

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

BLUEGUM GROVE
POSBUS 6
LYNEDOCH
7603

BLUEGUM GROVE TRUST

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

Application Property Address: Along DR1052 (Vlaeberg Road) northwest of Lynedoch (±9km west of Stellenbosch)

Application Property Number: Portion 11 of the Farm Onrust No. 484 Stellenbosch

Applicant: P-J le Roux Town Planners Pty Ltd (cell: 0760317607)

Owner: Mballi Living Pty Ltd

Application Reference: LU/14635 (TP111/2022)

Application Type:

Application is made in terms of **Section 15(2)(o)** of the Stellenbosch Municipality Land Use Planning By-Law, 2015 for **Consent Use** for a **tourist facility** in order to use the **existing conference facility building (±378m²)** and **outside lawn area (±800m²)** for **functions and receptions** with a **maximum capacity of 150 guests** on **Farm 484/11 Stellenbosch**.

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-notice/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;

- o Where relevant demonstrate the undesirable effect that the application will have if approved;
- o 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: P-J le Roux Town Planners Pty Ltd (pi@pileroux.co.za). By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within **30 days** from the date of this notice to be received on or before the closing date of **19 December 2022**.

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 (076-031-7607 / 021-872-2499) during normal office hours (Monday to Friday: 08:00 – 17:00).

Yours faithfully

P-J LE ROUX TOWN PLANNERS PTY LTD



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

BLUEGUM GROVE
POSBUS 6
LYNEDOCH
7603

BLUEGUM GROVE TRUST

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

Adres van aansoek eiendom: Langs DR1052 (Vlaeberg Pad) noordwes van Lynedoch (±9km wes van Stellenbosch)

Aansoek eiendom beskrywing: Gedeelte 11 van die Plaas Onrust No. 484 Stellenbosch

Aansoeker: P-J le Roux Town Planners Pty Ltd (cell: 0760317607)

Eienaar: Mbali Living Pty Ltd

Aansoek Verwysing: LU/14635 (TP111/2022)

Tipe Aansoek:

Aansoek word gedoen ingevolge **Artikel 15(2)(o)** van die Stellenbosch Munisipaliteit Verordening op Grondgebruikbeplanning, 2015 vir **Vergunningsgebruik** vir 'n **toeristefasiliteit** ten einde die **bestaande konferensiefasiliteitgebou (±378m²)** en **buite grasperkarea (±800m²)** te gebruik vir **funksies en onthale** met 'n **maksimum kapasiteit van 150 gaste** op **Plaas 484/11 Stellenbosch**.

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 tydsduur van die publieke deelname proses by die volgende adres: <https://www.stellenbosch.gov.za/planning/documents/planning-notices/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;
 - Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
 - 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: P-J le Roux Town Planners Pty Ltd (pj@pjleroux.co.za). Deur 'n beswaar, kommentaar of versoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

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 sluitings datum van **19 Desember 2022**.

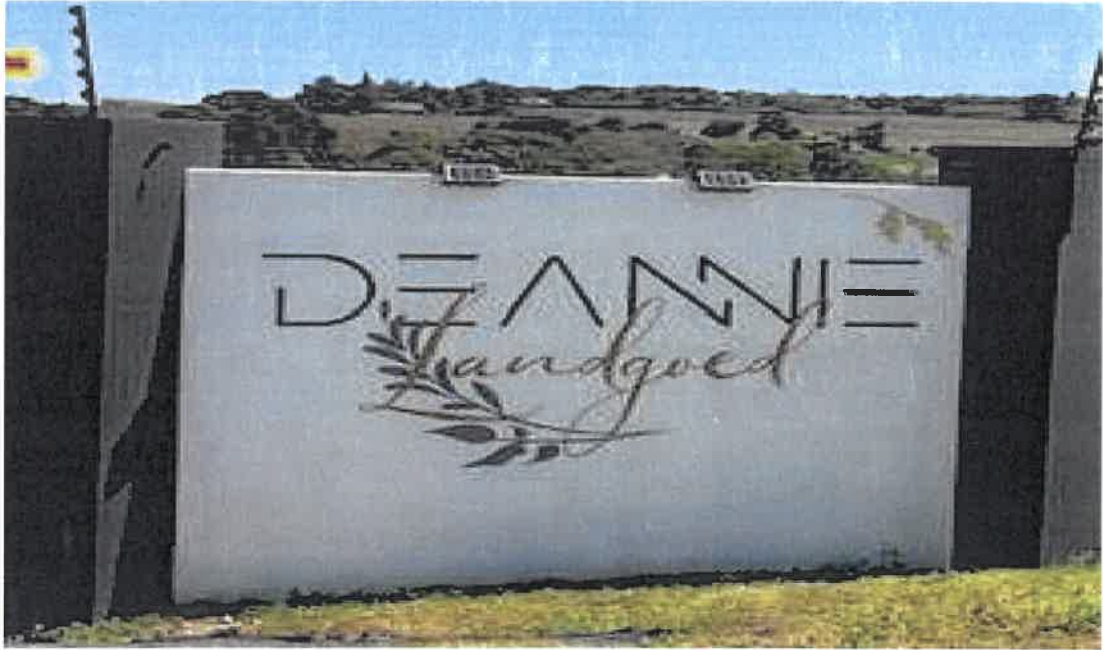
Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

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 (076-031-7607 / 021-872-2499) gedurende normale kantoor ure (Monday to Friday: 08:00 – 17:00).

Die uwe

P-J LE ROUX TOWN PLANNERS PTY LTD





*Application for
Consent Use:
Portion 11 of Farm Onrust No. 484
Stellenbosch*

September 2022

V 30 - 113



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1. INTRODUCTION

1.1. Application

Formal application is hereby made for the following:

- (i) In terms of **Section 15(2)(o)** of the Stellenbosch Municipality: Land Use Planning By-Law, 2015 for **CONSENT USE** on **Portion 11 of Farm Onrust No. 484 Stellenbosch**, to facilitate the following land use thereon:
- **“Tourist facilities”** to utilize the **existing approved conference facility building (±378m² including stoep)** and **outside lawn area (±800m²)** on the farmstead also for the purposes of functions and receptions with a **maximum capacity of 150 guests**. This function venue will work in conjunction with the approved conference facility which operates from the same building.

Detail regarding the proposal will be discussed in Section 5 and 6 of this report.

1.2. Applicant

DIANIE HATTING duly authorised by **MBALI LIVING PTY LTD**, as registered owners of **Portion 11 of Farm Onrust No. 484 Stellenbosch**, appointed this firm **P-J le Roux Town Planners (Pty) Ltd** to prepare a formal application for the **Consent Use** to facilitate a **tourist facility** inside the existing approved conference facility building and lawn area on the farmstead and to submit it to the relevant authorities for formal approval (**Power of Attorney and Company Resolution** attached).



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2. PROPERTY INFORMATION

Description	Portion 11 of Farm Onrust No. 484 Stellenbosch
Location	Along DR1052 (Vlaeberg Road) northwest of Lynedoch (±9km west of Stellenbosch)
Extent	7,7302ha
Registered owner	MBALI LIVING PTY LTD (Power of Attorney and Company Resolution attached)
Title Deed	T44337/2020 (Copy of Title Deed attached)
Existing zoning	Agriculture & Rural Zone (Consent Use: guest house and conference facility)
Restrictive Conditions	None
Planning Legislation	Stellenbosch Municipality: Zoning Scheme By-Law (2019) Stellenbosch Municipality: Land Use Planning By-Law (2015)

Table 1: Property Information

The subject property is located west of Stellenbosch and north-west of Lynedoch and falls in the jurisdiction of the Stellenbosch Municipality, Western Cape Province.



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3. LOCALITY

The subject property is an existing agricultural land unit located within the Stellenbosch Municipal area. The subject property is located approximately 9km west of Stellenbosch and 2,5km northwest from Lyndoch. The subject property is located on western side of DR1052 (Vlaeberg Road) and approximately 700m south of DR1052 and R306 (Polkadraai Road) intersection.



