



Application Number: LU/17423 (TP834/2024)

Our File Reference Number: Farm 214, Stellenbosch Division

Your Reference Number: None

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-M

Sir / Madam

APPLICATION FOR A SUBDIVISION: FARM 214, STELLENBOSCH DIVISION

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the following application(s) in terms of the Stellenbosch Municipal Land Use Planning Bylaw, 2023, namely the:
 - 2.1.1 **Subdivision** in terms of Section 15(2)(d) of the said By-Law of Farm No. 214, Stellenbosch Division into two (2) portions namely Portion A (measuring ±53ha in extent) and Portion B (measuring ±107ha in extent).
- BE APPROVED** in terms of Section 60 of the said Bylaw and subject to conditions of approval.
3. The approval is subject to the following **conditions** imposed in terms of Section 66 of said Bylaw:
 - 3.1 The approval only applies to the proposed subdivision under consideration, as indicated on **SUBDIVISION PLAN_214SB_DATED JULY 2024**, attached as **ANNEXURE B** 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 development must be undertaken in accordance with the **SUBDIVISION PLAN_214SB_DATED JULY 2024**, 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 might have a bearing on the proposed use.

3.4 The Surveyor General approved diagrams of the newly created unit must be submitted to this Local Authority (Stellenbosch Municipality) for clearance and record purposes.

3.5 The conditions imposed by the **Department of Transport Infrastructure** in their letter dated 15 November 2024, attached as **ANNEXURE I**, be adhered to.

3.6 The portions created may only be used for agricultural purposes.

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

4.1 The proposed subdivision will result in the creation of land portions that are in line with the existing character of the surrounding area.

4.2 The proposed subdivision will not affect the agricultural viability of any of the properties involved or any adjacent properties.

5. **Matters to be noted:**

5.1 All electrical requirements be directed to Eskom.

5.2 The conditions imposed by the **Department of Agriculture (Eisenburg)** in letter referenced 20/9/2/5/6/967, dated 09 February 2024, and attached as **ANNEXURE G**, BE NOTED.

5.3 The conditions imposed by the **Department of Agriculture, Land Reform and Rural Development** in their letter referenced 2024_01_0052, dated 15 July 2024, and attached as **ANNEXURE H**, BE NOTED.

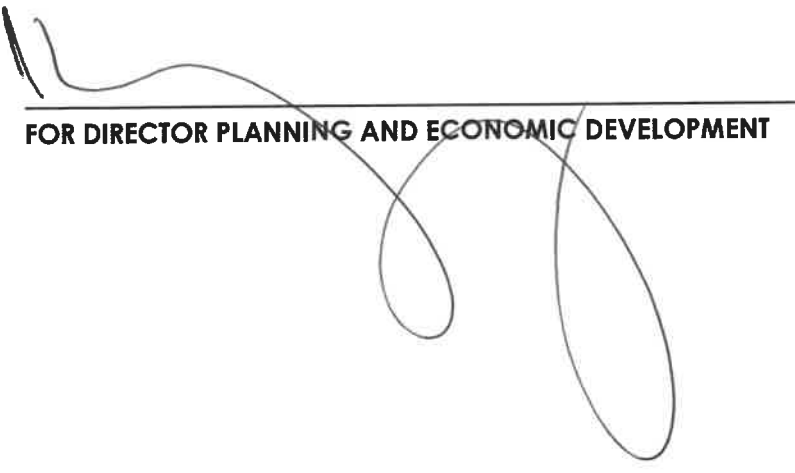
6. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

7. 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.

8. **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**

9. 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.
10. 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.
11. 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.
12. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
13. 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

