

NOTICE OF LAND DEVELOPMENT APPLICATION TO INTERESTED AND AFFECTED PARTIES FOR COMMENT

Neem asseblief kennis dat hierdie kennisgewing in Afrikaans hieronder volg.

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2015, refers:

Application Property Address: **La Roche Estate, Robertsvlei Road, 7690**
Application Property Number: **The Remainder of the Farm No 1661 Paarl**
Applicant: **David Hellig and Abrahamse Professional Land Surveyors**
Tel: 021 872 4086
Email: plan@dhaa.co.za
Owner: **Messrs Islanmore Estates (Pty) Ltd**
Application Reference: **LU/12056**
Application Type: **Consent Use**

Detailed description of land use or development proposal, including its intent and purpose:

Application in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law, 2015 as follows:

- a) Consent Use on the Remainder of the Farm No 1661 Paarl for a Tourist Facility to utilise the existing festival hall (574 square metres) as a function venue.**

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: <https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
 - Indicate the facts and circumstances that explain the comments;
 - Where relevant demonstrate the undesirable effect that the application will have if approved;
 - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and

- o Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows:

David Hellig and Abrahamse Professional Land Surveyors
Email: plan@dhaa.co.za

The comments must be submitted within **30 days** from the date of this notice to be received on or before the closing date of **29-04-2021**.

It should be noted that the Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/ objection received after the closing date.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at **021 872 4086** during normal office hours.

Yours faithfully

DAVID HELLIG AND ABRAHAMSE



PER : M BOTHA

30-03-2021

AFRIKAANSE WEERGAWE VAN ADVERTENSIE:

KENNISGEWING VAN GROND ONTWIKKELINGS AANSOEK AAN GETRESEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR.

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning, 2015, verwys:

Adres van aansoek eiendom: **La Roche Estate, Robertsveleipad, 7690**
Aansoek eiendom beskrywing: **Die Restant van die Plaas No 1661 Paarl**
Aansoeker: **David Hellig en Abrahamse Professionele Landmeters**
Tel: 021 872 4086
E-pos: plan@dhaa.co.za
Eienaar: **Mnre Islanmore Estates (Edms) Bpk**
Aansoek Verwysing: **LU/12056**
Tipe Aansoek: **Vergunningsgebruik**

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoek ingevolge Artikel 15(2)(o) van die Stellenbosch Verordening op Munisipale Grondgebruikbeplanning, 2015 soos volg:

a) Vergunningsgebruik op die Restant van die Plaas No 1661 Paarl vir 'n Toeristefasiliteit om die bestaande feessaal (574 vierkante meter) as 'n funksielokaal te gebruik.

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydskedule van die publieke deelname proses by die volgende adres: [<https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>]. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening wat die volgende vereistes en besonderhede moet bevat:

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.
- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsigte van die volgende aspekte:
 - Die feite en omstandighede aantoon wat die die kommentaar toelig;
 - Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;

- o Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
- o Dat die insette voldoende inligting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg:

David Hellig en Abrahamse Professionele Landmeters

E-pos: plan@dhaa.co.za

Die kommentaar moet binne **30 dae** vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitingsdatum van **29-04-2021**.

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by **021 872 4086** gedurende normale kantoor ure.

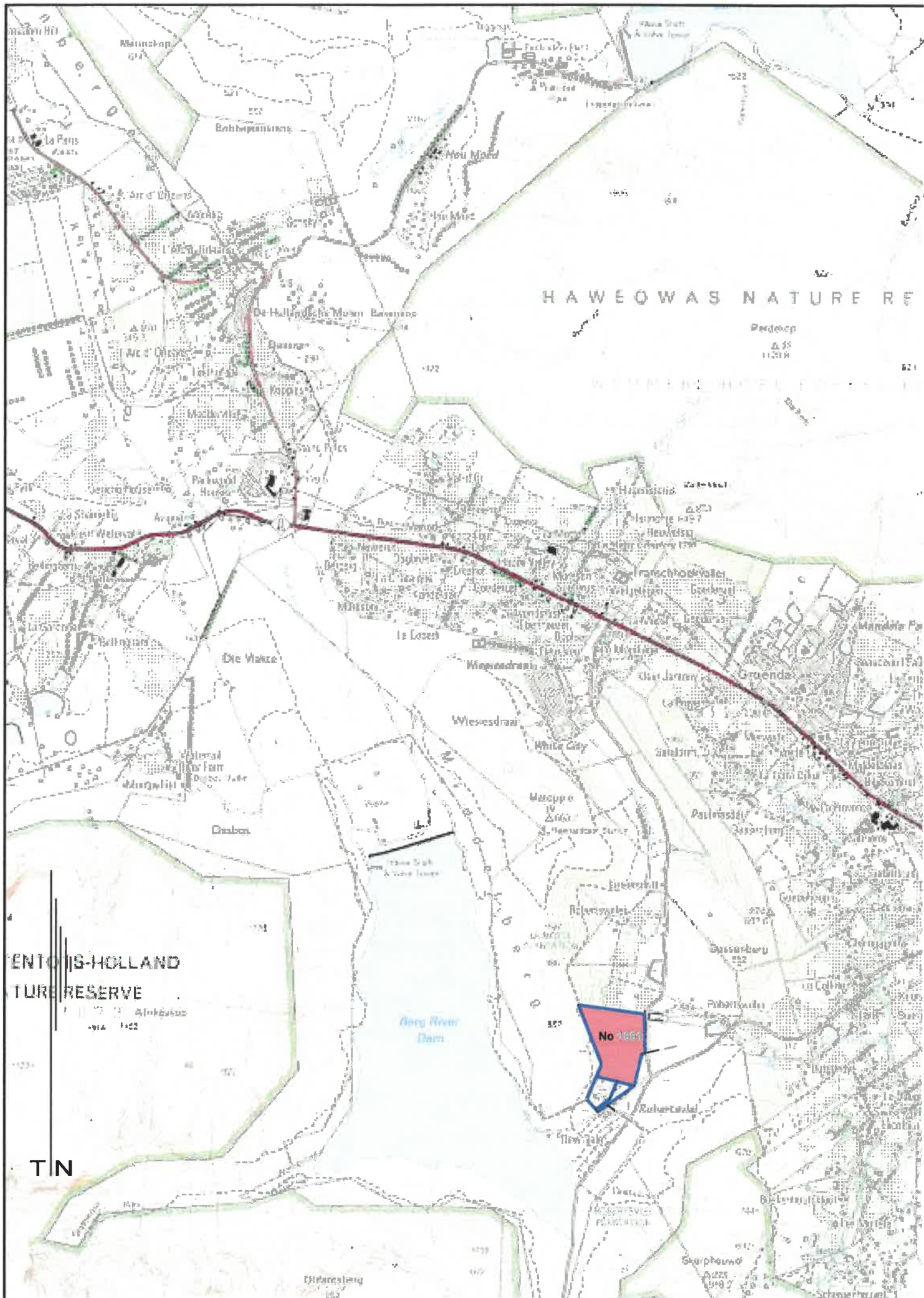
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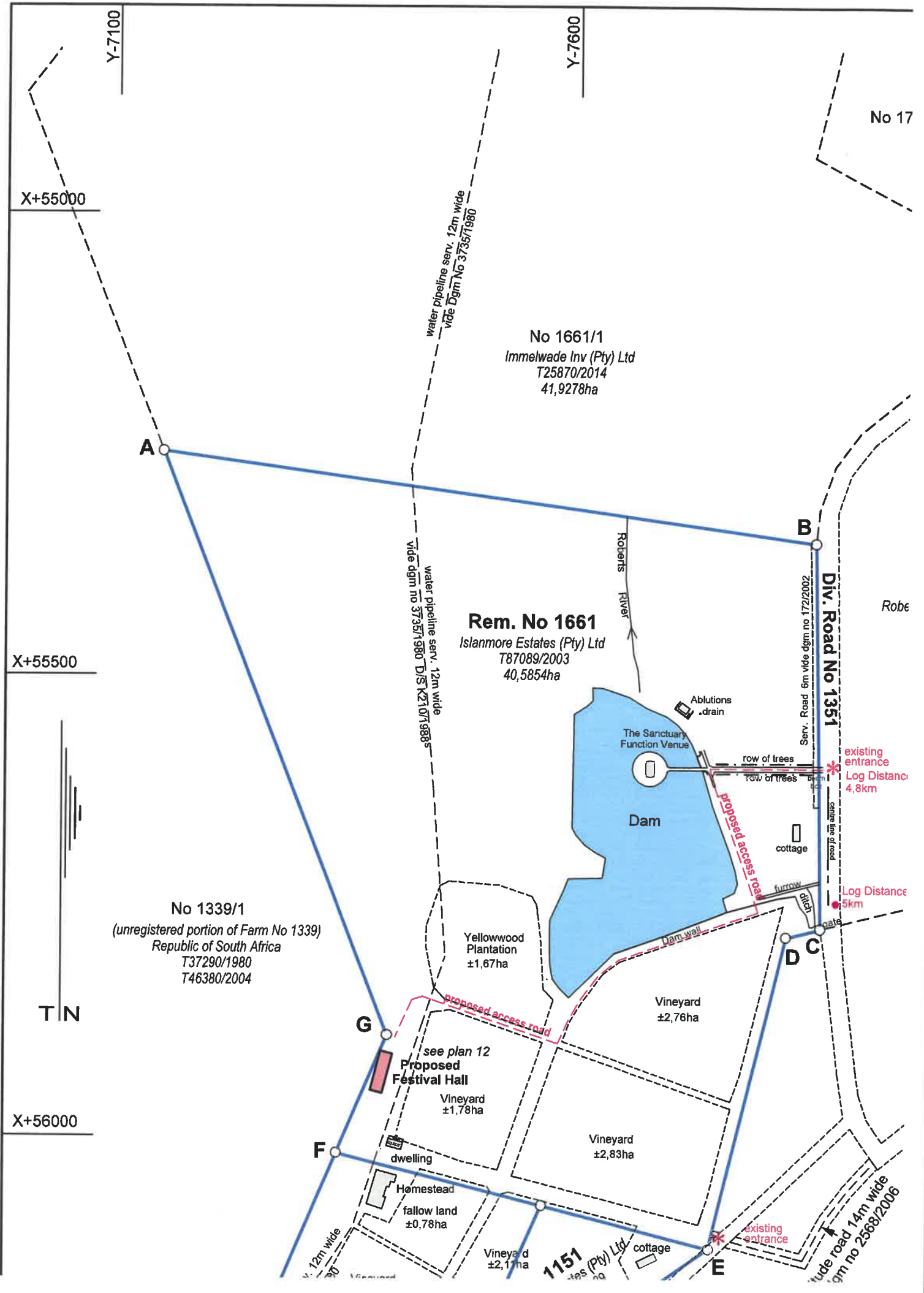
DAVID HELLIG EN ABRAHAMSE