Fig. 1: Locality



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Portion 11 of Farm No. 484 Stellenbosch

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The subject property forms part of the smaller agricultural land units located in the rural area along Vlaeberg Road. Access to the subject property is taken directly from DR1052 (Vlaeberg Road) which is north/south linkroad between the R306 (Polkadraai Road) to the north and R301 (Stellenbosch/Faure Road) to the south. Both these roads are Main Roads which link Stellenbosch with the Cape Metropolitan Area. Many of the agricultural properties along these routes have existing tourist related facilities thereon, which is a common phenomenon in the Stellenbosch hinterland.

Access to the property is via an existing formal farm entrance in the northeastern corner of the subject property. This entrance provides access to all the existing buildings on the subject property via an internal gravel road. This road also leads to the existing large parking area abutting the approved conference facility. It is worth noting that since the property has already been used for conferences and guest accommodation (see previous approval) this entrance has been in operation since then without any incidents.

Since the intention is to utilize the existing and approved conference facility buildings on the subject property also for functions and receptions, no changes to the existing infrastructure or road network are required or foreseen. Formal onsite parking has been established long time ago which facilitates the parking requirements.



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4. LEGAL LAND USE RIGHTS

4.1. Existing zoning

The Stellenbosch Municipality has confirmed vide a Zoning Certificate dated 29 October 2021 that the **Portion 11 of the Farm Onrust No. 484 Stellenbosch** is zoned in terms of the Stellenbosch Municipality Zoning Scheme By-Law (2019), as **“Agriculture and Rural Zone”** with **Consent Use** for the existing guest house (10 rooms and conference facility). According to this By-Law the land uses permitted under this zone are as follows:

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

Table 2: Extract from Stellenbosch Municipal Zoning Scheme By-Law (2019)



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The Stellenbosch Municipality vide their letter dated 11 January 2007 granted approval for the following (*copy of zoning certificate and previous approval attached*):

- Rezoning from Agriculture Zone I to Residential Zone V to facilitate a 10-bedroom guest house inside the existing buildings
- Consent Uses:
 - Conversion of existing building into additional dwelling
 - Conference facility

Although the conference facility inside the existing and approved building has been in operation on the subject property, this activity does not include functions and/or receptions. To permit this inside the same building formal application is therefore required.

Since the primary land use rights for the subject property does not include “*tourist facilities*”, formal application for **Consent Use** is necessary to permit the proposed land uses. The proposed tourist facilities (function and reception venue) will be located inside an existing and approved building on the subject property and no additional buildings will therefore be developed on the subject property because of this application.

4.2. Existing land uses

The subject property is an existing agricultural small holding located west of Stellenbosch and northwest of Lyndoch along Vlaeberg Road and comprises the following buildings and activities:

Existing buildings (Fig. 1 below):

- Manor House & Guest House (1+2)
- Additional dwelling (3)
- Cottage (4)
- Conference facility building (5) (subject of this application)
- Staff housing unit (6) (vacant)
- Chicken houses (7+8)



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Fig. 2: Existing buildings

Agriculture

Although the land on the subject property lies fallow, the new owners intend to re-introduce the chicken farming operation inside the existing chicken houses. They also intend to breed with rabbits as well as introduce a large vegetable farming operation on the existing fallow lands.

The fact that the intended function and receptions are limited to the inside of an existing building and on the lawn area near the dam, confirms that no viable agricultural land will be lost because of this application.



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5. PROPOSED DEVELOPMENT

The intention of the applicant and the purpose of this report is to allow the applicant to optimize the existing approved conference facility building by also utilize it for tourist facilities (function and receptions) without infringing onto the agricultural land. The objective is to extend the use of the conference building by including functions and receptions therein as well. **This application will be followed by a liquor license application (on-consumption) in terms of the Liquor Act.**

The proposed tourist facility will be confined to the inside of the existing and approved building (see approved building plan attached). Since no new buildings are proposed, no visual impact is expected because of this application. Due to the topography of the subject property, the lower lawn area near the dam which will serve as outside function area, is not visible from Vlaeberg Road. The subject building is the most southeastern building on the farmstead and gains access from the existing entrance and internal road. The approved area of the building is 378m², which also includes the stoep areas as depicted in the figure below and attached Floor Plan.

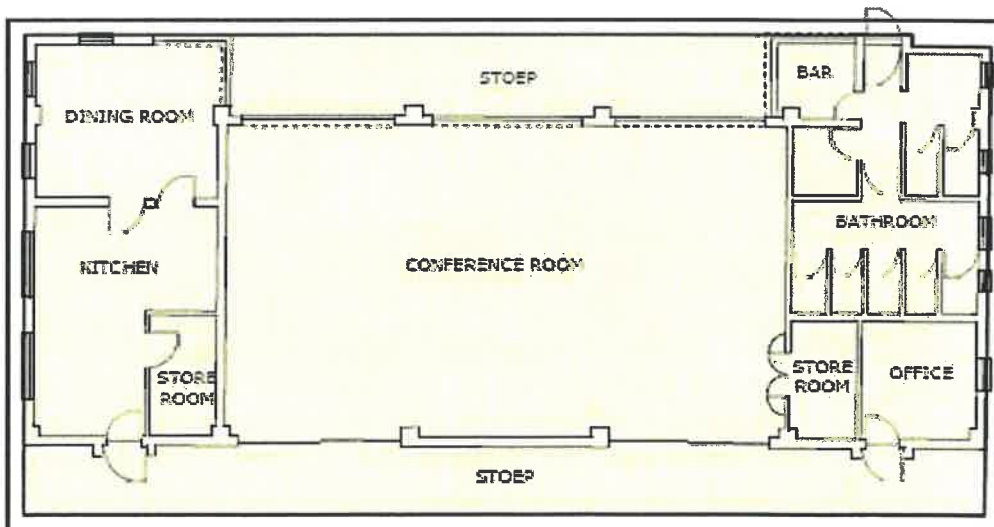


Fig. 3: Floor plan layout



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There is an existing open area abutting the subject building serves as the parking area for guests and visitors. No changes to this area or use are proposed by this application.



Parking area

The intention is also to utilize an area on the existing lawn near the dam and forest for **outside activities**. This $\pm 800\text{m}^2$ area will be operated in conjunction with the building and not separately. The grassed area with dam and forest creates a unique setting for such activities especially during the summer months. Temporary umbrellas and shades will be erected for the duration of the activity.



Outside lawn area



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Portion 11 of Farm No. 484 Stellenbosch

September 2022



Outside lawn area

The tourist facility will cater for a maximum of **150 guests**, while the operating hours for the tourist facility (functions and receptions) will be from **Mondays to Sundays from 08:00-23:00**.

Due to the popularity of the Stellenbosch area and the increased number of tourists visiting this area annually, it is important to ensure that from an economic point of view the proposed land uses are sustainable. We are of the opinion that with the proposed land uses on the subject property and inside of the existing building, we can strengthen the existing tourism in this area without compromising the primary agriculture activities this area is renowned for. The new opportunities will not only strengthen the economy of the area and Stellenbosch, but it will also create job opportunities for the surrounding area.



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6. APPLICATION

The intention with this application is to allow the applicant to utilize the existing approved conference building and outside lawn area also for tourist facility (functions and receptions). while retaining the agricultural lands. The objective is to optimize the existing approved building by extending the land use rights already approved for the building to also include functions and receptions. Only one activity at a time will be permitted. To enable this additional land use rights to be permitted, it is necessary that a formal land use application is made.

To correspond to the requirements of the Stellenbosch Municipality: Land Use Planning By-Law (2015) and the Stellenbosch Municipality: Zoning Scheme By-Law (2019) the following formal application is required and submitted.

According to Section 209 of the Stellenbosch Municipality: Land Use Planning By-Law (2015), *tourist facilities* on agriculture land that exceeds 250m² in extent, requires a **Consent Use** application.

