

**Virdus Works (Pty) Ltd (Reg. No. 2018/585747/07)**

Development Management Consultants and  
Environmental Assessment Practitioners

Managing Director: DUPRÉ LOMBAARD

77 BUITEKRING, DALSIG, STELLENBOSCH, 7600, SOUTH AFRICA

Mobile: +27 82 895 6362

Email: dupre.lombaard@virdus.com



15 November 2022

«Salutation» «Initials» «Surname» (Belang / Interest / Erf: «Erf»)

«Address\_01»

«Address\_02»

«Address\_03»

«Address\_04»

Per: «Registration» / «Contact»

Dear Sir / Madam      Geagte Heer / Dame

**NOTICE OF LAND DEVELOPMENT APPLICATION IN THE STELLENBOSCH MUNICIPAL AREA**

**Locality:** Val de Vine, R44, Stellenbosch

**Applicant:** Dupré Lombaard, Virdus Works (Pty) Ltd, 77 Buitekring, Dalsig, STELLENBOSCH, 7600; Cell: 082 895 6362; Email: dupre.lombaard@virdus.com

**Owner:** Benedetto Trust Reg. No. 1586/2012, Represented by Ms Valerie Mentz, Address: PO Box 2937, Durbanville, 7551, E-mail: val@datadesign.co.za, Mobile: +27 83 281 0501

**Stellenbosch Municipality reference number:** LU 14500 (TP61/2022)

**Application type:** Application is made in terms of Section 15 of the Stellenbosch Municipal Land Use Planning By-law, promulgated by notice number 354/2015, dated 20 October 2015 for:

- 1) Section 15(2)(o) for Consent Use on Farm 528/5, Stellenbosch Division for the following:
  - a) For tourist facilities in order to facilitate the following:
    - i. New function venue (30 seater Chapel - 389 m<sup>2</sup>) with front outdoor garden (picnic area - 2 000 m<sup>2</sup>);
    - ii. Convert the existing second dwelling (96 m<sup>2</sup>) into farm stall / shop;
  - b) For Tourist Accommodation Establishment to utilise the existing 7 bedroom main dwelling as a guest house;
  - c) For Occasional Uses to allow for more than one event per year for Live music, art and exhibitions and outdoor functions;
- 2) Application is made in terms of Section 15(2)(b) for a Permanent Departure to construct a 2,1m high brick wall on the eastern boundary of the property (adjacent to R44) on Farm 528/5, Stellenbosch Division; and
- 3) Permission required in terms of restrictive title deed condition clause D(1) - (4) on page 2 of Title Deed No T18186/2016, in order to facilitate the proposed uses and buildings on Farm 528/5, Stellenbosch Division.

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
  - Enable the applicant to respond to the comments.

The **comments must be addressed to the applicant by electronic mail** as follows: Dupré Lombaard, Viridus Works, **dupre.lombaard@viridus.com**. 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 +27 82 895 6362 during normal office hours.

## **KENNISGEWING VAN ONTWIKKELINGSAANSOEK IN DIE STELLENBOSCH MUNISIPALE AREA**

**Ligging:** Val de Vine, R44, Stellenbosch

**Aansoeker:** Dupré Lombaard, Viridus Works (Pty) Ltd, 77 Buitekring, Dalsig, STELLENBOSCH, 7600; Sel: 082 895 6362; E-pos: dupre.lombaard@viridus.com

**Eienaar:** Benedetto Trust Reg. No. 1586/2012, Verteenwoordig deur Me Valerie Mentz, Adres: Posbus 2937, Durbanville, 7551, Epos: val@datadesign.co.za, Sel: +27 83 281 0501

**Stellenbosch Munisipaliteit Verwysing:** LU 14500 (TP61/2022)

**Tipe aansoek:** Aansoek ingevolge Artikel 15 van die Stellenbosch Munisipaliteit Verordening op Grondgebruikbeplanning, 2015 vir:

- 1) Artikel 15(2)(o) vir Vergunningsgebruik op Plaas 528/5, Stellenbosch Afdeling vir die volgende:
  - a) Vir toeristefasiliteite ten einde die volgende te fasiliteer:
    - i. Nuwe funksielokaal (30 sitplek Kapel - 389 m<sup>2</sup>) met voortuin vir buitelig geleentheid (piekniek area - 2 000 m<sup>2</sup>);
    - ii. Omskepping van die bestaande tweede woning in 'n plaasstal / -winkel (96 m<sup>2</sup>);
  - b) Vir Toeriste Akkommodasie Fasiliteit om die bestaande 7-slaapkamer hoof huis as 'n gastehuis aan te wend;
  - c) Vir Geleentheidsgebruik om toe te laat dat meer as een geleentheid met lewendige musiek, uitstallings, kuns, en buitelig funksies gehou word;
- 2) Artikel 15(2)(b) vir 'n Permanente Afwyking om 'n 2,1m hoë baksteenmuur op die oostelike grens van die eiendom teen die R44 op te rig; en

- 3) Toestemming soos vereis ingevolge die beperkende titelvoorwaardes klousule D(1) - (4) op bladsy 2 van die Titelakte Nr T18186/2016, ten einde die voormelde gebruike en geboue te fasiliteer op Plaas 528/5, Stellenbosch Afdeling.

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-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 ingevolge 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 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: Dupré Lombaard, Viridus Works, [dupre.lombaard@viridus.com](mailto:dupre.lombaard@viridus.com). 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**.

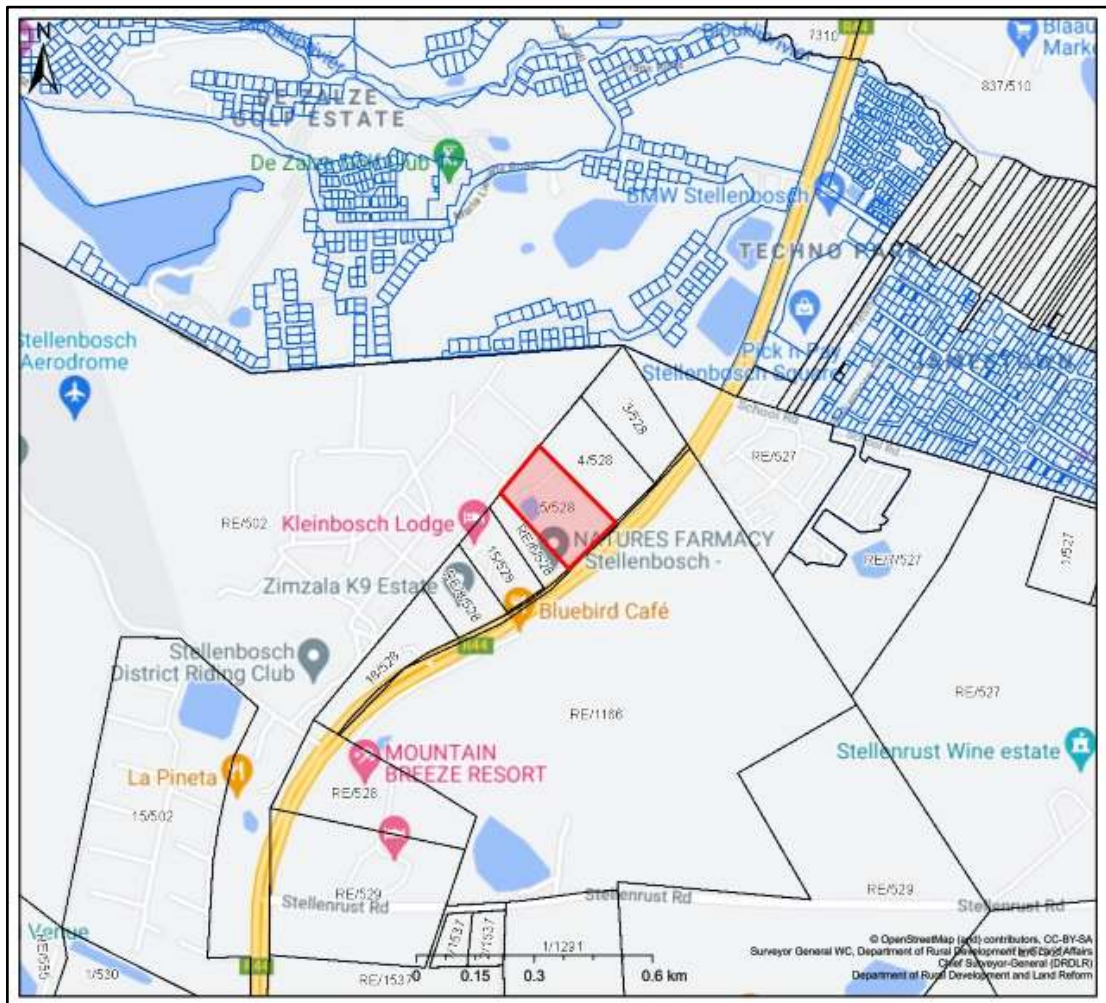
Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermeldde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word. Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of 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 vermeldde elektroniese pos adres of telefonies by +27 82 895 6362 gedurende normale kantoor ure.

Your support of the application will be appreciated. // U ondersteuning van die aansoek sal waardeer word.

Yours faithfully  
  
**Dupré Lombaard**

# LAND DEVELOPMENT APPLICATION FOR: CONSENT USE ON

## PORTION 5 OF FARM NO. 528, STELLENBOSCH RD



August 2022  
Updated document

## CONTENT

### Executive Summary

### Motivation Report

|           |   |           |
|-----------|---|-----------|
| <b>1.</b> | <b>BACKGROUND .....</b>                                     | <b>5</b>  |
| 1.1       | Introduction.....   | 5         |
| 1.2       | Context.....  | 8         |
| 1.3       | Proposal.....   | 9         |
| <b>2.</b> | <b>LAND DEVELOPMENT APPLICATION AND AUTHORISATION .....</b> | <b>10</b> |
| 2.1       | Proposed use.....   | 10        |
| 2.2       | Application.....  | 11        |
| 2.3       | Zoning scheme requirements .....                            | 11        |
| 2.4       | Title deed restrictions .....                               | 12        |
| <b>3.</b> | <b>MOTIVATION .....</b>                                     | <b>13</b> |
| 3.1       | Stellenbosch Municipality IDP and SDF.....                  | 13        |
| 3.2       | Provincial Spatial Development Framework .....              | 14        |
| 3.3       | SPLUMA principles.....                                      | 18        |
| 3.4       | LUPA principles .....                                       | 20        |
| 3.5       | National Development Plan .....                             | 21        |
| 3.6       | Environmental Management .....                              | 21        |
| 3.7       | Heritage .....  | 22        |
| 3.8       | Engineering .....   | 22        |
| 3.9       | Chapter V evaluation .....                                  | 22        |
| <b>4.</b> | <b>CONCLUSION .....</b>                                     | <b>24</b> |

**Table of figures**

|   |    |
|---|----|
| Figure 1: Portion 5 of Farm No. 528, Stellenbosch locality .....                        | 5  |
| Figure 2: Agricultural use of Ptn 5 of Farm 528 (vineyards and manager's cottage) ..... | 6  |
| Figure 3: Employee housing and outbuilding on Ptn 5 of Farm 528 .....                   | 6  |
| Figure 4: Agricultural use of Ptn 5 of Farm 528.....                                    | 7  |
| Figure 5: Horse paddock, manager's dwelling and main dwelling on Ptn 5 of Farm 528..... | 7  |
| Figure 6: Val De Vine Ptn 5 Farm 528 location image.....                                | 8  |
| Figure 7: R44 entrance to Val De Vine looking south .....                               | 9  |
| Figure 8: Proposed outdoor venue and chapel area on Ptn 5 of Farm 528.....              | 9  |
| Figure 9: Main guest house outdoor entertainment area .....                             | 10 |

**ANNEXURE****ANNEXURE A: LOCALITY****ANNEXURE B: APPLICATION AUTHORISATION****ANNEXURE C: APPLICATION FORM****ANNEXURE D: CONVEYANCER'S CERTIFICATE****ANNEXURE E: TITLE DEED****ANNEXURE F: DIAGRAM****ANNEXURE G: SDP****ANNEXURE H: TRAFFIC IMPACT STATEMENT**

**EXECUTIVE SUMMARY**

| <b>MOTIVATION IN SUPPORT OF LAND DEVELOPMENT APPLICATION FOR:<br/>PORTION 5 OF FARM NO. 528, STELLENBOSCH RD</b>  |   |
|---|---|
| <b>SG Code: C067000000052800005 / Location: Lat: 33° 58' 56.597" S   Lon: 18° 50' 06.201" E</b>   |   |
| <p><b>Owner:</b></p> <p><b>Benedetto Trust Reg. No. 1586/2012</b></p> <p>Represented by: Ms Valerie Mentz</p> <p>Cellular: +27 83 281 0501<br/>E-mail: <a href="mailto:ria@christoerien.co.za">ria@christoerien.co.za</a><br/>Address: PO Box 2937, Durbanville, 7551</p> | <p><b>Project Consultant:</b></p> <p><b>Virdus Works (Pty) Ltd Reg. No. 2018/585747/07</b></p> <p>Represented by: Mr Dupré Lombaard<br/>SACPLAN: B/8076/1998 // EAPASA: 2019/304</p> <p>Cellular: +27 82 895 6362<br/>E-mail: <a href="mailto:dupre.lombaard@virdus.com">dupre.lombaard@virdus.com</a><br/>Address: 77 Buitekring, Dalsig, Stellenbosch, 7600, South Africa</p> |

The main purpose of the application is to gain approval for consent uses in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning Bylaw, 2015 (a consent use contemplated in the zoning scheme), read with Section 207, 209 and 213 of the Stellenbosch Municipality Zoning Scheme Bylaw, 2019 (ZSB) for the use of existing structures and buildings exceeding 250m<sup>2</sup> on the property as a guest house, and as a tourist facility that includes the identified outdoor area, with inclusive occasional use of the facilities on the farm.

A permanent departure is further sought in terms of Section 15(2)(b) for the construction of a 2,1m high brick wall along the eastern boundary of the property, as a means of minimising the road noise and improving security on the farm.

The property has an Agricultural and Rural Zone, and is 4,2827ha in extent. It has been cultivated and used for some vineyards and the keeping of horses. It has sufficient water resources (2,5ha A allocation) to support the agricultural use and the proposed consent use. The farm improvements include a main dwelling, second dwelling, manager's house, two labourers' cottages, and outbuildings for storage, garaging, and stables. The farm has a borehole and a reservoir that supplies it with additional irrigation and household water. Waste water is contained in conservancy tanks. The vineyard on the farm is old and does not generate sufficient revenue to allow for its continued upkeep. The owner wishes to better utilise the property through diversification of the use to generate revenue that could contribute to the maintenance of the agricultural activities. The agricultural potential of the farm alone is not sufficient to financially sustain it.

Access to the farm is directly off the R44, roughly at KM 28,5 on Main Road 0027. Its access is shared with abutting properties.

The title deed (T18186/2016) contains restrictions in terms of the Advertising on Roads and Ribbon Development Act, 1940, Act 21 of 1940, preventing the proposed land developments unless by prior consent of the controlling authority, suspension of the restrictive conditions, or removal thereof in terms of Section 15(2)(f) of the Land Use Planning Bylaw.

## MOTIVATION REPORT

### 1. BACKGROUND

#### 1.1 Introduction

This application is for consideration of a guest house, and a tourist facility that includes the identified outdoor area, with inclusive occasional use of the facilities on the farm, Portion 5 of the Farm No. 528, Stellenbosch. It is located on the R44 to Somerset West (Main Road 0027), approximately at KM28,5. The 4,2827ha property is relatively flat, with a gentle westwards slope towards the abutting Stellenbosch Airport and contains a farm dam used as a reservoir for irrigation and an attraction.

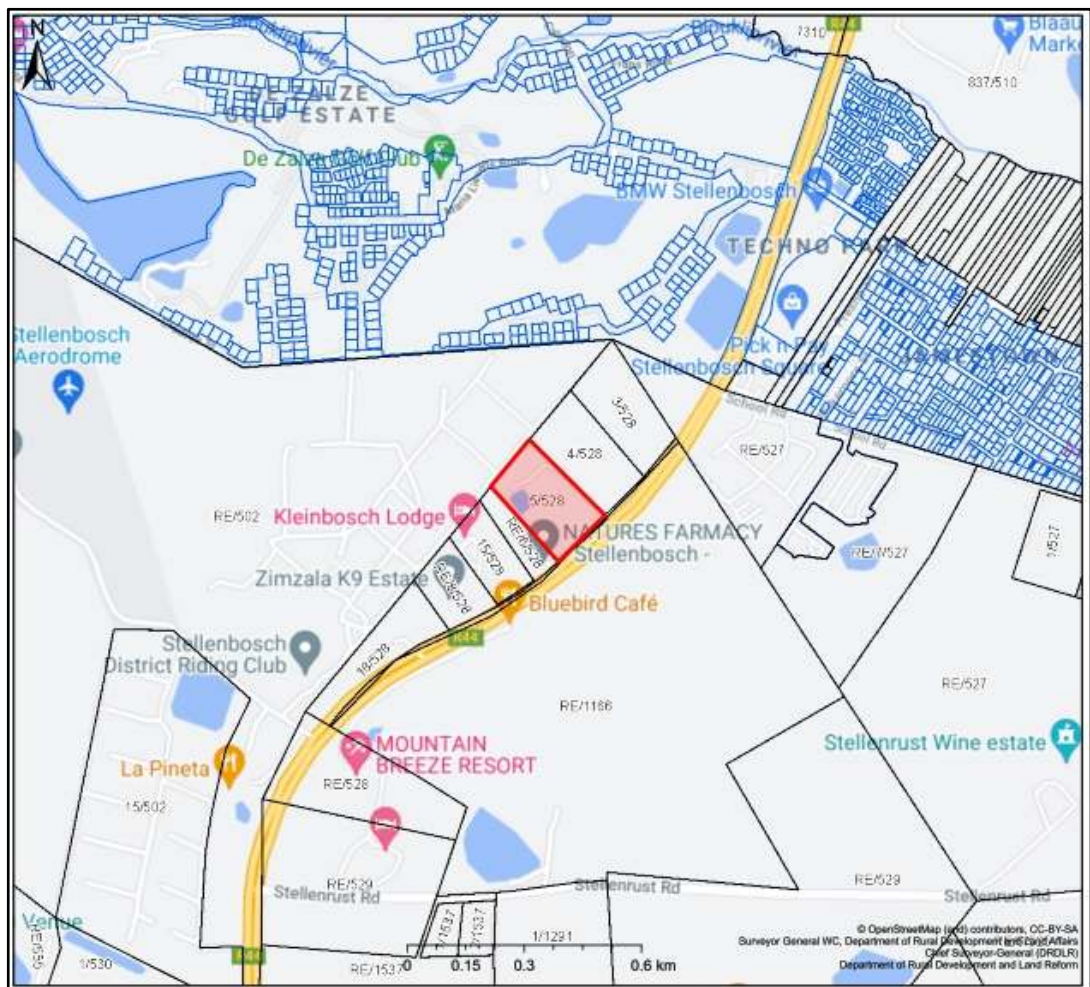


Figure 1: Portion 5 of Farm No. 528, Stellenbosch locality

The Farm, previously known as Drie Lande, now Val De Vine, has been cultivated primarily for wine production with a small vineyard (0,8ha) managed and used by adjacent farmers. Irrigation water to the Farm is supplied by the Wynland Water Users' Association, delivering irrigation water for 2,5ha through the Theewaterskloof piped scheme. It also contains a borehole delivering water for household use. The large uncultivated areas (1,3ha) are used for equestrian purposes (riding ring and paddock). It is well endowed with buildings and infrastructure, including a main dwelling, second dwelling, manager's house, two cottages, and outbuildings for storage, garaging and stables.



