



STELLENBOSCH
STELLENBOSCH • PNIEL • FRANSCHHOEK
MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/10189

Our File Reference Number: Farm 1078/13 Paarl Division

Your Reference Number:

Enquiries: Ulrich von Molendorff

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PER E-MAIL: [REDACTED]

Dear Sir

APPEAL LODGED IN TERMS OF SECTION 79(2) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015): APPLICATION FOR SUBDIVISION ON FARM 1078/13, PAARL DIVISION

1. This Municipality's decision letter dated 18 July 2023, refers. The appeal process has now been concluded.
2. The Appeal Authority resolved on 6 June 2024 that the appeal submitted against the refusal by the Authorised Decision Maker on 29 June 2023, **BE DISMISSED** and that the subject decision **BE CONFIRMED** in terms of section 81(7)(b) of the Stellenbosch Municipal Land Use Planning By-law, as follows:
3. That the application in terms of Section 15(2)(d) of the Stellenbosch Municipality Land Use Planning By-law for the Subdivision of Farm 1078/13, Paarl Division into two portions, namely:
 - i. Portion A of Farm 1078/13, measuring $\pm 5894\text{m}^2$,
 - ii. Remainder of Farm 1078/13, measuring $\pm 2\text{ha}$,

BE REFUSED

4. Reasons for the decision:
 - 4.1 The proposed subdivision will not create a viable self-sustaining productive agricultural unit and will result in the further unwarranted erosion of the agricultural potential and rural landscape.

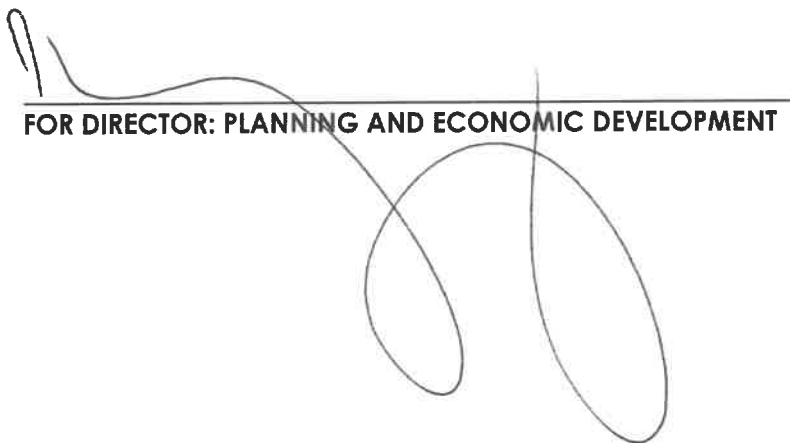
4.2 The subdivision will result in associated new inherent primary rights for agricultural buildings which will contribute to the further erosion of the agricultural potential and rural landscape of the subject land.

4.3 Tourism activities are generally supported on agricultural zoned land but does not serve as justification to subdivide the subject land.

4.4 The proposal will compromise the existing rural and agricultural landscape of the urban-rural transition zone (urban agriculture area) of Franschoek town and the surrounding rural area.

4.5 The subdivision of the subject agricultural land will undermine the objective of the Agricultural and Rural Zone to protect, maintain and enhance viable agricultural units.

Yours faithfully



FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

9/7/2024

DATE