To facilitate the intended land uses on the subject property formal application is made in terms of **Section 15(2)(o)** of the Stellenbosch Municipality: Land Use Planning By-Law, 2015 for **CONSENT USE** on *Portion 11 of the Farm Onrust No. 484 Stellenbosch*, to permit the following land uses thereon:

- **“Tourist facilities”** to facilitate *functions and receptions* inside an *existing building with stoep area (±378m²)* on the farmstead and *outside lawn area (±800m²)* with **maximum capacity of 150 guests**.



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“Tourist facility” is defined in the Stellenbosch Municipality Zoning Scheme By-Law, 2019, as follows:

*“tourist facilities (toerisme fasiliteite) 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;(own emphasis)*



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7. SPATIAL PLANNING PRINCIPLES

In terms of National, Provincial and Local spatial planning legislation certain development principles were adopted to apply to spatial planning, land development and land use management.

The development principles on National level are in terms of Section 7 of the **Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)**, while the land use planning principles on Provincial level is in terms of Section 59 of the **Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)**. These development principles were all adopted and included into the subsequent **Land Use Planning By-Laws** promulgated for each Local Municipality.

The application for **Consent Use on Portion 11 of the Farm Onrust No. 484 Stellenbosch** will be evaluated as follows against the five development principles:

(a) Principle of spatial justice

- The spatial justice principle requires that the past spatial and development imbalances should be redressed through improved access to and utilization of land. We are of the opinion that although the subject property is privately owned the **proposed land uses promotes this principle by optimizing natural and man-made resources without compromising the surrounding area and the primary use of the subject property.**
- The proposed additional land uses will **utilize an existing building** on a functional agricultural farm, while the primary activity continues uninterruptedly.



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(b) Principle of spatial sustainability

- The principle of spatial sustainability will be achieved by a development if it is spatially compact, using resources sparingly. The proposed utilization of the existing building in our view embodies this principle with the optimal use of space without compromising the surrounding area and existing agricultural practices thereon, no additional pressure is placed on any natural or man-made resources.
- The proposal promotes land uses that are spatially compact and recourse frugal as the intended land use will be confined to the inside of an existing building which already has existing infrastructure and services.
- The proposal promotes new land uses in a location that is sustainable in respect of an environment and socio-economic point of view.
- No viable or cultivated agricultural land will be lost because of this application.
- Since the proposed land uses will be located within an existing building on the farmstead no safety hazards are anticipated through this application.
- Due to the limited size and scale of the proposed land uses, no impact is expected on any of the existing activities or buildings on the farmstead or in the immediate area.
- The proposed land uses will not conflict with the agricultural activities on the subject property like many such farms surrounding Stellenbosch.
- The proposed land uses on the subject property will continue to contribute to the local tourism sector and local and regional economy of the area.



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- The economic potential of the subject property will be extended even further by the additional land uses through the creation of **new employment opportunities** which will benefit the local communities.
- Since the land use will be confined to the existing building on the farmstead, **no impact on any of the surrounding properties** are envisaged.

(c) Principle of efficiency

- The proposed land use will **optimize the use of existing resources and infrastructure** while respecting the existing primary agricultural operations on the subject property.
- The proposed land use will **remain subservient** to the primary agricultural land uses on the subject property.
- The fact that proposed land use will be confined to an existing building on the subject property, confirms the **effective utilization of existing man-made resources** and limited impact on the natural resources.
- We are of the opinion that due to the limited size and scale; the intended land uses will **not compromise** the rural character of the area.
- The combination of tourist related activities and agriculture is a **common phenomenon** in the Stellenbosch area and provide a unique opportunity to supplement the agricultural activities.
- This application will **not lead to any changes to the existing character** of the area, especially since the land use will all be confined to an existing building and no new structures are proposed.



- Since the activities will be confined to the inside of the existing building and no additional buildings are proposed, no **visual impact** is expected because of this application.
- The proposed land uses will have a **direct and indirect contribution** to the local economy of the area through rates and taxes as well as employment.

(d) Principle of spatial resilience

- This principle is **not applicable** since the proposed land uses will be confined to an existing building on the farmstead of the subject property.

(e) Principle of good administration

- Communication from the Stellenbosch Municipality was taken into account with the formulation of this application.
- The formal application will be submitted to the local authority and relevant statutory authorities for approval and will be administered in accordance with the procedures contemplated in the relevant Municipality's Land Use Planning By-Law.



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8. DESIRABILITY

In terms of **Section 65(c)** of the Stellenbosch Municipality Land Use Planning By-Law, August 2015, the proposed utilization of the land must be desirable.

The concept of “desirability” in a land use planning context and as contemplated in Section 65(c) of the Stellenbosch Municipality Land Use Planning By-Laws can be described as:-

The “degree of acceptability” of the specific land use(s) on a said property within an existing natural or manmade environment and the guideline proposals included in the relevant spatial development framework plans and policies, and municipal engineering services in so far as it relates to desirability, or on the basis of its effect on existing rights and the biophysical environment concerned.

The desirability of this application for **Consent Use on Portion 11 of the Farm Onrust No. 484 Stellenbosch** will be discussed with regards to the following aspects:

- Physical characteristics
- Character of the area
- Accessibility
- Spatial Planning
- Provision of services



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8.1. Physical Characteristics

The subject property is an existing agricultural small holding located in the rural area to the west of Stellenbosch along the Vlaeberg Road. Since the proposed land uses will mostly be confined to the inside of an existing building on the farmstead, there is no reason to believe that the topography will be negatively affected, despite the existing gradient of the property. The subject building forms part of the farmstead with all the buildings concentrated in a node. There are no physical features present that will prevent or restrict the proposed land uses. There is also no conservation worthy vegetation or ecological habitats which will be affected by the proposed land uses since the existing buildings already form part of the farmstead and the proposed outside area is on an existing lawn.

8.2. Character of the area

The subject property is a bona fide agricultural land unit (small holding) located in the rural area west of Stellenbosch. This area and areas surrounding Stellenbosch are renowned for its agricultural activities and mostly vineyards and wine production. Since all the proposed land uses will be confined to the farmstead and existing buildings, no changes to the existing rural character are expected. Developments in these rural areas are mostly low density and concentrated in nodes on the land units. The subject property is a true example thereof with the buildings concentrated on the farmstead. The subject property is however not extensively cultivated currently, despite the existing chicken houses and fallow lands. The intention of the new owners is to re-instate the agricultural activities inside the chicken houses as well as on the fallow lands.



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Apart from the agricultural activities, other tourist related activities are also present. It is due to the rural character and setting that visitors are drawn to these areas for enjoyment. Apart from guest accommodation and restaurants, there are also other function venues in this rural hinterland of Stellenbosch. The proximity to both Stellenbosch as well as the Cape Metropole, makes it ideally located for the intended uses. The proposed activities will therefore not conflict with the existing character of the area. It is worth noting that unique opportunities for



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tourism are created because of the road network and easy access to these rural areas. This is highly sought after by many local and international visitors.

8.3. Accessibility

The subject property is an existing agricultural land unit located within the Stellenbosch Municipal area. The subject property is located approximately 9km west of Stellenbosch and 2,5km northwest from Lyndoch. The subject property is located on western side of DR1052 (Vlaeberg Road) and approximately 700m south of DR1052 and R306 (Polkadraai Road) intersection. The R306 is an important arterial route linking Stellenbosch to the east with Cape Metropole to the west, while DR1052 is a north/south route linking R306 to the north with R301 to the south. This route also serves as the primary access to other farms and land units located along this route including the subject property.

Access to the subject property is taken directly from the DR1052 via an existing approved farm entrance. A main security gate leads from the entrance to the existing farmstead. This existing farm entrance has more than sufficient sight distances in both directions and no changes thereto are proposed or will be required.



Existing farm entrance



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Since the conference facility is already in operation, the area for parking has already been developed and is more than what would be required to also accommodate the intended functions and receptions.



