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

Sir / Madam

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

Application Property Address: cnr Klipheuwel Road (R304) and Elsenburg Road, Koelenhof

Application Property Number: Farm 74/48, Stellenbosch

Applicant: TV3 Projects (Pty) Ltd – C Heys (contact details: 021 861 3800)

Owner: Dwelling Developments (Pty) Ltd – D Prinsloo (contact details: 087 147 3409)

Application Reference: LU/15757

Description of Proposed Development:

- Application is made i.t.o. Section 15.2(o) of the Stellenbosch Municipality Planning By-Law, 2015 for Consent Use to permit a market (farmer's market) on a portion of Farm No. 74/48, 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_portal/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: TV3 Projects (Pty) Ltd – C. Heys clifford@tv3.co.za

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **20 November 2023**.

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

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at 021 861 3800 during normal office hours.

Yours faithfully

CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD

KENNISGEWING VAN GROND ONTWIKKELINGSAANSOEK AAN GEINTERESSEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR

Meneer / Dame

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

Adres van aansoek eiendom: h/v Klipheuwelpad (R304) and Elsenburgpad, Koelenhof

Aansoek eiendom beskrywing: Plaas 74/48, Stellenbosch

Aansoeker: TV3 Projects (Pty) Ltd – C Heys (kontak besonderhede: 021 861 3800)

Eienaar: Dwelling Developments (Pty) Ltd – D Prinsloo (kontak besonderhede: 087 147 3409)

Aansoek Verwysing: LU/15757

Tipe aansoek:

- Aansoek word hiermee gemaak in terme van Afdeling 15.(2)(o) van die Stellenbosch Munisipaliteit se Beplanning Bywet, 2015 vir 'n Vergunningsgebruik vir 'n plaas mark op 'n gedeelte van Plaas No. 74/48, 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_portal/planning-notices/land-use-applications-advertisements]. Indien die webtuiste of tersaaklike dokumente nie toeganglik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

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

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.
- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsite van die volgende aspekte:
    - Die feite en omstandighede aantoon wat die die kommentaar toelig;
    - Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;
    - Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
    - Dat die insette voldoende inlgting 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: TV3 Projects (Pty) Ltd – C. Heys clifford@tv3.co.za

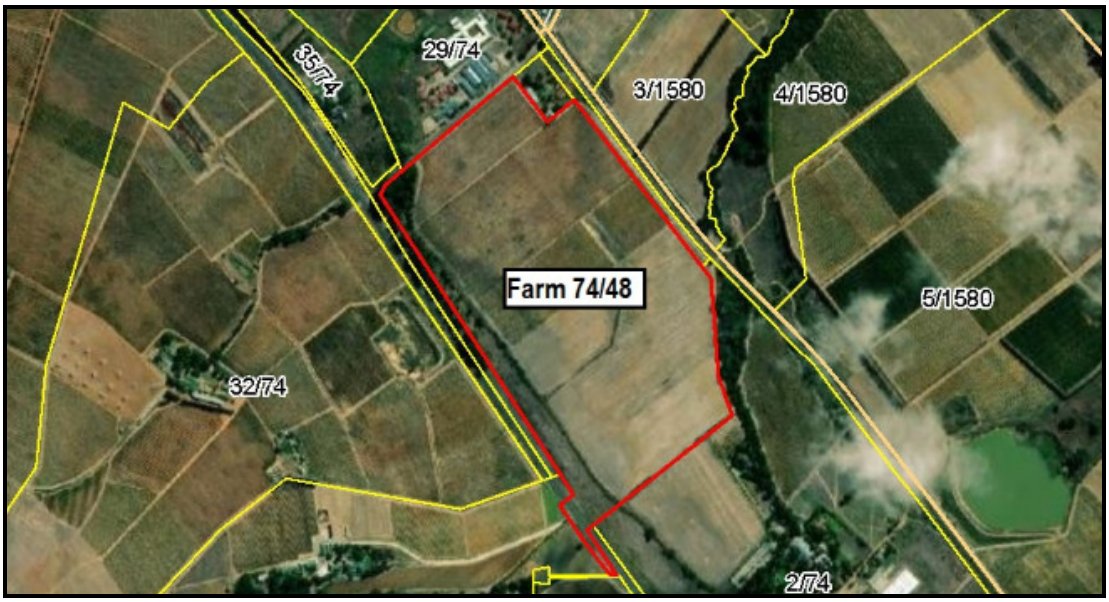
Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitingsdatum van **20 November 2023**.