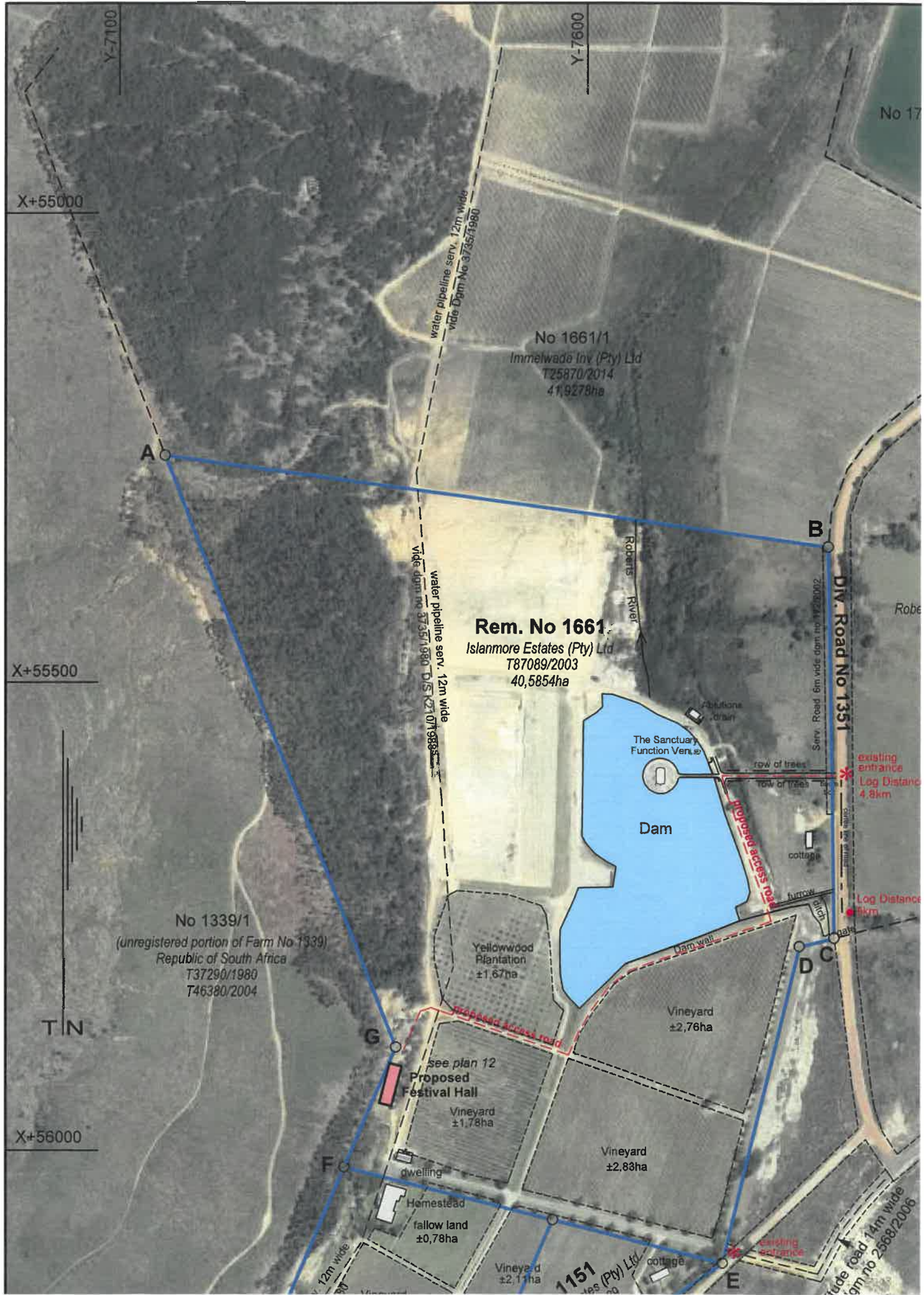


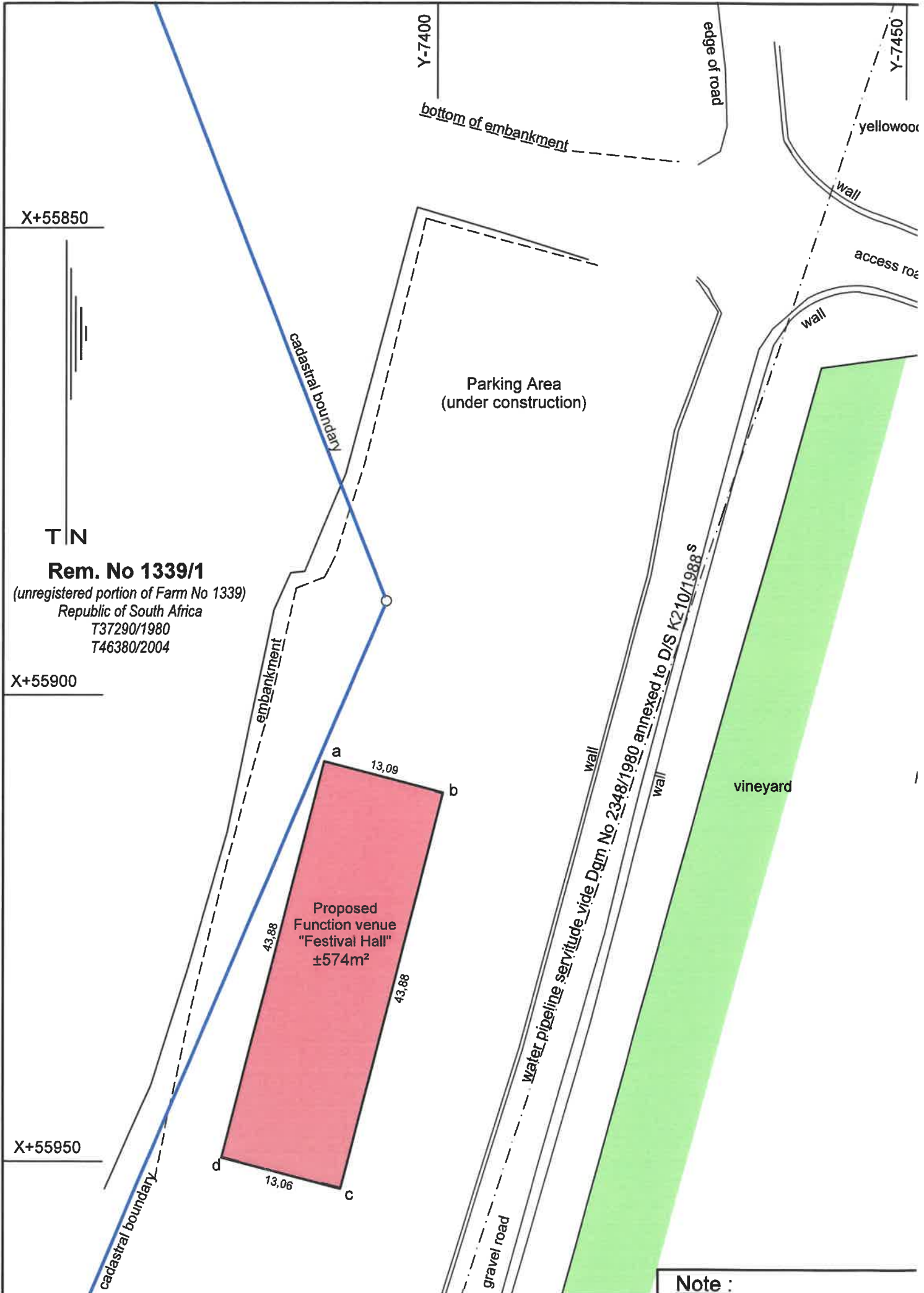
PER : M BOTHA

30-03-2021







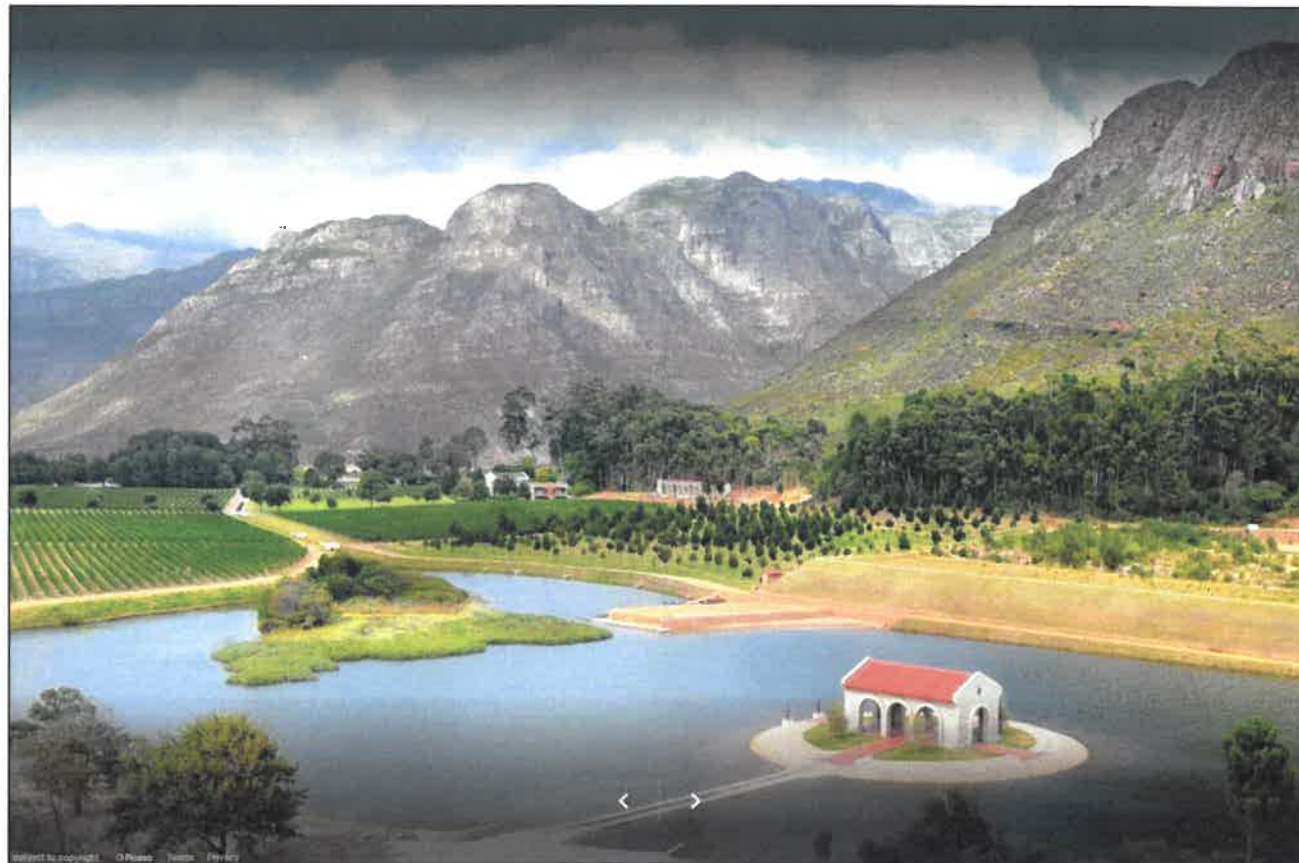


Note :

PLANNING REPORT

CONSENT USE APPLICATION FOR A TOURIST FACILITY ON THE REMAINDER OF THE FARM NO 1661 PAARL

OUR REF: P1980/85(6)(3)



Compiled by

David Hellig and Abrahamse

Professional Land Surveyors

OCTOBER 2020

1. INTRODUCTION

The Remainder of the Farm No 1661 Paarl measures 40,5824 hectares in extent and is owned by Messrs Islanmore Estates (Pty) Ltd vide Deed of Transfer No T87089/2003. The subject land unit is situated approximately 3,5km south west of the town of Franschoek within the adjoining Robertsvlei Valley and is accessed via Divisional Road No 1351 and Minor Road No 5617 as indicated on the enclosed Plans.

In terms of the Stellenbosch Municipal Zoning Scheme By-Law, 2019 (SMZSB) the subject land unit is zoned for Agriculture and Rural (AR) purposes. A Consent Use Approval for a tourist facility was previously granted by the Stellenbosch Municipality vide Reference Farm 1661, Paarl dated 25-05-2007 for a fly-fishing academy, which was previously acted on however these activities have subsequently ceased.

The subject land unit comprises the following building infrastructure :

- A small building comprising two residential dwelling units at first floor level with four garages at the ground floor level situated in the south western corner of the subject land unit.
- The proposed Festival Hall building approved as a Farm Store in the south western corner of the subject land unit being the subject of this land use planning application. Copies of the approved Building Plans are also enclosed in the application documentation.
- Two buildings, one of which is situated in the middle of the dam, representing the Sanctuary Function Venue and Ablution Facility with a combined extent of approximately 220 square metres and for which a land use planning application for a Technical Approval to permit the utilisation of the existing buildings as a Tourist Facility is currently under consideration at the Stellenbosch Municipality.