The location of the farm creates an opportunity for diversification by offering a venue for functions and events as well as tourist accommodation, in keeping with surrounding land uses.



Figure 2: Agricultural use of Ptn 5 of Farm 528 (vineyards and manager's cottage)

The agricultural potential of the 8 000m<sup>2</sup> vineyard on the Farm is not sufficient to financially sustain it. Although the Farm has sufficient water resources to expand the vineyard, the costs of establishing a new vineyard with desirable cultivars and the time to productivity are prohibitive under current market conditions. In view thereof the owners first need to diversify the use and generate additional revenue, before expanding the agricultural capacity of the farm through replacement of the existing vineyard, during which period it would generate no agricultural revenue.



Figure 3: Employee housing and outbuilding on Ptn 5 of Farm 528

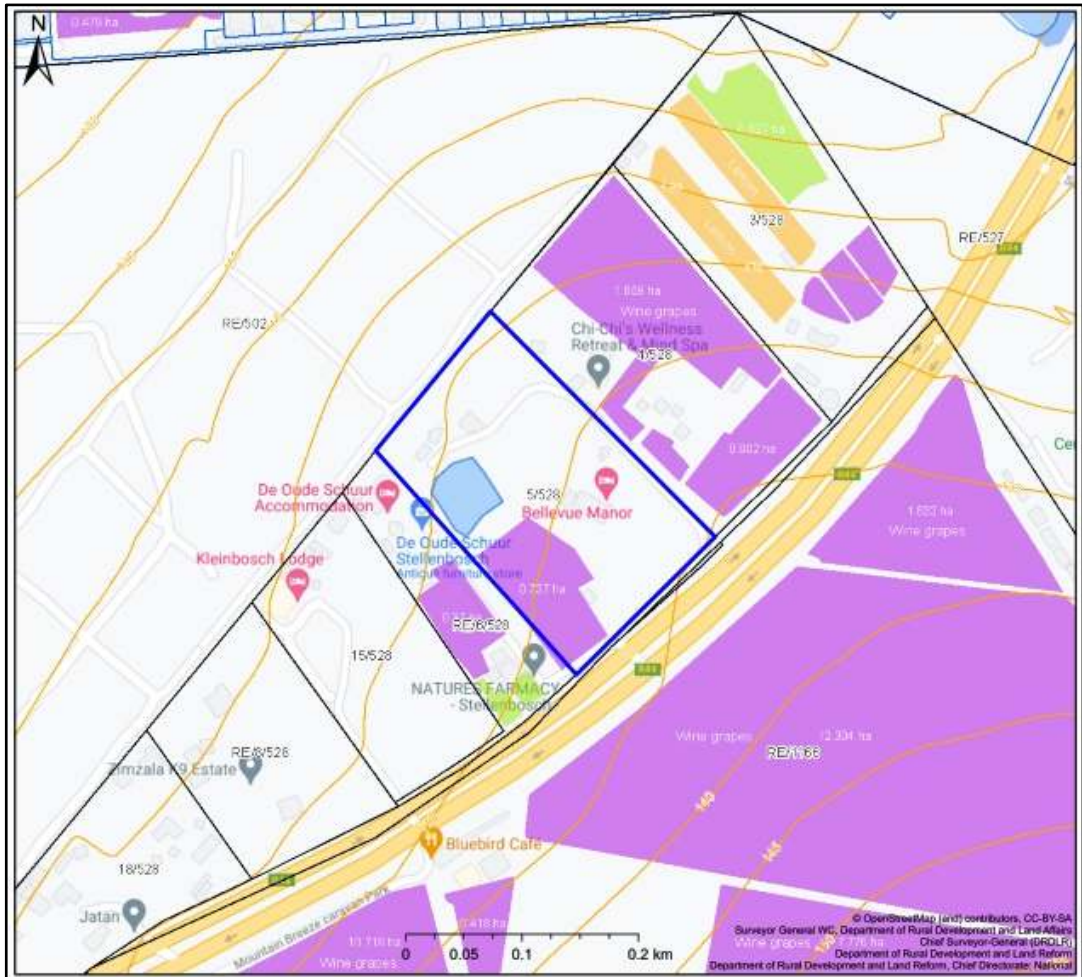


Figure 4: Agricultural use of Ptn 5 of Farm 528



Figure 5: Horse paddock, manager's dwelling and main dwelling on Ptn 5 of Farm 528

Building development on the Farm is subject to prior approval by the competent authority in terms of the Advertising on Roads and Ribbon Development Act, 1941, the Department of Transport and Public Works of the Western Cape.

## 1.2 Context

The Farm is not a viable agricultural unit or capable of sustaining a feasible agricultural revenue stream, mainly as a result of the limited size and age of the existing vineyard and the need to rejuvenate it by planting of a more desirable cultivar. The Farm has sufficient water resources to allow for expansion and rejuvenation of the vineyard, but the cost thereof and lead time to generating income are prohibitive. The owner thus has to diversify its use and generate revenue from an alternative resource, prior to incurring the expense and expanding the agricultural potential, for which purpose a small cattle herd has been established.

As the Farm is located along a major tourist route and in an area that contains numerous attractions and tourist facilities, it creates an opportunity to expand the product offering of the Farm and to generate additional revenue. The immediate neighbours offer a variety of tourist related services and activities, e.g., a hemp and cannabis products shop, restaurants, antique shop, conference facilities, tourist accommodation and a spa.



Figure 6: Val De Vine Ptn 5 Farm 528 location image

The Farm has sufficient existing buildings and space to allow for the creation of the proposed guest house and tourist facilities without negatively affecting its production capacity and potential. Use of the equestrian ring and horse paddock (where the cattle are kept on irrigated grazing and imported feed) for occasional parking purposes will lead to better utilisation of the land as and when required. The paddock and grazing area are fenced by lightweight electric fences that can be moved or removed to create access for a parking area and replaced to hold animals. Thus, roughly 1ha is available for on-site parking when required, as indicated on the SDP.

The development of guest houses and tourist facilities in the Stellenbosch municipal area are promoted in the Integrated Development Plan (IDP) and related policies. The Farm has a high tourism attraction potential, and it is located in an area where tourism is a major economic contributor.



Figure 7: R44 entrance to Val De Vine looking south

### 1.3 Proposal

The proposal is to convert the existing second dwelling into a farm stall with an area of 96m<sup>2</sup>, the manager's dwelling into the owner's house and the main dwelling into a guest house with seven bedrooms. The two employee housing units will be upgraded and used for staff accommodation.

A new chapel that can seat 30 people and be used as a tourist facility (wedding venue) is proposed to be established in the front garden with an area of roughly 2 000m<sup>2</sup>. It will be served from the kitchen and facilities in the converted main dwelling (new guest house).



Figure 8: Proposed outdoor venue and chapel area on Ptn 5 of Farm 528

The tourist facilities (farm stall, chapel, and outdoor garden area) will thus exceed the 250m<sup>2</sup> coverage limit for tourist facilities as determined in the Zoning Scheme Bylaw.

The proposed tourist facilities and guest house would employ 18 permanent staff and additional staff will be employed for events, depending in the size thereof.

The main entrance and the existing driveway are sufficient to accommodate the expected traffic and the equestrian area is sufficient to accommodate the parking needs.



Figure 9: Main guest house outdoor entertainment area

A new boundary fence, to be constructed as a brick wall with a height of 2,1m is proposed on the front boundary, on the western side of the servitude access road that serves the abutting properties (Belle Vue Manor and Chi Chi's Spa).

## 2. LAND DEVELOPMENT APPLICATION AND AUTHORISATION

### 2.1 Proposed use

The primary use of the Farm will remain agriculture, primarily as vineyard (roughly 0,7ha) and for equestrian purposes (roughly 1,1ha). The farm dam (roughly 0,5ha) will also be retained as an irrigation reservoir and added attraction for the envisaged tourist uses (picnics), together with the employee housing units.

For diversification of the activities, the owner aims to establish the aforementioned guest house and tourist facilities. By doing so it uses the Farm primarily for an

agricultural purpose and it creates an attraction that does not detract from the character of the general area, makes better use of the agricultural resources, while contributing to the general attraction of the R44 as a tourist corridor.

The redevelopment of the farm for guest house and tourist facilities will include the following uses as defined in the Stellenbosch Municipality Zoning Scheme Bylaw, 2019 (ZSB):

- Farm stall / shop (delicatessen) of 96m<sup>2</sup> replacing the additional dwelling;
- New Chapel and function venue of 389m<sup>2</sup>;
- Picnic facility (periodic outdoor use area licensed to serve food and alcohol), in the front garden area roughly 2 000m<sup>2</sup> in extent and around the dam; and
- Seven bedroom guest house in the converted main dwelling.

## 2.2 Application

The following applications are made in terms of Section 15 of the Stellenbosch Municipality Land Use Planning Bylaw, 2015 (LUPB) and the Stellenbosch Municipality Zoning Scheme Bylaw, 2019 (ZSB), for the property that is zoned Agriculture and Rural Zone and to which no previous approvals are applicable.

- 2.2.1 Application in terms of Section 15(2)(o) for consent use as contemplated in the zoning scheme to permit tourist facilities (farm stall, chapel / wedding venue, and the occasional use of the front garden) and a seven bedroom guest house.
- 2.2.2 Application in terms of Section 15(2)(f) for the suspension of the restrictive conditions, or removal thereof, if the consent of the controlling authority in terms of Act 21 of 1940 is not appropriate.
- 2.2.3 Application in terms of Section 15(2)(b) for the construction of a 2,1m high brick wall boundary fence along the eastern boundary of the property.

## 2.3 Zoning scheme requirements

The tourist facilities will be open seven days a week:

- Monday to Thursday from 10:00 to 18:00; and
- Friday to Sunday from 09:00 to 22:00.

The proposed development of the consent uses must be considered in terms of Sections 207, 209 and 213 of the Stellenbosch Municipality Zoning Scheme Bylaw, 2019, read with the relevant considerations as set out in the Stellenbosch Municipality Land Use Planning Bylaw, 2015. Said ZSB determines that "*When approving new consent uses the Municipality shall have regard for the objectives of the zone namely the preservation of agricultural land and the continued use of farm land for agriculture. The scale of the individual buildings used for consent uses shall remain in keeping with the character of buildings on the land unit, the character of the area and non-agricultural land uses may not dominate the farm activities or buildings form.*

*These consent uses may only be undertaken from a land unit where the primary use of the land unit is bona fide agriculture/and or natural environment and where the*

*proposed activity is subservient to these two primary land use activities on the land unit."*

Given that the applied consent uses are subservient to the primary agricultural use of the property, and that it would be possible to manage the farm and the facilities sustainably as an economic unit, there are rational grounds for favourable consideration of the application.

Moreover, all the abutting and adjacent farms have similar scaled tourist accommodation establishments, spa's / wellness centres, shops, and restaurants, e.g., Mountain Breeze opposite the road, Bellevue Manor Guesthouse and Wellness Retreat abutting to the north, Chi-Chi's MindSpa adjacent to the north, using the same entrance off the R44, Nature's Pharmacy and De Oude Schuur Antique Furniture store abutting to the south and Kleinbosch Lodge and Zimzala Kennels and dog parlour adjacent to the south are some examples.

## **2.4 Title deed restrictions**

The title deed (T18186/2016) contains restrictions imposed on the subdivision of the property in 1954 in terms of the Advertising on Roads and Ribbon Development Act, 1940, Act 21 of 1940, preventing the proposed land developments unless by prior consent of the controlling authority, suspension of the restrictive conditions, or removal thereof in terms of Section 15(2)(f) of the Land Use Planning Bylaw.

This application therefore allows for the controlling authority to grant its prior consent for the proposed uses, alternatively for the removal or suspension of the following title conditions:

*D. SUBJECT FURTHER to the conditions of subdivision imposed in Deed of Transfer no T17448/1982 by the controlling authority by virtue of Section 11 of Act 21 of 1940 upon approval of the subdivision of Portion 2 of the Farm 528, Stellenbosch, namely:*

*"1. Die grond mag nie onderverdeel word nie, tensy die skriftelike goedkeuring van die beherende gesag soos omskryf in Wet nr 21 van 1940, soos gewysig, eers verkry is.*

*2. Die-grond mag alleen gebruik word vir residensiële- of landboudoeleindes en geen ander doel sonder die skriftelike toestemming van die beherende gesag soos omskryf in Wet nr 21 van 1940 nie.*

*3. Geen gebou of struktuur hoegenaamd mag opgerig word sonder die skriftelike toestemming van die beherende gesag soos omskryf in Wet nr 21 van 1940 nie.*

*4. Geen gebou of struktuur van enige aard mag opgerig word binne 'n afstand van 94,46 meter vanaf die middellyn van die Somerset-Wes-Stellenbosch Grootpad wat in 'n noord-oostelike rigting langs die grens van die eiendom loop sonder die toestemming van die beherende gesag soos omskryf in Wet nr 21 van 1940 nie."*

It will be necessary to gain approval for the non-residential use of the property for tourist facilities in view of the restriction contained in condition D.2, above.

Permission needs to be granted for the construction of new buildings and a boundary wall on the property in terms of condition D.3. above and within 94,46m of the R44 centreline as determined in condition D.4.

### 3. MOTIVATION

As indicated above, the applied consent uses are subservient to the primary agricultural use of the property, and that it would be possible to manage the farm together with the proposed tourist facilities and guest house sustainably as an economic unit. More than 50% of the property will remain primarily agricultural in use. The scale and form of the proposed new buildings and structures are in keeping with that found in the area and normally on farms, i.e., it would not detract from the obvious character of the surrounding area. Moreover, all the abutting and adjacent farms have similar scaled tourist accommodation establishments, spa's / wellness centres, shops, restaurants, kennels, and a dog parlour in similarly scaled buildings and areas.

The traffic noise along the R44 is a major disturbance for the owners and guests, given that the main dwellings and structures are located closer to the road, while the primary agricultural activities occur further from the road to the west. As a noise abatement measure the owner wishes to construct a boundary wall along the western edge of the access servitude in proximity of the property boundary. The wall must also increase the security of the property from the road. A brick wall with a height of 2,1m is proposed. It can be softened by appropriate landscaping along the outside, to make it less visible and improve the noise absorption qualities thereof.

#### 3.1 Stellenbosch Municipality IDP and SDF

The Integrated Development Plan 2022 (IDP), including the municipal spatial development framework (SDF) make specific provision for the establishment of guest houses and tourist facilities on farms and the diversification of agricultural activities to enhance the economic sustainability of the farms. It confirms that tourism, linked to the natural environment and agriculture, is one of the largest creators of employment and that it makes substantial contribution to the economic sustainability of the agricultural sector. This application is in line with the provisions of both said documents and an attempt to increase the feasibility and sustainability of the farm. The age, cultivar and small size of the existing vineyard are the primary causes of it not contributing to the sustainability of the Farm as an agricultural unit. It is however large enough and sufficiently developed with agricultural infrastructure and buildings to allow for diversification and use of the buildings and uncultivated land to contribute to the sustainability of the farm by generating revenue from it. The large front garden with the added attraction of the irrigation dam creates an ideal outdoor venue and picnic area, while the conversion of the dwellings to create lettable tourist dwelling units and a restaurant further improves the use of existing resources.

IDP Strategy 5 makes specific provision for the use of farms as tourism attractions: *"Manage and develop tourism as one of the key economic sectors - Facilitate the development of tourism attractions, as contained in the Local Economic Development Strategy, in all sectors and at all levels of the local economy"*. It further states that the Municipality must *"Support compatible and sustainable rural activities outside the urban edge (including tourism) if these activities are of a nature and form appropriate in a rural context, generate positive socio-economic returns, and do not*



*compromise the environment, agricultural sustainability, or the ability of the municipality to deliver on its mandate".*

The SDF specifically states that the protection and expansion of tourism assets and the protection of agricultural land, enablement of its use and expansion of agricultural output are core to the sustainability of Stellenbosch. As the Farm cannot be sustained for agricultural purposes (vineyard) only, the diversification of the use and creation of an alternative revenue stream is necessary to sustain it over time. Using it for equestrian purposes only retains the rural character thereof but does not contribute to the economic feasibility thereof.

It is estimated that the economic pressure of COVID-19 has significantly impacted the municipal area and resulted in a 6,7 per cent contraction of the economy. Tourism and hospitality businesses, including restaurants, accommodation, the wine industry, tour guides, shuttle services, tour operators, booking agents and visitor attractions, have suffered significantly. SMMEs that are less capital-intensive have also been significantly affected by the COVID-19 pandemic. The decline in tourist activities in 2020 as a result of the pandemic, plus the restrictions in many forms of retail trade, resulted in the trade sector contracting by an estimated 9,6 per cent between 2019 and 2020. Tourism and hospitality are directly linked to the wine industry not only in terms of providing an outlet for the consumption of wine but also in terms of wine tourism, where the associated revenue generated at the wine farms has been reduced. The Municipal Economic Review Outlook (MERO), 2020 provides important insight into the situation, indicating that the agricultural sector grew by only 0,4% in 2020 and is likely to contract by 7,2% in 2021. The MERO is a good indicator of the economic need for diversified use of the agricultural and natural resources and the nature of the tourism that occurs. It indicates that visitors primarily partook in scenic drives (30,0%), culture/heritage (17,0%), and outdoor activities (52,0%), in 2020, which symbolise the core product offering of the Cape Winelands District. Previously wine tasting accounted for 24% of visitor activities, but this has changed significantly as a result of the Covid-19 restrictions. In contrast to the MERO, 2020, the MERO, 2019 indicated a significantly different picture of the local economy and tourism related activities. It indicated that visitors partook in wine tasting (24,0%), culture/heritage (19,0%), culinary (17,0%), and outdoor activities (13,0%), which was then described as "*the core product offering of the Cape Winelands District (CWD)*". This radically changed in 2020 and is now more locally and recreation focussed, scenic drives attracting 30,0% of all visits, culture/heritage 17,0%, and outdoor activities 52,0%. While there is great uncertainty around the economic effects of the pandemic, there is general consensus that the international travel and tourism industries will not return to the pre-2020 levels for many years.

