

MINUTES: STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL 28 FEBRUARY 2025

MINUTES OF THE STELLENBOSCH MUNICIPAL PLANNING TRIBUNAL MEETING HELD ON FRIDAY, 28th OF FEBRUARY 2025 AT THE STELLENBOSCH COUNCIL CHAMBERS, STELLENBOSCH MUNICIPALITY, PLEIN STREET, STELLENBOSCH FROM 10H00-15H00

**Ref. no. 3/4/5/2/40
2025-02-28**

Chairperson

Mrs H Crooijmans-Lemmer

Deputy-Chairperson

Mr P Van Zyl

External Members

Mrs C Havenga

Mr D Leo

Mr S Boshoff

Internal Members

Mr A Barnes: Director - Planning and Economic Development

Mr A van der Merwe: Senior Manager - Community Services

Mrs M Francis: Senior Manager - Infrastructure Planning, Development, and Implementation

Mr M Williams: Senior Legal Advisor

Technical Advisor

Mr K Munro: Director Development Management, Department Environmental Affairs and Development Planning

Officials

Mr S Carstens: Senior Manager: Development Management

Mrs C Kriel: Manager: Land Use Management

Ms O Vergotine: Administrative Officer

Mrs N Dafeti: Town Planner

Mr P April: Snr Town Planner

Mr R Fooy: Snr Town Planner

Ms B Zondo: Snr Town Planner

Guests:

Mr Esterhuizen (Applicant)

Mr Ziehl (Architect)

Mr Louw (Owner)

Mrs Louw (Owner)

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ITEM	SUBJECT
SMPT 01/02/25	OPENING AND WELCOME
	Chairperson Crooijmans-Lemmer welcomed all present.

SMPT 02/02/25	LEAVE OF ABSENCE

SMPT 03/02/25	DISCLOSURE OF INTERESTS
	None received

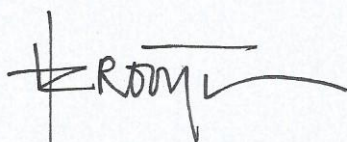
SMPT 04/02/25	MINUTES OF THE PREVIOUS MEETING DATED 31 JANUARY 2025
	The minutes of the previous meeting was noted.

	MATTERS FOR CONSIDERATION
SMPT 05/02/25	APPLICATION IN TERMS OF SECTION 15(2)(O) OF THE STELLENBOSCH MUNICIPALITY BYLAW ON MUNICIPAL LAND USE PLANNING, 2023 FOR CONSENT USE FOR TOURIST ACCOMMODATION ESTABLISHMENT ON FARM NO. 1471/6, STELLENBOSCH DIVISION Discussion: <ul style="list-style-type: none">a. Chairperson Crooijmans-Lemmer handed over to Mrs Dafeti to give a brief introduction of the application that served before the Tribunal.b. Mr Wilhelm Esterhuizen as the applicant made a presentation on behalf of the owner. See attached document.c. Questions for clarity were asked about the access road which was confirmed that it has been approved by WCG Infrastructure – Transport and the construction of new buildings that is regarded as outbuildings by the applicant, and not as new dwellings. The applicant referred to the definitions of “additional dwelling” and “dwelling unit” and explain the intention is not to create permanent residence but overnight