- A small cottage east of the storage dam abutting onto Divisional Road No 1351

The purpose of this land use planning application is for the conversion of the utilisation of the existing building approved as a Farm Store, measuring approximately 574 square metres, to a Function and Wedding Venue known as the Festival Hall, to operate in tandem and supplement the Sanctuary Venue.

The following land use planning application is hereby submitted to the following Statutory Authorities for approval in order to give effect to the above mentioned proposal :

1. The Stellenbosch Municipality in terms of the Stellenbosch Municipal Land Use Planning By-Law, 2015.

2. Department of Transport and Public Works, Western Cape Government in terms of Act No 21/1940, noting the conditions contained in the Title Deed.
3. Department of Agriculture, Western Cape Government, for comment.

2. PROPERTY DETAILS

The applicant, Messrs Islanmore Estates (Pty) Ltd, also owns the two adjoining land units viz Farms No 1150 and 1151 Paarl, respectively measuring 6,3656 hectares and 3,1019 hectares in extent. All three land units are farmed collectively and are known as the La Roche Estate.

The land units are bounded to the east by Divisional Road No 1351 (Robertsvelei Road), to the north by agricultural land units, to the west by State Forestry Land and to the south by Minor Road No 5617 and State Land.

The land units are planted to approximately 11,51 hectares of irrigated wine grape vineyards and approximately 1,67 hectares of yellowwood tree plantation with additional land being available for cultivation of potential agricultural lands. A large storage dam is also centrally situated on the subject land unit, which is fed from the Roberts River and the mountain run off water.

