



STELLENBOSCH

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Application Number: LU/11900

Our File Reference Number: Farm 27 Stellenbosch

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Attention: Mr M Langenhoven

Dear Sir

APPEAL LODGED IN TERMS OF SECTION 79(2) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2015): APPLICATION FOR TEMPORARY DEPARTURE: SANDMINING ON FARM 27, STELLENBOSCH DIVISION

1. This Municipality's decision letter dated 22 July 2021, refers. The appeal process has now been concluded.
2. The Appeal Authority resolved on 14 April 2022 that the appeals submitted against the approval of the subject application by the Authorised Decision Maker on 22 July 2021, **BE UPHELD** and that the subject decision **BE REVOKED** in terms of section 81(7)(b) of the Stellenbosch Municipal Land Use Planning By-law, 2015.
3. The application in terms of Section 15(2)(c) of the Stellenbosch Municipal Land Use Planning By-Law, 2015 for a temporary departure in order to operate a dry-pit sand mine on 5ha of the Farm No 27, Stellenbosch.

Is REFUSED in terms of section 81(9)(b).

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4. The above decision was made for the following reason(s) in terms of Section 81(7)(c) of the said By-law:
 - 4.1 It has to be stressed that much thought, consideration and attention was given to all facts surrounding this matter as presented to the Appeal Authority. Careful consideration was given to all inputs and the potential effect of the proposed sandmine in the area where it is proposed. The proposed sand mine does not respond to the sense of place and will have a detrimental impact on the Cape Winelands scenic and economic landscape. This area is in the green cultural belt and falls within the traditional winelands.
 - 4.2 In terms of our Spatial Development Framework the use applied for is not compatible or desirable for the area as it lends itself to light industrial, which is not desirable, and is in contrast to the present sense of place, cultural and tourism activities. This view is further supported by the provincial growth and development framework.
 - 4.3 The area is also adjacent to a conservancy area which surrounding farm owners contributed sizeable land too for the tourist trails and wildlife. Allowing sand mine operations on the farm will not only impact this negatively but will have a negative impact on the already present tourism activities. This is especially true from both a visual impact and noise pollution, as this was quite evident from the observations during the inspections *in loco*.
 - 4.4 The traffic impact assessment submitted by the applicant supports the development however I am unconvinced that not all circumstances were taken properly into consideration.
 - 4.5 During the inspection *in loco* I observed that traffic flow will be adversely affected by any right turn into the property as this is a single lane road. The road is currently used by cars, pedestrians and cyclist, which makes this dangerous for other road users.
 - 4.6 Although it was indicated that amount of loads will be limited it will be hard to enforce or police.
 - 4.7 When the loaded trucks re-join the R304 it joins a high traffic volume road which is a primary arterial between Stellenbosch and N1. Loaded trucks will slow down traffic significantly and is dangerous.

4.8 Given the potential low yield of the sand mining envisage it does not justify the environmental, social, visual and economic disruption it will cause.

Yours faithfully



FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

DATE: 20/04/2022

COPIES TO:

1. Mr Simon Grier

Villiera Wines


2. Mrs Elmari Rabe

Stellenbosch Wine Route