The tourism sector, and as indicated above, local visitors, contribute significantly to the local and regional economy and it requires continuous product development to ensure repeat visits and new visitors. By creating the proposed accommodation and function venue attraction, the Farm is likely to contribute to the local tourism sector and adding to the employment of people in need of such opportunities in proximity to their place of residence, assuming most would be residents of Jamestown and other neighbourhoods in Stellenbosch.

### **3.2 Provincial Spatial Development Framework**

The Provincial Spatial Development Framework (PSDF) and the supporting and complementary regional spatial development framework as contemplated in Section 18 of the Spatial Planning and Land Use Management Act, 2013 determine principles and the planning and development norms and criteria for tourism related uses in the area. Nothing proposed in this application contradicts any of the said principles or guidelines.

The Western Cape Rural Development Guidelines indicate that: "*The Western Cape economy is founded on the Province's unique asset base. These include farming resources, that make the Western Cape the country's leading exporter of agricultural commodities and whose value chains (e.g., agri-processing) underpin the Province's industrial sector; and its natural capital (i.e., biological diversity) and varied scenic and cultural resources which are the attraction that makes the Western Cape the country's premier tourism destination. The Western Cape seeks to ensure: 1) sustainable development of its rural areas; 2) conservation of their biological diversity; 3) functionality of ecosystems; 4) protection of agricultural productive land; and 5) safeguarding of rural heritage and culture.*"

Chapter 11 of the Rural Development Guidelines determines the following sustainability principles and management guidelines for tourism development in rural and agricultural areas:

- *To diversify farm income.*
- *To offer a range of appropriate nature, cultural and agri-based rural tourism facilities, and recreational opportunities across the rural landscape (e.g., animal sanctuary, paintball, shooting ranges, and conference facilities).*
- *Rural tourism and recreation facilities and activities should not compromise farm production and must be placed to reinforce the farmstead precinct.*
- *To provide a range of opportunities, including different typologies, for tourists and visitors to experience the Western Cape's unique rural landscapes; e.g., additional dwelling units on farms, B&Bs, guesthouses, backpacker lodges, lodges, resorts, hotels, and camping sites.*
- *To offer more people access to unique tourism and recreational resources in sought-after natural areas, where it would not otherwise have been possible.*
- *Whilst tourist and recreational facilities should be accommodated across the rural landscape (i.e., in all SPCs), the nature and scale of the facility provided needs to be closely aligned with the environmental characteristics of the local context.*
- *Any facility not directly related to the rural landscape should preferably be located within, or peripheral to, urban centres. The obligation is on the applicant to illustrate why the land use cannot be accommodated in the urban area.*
- *The development should have no adverse effects on society, natural systems, and agricultural resources.*
- *The long term impact on the municipality (resources and financial); water supply and demand; agricultural activities, production and sustainability, risk, and finances; and the scenic, heritage and cultural landscape should be considered when decisions are taken.*

- *Avoid establishing facilities with any permanent on-site employees' residences in rural areas, as on-the-farm accommodation is restricted to agri-workers. Employees should be accommodated in existing settlements.*
- *Development applications should include a locality plan to indicate how it contributes to the clustering of facilities in nodal areas.*
- *A site development plan must be submitted to the municipality for consideration. The exact proposed footprint must be shown on the site development plan, it should illustrate the placement of the activity in relation to existing buildings on the farm, and provide details on infrastructure provision, access and parking arrangements and the position and nature of all proposed signage and landscaping.*
- *Environmentally sensitive areas (e.g., wetlands and other special habitats) should be avoided, and the placement of facilities and activities should be informed by a landscape assessment (i.e., considering biodiversity, cultural & scenic attributes).*
- *Existing structures or disturbed footprints should preferably be used, and adequate provision made for access and parking. Buildings should respond to the farm's built vernacular and should include appropriate buffers, landscaping, and screening to reduce their visual impact on the rural landscape. Information on the architectural design must be provided, for the purposes of the heritage and visual assessments.*
- *The appropriate nature and scale of a facility within a particular context should be determined by considering:*
  - *the extent of the cadastral portion, and*
  - *the sensitivity of, and impact on, the receiving environment (i.e., agricultural, or natural).*
- *The scale of a development must be limited to the extent that it will not promote secondary development (e.g., service stations, shopping centres, retail activities, social services such as schools, etc.) on or around the site such that a new, unplanned development node is created .*
- *Only activities that are appropriate in a rural context, generate positive socio-economic returns, and do not compromise the environment or ability of the municipality to deliver on its mandate should be accommodated.*
- *Landscaped areas, which generally require the application of fertilizers, herbicides, and pesticides, should be located above the 1:100-year flood line. Where the flood line has not been determined or is out of date, a flood line study is required.*
- *The development should not result in or contribute to visually obtrusive or ribbon development along the coastline, visually sensitive areas, cliffs, or ridges.*
- *The services associated with a development should not have a negative impact on the environment . The impact of these services should be taken into account when determining the appropriate location for a development. In particular, sewerage provision should not result in pollution of surface or groundwater (e.g., no soak-ways should be permitted).*
- *The development of the site should not negatively affect the role, function, public enjoyment and status of open space systems/networks, designated sites of cultural significance and/or sites identified as being of conservation significance.*
- *The development should not result in or contribute to visually obtrusive or ribbon development along the coastline, visually sensitive areas, cliffs, or ridges.*

- *The services associated with a development should not have a negative impact on the environment. The impact of these services should be taken into account when determining the appropriate location for a development. In particular, sewerage provision should not result in pollution of surface or groundwater (e.g., no soak-ways should be permitted).*

An assessment of the above land use proposals show that they meet all of the aforementioned principles and criteria. The proposed facilities will have no negative effect on the existing agricultural use and potential of the Farm and will in fact create the revenue required to improve the productive capacity of the Farm by the replacement of the vineyard with a more desirable cultivar and by its expansion. Moreover, this is the only farm along the stretch of the R44 between the entrance to the airport and the urban edge at De Zalse Golf Estate that does not have any tourist facilities or guest / tourist accommodation established on it. Its access also serves as a servitude access to the abutting and adjacent properties containing such facilities and uses.

- ✓ To offer a range of appropriate facilities. When considering the main attractions of the CWD (according to the MERO 2021, outdoor activities is the primary attraction), it is obvious that the Drie Lande attraction will fit with the market trend and the regional setting. The proposed activities add to the tourism offerings along the R44.
- ✓ No compromise to agricultural activities. The proposed consent uses will occur in existing, reconfigured buildings and between the cultivated areas of the farm. It will therefore enhance and not negatively affect the agricultural activities on the farm, and it will not have any negative effect on the surrounding agriculture, as the proposed use does not cause any disturbance and is not sensitive to any agricultural activities, e.g., crop spraying, irrigation, use of farm implements and machinery.
- ✓ Provide a range of opportunities. New business and employment opportunities are created, as well as a new attraction for local and foreign visitors. This has significant positive effect on the local economy, which is virtually dedicated to agriculture and tourism. The proposed activities will add 18 permanent additional employment opportunities in proximity of the Stellenbosch town boundaries.
- ✓ Offer access to more people. The facility will create an additional venue in proximity of Stellenbosch town where such venues are in high demand. It is located on an existing tourist corridor and in an area surrounded by similar product offerings, allowing for a comparative choice.
- ✓ Improve the economic viability and sustainability of farms. The addition of the tourist attraction and accommodation would probably contribute to the Farm revenue and allow for its future agricultural capacity expansion.
- ✓ Align scale and form of facilities with character of area. The surrounding area has a high intensity use character, with similar scaled tourism related facilities on all adjacent farms. The use of the garden area and existing buildings for the

tourist facilities and accommodation allows it to fit the agricultural scale and nature.

- ✓ Diversify farm income. Currently the farm does not generate sufficient revenue from the vineyard and the equestrian use to be sustainable as a farm. The consent uses proposed on the farm will allow for the generation of additional income from the agricultural resources and more importantly, allow for the future expansion of the agricultural use.

There is therefore a good match between the relevant policies and the proposed development of the Farm by the creation of the guest house and tourist facilities and the product offering of the immediate area along the R44.

### 3.3 SPLUMA principles

The matters referred to in Section 42 of the Spatial Planning and Land Use Management Act, 2013, with specific reference to spatial justice, spatial sustainability, efficiency, and good administration have all been considered in making this application.

- ✓ **Spatial Justice**. It refers to the need to redress the past apartheid spatial development imbalances and aim for equity in the provision of access to opportunities, facilities, services, and land. In the broadest sense, it seeks to promote the integration of communities and the creation of settlements that allow the poor to access opportunities. In a spatially just settlement, opportunities and access are provided to those whose historical access and opportunities have been impeded by past spatial planning. Land development procedures must include provisions that accommodate access to, and facilitation of, security of tenure and the incremental upgrading of informal areas.

The proposed use of the land does not have any negative effect on the spatial development framework and policies for such redress. It rather opens up opportunities for those who live in the area and do not have access to employment opportunities.

It does not prevent or hinder access to additional land for the poor for settlement purposes and it does not add to the cost of land acquisition to the state, as it is outside of the urban edge and not identified as settlement land or land for land reform purposes, for which it would in any event be useless due to the soil and water situation. The economic opportunities created by the use of the existing buildings, infrastructure and land as envisaged in this application results in a significantly better situation than where the property is used for residential smallholding purposes as an alternative to an unsustainable farm.

- ✓ **Spatial Sustainability**. According to this principle, a sustainable form of development must be pursued. Amongst others it means promoting less resource consuming development typologies that promote compaction and mixed-use urban environments. A spatially sustainable settlement will be one which has an equitable land market, while ensuring the protection of valuable

agricultural land, environmentally sensitive and biodiversity rich areas, as well as scenic and cultural landscapes and ultimately limits urban sprawl.

Spatial sustainability, although primarily focused on urban development, has been considered. The proposed use of the land does not have any negative effect on the urban area and fits with the surrounding rural area. As a tourist facility it will contribute to the municipal and local economic revenue base, without requiring public expenditure to occur, while in its current state it makes very limited contribution. Moreover, it is located along the R44 corridor where tourist attractions are located, and it supplements these. Land earmarked for agriculture, conservation, or urban development, is not negatively affected, or restricted by the proposed use of the farm.

The proposed land use ensures a more efficient and sustainable use of the land for a diversified use in terms of all policy documents. The buildings and structures are existing and fit the surrounding character, where tourist related activities predominate.

The proposed consent use and removal or suspension of the restrictive title conditions are unlikely to cause the lowering of the service levels in municipal or other public infrastructure.

- ✓ Efficiency. It refers to the need to create settlements that optimise the use of space, energy, infrastructure, resources, and land. Inherent in this statement is the need to promote densification and compact urban development typologies. This also has to do with the manner in which the settlement itself is designed and functions, which should reduce the need to travel long distances to access services, facilities, and opportunities. Efficiency also refers to decision making procedures which are designed to minimise negative financial, social, economic, or environmental impacts. In addition, efficiency refers to the need for development application procedures that are efficient and streamlined.

Efficiency (optimising the use of existing resources and infrastructure) has been addressed and the use of the agricultural land resource will contribute to increased efficiencies. The attraction will further improve efficiency in the area, as it is located in an area where many tourist facilities are located, adding to the attraction and product offerings in proximity of the town, where there is a labour market.

- ✓ Spatial Resilience. In the context of land use management and planning, it refers to the need to promote the development of sustainable livelihoods for the poor (i.e., communities that are most likely to suffer the impacts of economic and environmental shocks). It also refers to the requirement for flexibility in spatial plans, policies, and land use management systems to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks. The spatial plans, policies and land use management systems should enable the communities to be able to resist, absorb and accommodate these shocks and to recover from these shocks in a timely and efficient manner, which includes the preservation and restoration of essential

basic infrastructure and functions, but also adaptation in order to ensure increased resilience in terms of future shocks.

The applicant cannot dictate the SDF and other spatial planning policies and strategies. At best, the applicant can work with the relevant authorities to assist with the implementation of the relevant policies and strategies, as is the case with this application. Spatial resilience has thus been addressed, as the SDF and other policies allow for flexibility to ensure sustainable development, amongst others by determining policy to assess the application in terms of the SDF and IDP strategies, both of which promote the better use of agricultural resources, the expansion of tourist attractions on appropriate land outside of the urban areas and the conservation of the rural environment.

The application needs a flexible approach, by taking cognisance of the entire spectrum of relevant considerations. By better utilisation of the land, the applicant makes a significant contribution to the sustainability of the farm, the broader agricultural environment and resource use in general.

- ✓ Good administration. In the context of land development planning, it refers to the promotion of integrated, consultative planning practices in which all spheres of government and other role-players ensure a joint planning approach is pursued. Land development decisions should seek to minimise the negative financial, social, economic, and environmental impacts of a development in an efficient process where all statutory requirements are adhered to.

Good administration is primarily a function of the authorities, not affected by the proposed use of the land. A flexible approach to the application and agreement on the achievement of the desired outcomes in the most economic and administratively justifiable and lawful manner is critically important. The applicant has taken the necessary actions to ensure that the decision-maker is provided with the required information to be able to take a decision based on the relevant considerations.

### 3.4 LUPA principles

The principles referred to in Chapter VI of the Western Cape Land Use Planning Act, 2014, Act 3 of 2014 (LUPA) have all been considered. The LUPA considerations and development principles require:

- ✓ The protection and promotion of the sustainable use of land, which is the purpose of the proposal. As indicated above, the application does not affect land essential for conservation, other uses, or service delivery by the Municipality. The application however requires adherence to national and provincial government policies, which it does, as illustrated above, inclusive of the municipal spatial development framework that promotes the expansion of tourist facilities on appropriate land outside of the urban areas without negatively affecting the agricultural use.
- ✓ Consideration of the public interest, which is done through compliance with the aforementioned policies and guidelines, together with the creation of new economic opportunities in proximity of the other tourist facilities and existing

road infrastructure without negative impact on surrounding land use or the natural environment.

- ✓ Promotion of constitutional transformation imperatives and the related duties of the state. No comment.
- ✓ Proper consideration of the facts and circumstances relevant to the application, as have been set out above, indicating grounds for a positive land development consideration and decision. The relevant considerations include that the property is not sustainable as a farm and tourist facilities as are permitted in the Agriculture and Rural Zone would improve the sustainability thereof and create the basis for future upgrading of the productive capacity of the farm.
- ✓ The respective rights and obligations of all those potentially affected, primarily the surrounding property owners, public and private service providers and the wider community have been considered and there are no identified significant issues. The only potentially negative effect is the potential noise effect of an outdoor venue used in the evenings. The effect could however be mitigated by appropriate sound management. There are currently no residential dwelling units in the immediate vicinity of the garden area where the outdoor venue is proposed.
- ✓ The impact of the proposed development on engineering services infrastructure, social infrastructure, and open space requirements is insignificant. The proposed use contributes to the provision of economic activities without requiring additional infrastructure services. The proposed use of the land for tourist facilities and accommodation establishment allows for the best possible use of the land resource.

### 3.5 National Development Plan

The National Development Plan, 2030 (NDP) is extensively quoted in the Stellenbosch SDF 2019. *It serves as the strategic framework guiding and structuring the country's development imperatives and is supported by the New Growth Path (NGP) and other national strategies. In principle, the NDP is underpinned by, and seeks to advance, a paradigm of development that sees the role of government as enabling by creating the conditions, opportunities, and capabilities conducive to sustainable and inclusive economic growth. The NDP sets out the pillars through which to cultivate and expand a robust, entrepreneurial, and innovative economy that will address South Africa's primary challenge of significantly rolling back poverty and inequality by 2030.* The recently released Tourism Transformation Strategy (2018) goes to detail about the matter: *The tourism sector is one of the few sectors in South Africa that continues to grow economically and globally despite the recent economic challenges. The tourism sector is one of the six core pillars of growth in the country according to the New Growth Path and the Industrial Policy Action Plan (IPAP2) identified the sector as one of the areas that contributes to the development of areas of potential such as rural areas and cultural industries amongst others.*

### 3.6 Environmental Management

The proposed development of the consent uses does not trigger an authorisation application in terms of the National Environmental Management Act, 1998, Act 107 of 1998.



### 3.7 Heritage

The proposed tourist facilities and occasional use will not require authorisation in terms of Section 34 or 38 of the National Heritage Resources Act, 1999, Act 25 of 1999, as the existing buildings are not older than 60 years and reconfiguration thereof does not require prior authorisation and the area will not be transformed.

### 3.8 Engineering

Electricity is supplied by Eskom, through an existing service, which does not require any upgrading.

The farm is self-sufficient with potable water from the borehole and for irrigation from the relevant allocation.

The sewerage system is an existing conservancy tank system that is regularly emptied by a local service provider. The tanks have sufficient capacity to accommodate the tourist facilities and accommodation establishment.

Solid waste is removed by the Municipality, which service will continue with insignificant increase in volume.