8.4. Spatial Planning

The subject property is located in a predominantly agricultural area within the area of Jurisdiction of Stellenbosch Municipality. The existing spatial planning policy, which is applicable to this area, the Stellenbosch Municipality Spatial Development Framework (SMSDF), was adopted by Council in November 2019 and provides guidelines for spatial developments within the municipal area.

Although the subject property is not specifically mentioned in the existing spatial documentation, the principle of tourist related activities subservient to the primary land use within agriculture areas outside of urban areas are recommended and encouraged in the spatial planning documentation. It is also a known fact that tourist related activities in the Boland region are widely accepted and encouraged by all spheres of government for various reason (tourism, local economic development, employment, etc.).



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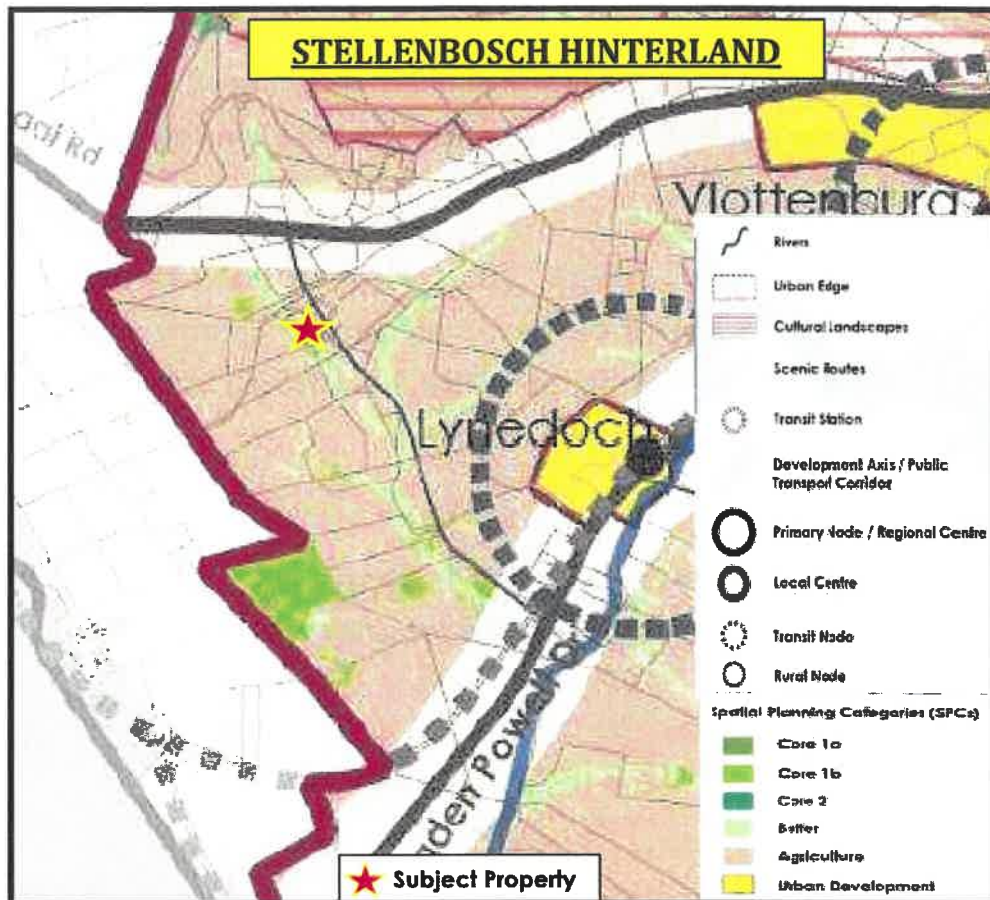


Figure 4: Stellenbosch Municipality Spatial Development Framework (2019)

It suffices to say that the proposed land uses to utilize an existing conference facility building on the farmstead also for functions and receptions, is not in conflict with the spatial planning policies of the Stellenbosch Municipality and can therefore be regarded as desirable.

8.5. Provision of services

The proposed land uses will be confined to an existing building on the farmstead, which is already fully serviced. The existing services on the subject property are as follows (*see attached service providers as proof*):



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Portion 11 of Farm No. 484 Stellenbosch

September 2022

- Water supply
Potable water is obtained from Stellenbosch Municipality as clearly reflected on the *attached municipal account*.
- Electricity
The current available power supply is obtained directly from ESKOM and there is more than sufficient capacity in the existing system to also accommodate the intended land uses without problems; and
- Sewage
The sewage is collected and disposed of by a private contractor (*see proof of service provider attached*)
- Solid Waste
The solid waste is dealt with by the owner.



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9. SUMMARY AND CONCLUSION

From the aforementioned, it is evident that the application for **Consent Use on Portion 11 of the Farm Onrust No. 484 Stellenbosch**, to facilitate *tourist facilities (functions and receptions)* inside an existing building on the subject property, is in line with Section 65(1)(c) of the Stellenbosch Municipality Land Use Planning By-Law. The motivation for the proposed land uses can be summarized as follows:

- From a business point of view, the proposed land uses will **optimize the use of the existing building** on the subject property and will create new employment opportunities.
- Since the subject building has already been used for **conferences**, the inclusion of functions and receptions will have no direct or indirect impact on the future farming operations.
- The proposed new land uses will also make significant contributions to the **tourism industry and local economy** in a direct and indirect manner.
- The proposed land uses will remain **subservient** to the primary agricultural land use of the subject property.
- **New agricultural activities** and initiatives will be introduced by the new owners.
- The proposed land uses will have a positive social impact since the proposed activity will ultimately create **new employment opportunities and extend the current employment**.
- The proposed land uses will have a positive impact on the local tourism market and the tourist facility will result in a **more sustainable** operation on the farmstead.
- The principle of **agri-tourism** is well supported by all spheres of the government and is a significant contributor to the local economy of the area.



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- The proposed land uses will not conflict with the land uses in the immediate surrounds.
- The **size and scale** of the proposed land uses will be insignificant and will not impact negatively on any of the abutting properties.
- Tourist facilities is a **common phenomenon** on farms in the Stellenbosch area and contribute to the strong agri-tourism sector.
- **No agricultural land** will be lost because of this application.
- There is no reason to believe that this application will result in any changes to the **safety and security** in the area.
- The proposed activity will have **no impact** (visual, health and safety) on any of the surrounding properties since an existing building will be utilized and the outside lawn area is not visible from any public road.
- **No impact is expected on the biophysical environment** since an existing building and lawn area will be utilized and no conservation worthy vegetation, cultivated lands or ecological habitats will be affected.
- There are **no physical features or topographical constraints** present on the subject property which will prevent the proposed land uses.
- Due to the size, scale and frequency of the intended land uses, no significant impact on the **existing traffic flow** in the area is expected, especially since the subject building has already been used as a **conference facility** and no incidents has been reported.
- The **existing and approved entrance** and internal farm road are more than sufficient to accommodate additional traffic to and from the subject property.
- There is more than **sufficient onsite parking** available on the farmstead to easily accommodate the number of vehicles expected because of this application.
- The existing internal farm roads have more than **sufficient capacity** to accommodate the expected traffic.



- Since the proposed land uses will be confined to an existing building on the subject property which has the necessary engineering infrastructure and services, **no additional infrastructure or services will be required.**
- It is our view that the proposed land uses will have an enhancing impact on the surrounding area and **no mitigation is foreseen for the development project.**

I trust therefore that the application for **Consent Use** on **Portion 11 of the Farm Onrust No. 484 Stellenbosch** to also facilitate a *tourist facility (functions and receptions)* inside the existing conference facility building on the subject property as depicted on the attached ***Site Development Plan and Floor Plan***, is therefore regarded as highly desirable and we trust that the application is favourably considered and approved.

