

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

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

Application Property Address: C/O Annandale Road and R44 / Remainder Farm 537, Stellenbosch

Application Property Number: Remainder Farm 537, Stellenbosch

Applicant: Dax Hunt / Daxcon Development Trust, Po Box 3639, Somerset West, 7129

Owner: Dax Hunt / 021 8551525

Application Reference: LU/ 13951

Application Type: Application for a consent use for purposes of a tourist facility to permit a Regular Fun Run Event known as Parkrun.

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

Application for a consent use for purposes of a tourist facility to permit a Regular Fun Run Event known as Parkrun on a regular basis for the foreseeable future at 08:00 every Saturday morning over the designated course. This application is made in terms of Section 41 (1) (c)(i) of the Stellenbosch Municipal Land Use Planning Bylaw (2015).

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: Daxcon Development Trust / **dax@daxcon.co.za**. By lodging an objection, comment or representation,

the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **Monday 31 July 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 0218551525 during normal office hours.

Yours faithfully



Dax Hunt
Daxcon Development Trust
Po Box 3639
Somerset West
7129

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

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

Adres van aansoek eiendom: C/O Annandale Road and R44 / Remainder Farm 537, Stellenbosch

Aansoek eiendom beskrywing: Remainder Farm 537, Stellenbosch

Aansoeker: Dax Hunt / Daxcon Development Trust, Po Box 3639, Somerset West, 7129

Eienaar: Dax Hunt / 021 8551525

Aansoek Verwysing: LU/ 13951

Tipe Aansoek: Aansoek om 'n toestemmingsgebruik vir doeleindes van 'n toeristefasiliteit om 'n Gereelde Prettrafageleentheid bekend as Parkrun toe te laat.

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:
Aansoek om 'n toestemmingsgebruik vir doeleindes van 'n toeristefasiliteit om 'n Gereelde Prettrafageleentheid bekend as Parkrun op 'n gereelde basis vir die afsienbare toekoms om 08:00 elke Saterdagoggend oor die aangewese baan toe te laat. Hierdie aansoek word gedoen ingevolge Artikel 41 (1) (c) (i) van die Stellenbosch Munisipale Grondgebruikbeplanningsverordening (2015)

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydskedule van die publieke deelname proses by die volgende adres:

<https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

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

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

- o Dat die insette voldoende inligting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: Daxcon Development Trust / **dax@daxcon.co.za**. Deur 'n beswaar, kommentaar of verhoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van Monday 31 July 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 0218551525 gedurende normale kantoor ure .

Die uwe



Dax Hunt
Daxcon Development Trust
Po Box 3639
Somerset West
7129

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1) Purpose of the Application

The owner of the four properties which are zoned for agriculture wishes to obtain the required approval to allow a fun run social event globally known as Parkrun to take place on the properties every Saturday morning at 08:00 for the duration of approximately one hour.

2) Property Details

Description: - Remainder of the Farm Annandale No 537 Stellenbosch, Municipality and Administrative District Stellenbosch, Western Cape Province.

Location:

The properties are located immediately north east of the intersection of Main Road No 27 (R44) and Annandale District Road No1050 approximately 7,5km south west of Stellenbosch town (See Locality Plan).

Zoning:

Farm No 537 is zoned Agricultural and Rural Zone I with a consent use for a tourist facility.
- Remainder Farm No 1537 is zoned Agricultural Zone I with a consent use for an additional dwelling unit.

Extent:

Farm No 537 measures 5, 1670 hectares.
- Remainder Farm No 1537 measures 23, 8844 hectares.
- Portion 1 of Farm No 1537 measures 1.1853 hectares
- Portion 2 of farm No 1537 measures 1.2195 hectares

Utilization:

Farm No 537 was formally utilized as grazing pastures and stabling for horses. The property has subsequently been developed to house ROOT 44.
-The majority of Farm No 1537 known as Audacia Wines consists of vineyards from which the grapes are processed, bottled and matured at the on-site cellar complex. The infrastructure consists of a main homestead, wine maker's cottage, cellar complex, a farm shed and a dwelling and cottage located on the western side of the property for which an application has been lodged to utilize these buildings as a small restaurant and wine tasting/sales facility.