### 3.9 Chapter V evaluation

In Section 65 of the SMLUPB, the following criteria for deciding applications are prescribed. While all of the matters referred to in Section 65 have been addressed in broad above, this section summarises and highlights the relevant matters which the Municipality must consider.

| <b>Criterion in Section 65</b>   | <b>Applicability</b>   | <b>Compliance of application</b>   |
|--|--|--|
| <i>(a) the application submitted in terms of this By-law;</i>  | Application must comply with the processes of the LUPB.  | Application covers all the relevant aspects, i.e., consent, and departure and is supported by the required documents and reports.  |
| <i>(b) the procedure followed in processing the application;</i>   | Application must be consistent with the LUPB.  | Process still has to be concluded. Preparation and submission followed prescribed process.   |
| <i>(c) the desirability of the proposed utilisation of land and any guidelines issued by the Provincial Minister regarding the desirability of proposed land uses;</i> | Desirability test according to Section 207, 209 and 213 of the Zoning Scheme Bylaw, read with the provincial Rural Development Guidelines. | See paragraphs 2.3, 3.2, 3.2 and 3.2 above. <ul style="list-style-type: none"> <li>• Use not likely to cause nuisances and therefore desirable.</li> <li>• Guidelines indicate better use of agricultural resources necessary to diversify economy.</li> <li>• Guidelines require least impact on agricultural capacity, amongst others by use of existing buildings.</li> </ul> |

| Criterion in Section 65   | Applicability  | Compliance of application  |
|---|--|--|
|   |  | <ul style="list-style-type: none"> <li>Guidelines promote the addition of new and wider range of attractions and opportunities.</li> </ul>   |
| <i>(d) the comments in response to the notice of the application, including comments received from organs of state, municipal departments, and the Provincial Minister in terms of section 45 of the Land Use Planning Act;</i> | Notices still to be circulated.  | Compliance can only be monitored after conclusion of the public participation process.   |
| <i>(e) the response by the applicant, if any, to the comments referred to in paragraph (d);</i>   | Notices still to be circulated.  | Compliance can only be monitored after conclusion of the public participation process.   |
| <i>(f) investigations carried out in terms of other laws that are relevant to the consideration of the application;</i>   | NEMA Act 107/1998<br>NHRA Act 25/1999  | See paragraphs 3.6 and 3.7 above. <ul style="list-style-type: none"> <li>No authorisations required.</li> </ul>  |
| <i>(h) the impact of the proposed land development on municipal engineering services;</i>   | No negative effect envisaged due to the low scale and limited extent of the proposed uses.   | See paragraph 3.8 above. <ul style="list-style-type: none"> <li>Insignificant additional traffic.</li> <li>Eskom electricity supply network has capacity.</li> <li>Own water supply from borehole is sufficient in quality and quantity.</li> <li>Sewerage managed on-site with conservancy tank for disposal into municipal system.</li> <li>Solid waste removed by Municipality</li> </ul> |
| <i>(i) the integrated development plan, including the municipal spatial development framework;</i>  | Aligned to:<br>IDP 2021, Tourism Development Strategy; and<br>SDF Agricultural Sector Policy | See paragraph 3.1 above. <ul style="list-style-type: none"> <li>Tourism important economic contributor.</li> <li>New tourist facilities outside of existing nodes promoted, i.e., on farms and natural areas.</li> <li>Agricultural sector to be strengthened through appropriate diversification.</li> </ul>  |
| <i>(j) the integrated development plan and spatial development framework of the district municipality, where applicable;</i>  | Compliant with Rural Area Plan.  | See paragraph 3.2 above. <ul style="list-style-type: none"> <li>The appropriate diversification of use on farms is desirable.</li> </ul>   |
| <i>(k) the applicable local spatial development frameworks adopted by the Municipality;</i>   | None identified.   | None.  |
| <i>(l) the applicable structure plans;</i>  | Not applicable.  | Not applicable.  |
| <i>(m) the applicable policies of the Municipality that guide decision-making;</i>  | None identified.   | None.  |

| <b>Criterion in Section 65</b>   | <b>Applicability</b>                    | <b>Compliance of application</b>   |
|--|---|--|
| <i>(n) the provincial spatial development framework;</i>   | Compliant with Rural Area Plan.         | See paragraph 3.2 above. <ul style="list-style-type: none"> <li>The appropriate diversification of use on farms is desirable.</li> </ul>   |
| <i>(o) where applicable, a regional spatial development framework contemplated in section 18 of the Spatial Planning and Land Use Management Act or provincial regional spatial development framework;</i> | Compliant with Rural Area Plan.         | See paragraph 3.2 above. <ul style="list-style-type: none"> <li>The appropriate diversification of use on farms is desirable.</li> </ul>   |
| <i>(p) the policies, principles and the planning and development norms and criteria set by the national and provincial government;</i>   | Compliant with principles and criteria. | See paragraphs 3.3 and 3.4 above. <ul style="list-style-type: none"> <li>Assessed against spatial justice, spatial sustainability, efficiency, and good administration.</li> </ul>   |
| <i>(q) the matters referred to in section 42 of the Spatial Planning and Land Use Management Act;</i>  | Compliant with principles and criteria. | See paragraph 3.3 and 3.4 above. <ul style="list-style-type: none"> <li>Assessed against spatial justice, spatial sustainability, efficiency, and good administration.</li> </ul>  |
| <i>(r) the principles referred to in Chapter VI of the Land Use Planning Act; and</i>  | Compliant with principles and criteria. | See paragraph 3.3 and 3.4 above. <ul style="list-style-type: none"> <li>Assessed against spatial justice, spatial sustainability, efficiency, and good administration.</li> </ul>  |
| <i>(s) the applicable provisions of the zoning scheme.</i>   | SM Zoning Scheme Bylaw, 2019 considered | See paragraph 2.3 above. <ul style="list-style-type: none"> <li>Consent evaluated against Section 207, 209 and 213.</li> <li>Definition of tourist facilities in Bylaw includes occasional use under tourist facilities.</li> <li>Existing buildings, infrastructure, and garden area to be used.</li> </ul> |

#### 4. CONCLUSION

The application for approval of the proposed guest house and tourist facilities along MR 0027 / R44 and related suspension or removal of the title conditions from deed T18186/2016 imposed in terms of the Advertising on Roads and Ribbon Development Act, 1940, Act 21 of 1940, in 1954, in terms of Section 15(2)(f) of the Land Use Planning Bylaw, or with the prior consent of the controlling authority for:

- 1) Approval for the non-residential use of the property for tourist facilities in terms of the restriction contained in condition D.2.

- 2) Permission for the construction of new buildings and a boundary wall on the property in terms of conditions D.3. and D.4.

As the proposed use is in line with municipal policy and legislation and the land use of the surrounding properties, approval can be granted for the consent use of the property in terms of Section 15(2)(o) for the following:

- 1) Farm stall / shop (delicatessen) of 96m<sup>2</sup> replacing the additional dwelling;
- 2) New Chapel and function venue of 389m<sup>2</sup>;
- 3) Picnic facility (periodic outdoor use area licensed to serve food and alcohol), in the front garden area roughly 2 000m<sup>2</sup> in extent; and
- 4) Seven bedroom guest house in the converted main dwelling.



Approval can also be granted for the application in terms of Section 15(2)(b) for the construction of a 2,1m high brick wall boundary fence along the eastern boundary of the property.

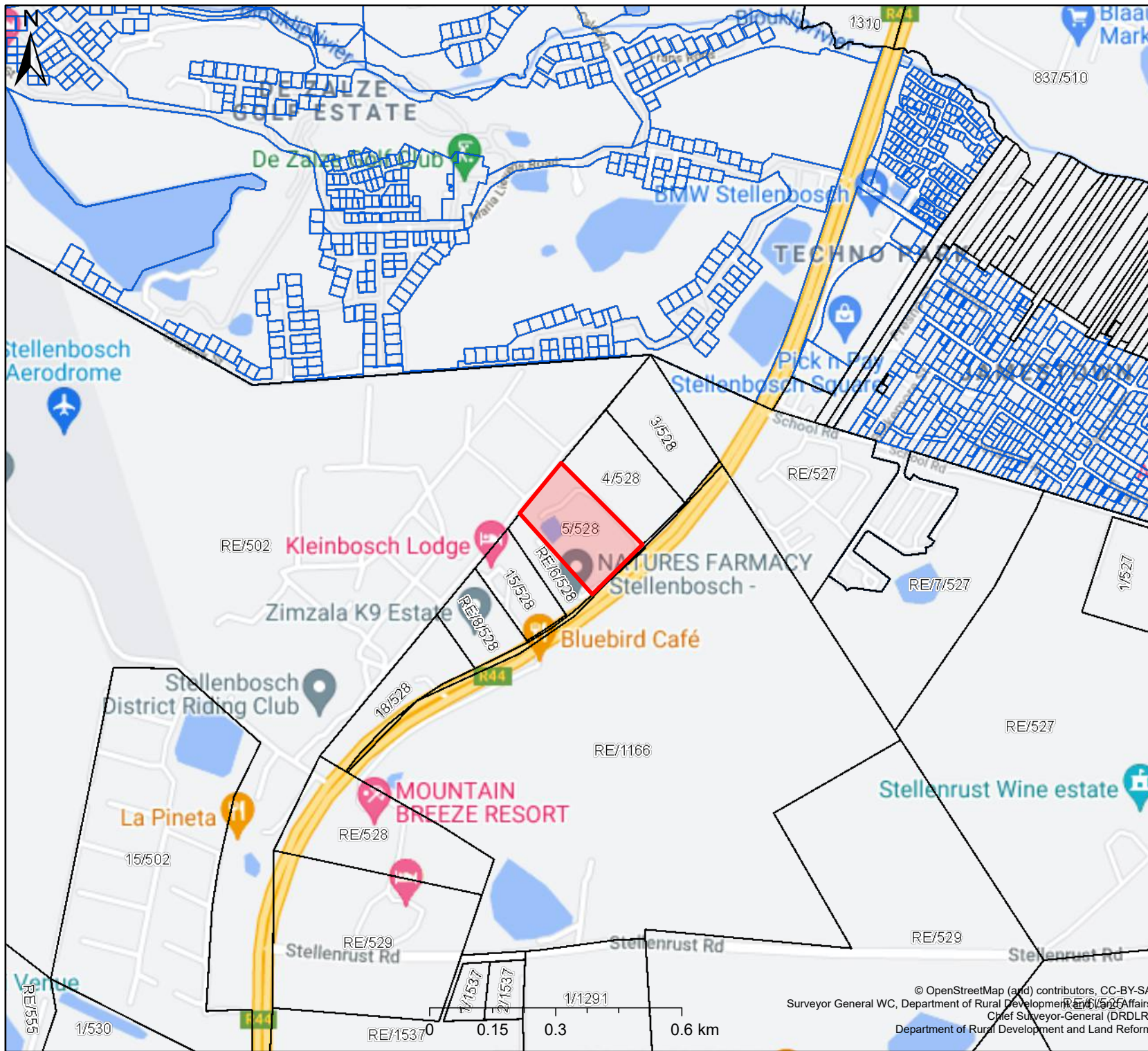
All relevant considerations have been addressed and the application could accordingly be approved after following the required consultation process.

## **ANNEXURE A: LOCALITY**

# Ptn 5 Farm 528, Stellenbosch

## Legend

-  Farm Portions
-  Erf



**Map Center:** Lon: 18°50'6.2"E  
Lat: 33°58'56.8"S

**Scale:** 1:15 000

**Date created:** December 13, 2021

© OpenStreetMap (and) contributors, CC-BY-SA  
Surveyor General WC, Department of Rural Development and Land Affairs  
Chief Surveyor-General (DRDLR)  
Department of Rural Development and Land Reform






**Western Cape  
Government**  
FOR YOU

Agriculture

# Ptn 5 Farm 528, Stellenbosch

## Legend

-  Farm Portions
-  Erf
-  Servitude Area



**Map Center:** Lon: 18°50'6.2"E  
Lat: 33°58'56.8"S

**Scale:** 1:7 500

**Date created:** December 13, 2021



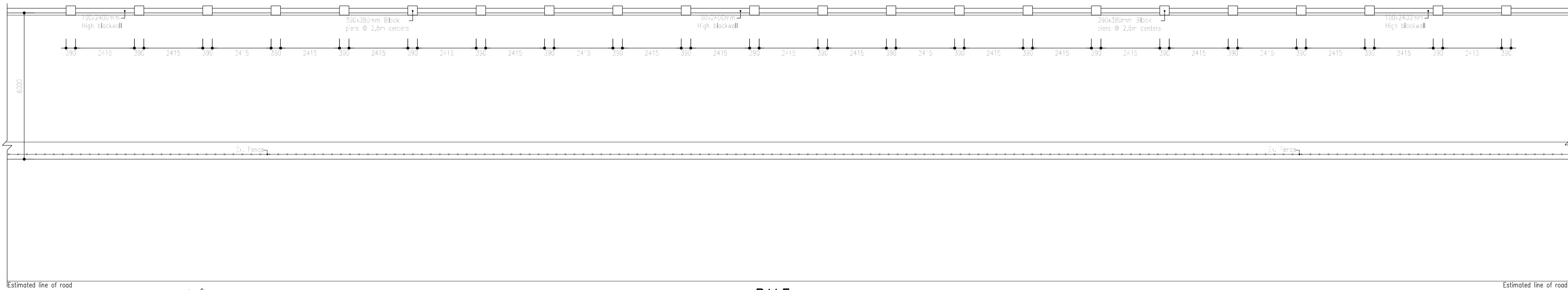
**Western Cape  
Government**  
FOR YOU

Agriculture

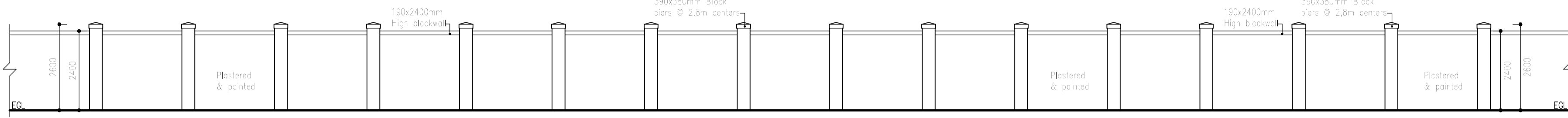
© OpenStreetMap (and) contributors, CC-BY-SA  
Surveyor General WC, Department of Rural Development and Land Affairs  
Department of Rural Development & Land Reform, Chief Directorate: Cadastral  
Spatial Information, Branch: Cadastral Surveys Management  
Chief Surveyor-General (CDLR)

## **ANNEXURE G: SDP**

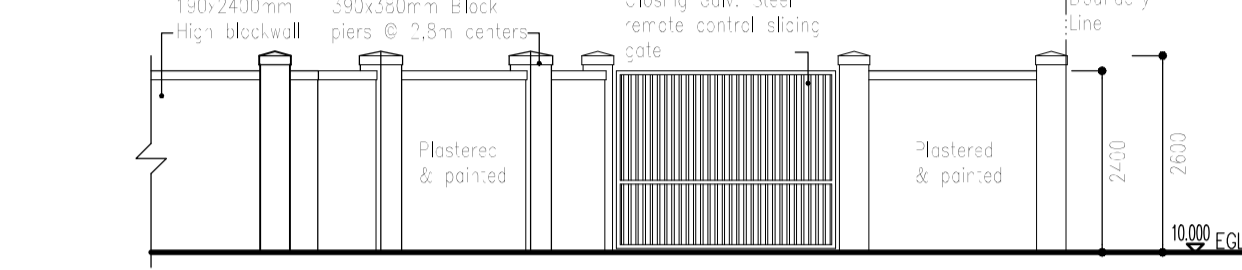




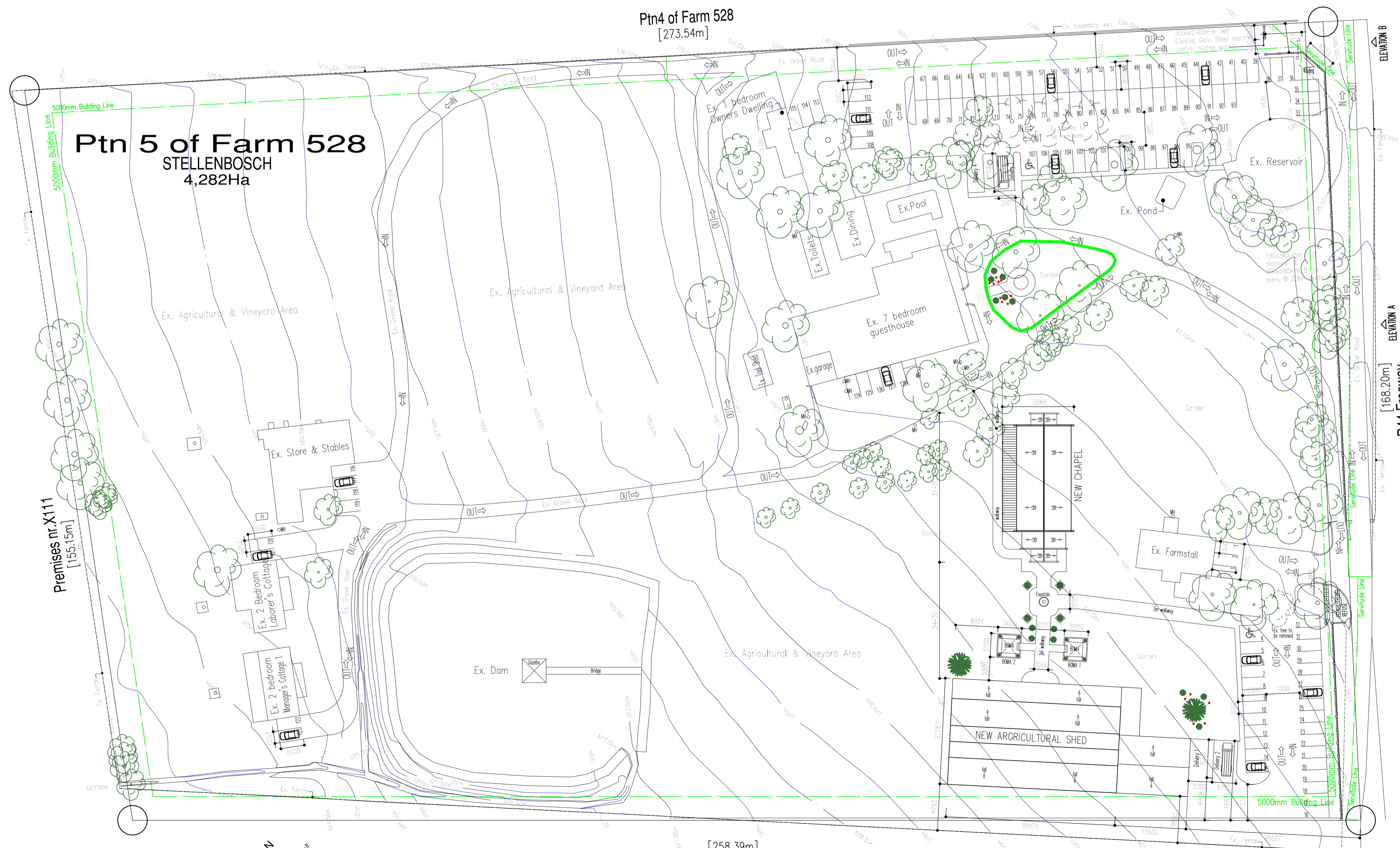
TYPICAL GROUND STOREY  
SCALE 1:100



TYPICAL STREET ELEVATION A  
SCALE 1:100



TYPICAL STREET ELEVATION B  
SCALE 1:100



SITE PLAN  
SCALE 1:500

**SCHEDULE OF RIGHTS**

|                                 |   |                    |
|---------------------------------|---|--------------------|
| SITE AREA                       | 42 820 sq/m                               |                    |
| ZONING                          | AGRICULTURAL (AG)                         |                    |
| CLASSIFICATION:                 | A4, F2, H3, H5 & J3                       |                    |
| NEW CHAPEL - A4                 | (30 GUESTS)                               |                    |
| NEW AGRICULTURAL SHED - J2      |   |                    |
| EX. FARM STALL - F2             |   |                    |
| EX. 1 BED OWNERS DWELLING - H3  | (2 GUESTS)                                |                    |
| EX. 2 BED MANAGERS COTTAGE - H3 | (2 GUESTS)                                |                    |
| EX. 2 BED LABORERS COTTAGE - H3 | (2 GUESTS)                                |                    |
| EX. GUEST HOUSE - H5            | (14 GUESTS)                               |                    |
| MAXIMUM FLOOR SPACE             | PERMISSABLE                               | ACTUAL             |
|                                 | 1500m <sup>2</sup> for all dwelling units | 1324m <sup>2</sup> |
| HEIGHT RESTRICTION              | 11m Top of Roof                           | 7,695m             |