PIERRE-JEAN LE ROUX

Pr. Pln. A./803/1995



P-J le Roux

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TOURIST FACILITIES

Venue for functions and receptions (±378m² and 150 guests)

Outside venue area ±800m²



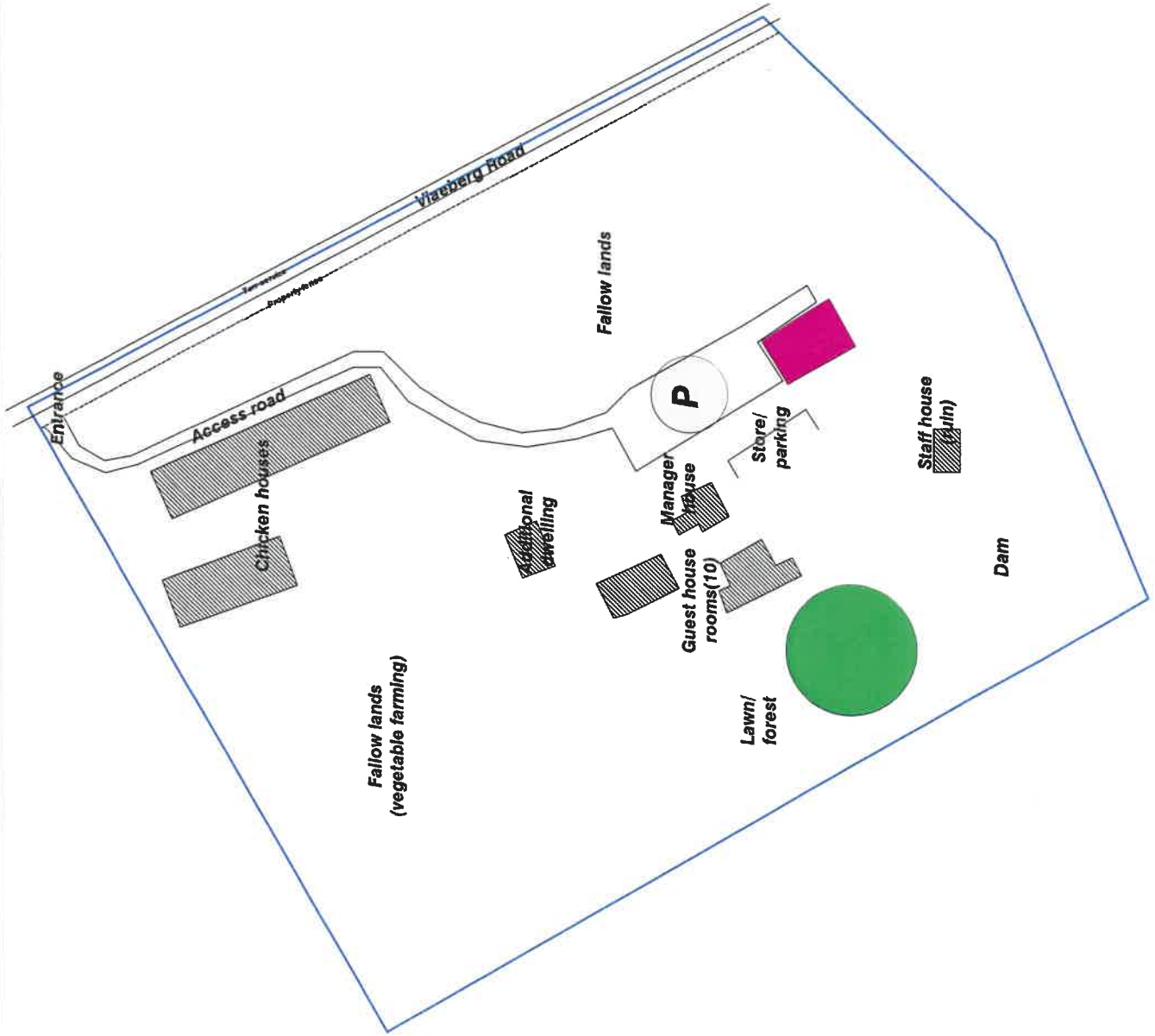
P-J Le Roux
 STADS-EN STRAATRECHTLAARER/
 TOWN AND REGIONAL PLANNER
 Hoofstraat, 282 Main Road, Paarl
 (t) 021-8722489 (f) 085 605 8431
 (email) p@pjleroux.co.za

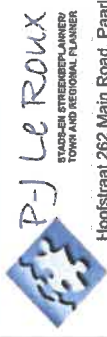
**Project: Application for
 Consent Use:
 Portion 11 of Farm
 No. 484
 Stellenbosch**

**Description: Site
 Development
 Plan**

DEANNIE

Blad	N.T.S	Leemte	V 30-113
Teken	PJLR	Datum	SEPTEMBER 2022
Kaart	PJLR	Tekening nr.	4





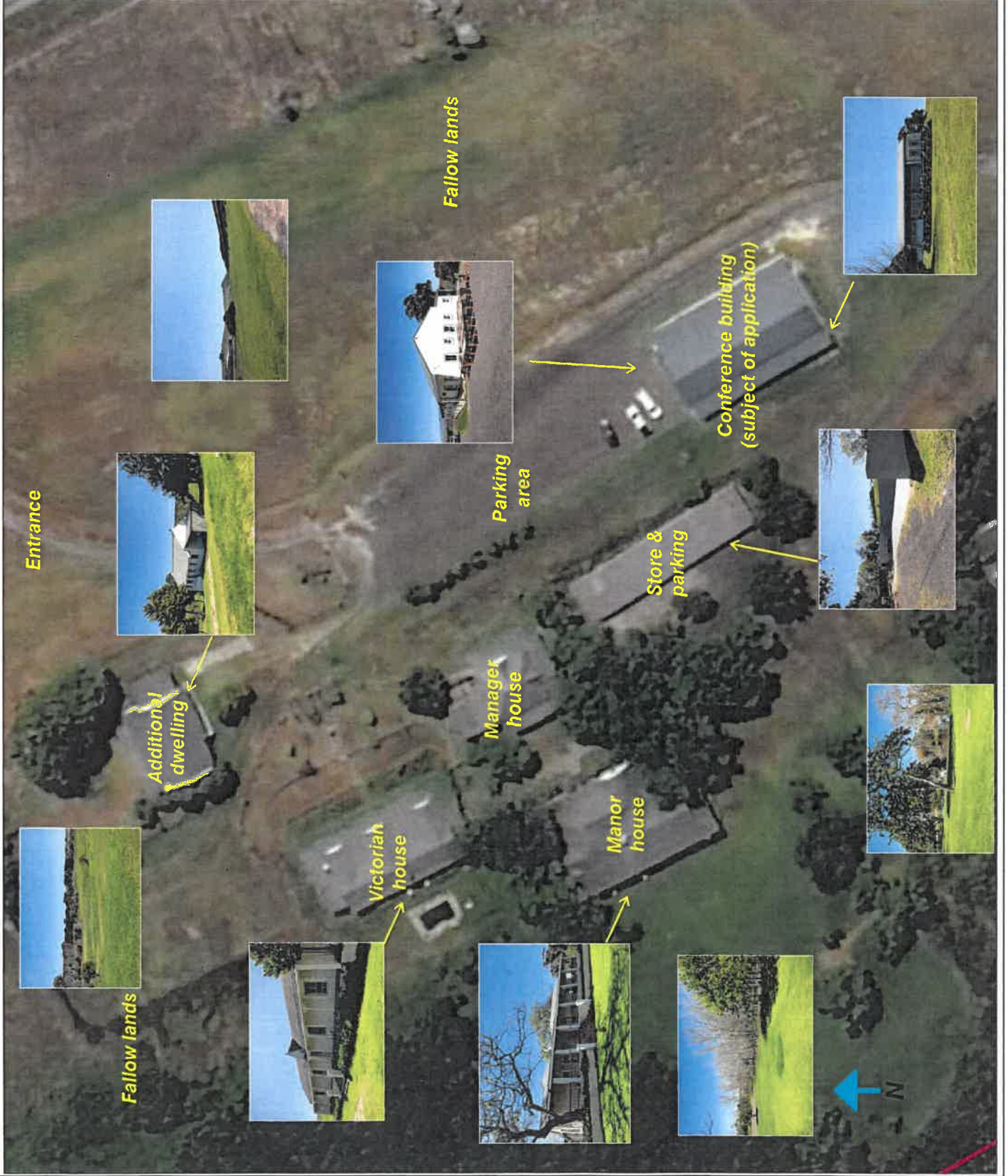
Hooistraat 262 Main Road, Pearl
 (t) 021-8722499 (f) 086 605 8431
 (email) pj@pjlroux.co.za