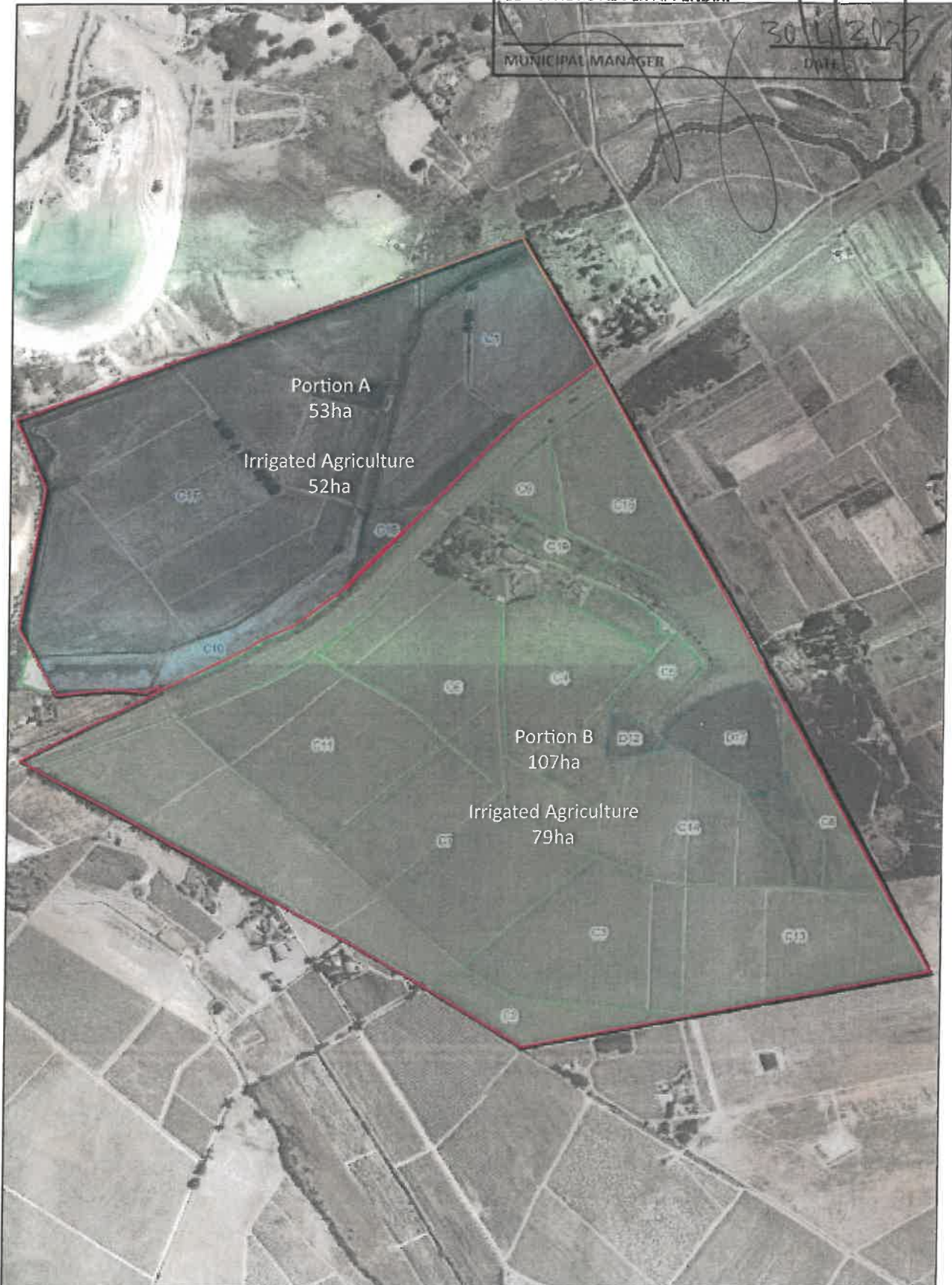
30/4/2025
DATE:

STELLENBOSCH MUNICIPALITY

THIS SUBDIVISION HAS BEEN APPROVED IN TERMS OF
SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND
USE PLANNING BY-LAW (2015) SUBJECT TO THE
CONDITIONS AS PER APPENDIX.

MUNICIPAL MANAGER

30/11/2023



Legend

Cadastral

SUBDIVISION PLAN-2145B-DATED JULY 2024

C0670000000021400000

ANNEXURE G

COMMENT FROM THE DEPARTMENT OF AGRICULTURE (ELSENBURG)

30



**Western Cape
Government**

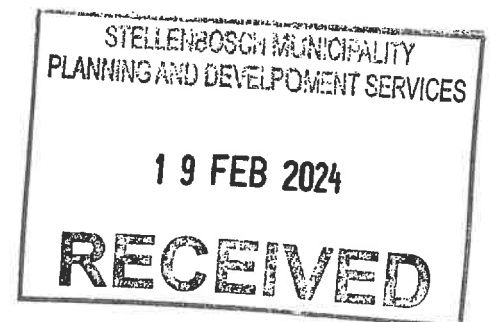
Cor Van Der Walt
Land Use Management
Email: Cor.VanderWalt@westerncape.gov.za
tel: +27 21 808 5099 fax: +27 21 808 5092

REF NR:	OUTGOING POST
F 214 S	
REF NR:	
ILLUSTRATION NR:	763367

OUR REFERENCE : 20/9/2/5/6/967
YOUR REFERENCE : -
ENQUIRIES : Cor van der Walt

Arch Town Planners
Email: renaldo@archtownplanners.co.za

Att: Renaldo Muller



**PROPOSED SUBDIVISION: DIVISION STELLENBOSCH
REMAINDER OF THE FARM NO 214**

Your application of November 2023 has reference.