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The properties involved and their land uses.

3) Property Owner

-Farm No 537 – Daxcon Development Trust

Contact Person: Mr. DLF Hunt

Tel No: 021 300 3935

Cell No: 082 923 5504

E-mail: info@root44.co.za

Address: Po Box 3639, Somerset West, 7129

- Remainder Farm No 1537, Audacia Estates (Pty) Ltd.

Contact Person: Mr. Trevor Strydom

Tel No: 021-8813052

Fax No: 021-8813137

Cell No: 082 800 0044

E-mail: trevor@audacia.co.za

Address: Suite No 161, Private Bag X 4, Die Boord, 7613.

4) The Applicant

Daxcon Development Trust

Contact Person: Mr. DLF Hunt

Tel No: 021 300 3935

Cell No: 082 923 5504

E-mail: info@root44.co.za

Address: Po Box 3639, Somerset West, 7129

5) Physical Characteristics, Infrastructure and Utilization

Farm No 537:

The physical characteristics of the property are that it has a gentle north-westerly slope of approximately 1 in 40 generally towards the Bonte River which forms the northern boundary.

No natural areas remain as the property was previously used as grazing pastures for horses.

The vegetation consists of grass and a variety of trees including oak trees limited primarily to along the water courses that form the northern and southern boundaries. A limited number of large trees are also dispersed elsewhere on the property and numerous trees have been introduced as landscaping and screening.

The current permanent infrastructure is limited to an administrative building located in the central area abutting the southern boundary and a cottage converted into a bar facility which is located close to the northern boundary in the central portion of the property. The main Root44 building with a foot print of 2800m². A slip off access road provides access off the R44 (Main Road No27) and an access road over Farm No 537/6 provides access to and from the Annandale Road. (For physical features and infrastructure see the Google photograph of the property provided).



Access to and uses on Farm No 537



Root44 viewed from Main Road No 27 (R44)

The property is currently actively utilized as Root44 which is in operation every Friday, Saturday and Sunday.

Farm No 1537:

The physical characteristics of the property are that it has a moderate southerly slope of approximately 1 in 15 towards the middle of the Bonte River which forms the southern boundary of the property. No natural areas remain as the property is intensively used for agriculture. The areas not utilized for agriculture are the landscaped areas around the primary dwelling. A dam is located south west of the main homestead. Trees are present along the entire Bonte River southern boundary. A strip of the most westerly section of the property approximately 65m wide which contains a dwelling and cottage is not farmed and consists of pine and other mature trees in the north, a landscaped garden area in the centre and an open area in the south.



The vineyards of Audacia Wines

The current infrastructure consists of the main homestead with surrounding landscaped gardens, the cellar complex, winemaker's cottage, a farm shed all located in close proximity in the south eastern section of the property. A farm dam is located to the south west of the main homestead. A historic dwelling and newer cottage are located on the most westerly section of the property where it abuts Main Road No 27. (For physical features and infrastructure see the Google photograph of the property provided).



Google photograph illustrating the infrastructure on Remainder Farm No 1537

The property is currently actively utilized as a wine farm with extensive vineyards covering approximately 80 % of the property and is occupied by the owner and the winemaker. The dwelling and cottage on the western section of the property are not currently being utilized pending the approval of an application for a restaurant and wine tasting/sales facility.

6) Background Information

The owners of Farms No 537 and Remainder 1537 was approached to allow the parkrun running events to take place on the properties as they offered a safe venue in a pleasant location. The runs were started in May 2013 and have taken place every Saturday morning ever since until Covid-19 Lockdown. To date 356 parkruns have taken place. Participants park at ROOT44 (537) where the run starts and finishes, however the majority of the run takes place on the Audacia Wine Farm.

The popularity of the weekly walk/run is due to the fact that it offers participants the opportunity to partake in a healthy pastime in a safe environment. The safety aspect is of critical importance in today's society where it is no longer considered safe for individuals to exercise on their own in outdoor areas. There have been numerous incidents of muggings and more serious attacks on runners and cyclists in the greater Stellenbosch area in the recent past. Parkruns regulated by voluntary marshals offer the required safe environment.