**AREAS :**

|                     |                    |
|---------------------|--------------------|
| EXISTING BUILDINGS  |                    |
| MANAGER'S COTTAGE 1 | 171m <sup>2</sup>  |
| LABORER'S COTTAGE 2 | 171m <sup>2</sup>  |
| OWNERS DWELLING     | 50m <sup>2</sup>   |
| FARM STALL          | 96m <sup>2</sup>   |
| STORE & STABLES     | 120m <sup>2</sup>  |
| RESEVOIR            | 352m <sup>2</sup>  |
| GUEST HOUSE         | 932m <sup>2</sup>  |
| TOTAL EXISTING      | 1892m <sup>2</sup> |

|                   |                    |
|-------------------|--------------------|
| NEW BUILDINGS     |                    |
| AGRICULTURAL SHED | 976m <sup>2</sup>  |
| CHAPEL            | 389m <sup>2</sup>  |
| BOMAS             | 50m <sup>2</sup>   |
| GAZEBO            | 25m <sup>2</sup>   |
| GARDEN            | 314m <sup>2</sup>  |
| TOTAL NEW         | 1754m <sup>2</sup> |

**PARKING REQUIREMENTS :**

4xLoading Bay Size 8000x3500mm  
 126xParking Bay Size 5000x2500mm  
 2xDisabled Bay Size 5000x3500mm

**PERMISSABLE**

Ex. Guest, Cottages & Dwelling = 50 Bays  
 Ex. Farm Stall = 18 Bays  
 New Chapel = 60 Bays  
 TOTAL = 128 Bays

**ACTUAL**

Ex. Guest, Cottages & Dwelling = 50 Bays  
 Ex. Farm Stall = 18 Bays  
 New Chapel = 60 Bays  
 TOTAL = 128 Bays

**NOTES**

|   |       |        |          |
|---|-------|--------|----------|
| VARIATIONS TO APPROVED PLANS FOR CONSTRUCTION |       |        |          |
| REV:  | DATE: | DRAWN: | DETAILS: |
|   |       |        |          |
|   |       |        |          |
|   |       |        |          |

|           |     |                     |
|-----------|-----|---------------------|
| DRAWN :   | L A | HOUSE AREAS         |
| DESIGNER: |     | SITE AREA 42820sq/m |
| CUSTOMER: |     |                     |

|           |  |
|-----------|--|
| PROJECT : | PROPOSED SDP FOR THE BENEDETTO TRUST ON PTN 5 OF FARM 528 STELLENBOSCH |
|-----------|--|

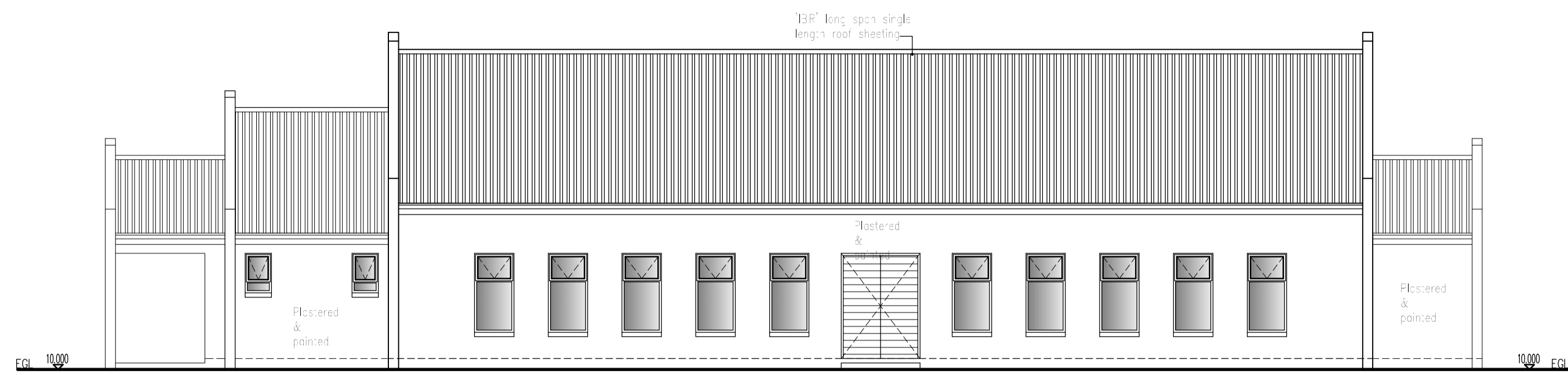
|           |                                    |
|-----------|------------------------------------|
| DRAWING : | SITE DEVELOPMENT PLAN<br>SITE PLAN |
|-----------|------------------------------------|

|        |          |            |
|--------|----------|------------|
| SHEET  | SCALE :  | REVISION : |
| 1 OF 2 | As Shown | 2.0        |

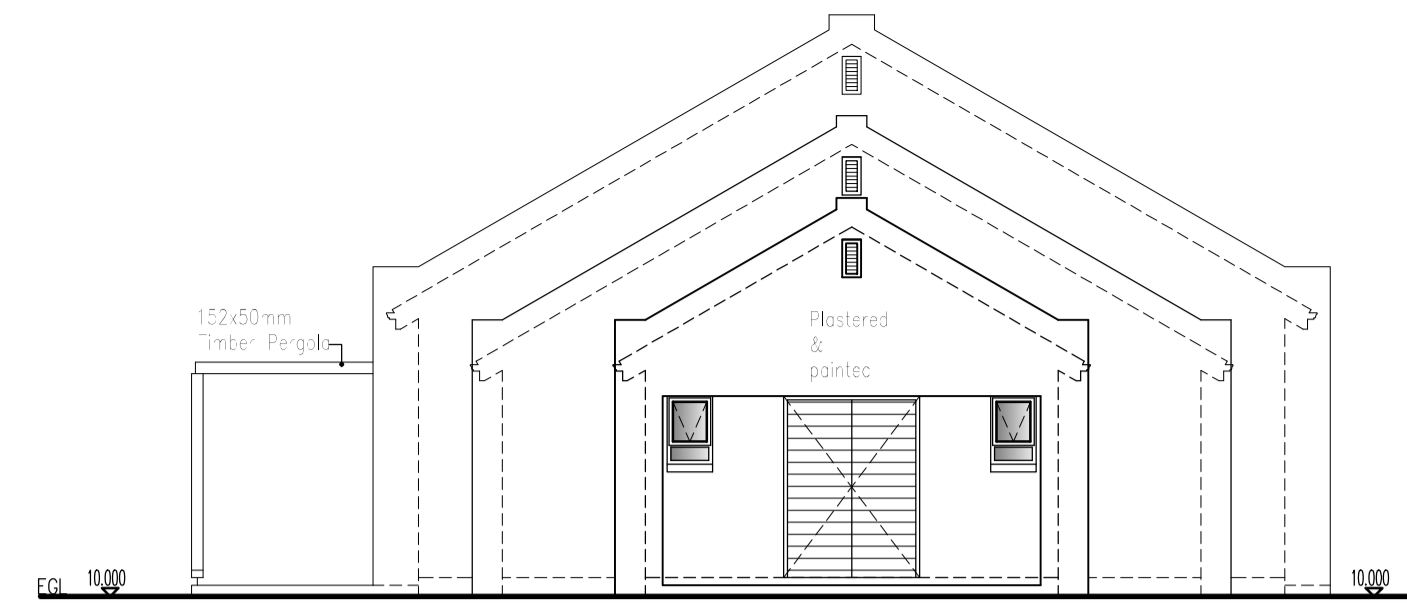
|            |           |              |
|------------|-----------|--------------|
| DATE:      | FILE :    | DRAWING No : |
| 06/10/2022 | 528-MENTZ | 22-30        |

PO BOX 50456 WEST BEACH CELL:082 927 7735 FAX: 086 694 1667  
 E-MAIL: les@ladesign.co.za SACAP Pr. No. ST1288

