NOTICE OF LAND DEVELOPMENT APPLICATION
CONSENT USE: PORTION 4 OF THE FARM NOOITGEDACHT NR 78, DEVON VALLEY, STELLENBOSCH

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

Application Property Address	:	Devon Valley Hotel, Devon Valley Road, Devon Valley, Stellenbosch
Application Property Number	:	Portion 4 of the Farm Nooitgedacht Nr 78
Applicant	:	Plan 4 SA (Pty) Ltd represented by Mr Martin Jonker, **E:** martinj@plan4sa.co.za, **T:** 084-410-6132.
Owner	:	Stellenbosch Valley Estates & Vineyards (Pty) Ltd (Name changed in 2018 from Louis Group Hotels S A (Pty) Ltd), **E:** calvyn@hsl-sa.com (Mr Calvyn Louis), **T:** 082-789-9048 (Calvyn Louis).
Application Reference	:	TP1307/2025

DESCRIPTION OF LAND DEVELOPMENT PROPOSAL:

The application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023 for **Consent Use** on Portion 4 of Farm 78, Stellenbosch Division, for the expansion of the existing hotel (tourism accommodation establishment) through the following:

1. The addition of four (4) non-self-catering chalets with a combined coverage of **±188m²**.
2. The conversion and expansion of an existing building, currently used as staff bedrooms and measuring ±215m², to a building with a coverage of **±581m²** comprising ten (10) non-self-catering hotel rooms and two (2) non-self-catering executive / leadership apartments and an enclosed passage.
3. The conversion of an existing building, measuring ±78m² and currently used for garden storage, to accommodate two (2) x staff bedrooms of **±25m² each** together with a ±83m² garden storage facility.
4. The addition of a conference building with a coverage of **±979m²**, comprising a **180-**seat conference facility, fourteen (14) conference offices and one (1) conference bar facility.

Notice is hereby given in terms of the provisions 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 must 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. Written comment, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person who submits the comment in the application, may be submitted to the Applicant by electronic mail as follows: **Mr Martin Jonker (Plan 4 SA (Pty) Ltd);** martinj@plan4sa.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 **30 OCTOBER 2026**. 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 **084-410-6132** during the following office hours: **Mondays to Thursdays, 09h00 to 17h00**.

KENNISGEWING VAN GRONDONTWIKKELINGS AANSOEK:
TOESTEMMINGSGEBRUIK: GEDEELTE 4 VAN DIE PLAAS NOOITGEDACHT NR 78, DEVON VALLEY, STELLENBOSCH

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

Aansoek Eiendom Adres	:	Devon Valley Hotel, Devon Valley Road, Devon Valley, Stellenbosch
Aansoek Eiendom Beskrywing	:	Gedeelte 4 van die Plaas Nooitgedacht Nr 78
Aansoeker	:	Plan 4 SA (Pty) Ltd verteenwoordig deur Mnr Martin Jonker, **E:** martinj@plan4sa.co.za, **T:** 084-410-6132.
Eienaar	:	Stellenbosch Valley Estates & Vineyards (Pty) Ltd (Name changed in 2018 from Louis Group Hotels S A (Pty) Ltd), **E:** calvyn@hsl-sa.com (Mnr Calvyn Louis), **T:** 082-789-9048 (Mnr Calvyn Louis).
Aansoek Verwysing	:	TP1307/2025

BESONDERHEDE VAN DIE GRONDGEBRUIKSAANSOEK:

Aansoek word gedoen in terme van Artikel 15(2)(o) van die Stellenbosch Munisipaliteit: Verordeninge op Grondgebruik Beplanning, 2023 vir ‘n Toestemmingsgebruik om die bestaande hotel (toeriste-akkommodasie-onderneming) uit te brei soos volg:

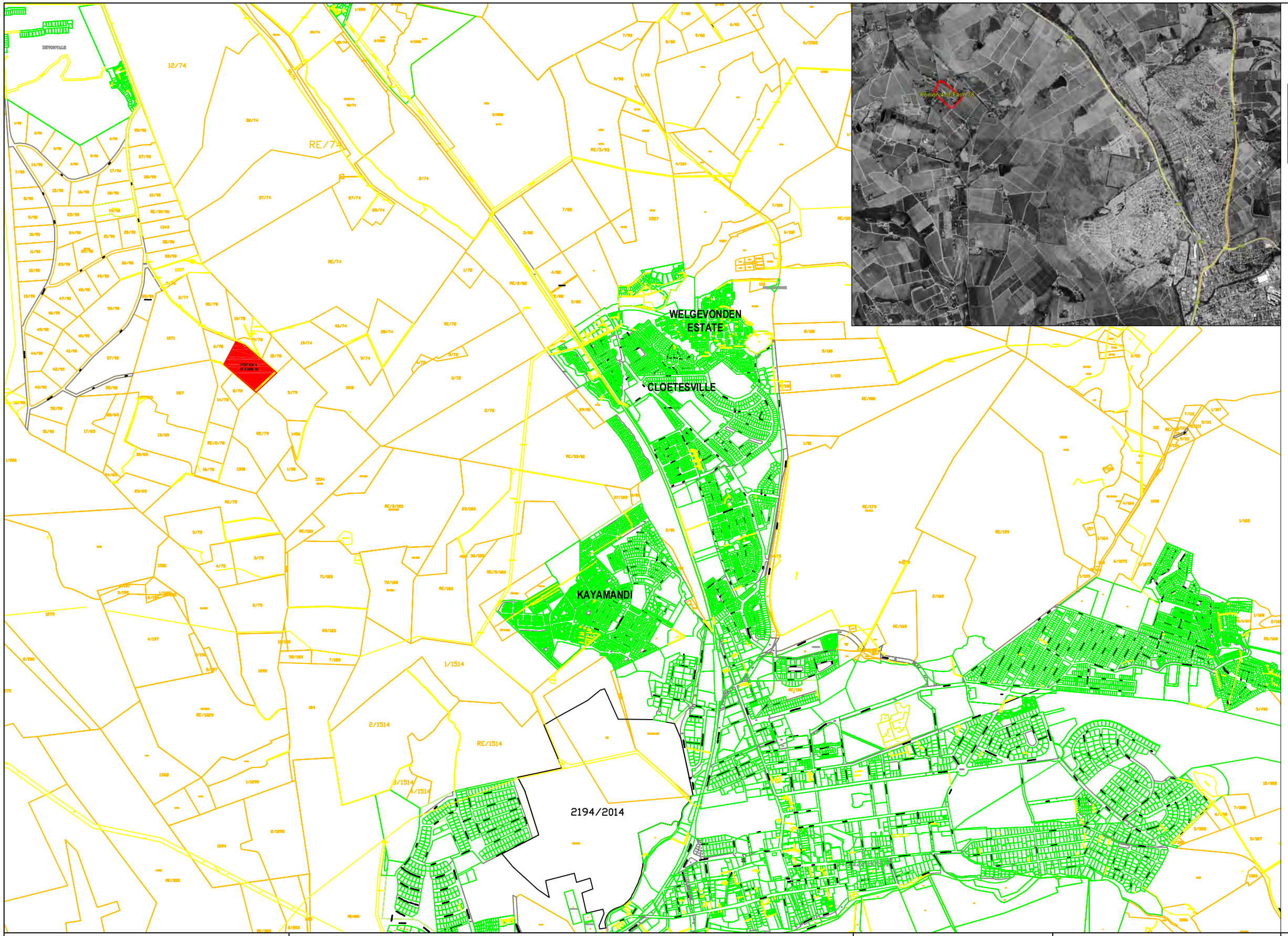
1. Die byvoeging van vier (4) nie-selfsorg chalets met ‘n gekombineerde dekking van **±188m²**;
2. Die verandering en uitbreiding van ‘n bestaande gebou (tans ±215m²) wat huidiglik as werknemer slaapkamers gebruik word, na ‘n gebou met ‘n dekking van **±581m²** bestaande uit tien (10) nie-selfsorg hotel slaapkamers en twee (2) nie-self-sorg uitvoerende / leierskap woonstelle en ‘n onderdak gang.
3. Die verandering van ‘n bestaande gebou (tans ±78m²) wat huidiglik as ‘n tuin stoorkamer gebruik word, om twee (2) werknemer slaapkamers (van **±25m² elk**) en ‘n tuin stoorkamer van **±83m²** in te sluit
4. Die byvoeging van ‘n konferensie gebou met ‘n dekking van **±979m²**, bestaande uit ‘n **180-**sitplek konferensie fasiliteit, veertien (14) konferensie kantore en ‘n konferensie kroeg fasiliteit.

Kennis word hiermee gegee in terme van die voorskrifte van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydsduur van die publieke deelname proses by die volgende adres: https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements. Indien die webtuiste of tersaaklike dokumente nie toeganglik is nie, moet 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. Skriftelike kommentaar, wat besonderhede ten opsigte van die verwysings nommer van de aansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, die redes vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die aansoek, by die Aansoeker ingedien word by wyse van elektroniese pos as volg: **Mnr Martin Jonker (Plan 4 SA (Pty) Ltd)**, martinj@plan4sa.co.za. Deur 'n beswaar, kommentaar of vertoë 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 **30 OKTOBER 2026**. Daar moet kennis geneem word dat die

Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word. Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by **084-410-6132** gedurende die volgende kantoor ure: **Maandae tot Donderdae, 09h00 tot 17h00**.



LOCATION OF PORTION 4 OF FARM 78, STELLENBOSCH

	DESCRIPTION	COMMENTS
	Portion 4 of Farm 78, Stellenbosch	±7.4689 ha
	SG Diagram	SG 10456/47
	Title Deed	T64138/2008

Notes:

1. Portion 4 of the Farm Nooitgedacht Nr. 78 is located adjacent to and north of Devon Valley Road.
2. Coordinates of the property's approximate center point:
   - 2.1. 33°54'10" S
   - 2.2. 18°48'56" E
3. Kayamandi is located approximately 3km southeast of the property, whilst Welgevonden Estate is located approximately 3.5km east of the property.

NORTH

CLIENT / OWNER INFORMATION

DEVON VALLEY HOTEL

Contact: Mr Alan Louis
Position:
Tel: 021-865-2012
Cell: 082-335-4018
Email: executives@hsl-sp.com / alan@hsl-sp.com
Web: www.devonvalleyhotel.com

DRAWING TITLE

LOCALITY PLAN

PLAN NUMBER	SCALE	SHEET SIZE	SHEET NUMBER
1	1:30	A3	1 of 1

PROJECT NAME

LAND USE RIGHTS: PORTION 4 OF FARM 78, STELLENBOSCH

DRAWING TITLE CODES

CP: Consolidation Plan
DF: Development Framework
LP: Locality Plan
LUP: Land Use Plan
SDP: Site Development Plan
SLP: Site Layout Plan
SUB: Subdivision Plan
ZP: Zoning Plan

DRAWING DISCIPLINE CODES

TRP: Town & Regional Planning
TP: Transportation Planning

DRAWING STATUS CODES

D: Draft
F: Final

DRAWING NUMBER

24P009-TRP-LP-20250620-FD

PROFESSIONAL PLANNERS & PROJECT MANAGERS

MARTIN JONKER
Tel: 084-410-6132
Fax: 086-524-8738
Email: martinj@plan4sa.co.za
Web: www.plan4sa.co.za

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SYMBOL LEGEND

TITLE	SYMBOL	SIZES (mm)	TOTAL
Existing Parking Bay		2500 x 5000	39
New Parking Bay		2500 x 5000	128
Existing Loading Bay (LB)	LB	3000 x 6000	4
New Loading Bay (LB)	LB	3000 x 6000	0
New Big Loading Bay (BLB)	BLB	3500 x 7000	1
NEW Motorcycle Parking Bay		1500 x 4000	3
NEW Disabled Parking Bay (DP)	DP	4000 x 5000	8
NEW BAYS TOTAL			139

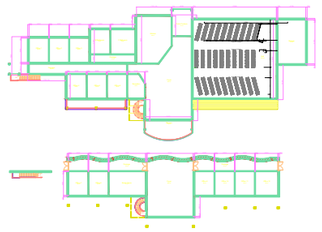
MUNICIPAL REGULATION FOR LAND USE CATEGORY

NR.	LAND USE CATEGORY	PARKING CALCULATIONS
1.	Hotel	0.7x Bay / Guest Bedroom
2.	Conference Facility	0.25 Bay / Seat
3.	Restaurant / Bar	4x Bay / 100m² Gross Leasable Area
4.	Offices	4x Bay / 100m² Gross Leasable Area
5.	B&B	1 Bay / guest room

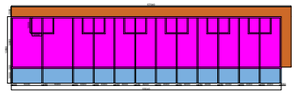
COVERAGE, PARKING & ROOM LEGEND

NR.	DESIGNATED BUILDINGS	TOTAL ROOMS/UNITS	TOTAL SEATS	EXISTING COVERAGE	PROPOSED COVERAGE CHANGE	FINAL COVERAGE	EXISTING PARKING	REQUIRED PARKING	TOTAL NEW PARKING
1.	MANOR HOUSE	7	-	310 m²	0 m²	310 m²	4	7	3
2.	SMALL SHOP	1	-	33 m²	0 m²	33 m²	0	1	1
3.	CONFERENCE BREAK-AWAY VENUE	1	78	278 m²	-36 m²	242 m²	17	20	3
4.	HOTEL ROOMS	3	-	76 m²	0 m²	76 m²	0	3	3
5.	HOTEL ROOMS	10	-	272 m²	0 m²	272 m²	0	7	7
6.	HOTEL LARGE CONFERENCE	1	110	227 m²	0 m²	227 m²	0	28	28
7.	HOTEL RESTRAURANT	1	-	191 m²	0 m²	191 m²	4	8	4
8.	OFFICES	1	-	50 m²	0 m²	50 m²	0	2	2
9.	HOTEL BAR AREA	1	-	101 m²	0 m²	101 m²	2	4	2
10.	HOTEL ROOMS	10	-	380 m²	0 m²	380 m²	2	7	5
11.	HOTEL VINEYARD ROOMS	20	-	418 m²	0 m²	418 m²	10	14	4
12.	NEW CHALETS	4	-	0 m²	+188 m²	188 m²	0	4	4
	EXISTING GARDEN STORAGE ROOM			78 m²	+55 m²	↓			
13.	GARDEN STORAGE ROOM	1	-	-	-	83 m²	0	0	0
14.	NEW STAFF BEDROOMS	2	-	-	-	50 m²	0	2	2
	EXISTING STAFF ACCOMMODATION			215 m²	+366 m²	↓			
15.	NEW ACCOMMODATION ROOMS	10	-	-	-	447 m²	0	7	7
16.	NEW LEADERSHIP APARTMENTS	2	-	-	-	134 m²	0	2	2
17.	NEW ENCLOSED PASSAGE	-	-	0 m²	+171 m²	171 m²	-	-	-
	NEW CONFERENCE BUILDING			0 m²	+979 m²	↓			
18.	NEW CONFERENCE BUILDING OFFICES	14	-	-	-	296 m²	0	12	12
19.	NEW CONFERENCE BUILDING BAR	1	-	-	-	122 m²	0	5	5
20.	NEW CONFERENCE ROOM	1	180	-	-	272 m²	0	45	45
21.	NEW BATHROOMS AND PASSAGES	2	-	-	-	289 m²	-	-	-
	TOTAL			2629 m²	1723 m²	4352 m²	39	178	139