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

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 021 861 3800 gedurende normale kantoor ure.

Die uwe

CLIFFORD HEYS
TV3 PROJECTS (PTY) LTD



NOOITGEDACHT FARMERS' MARKET

Application for a consent use (market) on Portion 48 of the Farm Nooitgedacht No. Farm 74, Division of Stellenbosch (3895-P)

15 June 2023

tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS

FIRST FLOOR LA GRATITUDE OFFICE BUILDING | 97 DORP STREET
STELLENBOSCH 7600 | TEL +27 (21) 861 3800 | www.tv3.co.za

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PLANNING MOTIVATION REPORT

1. Land Use Planning Application

As instructed by the landowner:

- ***Application is hereby made i.t.o. Section 15.2(o) of the Stellenbosch Municipality Planning By-Law, 2015 for a consent use to permit a market on Portion 48 of the Farm Nooitgedacht No. 74, Division of Stellenbosch.***

A power of attorney to this affect is included in this submission.

2. Purpose of the Application

A "market" is defined by the Stellenbosch Municipality Zoning Scheme By-Law, 2019 as:

"market" (mark) is a place where a variety of goods and/or food such as fresh produce, prepared food, beverages, arts, crafts, clothing, plants, household goods and/or second hand goods are offered for sale to people who gather at the venue during the appointed market hours to purchase said goods, and can take place daily, or more typically take place at regular weekly intervals, but may also be less frequent. The trading area consist of booths, tables and/or stands in an outdoors and/or indoors setting, and may include the use of temporary structures or permanent structures, in the case where shops are permitted in the zone. Outdoor trading of shops and restaurants are also included in this activity. Food and beverages, including alcoholic beverages if the necessary license is obtained, may also be served for on-site consumption. Other leisure and recreational activities such as live performances may accompany the market;

The purpose of this consent land use application is to obtain Council's consent for a farmers' market on the subject property, that will comply with the definition of a "market".

3. Subject Property

The subject property is described in the Deed of Transfer No. T63026/2022 as Portion 48 of the Farm Nooitgedacht No. 74, Division of Stellenbosch. The subject property is 37.9859ha in extent. Dwelling Developments (Pty) Ltd is the registered owner of the subject property. A copy of the subject property's Title Deed and SG Diagram is included in this submission.

4. Locality

The subject property is located ±5km north of Stellenbosch central, on the R304 / Kipheuwel Road, abutting the Koelenhof hamlet. See Figure 1 below and the locality plans inclded in this submisison.

Figure 1: Locality of Farm 74/48, Stellenbosch

5. Current Zoning and Land Uses

The subject property is zoned Agriculture and Rural Zone and is actively farmed and planted with vineyards – see Figure 2 below.

Figure 2: Vineyards on Farm 74/48, Stellenbosch

6. Development Proposal

The proposed development will entail the establisment of a farmers' market on a portion of the subject property. The farmers' market will primarily consist of ±150 trading stalls and booths (sizes to vary between ±10m² to ±15m² per stall) and the total area covered by the stalls and booths will be ±2 200m². A site

development plan (illustrating the locality and extent of the farmers' market) is included in this submission. Below are photographs of a similar farmers' market to illustrate the "look and feel" of the proposed facility – see Figure 3 below.