	<p>accommodation for transient guests. It was confirmed that the main dwelling is to be used by the farm owner and does not form part of the tourist accommodation.</p> <p>d. Based on site visits, the presentation by the applicant and the positive aspects in the planning report, opinions were raised by some MPT members that the impact on agriculture is minimum and the scale of the development is small and the new tourist accommodation units should not have a significant impact on the rural landscape.</p> <p>e. Concerns were raised about the cumulative effect of allowing three new units on all land units in the rural area that was not discussed in the applicant's or the planner's reports and should have been considered in line with the objective of the WCG Rural Guidelines.</p> <p>f. It was also noted that the protection of agricultural land and the potential to farm in general should be considered and not viticulture specifically. The argument about farm size might be weak but the spatial context and the footprint of the development should be considered.</p> <p>g. From the department's side it is noted that technically the zoning scheme and the rural guidelines are based on the number of dwelling units to count and limit the impact, and it is recognised that the rural guidelines need to be updated. It is a recent trend that developers and their applicants now try and motivate tourist units without a kitchen, leaving a vacuum as a unit without a kitchen has not been defined. The intention and objective to protect the rural landscape is a policy objective and it is reaffirmed. By calling tourist units something different does not make it any different from the policy perspective. The cumulative impact should also be considered to protect the value of the unique tourism destination being the Stellenbosch Winelands.</p> <p>h. The relocation of the new units and extension of existing buildings within the farm werf in a compact footprint might be a better urban design approach. Members proposed that the application be referred back to the department and the applicant, to discuss an alternative urban design proposal.</p> <p>i. Two proposals were tabled, to either decide the application as recommended or to refer it back to the department to consider an alternative urban design proposal. The MPT members voted and two votes are in favour of the recommendation submitted by the Department and five votes are in favour to the proposal to refer the application back to the applicant to consider an alternative.</p> <p>j. The MPT members are all in favour of the part of the recommendation to approve the conversion of portions of the existing structures into tourist accommodation.</p>
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	RESOLVED BY VOTING: 1. That the application be referred back to the applicant to work out a desirable urban design solution with the department, specifically the spatial planning and land use management sections, in a manner which serves to achieve the spatial intent of the municipal and rural policy in the protection of agricultural aspects and the character of the rural landscape.
SMPT 06/02/25	OTHER MATTERS
6.1	PLANNING POLICIES (REVIEWED OR APPROVED BY COUNCIL)
	Policy aspects regarding tourist accommodation and developments in the rural area in general were discussed. While the objective and purpose of the WCG Rural Guidelines are confirmed, the need for guidelines specific to Stellenbosch is supported and the Department indicated that it was decided to compile guidelines and a spatial vision for the rural area. There will be consultation with the MPT in compiling the draft Stellenbosch Rural Guidelines.
6.2	APPEALS RECEIVED AGAINST MPT DECISION
	No new appeals against MPT decisions were received.
6.3	GENERAL