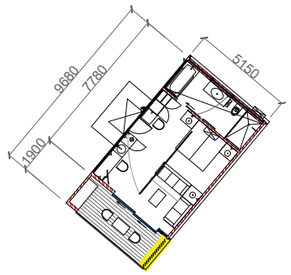
CONFERENCE BUILDING PLANS



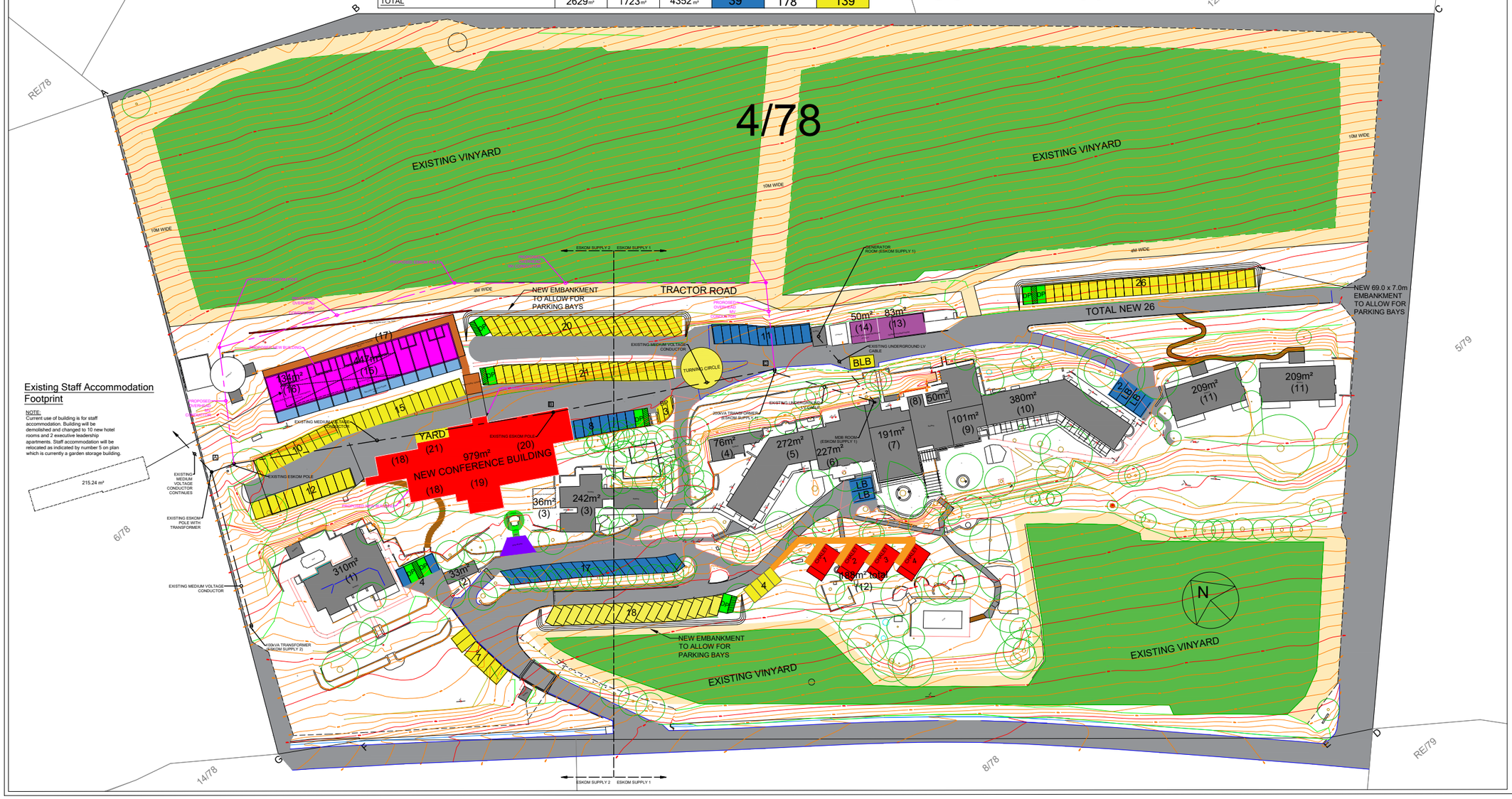
NEW ACCOMMODATION ROOMS



CHALET FLOOR PLAN (NOT TO SCALE)



DEVONVALLEY HOTEL SITE LAYOUT
SCALE 1:1250



BUILDING TO COMPLY TO SANS 10400 PART X & XA : 2011 AND SANS 204 (REFERENCE BUILDING ROUTE) WHERE APPLICABLE
XA1 BUILDING TO USE ENERGY EFFICIENTLY AND REDUCE GREEN HOUSE GAS EMISSIONS IN ACCORDANCE WITH FUNCTIONAL REGULATION
XA2 50% OF ANNUAL VOLUMETRIC REQUIREMENT OF HOT WATER SHALL BE SUPPLIED BY MEANS OF OTHER THAN ELECTRICAL RESISTANCE HEATING
XA3 PROVIDES THREE MEANS, BY WHICH THE FUNCTIONAL REGULATION (XA1 IS COMPLIED WITH)

NOTE:
1. THE DESIGN ON THIS DRAWING IS COPYRIGHT AND REMAINS THE PROPERTY OF THE ARCHITECT.
2. ALL WORK IS TO BE CARRIED OUT IN ACCORDANCE WITH THE N.B.R. SANS 10400 AND LOCAL AUTHORITY REGULATIONS
3. THE DRAWING IS NOT TO BE SCALED
4. ANY DISCREPANCIES ARE TO BE IMMEDIATELY REPORTED TO THE ARCHITECT
5. ALL DIMENSIONS AND LEVELS ARE TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION.
6. ALL NEW BRICK WORK PLASTERED AND PAINTED TO MATCH THE EXISTING.

Controlling Architect of Body Corporate
Date: Signature:

Structural Engineer Date:
Signature:

Owner 1: ALAN
Date:

NR	DATE	REVISION DESCRIPTION	BY
02	2026/05/22	Parking, additional rooms and structures added. Table and calculations adjusted.	H.E.S
03	2026/06/09	Added existing electrical lines and new proposed route	H.E.S
04	2026/06/17	Corrected Table, added pathway and adjusted plans	H.E.S
05	2026/06/19	Changed Table, changed and adjusted building numbers on plans	H.E.S

AREA CALCULATIONS	m²	COVERAGE
SITE AREA	74 689	
Existing Coverage	2 629	3.52%
NEW COVERAGE	**4 352**	**5.83%**
Additional coverage	1 723	2.31%

Architect Chris De Hart
Date: **2026/06/22** Signature:

Client:
Alan
Devonvalley Hotel_ERF_4/78

chris de hart
ARCHITECTS • ARGITEKTE
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E-mail: chris@chrisdehart.co.za

CHRIS DE HART ARCHITECTS (PTY)
SACAP nr: 2327
Email: chris@chrisdehart.co.za
Tel: 082 446 7955

COUNCIL SUBMISSION

CLIMATIC ZONE	BUILDING CLASSIFICATION
STELLENBOSCH	H4

SCALE
AS SHOWN

DRAWING TITLE:

SITE PLAN

NEW CHALETS on Portion 4 of Farm 78
DEVONVALLEY HOTEL
STELLENBOSCH

DATE 2026/06/19
SHEET SIZE A3

DRAWING NUMBER:	CHALET TYPE:	DRAWN:	REVISION:
2449_02	A & B	HES	05

Portion 4 of the Farm Nooitgedacht Nr 78

OBTAIN LAND USE / DEVELOPMENT RIGHTS FOR ADDITIONS / EXTENSIONS TO THE LICENSED HOTEL KNOWN AS DEVON VALLEY HOTEL

AMENDED PLANNING MOTIVATION

PREPARED FOR

PLAN 4 SA

www.plan4sa.co.za

POSTAL ADDRESS
PO Box 1152,
Cape Gate,
7562

CONTROL SHEET

PARTIES TO THE CONTRACT / SERVICE LEVEL AGREEMENT		
CLIENT	:	DEVON VALLEY HOTEL
Client Contact Person	:	Mr Calvyn Louis
Client Tel	:	021-865-2012
Client Cell	:	082-789-9048
Client Email	:	calvyn@hsl-sa.com
Tender / Quote Number	:	N/A
Project Name	:	Devon Valley Hotel
TOWN PLANNING CONSULTANT	:	Plan 4 SA (Pty) Ltd
Consultant Project Manager	:	Martin Jonker
Consultant Email	:	martinj@plan4sa.co.za
Consultant Mobile	:	084-410-6132
Consultant Project Number	:	24P008
SUB-CONSULTANTS	:	None
OTHER CONSULTANTS	:	Chris de Hart Architects
	:	FBV Professional Land Surveyors
	:	BSI Consult (Civil & Structural Engineering)
	:	DSV Consulting Engineers (Electrical Engineering)
	:	UDS Africa Consulting Engineers & Project Managers

REPORT		
REPORT NAME	:	AMENDED PLANNING MOTIVATION
Original Report Date	:	29 June 2026
Prepared By	:	Martin Jonker

REPORT REVISIONS

REVISION NR	DATE	DESCRIPTION
Rev 01	February 2026	Changed the naming convention from bedroom suites to chalets. Updated information on environmental triggers and impact.
Rev 02	June 2026	Amended the Site Development Plan with corresponding amendments to the Planning Motivation and other relevant supporting documents.

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1. THIS APPLICATION

The existing land use application reference number is LU/18954 (TP1172/2025). The application was submitted on 5 August 2025. The notice period started on 27 October 2025, and the deadline for comments and objections ended on 28 November 2025. The applicant's response on comments and objections received was submitted to the municipality via email on 26 January 2026.

Comments received **after** this comment period deadline include the following:

- **Manager: Spatial Planning, Stellenbosch Municipality:** The comment letter was signed on 18 December 2025 and received via email on 29 January 2026
- **Western Cape Department of Agriculture (WCDA):** Letter dated 13 February 2026, received via email on 16 February 2026).

Following the comments received from the Municipality's Spatial Planning Department and the Western Cape Department of Agriculture, the applicant requested an extension of time to address the issues raised by amending the proposed SDP and the land use approvals sought in this application.

This **revised Planning Motivation** (land use application reference number LU/18954 (TP1172/2025)) is the result of the aforementioned amendments and is submitted for the consideration of the municipality in terms of Section 52(1)(a) and 52(1)(b) of the Municipality's Land Use Planning By-Law (2023).

Amendments before approval

52. (1) An applicant may amend his or her application at any time before the approval of the application—

(a) at the applicant's own initiative;

(b) as a result of a comment submitted during the notice process; or

(c) at the request of the Municipality.

EXTRACT 1: SECTION 52(1) OF THE MUNICIPAL LUP BY-LAW (2023)

One of the issues raised by the Municipality's Manager of Spatial Planning was to address the biodiversity content of the planning motivation to reflect the updated Western Cape Biodiversity Plan (2023). Messrs Capensis was appointed to assist in this regard. Their report with its findings is attached to this application / planning motivation and highlighted later in this report. Below is the email correspondence received from Mr Steven Molteno (Capensis).

martinj@plan4sa.co.za

From:	steven@capensis.co.za
Sent:	Friday, 06 March 2026 15:16
To:	Chris De Hart
Cc:	Alan Louis; Stadsbeplanner Martin Jonker; Greg Nicolson; Matthew Stuart-Fox; Paul Emms; Steven
Subject:	Devon valley hotel NEMA screening report
Attachments:	Botanical Screening Report for NEMA Applicability - Devon valley hotel 20260306.pdf

Afternoon Chris, Martin and colleagues,

Pls see attached the NEMA screening report, confirming that there is no indigenous vegetation (and no species of conservation concern) at the site.

Let me know if there are any questions, but I think it should be quite straight forward.

Regards

Steven

EXTRACT 2: EMAIL – STEVEN MOLTENO TO M JONKER (6 MARCH 2026 at 15h16)

The WC Department of Agriculture indicated that they do not support the consent use because they are concerned about the placement of the proposed chalets within the operational farming environment. The letter then proceeded to mention that the proposed development is likely to:

- Interfere with the movement of agricultural vehicles and implements.
- Create operational constraints during planting, spraying and harvesting activities; and
- Give use to land use conflicts between guests and normal farming practices, including noise, dust, odours and the timing of agricultural operations.

In response to their letter, Mr Martin Jonker (Plan 4 SA) sent an email to Mr Cor van der Walt to determine how far (in meters) the proposed accommodation (chalets) must be from the vineyards to obtain the support of the Department of Agriculture. Mr van der Walt responded in an email dated 16 February 2026 as follows: *"Due to variables it is difficult to say but allow for roads and implements to turn. Add distance so that noise, herbicide and pesticide drift (take wind into account) or any other agricultural activity (harvesting, pruning etc.) does not affect tenants. Normally these additional dwellings is regarded as adding to the farm income but should ~~is~~ [in] no ~~wat~~ [way] detract from or pose a threat to day to day operations. If considered to be that, the department will not support"*.

The WC Department of Agriculture's concerns were discussed with the landowning Company who then formulated a reply to them. The landowning Company has substantially changed its plans at great expense to address any concerns of the Department of Agriculture, which now does not affect the farming operations, the changes duly encompassed in this amendment.

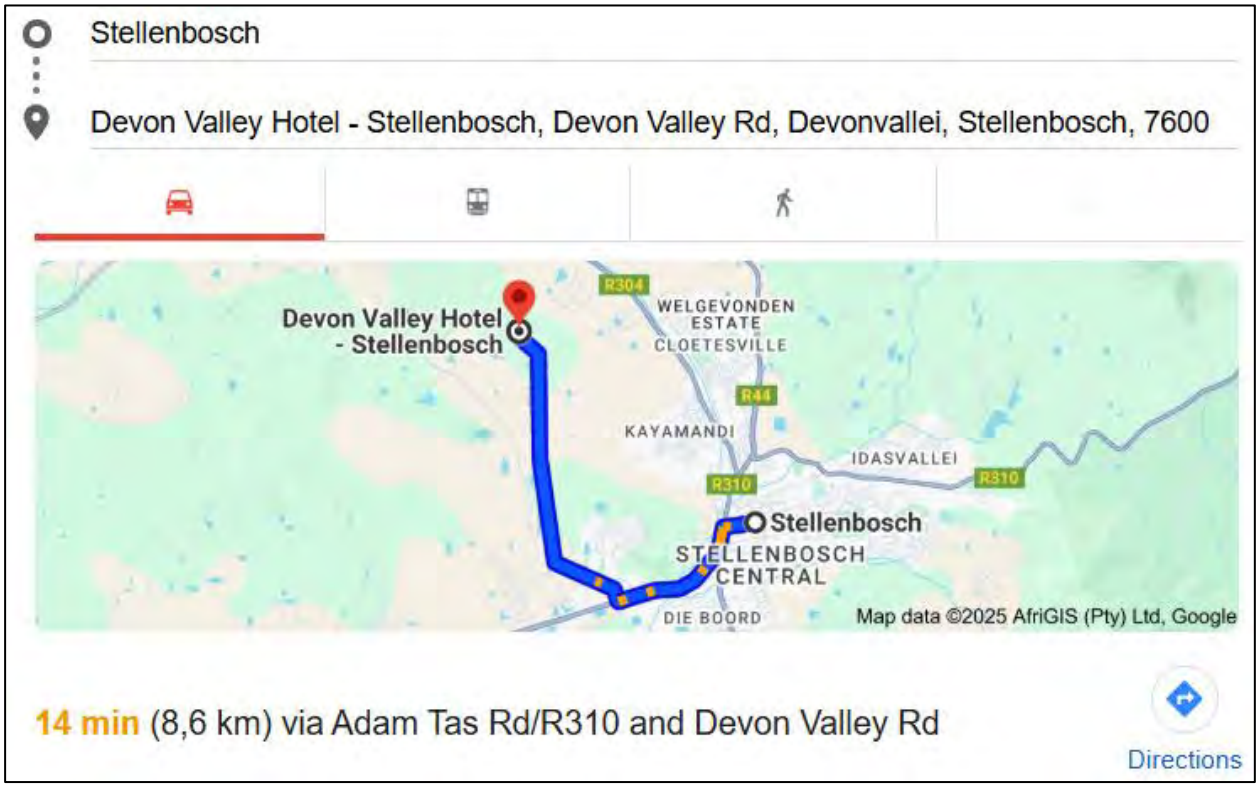
In response to the landowner's proposals, Mr Cor van der Walt subsequently responded by email on 18 February 2026 and also submitted a formal response dated 5 May 2026 (received by email on 11 May 2026). The correspondence from and with the Western Cape Department of Agriculture is attached hereto as **ANNEXURE 13**.