Figure 3: Images of the market's "look and feel"

As is clearly visible on these photographs, the stalls and booths will consist of temporary and removable structures (such as containers that have been converted into stalls or booths, wooden huts and/or large stretch tents); very few permanent structures are proposed – see Figure 4 below.

Figure 4: An example of a removable container that has been converted into a stall

7. Planning Motivation for a Farmers' Market

7.1 General

Application is made for Council's consent to establish a farmers' market on a portion of the subject property. A "market" is considered a desirable land use i.t.o. the Stellenbosch Municipality's Zoning Scheme, 2019 but the Stellenbosch Municipality's consent is still required. Hence our consent land use application which is motivated below.

7.2 Compliance with the Stellenbosch Municipality's Spatial Development Framework

According to the Stellenbosch Municipality's Spatial Development Framework, tourist orientated land uses (such as a farmers' market) that reinforces the Stellenbosch Municipality's sense of place should be encouraged in the settlements and on rural land outside the urban edge. The proposed tourist orientated land use will therefore be in line with the Municipality's spatial planning policy and the Spatial Development Framework's recommendations for tourist orientated developments in the winelands.

7.3 Compliance with the Stellenbosch Municipality Zoning Scheme By-Law

The subject property's primary land use is and will remain agriculture and the proposed consent use will be subservient to the farm's primary agricultural land uses. According to the Stellenbosch Municipality Zoning Scheme By-Law, 2019:

A consent use application for an abattoir, airstrip, meeting facilities associated with a guest house, day care centre, helicopter landing pad, hotel, outdoor sport, tourist accommodation establishment and tourist facilities which exceed the threshold may only be approved if the Municipality is satisfied that the use is subservient to the primary use of bona fide agriculture or natural environment or combination of these two primary uses.

The proposed farmers' market will be located on an area less than ±0.5ha. The remainder of the subject property (±37ha) will continue to be farmed. In other words, the proposed farmers' market will be "*subservient to the primary use of bona fide agriculture*" and will comply with the provisions of the Stellenbosch Municipality Zoning Scheme By-Law.

7.4 Positive Economic Impact

Stellenbosch is a major tourist destination and tourism is a driving force behind the town's economy. Tourism and tourist orientated developments (such as a farmer's market) have become an important sector that has an impact on development of a country's economy. The main benefits of tourism are income creation and job generation. For many regions it is the most important source of welfare.

Tourism is a key driver of South Africa's national economy and contributes to job creation. The tourism industry is a major contributor to the South African economy and employment of citizens. The sector contributes ±9% to the country's gross domestic product. The proposed development will support the (major) tourist industry that drives the Western Cape economy and it will also benefit the local community by creating new employment opportunities for local residents.

7.5 Compatibility with Surrounding Land Uses

The subject property is located on the Koelenhof urban edge in an area with a mixed-use character (and not purely agricultural). The subject property is surrounded by numerous urban developments, such as the Lindelani Place of Safety Special Education School, the Nooitgedacht Village, Vita Bee Honey Shop, etc. – see Figure 5 below.