Table 1: Property details

Property Description:	The Remainder of the Farm No 1661 Paarl
S.G Diagram No:	171/2002
S.G Noting Sheet No:	3895
Deed of Transfer No:	T87089/2003
Extent:	40,5824 hectares
Registered Land Owner:	Islanmore Estates (Pty) Ltd
Existing zoning:	Agriculture and Rural Zone
Zoning Scheme:	Stellenbosch Municipality Zoning Scheme By-Law, 2019

3. ACCESS

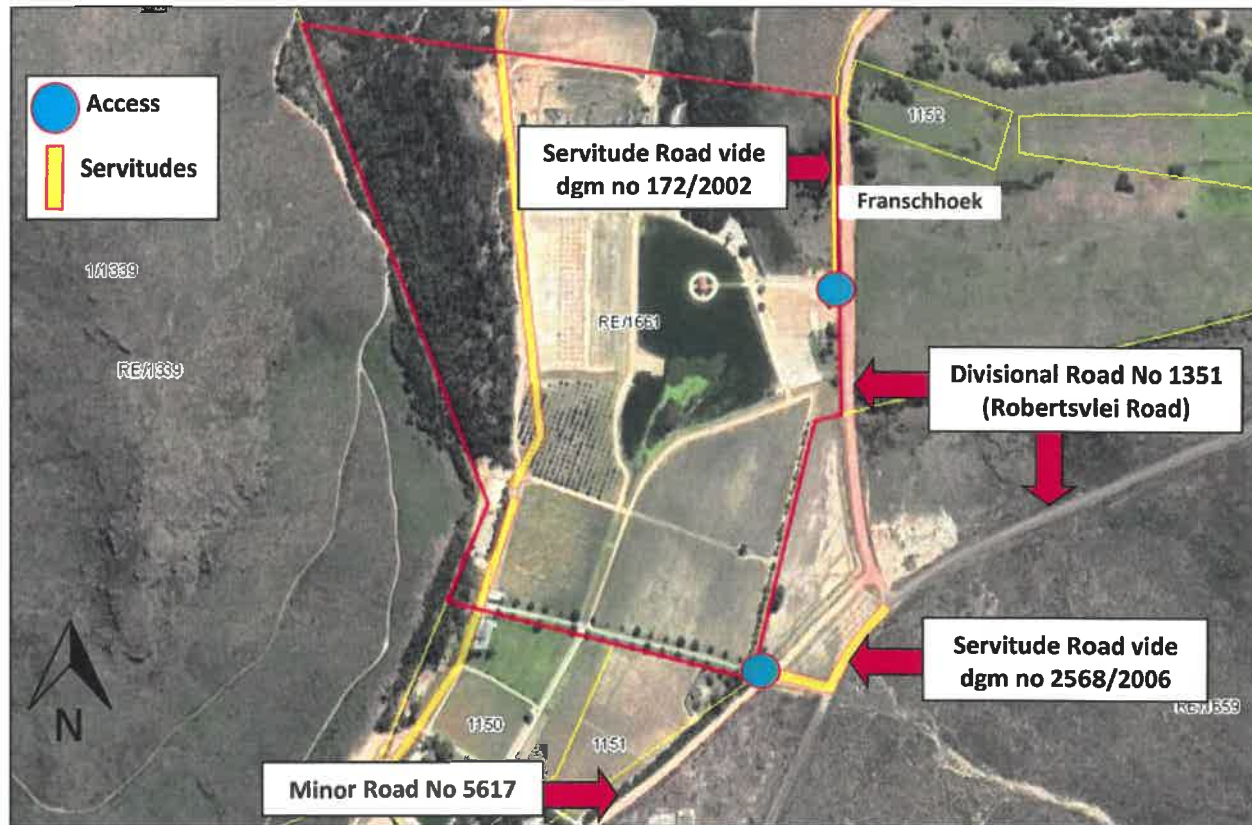


Figure 3: Access to the subject land unit.

The subject land unit is accessed as follows:

- Existing entrance at log distance 4,8km on Divisional Road No 1351 (Robertsvei Road). This access is also linked to a 6m wide servitude road granting access to the adjoining land unit viz Portion 1 of the Farm No 1661 Paarl. Access to the proposed Festival Hall is proposed from this entrance via existing internal farm roads.
- Existing entrance on the south-eastern corner directly from Minor Road No 5617. This access links up with Divisional Road No 1351 (Robertsvei Road) via a 14m servitude road registered over Farm No 1659 Paarl.
- No changes to the existing accesses are proposed and no additional accesses are required.
- Sufficient parking is provided in the parking area situated north of the Festival Hall as indicated on the enclosed Site Development Plan

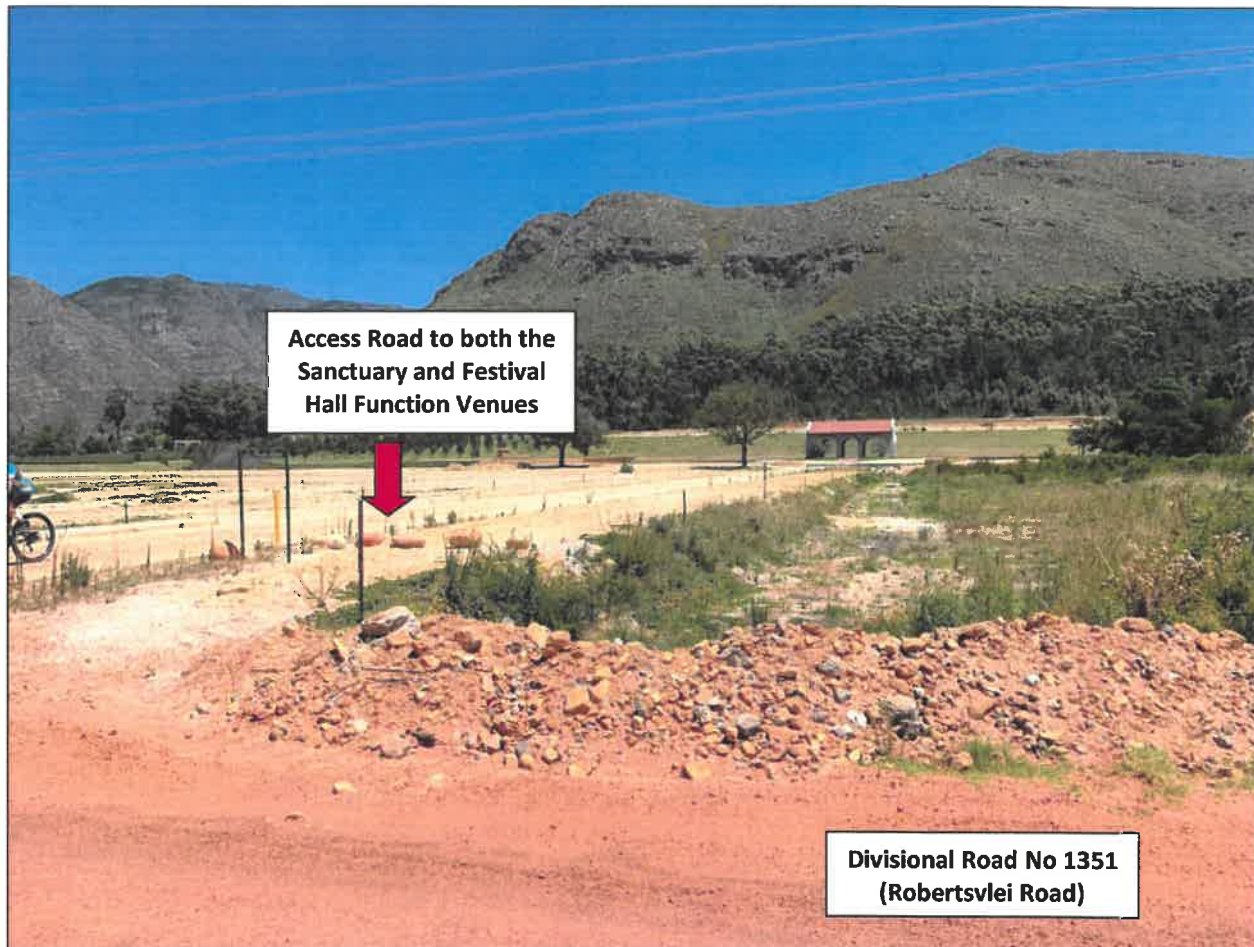


Figure 4: Access road to the proposed Festival Hall.

4. SERVICES

An Engineering Services Report dated 01-10-2020 prepared by Messrs Gadomski Consulting Engineers dealing with the availability, capacity and provision of engineering services is included as an annexure to this land use planning application.

5. ZONING AND LAND USES

In terms of the SMZSB 2019, the subject land unit is zoned for Agriculture and Rural Zone purposes.

Stellenbosch Municipal Zoning Scheme By-law, 2019

In terms of the SMZSB 2019, the following definitions support the fact that the proposed Festival Hall is categorised as a tourist facility:

“Function venue”, see “place of entertainment” and “tourist facilities”.