The relevant sections of this Planning Motivation have been updated to align with the revised SDP that is now submitted with this revised report.

2. INTRODUCTION

Devon Valley Hotel (4 star) is located approximately 8.6km drive northwest of Stellenbosch along Devon Valley Road. The hotel dates back to 1943 and offers fifty (50) rooms, restaurants and facilities for conferences and weddings.

A Locality Map is attached to the land use application as **ANNEXURE 2**. The location of the subject properties is also shown in the images below.



Google Earth

Google Earth

IMAGE 1: LOCATION OF THE SUBJECT PROPERTY

The Hotel Company as owner of the property wishes to make additions to the existing approved hotel and subsequently appointed **PLAN 4 SA (PTY) LTD** to assist in obtaining the required land use authorisation for these additions. The Power of Attorney is attached hereto as **ANNEXURE 4**.

3. PROPERTY INFORMATION

3.1 SUMMARY

Key information on the subject property is summarised in the following table.

TABLE 1: PROPERTY INFORMATION

NU	DESCRIPTION	PROPERTY INFO	COMMENTS
1	Erf/Farm Number	Portion 4 of the Farm Nooitgedacht Nr 78	
2	Allotment	Stellenbosch RD	
3	Town	Stellenbosch	
4	SG Diagrams	SG 10456/47	Refer to ANNEXURE 5
5	Area (m²/ha)	7.4689ha	
6	Owner	Stellenbosch Valley Estates & Vineyards (Pty) Ltd (Name changed in 2018 from Louis Group Hotels S A (Pty) Ltd)	Refer to ANNEXURE 6
7	Title Deed	T64138/2008	Refer to ANNEXURE 6
7.1	Title Deed Restrictions	There are no conditions in the current title deed that affects or restricts or prohibits the addition of rooms to the existing hotel. It is furthermore assumed that historical title deeds were previously inspected before the Stellenbosch Municipality approved the rights for the existing hotel.	Refer to ANNEXURE 6

NU	DESCRIPTION	PROPERTY INFO	COMMENTS
8	Bondholder	According to the owner, there is no outstanding bond on the property	
9	Pending Court Cases / Court Orders	According to the owner, there is no pending court cases or court orders that affects this property.	
10	Any 3rd party conditions (if applicable)	Not applicable	
11	Existing Zoning	According to a Municipal Zoning Certificate dated 12 September 2022, the property is zoned Agriculture and Rural Zone with deemed consent use for a tourist accommodation establishment (a licensed hotel consisting of 50 accommodation rooms. However, in an email from the municipality (Bongiwe Zondo) dated 23 January 2025, it was indicated that: *"The farm 78/4 has a split zoning of Agriculture and Rural Zone + Mixed Use zone. You will need to apply for the zoning certificate in order to determine any approvals/land use rights on the property."*	Refer to ANNEXURE 7 and the Section below for more detail.
12	Existing Land Use	Licensed hotel known as Devon Valley Hotel. The buildings cover an area of approximately 2,629m². Vineyards on approximately 3.2ha of the property. The remainder of the property consists of natural areas, internal roads / circulation areas, garden areas and parking.	Refer to the Section below for more detail.
13	Existing Buildings	Various building as shown on the Site Layout Plan	Refer to the Site Layout Plan contained in ANNEXURE 3
14	Unauthorized Land Uses / Buildings	According to the owner, there are no land uses and/or buildings on the property.	
15	Existing Engineering Infrastructure		
15.1	Water	Farm 78/4 has a small diameter, municipal connection to the north of the property that is linked to the Devon Valley Reservoir reticulation network. The hotel and other facilities are currently fed from two boreholes situated on the property. The supply is supplemented by a municipal connection during times of high demand.	Refer to ANNEXURE 8.
15.2	Sewerage	A 160mm Ø private sewer runs along the southern boundary of the property. The existing Devon Valley Hotel development is connected to this collector sewer that connects to the municipal bulk sewerage system at the south-eastern corner of the property. The municipal bulk sewer runs towards Stellenbosch Wastewater Treatment plant.	Refer to ANNEXURE 8.
15.3	Electricity	ESKOM supplies electricity in this area. There are two LV Eskom electricity supplies to the resort: • Electricity Supply 1 – 6679990552: Ruraflex account with NMD (notified maximum demand) of 200kVA supplying the hotel. • Electricity Supply 2 - 8818183667: Landrate account with an NMD of 100kVA supplying the manor house.	Refer to ANNEXURE 8.

NU	DESCRIPTION	PROPERTY INFO	COMMENTS
15.4	Refuse Removal	Stellenbosch Municipality currently provides waste removal services to Devon Valley Hotel.	Refer to ANNEXURE 8.
15.5	Do the subject property(ies) border railway lines, Provincial or National Roads?	DR1069 is a divisional road that runs along the property's southern boundary. It is a Provincial Road proclaimed by Proc 008_1935, 288_2976 and associated RL23-319. The proclaimed road reserve for DR1069 is the statutory (minimum) width of 20m as per Roads Ordinance 19/1976 Section 5. However, if any section of road has been fenced and the width is greater than the said (minimum) width then this can be taken as the road reserve width. If there are no fences, then the road reserve width will be 10m either side of the existing centre line.	
16	Any other restrictions		
16.1	Servitudes	Two (2) x 6.30m wide Right of Way Servitudes exist of which one is located along the southern boundary, and one is located on the eastern boundary of the property.	Refer to the Topographic Survey conducted by FBV Professional Land Surveyors, attached hereto as ANNEXURE 9.
16.2	Floodlines	Not applicable	
16.3	Topographical	There are no restrictions relevant to this application. Refer to the next section for a short description of the site topography.	Refer to the Topographic Survey conducted by FBV Professional Land Surveyors, attached hereto as ANNEXURE 9.
16.4	Geotechnical	There are no restrictions relevant to this application.	
16.5	Are the subject property(ies) located within 1km of the high watermark of the sea or a tidal river?	No, not applicable.	
17	Are the subject property(ies) located in a Heritage Precinct?	No, not applicable.	
17.1	Are there any structures on the property older than 60 years?	No, not applicable.	
18	Any other circumstances that should be noted?	No, not applicable.	
18.1	Identified as a landslip area?	No, not applicable.	
18.2	Previously utilised for mining purposes?	No, not applicable.	
18.3	Previously utilised as a landfill site?	No, not applicable.	
18.4	Located in a blast zone?	No, not applicable.	

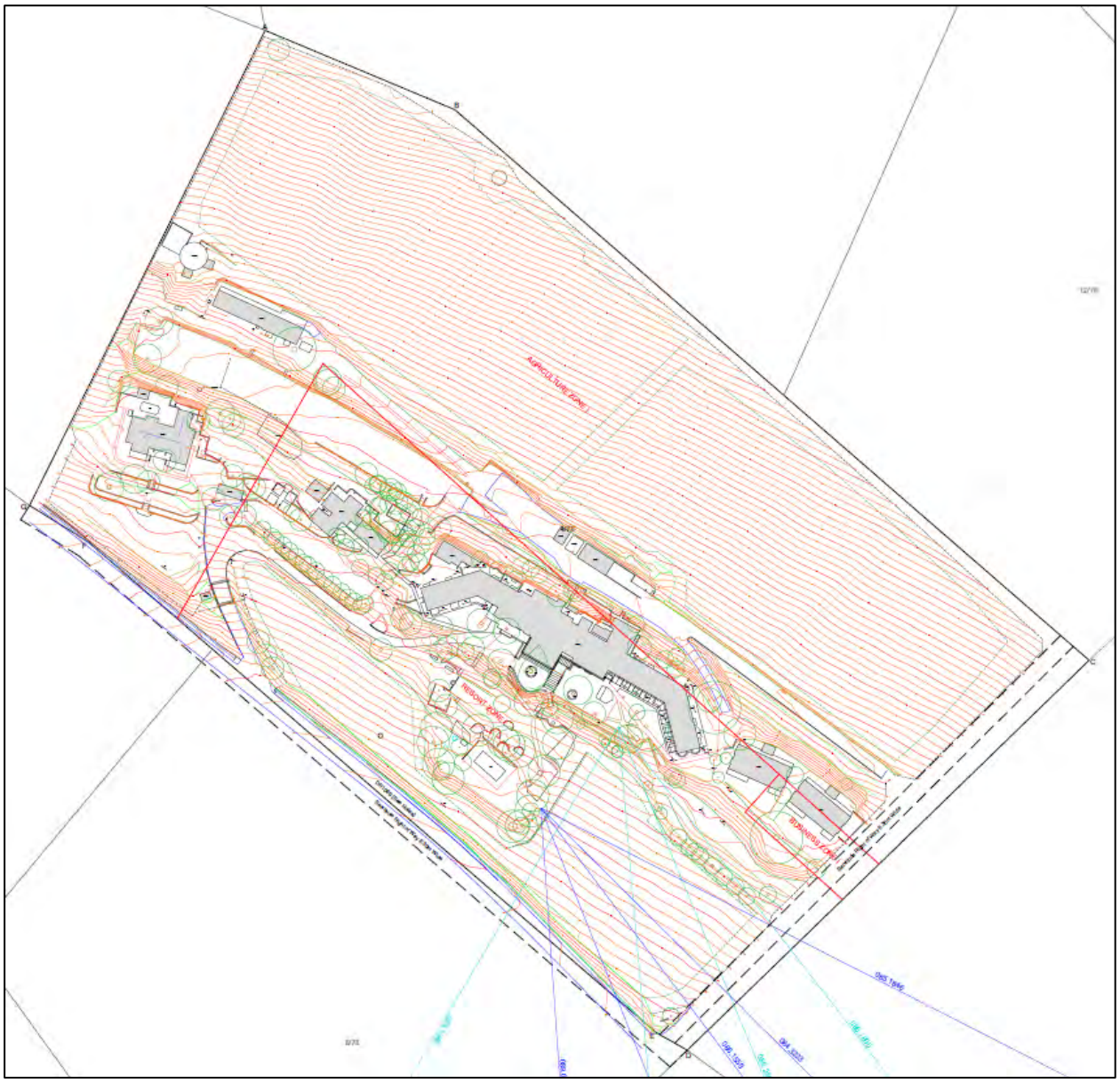
NU	DESCRIPTION	PROPERTY INFO	COMMENTS
18.5	Located in a pollution zone?	No, not applicable.	
18.6	Located 500m from a cemetery?	No, not applicable.	
18.7	Any land claims registered against the property?	There is no land claims registered against the property.	Refer to ANNEXURE 10

3.2 TOPOGRAPHY

The property has relatively steep slopes of approximately 1:6 (falling 1m vertically for every 6m horizontally). Measured along the approximate center of the existing property (in a northeast to southwest direction) the gradient falls ±36m (from 194m to 158m) over a distance of ±222m. The elevation profile is shown on the Google Earth Image below.

IMAGE 2: ELEVATION PROFILE (Source: Google Earth)

The topographic survey done by Messrs FBV is attached hereto as **ANNEXURE 9**. An extract of this survey is shown below.

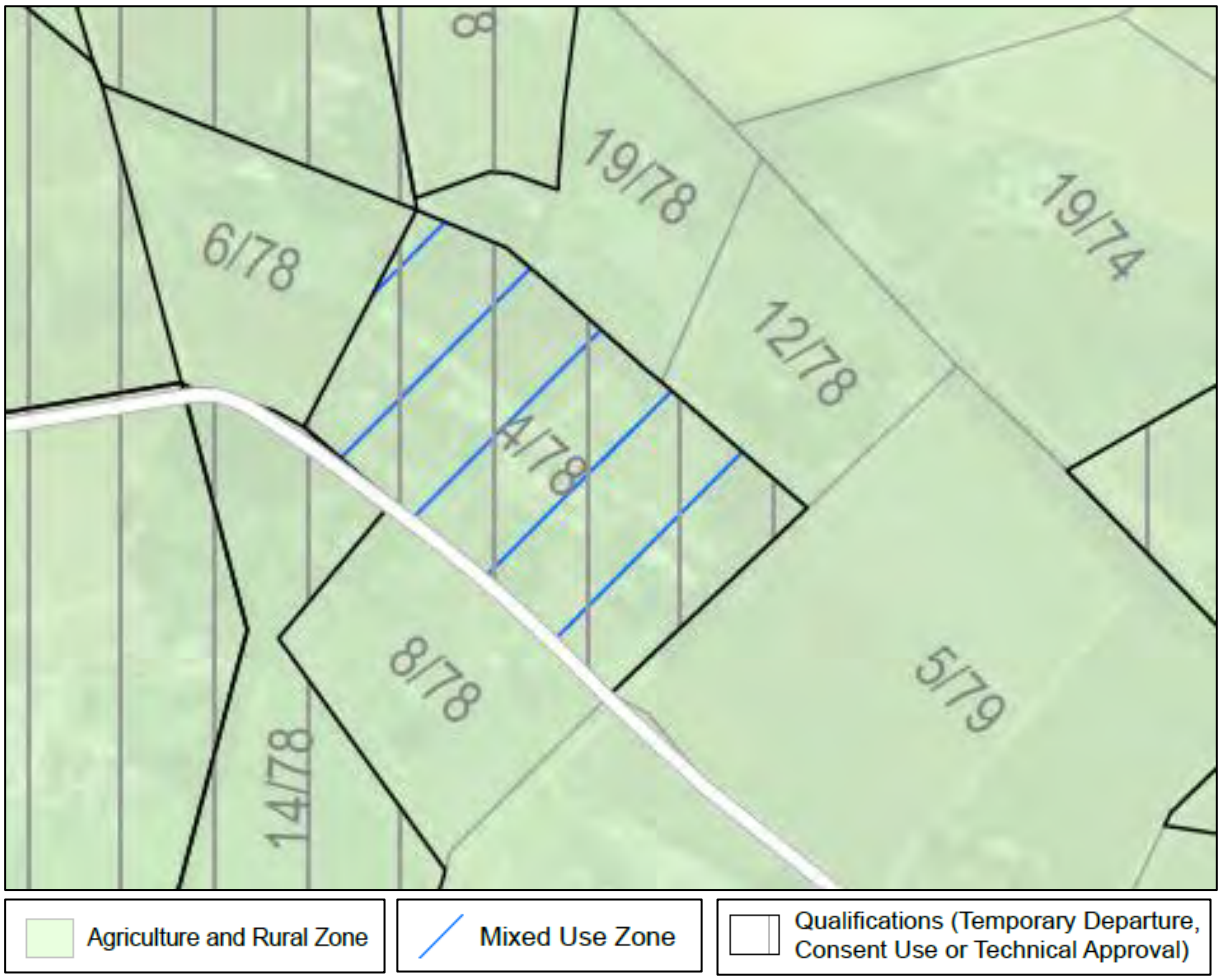


EXTRACT 3: TOPOGRAPHIC SURVEY (Source: FBV)

3.3 EXISTING ZONING

According to a Municipal Zoning Certificate dated 12 September 2022, the property is zoned Agriculture and Rural Zone with deemed consent use for a tourist accommodation establishment (a licensed hotel consisting of 50 accommodation rooms.