Project:
**Application for
 Consent Use:
 Portion 11 of Farm
 No. 484
 Stellenbosch**

Description:
**Existing
 Buildings**

DEANNIE

Ref	N.T.S	Level no.	V 30-113
Date	P.J.L.R	Month	SEPTEMBER 2022
Page	P.J.L.R	Sheeting no.	3



FLOOR PLAN LAYOUT

APPLICANT :

P-J LE ROUX TOWN
PLANNERS PTY LTD ON
BEHALF OF MBALI LIVING
PTY LTD

PROJECT :

PORTION 11 OF FARM
ONRUST NO. 484
STELLENBOSCH, WESTERN
CAPE PROVINCE

APPLICATION :

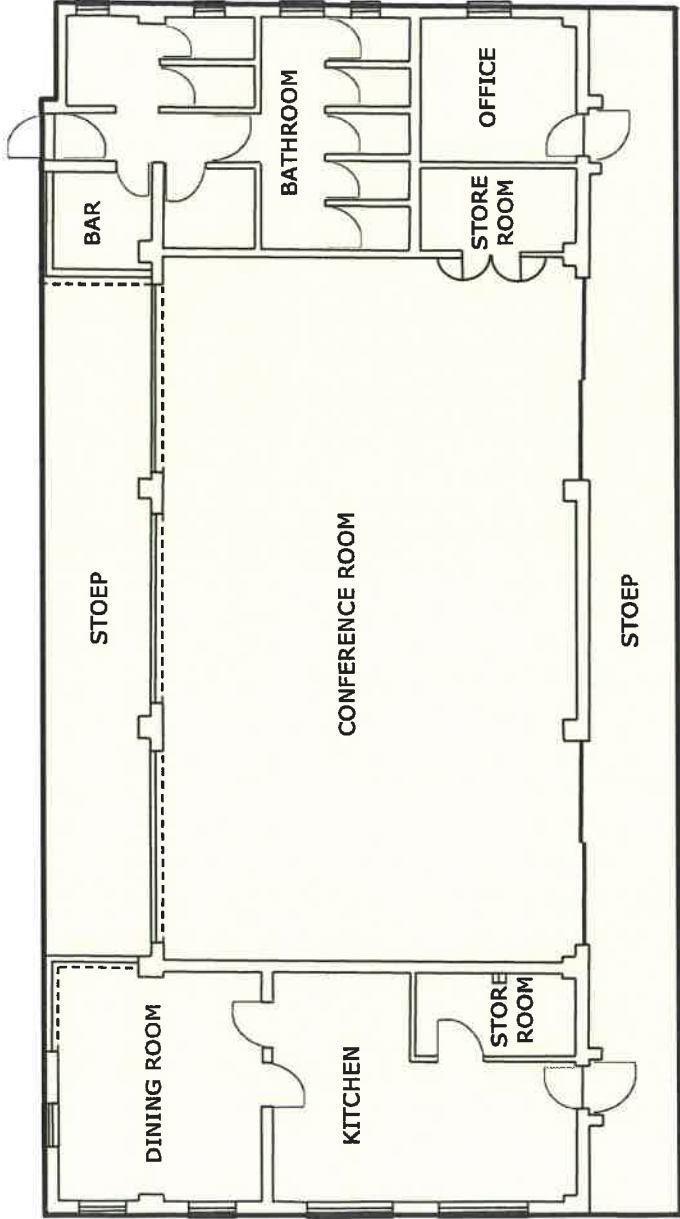
APPLICATION FOR CONSENT
USE FOR TOURIST FACILITY

DESIGNER : GdV
DATE : SEPT/2022
OFFICE : PAARL



P-J Le Roux
STADS-EN STREEKPLANNERS
TOWN AND REGIONAL PLANNERS
Hooistraat 262 Main Road, Paarl
(t) 021-8722499 (f) 086 605 8431
(email) pj@pjleroux.co.za

AS PER APPROVED PLAN PREPARED
BY BEN BURGER ARCHITECTS
PLAN NO: BP/10/2638
APPROVED: 19/10/2010



BUILDING AREA: 235m²
STOEP AREA: 143m²
TOTAL: 378m²

TOURIST FACILITIES

 Venue for functions and receptions ($\pm 378m^2$ and 150 guests)

 Outside venue area $\pm 800m^2$

 Parking



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TOWN AND REGIONAL PLANNERS

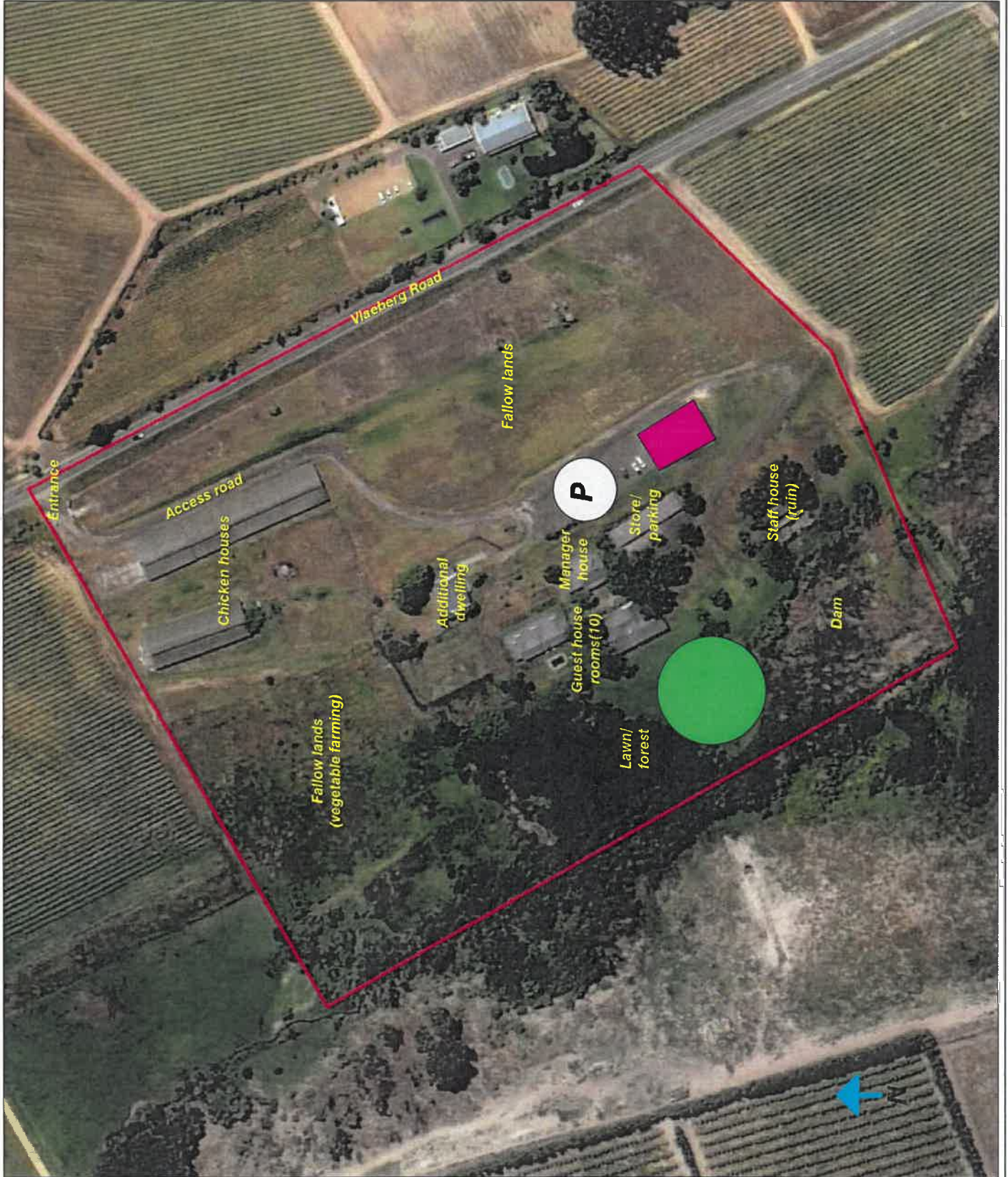
Hooisraat 262 Main Road, Paarl
(t) 021-8722498 (f) 086 605 8431
(email) pj@pjlroux.co.za