Mrs H Crooijmans-Lemmer

CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL

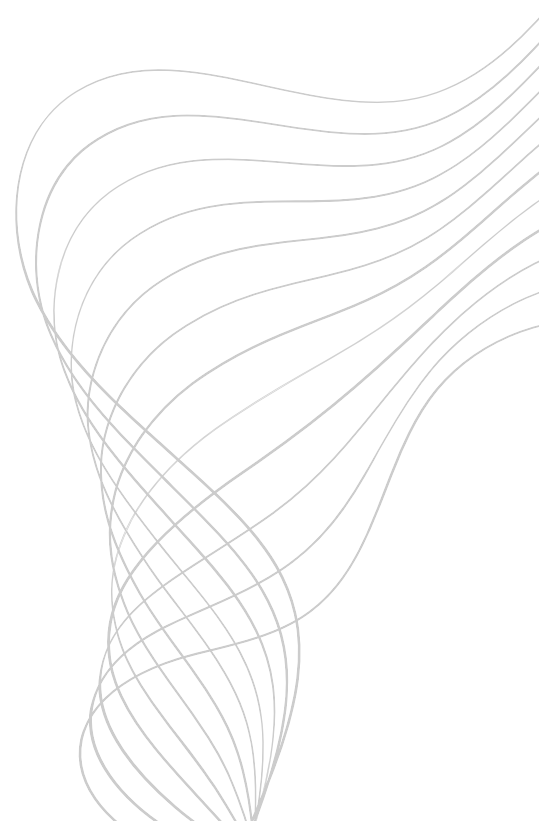


Mr P van Zyl

DEPUTY-CHAIRPERSON: MUNICIPAL PLANNING TRIBUNAL

Tourist Accommodation Establishment Portion 6 of Farm 1471

STELLENBOSCH KLOOF ROAD



1/266

RE/276

RE/1008

1M1471

277

3M1471

RE/2M1471

4M1471

Stellenboschkloof Road

Sandorff

3M1471

1412

1094