The Municipality's 2024 Zoning Map for this area shows that the property has a split zoning (Agriculture and Rural Zone and Mixed-Use Zone) with consent uses. An extract of the aforementioned Zoning Map is shown below. This was confirmed in an email from the municipality (Bongiwe Zondo) dated 23 January 2025, in which it was indicated that: *"The farm 78/4 has a split zoning of Agriculture and Rural Zone + Mixed Use zone. You will need to apply for the zoning certificate in order to determine any approvals/land use rights on the property".* An extract of the latest zoning map is shown below.



EXTRACT 4: ZONING MAP (Source: Stellenbosch Zoning Scheme By-Law, 2024)

The Stellenbosch Municipality's Public GIS Viewer provides the following information regarding the zoning and land use rights.

TABLE 2: EXISTING ZONING AND LAND USE RIGHTS

NR	DESCRIPTION	INFORMATION
1	Former Zoning	Agricultural Zone I (AR)
2	Other Land Use Rights	Consent Use
3	Base Zone	Agriculture and Rural Zone (AR)
4	Details of Consent Use	Tourist Accommodation Establishment, Tourist Facilities.
5	Details or Type of Other / Supplementary Approvals 1	Licensed Hotel, 2 x Residential Buildings comprising 20 bedrooms zoned Business Zone 1 (Mixed Use Zone).
6	Details or Type of Other / Supplementary Approvals 2	Consent Use for a Bottle Store (2008-03-27); Consent Use for a Licensed Hotel (2008-03-27); Consent use to construct 2 residential buildings comprising 20 bedrooms zoned for Business Zone I on the property (2008-03-27).

NR	DESCRIPTION	INFORMATION
7	Split Zoning 1	Mixed Use Zone

3.4 EXISTING LAND USES

The existing land uses on the property is vineyards and a hotel. The existing buildings, structures and land uses are shown on the Site Layout Plan prepared by Chris de Hart Architects for Portion 4 of Farm 78 which is attached hereto as **ANNEXURE 3**.

This is also shown in the table and photos below.

TABLE 3: BUILDINGS INFORMATION

NR	EXISTING BUILDINGS	TOTAL AREA		COVERAGE
		m²	ha	
	Portion 4 of Farm 78	**74 689**	**7.4689**	
1	Manor House	310	0.0310	0.42%
2	Small Shop	33	0.0033	0.04%
3	Conference House	278	0.0278	0.37%
4	Hotel Rooms	76	0.0076	0.10%
5	Hotel Rooms	272	0.0272	0.36%
6	Hotel Large Conference	227	0.0227	0.30%
7	Hotel Restaurant	191	0.0191	0.26%
8	Offices	50	0.0050	0.07%
9	Hotel Bar Area	101	0.0101	0.14%
10	Hotel Rooms	380	0.0380	0.51%
11	Hotel Vineyard Rooms	418	0.0418	0.56%
	Garden Storage Room	78	0.0078	0.10%
	Staff Bedrooms	215	0.0215	0.29%
	TOTAL	**2 629**	**0.2629**	**3.52%**

IMAGE 3: EXISTING LAND USES ON THE SUBJECT PROPERTY (Source: Google Earth)

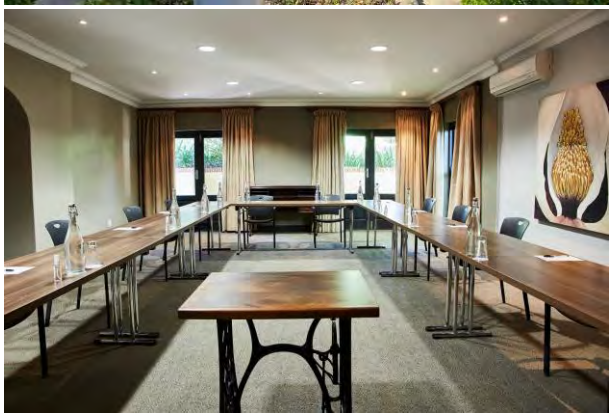


PHOTO 1: LAND USES ON PORTION 4 OF FARM 78 (Source: Google Earth)

More information can also be found on the Devon Valley Hotel website: https://devonvalleyhotel.com.

4. LAND USE APPLICATION(S)

4.1 APPLICABLE BY-LAW, ZONING SCHEME & OVERLAY ZONES

The following by-law and zoning scheme(s) are applicable to this land use application:

- Stellenbosch Municipality: By-Law on Municipal Land Use Planning, 2023 (PG Extraordinary No 8768, dated 9 June 2023)
- Stellenbosch Municipality: Zoning Scheme By-Law, 2019 (as amended by Council on 24 May 2023, 29 September 2023 and 30 July 2024) (PG Extraordinary No 8991, dated 4 October 2024)

4.2 PURPOSE OF THIS APPLICATION

The purpose of this application is to obtain consent from the Stellenbosch Municipality for additions to the existing approved Devon Valley Hotel.

4.3 TYPES OF LAND USE APPLICATIONS

In pursuance of the purpose/objective stated above, application is made, and authorisation is sought for the following:

- Consent is sought, in terms of Section 15(2)(o) of the Stellenbosch Municipality: By-Law on Municipal Land Use Planning, 2023 (as amended) for the expansion of the existing hotel (tourism accommodation establishment) rights on Portion 4 of Farm 78 as follows:
    - Addition of 4 x new non-self-catering chalets with a total coverage of **±188m²**.
    - Conversion of the existing **±215m²** building currently used as Staff Bedrooms to a building with a coverage of **±581m²** that includes 10 x new non-self-catering Hotel Rooms (marked number (15) on the SLP) and 2 x new non-self-catering Executive / Leadership Apartments (marked number (16) on the SLP) plus an enclosed passage of **±171m²**.
    - Conversion of an existing **±78m²** building that is currently used for garden storage purposes to include 2 x Staff Bedrooms (marked number (14) on the SLP) of **±25m² each** plus a **±83m²** facility to be used for Garden Storage purposes (marked number (13) on the SLP).
    - Addition of a new hotel building with a coverage of **±979m²** that will include a 180 seat Conference Facility (marked number (20) on the SLP), 14 x new Conference Offices (marked number (18) on the SLP) and 1 x new Conference Bar facility (marked number (19) on the SLP).

4.4 NATIONAL AND PROVINCIAL LEGISLATIVE TRIGGERS

The following tables indicate whether the proposed land use triggers any approvals required in terms of the Spatial Planning and Land Use Management Act (SPLUMA), Act 16 of 2013.

TABLE 4: SPLUMA (Act 16 of 2013) TRIGGERS

APPLICABLE SECTIONS OF SPLUMA	**TRIGGERED (YES / NO or N/A)**	**COMMENTS**
Status of spatial development frameworks S22(1) A Municipal Planning Tribunal or any other authority required or mandated to make a land development decision in terms of this Act or any other law relating to land development, may not make a decision which is inconsistent with a municipal spatial development framework	No	This land use application is not inconsistent with the municipal SDF.
S22(2) Subject to section 42, a Municipal Planning Tribunal or any other authority required or mandated to make a land development decision, may depart from the provisions of a municipal spatial development framework only if site-specific circumstances justify a departure from the provisions of such municipal spatial development framework.	No	N/A to this land use application
Development application affecting national interest S52.(1) Subject to the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), a land development application must be referred to the Minister where such an application materially impacts on – (a) matters within the exclusive functional area of the national sphere in terms of the Constitution; (b) strategic national policy objectives, principles or priorities, including food security, international relations and co-operation, defence and economic unity; or (c) land use for a purpose which falls within the functional area of the national sphere of government.	No	N/A to this land use application

APPLICABLE SECTIONS OF SPLUMA	TRIGGERED (YES / NO or N/A)	COMMENTS
S52.(2) A land development application must be referred to the Minister where the outcome of the application – (a) may be prejudicial to the economic, health or security interests of one or more provinces or the Republic as a whole; or (b) may impede the effective performance of the functions by one or more municipalities or provinces relating to matters within their functional area of legislative competence.	No	N/A to this land use application
S52.(3) Where an applicant believes that his or her application is likely to affect the national interest, he or she must submit a copy of that application to the Minister.	No	N/A to this land use application

The following table indicates whether any other national legislation is triggered by the proposed change in land use.

TABLE 5: OTHER NATIONAL LEGISLATIVE TRIGGERS

OTHER NATIONAL LEGISLATION	APPLICABLE SECTIONS	TRIGGERED (YES / NO or N/A)	COMMENTS
National Heritage Resource Act, 1999 (Act 25 of 1999)	Sections that trigger the need to submit a Notification of Intent to Develop (NID)		
	S38(1)(a) Construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier over 300m in length	No	N/A to this land use application
	S38(1)(b) Construction of a bridge or similar structure exceeding 50m in length	No	N/A to this land use application

OTHER NATIONAL LEGISLATION	APPLICABLE SECTIONS	TRIGGERED (YES / NO or N/A)	COMMENTS
	S38(1)(c) Any development or activity that will change the character of a site – i. Exceeding 5,000m² in extent; or ii. Involving three or more existing erven or subdivisions thereof; or iii. Involving three or more divisions thereof which have been consolidated within the past five years.	No	N/A to this land use application
	S38(1)(d) Rezoning of a site exceeding 10,000m² in extent.	No	N/A to this land use application
	S38(1)(e) Any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority.	No	N/A to this land use application. The property is not located in any known Heritage precinct. According to the Devon Valley Hotel website *"This charming Stellenbosch Hotel is well-known for its authentic 'handmade hospitality', with a history dating back to 1943 when the main building was constructed from Canadian Cedarwood"*. The main building is therefore older than 60-years. However, no alterations or additions are proposed to any of the existing buildings that are older than 60-years. This proposed land uses therefore do not trigger Section 38(1) of the National Heritage Resource Act, 1999 (Act 25 of 1999).

OTHER NATIONAL LEGISLATION	APPLICABLE SECTIONS	TRIGGERED (YES / NO or N/A)	COMMENTS
National Environmental Management Act, 1998 (Act 107 of 1998); EIA Regulations, 2014 (GN No. R. 982, R. 983, R.984 and R.985), as amended (amended 7 April 2017)	Listing Notice 1 of 2014 (as amended 7 April 2017) Listing Notice 2 of 2014 (as amended 7 April 2017) Listing Notice 3 of 2014 (as amended 7 April 2017)	No	Mr Steven Molteno (of Capensis) confirmed in a NEMA screening report (attached hereto as **ANNEXURE 12**) that there are no indigenous vegetation and no species of conservation concern at the site. To the best of our knowledge, nothing else is triggered in this legislation by this land use application.
National Environmental Management: Biodiversity Act (Act No. 10 of 2004) list of ecosystems that are threatened and in need of protection, (G 34809, GN 1002), 9 December 2011	Any process or activity identified in terms of section 53(1) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) – will trigger Activity 30 on EIA Listing Notice 1 of 2014 (as amended 7 April 2017). List of Threatened Terrestrial Ecosystems (Government Gazette, 2011)	No	To the best of our knowledge, this legislation is not triggered by this land use application.
Environmental Conservation Act, 1989 (Act 73 of 1989), GN R.1182 dated 5 September 1997, GN R.1355 dated 17 October 1997, GN R.448 dated 27 March 1998, GN R.670 dated 10 May 2002 GN R.672 dated 10 May 2002	Part 5 (Control of Activities which may have Detrimental Effect on the Environment), Section 21	No	To the best of our knowledge, this legislation is not triggered by this land use application.
National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004),	Chapter 4, Part 2 (Listing of activities resulting in atmospheric emissions) Chapter 5 (Licensing of Listed Activities)(Atmospheric Emissions Licenses)	No	To the best of our knowledge, this legislation is not triggered by this land use application.

OTHER NATIONAL LEGISLATION	APPLICABLE SECTIONS	TRIGGERED (YES / NO or N/A)	COMMENTS
National Environmental Management: Waste Act, 2008 (Act 59 of 2008),	Chapter 4, Part 4, Section 19: Listed waste management activities (Schedule 1 of the Act) Chapter 4, Part 8 (Contaminated Land)(Decommissioning of existing facilities, structures or infrastructure) Chapter 5 (Licensing of Waste Management Activities)(Waste Management Licenses)	No	To the best of our knowledge, this legislation is not triggered by this land use application.
National Water Act, 1998 (Act 36 of 1998)	Chapter 4 (Use of Water) Schedule 1 (Permissible Use of Water)	No	To the best of our knowledge, this legislation is not triggered by this land use application.
Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)	S3 Subject to the provisions of section 2 – (a) agricultural land shall not be subdivided; S4(1) Any application for the consent of the Minister for the purposes of section 3 shall be lodged with the Secretary and shall be in such form and be accompanied by such plans, documents and information as are determined by the Secretary.	No	To the best of our knowledge, this legislation is not triggered by this land use application.
Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983)	*"2. (1) Subject to the provisions of subsection (2) this Act shall not apply-* *(a) to any land which is situated in an urban area;* *(2) (a) The provisions of this Act relating to weeds and invader plants shall also apply to land which is situated within an urban area."*	No	To the best of our knowledge, this legislation is not triggered by this land use application.
Occupational Health and Safety Act, 1993 (Act 85 of 1993): Major Hazard Installations Regulations		No	To the best of our knowledge, this legislation is not triggered by this land use application.

OTHER NATIONAL LEGISLATION	APPLICABLE SECTIONS	TRIGGERED (YES / NO or N/A)	COMMENTS
Advertising on Roads and Ribbon Development Act, 1940 (Act 21 of 1940)	Section 2: Prohibition of certain advertisements visible from public roads Section 9: Prohibition of erection of structures near certain roads Section 10: Restriction of access to land through fence etc., along certain roads Section 11: Restriction on establishment or extension of townships	No	To the best of our knowledge, this legislation is not triggered by this land use application.

The following table indicates whether the proposed use triggers any provincial legislative approvals.

TABLE 6: PROVINCIAL LEGISLATIVE TRIGGERS

PROVINCIAL LEGISLATION	APPLICABLE SECTIONS	TRIGGERED (YES / NO)	COMMENTS
Western Cape Land Use Planning Act, 2014 (Act 3 of 2014)	**Compliance or consistency with, and deviation from, spatial development frameworks or structure plans** S19(1) If a spatial development framework or structure plan specifically provides for the utilisation or development of land as proposed in a land use application or land development application, the proposed utilisation or development is regarded as complying with that spatial development framework or structure plan.	Yes	The latest municipal SDF states on page 66 the following regarding agricultural land: *"Building structures associated with agriculture,* ***dwelling units to support rural tourism, and ancillary rural activities that serves to diversify farm income****, are permitted and should adhere to the guidelines contained in the SEMF and "Western Cape Land Use Planning: Rural Guidelines""*. **BOLD emphasis added.**
	S19(2) If a spatial development framework or structure plan does not specifically provide for the utilisation or development of land as proposed in a land use application or a land development application, but the proposed utilisation or development is not in conflict with the purpose of the relevant designation in the spatial development framework or structure plan, the utilisation or development is regarded as being consistent with that spatial development framework or structure plan.	Yes	If it is argued that the abovementioned extract from the municipality's SDF does not meet the Section 19(1) criteria of compliance, then as a minimum it can safely be argued that the proposed land use is consistent with the municipality's SDF in terms of Section 19(2) because the SDF permits facilities related to rural tourism on agricultural land subject to conditions, as quoted above.