Parkrun is a collection of 5 kilometre events for walkers, runners and volunteers that take place every Saturday morning at more than 2,000 locations in 23 countries across five continents. They are free, open to everyone, safe and easy to take part in and takes place in pleasant surroundings. The idea originated in England in 2004 and has since spread all over the world, including South Africa which currently has 206 different venues. The organizer of the South African events is Bruce Fordyce of Comrades fame.

Further information about the parkrun concept is available on the website www.parkrun.com

7) Desired Action and Statutory Requirements

The owner wishes to utilize the properties to host the parkrun activity on a regular basis for the foreseeable future at 08:00 every Saturday morning over the designated course.

Given that the current zoning of Farms No 537 and Remainder 1537 is Agricultural Zone I it will be necessary to apply for a consent use for purposes of a tourist facility from the applicable zoning scheme regulations to permit the desired land use on the properties. Such an application will be submitted in terms of Section 15 (2) (O) of the Stellenbosch Zoning Scheme Bylaw, 2019.

15(2) The owner of land or his or her agent may apply to the Municipality in terms of this Chapter and Chapter IV for the following in relation to the development of the land concerned:

(O) a consent use contemplated in the zoning scheme;

It is the owner's contention that no other legislation will apply except for the Safety at Sports and Recreational Events Act, Act 2 of 2010 for which an application has already been lodged by the organizers of the event.

8) Statutory Application

Application is made in terms of Section 15 (2) (O) of the Stellenbosch Zoning Scheme Bylaw, 2019 for a consent use for purposes of a tourist facility to permit the use of Farms No 537 and Remainder 1537 Stellenbosch to host the parkrun event every Saturday morning at 08:00.

9) Detailed Description of the Proposal

The parkrun event will be hosted every Saturday morning at 08:00. Participants that have preregistered on the parkrun website will park on the ROOT 44 market parking area before 8 am in time for the start. They will then follow a marked route of 5 km primarily along existing farm roads which stretches over the four properties and which starts and finishes on the ROOT 44 site. Volunteers act as marshals and record the participant's times most of which will complete the course within an hour. The participants will then return home or spend some time at Root44 which currently starts at 10 am on Saturdays. No infrastructure will be erected and participants will utilize the existing parking on Farm No 537. The number of participants of all ages typically varies between 200 and 900 with the maximum recorded participation do date being 1686 in 2018. On occasion the organizers will arrange for special groups such as underprivileged children to take place. The event offers families and athletes an exciting opportunity to exercise outdoors while enjoying the beautiful surroundings of the Winelands.

Details of the parkrun are described as follows: *It's a family-orientated affair, catering for all ages and fitness levels, which means it's suitable for serious athletes and those who would like to just take a leisurely stroll along the route instead.*

Participants can take part as often or as little as they like and must bring along their barcode each time they run so that they can be timed and their progress can be monitored each week. Once registered participants can use their barcode to take part in any parkrun event around the country and worldwide.

The following extracts from the parkrun website www.parkrun.com further describes the activity:

Parkrun offers a unique proposition to runners

- A non-commercial, free, feel-good, community based event but with a family stretching across the world.
- Runners sign up on the website once in their life... then just turn up and run at any event in the world.
- Results are emailed the same day and posted on the website with historical results and stats including age group records and age-graded performances (for those getting older!)
- There are clubs to encourage participation. A 50 Club for runners who've reached 50 runs, a 100 Club, a 250 Club, and a junior under-19 10 Club.
- We offer an annual points competition at each event to encourage attendance.
- We keep in touch with runners through an emailed weekly newsletter and the website and social media.

Parkrun offers free, weekly events with low barriers to participation and in doing so drives participation in all sports. We believe that parkrun fosters an attitude towards improving ones health and for some to join a formal club structure. We have also seen that people taking part in parkrun are more likely to pay to take part in a formal race.