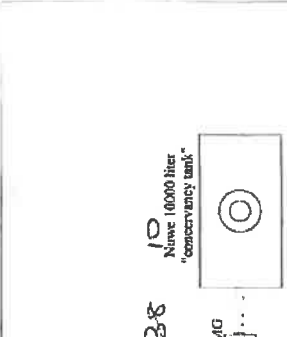
**Project: Application for
Consent Use:
Portion 11 of Farm
No. 484
Stellenbosch**

**Description:
Site
Development
Plan**

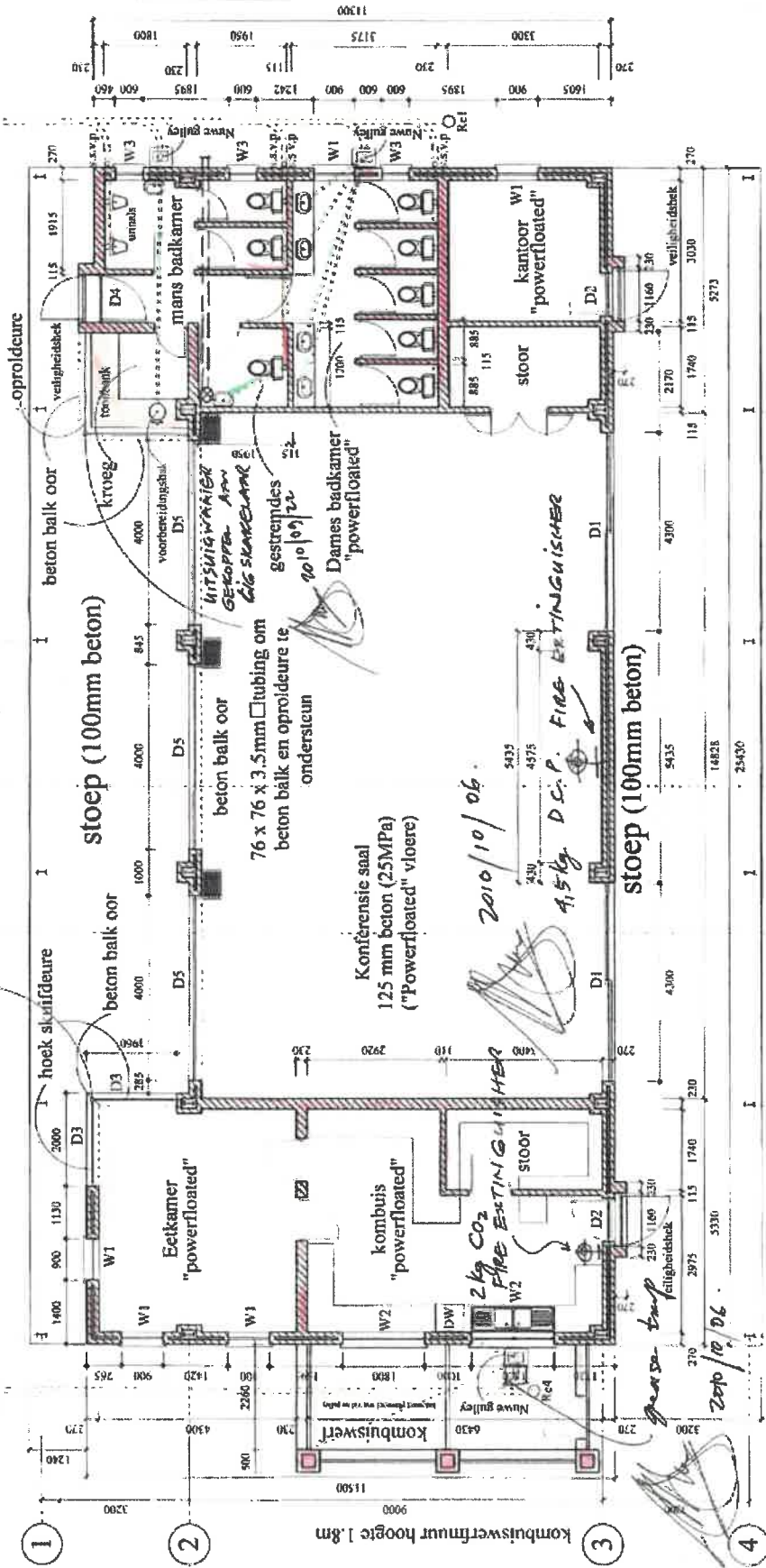
DEANNIE

Ref	N.T.S	Form	V 30-113
Date	PJLR	Month	SEPTEMBER 2022
Scale	PJLR	Thursday no.	4





BP/10/2638



Kontferensie sentrum:
 Oppervlakte: 235 m²
 Stoop oppervlakte: 143 m²
 Dekkingsoppervlakte: 378 m²

NO.	DATE	DESCRIPTION

BEN BÜRGER ARCHITECT
 BOSMANSROOSING CELL 082 795 0266
 STEUBERG FAX 082 851 0873
 STEUBERG VOA 876

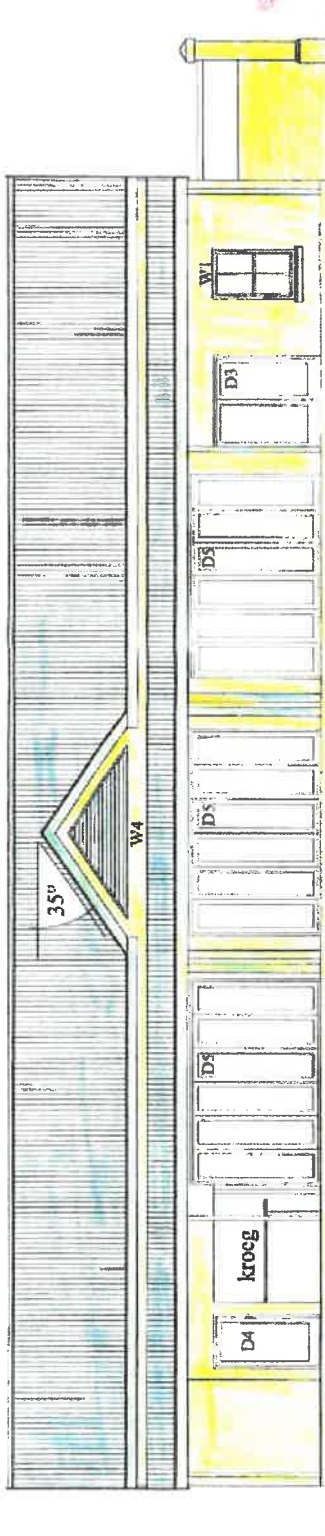
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Nuwe Kontferensie sentrum vir Royal Albatross Properties 30 (Pty) Ltd op ged. 11 van die plaas Onrust no.484, Vlaebergpad Stellenbosch	
Vloerplan	
DRUK	SACAP
SKALA	7839
SKALA	1:100
SKALA	25/08/2010
SKALA	2328
SKALA	03-02