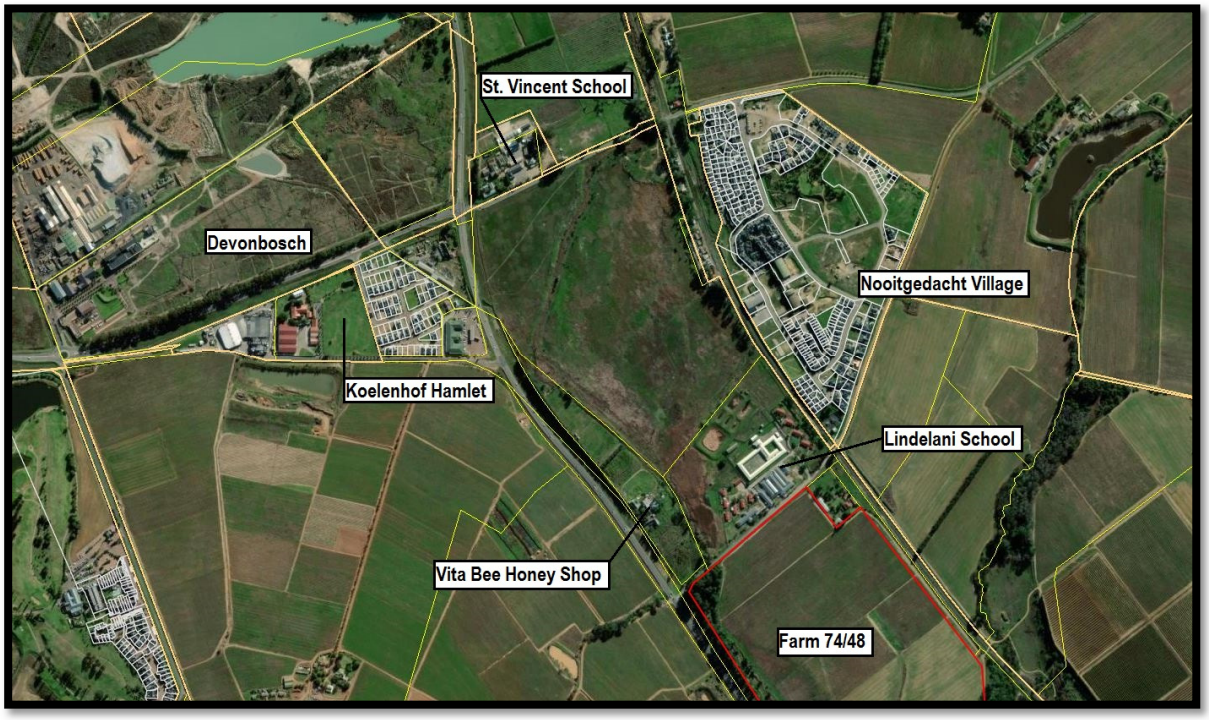


Figure 5: Surrounding urban land uses

The establishment of a farmers' market in this area will therefore be compatible with the mixed-use character of the area.

7.6 Similar Farmers' Markets in Stellenbosch

In the past the Stellenbosch Municipality has deemed farmers' markets to be a desirable land use on agricultural land units, and they have approved many such markets; for example:

- *Blaauwklippen Family Market*

- *Boschendal Night Market*

- *Root 44 Market* (old)

- *Root 44 Market and Wine Emporium* (new)

- *Stellenbosch Slow Food Market at Oude Libertas*

- *Stellenbosch Organic Farmers Market at Spier*

The proposed farmers' market will be similar to these established farmers' markets in Stellenbosch and will further contribute to the development and expansion of rural tourism in the Stellenbosch winelands.

7.8 Benefits of a Farmers' Market

There are many benefits of a farmers' market for the local community. A farmers' market provides a venue for communities to socialize, revitalize downtown districts, and help educate people to make healthier food choices. It is an attractive outlet for locally grown flowers, ornamentals, and edible crops. Produce and foods found in a farmers' market are minimally processed and often grown without using pesticides, antibiotics, or genetic modification.

7.9 Environmental and Heritage Impacts

The environmental impact of the proposed development was discussed with GNEC environmental consultants. They informed us that because the development area will be less than 1ha in size, and because any construction activity closer than 32m from the river's edge will be less than 10m^3, and because any structures closer than 32m from the river's edge will be less than 100m^2, the Department of Environmental Affairs and Development Planning's authorisation is not required.

As the proposed development will not lead to the rezoning of land exceeding 10 000m^2 in extent (we are not applying for any rezoning) or change the character of a site exceeding 5 000m^2 (the total area of the stalls will be ±2 200m^2), Heritage Western Cape's authorisation is not required.

8. Orderly Planning

8.1 Traffic Impact Assessment

UDS transport engineers have been appointed to undertake a transport impact assessment of the proposed farmers' market (especially the impact on the R304). A copy of their transport impact assessment report will be submitted to the Stellenbosch Municipality with receipt thereof.