“Tourist facilities” describes land uses that provide facilities, amenities and activities, aimed at tourists and visitors, such as shops, markets, restaurants and places of entertainment (which may be licensed to sell alcohol), outdoor sport, conference facilities, place of assembly, wellness centres and/or open spaces, and may also include ancillary uses, limited industry only related to

the manufacturing of clothing, food, beverages or making of craft items and/or art, a liquor store for the sale of alcoholic beverages for off-site consumption, provided that the alcoholic beverages are produced under license on the land unit, and examples include farm stalls, farm shops, farmer's markets, farm deli's, wine sales, wine tasting facilities, 4x4 or mountain bike trails, cycle and hiking trails, picnic facilities, function venues, brew-pubs, craft gin distilleries, coffee roasteries, bakeries, charcuterie but excludes tourist accommodation, guest houses, bed-and-breakfast establishments and hotels.

Section 209 of the Scheme and as indicated in the below table extract from Section 214 of the SMZSB 2019.

Building type	BUILDING LINES (m) Street & common boundaries (incl. ROW servitudes)	HEIGHT (Storeys)	PRIMARY USE Maximum Coverage Threshold	ADDITIONAL USE (SDP) Maximum Coverage Threshold	CONSENT USE Maximum Coverage
Accommodation and dwellings in this zone					
Dwelling house and second dwelling-house (excluding outbuildings, carport or garage)	5m	2 storeys	600m ² each		
Additional dwelling houses (excluding outbuildings, carport or garage): Max 4 dwelling units (1 unit/10ha for land units larger than 20ha)	5m	1 storey			120m ² each
Guest house, bed & breakfast & tourist dwelling units: in existing approved dwellings	In existing approved dwelling houses (as per above)			Max 7 bedrooms	As approved by Municipality
Tourist facilities					
Tourist facilities: overall max limit including outdoor areas used but excluding parking	5m	1 storey		250m ²	As approved by Municipality
-Shop in tourist facility sub-limit				120m ²	
-Manufacture and craft workshop sub-limit				50m ²	

The proposed activity is subservient to the primary land use on the farm and will contribute to "ensuring sustainability and providing diversified income to land owners, without adversely impacting on the primary use of the land unit for agricultural purposes" as is the stated purpose of this zone.

The below table extract from Section 201 of the SMZSB 2019 lists the additional uses permitted in terms of this Zone either a Technical Approval or Consent Use Approval.

Primary Uses	Additional Uses (not exceeding threshold in this chapter and subject to technical approval)	Consent Uses (Application required)
<ul style="list-style-type: none"> • Agricultural building ($\leq 2000\text{m}^2$) • Agriculture • Dwelling house • Forestry • Natural environment • Occasional use (one event/year) • Private road • Polytunnel ($\leq 2000\text{m}^2$) • Second dwelling • Employee housing (one unit) 	<ul style="list-style-type: none"> • Agricultural building ($> 2000\text{m}^2$) • Agricultural industry ($< 2000\text{m}^2$) • Bed and breakfast establishment • Employee housing (exceeding one unit) • Guest house • Home day care centre • Home occupation practice • Polytunnel ($\geq 2001\text{m}^2$ and $\leq 5000\text{m}^2$) • Rooftop base telecommunication station • Tourist dwelling units • Tourist facility (existing buildings) 	<ul style="list-style-type: none"> • Abattoir • Additional dwelling units (max 4) • Airfield • Airstrip • Agricultural industry ($\geq 2000\text{m}^2$) • Camping site • Day care centre • Freestanding base telecommunication station • Helicopter landing pad • Intensive feed farming • Kennel • Market • Occasional use ($>$ one event/year) • Plant nursery • Polytunnel ($> 5000\text{m}^2$) • Renewable energy structure • Service trade • Tourist accommodation establishment • Tourist facility (new buildings or exceeding threshold) • Any additional use exceeding the threshold set out in this chapter

The combined extent of the Sanctuary Function Venue for which a Technical Approval is awaited, together with the proposed Festival Hall exceeds the threshold of 250 square metres for additional land use rights permitted as a Technical Approval, thereby necessitating the submission of a land use planning application in respect of a Consent Use Approval for the Festival Hall, as per table on the right in the above figure.

6. APPLICATION PROPOSAL

A land use planning application in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law, 2015, is hereby submitted for a Consent Use to permit the use of the existing building measuring 574 square metres in extent as a Function Venue (tourist facility) known as the Festival Hall and labelled a - d on Consent Use Plan No 12

7. TITLE DEED RESTRICTIONS

A Conveyancer Certificate has been prepared by Ms Jolene Tasha Harris of Harris Attorneys in respect of the title deeds of the subject land unit confirming that there are no restrictive conditions prohibiting the development proposal.

The only action required is the submission of an application to the Department of Public Works and Transport for their approval in terms of Act No 21/1940 in compliance with the respective Title Deed condition.

8. SITE DEVELOPMENT PLAN

A Site Development Plan comprising of the 3 sheets prepared by Graham Goosen, Architect is enclosed with this application as follows :

- Site Plan indicating the location of the Festival Hall on the land unit together with the proposed access route from the existing entrance at log 4,8km from Divisional Road No 1351 via existing farm roads to the proposed parking area situated to the north of the Festival Hall.
- Plan and Elevation Drawing, noting that the Festival Hall comprises a Reception, Hall, Kitchen and Ablutions.
- Inset Plan indicating the road network and parking layout, noting that 24 parking bays and 2 bays for disabled persons have been provided at a ratio of 4 bays per 100 square metres.

9. ENGINEERING SERVICES AVAILABILITY REPORT

An Engineering Services Availability Report dealing with the provision of engineering services in respect of waste disposal, water and electrical supply prepared by Messrs Gadomski Consulting Engineers, is enclosed with this application.

10. NOISE IMPACT ASSESSMENT

A Noise Impact Assessment conducted by Messrs Mackenzie Hoy, Consulting Acoustic Engineers is also enclosed with this application. The Noise Impact Assessment focuses mainly on the proposed Sanctuary Function Venue noting that the Festival Hall is situated in close proximity to the western boundary of the subject land unit, approximately 450 metres south east of the Sanctuary Venue.

It should be noted that the subject land unit is surrounded by State Land on its western, southern and eastern boundaries, with the closest privately owned residential homestead being situated on Farm No 1155 Paarl approximately 1 kilometre north east of the proposed Festival Hall as indicated on the enclosed Site Plan No 11P.

Subject to the implementation of certain mitigating measures, the Noise Impact Assessment concludes that in respect of the Sanctuary Venue there would be no adverse impact on the surrounding land units in terms of Noise disturbance. This would be even less of a factor in terms of the proposed Festival Hall due its situation and location in relation to the Sanctuary and surrounding residences.

The Festival Hall will also due to its scale in relation to the Sanctuary be utilised for major events with the Sanctuary being more suited to smaller and less intrusive events in terms of

visual and noise disturbance. For example, in the case of Weddings the Sanctuary would typically be used for the actual ceremony and the Festival Hall for the reception, being far removed from surrounding residences.

11. STELLENBOSCH MUNICIPALITY DRAFT SPATIAL DEVELOPMENT FRAMEWORK, 2019

The key policy imperatives for the Stellenbosch Municipality Draft Spatial Development Framework, 2019 (MSDF 2019), drawn from higher level policy directives and organised in relation to broad themes of enquiry identified in the SPLUMA guidelines, are as follows:

- **Biophysical Environmental:** The proposed Festival Hall does not negatively impact on the biodiversity and ecosystem services, water, soils and mineral resources. The proposal utilises and amplifies the unique and tranquil landscape and scenic assets of the area being located within existing building infrastructure.
- **Socio-Economic Environment:** The land use proposal contributes to the regional and municipal economic infrastructure in that it provides for influx of financial exchange and providing additional job opportunities, thereby boosting both the local and regional economies in general. The land use proposal adds to the accumulation of tourism opportunities in the area which serves as protection and expansion of tourism assets and is supported by local Tourism organisations such as the Franschhoek Vignerons and the Franschhoek Hospitality Academy (see enclosed letters of support). The MSDF encourages the expansion of entrepreneurial opportunity, which is a resultant outcome of this proposal providing additional income opportunities on the subject land unit through the utilisation of existing and approved structures whilst supporting and supplementing the primary agricultural activities on the land unit.
- **Built environment:** The visual essence of the proposed Function Hall and Sanctuary venue fits in with the special and unique sense of place of the Franschhoek area and provides the opportunity for visitors to experience this first hand, thereby contributing to the spatial vision of accessibility to such facilities and opportunities, especially considering the proximity of the site to the town of Franschhoek. The addition of this land use on the subject land unit complements the functionality of available resources on the subject land unit without negatively impacting on surrounding facilities.