PROVINCIAL LEGISLATION	APPLICABLE SECTIONS	TRIGGERED (YES / NO)	COMMENTS
	S19(3) If the proposed utilisation or development of land in a land use application or a land development application does not comply with and is not consistent with the relevant designation for the utilisation of land in an applicable spatial development framework or structure plan, the proposed utilisation or development deviates from that spatial development framework or structure plan.	No	Not applicable to this land use application.
	Provincial comment on land use applications S45(1) A municipality must refer a land use application relating to the following to the Head of Department for written provincial comment once the application is complete in accordance with the requirements of the municipality and section 42:		
	S45(1)(a) a development outside the municipality's planned outer limit of urban expansion as reflected in its municipal spatial development framework;	No	N/A to this land use application
	S45(1)(b) if the municipality has no approved municipal spatial development framework, a development outside the physical edge, including existing urban land use approvals, of the existing urban area;	No	N/A to this land use application
	S45(1)(c) a rezoning of land zoned for agricultural or conservation purposes;	No	N/A to this land use application
	S45(1)(d) any development as determined by the municipal manager;	No	N/A to this land use application
	S45(1)(e) development as prescribed that affects a provincial functional area;	No	N/A to this land use application
	S45(1)(f) any other category of land use applications as may be prescribed for the purpose of supporting and strengthening the capacity of municipalities.	No	N/A to this land use application

PROVINCIAL LEGISLATION	APPLICABLE SECTIONS	TRIGGERED (YES / NO)	COMMENTS
	Provincial approval of land development S53(1) No person may without an approval under subsection (2) or an exemption under subsection (3) develop land that will have a substantial effect on— (a) the orderly, coordinated or harmonious development of a region or the Province; (b) the general welfare of the inhabitants of a region or the Province; or (c) agriculture, due to— (i) the nature or scale of the proposed land use; or (ii) the cumulative effect of multiple developments.	No	N/A to this land use application
	S53(2) The owner of the land concerned or a person authorised by the owner may apply to the Head of Department for approval to develop land that will have the effect contemplated in subsection (1).	No	N/A to this land use application
	S53(3) "(3) The Provincial Minister may exempt categories of land development from requiring approval under subsection (1) in one or more of the following circumstances: (a) where the land development complies with the applicable spatial development frameworks; (b) where the land development is consistent with other provincial policy; (c) to provide for government infrastructure projects; or (d) where provincial approval was granted in terms of other legislation."	No	N/A to this land use application

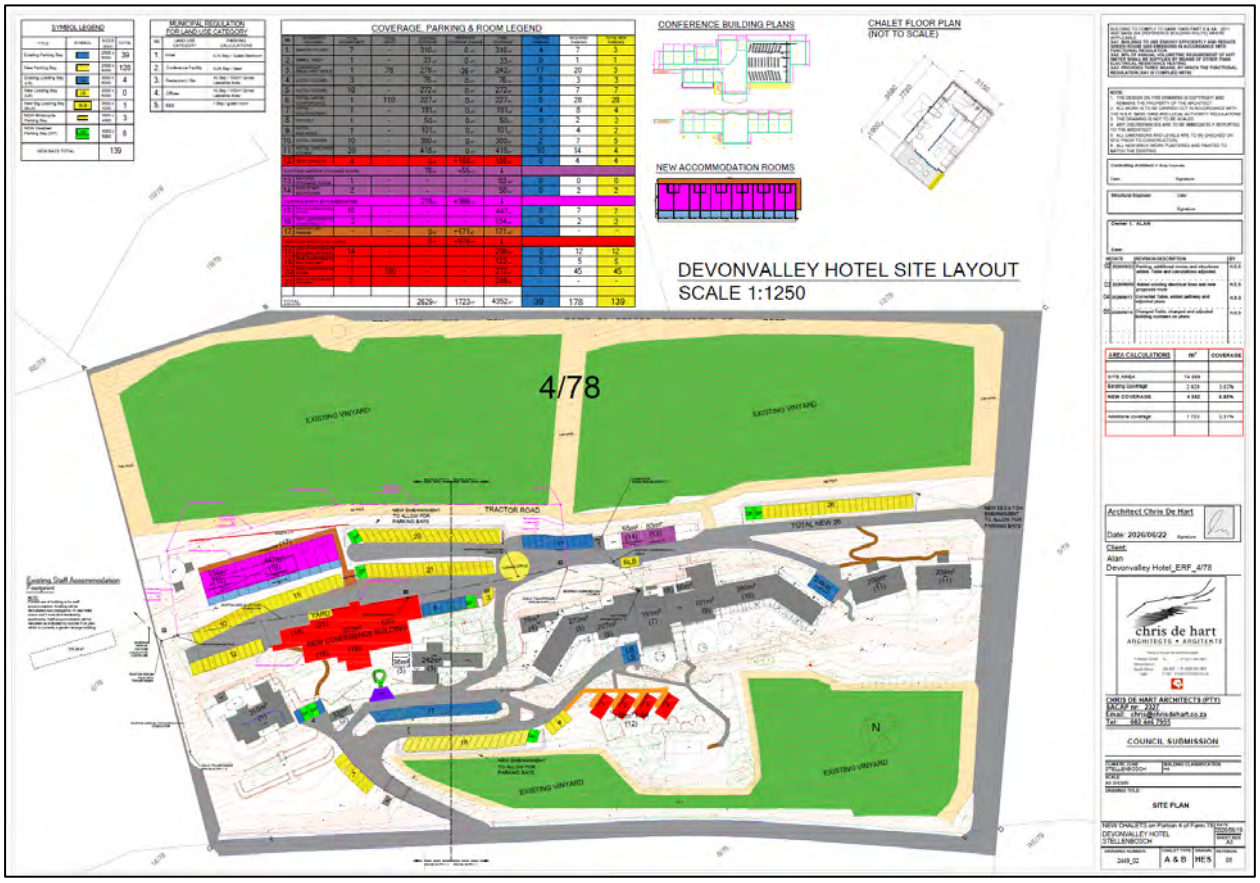
PROVINCIAL LEGISLATION	APPLICABLE SECTIONS	TRIGGERED (YES / NO)	COMMENTS
Western Cape Land Use Planning Regulations, 2015 (Provincial Gazette 7412 dated 26 June 2015)(P.N. 203/2015) Western Cape Land Use Planning Regulations, 2015: Amendment, 2019 (Provincial Gazette 8083 dated 15 April 2019)(P.N. 51/2019)	**Land development requiring provincial approval and exempted categories of land development** Reg 10.(1) Subject to subregulation (2), land development contemplated in section 53(1) read with section 53(4) of the Act consists of the following categories: (a) proposed land development— (i) in respect of which an approval in terms of the Ordinance does not exist immediately before the commencement of the Act; and (ii) that falls within a category of land development that has been listed in the Provincial Gazette as a category that requires approval under section 53(1) of the Act; (b) proposed land development that utilises an area of five hectares or more of agricultural land that has been cultivated or irrigated during the 10-year period immediately preceding the proposed land development that involves urban development or urban expansion, including residential, resort, business, industrial and community development, utility services or transport uses, but excluding agricultural land uses or land development ordinarily associated with agricultural use such as agricultural storing and packing facilities, agricultural industries or accommodation for bona fide agricultural workers;" (c) proposed land development for prospecting, mining or quarrying that utilises an area of five hectares or more of agricultural land; (d) proposed land development for any shale gas mining activity, but excluding any exploration activities involving seismic testing and stratified drilling; and (e) proposed land development for any nuclear electricity generation facility.	No	N/A to this land use application

PROVINCIAL LEGISLATION	APPLICABLE SECTIONS	TRIGGERED (YES / NO)	COMMENTS
	Reg 10.(2) The following categories of land development contemplated in subregulation (1) are exempted under section 53(3) of the Act from requiring approval under section 53(1) of the Act: (a) proposed land development in respect of which a provincial approval exists immediately before the commencement of the Act in terms of any of the following legislation: (i) section 24(2) of the National Environmental Management Act, 1998 (Act 107 of 1998), excluding an approval that is suspended in terms of section 43(7) of that Act; (ii) section 3 or 14 of the Less Formal Township Establishment Act, 1991 (Act 113 of 1991); (iii) regulations 2 to 7 of the regulations made under section 66(1) of the Black Communities Development Act, 1984 (Act 4 of 1984), published under Government Notice R.1897/1986 in Government Gazette 10431 of 12 September 1986; (iv) regulation 16, 17, 19(5) or 19(7) of the regulations made under section 66(1) of the Black Communities Development Act, 1984, published under Provincial Notice 733/1989 in Provincial Gazette 4606 of 22 September 1989; (v) section 20 of the Rural Areas Act, 1987 (Act 9 of 1987); (b) proposed land development that is specifically provided for in the applicable local municipal spatial development framework that was submitted to the Provincial Minister as contemplated in section 14 of the Act.	No	N/A to this land use application

5. PROPOSAL DETAIL

5.1 PROPOSED SITE LAYOUT PLAN (SLP)

The **revised Site Layout Plan** prepared by Chris de Hart Architects for Portion 4 of Farm 78 is attached hereto as **ANNEXURE 3**. An extract of this plan is shown below.



EXTRACT 5: SITE LAYOUT PLAN FOR PORTION 4 OF FARM 78

The abovementioned Site Layout Plan shows the existing land uses and buildings on the farm as well as the proposed changes and new additions, which include the following:

- Conversion of the existing Staff Bedrooms to accommodate Guests and Hotel Executives. The building will be converted and expanded to include 10 x new non-self-catering Hotel Rooms (marked number (15) on the SLP) and 2 x new non-self-catering Executive Apartments (marked number (16) on the SLP).
- Conversion of an existing building that is currently used for garden storage purposes to include 2 x Staff Bedrooms (marked number (14) on the SLP) with the remainder of the building still being used as a Garden Storage Room (marked number (13) on the SLP).
- Addition of a new Conference Building (marked numbers (18-21) on the SLP) with 14 new Conference Offices (marked number (18) on the SLP), 1 x Conference Building Bar (marked number (19) on the SLP) and 1 x new 180 seat Conference Room (marked number (20) on the SLP).
- Addition of 4 x non-self-catering chalets marked as number (12) on the SLP.

In terms of the Zoning Scheme By-Law, a tourism accommodation establishment or hotel is a consent use in the Agricultural and Rural Zone. The following application is therefore made:

- Consent is sought, in terms of Section 15(2)(o) of the Stellenbosch Municipality: By-Law on Municipal Land Use Planning, 2023 (as amended) for the expansion of the existing hotel (tourism accommodation establishment) rights on Portion 4 of Farm 78 as follows:
    - Addition of 4 x new non-self-catering chalets with a total coverage of **±188m²**.
    - Conversion of the existing **±215m²** building currently used as Staff Bedrooms to a building with a coverage of **±581m²** that includes 10 x new non-self-catering Hotel Rooms (marked number (15) on the SLP) and 2 x new non-self-catering Executive / Leadership Apartments (marked number (16) on the SLP) plus an enclosed passage of **±171m²**.
    - Conversion of an existing **±78m²** building that is currently used for garden storage purposes to include 2 x Staff Bedrooms (marked number (14) on the SLP) of **±25m² each** plus a **±83m²** facility to be used for Garden Storage purposes (marked number (13) on the SLP).
    - Addition of a new hotel building with a coverage of **±979m²** that will include a 180 seat Conference Facility (marked number (20) on the SLP), 14 x new Conference Offices (marked number (18) on the SLP) and 1 x new Conference Bar facility (marked number (19) on the SLP).

5.2 PROPOSED CONVERSION OF THE EXISTING STAFF ACCOMMODATION BUILDING

An existing building of approximately **±215m²**, located on the north-western boundary of the property, is currently used for staff accommodation.

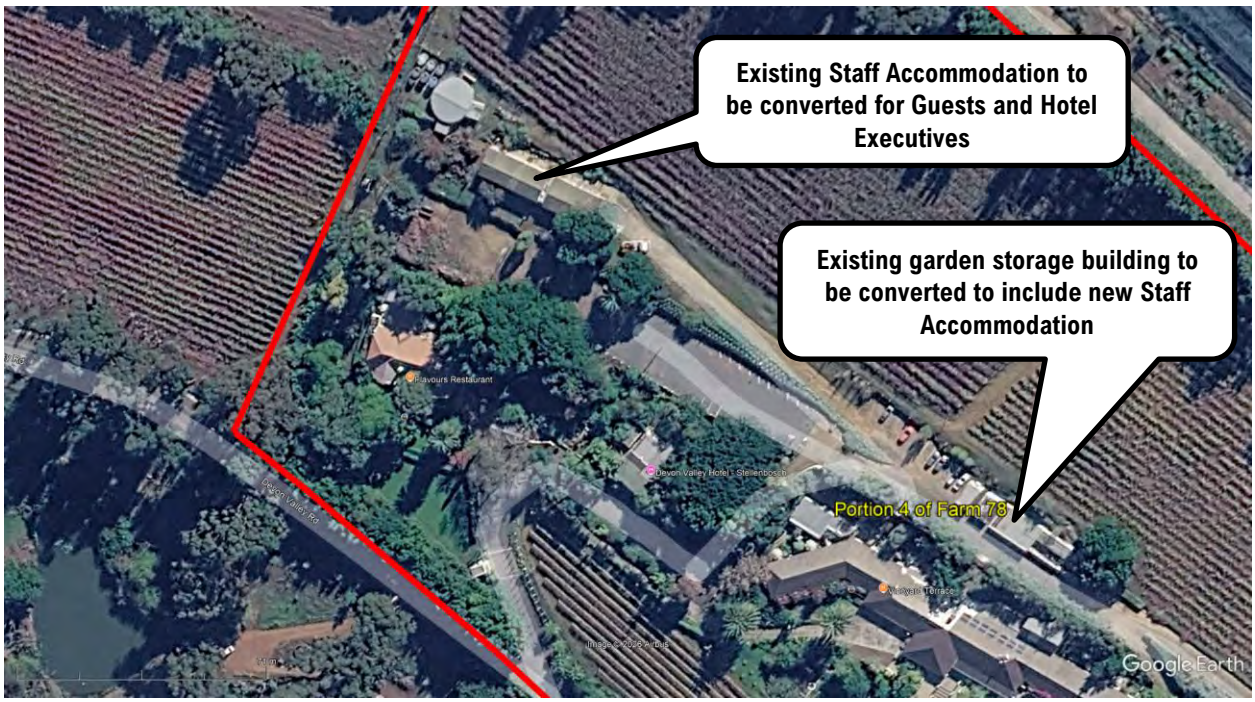


IMAGE 4: LOCATION OF EXISTING AND NEW STAFF ACCOMMODATION ON THE SUBJECT PROPERTY (Source: Google Earth)

Photos of the existing staff accommodation building are shown below.