1502

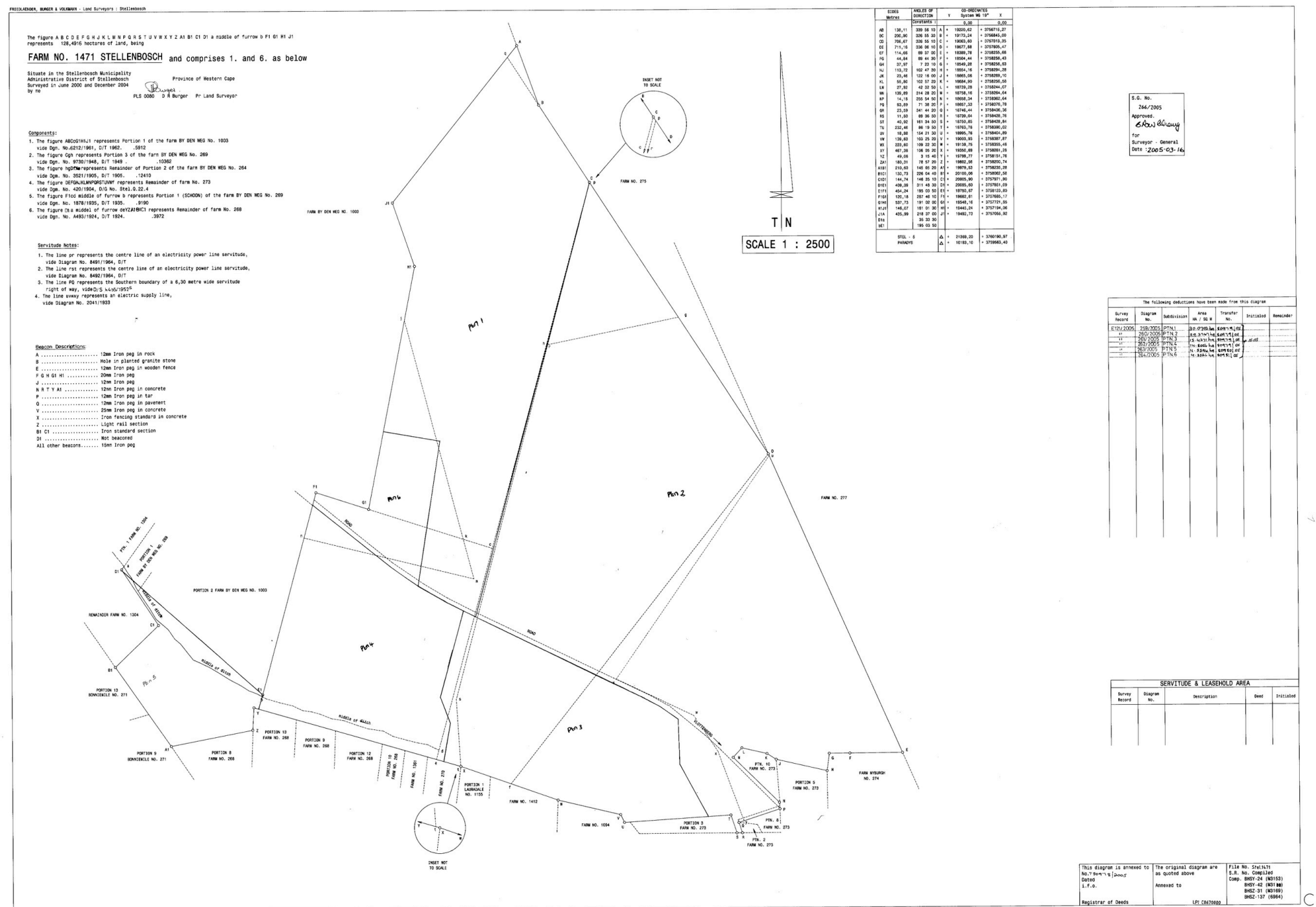
Polkadraai Road

Bonniemile Road

2/268

8/268

266/2005



MPT AGENDA REPORT

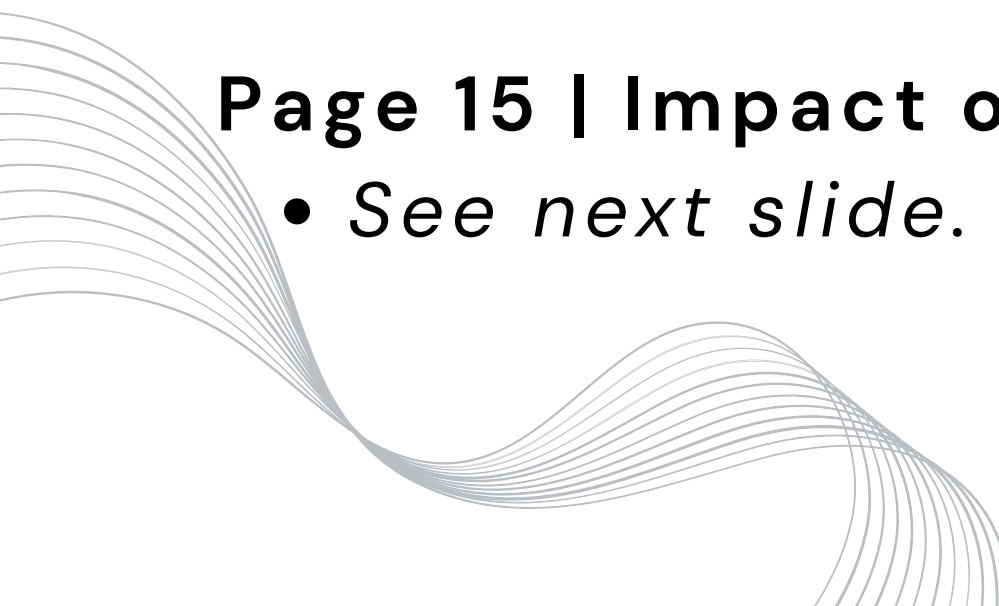
Page 10 | 6 Bedrooms for transient guests, not 7:

- 1 x Bedroom in existing farm store.
- 2 x Bedroom in existing second dwelling (1 x part of dwelling unit; 1 x separate with separate entrance (suite).
- 3 x New suites.