The below contents are extracted from the MSDF 2019 applicable to the Stellenbosch Municipality as a whole and are supported by the proposal:

- Activities that serves to diversify income on farms are encouraged.
- These activities do not undermine the sustainability of agricultural production on the subject land unit as the proposed activities will be contained within existing and approved building structures.

- The MSDF states that a hierarchy of settlements, large and small – each with distinctive characteristics and potentials – and linked through a system of routes, is set in the Stellenbosch municipal landscape. The proposal serves as a point of interest and linkage in the landscape, contributing to its distinctive characteristics.
- The MSDF states that both areas of nature and agriculture and parts of settlements and the routes that connect them, carry strong historic and cultural values, and contribute significantly to the tourism economy. This statement is supported and upheld by the land use proposal.

The below contents are extracted from the MSDF 2019 applicable to Franschhoek specifically and are supported by the proposal:

- The MSDF states that Franschhoek is viewed as having less livelihood potential (as confirmed by the WCG’s Growth Potential of Towns study). This does not imply that no growth should be entertained. There is opportunity, but the focus should be on improving living conditions for existing residents as opposed to significant new growth. The proposal does not represent significant new growth but rather improvement of existing situations and providing new opportunities in terms of tourism, employment and subsequent improved livelihoods on a scale commensurate with the rural character of its surroundings.

TYPE OF ACTION	SDF ELEMENT	SPATIAL PROPOSALS	RELATED NON SPATIAL PROPOSALS
Protective Actions	CBA's, ESA's, Protected areas	<ul style="list-style-type: none"> • Maintain and improve the nature areas surrounding Franschhoek. • Work to increasingly connect and integrate nature areas, also with the urban green areas, to form an integrated green web or framework across the municipal area. 	<ul style="list-style-type: none"> • Implement management actions contained in the EMF.
	Water courses	<ul style="list-style-type: none"> • Improve public continuity, access, and space along the stream corridors. 	
	Agricultural land	<ul style="list-style-type: none"> • Retain and improve the relationship between Franschhoek and surrounding agricultural land. 	
	Urban edge	<ul style="list-style-type: none"> • As a general principle, contain the footprint of Franschhoek as far as possible within the existing urban edge. 	
	Scenic landscapes, scenic routes, special places	<ul style="list-style-type: none"> • Retain the strong sense of transition between agriculture and human settlement at the entrances to the town. 	
Change Actions	Historically and culturally significant precincts and places	<ul style="list-style-type: none"> • Maintain the integrity of historically and culturally significant precincts and places (as indicated in completed surveys). 	
	Informal settlements to be upgraded	<ul style="list-style-type: none"> • Prioritise informal settlements for upgrading and service provision. 	<ul style="list-style-type: none"> • Utilise government land assets to enable integration between informal settlements and established areas.
	Areas for residential densification and infill	<ul style="list-style-type: none"> • Focus infill development on the largely undeveloped part within the urban edge (between the north-western and south-eastern parts of the settlement). • Ensure that residential development provides for a range of housing types and income groups. • Ensure that future development is woven into the urban fabric of the existing town. 	<ul style="list-style-type: none"> • Utilise government land assets to enable residential densification and infill development.
	Areas for mixed land use and improved economic opportunity	<ul style="list-style-type: none"> • Focus new mixed use development as far as possible along Main Road. • Actively support pedestrianism and improved public space within the old town centre. 	<ul style="list-style-type: none"> • Assist development opportunity for small/ emerging entrepreneurs. • Support private sector led institutional arrangements assist with urban management in the town centre.
	Improved access and mobility	<ul style="list-style-type: none"> • Pro-actively improve conditions for walking and NMT within Franschhoek. • Explore improved movement linkages between the north-western and south-eastern parts of the settlement. 	<ul style="list-style-type: none"> • Ensure that the design of all roads within and surrounding the town provides for appropriate NMT movement.
	Community Institutional use	<ul style="list-style-type: none"> • Cluster community facilities together with commercial, transport, informal sector and other activities so as to maximise convenience, safety and socio-economic potential. 	<ul style="list-style-type: none"> • Actively support the shared use of community facilities.
	Improved landscaping and public amenity	<ul style="list-style-type: none"> • As far as possible, focus investment in parks, open spaces, and social facilities accessible by public and NMT, in this way also increasing the surveillance of these facilities. 	<ul style="list-style-type: none"> • Actively involve local communities in the development and management of public amenities.
New Development Actions	Significant new mixed use development		
	Significant new residential development		
	Significant change to access and mobility provision		

Figure 5: Table 22 as per the MSDF: Plan elements and proposals for Franschhoek

Although there are no specific spatial proposals applicable to the subject land unit, it is clear that the proposed utilisation of the Festival Hall as a Function Venue supports the overarching policy statements contained in the MSDF 2019.

12. MOTIVATION IN FAVOUR OF THE APPLICATION

12.1. Section 59 of the Western Cape Land Use Planning Act No 3/2014

The following land use planning principles prescribed in Section 59 of the Western Cape Land Use Planning Act, being indicators of desirability which in turn is one of the criteria for decision making, are complied with as follows:

- Spatial justice: Although spatial justice is not applicable to the proposal, it can be motivated that the approval of the application will result in improved access to and utilisation of land and existing infrastructure for the benefit of the general public.
- Spatial sustainability: The approval of the application will not have a negative impact on high potential agricultural land and will not contribute to urban sprawl. The proposal does not negatively impact on the environment or its rural character as existing approved building structures are proposed to be utilised. The proposal constitutes effective and equitable functioning of the land due to a small portion of the land being utilised to introduce diversity on the land unit resulting in improved potential and supporting the longevity of the agricultural component of the farm by means of additional income. Heritage and tourism resources are not negatively affected by the proposal. To the contrary, the proposal supports desired tourism activities and the associated positive impact and spin-off on economic growth.
- Efficiency: The proposal provides for better use of existing resources, infrastructure and facilities. The usage of the existing and approved farm store introduces an alternative usage to the agricultural land unit. The proposed integration of the tourism use within the agricultural context will have minimal impact on surrounding and adjacent land units, with the respective homesteads being located a significance distance away from the venue.
- Spatial Resilience: This principle encourages the accommodation of flexibility in land use management systems to ensure sustainable livelihoods in communities to absorb economic shock. The land use proposal contributes to economic stimulation and diversity thereby supporting this principle.
- Good administration: The land use planning application is submitted in accordance with the provisions of both the Municipal Land Use Planning By-law and the Zoning Scheme By-law and supported by specialist reports and inputs from a professional Consultant Team.

12.2. Stellenbosch Municipality Spatial Development Frameworks

As more fully described in paragraphs 10 and 11, the proposal supports the Stellenbosch Spatial Development Frameworks as follows:

- The proposal encourages sustainable and appropriate tourism activities on rural land.
- The proposal introduces variety and diversity both in terms of its contribution to the local tourism sector and the agricultural enterprise present on the land unit.
- The proposal supports the key policy imperatives in the MSDF (biophysical, socio-economic and built environment) drawn from higher level policy directives and broad themes of enquiry identified in the SPLUMA guidelines.
- The proposal utilises and amplifies the unique and tranquil landscape and scenic assets of the area for the benefit of society in general.
- The proposal contributes to the regional and municipal economic infrastructure in that it provides for influx of financial exchange and providing additional job opportunities.
- The proposal enhances the rural area and serves as a point of interest and subsequent link between settlements.
- The MSDF encourages and promotes the expansion of entrepreneurial opportunity, which is a result of this proposal providing additional income opportunities on the subject land unit through the use of existing available building structures and resources.
- The proposal complements the unique sense of place of the Franschhoek area and provides the opportunity for visitors to experience this first hand, thereby contributing to the spatial vision of accessibility to such facilities and opportunities.
- The proposal enables functionality of resources on the subject land unit without negatively impacting on the surrounding environment.
- The proposed activities do not undermine the sustainability of agricultural production on the subject land unit.

12.3. General Motivation

- The isolation of the location of the Festival Hall on the subject land unit in relation to surrounding residences ensures minimal visual and noise disturbance.