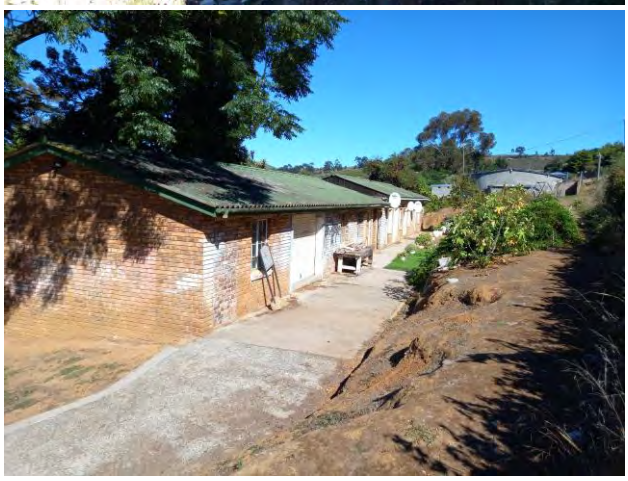


PHOTO 2: EXISTING STAFF ACCOMMODATION

The landowner wishes to convert the existing building to include the following:

- 10 x new non-self-catering Hotel Rooms with a total coverage of **±447m²** to be used by transient guests (marked on the SLP with the number (15)); and
- 2 x new non-self-catering Executive / Leadership Apartments with a total coverage of **±134m²** to be used by Hotel Executives (marked on the SLP with the number (16)).

The rooms will be accessed via a new enclosed passage / walkway (**±171m²**) that runs along the northern and eastern part of the building. Each room will have its own balcony located on the southern side of the building. The balconies will not be covered by a roof. The new building (excluding the enclosed passage) will be a single storey building of **±581m²**.

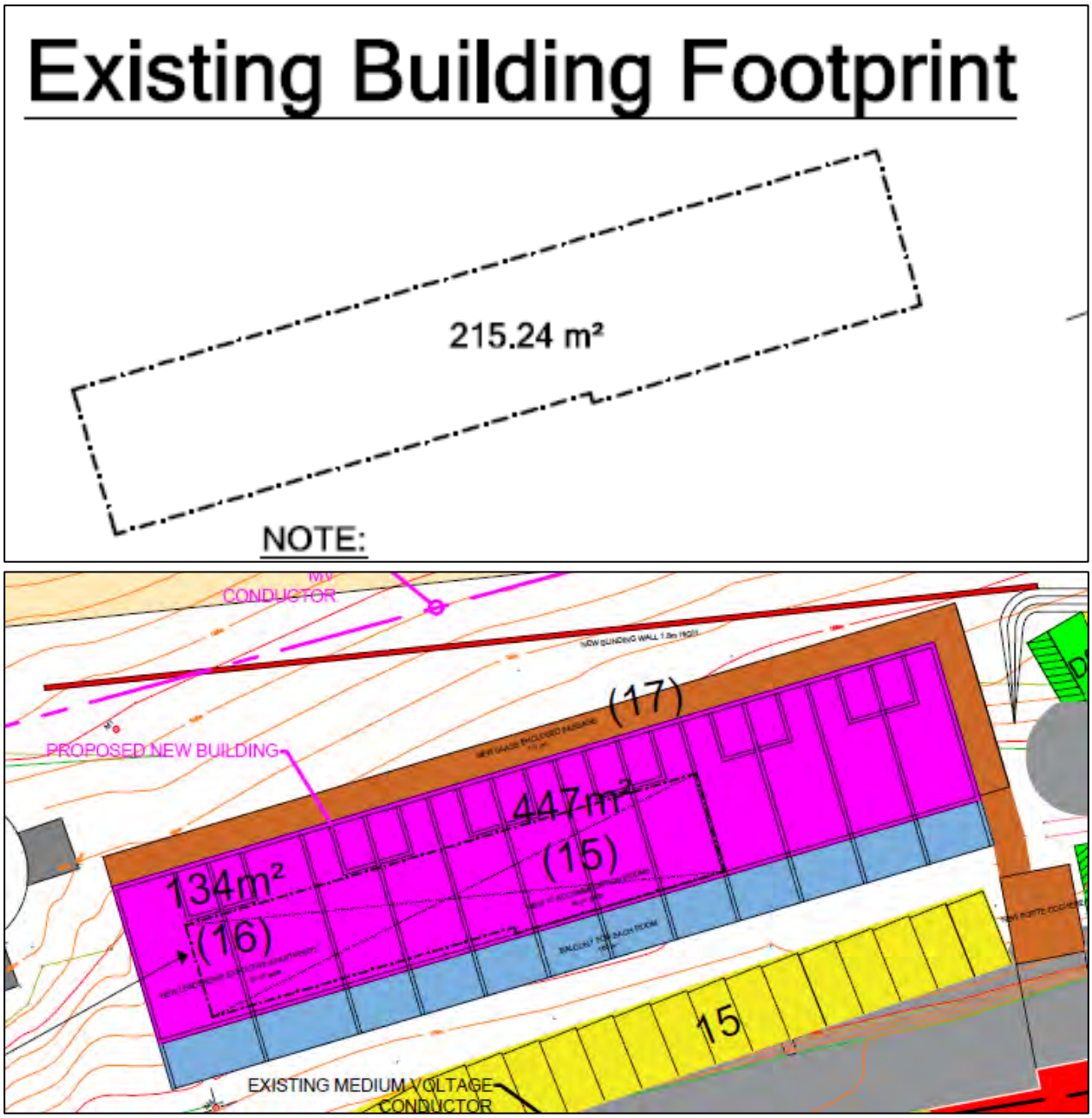
A new **1.8m** high blinding wall will separate this building from the vineyards to its north which will ensure that there is no clash between guests and farming activities.

TABLE 7: AREA CALCULATIONS – NEW HOTEL ROOMS AND EXECUTIVE APARTMENTS

NEW HOTEL ROOMS AND EXECUTIVE APARTMENTS	AREA (m²)	INCLUDED IN COVERAGE
10 x New Hotel Rooms	447	Yes
2 x New Executive Apartments	134	Yes
Enclosed Passage / Walkway	171	Yes
TOTAL	**752**	

The footprints of the existing and proposed converted building are shown in the extract below:

- Purple/Magenta colour: 2 x new Executive Apartments & 10 x new Hotel Rooms
- Blue colour: Uncovered balconies
- Brown colour: Enclosed passage.



EXTRACT 6: PROPOSED NEW HOTEL ROOMS AND EXECUTIVE APARTMENTS

5.3 PROPOSED CONVERSION OF THE EXISTING GARDEN STORAGE FACILITY

An existing **±78m² building** (shown in the images below) is currently used as a Garden Storage facility. This building is proposed to be converted to include **2 x ±25m² Staff Rooms** with another **±83m²** area to be used for Garden Storage purposes.

The proposed converted building will be aligned with the character of the other buildings on the land unit, as well as the character of this area.

This building is shown as numbers (14) and (13) on the SLP respectively.

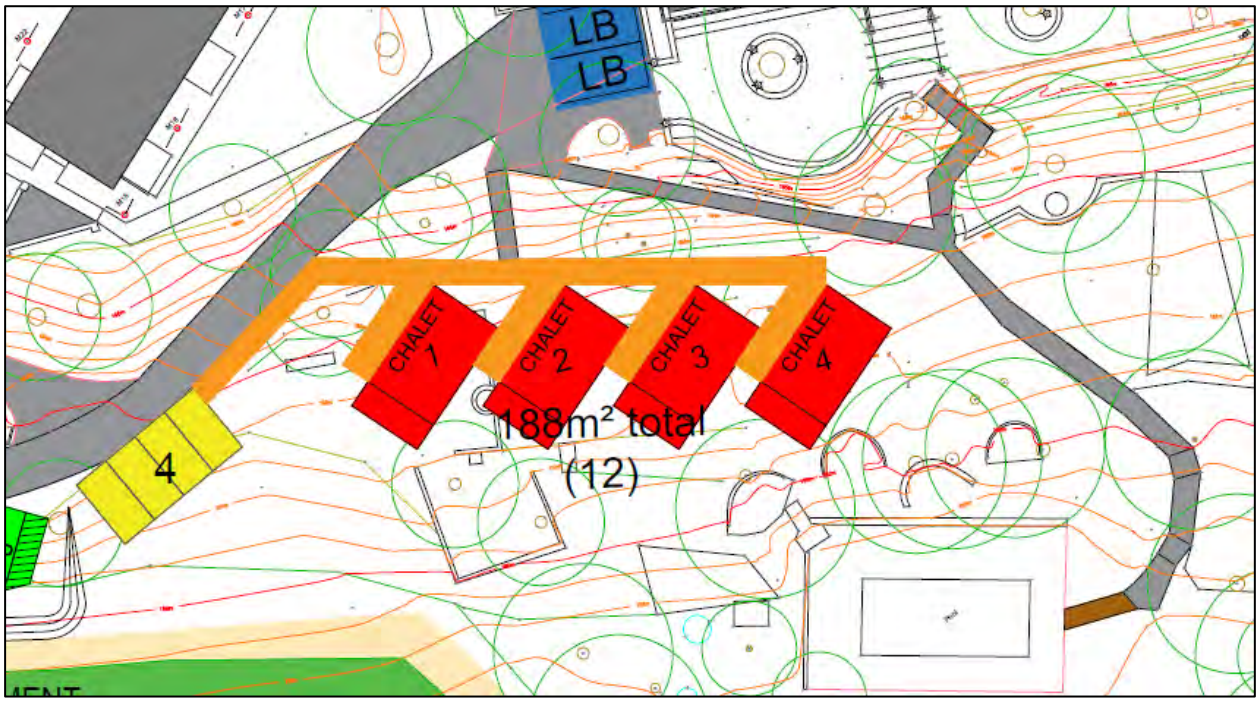
PHOTO 3: BUILDING TO BE CONVERTED TO INCLUDE NEW STAFF ACCOMMODATION

5.4 PROPOSED NON-SELF-CATERING CHALETS

The owner wishes to add 4 x new (non-self-catering) chalets with a total coverage of **±188m²** to the existing, previously approved hotel. The proposed chalets are proposed to be located between the trees, just north of the swimming pool as shown in the images below.

IMAGE 5: LOCATION OF PROPOSED NON-SELF-CATERING CHALETS ON THE SUBJECT PROPERTY (Source: Google Earth)

The location of these 4 x non-self-catering chalets is shown in red on the Site Layout Plan and marked with number 1, 2, 3 and 4. A close-up of this plan is shown in the extract below.



EXTRACT 7: LOCATION OF THE PROPOSED NEW NON-SELF-CATERING CHALETS ON PORTION 4 OF FARM 78

3D images of what the proposed non-self-catering chalets may look like is shown in the photos below.

PHOTO 4: 3D IMAGES OF THE EXTERIOR OF THE PROPOSED CHALETS (Source: Chris de Hart Architects)

PHOTO 5: 3D IMAGES OF THE INTERIOR OF THE PROPOSED CHALETS (Source: Chris de Hart Architects)

The following should also be noted regarding the proposed chalets:

- There are no unused buildings on the property.
- The proposed chalets are furnished and non-self-catering units. Although the units will include a small fridge and small microwave to enable guests to make their own coffee and provide space for milk and snacks it will not have a kitchen (which usually includes a stove and oven) for the preparation of meals. Meals will have to be taken in the hotel's restaurant.
- It will furthermore not be used ***"… as a complete residence …"*** as specified in the definition of ***"dwelling unit"*** in the Zoning Scheme By-Law.
- The proposed chalets will accommodate ***"transient guests"*** only and will NOT accommodate a ***"permanent resident"*** as defined in the Zoning Scheme By-Law. It will therefore provide accommodation ***"…in a furnished bedroom or suite … on a day-to-day or short-term basis, often quoted on a daily or weekly price"*** as defined in the Zoning Scheme By-Law.

- The proposed chalets are aligned with the Zoning Scheme By-Law's definition of a **"hotel"**. It will be part of Devon Valley Hotel which consists of ***"… a group of buildings on the same land unit for the accommodation of transient guests in furnished bedrooms or suites …"***.
- The proposed chalets are therefore:
    - Not ***"additional dwelling units"*** as defined in the Zoning Scheme By-Law.
    - Not a ***"dwelling house" or "dwelling unit"*** as defined in the Zoning Scheme By-Law.
    - Not ***"employee housing"*** as defined in the Zoning Scheme By-Law.
    - Not a ***"second dwelling"*** as defined in the Zoning Scheme By-Law.
- The proposed new chalets will be aligned with the character of the other buildings on the land unit, as well as the character of this area.
- There is no environmentally sensitive vegetation on the location where the chalets are proposed to be located. This was confirmed by Mr Steven Molteno of Capensis. His report is attached in **ANNEXURE 12**.
- After the concerns raised by the Western Cape Department of Agriculture in the notice and comment period of this application the proposed new chalets were reduced from 10 to 4 and was relocated to an area between the existing trees north of the swimming pool.
    - The proposed chalets are therefore NOT close to the existing vineyards and will NOT interfere with the farming activities. Tractors and other farming equipment can move freely without any interference from guests and vice versa.
    - Spraying of the vineyards takes place only 7 x per year for ±45 minutes each time to spray. For these days, the Hotel is willing not to rent out the new hotel rooms or the chalets, if it is a concern that the spray might affect the transient guests staying in any of the newly proposed rooms.
    - The pruning and picking of the grapes are always done by hand, not mechanical. This takes maybe 2 or 3 days and can be done whilst the guests occupy the rooms. In fact, the guests might love to see a live picking of grapes.

5.5 PROPOSED NEW CONFERENCE BUILDING

A new **±979m²** Conference Building is proposed on a transformed portion of the land between existing buildings. The proposed conference building will include the land uses shown in the table below.

TABLE 8: AREA CALCULATIONS – NEW CONFERENCE BUILDING

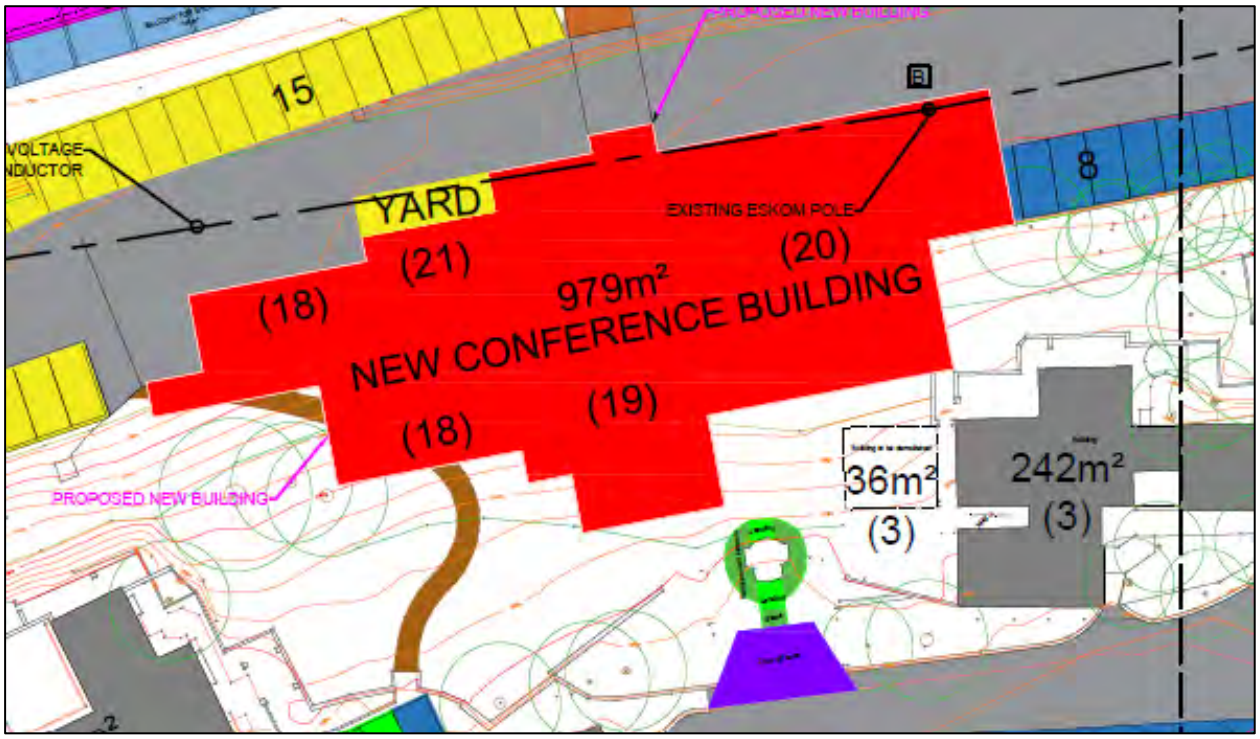
SLP REF.	NEW CONFERENCE BUILDING	m²	HA
18	14 x New Conference Offices	296.00	0.0296
19	1 x New Conference Bar	122.00	0.0122
20	180 x Seat Conference Room	272.00	0.0272
21	Bathrooms and Passages	289	0.0289
	TOTAL AREA & COVERAGE	**979.00**	**0.0979**

The coverage of this facility will only be **±1.31%** of the total site area. The existing conference facilities in the buildings marked (3) and (6) will still be used as conference facilities. The existing conference house marked as number (3) on the SLP will be used as "break-away rooms" for the new conference facility.