The Western Cape Department of Agriculture: Land Use Management has no objection to the propose subdivision of the Remainder of the Farm No. 214 into:

- a) Portion A (±53ha)
- b) Portion B (±103ha) on condition of:
 - i. The consolidation of Portion B with Farm No. 1552 (±36.4ha) and
 - ii. The transfer of 100 000m³ of irrigation water to Portion A.

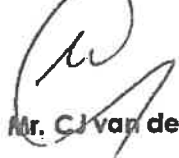
Please note that the required servitudes must be registered for access and water pipelines.

Please note:

- That this is comment to the relevant deciding authorities in terms of the Subdivision of Agricultural Land Act 70 of 1970.
- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.

- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely



Mr. CJ van der Walt

LANDUSE MANAGER: LANDUSE MANAGEMENT

2024-02-09

Copies:

Department of Agriculture, Land Reform and Rural Development
National Department of Agriculture
Private Bag X 120
PRETORIA
0001

Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

ANNEXURE H

COMMENT FROM THE DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT



**agriculture, land reform
& rural development**

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA



Private Bag X120, Pretoria, 0001
Agriculture Place, 20 Steve Biko Street, Arcadia, Pretoria, 0002

From: Directorate Land and Soil Management
Tel: 012-319-7651/7413 Fax: 012-329-5938 Email: AnnetteS@Dalrrd.gov.za/ CherltyG@Dalrrd.gov.za
Website: www.dalrrd.gov.za
Enquiries: Helpdesk Ref: 2024_01_0052

Arch Town Planners
152 Dorp Street
STELLENBOSCH
7600

Email: renaldo@archtownplanners.co.za

Attention: Renaldo Muller

APPLICATION IN TERMS OF SUBDIVISION OF AGRICULTURAL LAND ACT, ACT 70 OF 1970: REMAINDER OF THE FARM GROENLAND NO. 214, DIVISION STELLENBOSCH, WESTERN CAPE PROVINCE

Your application dated 27 November 2023 refers.

With reference to the above-mentioned subject, the Department wishes to inform you that the application has been granted.

Consent No. **57875** issued in terms of section 4 of the Act is enclosed.

To facilitate registration, the conveyancer must lodge the signed copy of the consent with the Registrar of Deeds together with the documents for registration.

Yours faithfully

MS R.L. BOSOGA
ACTING CHIEF DIRECTOR: NATURAL RESOURCES AND
DISASTER MANAGEMENT
DELEGATE OF THE MINISTER
DATE: 15/07/2024

CC: The Surveyor-General, Private Bag X9028, CAPE TOWN, 8000
CC: Mr Brandon Layman Land Use and Management Department of Agriculture, Private Bag X 1, ELSENBURG, 7607





agriculture, land reform & rural development

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

REF

2024_01_0052

CONSENT

IN TERMS OF THE SUBDIVISION OF
AGRICULTURAL LAND ACT, 1970

57875

By virtue of the powers delegated to me by the Minister of Agriculture, Land Reform and Rural Development, consent is hereby granted in terms of section 4(2) of the Subdivision of Agricultural Land Act, 1970, for the subdivision of the agricultural land described in paragraph 1, into units indicated in paragraph 2, subject to the conditions set out in paragraph 3.

PARAGRAPH 1: THE AGRICULTURAL LAND TO WHICH THIS CONSENT APPLIES

REMAINDER OF THE FARM GROENLAND NO. 214, IN EXTENT 160 HECTARES, DIVISION STELLENBOSCH, WESTERN CAPE PROVINCE

PARAGRAPH 2: CONSENT GRANTED

The subdivision of the above-mentioned agricultural land into two portions measuring approximately 53 hectares and 107 hectares respectively represented by the figures marked Portion A and Portion B as shown on the sketch plan attached.