- The proposal does not conflict with the character of the surrounding area since it complements and supports the existing agricultural uses on the subject land unit and the greater Stellenbosch Municipal Area in general, being an accepted principle to establish supporting and additional land uses on farms, as can be seen throughout the Cape Winelands Area and permitted in terms of the Zoning Scheme By-law.
- The development proposal will not adversely impact on the agricultural potential of the subject land unit as no viable agricultural land will be lost. On the contrary, the Festival Hall in conjunction with the Sanctuary will ensure that the existing agricultural activities on the subject land unit are maintained.
- The proposal will not result in a negative visual impact as the structures already exist and therefore will support and enhance the unique sense of place.
- The development proposal will create additional tourism, employment and income opportunities.
- In today's economy, with the limited availability of resources, it is important to utilise land to its maximum sustainable potential. The potential to develop agricultural land units for purposes other than agricultural is also limited in terms of the provisions of the Zoning Scheme By-law and therefore the land use development proposal, is ideal for improved utilisation of land in support of agricultural viability

13. CONCLUSION

For the reasons provided in this report, being extensively justified and substantiated, I trust that the land use planning application will be favourably considered.

DAVID HELLIG & ABRAHAMSE



PER : S G DREYER



Building situated in the south western corner comprising residential apartment suites at first floor level and four garages at ground floor level



Existing access road and approach to the Festival Hall



Vista from the Festival Hall overlooking vineyards



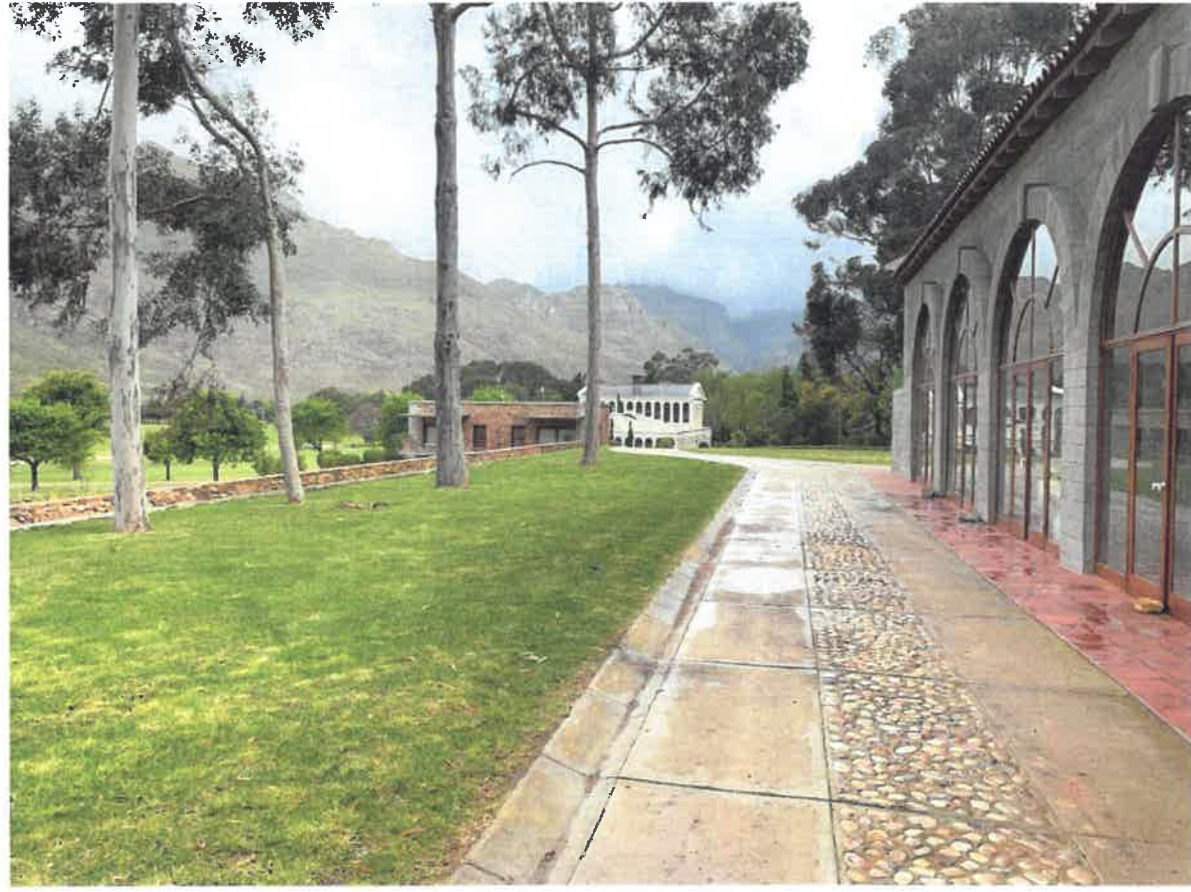
Photograph of the Festival Hall in the distance at the confluence of the Divisional and Minor Roads