Parkrun is supported by corporate sponsors Blue Label Telecoms, Adidas and Discovery Vitality. At parkrun we work very closely and in partnership with our sponsors and supporters. Together we have been successful in developing a unique partnership where our partners secure the operational costs of parkrun allowing parkrun to operate a no cost to the runner model. This unusual, innovative and inventive method of partnership is delivering unbelievable results in the community. Grassroots sport has never witnessed collaboration of this nature before.



Parkrun emblem courtesy of Parkrun website



The Root44 Parkrun route.

10) Motivation

10.1) Desirability of the Proposed Land Use

When assessing the merits of an application for a change in land use, Section 36 of the Land Use Planning Ordinance, No 15 of 1985 sets out the basis of refusal of applications and particulars applicable at granting thereof. Section 36(1) states that an application shall be refused solely on the basis of a lack of desirability of the contemplated utilization of the land concerned, including the guideline proposals included in a relevant structure plan in so far as it relates to desirability, or on the basis of its effects on existing rights concerned (excluding any alleged right to protection against trade competition).

In terms of Section 36(2) where an application is not refused, regard shall only be made, in considering the relevant particulars, to only the safety and welfare of the members of the community concerned, the preservation of the natural and developed environment or the effect of the application on existing rights concerned.

The concept of **desirability** may be defined as the degree of acceptability of the specific land use on the said property within an existing natural or man-made environment.

The desirability of this application will be illustrated in terms of the relevant factors. The short duration of the activity which only occurs once a week for approximately 1 hour should be kept in mind when assessing the

desirability. The hosting of the activity is dependent on a location in a safe rural environment which serves as further justification for its location.

11.2) Relevant Land Use Planning Guidelines

An important consideration when assessing the desirability of a new planning proposal is the extent to which the proposal complies with the available planning guidelines compiled to manage the development of the applicable area.

The only spatial plan of relevance is the Stellenbosch Municipality IDP – Preliminary Spatial Development Plan. The proposed activity which is linked to the ROOT44 site can be considered as an activity associated with tourism which also includes sporting events. Due to its unique nature an activity such as the Parkruns has not been specifically addressed in the SDP and therefore a certain amount of interpretation of the goals and objectives of the plan is required.

The March 2010 revision deals with a wide variety of subjects related to spatial planning and the future path of development for the greater Stellenbosch area. Of relevance to this application are the Spatial Proposals contained in Chapter 7 which deal with Municipal Wide Issues and Proposals, particularly Spatial Proposals which relate to tourism, as contained in the following extract:

7.3.5 Tourism

- **Main attractions:**
 - local wine industry (Stellenbosch, Franschhoek wine routes)
 - nature, (Jonkershoek, Bottelary hills walk, Stellenbosch berg mountain trails) scenery (general);
 - sporting events, golf (Stellenbosch club, de Zalze)
 - relaxation; Franschhoek and Stellenbosch B&Bs, guest houses, restaurants
 - local history – Stellenbosch museum, L'Omarins car museum, Hester Rupert art gallery
- Approx 169 000 tourists visited the tourism bureaux in the municipal area in 2005 of which 136 000 were foreign and approx 27 500 domestic. It is likely that domestic tourists are less likely to visit tourism bureaux as they are more familiar with the area but nevertheless there appears to be a big opportunity to attract more domestic tourists although they will be in a more affordable price bracket than foreign visitors.

Spatial Proposals

1. *Tourism development that reinforces the sense of place of the municipality, i.e. agri-tourism, wine tourism, eco-tourism, should be encouraged in the settlements and on rural land outside of the urban edge.*
2. *Restaurants, wine tasting and holiday accommodation, within the parameters of the rural housing guidelines and provincial resort guidelines should be encouraged.*
3. *The limitation regarding the presence of a "unique resource" should be reasonably applied so as not to unfairly prejudice the development of a tourism region offering a variety of experiences within the tourism theme of the municipality. (DEADP, 2009) Thus, providing an applicant wishes to provide appropriate attractions within the tourism theme, such development could occur on all suitable properties.*

11.3) Compatibility with the surrounding land uses

As can be seen from the Google photograph of the surrounding area, the proposed route for the activity is located in a primarily farming area consisting of cultivated areas and dispersed agricultural buildings including packing sheds, dwellings and labourer's cottages. The short duration of the activity should ensure that it does not impact significantly on the surrounding properties. The time taken for all of the participants to pass any given point along the route will normally not exceed an hour. The only dwellings in close proximity to the route are the owner's dwelling on Farm No 1537.