PARAGRAPH 3: CONDITIONS PERTAINING TO THIS CONSENT

- 3.1 Simultaneously with registration of transfer, the portion measuring approximately 107 hectares (Proposed Portion B) must be consolidated with the Farm No 1552, measuring approximately 36,4 hectares, Division Stellenbosch, Western Cape Province.
- 3.2 Simultaneously with registration of transfer written proof must be submitted that 100000m³ of irrigation water has been transferred to the portion measuring approximately 53 hectares (proposed Ptn A).
- 3.3 This consent does not imply that the above-mentioned subdivisions are assured permanent water supply.
- 3.4 This consent does not exempt the property from the provisions of any other law and does not purport to interfere with the rights of any person who may have an interest in the agricultural land.
- 3.5 This consent is valid for 5 years from date of grant. Should it not be registered within the time frame, a new complete application must be lodged which will be considered on its own merits.

15/07/2024
DATE

MS R.L. BOSOGA
ACTING CHIEF DIRECTOR:
NATURAL RESOURCES AND DISASTER
MANAGEMENT
DELEGATE OF THE MINISTER

ANNEXURE I

COMMENT FROM THE DEPARTMENT OF TRANSPORT INFRASTRUCTURE



Ref: DOI/CFS/RN/LU/REZ/SUB-25/516 (Application No: 2024-10-0061)

The Municipal Manager
Stellenbosch Municipality
PO Box 17
STELLENBOSCH
7599

Attention: Mr U von Molendorff

Dear Sir

REMAINDER FARM GROENLAND 214, STELLENBOSCH: MAIN ROAD 187 AND DIVISIONAL ROAD 1080: APPLICATION FOR SUBDIVISION

1. The following refer:
 - 1.1. The un referenced letter from Arch Town Planners dated 8 October 2024 containing the Notice of Land Development Application (LU/TP TP834/2024);
 - 1.2. Title Deed 44479/97 dated 16 May 1997;
 - 1.3. Unreferenced and undated Subdivision Plan;
 - 1.4. The Application for Subdivision prepared by Arch Town Planners dated July 2024; and
 - 1.5. The letter 2024_01_0052 from the Department of Agriculture, Land Reform & Rural Development dated 15 July 2024 containing the Department's consent for the subdivision;
2. Main Road 187 (MR187; Bottelary Road) and Divisional Road 1080 (DR1080; Fishers Road) is affected by this application. The main farm access off MR187 is at $\pm$ km6.58 right hand side (RHS) and a camp access opposite the main access and another camp access at $\pm$ km6.78 left hand side (LHS). On DR1080 there are three camp accesses at $\pm$ km0.47, $\pm$ km1.16 and $\pm$ km1.34 all on the RHS.
3. The application entails the subdivision of the Remainder of Farm 214 ($\pm$ 160ha) into Portion A ($\pm$ 53ha) and Portion B ($\pm$ 107ha).
4. The owner intends to sell Portion as a standalone, economically viable entity.
5. This Branch offers no objection to the proposed subdivision of Remainder Farm 214 as defined above subject to the following conditions:
 - 5.1. No new accesses may be created to Portion B without the approval of this Branch;

- 5.2. Due to the significant increase in traffic on Bottelary Road and the severe vehicle accidents reported on this section of MR187, as outlined in the Application for Subdivision prepared by Arch Town Planners (July 2024), combined with the inadequate access spacing, the second access to Portion A at approximately km 6.78 LHS must be permanently closed. Additionally, the boundary fence should be reinstated using materials that match the existing fence at this location, to the satisfaction of the District Roads Engineer in Paarl, Mr. E. Smith (021 863 2020).
6. This Branch hereby in terms of Section 11 of Act 21 of 1940 approves the Subdivision of the Remainder of Farm 214 (± 160 ha) into Portion A (± 53 ha) and Portion B (± 107 ha).
7. Please be reminded that MR187 is a building restriction road in terms of Section 9A, 10 and 11 of Act 21 of 1940.

Yours Sincerely



DD FORTUIN

For DEPUTY DIRECTOR-GENERAL: TRANSPORT INFRASTRUCTURE BRANCH

DATE: 15 NOVEMBER 2024

ENDORSEMENTS

1. Stellenbosch Municipality
Attention : Mr U von Molendorff (e-mail : landuse.enquiries@stellenbosch.gov.za)
2. Arch Town Planners
Attention: Me C Coetzee (e-mail: carlien@archtownplanners.co.za)
3. Mr D Fortuin (e-mail)
4. Mr B du Preez (e-mail)
5. Mr E Smith (e-mail)
6. Paarl - Dre