Northern aspect of the Festival Hall with the parking area under construction

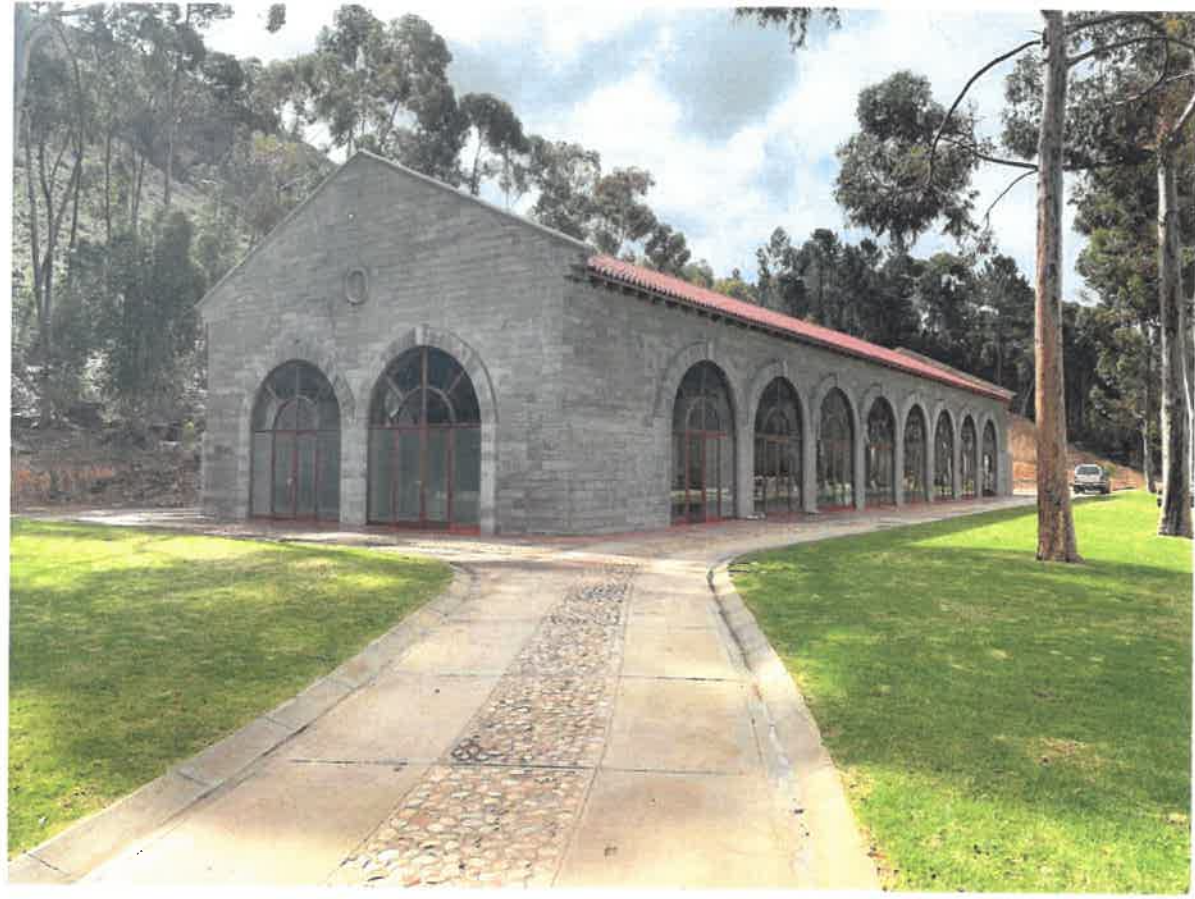


Vista from the Festival Hall





South Western aspect of the Festival Hall



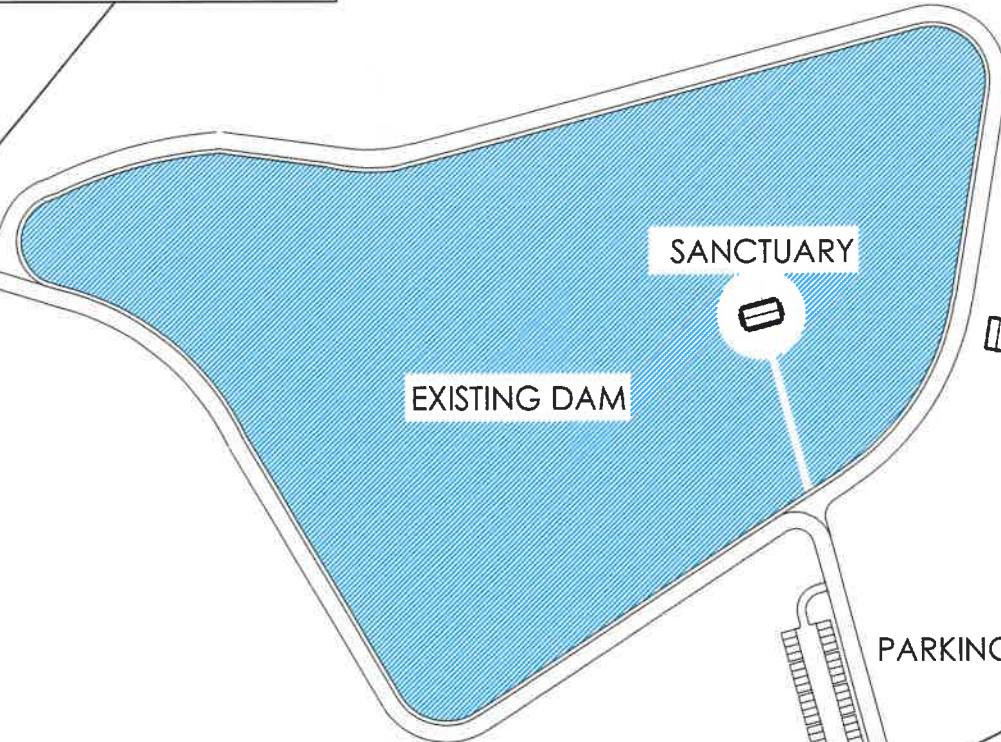
South eastern aspect of the Festival Hall

FARM 1150

EXISTING
BOUNDARY LINE 415 200
3000 BUILDING LINE

PROPOSED WEDDING VENUE BUILDING

TWO WAY ROAD ACCESS
5,6m WIDTH - BRICK PAVED



EXG TOILETS

FARM 1151

TWO WAY ROAD ACCESS
5,6m WIDTH - BRICK PAVED

PARKING

5000 BUILDING LINE

36 280

5000 BUILDING LINE

EXISTING COTTAGE

BOUNDARY LINE 348 470

38 170

138 550

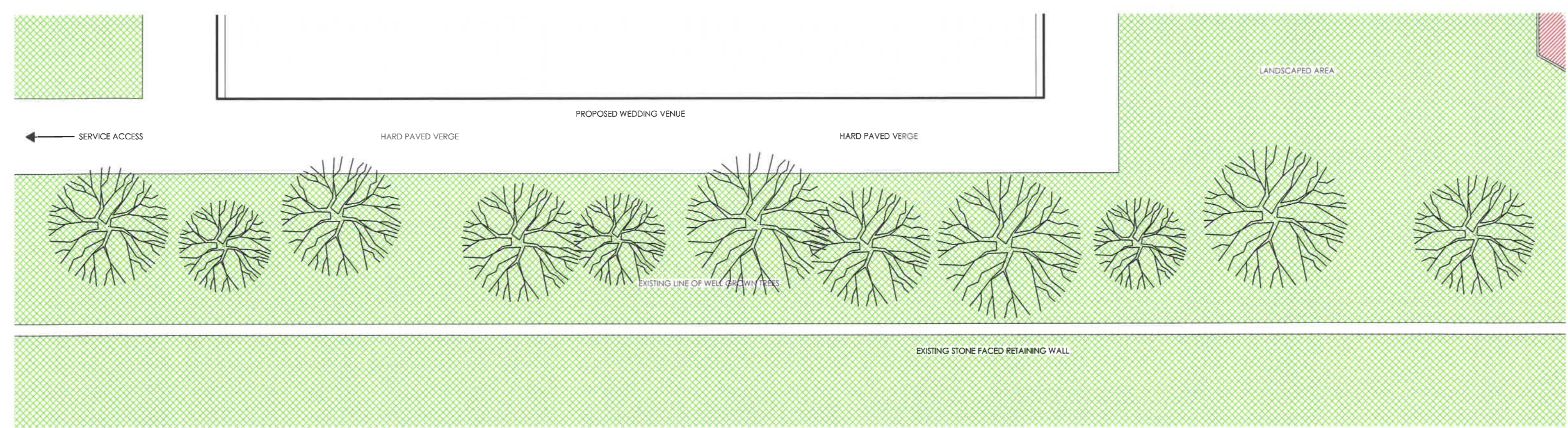
ENTRANCE TO PROPOSED WEDDING VENUE

ROBERTSVLEI ROAD

SIDE DEVELOPMENT

PROPOSED WEDDING AND FUN SITE DEVELOPMENT

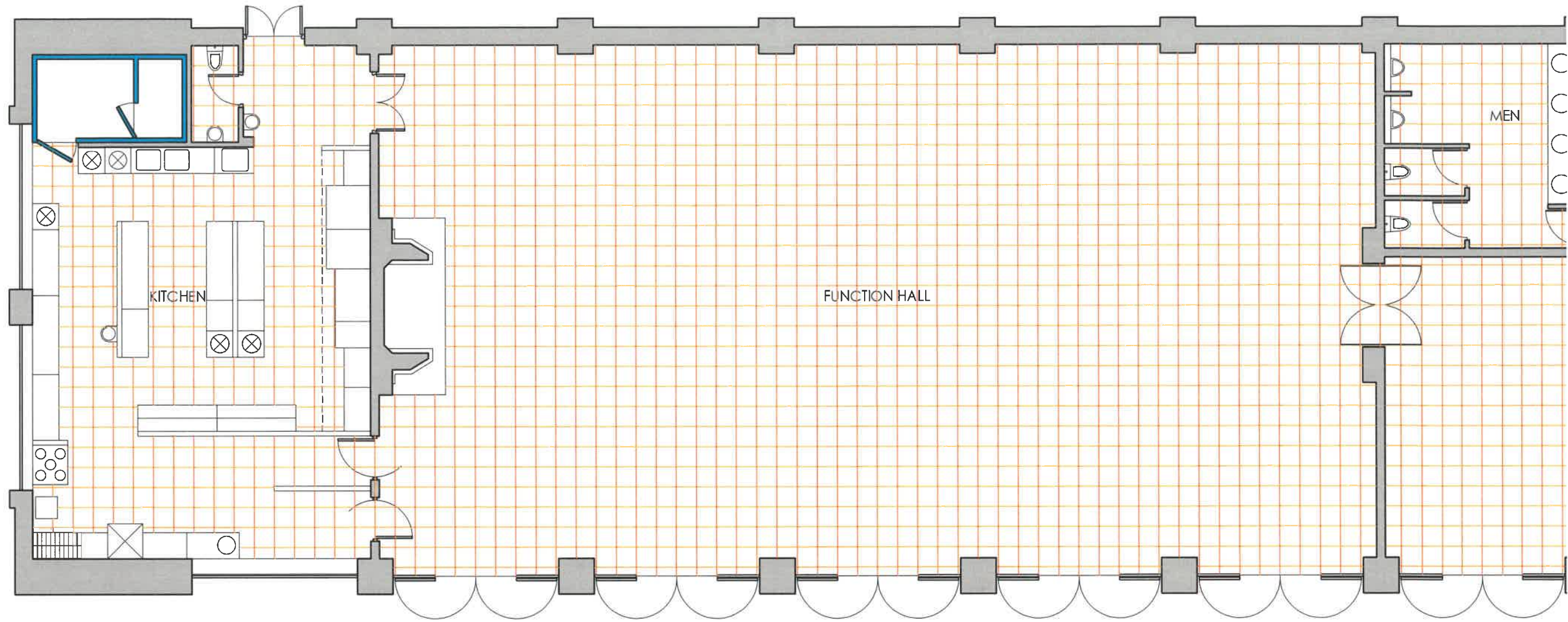
TO FRANSCHHOEK



PART SITE PLAN 1:200 - WEDDING VENUE, PARKING AND ADJACENT SITE DEVELOPMENT

FARM 1661

PROPOSED WEDDING AND FUNCTION VENUE - FARM 1661 FRANSC
 SITE DEVELOPMENT PLAN



GROUND FLOOR PLAN 1:100

GROSS AREA 577sqm

PROPOSED WEDDING AND
SIT