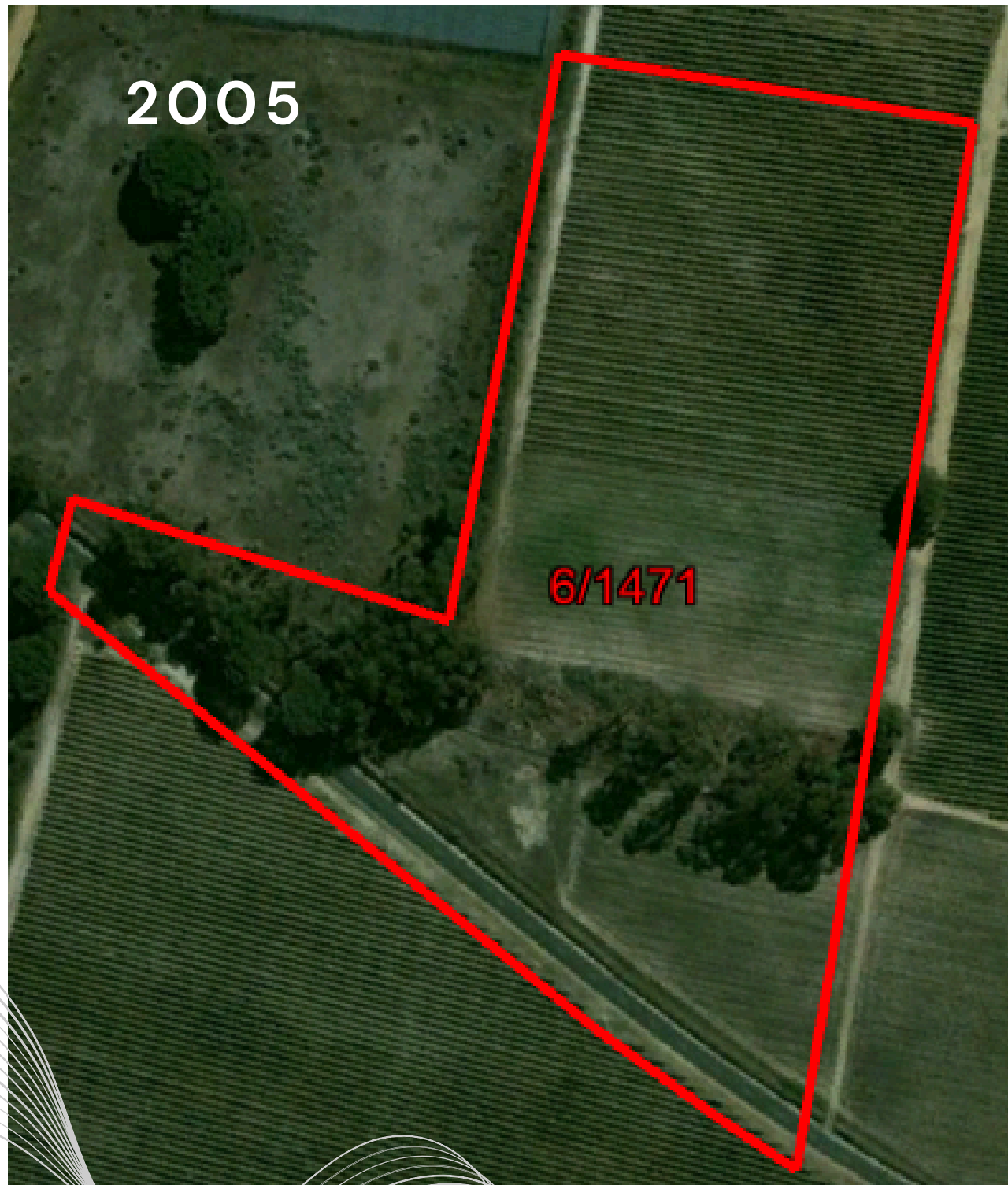
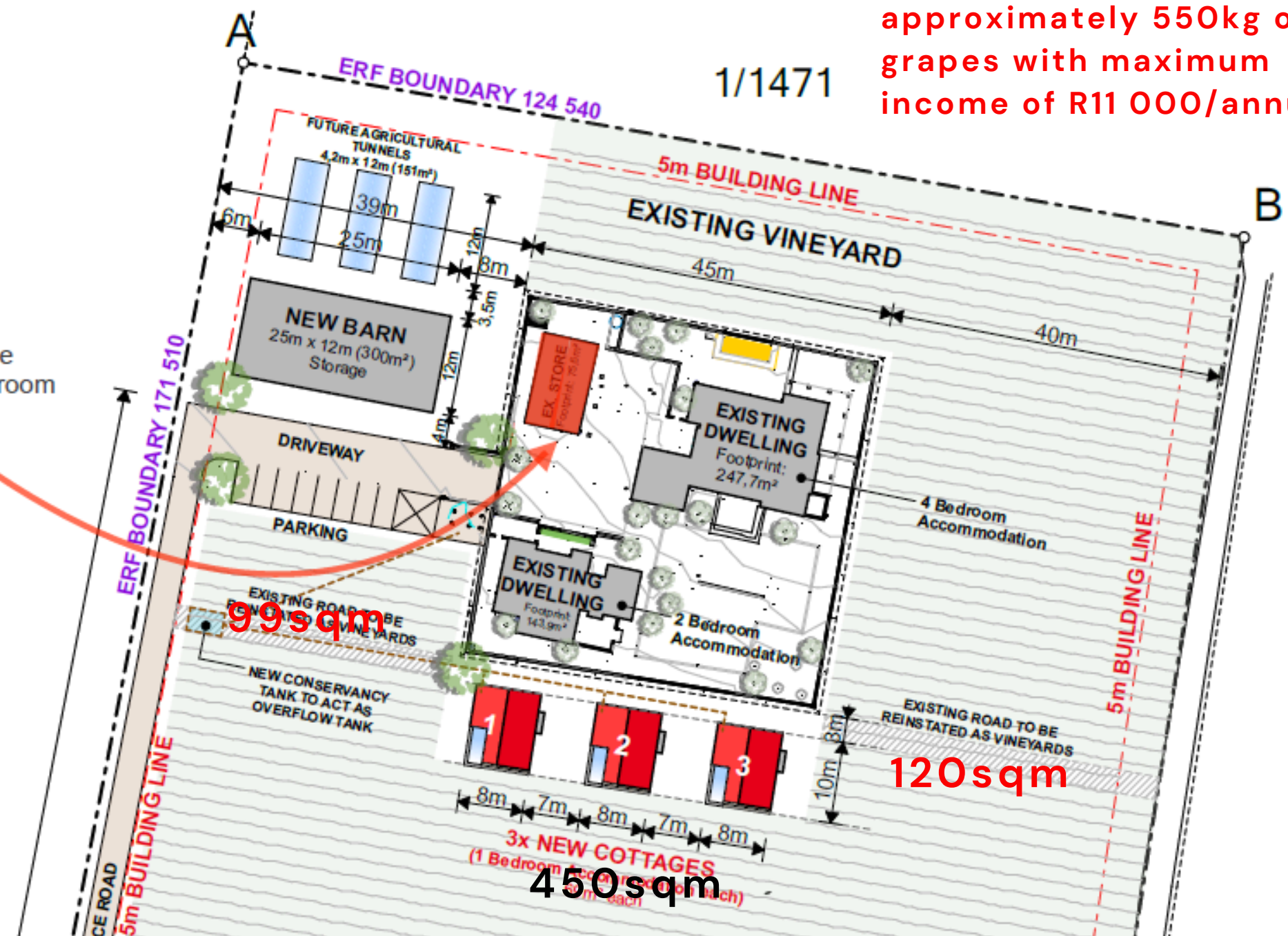
Page 14 | Can align with the definition of an outbuilding:

- *“rooms for transient guests, provided not self-catering”.*
- *“must first be classified in line with the provisions of the zoning scheme by-law”?*

Page 15 | Impact of proposal and transient guests on agriculture:

- *See next slide.*
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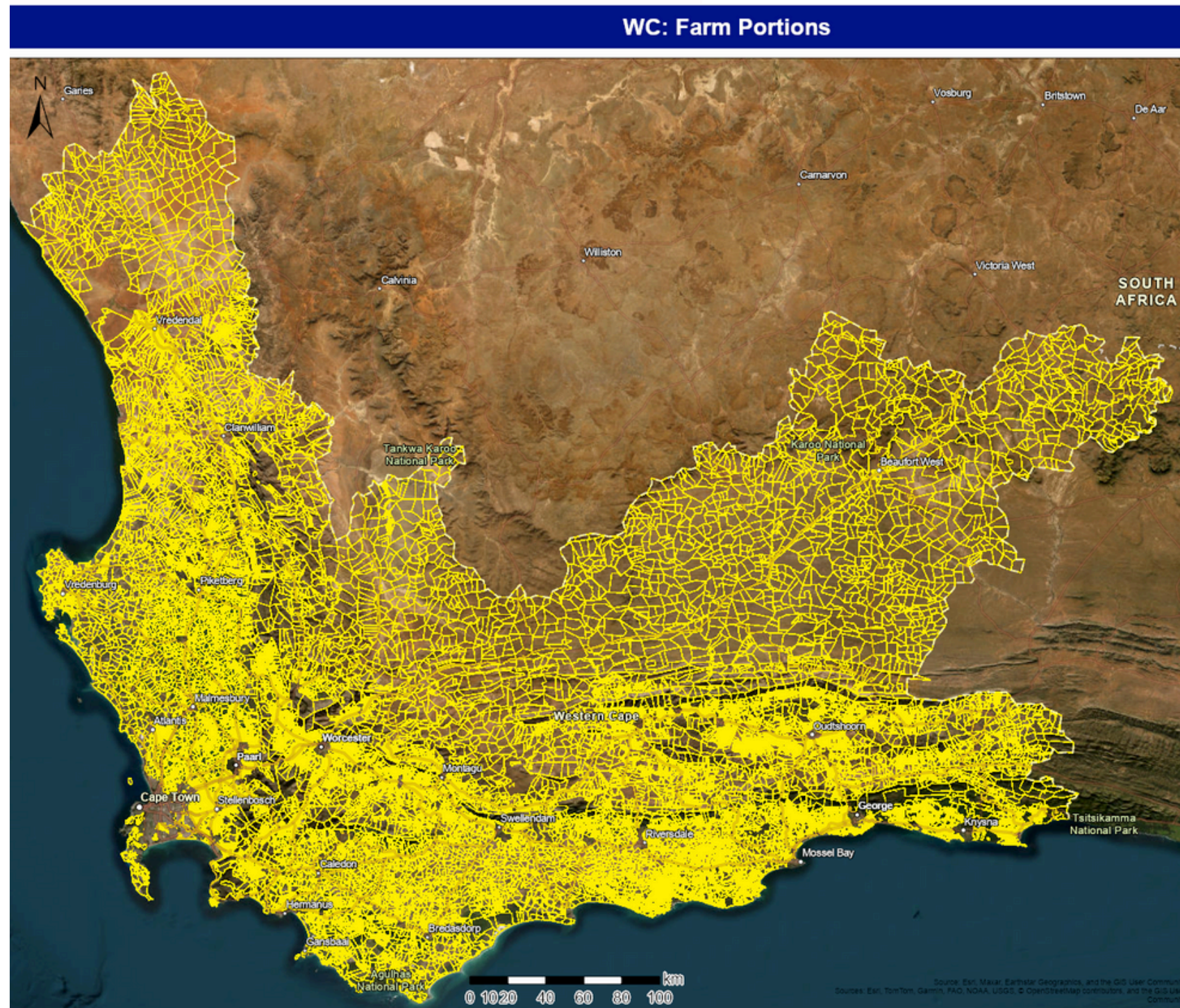
IMPACT ON AGRICULTURE



Net Result:

-230sqm of vineyard space, producing approximately 550kg of grapes with maximum income of R11 000/annum