The proposed location of the building is shown in the images and extract below.

IMAGE 6: LOCATION OF PROPOSED HOTEL CONFERENCE BUILDING ON THE SUBJECT PROPERTY (Source: Google Earth)

An extract from the SLP of the new Conference Building is shown below.



EXTRACT 8: PROPOSED LOCATION OF THE NEW HOTEL CONFERENCE BUILDING

5.6 PROPOSED ELECTRICAL INFRASTRUCTURE

The Electrical Engineering Report confirms that there is sufficient capacity available on the ESKOM network to accommodate the proposed additions to the hotel.

The report from DSV Consulting Engineers make a few proposals regarding the electrical infrastructure which is shown in the extract below.

7. PROPOSED ELECTRICITY INFRASTRUCTURE

The existing Eskom overhead line which feeds Electricity Supply 1 runs through the proposed location of the new Conference / Office building.

- An application will need to be submitted to Eskom to relocate this line.
- The proposed new route for this line is provided in the site plan in Annexure B attached.

The existing Eskom supply which feeds Electricity Supply 2 will need to be upgraded to allow for the additional capacity required.

- An application will need to be submitted to Eskom to upgrade this supply.
- This will involve the replacement of the existing transformer and may also require changes to the existing overhead electricity supply infrastructure.

EXTRACT 9: PROPOSED ELECTRICAL ENGINEERING SERVICES

The electrical engineering services report is contained in **ANNEXURE 8**.

5.7 PROPOSED CIVIL ENGINEERING SERVICES

The civil engineering services report is contained in **ANNEXURE 8**. The engineering services report indicates the following regarding water demand and supply:

- The additional facilities will increase the demand for water with 7.4 kl/day.
- *"Farm 78/4 has a small diameter, municipal connection to the north of the property that is linked to the Devon Valley Reservoir reticulation network…. The hotel and other facilities are currently fed from two boreholes situated on the property. The supply is supplemented by a municipal connection during times of high demand. The existing municipal water connection may have to be upgraded once firefighting requirements are taken into account".*

The engineering services report indicates the following regarding sewerage run-off:

- The additional facilities will increase the sewerage run-off with 7.0 kl/day.
- *"A 160mm Ø private sewer runs along the southern boundary of the property as shown in Annexure C. The existing Devon Valley Hotel development is connected to this collector sewer that connects to the municipal bulk sewerage system at the south-eastern corner of the property. The municipal bulk sewer runs towards Stellenbosch Wastewater Treatment plant"*.
- According to the engineering services report the municipality has indicated that there is sufficient spare capacity in the Devon Valley bulk sewerage system to accommodate the additional run-off created by the proposed development.

The engineering services report indicates the following regarding solid waste removal:

- The additional demand for solid waste removal would be 0.52 t/week.
- According to the engineering services report, the municipality provides waste removal services to the hotel and confirms that there is sufficient capacity to accommodate the additional demand.

5.8 PROPOSED ROAD ACCESS

The existing access to the property from Devon Valley Road will be maintained and not be changed. There will be no new accesses to the property created from Devon Valley Road.

PHOTO 6: EXISTING ACCESS FROM DEVON VALLEY ROAD

5.9 PROPOSED DEVELOPMENT PARAMETERS

The table below provides a summary of the proposed development parameters for this proposed consent use:

TABLE 9: PROPOSED DEVELOPMENT PARAMETERS

<table>
<tr><th>DEVELOPMENT PARAMETER</th><th>PROPOSED</th><th>DEPARTURE REQUIRED?</th></tr>
<tr><td>Building Lines</td><td>The proposed additions/development do not have an impact on the building lines of this property.</td><td>No</td></tr>
<tr><td>Height</td><td>The proposed additions/development will not deviate from the relevant height parameter in the zoning scheme.</td><td>No</td></tr>
<tr><td>Coverage</td><td>The existing coverage on the property is approximately 3.52% (±2,629m²).
The proposed additions will increase the coverage with ±2.31% (±1,723m²) to a total of ±5.83% (±4,352m²).
<table>
<tr><th>AREA CALCULATIONS</th><th>m²</th><th>COVERAGE</th></tr>
<tr><td></td><td></td><td></td></tr>
<tr><td>SITE AREA</td><td>74 689</td><td></td></tr>
<tr><td>Existing Coverage</td><td>2 629</td><td>3.52%</td></tr>
<tr><td>NEW COVERAGE</td><td>4 352</td><td>5.83%</td></tr>
<tr><td></td><td></td><td></td></tr>
<tr><td>Additional coverage</td><td>1 723</td><td>2.31%</td></tr>
</table></td><td>No</td></tr>
</table>

DEVELOPMENT PARAMETER	PROPOSED	DEPARTURE REQUIRED?
Boundary walls & fences	The proposed additions/development do not have an impact on boundary walls and fences.	No
Parking	Based on the requirements of the Municipality's Zoning Scheme By-law, approximately 178 parking bays would be required for the existing and proposed land uses on the property. This has been provided as shown on the Site Layout Plan (SLP). An extract of this table from the SLP is shown below. There is thus sufficient space for parking on the property, and a departure application is therefore not required	No

The extract below shows the parking for each land use on the property.

COVERAGE, PARKING & ROOM LEGEND

NR.	DESIGNATED BUILDINGS	TOTAL ROOMS/UNITS	TOTAL SEATS	EXISTING COVERAGE	PROPOSED COVERAGE CHANGE	FINAL COVERAGE	EXISTING PARKING	REQUIRED PARKING	TOTAL NEW PARKING
1.	MANOR HOUSE	7	-	310 m²	0 m²	310 m²	4	7	3
2.	SMALL SHOP	1	-	33 m²	0 m²	33 m²	0	1	1
3.	CONFERENCE BREAK-AWAY VENUE	1	78	278 m²	-36 m²	242 m²	17	20	3
4.	HOTEL ROOMS	3	-	76 m²	0 m²	76 m²	0	3	3
5.	HOTEL ROOMS	10	-	272 m²	0 m²	272 m²	0	7	7
6.	HOTEL LARGE CONFERENCE	1	110	227 m²	0 m²	227 m²	0	28	28
7.	HOTEL RESTRAURANT	1	-	191 m²	0 m²	191 m²	4	8	4
8.	OFFICES	1	-	50 m²	0 m²	50 m²	0	2	2
9.	HOTEL BAR AREA	1	-	101 m²	0 m²	101 m²	2	4	2
10.	HOTEL ROOMS	10	-	380 m²	0 m²	380 m²	2	7	5
11.	HOTEL VINEYARD ROOMS	20	-	418 m²	0 m²	418 m²	10	14	4
12.	NEW CHALETS	4	-	0 m²	+188 m²	188 m²	0	4	4
EXISTING GARDEN STORAGE ROOM				78 m²	+55 m²	↓			
13.	GARDEN STORAGE ROOM	1	-	-	-	83 m²	0	0	0
14.	NEW STAFF BEDROOMS	2	-	-	-	50 m²	0	2	2
EXISTING STAFF ACCOMMODATION				215 m²	+366 m²	↓			
15.	NEW ACCOMMODATION ROOMS	10	-	-	-	447 m²	0	7	7
16.	NEW LEADERSHIP APARTMENTS	2	-	-	-	134 m²	0	2	2
17.	NEW ENCLOSED PASSAGE	-	-	0 m²	+171 m²	171 m²	-	-	-
NEW CONFERENCE BUILDING				0 m²	+979 m²	↓			
18.	NEW CONFERENCE BUILDING OFFICES	14	-	-	-	296 m²	0	12	12
19.	NEW CONFERENCE BUILDING BAR	1	-	-	-	122 m²	0	5	5
20.	NEW CONFERENCE ROOM	1	180	-	-	272 m²	0	45	45
21.	NEW BATHROOMS AND PASSAGES	2	-	-	-	289 m²	-	-	-
TOTAL				2629 m²	1723 m²	4352 m²	39	178	139

EXTRACT 10: ONSITE PARKING

6. MOTIVATION / DESIRABILITY

6.1 CONSISTENCY WITH SPLUMA (ACT 16 OF 2013) AND LUPA (ACT 3 OF 2014) DEVELOPMENT PRINCIPLES

The consistency of this land use application (LUA) with the development principles contained in Chapter 2, Section 7 of SPLUMA (Act 16 of 2013) and Chapter 6, Section 59 of LUPA (Act 3 of 2014) are discussed in the table below.

TABLE 10: SPLUMA (ACT 16 OF 2013) AND LUPA (ACT 3 OF 2014) DEVELOPMENT PRINCIPLES

APPLICABLE SECTIONS	*SPLUMA DEVELOPMENT PRINCIPLES*	COMMENTS
SPLUMA, Section 7(a) and LUPA, Section 59(1) Section 59(1)(a) to S59(1)(f) of LUPA is aligned with Section 7(a)(i) to S7(a)(vi) of SPLUMA.	*Spatial Justice*	
	(i) past spatial and other development imbalances must be redressed through improved access to and use of land;	Not applicable to this land use application.
	(ii) spatial development frameworks and policies at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and areas characterised by widespread poverty and deprivation;	Not applicable to this land use application.
	(iii) spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons;	Not applicable to this land use application.
	(iv) land use management systems must include all areas of a municipality and specifically include provisions that are flexible and appropriate for the management of disadvantaged areas, informal settlements and former homeland areas;	Not applicable to this land use application.
	(v) land development procedures must include provisions that accommodate access to secure tenure and the incremental upgrading of informal areas; and	Not applicable to this land use application.
	(vi) a Municipal Planning Tribunal considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property is affected by the outcome of the application;	Not applicable to this land use application.
	LUPA S59(1): *(g) the right of owners to develop land in accordance with current use rights should be recognised.*	This land use application is consistent with this principle. The proposal in this land use application is aligned with what the Zoning Scheme permits (with municipal consent) in the Agriculture & Rural Zone.
SPLUMA, Section 7(b) and	*Spatial Sustainability*	
	(i) promote land development that is within the fiscal, institutional and administrative means of the Republic;	Not applicable to this land use application.

APPLICABLE SECTIONS	*SPLUMA DEVELOPMENT PRINCIPLES*	COMMENTS
LUPA, Section 59(2) Section 59(2)(a)(i) to S59(2)(a)(vii) of LUPA is aligned with Section 7(b)(i) to S7(b)(vii) of SPLUMA.	*(ii) ensure that special consideration is given to the protection of prime and unique agricultural land;*	The proposed land uses are positioned in such a manner that it would not have an impact on the existing vineyards in that area (refer to the Site Layout Plan).
	(iii) uphold consistency of land use measures in accordance with environmental management instruments;	The proposed land uses are positioned in areas that have already been transformed.
	(iv) promote and stimulate the effective and equitable functioning of land markets;	The proposed land uses are consistent with this principle.
	(v) consider all current and future costs to all parties for the provision of infrastructure and social services in land developments;	No social services are required for this proposal. Current and future costs of the provision of infrastructure have been considered by the landowner.
	(vi) promote land development in locations that are sustainable and limit urban sprawl; and	The proposed land uses are consistent with this principle.
	(vii) result in communities that are viable;	Not applicable to this land use application.
	LUPA S51(2)(a): land use planning should— *(viii) strive to ensure that the basic needs of all citizens are met in an affordable way;*	Not applicable to this land use application.
	LUPA S51(2)(b): the sustained protection of the environment should be ensured by having regard to the following: *(i) natural habitat, ecological corridors and areas with high biodiversity importance;* *(ii) the provincial heritage and tourism resources;* *(iii) areas unsuitable for development, including flood plains, steep slopes, wetlands and areas with a high water table and landscapes and natural features of cultural significance; and* *(iv) the economic potential of the relevant area or region;*	The proposed land uses are consistent with this principle.
	LUPA S51(2)(c): *(c) climate change adaptation and climate change mitigation strategies should be developed and considered in land use planning;*	Not applicable to this land use application.
	LUPA S51(2)(d): *(d) the provision and conservation of, and the management of the demand for, energy should be considered in land use planning;*	The proposed land uses are consistent with this principle.
	LUPA S51(2)(e): *(e) the safe utilisation of land should be ensured by taking into consideration factors such as sea-level rise, storm surges, flooding, fire hazards and geological formations;*	The proposed land uses are consistent with this principle.
	LUPA S51(2)(f): *(f) the illegal occupation of land should be discouraged with due recognition of informal land development practices; and*	Not applicable to this land use application.