14/10/2010

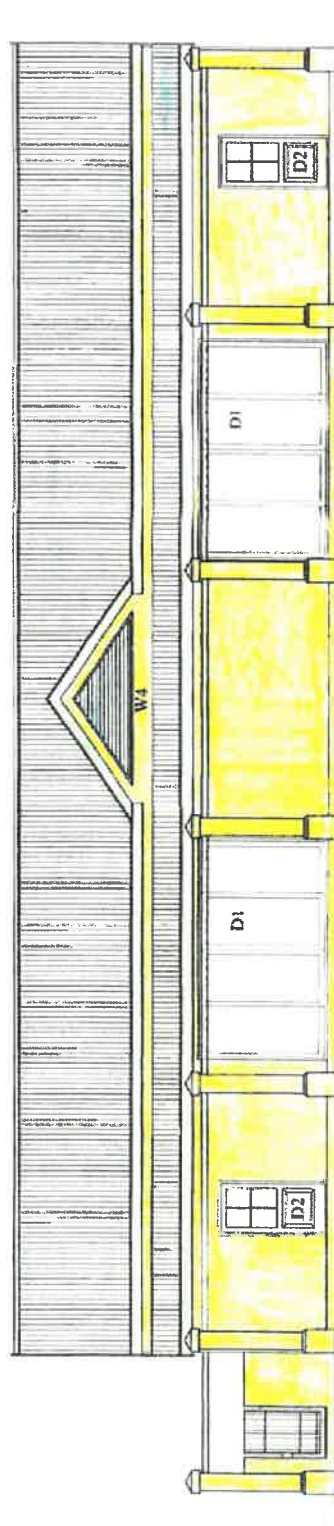
VLOERPLAN - SKAAL 1:100

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S 19/10/2010



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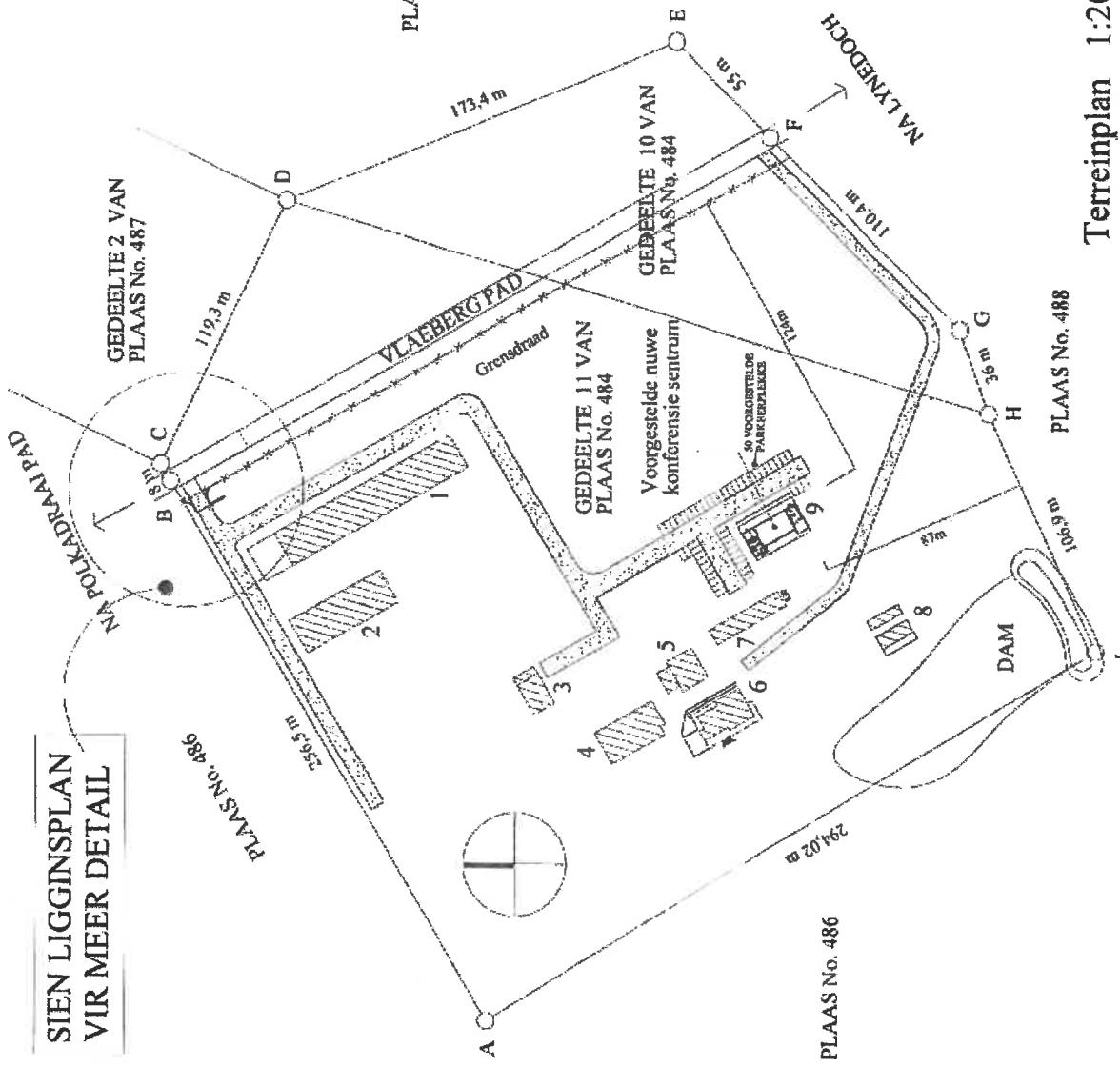
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SKEMME		

BEN BÜRGER ARCHITECT
 ROSSMANS CROSSING CELL 021 460 0059
 STEVENS FAF 01 861 2971
 STELLENBOSCH BOX 576

PROJECT	Onze Rust Konferensie sentrum		
PROJECT MANAGER	Nieuwe konferensie sentrum vir Royal Albatross Properties 30 (Pty) Ltd op ged. 11 van die plaas Onrust no.484, Vlaebergpad Stellenbosch		
LEENAR	Aansigte		
DESIGN	Ben Burger	SACAP	7839
SCALE	1:100	Drawing	25/08/2010
DRAWING NUMBER	2328	DATE	03-04

SIEN LIGGINGSPLAN
VIR MEER DETAIL



PLAAS No. 488

PLAAS No. 488

PLAAS No. 486

Terreinplan 1:2000

LEGENDE

- 1 Stoor
- 2 Stoor
- 3 Bestaande kothuis
- 4 Victoriaanse huis
- 5 Plaasbestuurder se huis
- 6 Hooftuis
- 7 Onderdak parking
- 8 Werkershuise
- 9 Voorgestelde nuwe konferensie sentrum



Interne pad

82/10/153 10

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NO	DATE	DESCRIPTION

PROFESSIONAL QUALITY OF WORK PROVIDED BY REGISTERED ARCHITECTS. THE ARCHITECTS' LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AND NOT TO THE PERFORMANCE OF THE BUILDING. THE ARCHITECTS' LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING AND NOT TO THE PERFORMANCE OF THE BUILDING.

BURGER ARCHITECT
 7 GRANJIERSTRAAT
 PARADYSKLOOF
 STELLENBOSCH
 7800
 TEL: 021 881 2100
 FAX: 021 881 8907
 E-MAIL: info@burger.co.za

Onze Rust ingangshek
 Nuwe konferensie sentrum vir
 Royal Albatross
 Properties 30 (Pty) Ltd
 op ged. 11 van die plaas Onrust
 no.484, Vlaebergpad
 Stellenbosch

Terreinplan	
DRUK	1:2000
ONTWERP	Ben Burger
TOEGESTAAFT	SACAP 7839
PROJEK	28/05/2010
NO	2330
REVISIE	03-01