Given the primarily agricultural nature of the land uses surrounding Farms No 537 and Remainder 1537, the restricted period during which the parkrun takes place, the fact that it is only hosted once a week and the measures taken to minimize any impacts, it is concluded that the proposed weekly parkrun event should be compatible with the land uses on other properties in the area. The attraction of the event is based on the participants enjoying the prevailing safe rural atmosphere and therefore the hosting of the event will attempt not to jeopardise the attraction of the receiving environment. Any disturbance to the neighbouring properties should therefore be minimal.



Google picture of the properties involved and the surrounding area.

11.4) Environmental Impact

The potential environmental impact will be minimal given that no natural areas which can be disturbed remain on the properties and the temporary nature and short duration of the activity. The activity is professionally managed and no specific permanent infrastructure is erected. It is consequently concluded that the proposed parkrun activity will not have a significant negative environmental impact.

11.5) Economic Benefits

The introduction of ROOT 44 has provided a much needed economic stimulus to the area. The parkrun activity will use the Root44 venue as a starting and finishing point and attract even more visitors to the venue as participants are encouraged to enjoy a health breakfast after their exercise. Although the runs are offered free of charge the activity still benefits from corporate sponsors who provide funding for the events and consequently an economic stimulus.

11.6) Access and Traffic Impact

Participants in the parkruns will utilize the ROOT 44 access and parking area. The upgraded access routes to Farm No 537 were planned as part of the wine emporium application. These accesses have been put in place and service ROOT 44 adequately. A slip off lane caters for access off the R44 on the western boundary and an upgraded access off the Annandale Road provides access to and from the southern boundary. The participants of the parkrun will

enter the site before 08:00 when the site is relatively quiet and therefore adequate parking will be available. Most of the participants will leave the site before it gets busy after 10:00. No access or traffic problems are therefore anticipated.



Slip off lane along the R44 Main Road



Upgraded access road off the Annandale Road.

12) Concluding Summary

The following points summarize why the Council should support the application for a consent use for purposes of a tourist facility to permit the use of Farms No 537 and Remainder Farm No 1537 Stellenbosch as a venue for the parkrun event every Saturday morning as set out in this report:

- The parkrun concept is a well-established international event backed by corporate sponsors and famous sporting personalities which should be supported whole heartedly;
- The properties in question provide a perfect venue for the event which will make a valuable contribution to marketing Stellenbosch as a sporting and tourist venue;
- The parkrun event will provide a safe and enjoyable opportunity for the local community and visitors to take part in a healthy activity in a safe environment;
- The event will utilize the already established ROOT44 access, parking and infrastructure thus reducing any disruption;
- The duration of the event is only for period of approximately a one hour once a week and is well organized by the volunteer marshals;
- No productive agricultural land or agricultural activities will be disrupted or be negatively affected;

- The venue provided which is sport tourism orientated is considered to be appropriate at the entrance to the Bonte River valley which forms an important sub route of the renowned Stellenbosch Wine Route and as such will make a contribution to promoting tourism in the Stellenbosch area;
- The proposal is not considered to be in conflict with the policies and principles of the relevant planning guidelines which allow for appropriate tourism facilities including appropriate sporting activities in agricultural areas outside of the urban edge;
- The parkrun requires a safe rural venue such as that proposed in the application to function ;
- No significant environmental impact is anticipated;
- The successful operation of the facility is dependent on the surrounding rural/agricultural character being maintained;
- Two access points and roads that have been constructed to provide safe access to the property which hosts ROOT44 will be utilized;
- Use will be made of ROOT 44 site parking area during off peak hours;
- The venue will only be used once a week for approximately 1 hour and will thus not disturb the status quo during the rest of the week.
- It is consequently concluded that the proposal to allow the parkrun event to take place for a short period once a week on Farms No 537 and Remainder Farm No 1537 Stellenbosch as a consent use, is desirable and should receive the Council's full support.