8.2 Civil Engineering Services

Bart Senekal Inc. consulting engineers have investigated the provision of civil engineering services for the proposed facilities. A copy of their civil engineering services report is included in this submission.

9. Conclusion

According to Stats SA, the direct contribution of the tourism sector to GDP (Gross Domestic Product) was ±R130 billion in 2021 and constituted ±3.2% direct contribution to GDP. The tourism sector contributed ±4.5% of total employment in South Africa.

Tourism brings many benefits, including but not limited to the following few: growth and boost in economic activities, boost wide scale industry revenues, infrastructure development, country's improved brand image, source of foreign exchange earnings and source of employment generation. In other words, opportunities to further develop the tourism sector must be supported. The proposed development will contribute to these benefits and lead to local economic development, which will benefit the broader community of Stellenbosch.

The proposed farmers' market is considered an acceptable land use i.t.o. the subject property's agricultural zoning, albeit with Council's consent. In other words, the proposed land use is already considered to be a desirable land use on agricultural land and for this reason, we respectfully request the consent land use application be granted.

We trust that you find the above in order. Should you have any queries or require any additional information, please feel free to contact the undersigned at 021-861 3800 or clifford@tv3.co.za.

10. Signature of applicant

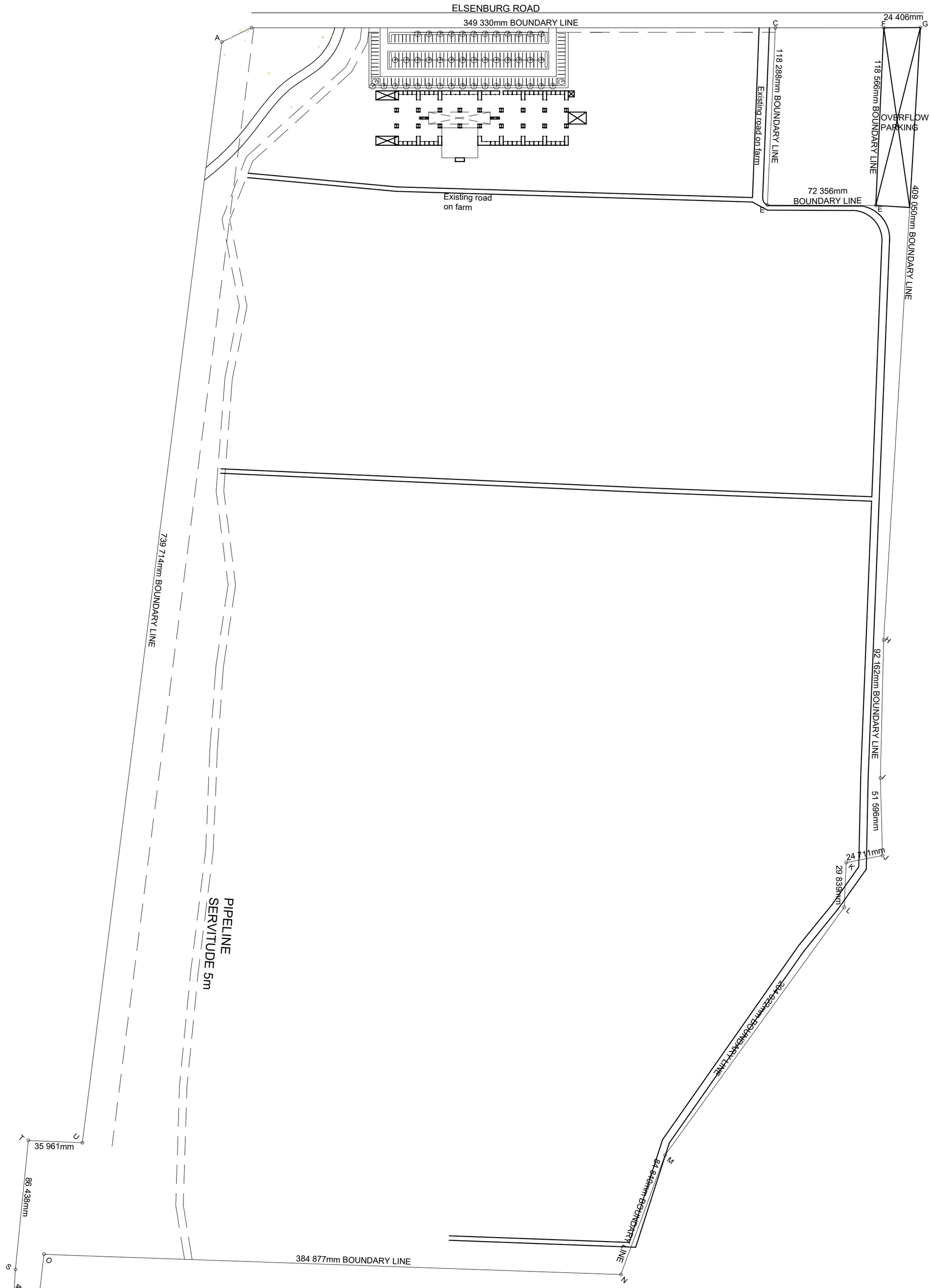
CLIFFORD HEYS

PR. PLANNER (SA): A/1158/2000

since 1991 tv3 ARCHITECTS TOWN PLANNERS URBAN DESIGNERS

LOCALITY MAP

Farm 74/48, Stellenbosch



Site plan

Scale 1:2000

PS architects
palin & smit
A.J. SMIT 7818 082 416 3803
M. PALIN 6264 082 446 6188
13 DELY STREET
HAZELWOOD, PRETORIA
012 346 7391 / 012 346 8343 (F)

CLIENT

DWELLING DEVELOPMENTS Pty(Ltd)

