICES
08 SEP 2026
RECEIVED

FILE NR: G 2476 GB
SCAN NR:
COLLABORATOR NR: 812431

S VD MERWE
SENIOR ENVIRONMENTAL PLANNER
COMMUNITY SERVICES

Tel: +27 21 808 8679 | Email: schalk.vandermerwe@stellenbosch.gov.za
Physical Address: 123 Merriman Avenue, Stellenbosch, 7600 | Postal Address: PO Box 17, Stellenbosch, 7599
Website: www.stellenbosch.gov.za

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Annexure D:
Comments received from Internal Departments: (Community Development)
Noise & Air Quality Control

INTEROFFICE
MEMORANDUM

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

To:	**Administrative Officer: Land Use Management – Salome Newman**	From:	**Principal Officer: Air Quality & Noise Control: Martin van As**
CC:	**Manager: Environmental Management: Tammy Leibrandt**	Date:	**07 October 2025**
Re:	**APPLICATION FOR CONSENT USE ERF NO 2476 FRANSCHOEK (TP129/2025)**		

The above application refers.

From an Air Quality and Noise Control point of view this department has no objection on condition that:

- All activities on site comply with the **Noise Control Regulation PN200/ 2013** and the **By-Law on the Prevention of Public Nuisances & the Keeping of Animals.**

- The local authority reserves the right to impose noise mitigation conditions should complaints from the general public be received.

M. van As

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

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Appendix F:

Comments received from: Health Services (Cape Winelands)

(21)

Salome Newman

From: Fabian van Wyk <fabian@capewinelands.gov.za>
Sent: Monday, 05 October 2026 10:45
To: Salome Newman
Subject: [EX] RE: COMMENTS ON LAND USE APPLICATION: ERF 2476, FRANSCHOEK

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.**

FILE NR: OUTGOING POST
GI - 2476 FH
SCAN NR:
COLLABORATOR NR: 813729

Good day Madam

Please see below comments from this office.

1. Potable water/Storm water:

1.1 The quality of the potable water on the premises must always comply with the minimum bacteriological and chemical standards for potable water, as determined by SANS code 241.

2. Solid waste disposal:

2.1 Refuse collection and storage must be done in a way that will not cause a health nuisance.

3. Health Nuisances

3.1 In terms of the **Municipal Health By-laws: Cape Winelands District Municipality Provincial Gazette Extraordinary No 6696 of 15 February 2010** "No person may, in any area under the jurisdiction of the municipality:
(a) Create a health nuisance; or

(b) Organise, allow, or permit an activity, event or function in or on land or premises, or use, cause, allow or permit to be used land or premises
for a purpose which by its nature or otherwise or by reason of its consequences creates or is likely to create a health nuisance"

Kind regards

From: Salome Newman <Salome.Newman@stellenbosch.gov.za>
Sent: Monday, 05 October 2026 10:04
To: Ferencia September <ferencia@capewinelands.gov.za>; Fabian van Wyk <fabian@capewinelands.gov.za>
Cc: Alfonzo Van wyk <alfonzovanwyk227@gmail.com>
Subject: RE: COMMENTS ON LAND USE APPLICATION: ERF 2476, FRANSCHOEK

Good day,

Please your comment to this office URGENTLY