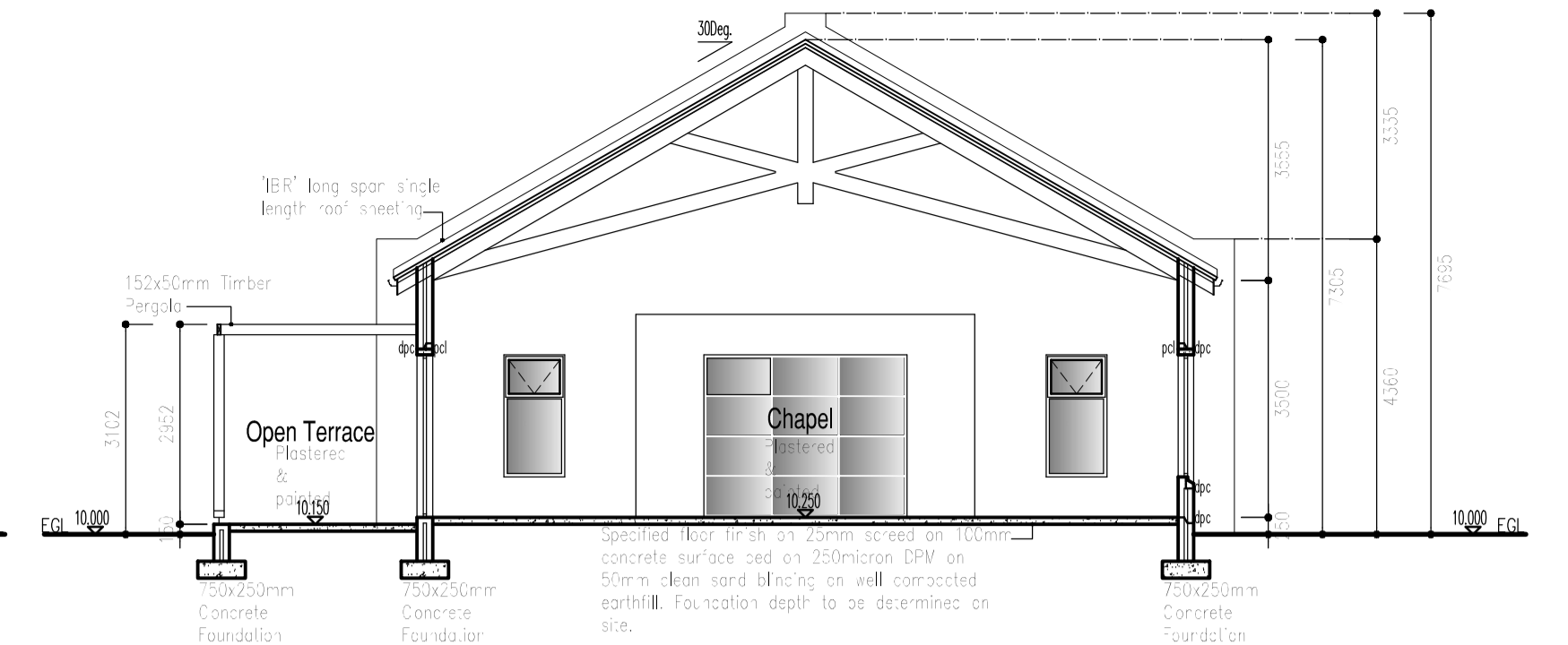




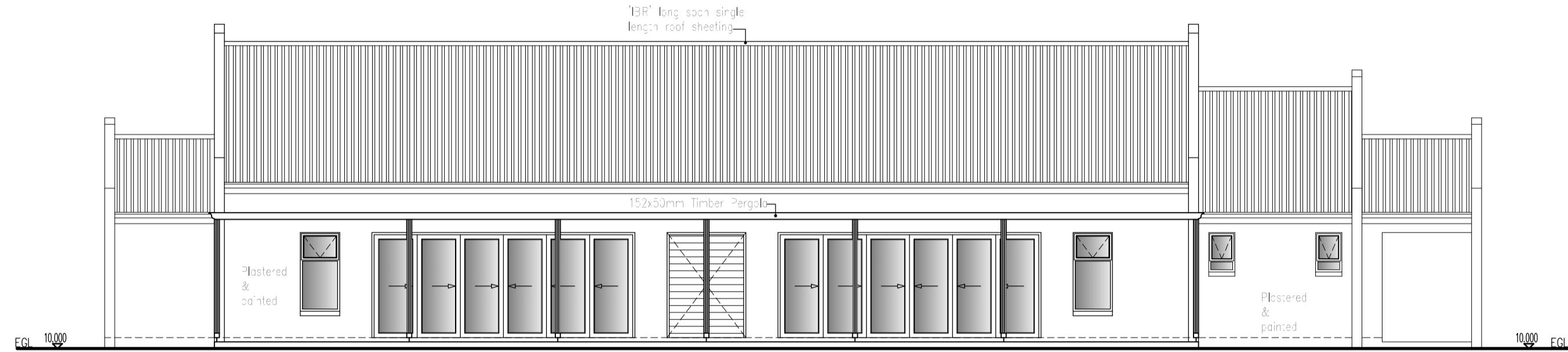
**SOUTH EAST ELEVATION**  
SCALE 1:100



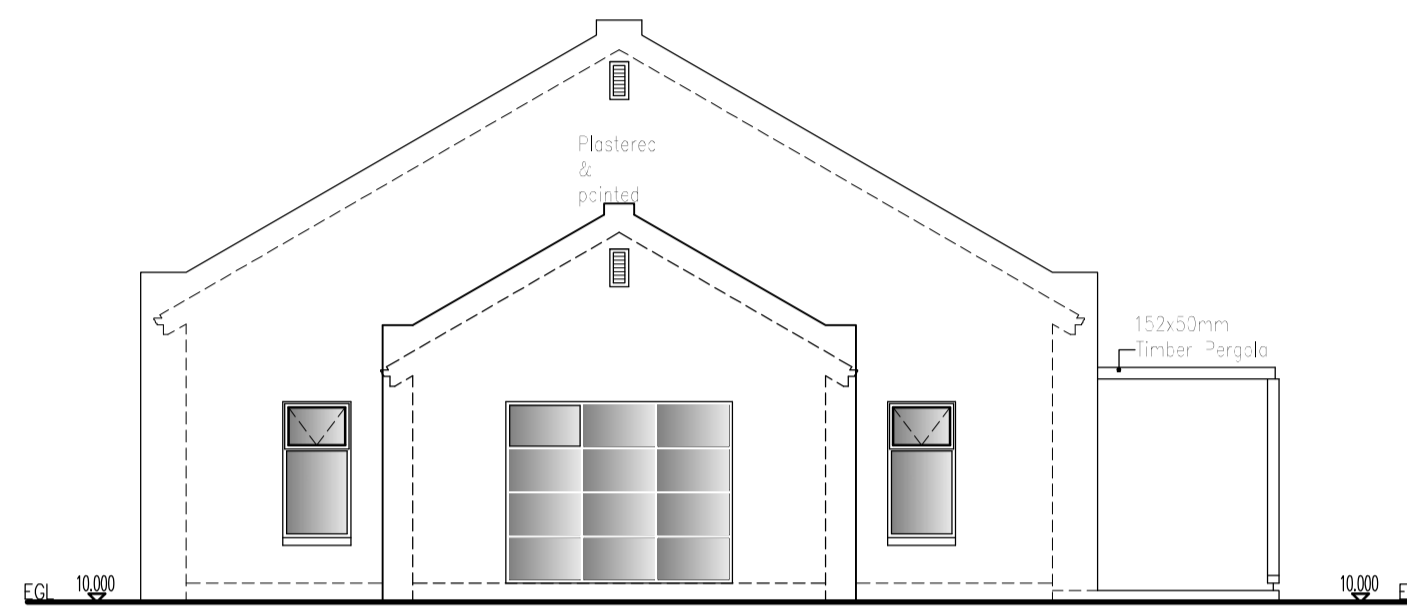
**SOUTH WEST ELEVATION**  
SCALE 1:100



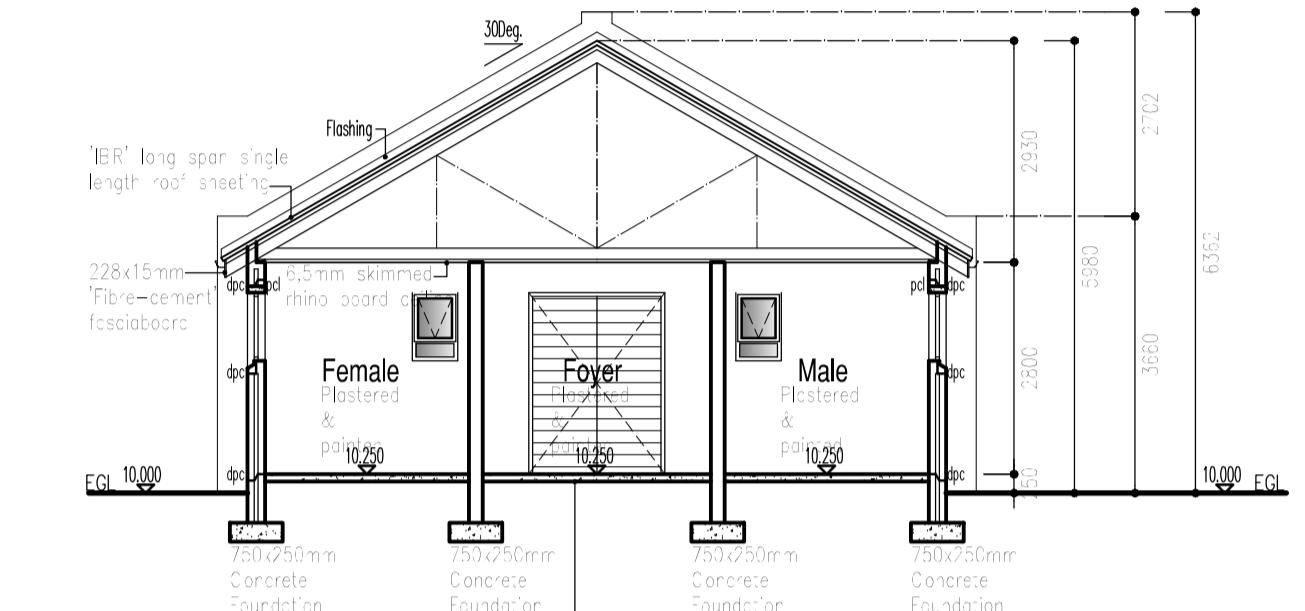
**SECTION A-A**  
SCALE 1:100



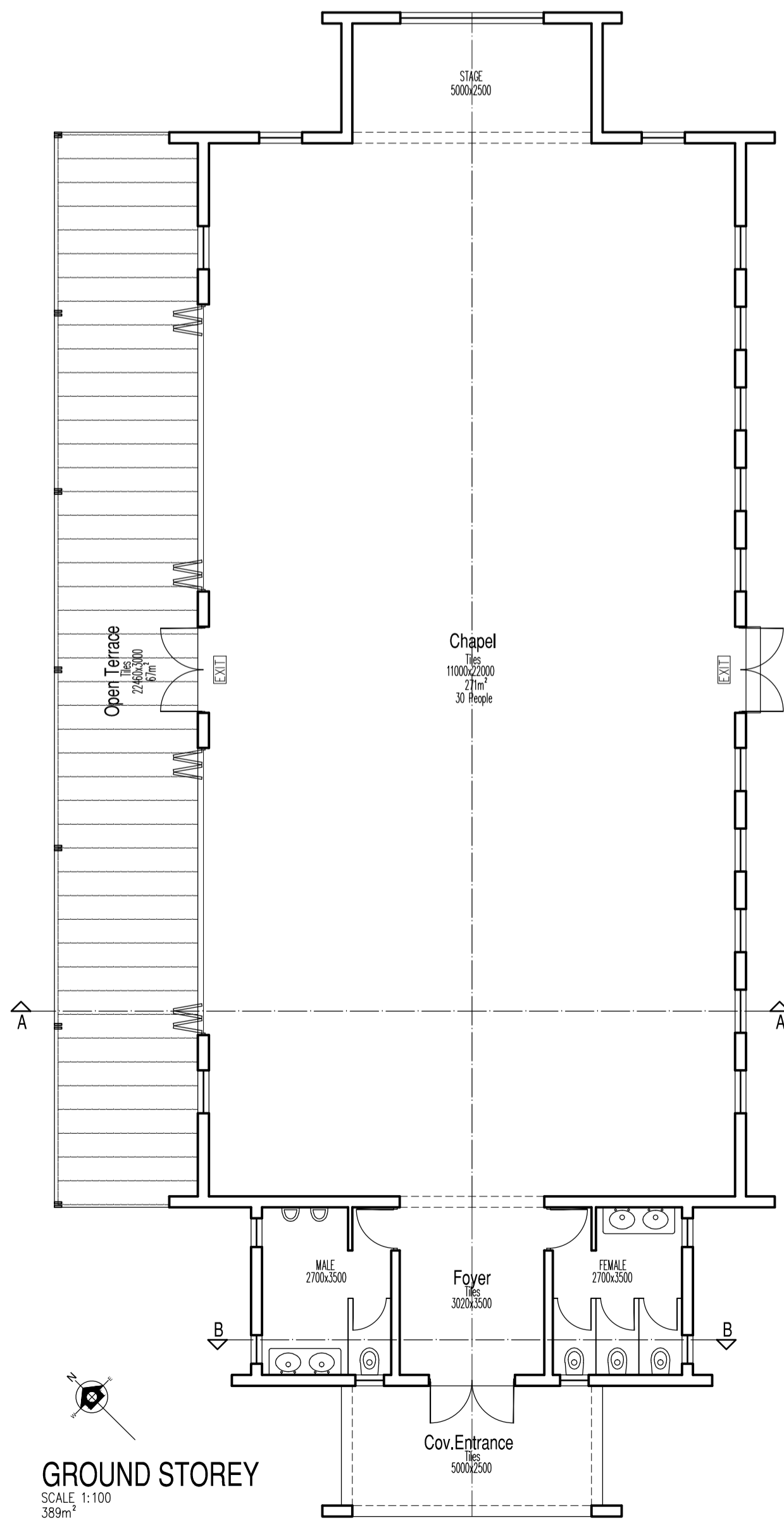
**NORTH WEST ELEVATION**  
SCALE 1:100



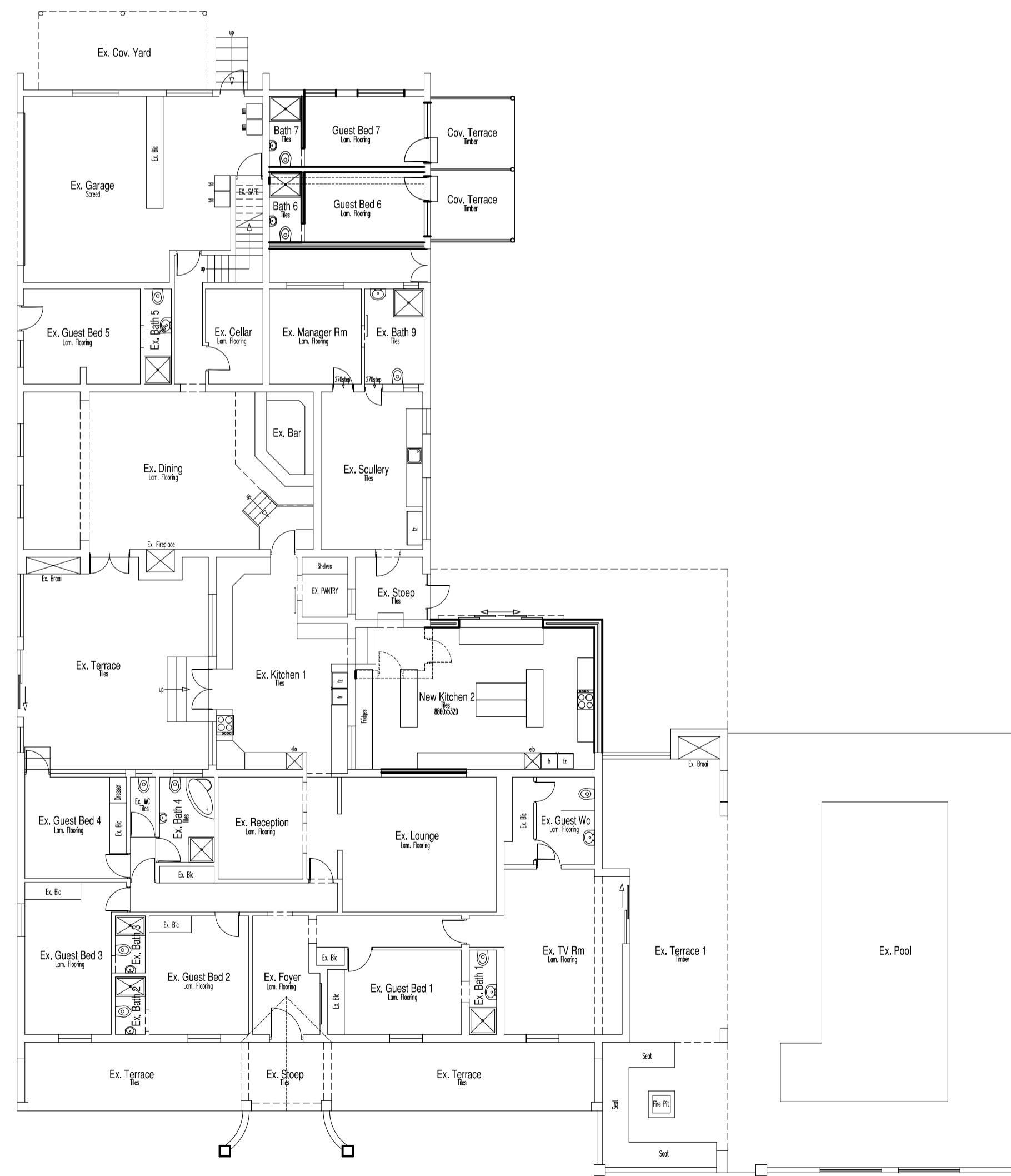
**NORTH EAST ELEVATION**  
SCALE 1:100



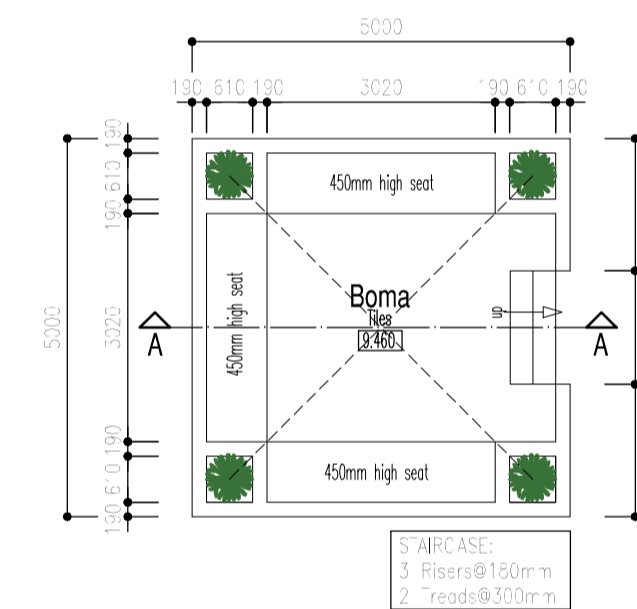
**SECTION B-B**  
SCALE 1:100



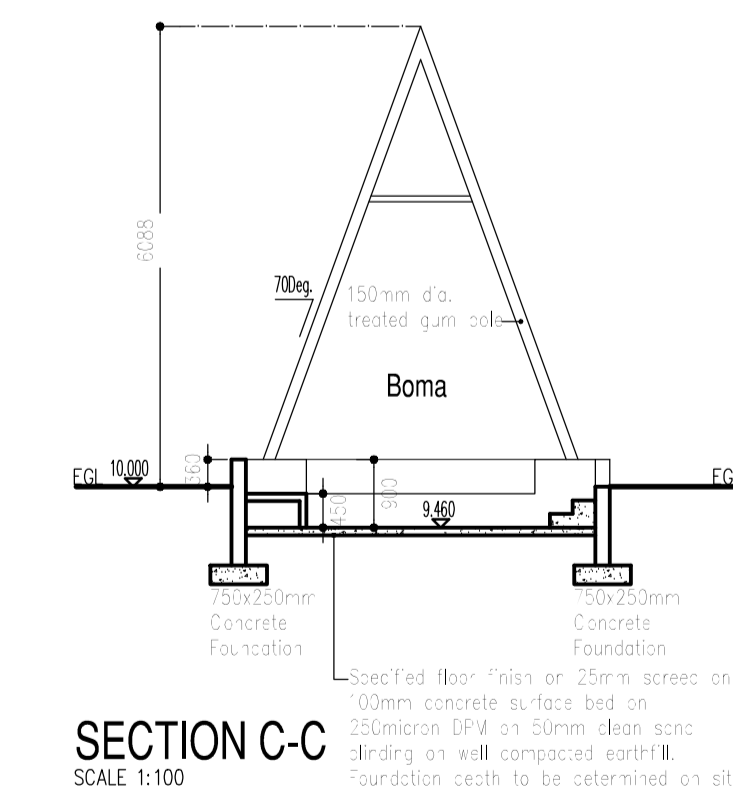
**GROUND STOREY**  
SCALE 1:100  
389m<sup>2</sup>



**GROUND STOREY**  
GUEST HOUSE  
SCALE 1:150



**GROUND STOREY**  
SCALE 1:100  
25m<sup>2</sup>



**SECTION C-C**  
SCALE 1:100

| VARIATIONS TO APPROVED PLANS FOR CONSTRUCTION |      |       |         |
|---|------|-------|---------|
| REV   | DATE | DRAWN | DETAILS |
|   |      |       |         |
|   |      |       |         |

| REV | DATE | DRAWN | DETAILS |
|-----|------|-------|---------|
|     |      |       |         |

| DRAWN :    | L A | HOUSE AREAS        |
|------------|-----|--------------------|
| DESIGNER : |     | SITE AREA 4282sq/m |
| CLIENT :   |     |                    |

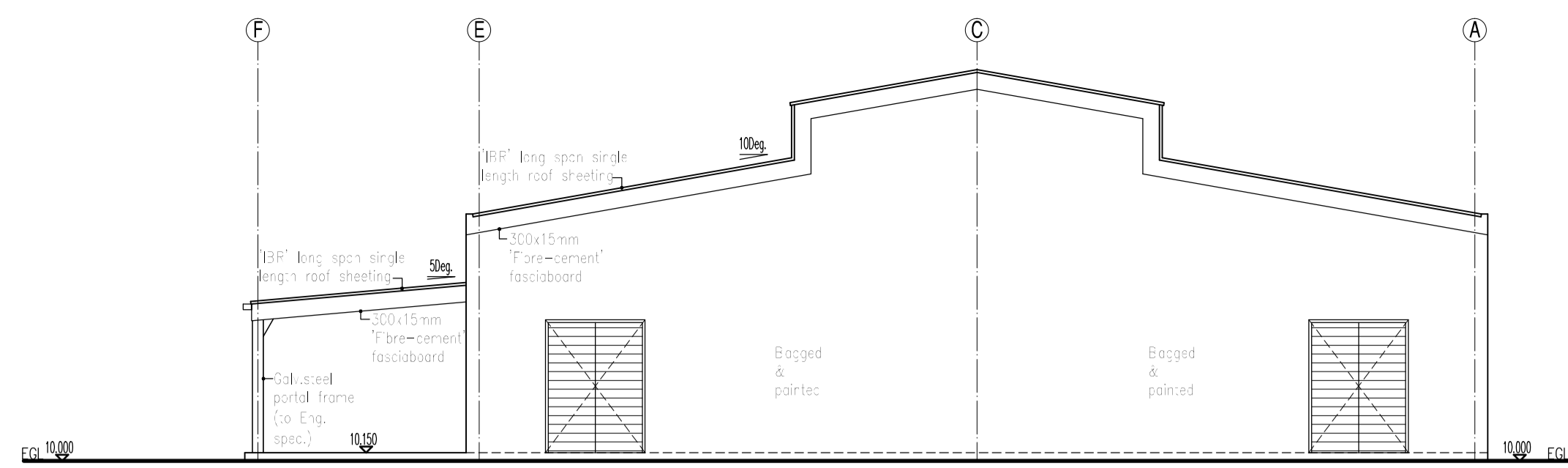
**PROJECT :**  
PROPOSED SDP FOR  
THE BENEDETTO TRUST  
ON PTN 5 OF FARM 528  
STELLENBOSCH

**DRAWING :**  
SITE DEVELOPMENT PLAN  
CONFERENCE CENTER 1 ELEV, SECTION & BOMA

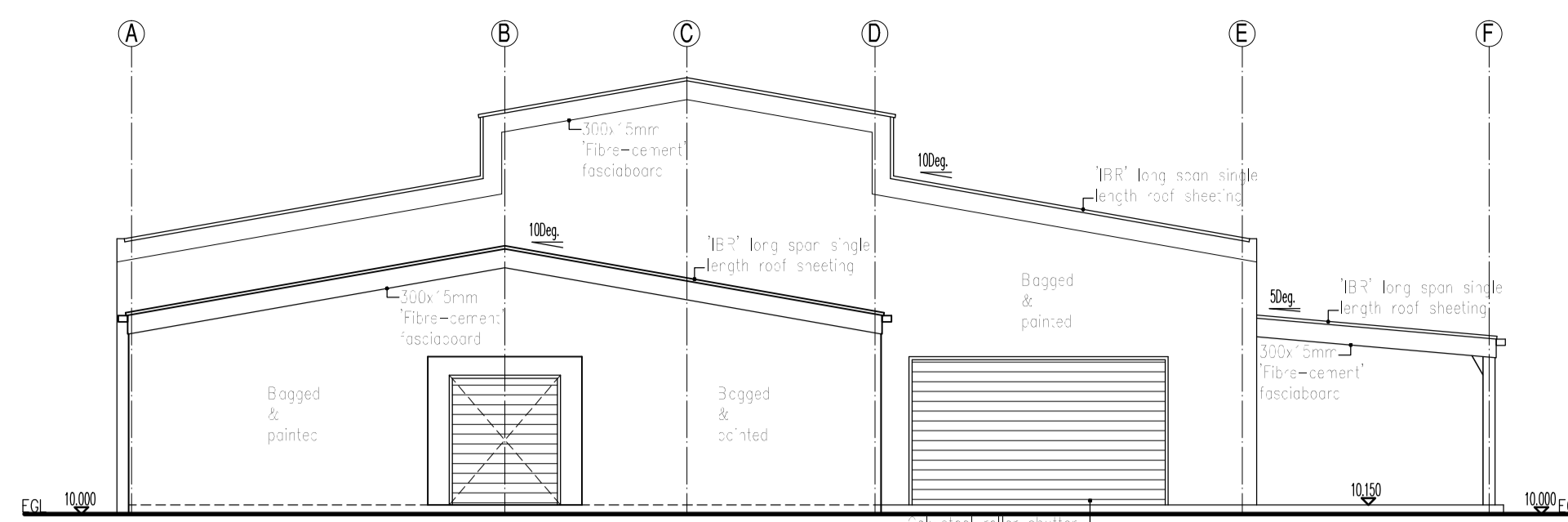
| SHEET      | SCALE     | REVISION   |
|------------|-----------|------------|
| 2 OF 2     | As Shown  | 2.0        |
| DATE       | FILE      | DRAWING No |
| 06/10/2022 | 528-MENTZ | 22-30      |

PO BOX 50456 WEST BEACH CELL:082 927 7735 FAX: 086 694 1667  
E-MAIL: les@ladesign.co.za SACAP Pr. No. ST1288

