



STELLENBOSCH

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Application Number: LU/17933 (TP873/2024)

Our File Reference Number: Farm 169/2&3, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

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PER E-MAIL [REDACTED]

Sir/Madam

APPLICATION FOR SUBDIVISION, CONSOLIDATION AND CONSENT USE: FARM 169/2 & 3, 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 Section 15(2) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2023 on Farm No. 169/2 & 3, Stellenbosch Division for:
 - 2.1.1 Subdivision in terms of Section 15(2)(d) of the said bylaw, of Farm No. 169/3 into two portions, Portion A (±19,16ha) and a Remainder (±2,16ha).
 - 2.1.2 Consolidation in terms of Section 15.2(e) of the said bylaw, of Portion A (±19,16ha) with Farm No. 169/2 (±4,38ha) to create a new land unit of ±23,54ha in extent.

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

3. The **reasons** for the above decision are as follows:
 - 3.1 The proposal would result in the creation of an economically non-viable Portion of agricultural land, due to its size, orientation, and topography.

- 3.2 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.
- 3.3 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.
4. That the application in terms of Section 15(2)(o) of the Stellenbosch Municipality Bylaw on Municipal Land Use Planning, 2023 for a Consent Use to regularise the existing renewable energy structure (solar panels)

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

5. The approval is subject to the following conditions imposed in terms of Section 66 of said Bylaw:
- 5.1 The approval only applies to the consent use application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from the Municipality or other legislation or By-laws or Regulations that may be applicable.
- 5.2 The renewable solar energy and ancillary uses be limited to a footprint of 3500m² as indicated on the site plan dated 2 April 2026 as attached.
- 5.3 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.
- 5.4 The landowner be responsible for ongoing maintenance of the solar panels as well as all costs with respect to such maintenance or future decommissioning.
- 5.5 All exposed metalwork shall be painted in a colour that blends with the surrounding environment to minimise glare and reduce the visual impact on the surrounding area.
- 5.6 If the site is decommissioned the landowner to remove all site infrastructure and the site to be rehabilitated to its former state or to a condition that is in line with the land use and character of the area at the time of decommissioning to the satisfaction of the Municipality.
- 5.7 A contravention penalty in accordance with the prevailing and applicable Council Tariffs in respect of the unlawful utilisation of land is payable within 30 days from the date of final notification that the approval comes into operation and prior to the approval of any building plan.

5.8 Building plans reflecting the solar panels be submitted for approval.

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

6.1 The proposed solar PV installation will provide a renewable and sustainable source of electricity to the Tokara farming operations, reducing reliance on the national electricity grid and contributing to improved energy security.

6.2 The solar installation is intended solely to supply electricity to the existing farming operations on the three adjacent Tokara farms, which are under common ownership.

6.3 The proposed use is therefore directly supportive of, and subordinate to, the primary agricultural activities conducted on the properties.

6.4 The proposal has no impact on the agricultural viability of the subject property as the solar panels are constructed in an area that is currently not planted with vineyards.

6.5 The proposed solar panels are located on a sloping portion of the property and will be screened from surrounding properties by the existing vineyards. As a result, the development is not expected to have a significant visual impact on the surrounding rural landscape.

7. 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.

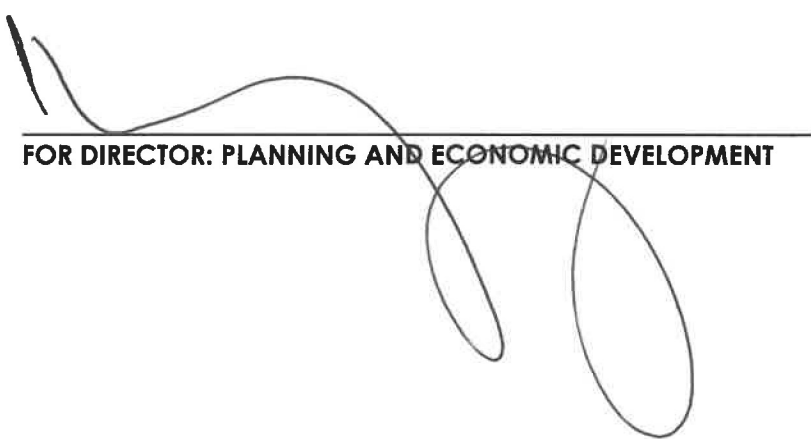
8. Appeals must be submitted by completing the required form with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law.

9. **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**

10. 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.

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

17/8/2026.
DATE

