



STELLENBOSCH

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Application Number: LU/16752

Our File Reference Number: Farm 1557 Stellenbosch Division

Your Reference Number:

Enquiries: Ulrich von Molendorff

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PER E-MAIL

Sir / Madam

APPLICATION FOR THE SUBDIVISION OF FARM 1557 INTO PORTION B, PORTION C, AND THE REMAINDER PORTION; THE CONSOLIDATION OF ERF 16576 WITH ERF 13836 TO CREATE A 4.44 HA PROPERTY; THE CONSOLIDATION OF PORTION B WITH ERF 16566 TO FORM A 7.77 HA PROPERTY; AND AN EXEMPTION TO ESTABLISH A SERVITUDE RIGHT-OF-WAY OVER THE REMAINDER OF FARM 1557 IN FAVOUR OF PORTION C.

1. The above application refers.
2. The Municipal Planning Tribunal on 29 August 2025 resolved as follows:
3. That it **BE DECIDED** that the application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on Farm 1557 and Erf 16566, Stellenbosch for:

3.1 **Subdivision of Farm 1557** into **three portions, Portion B** (5,5 ha), **Portion C** (4,5 ha) and the **Remainder Portion** (44,7ha) in terms of Section 15.2(d) of the Stellenbosch Municipality Land Use Planning By-Law, 2015.

3.2 **Consolidation of Portion B** (5,5 ha) with **Erf 16566** (2,27ha) = 7,77ha portion is made in terms of Section 15.2(e) of the Stellenbosch Municipality Land Use Planning By-Law, 2015.

BE REFUSED in terms of Section 60 of the said Bylaw.

4. The **reasons** for the above decision are as follows:
 - 4.1 The subdivision and consolidation would result in part of the newly created property extending beyond the designated urban edge.
 - 4.2 The subdivision and consolidation would also permit structures to be erected within the existing rural area that normally would not be permitted as a primary land use right thereby potentially having a negative visual impact on the surrounding area as a result of the topography of the consolidated property.
 - 4.3 The proposal would result in the creation of an economically non-viable Portion of agricultural land, due to its size, orientation, and topography.
 - 4.4 The proposal is also not aligned with the 2023 Stellenbosch Spatial Development Framework for agricultural land which does not promote the subdivision of agricultural properties located outside the urban edge.

4.5 The proposal is not aligned with the Western Cape Land Use Planning Guidelines for Rural Areas (March 2019), which promote the consolidation of agricultural land to prevent fragmentation and avoid compromising the economic viability of existing farming operations.

5. The **Consolidation of Erf 16576** (0,6989 ha) with **Erf 13836** (3,74 ha) in terms of Section 15.2(e) of the of the Stellenbosch Municipality Land Use Planning By-Law, 2023.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.

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

- 6.1 The approval only applies to the proposed application 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.
- 6.2 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposal.
- 6.3 The applicant submits an electronic copy (shp, dwg, dxf) or A4 hard copy of the SG approved consolidation diagram for record keeping purposes.
- 6.4 No structures other than those related to agricultural activities may be constructed on the portion of the consolidated property comprising Erf 16576, in order to preserve the current agricultural uses and maintain the existing scenic and rural character of the area.

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

- 7.1 The two properties are zoned Agricultural and Rural Zone and are located within the urban edge.
- 7.2 The consolidation of these properties will not result in any additional land use rights being granted but create a sustainable agricultural entity.
- 7.3 The approval will have no negative impact on the existing scenic and rural character of the area.
- 7.4 The proposal is consistent with the 2019 Western Cape Land Use Planning Guidelines for rural areas, which emphasize the consolidation of agricultural land to prevent fragmentation, enhance the economic viability of existing farms thereby creating sustainable agricultural entities.

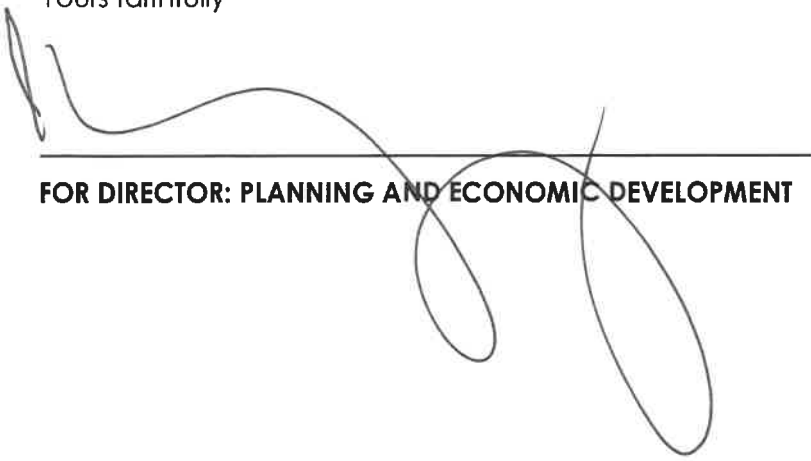
8. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for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

9. 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.

10. **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**

11. 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.
12. 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.
13. 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.
14. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
15. 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

19/9/2025
DATE