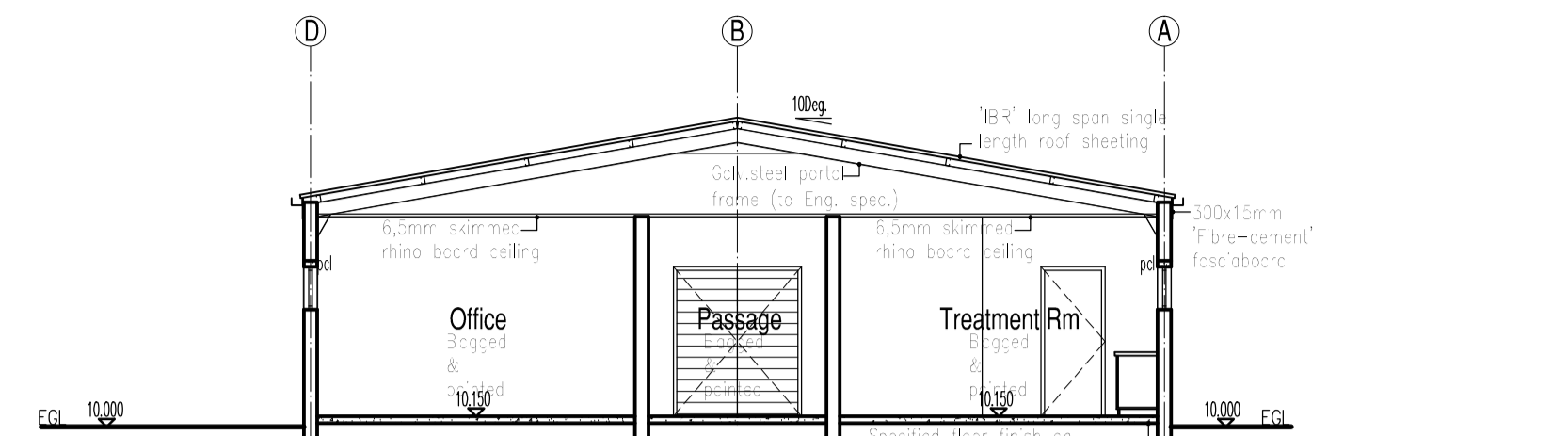




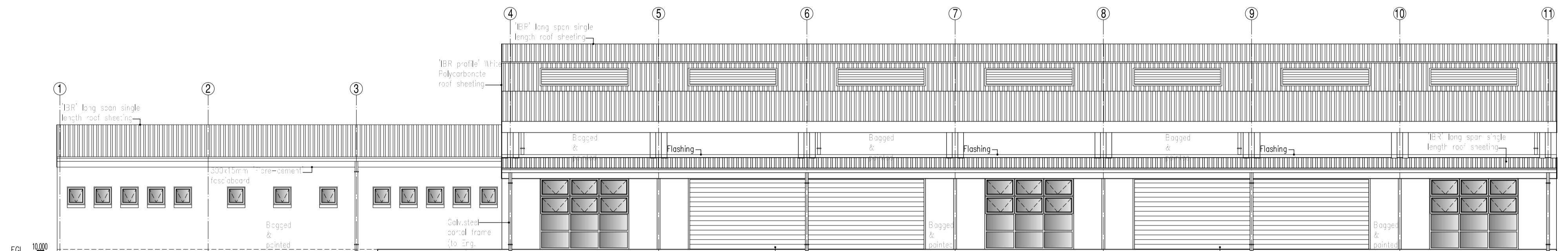
**SOUTH EAST ELEVATION**  
SCALE 1:100



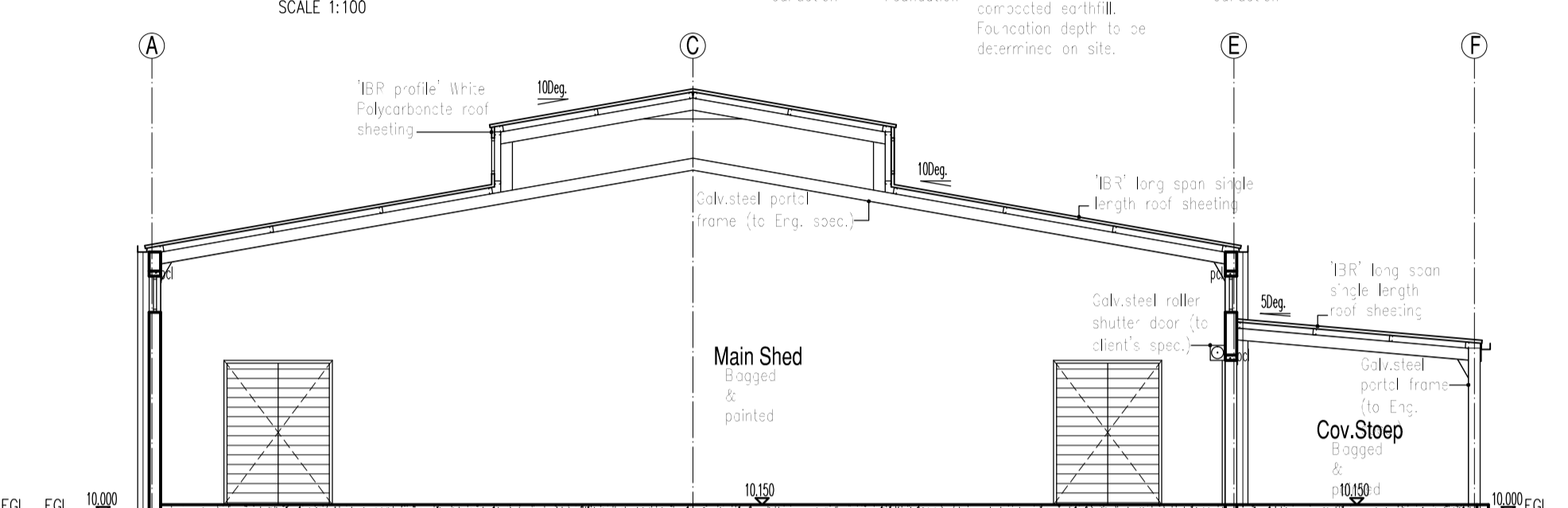
**NORTH WEST ELEVATION**  
SCALE 1:100



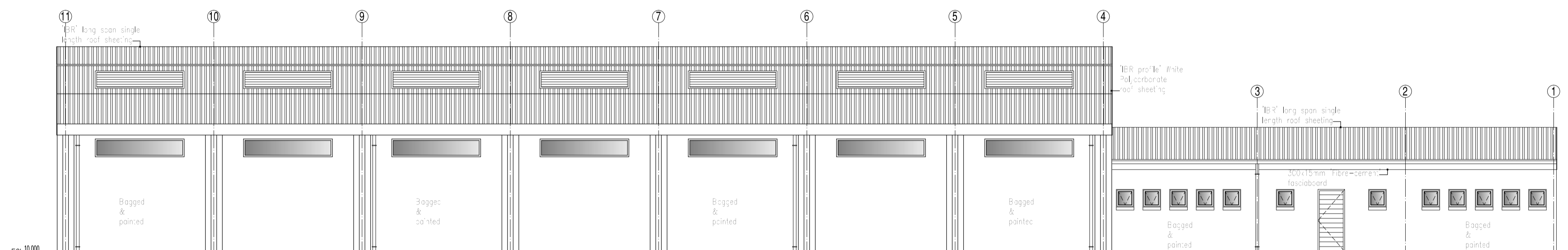
**SECTION B-B**  
SCALE 1:100



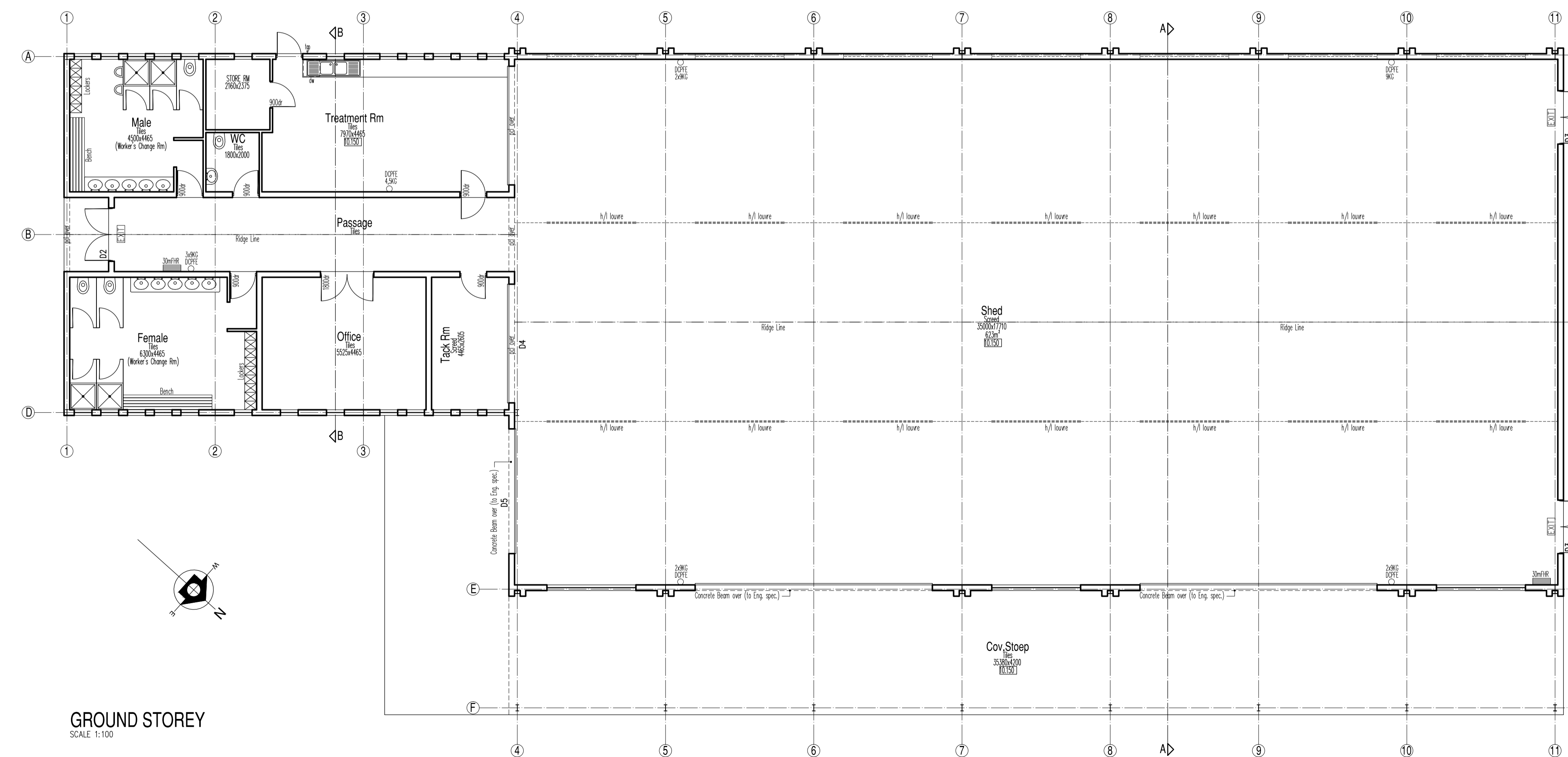
**NORTH EAST ELEVATION**  
SCALE 1:100



**SECTION A-A**  
SCALE 1:100



**SOUTH WEST ELEVATION**  
SCALE 1:100



**GROUND STOREY**  
SCALE 1:100

| VARIATIONS TO APPROVED PLANS FOR CONSTRUCTION |       |        |          |
|---|-------|--------|----------|
| REV:  | DATE: | DRAWN: | DETAILS: |

|           |     |                     |
|-----------|-----|---------------------|
| DRAWN :   | L A | HOUSE AREAS         |
| DESIGNER: |     | SITE AREA 42820sq/m |
| CLIENT:   |     |                     |

**PROJECT :**  
**PROPOSED SDP FOR THE BENEDETTO TRUST ON PTN 5 OF FARM 528 STELLENBOSCH**

**DRAWING :**  
**SITE DEVELOPMENT PLAN**  
 CONFERENCE CENTER 1 ELEV, SECTION & BOMA

|        |          |            |
|--------|----------|------------|
| SHEET  | SCALE :  | REVISION : |
| 2 OF 2 | As Shown | 2.0        |

|            |           |              |
|------------|-----------|--------------|
| DATE:      | FILE :    | DRAWING No : |
| 06/10/2022 | 528-MENTZ | 22-30        |

PO BOX 50456 WEST BEACH CELL:082 927 7735 FAX: 086 694 1667  
 E-MAIL: les@ladesign.co.za SACAP Pr. No. ST1288



# **ANNEXURE H: TRAFFIC IMPACT STATEMENT**



**Date:** 16 August 2022

**Our Ref:** UDS563/Reports/TIS

Virdus Works (Pty) Ltd  
77 Buitekring, Dalsig  
STELLENBOSCH  
7600

**ATTENTION:** Mr Dupré Lombaard

Dear Sir,

**APPLICATION FOR CONSENT USE ON FARM 528 PORTION 5, STELLENBOSCH: TRAFFIC IMPACT STATEMENT**

This company was appointed by *The Benedetto Trust* to prepare a Traffic Impact Statement (TIS) for the proposed development on Farm 528/5, Stellenbosch.

**1. BACKGROUND AND LOCALITY**

The subject property is bordered by the R44 to the southeast, south of De Zalze, Stellenbosch. See the attached **Locality Plan**. Access to the R44 is shared with the two neighbouring properties, one of which accommodates, inter alia, a restaurant.

According to information obtained from the client, the subject property currently accommodates vineyards and horses, with accompanying farm related buildings and housing. As the farming activities are no longer financially sustainable, tourist-type facilities are proposed on the property, as will be discussed hereafter.

This TIS accompanies the Application for Consent Use on Farm 528/5, Stellenbosch.

**head office**

Unit 8, Time Square Building,  
9 Electron Street, Techno Park,  
Stellenbosch

PO Box 50487  
V&A Waterfront  
8002

T +27 (0)21 880 0443  
F +27 (0)86 523 8227  
[info@udsafrika.co.za](mailto:info@udsafrika.co.za)

**general enquiries**

Elmarie Els 021 880 0443

**managing member**

A Khan PrEng

**associates**

JW Wessels PrEng  
P v Blerk PrEng  
JN Louw PrCPM

**offices**

Clanwilliam, Stellenbosch,  
Somerset West

Reg no. 2003/043709/23

**urban development solutions**



## 2. PROPOSED DEVELOPMENT

### 2.1 Proposed Development

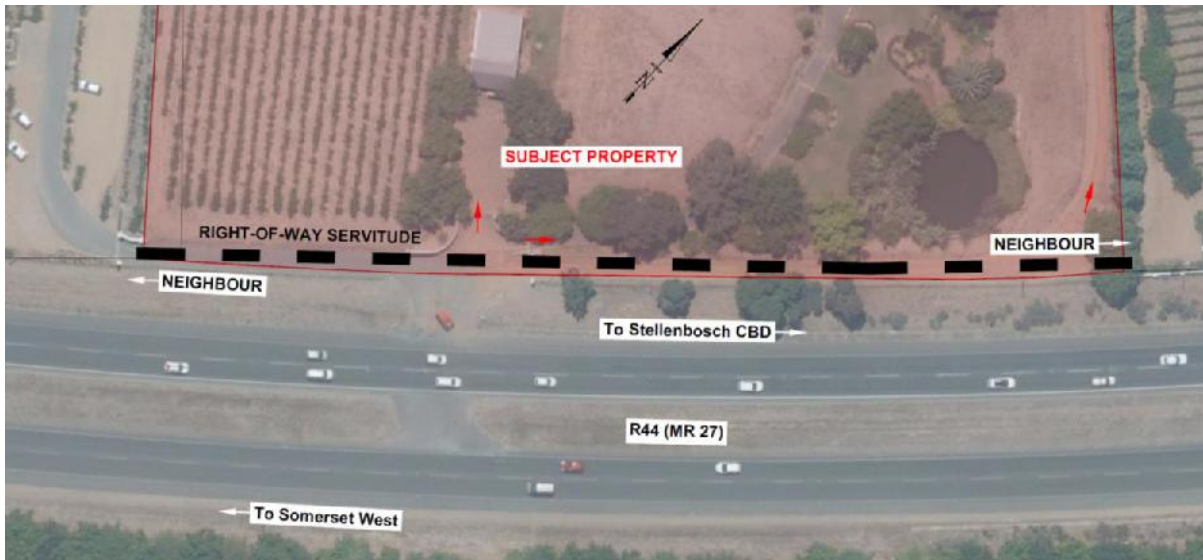
As per information obtained from the client, the proposed development consists of tourist-type facilities as follows:

|              |          |
|--------------|----------|
| Guest House  | 12 rooms |
| Chapel/Venue | 30 seats |

See the proposed layout on the attached **Site Development Plan** prepared by *LA Design Architects*.

### 2.2 Access to the Property

Access to the subject property is currently obtained from the R44 via a shared access between the subject property, and the two abutting properties, by way of a right-of-way servitude in favour of the abutting properties across the subject property. See **Diagram 1** below. Detail on access will be further discussed in *paragraph 4* below.



**Diagram 1** : Access to the subject property

## 3. TRAFFIC

### 3.1 Existing Traffic

To obtain an indication of the existing traffic travelling via the access, traffic counts were conducted on Thursday, 28 July 2022, from 06h00 to 09h00 and again from 15h30 to 18h30. The peak hour volumes derived from these counts are indicated in *Error! Reference source not found.* below.

To assess a five-year horizon, the abovementioned peak hour volumes were increased by an average 3% per annum growth (as per THM17 *South African Trip Data Manual*). These estimated 2027 background volumes are indicated in **Figure 2** below.