PROJECT

NEW MARKET ON PORTION 48 OF FARM NOOITGEDACHT NO. 74 STELLENBOSCH

DRAWING

SITE DEVELOPMENT PLAN

DRAWN	DATE	PROJECT NO. PS ARCH	
JP	2 Oktober 23'		2/2
CHECKED	SCALE	REVISION	
AJS	1:2000	3	

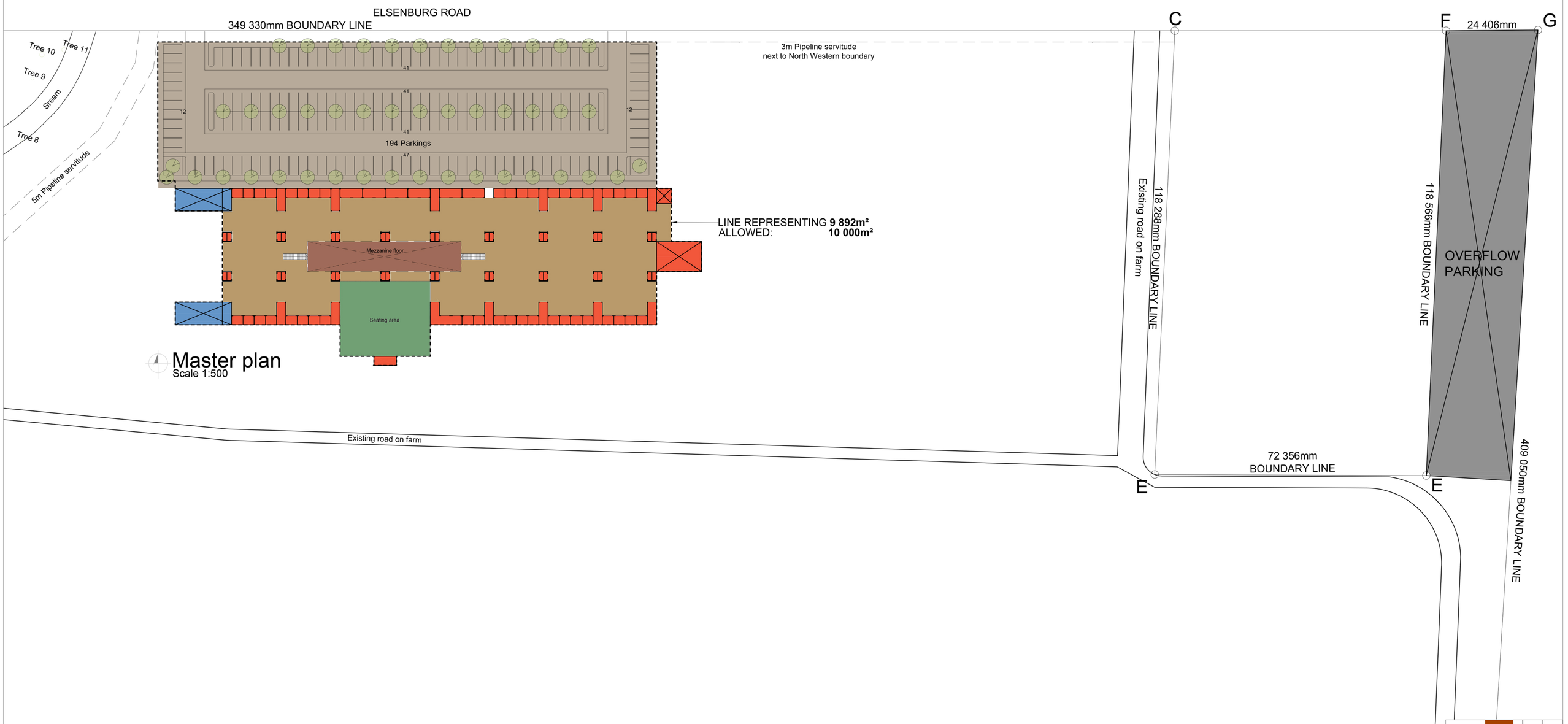
CLASSIFICATION			
SMALL SHOPS	F2		
POPULATION		G.L.A.	PER-SONS
SMALL SHOPS: 1 PERSON / 10m² G.L.A. = 953m²		953m²	96

PARKING SCHEDULE (PARKING CALCULATIONS BASED ON GLA / USE)	
SMALL SHOPS COMPONENT OF GLA.	
SMALL SHOPS PARKING REQUIREMENTS 4 PARKINGS / 100m² PARKING = 953m² ÷ 100 x 4= 38 PARKINGS	38
TOT. PARKINGS REQUIRED	38
PARKING BAYS PROVIDED	36
DISABLED PARKING BAYS	2
TOT. PARKINGS PROVIDED	194

AREA OF GLA EXCLUDING WALLS, PASSSAGES, TOILETS,DUCTS,FOYER,STAIRS & CURCULATION

LEGEND:

- SMALL SHOPS
- CIRCULATION (PEDESTRIAN)
- PARKING
- OVERFLOW PARKING
- SEATING AREA
- BATHROOMS
- MEZZANINE FLOOR



Master plan
Scale 1:500

PS architects
palin & smit
A.J. SMIT 7818 082 416 3003
M. PALIN 6264 082 445 6168
13 DELY STREET
HAZELWOOD, PRETORIA
012 346 7391 / 012 346 8343 (F)

CLIENT
DWELLING DEVELOPMENTS Pty(Ltd)

PROJECT
NEW MARKET ON PORTION 48 OF FARM NOOITGEDACHT NO. 74 STELLENBOSCH

DRAWING
SITE DEVELOPMENT PLAN

DRAWN	DATE	PROJECT NO. PS ARCH	
JP	31 August 27		1/1
CHECKED	SCALE	REVISION	
AJS	1:500		