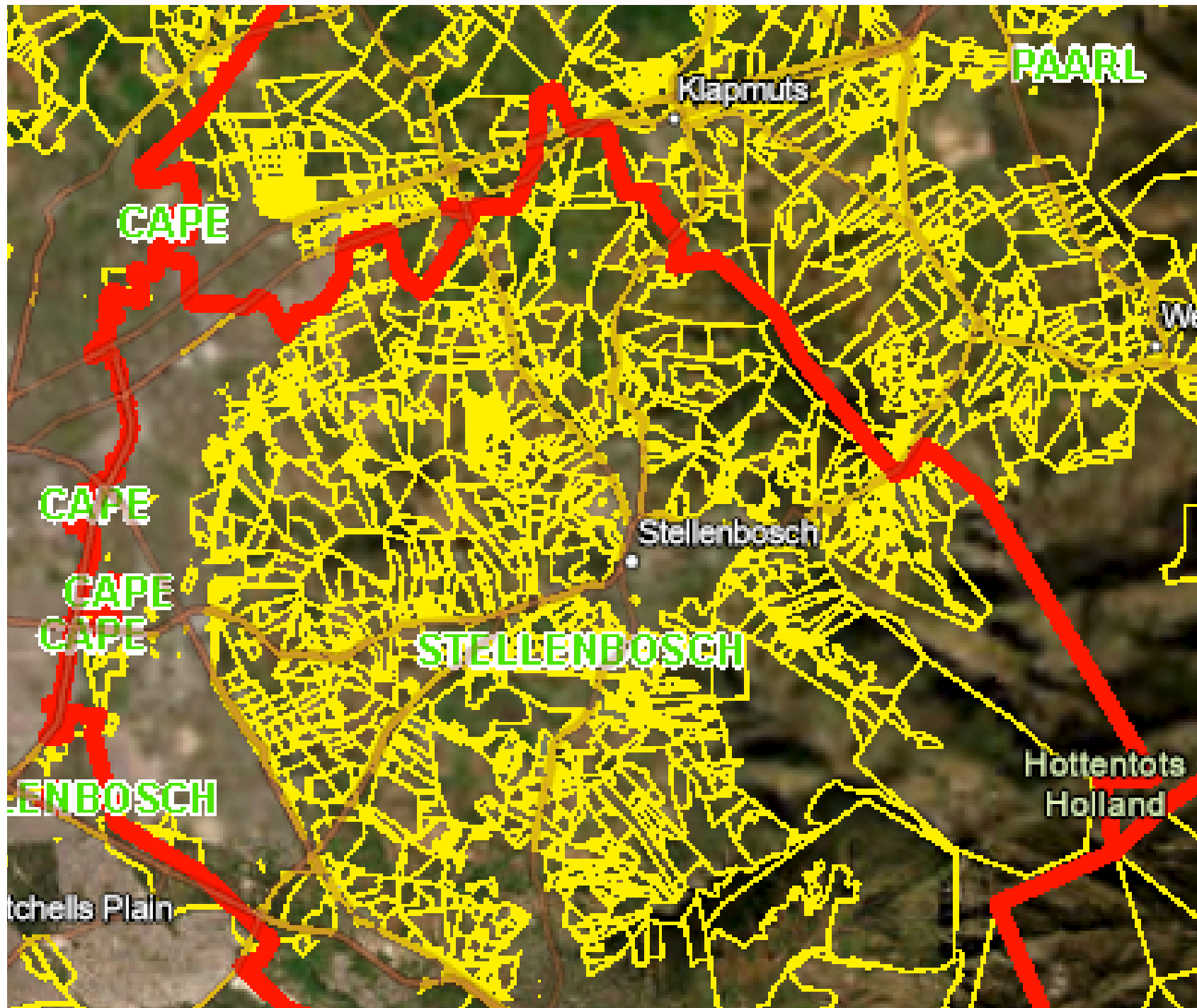
WESTERN CAPE VS STELLENBOSCH



**Average Farm Portion Size:
167.4 ha per farm portion**

**11 560 609 ha of farm land
69 070 farm portions**

WESTERN CAPE VS STELLENBOSCH



**Average Farm Portion Size:
28 ha per farm portion**

**SB Farms (Valuation Roll):
39 320 ha of farm land
1 415 farm portions**

THANK YOU

PIETERHUIZEN
P L A N N I N G