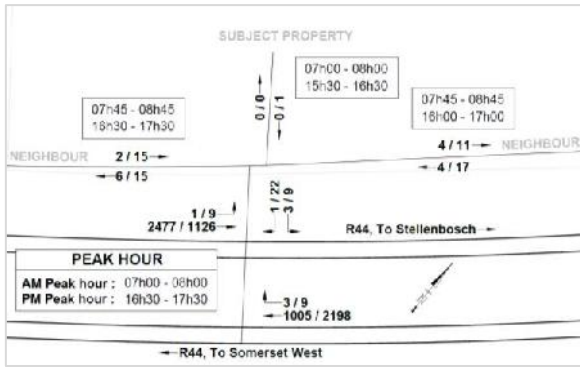


Figure 1 : Existing 2022 AM/PM Peak Hour Volumes

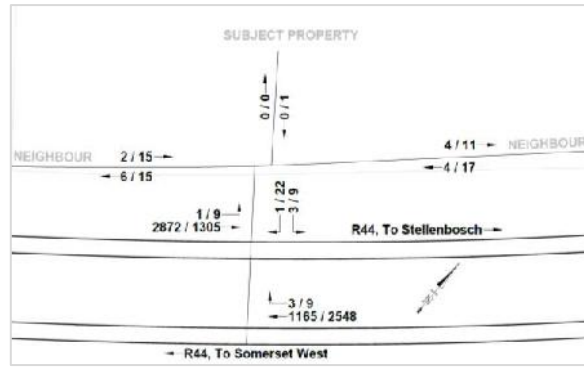


Figure 2 : Estimated 2027 AM/PM Peak Hour Volumes

### 3.2 Trip Generation

Trip generation rates as contained in the TMH17 *South African Trip Data Manual* were consulted to calculate the potential peak hour traffic that can be generated by the proposed development. The TMH17 does not contain a rate for a chapel/venue, therefore the conferencing rate was applied to assess the potential weekday impact. The following trip generation rates as contained in the TMH17 are considered applicable to the proposed development:

|                   | AM Peak Hour        |                | PM Peak Hour        |                |
|-------------------|---------------------|----------------|---------------------|----------------|
|                   | Rate                | Split (in/out) | Rate                | Split (in/out) |
| Guest House       | 0,45 trips per room | 50/50          | 0,45 trips per room | 50/50          |
| Conference Centre | 0,5 trips per seat  | 90/10          | *                   |                |

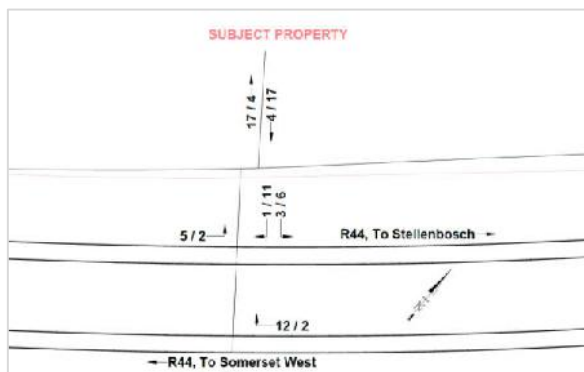
\*For conventional conference type occasions, the AM trip generation rate suggested by the TMH17 will be applied, and during the PM peak hour, the same rate is considered applicable, with the in/out split assumed to be the inverse.

Based on the above, the potential weekday peak hour trip generation is as follows:

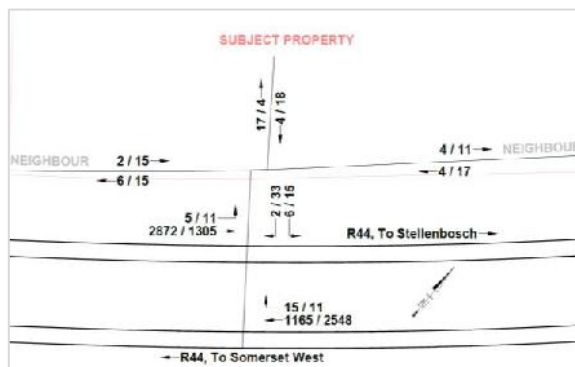
|                              | AM Peak Hour Trips |           |          | PM Peak Hour Trips |          |           |
|------------------------------|--------------------|-----------|----------|--------------------|----------|-----------|
|                              | Total              | In        | Out      | Total              | In       | Out       |
| Guest House (12 rooms)       | 6                  | 3         | 3        | 6                  | 3        | 3         |
| Conference Centre (30 seats) | 15                 | 14        | 1        | 15                 | 1        | 14        |
| <b>Total</b>                 | <b>21</b>          | <b>17</b> | <b>4</b> | <b>21</b>          | <b>4</b> | <b>17</b> |

According to the *Manual for Traffic Impact Studies* of the Department of Transport, Traffic Impact Statements are required should 50 peak hour trips or more (up to 150 trips) be added to the road network by the anticipated development. As the trip generation calculated above does not meet the said requirement, no traffic analyses were conducted at the surrounding intersections, however, the access was analysed to ensure that the additional traffic proposed can be accommodated.

The peak hour trips that can potentially be generated were distributed to the road network based on the existing directional split at the R44/Access intersection. The distributed volumes are indicated in **Figure 3** below, whilst these volumes added to the background traffic is indicated in **Figure 4**.



**Figure 3** : Distribution of Peak Hour Trips



**Figure 4** : Expected 2027 AM/PM Peak Hour Volumes

### 3.3 Traffic Analysis

Traffic analyses of the access-intersection was done by means of the Sidra Intersection 9.0 software. Service levels A to D are considered acceptable, with D the critical.

The access intersection does not consist of dedicated turning lanes, however, a median break with a wide median island exists along the R44 where right-turning vehicles currently have refuge whilst waiting to negotiate through traffic along the R44. The layout can be seen in **Diagram 1** above.

According to the Sidra analyses, acceptable service levels are experienced along the R44-approaches at the access-intersection during the existing 2022 peak hours, whilst vehicles along the access-approach experience unacceptable service levels as result of the large volumes through traffic along the R44 during the AM/PM peak hours. These conditions can be expected to continue during the estimated 2027- and expected 2027 peak hours.

According to the Sidra analyses, the shared access-approach to the R44 is already at capacity. The additional traffic added, as calculated above, accounts for about 0,5% of the total traffic through the intersection, which is not a significant increase. However, from a safety point of view, to accommodate the inbound right-turning traffic to this property and the two neighbouring properties, a dedicated right-turn lane is suggested along the R44, the length of which is to be based on deceleration. It should be noted that in future, when the R44 Safety Project of WCG is implemented, this median break will be closed resulting in the intersection becoming a left-in/left-out (LILO) only, and a u-turn opportunity provided further northeast along the R44.

## 4. GEOMETRY

As previously mentioned, access will remain via the existing intersection to the R44. The R44 is classified as a Class 2-road, and has a posted speed limit of 100 km/h in the vicinity of the existing access.



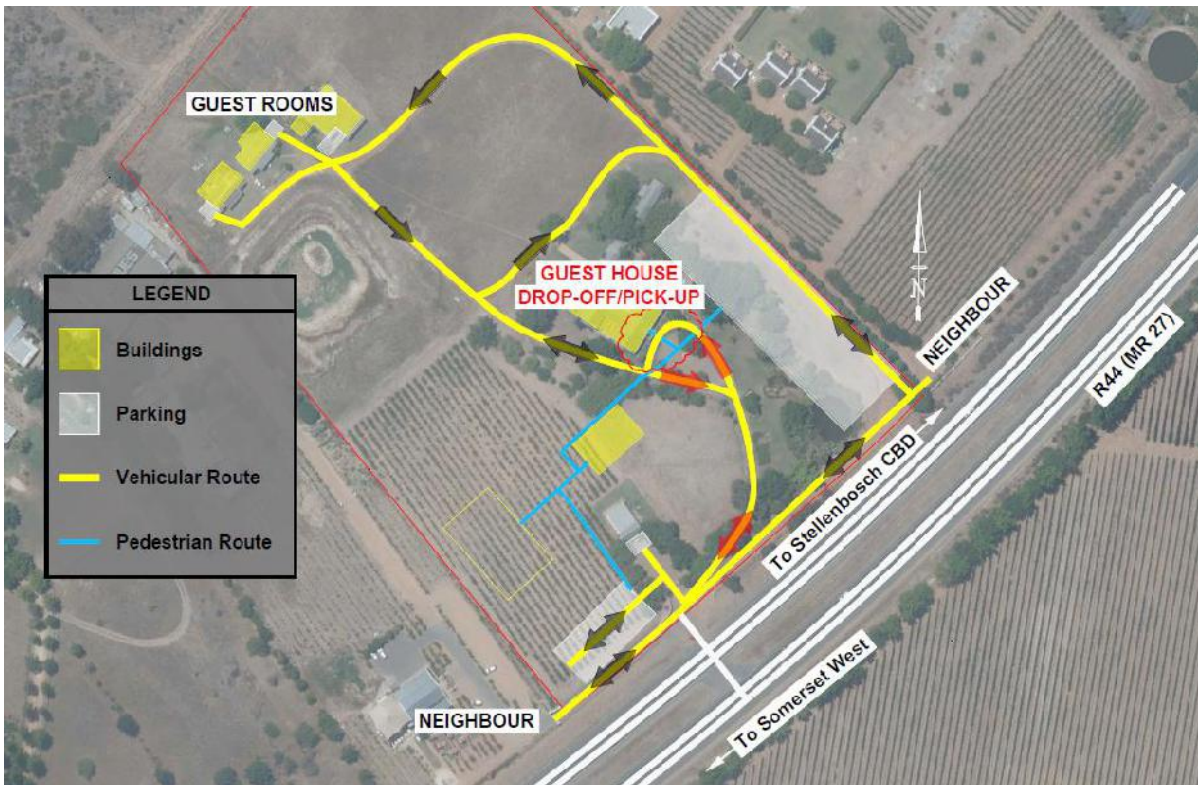
The access-approaches are indicated below.



A gate currently exists at the main access to the subject property, which is setback approximately one car-length from the edge of the access road running parallel to the R44. The said parallel road is situated approximately 15 metres from the R44 (measured from the yellow line of the R44 to the centre of the parallel road). The queuing space available at the R44-intersection is thus limited.

A second gate is proposed at the route running along the north-western property boundary. Potential queuing/stacking at this gate is not considered an issue, as it is situated more than 100 metres from the R44-intersection-approach.

Access to the parking areas to the various facilities on-site are proposed as indicated below. It is expected that the majority of vehicles would travel to the two parking areas, with limited volumes of peak hour trips expected to travel to/from the drop-off/pick-up area indicated below. Attention should be given to signage at these accesses to ensure that vehicles do not obstruct traffic flow at the shared access, especially vehicles having to travel to the 'second gate' potentially forming unnecessary queues at the 'main access'.



**Diagram 2 : On-site traffic flow**

The routes indicated above follows the existing gravel roads on-site. The one-way routes measure  $\pm 3$  metres in width, whilst the sections accommodating two-way traffic to the parking areas are proposed with 6 to 7 metre widths (depending on whether parking bays abut the road). These widths are considered sufficient to accommodate the expected on-site traffic.

Refuse removal is currently handled by the Municipality on collections days from the outside of the main access gate to the subject property. Refuse removal is expected to continue as per current practice, however, as indicated on the attached plan, a formal space for refuse bins will be made to the outside of the main access gate to ensure bins do not encroach onto the shared access road.

## 5. PARKING

### 5.1 Parking Requirements

The Stellenbosch Zoning Scheme contains the following applicable parking requirements:

| Land Use Category                       | Development Extent | Parking Requirement    | Required Parking                         |
|---|--------------------|------------------------|--|
| Guest House                             | 12 rooms           | 1 bay/bedroom or suite | 12 Bays                                  |
| Conference Facility / Place of Assembly | 30 seats           | 0,25 bay/seat          | 7,5 Bays                                 |
| <b>Total</b>                            |                    |                        | <b>19,5 <math>\approx</math> 20 Bays</b> |

### 5.2 Parking Provided

As tabled on the attached SDP, the Chapel was interpreted as a Place of Worship as opposed to a Place of Assembly. Regardless of this difference in interpretation, the number of parking bays provided on-site are more than sufficient to accommodate the proposed facilities on the subject property as indicated on the attached plan.

The parking spaces provided consist of dimensions in line with normal parking standards, i.e. 2,5 by 5,0 metre bays, with available isle width of at least 7,0 metres, which are considered sufficient.

## 6. PUBLIC- AND NON-MOTORISED TRANSPORT

Pedestrian accommodation has been proposed on-site between the parking areas and the buildings, as schematically indicated in **Diagram 2** above. It is not considered necessary to provide additional facilities as result of the proposed development.

## 7. CONCLUSIONS & RECOMMENDATIONS

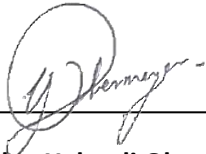
The following can be concluded from the report:

- 1) That this TIS accompanies the application for consent use on Farm 528/5, bordered by the R44 to the southeast, south of De Zalze, Stellenbosch;
- 2) That according to information the subject property currently accommodates vineyards and horses, with accompanying farm related buildings and housing, and as the farming activities are no longer financially sustainable, tourist-type facilities are proposed on the property;
- 3) That according to information obtained from the client, the proposed development consists of 12 guest house rooms and a chapel/venue accommodating 30 seats;
- 4) That access is proposed to remain via the existing access to the R44, shared with the two abutting properties;
- 5) That the potential trip generation of the proposed development is 21 peak hour trips (17 in, 4 out during the AM peak hour and vice versa during the PM peak hour);
- 6) That congestion is currently experienced along the access-approach to the R44-intersection, that the additional traffic added to the intersection accounts for about 0,5% of the total traffic through the intersection, which is not considered a significant increase, but that from a safety point of view, a dedicated right-turn lane (length based on deceleration) is suggested along the R44 to accommodate inbound traffic to the subject property plus two neighbouring properties;
- 7) That in future when the R44 Safety Project of WCG is implemented, the existing median break at the access will be closed resulting in the intersection becoming a left-in/left-out (LILLO) only, and u-turn space provided further northeast along the R44;
- 8) That the existing main access gate to the subject property is setback approximately one car-length from the edge of the parallel access road, whilst the second gate proposed is situated more than 100 metres from the R44-intersection and thus not considered an issue with regard to stacking, but that attention should be given to signage at/to the various accesses to ensure that vehicles do not obstruct traffic flow at the shared access;
- 9) That the vehicular routes on-site follows the existing gravel roads, that the one-way routes measures  $\pm 3$  metres in width, whilst the two-way sections are 6 to 7 metres wide, which are considered sufficient to accommodate the expected on-site traffic;
- 10) That refuse removal will continue as per current practice, and that a formal space for refuse bins are proposed to the outside of the existing main access gate;
- 11) That according to the Stellenbosch Zoning Scheme requirements, 20 parking bays as considered required, whilst more than sufficient parking bays are indicated on the SDP, with acceptable dimensions (2,5 by 5,0 metre bays, with 7,0 metre isle widths); and
- 12) That pedestrian accommodation is proposed on-site between the parking areas and various facilities, and that no additional public- or non-motorised transport facilities are considered necessary as result of the proposed development.

Should this development be approved, the minimum upgrade would thus be the provision of a dedicated right-turn lane (based on deceleration) along the northern R44-approach to the access-intersection, to address safety.

We trust that the Traffic Impact Statement will be to your satisfaction and will gladly provide any additional information required on request.

Yours faithfully,



Compiled by: Yolandi Obermeyer (B Eng)



Piet van Blerk Pr Eng

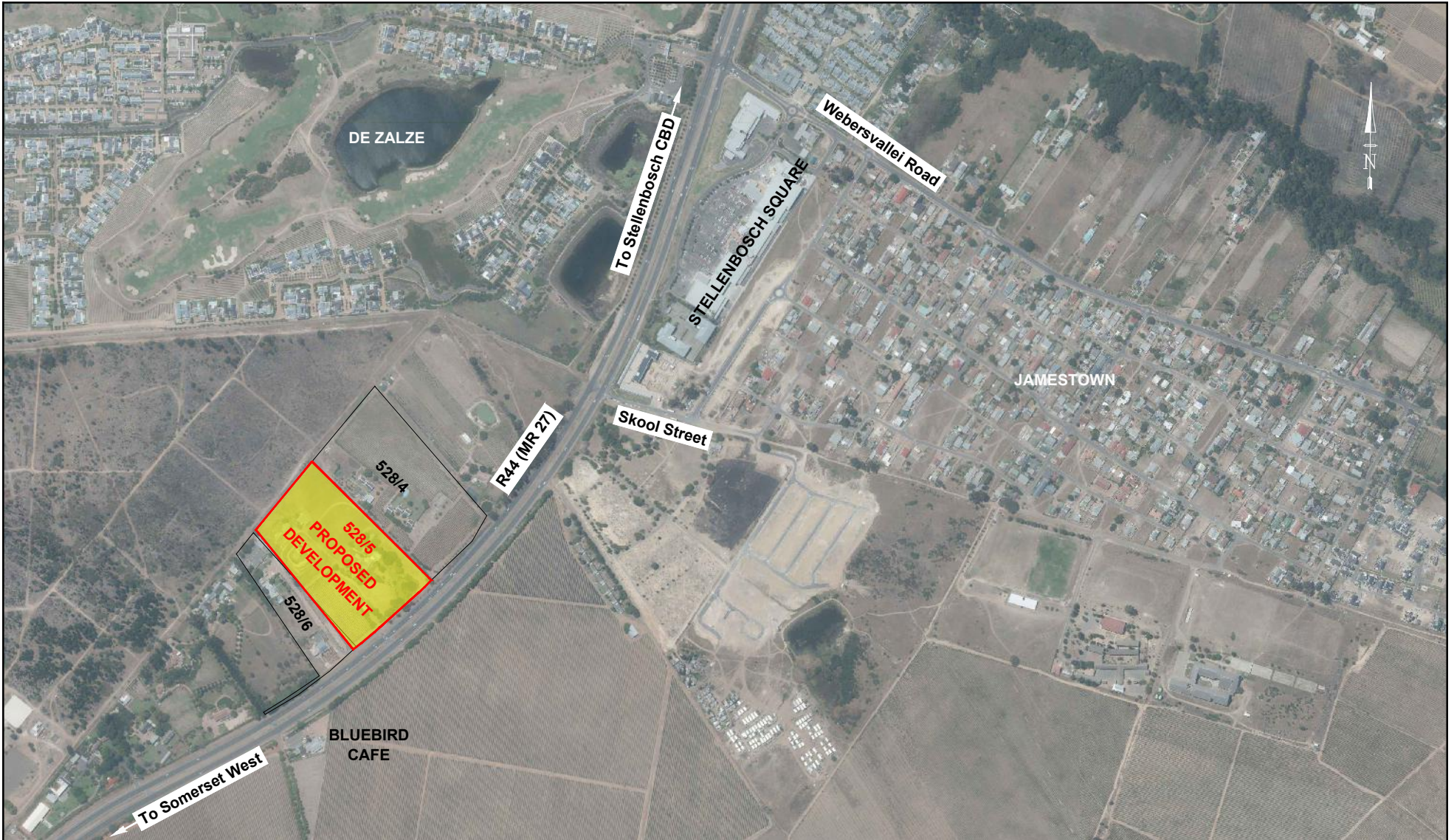
**UDS AFRICA**



**Attachments:**

Locality Plan

Site Development Plan (*LA Design Architects*)



HEAD OFFICE:  
Unit 8, Time Square Building,  
9 Electron Street, Techno Park,  
Stellenbosch  
PO Box 50487  
V&A Waterfront  
8002  
T +27 (0)21 880 0443  
F +27 (0)86 523 8227  
info@udsafrika.co.za

## Locality Plan