APPLICABLE SECTIONS	*SPLUMA DEVELOPMENT PRINCIPLES*	COMMENTS
	LUPA S51(2)(g): *(g) development should be principle-driven and should prioritise long-term social, economic and environmental benefits over short-term benefits.*	Not applicable to this land use application.
SPLUMA, Section 7(c) and LUPA, Section 59(3) Section 59(3)(a) and S59(3)(c) of LUPA is aligned with Section 7(c)(i) and S7(c)(iii) of SPLUMA.	*Efficiency*	
	SPLUMA, Section 7(c): *(i) land development optimises the use of existing resources and infrastructure;* *LUPA, Section 3(a)* *(a) land development should optimise the use of existing resources, infrastructure, agriculture, land, minerals and facilities;*	The proposed land uses area consistent with this principle. The use of existing facilities on the property has been optimised. Existing infrastructure will be used and any upgrades required in terms of engineering infrastructure will be done by the landowner. Refer to the Engineering Reports in ANNEXURE 8 for more detail.
	(ii) decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts; and	The proposed land uses are consistent with this principle.
	(iii) development application procedures are efficient and streamlined and timeframes are adhered to by all parties; *LUPA, Section 3(a)* *(c) policy, administrative practice and legislation should promote speedy land development.*	This land use application will adhere to the procedures of the Stellenbosch Municipality's Land Use Planning and Zoning Scheme By-Laws and is therefore consistent with this principle. The processing of this application by the Municipality should be done in accordance with this principle.
	LUPA, Section 3(b): integrated cities and towns should be developed, whereby— *(i) the social, economic, institutional and physical aspects of land development is integrated;* *(ii) land development in rural and urban areas in support of each other is promoted;* *(iii) the availability of residential and employment opportunities in close proximity to, or integrated with, each other is promoted;* *(iv) a diverse combination of land uses is promoted;* *(v) the phenomenon of urban sprawl in urban areas is discouraged and the development of more compact towns and cities with denser habitation is promoted;* *(vi) historically distorted spatial patterns of settlement are corrected; and* *(vii) the quality and functionality of the public spatial environment is promoted; and*	This proposed land uses are consistent with the principle of promoting a diverse combination of land uses permitted in terms of the Zoning Scheme By-law within the applicable zoning of this property.
SPLUMA, Section 7(d) and LUPA, Section 59(5)	*Spatial Resilience*	
	(d) the principle of spatial resilience, whereby flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks; and	Not applicable to this land use application.
	Good Administration	

APPLICABLE SECTIONS	*SPLUMA DEVELOPMENT PRINCIPLES*	COMMENTS
SPLUMA, Section 7(e) and LUPA, Section 59(4) Section 59(4)(a) to S59(4)(e) of LUPA is aligned with Section 7(e)(i) to S7(e)(v) of SPLUMA.	*(i) all spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in this Act;*	Applicable to the Stellenbosch Municipality.
	(ii) all government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks;	Applicable to the Stellenbosch Municipality.
	(iii) the requirements of any law relating to land development and land use are met timeously;	This land use application will adhere to the procedures and requirements of the Stellenbosch Municipality's Land Use Planning and Zoning Scheme By-Laws and is therefore consistent with this principle.
	(iv) the preparation and amendment of spatial plans, policies, land use schemes as well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them; and	Applicable to the Stellenbosch Municipality.
	(v) policies, legislation and procedures must be clearly set in order to inform and empower members of the public.	Applicable to the Stellenbosch Municipality.
	LUPA, Section 59(4) *(f) a spatial development framework, zoning scheme or policy should be developed in phases and each phase in the development thereof should include consultation with the public and relevant organs of state and should be endorsed by the relevant competent authority;*	Applicable to the Stellenbosch Municipality.
	LUPA, Section 59(4) *(g) decision-making procedures should be designed to minimise negative financial, social, economic or environmental impacts;*	Applicable to the Stellenbosch Municipality.
	LUPA, Section 59(4) *(h) development application procedures should be efficient and streamlined and timeframes should be adhered to by all parties; and*	This land use application will adhere to the procedures of the Stellenbosch Municipality's Land Use Planning and Zoning Scheme By-Laws and is therefore consistent with this principle. The processing of this application by the Municipality should be done in accordance with this principle.
	LUPA, Section 59(4) *(i) decision-making in all spheres of government should be guided by and give effect to statutory land use planning systems.*	Applicable to the Stellenbosch Municipality.

6.2 CONSISTENCY WITH OTHER PROVINCIAL DEVELOPMENT PRINCIPLES, POLICIES AND GUIDELINES

6.2.1 WESTERN CAPE LAND USE PLANNING GUIDELINES, RURAL AREAS (MARCH 2019)

This land use application is consistent with the following objectives of the abovementioned guidelines:

- Chapter 8: Agriculture (p39):
    - *"Encourage the economic viability of agricultural enterprises through the introduction of non-agricultural land uses including tourist accommodation and facilities and additional dwelling units"*.
- Chapter 11: Tourist and Recreational Facilities (p54)
    - *"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).*
    - *To provide citizens access to resources, the coast and the rural landscape"*.

6.2.2 WC PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (PSDF), 2014

The latest approved PSDF is dated March 2014. The Western Cape PSDF aims to:

- Give spatial expression to the National and Provincial development agendas;
- Serve as a basis for coordinating, integrating and aligning 'on the ground' delivery of National and Provincial departmental programmes;
- Support municipalities to fulfil their municipal planning mandate in line with the National and Provincial agendas; and
- Communicates government's spatial development intentions to the private sector and civil society.

The 2014 PSDF applies five (5) key principles to achieve its spatial vision for the province. These five principles are aligned with the development principles contained in Section 7 of SPLUMA (Act 16 of 2013) and Section 59 of LUPA (Act 3 of 2014) and talks about Spatial Efficiency, Spatial Justice, Sustainability & Resilience, Quality & Liveability and Accessibility. This application's consistency with these principles have already been highlighted in a previous section.

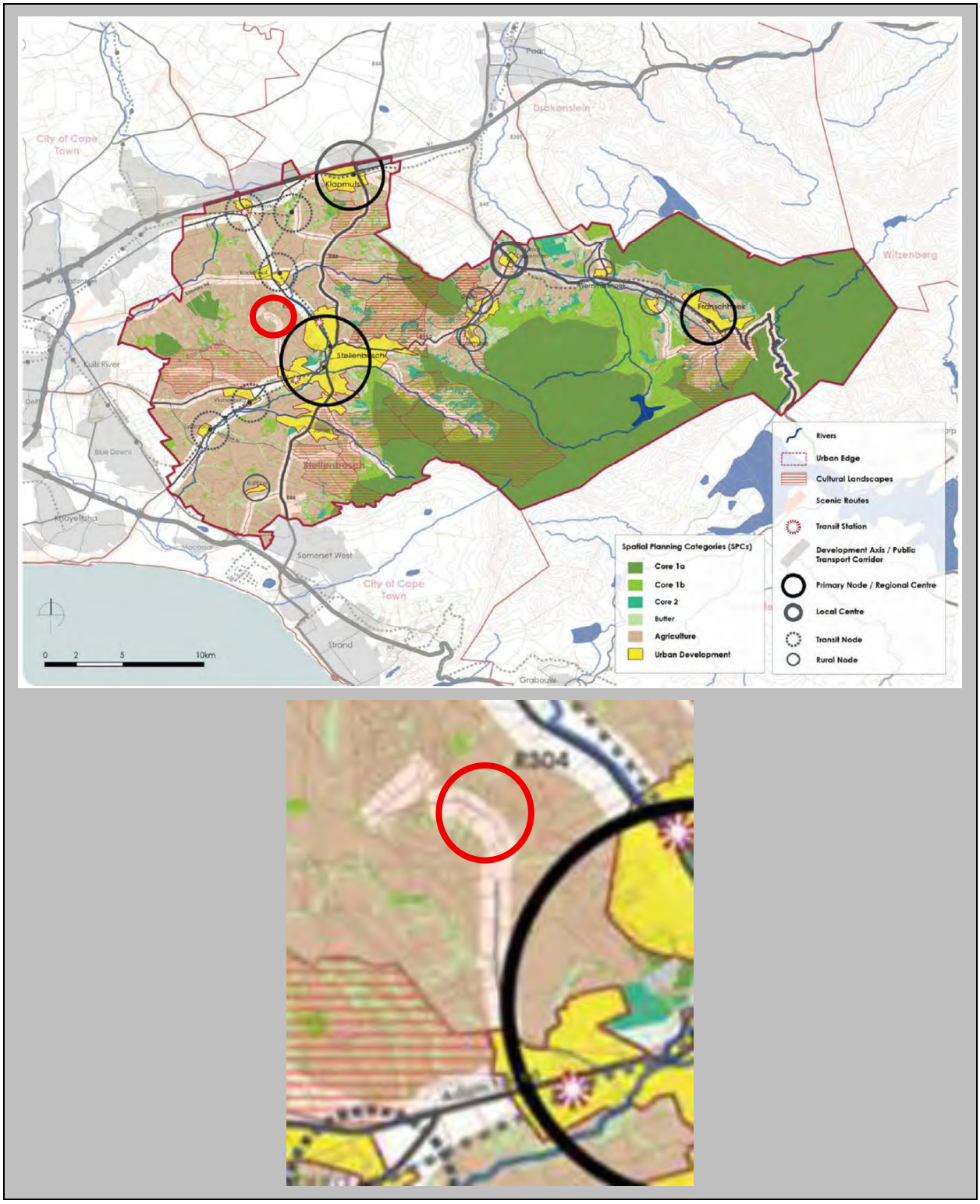
The PSDF then identified three spatial themes to contribute to the achievement of the Western Cape's Strategic Goals, namely RESOURCES, SPACE ECONOMY and SETTLEMENT. This application is aligned with the following spatial themes of the Western Cape PSDF:

- It creates opportunities in the Space Economy by promoting the diversification and strengthening of the Rural Economy as follows:
    - *"Accommodating a greater diversity of compatible and sustainable land use activities on farms and in the rural landscape in general."*

It can thus be concluded that this application is consistent with some of the principles of the 2014 PSDF.

6.3 CONSISTENCY WITH MUNICIPAL SDF

The latest MSDF of Stellenbosch is dated 2023. The approximate location of the subject property is shown in the **RED CIRCLE** on the SDF Extracts below.



EXTRACT 11: STELLENBOSCH SDF (2023, page 68)

EXTRACT 12: STELLENBOSCH FRAMEWORK (2023, page 73)

According to this SDF, the subject property is located in the Agriculture Spatial Planning Category. The SDF furthermore marked Devon Valley Road as a "Scenic Route / Sensitive Scenic Route". The SDF provides the following spatial proposals (SDF, page 72) for the aforementioned SDF elements:

- Agricultural Land: *"Retain and improve the relationship between Stellenbosch town and surrounding agricultural land"*.
- Scenic Routes: *"Retain the strong sense of transition between agriculture and human settlement at the entrances to the town"*.

As part of its Strategy to *"Maintain and grow the assets of SM's Natural Environment"*, the SDF has the following Spatial Policy and Non-Spatial Supportive Policy (SDF, page 113):

- Spatial Policy: *"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"*.

- Non-Spatial Supportive Policy: *"Assist in initiatives to diversify, strengthen, and open up new opportunities and jobs in the rural economy, including the identification of strategically located land for land reform purposes".*

As it relates to this land use application, the SDF furthermore explains its impact on LED as follows (SDF, page 127):

- *"Rural place-bound businesses (including farm stalls and farm shops, restaurants and venue facilities) of appropriate location and scale to complement farming operations, and not compromise the environment, agricultural sustainability, and the scenic, heritage and cultural landscape (following the guidelines contained in "Western Cape Land Use Planning: Rural Guidelines").*
- *Support for various forms of leisure and tourism activities across the rural landscape, of appropriate location, scale, and form not to compromise the environment, agricultural sustainability, and the scenic, heritage and cultural landscape (following the guidelines contained in "Western Cape Land Use Planning: Rural Guidelines")"*.

Section 22 of SPLUMA indicates the following:

> *"22. (1) A Municipal Planning Tribunal or any other authority required or mandated to make a land development decision in terms of this Act or any other law relating to land development, may not make a decision which is inconsistent with a municipal spatial development framework.*
> *22. (2) Subject to section 42, a Municipal Planning Tribunal or any other authority required or mandated to make a land development decision, may depart from the provisions of a municipal spatial development framework only if site-specific circumstances justify a departure from the provisions of such municipal spatial development framework."*

Similar to SPLUMA, Section 19 of the Western Cape Land Use Planning Act (LUPA), Act 3 of 2014 states the following:

> *"19. (1) If a spatial development framework or structure plan specifically provides for the utilisation or development of land as proposed in a land use application or land development application, the proposed utilisation or development is regarded as complying with that spatial development framework or structure plan.*
> *(2) If a spatial development framework or structure plan does not specifically provide for the utilisation or development of land as proposed in a land use application or a land development application, but the proposed utilisation or development is not in conflict with the purpose of the relevant designation in the spatial development framework or structure plan, the utilisation or development is regarded as being consistent with that spatial development framework or structure plan.*
> *(3) If the proposed utilisation or development of land in a land use application or a land development application does not comply with and is not consistent with the relevant designation for the utilisation of land in an applicable spatial development framework or structure plan, the proposed utilisation or development deviates from that spatial development framework or structure plan."*

Although the SDF does not "… *specifically provides for the utilisation or development of land as proposed in a land use application …"* the proposed land uses in this application are "… *not in conflict with the purpose of the relevant designation in the spatial development framework …"*.

The proposed land uses do not impact on the credibility of the MSDF since it is merely an extension of the existing approved Devon Valley Hotel. The municipality's Zoning Scheme By-law furthermore make provision for the proposed land uses as a Consent Use within the Agriculture and Rural Zone.

The proposed land uses are therefore "… *regarded as being consistent with that spatial development framework …"* in accordance with Section 19(2) of LUPA, or at least, not inconsistent with the MSDF.

6.4 SITE SPECIFIC CIRCUMSTANCES

In a pre-submission email exchange between Martin Jonker (Plan 4 SA) and Ms Louisa Engelbrecht (Stellenbosch Municipality), Ms Engelbrecht confirmed that if the proposed chalets are **not self-catering** then a motivation to deviate from the MSDF based on site specific circumstances is **not** required.

Following the above correspondence, the landowner (Company) confirmed that the proposed chalets will **not be self-catering** in line with its existing use of the Hotel rooms. For the sake of clarity, the new units will **not be self-catering** because the Devon Valley Hotel only provides Hotel rooms without self-catering units/rooms. The other new hotel rooms and executive apartments will also be **non-self-catering** rooms.

Ms Engelbrecht further stated in an email dated 9 July 2025 that:

> *"Please be advised that once the floor layout of the chalets conforms with the definition of a "dwelling unit," they will be classified accordingly. This classification implies that the units will be considered self-catering".*

The Stellenbosch Zoning Scheme By-Law defines a ***"dwelling unit"*** as follows:

> **"dwelling unit" (wooneenheid)** means a self-contained set of inter-leading rooms which consist of at least one bedroom, one bathroom and no more than one kitchen or open-plan area set aside for preparation of meals, and which is utilized or intended to be utilized as a complete residence and accommodation for one family, and can be a dwelling house, second dwelling house, additional dwelling house, group house, employee housing or dwelling units in flats or apartments;

EXTRACT 13: ZONING SCHEME BY-LAW DEFINITION OF "DWELLING UNIT"

The question is therefore whether the floor layout of the proposed chalets conforms to the definition of a "dwelling unit"? This is tested in the following table:

TABLE 11: CONFORMATION TEST TO THE DEFINITION OF "DWELLING UNIT"

QUESTION	**DOES THE FLOOR LAYOUT OF THE NEW UNITS CONFORM TO THIS DEFINITION?**
Does the floor layout of the proposed chalets have *"… a self-contained set of interleading rooms which consist of at least one bedroom, one bathroom and no more than one kitchen or open-plan area set aside for preparation of meals, …"*?	Yes it has one bedroom, one bathroom and an open plan area. However, it does **NOT** have a kitchen, and the open plan area is **NOT** set aside for the preparation of meals.

QUESTION	DOES THE FLOOR LAYOUT OF THE NEW UNITS CONFORM TO THIS DEFINITION?
	Typical in a hotel may include a coffee/tea station which can include a microwave oven for warming up milk, etc.
Will the proposed chalets be *"…utilized or intended to be utilized as a complete residence and accommodation for one family, …"*?	No, the chalets will **NOT** be utilised as a complete residence for the accommodation of one family. **Only transient guests** will be accommodated in these chalets.
Are the proposed chalets a *"…dwelling house, second dwelling house, additional dwelling house, group house, employee housing or dwelling units in flats or apartments"*?	No, the proposed chalets are **NOT** a *"…dwelling house, second dwelling house, additional dwelling house, group house, employee housing or dwelling units in flats or apartments"*. **Only transient guests** will be accommodated in these chalets.

Based on the abovementioned, it is believed that the floor layout of the proposed chalets, **do NOT conform** to the definition of a ***"dwelling unit"***.

It can also be mentioned that the Devon Valley Hotel consists of a number of buildings which are used for and by the Hotel. This is aligned with the definition of a hotel in the Zoning Scheme By-Law which states that "***"hotel"****… means the use of an entire building, a portion of a building,* ***or a group of buildings*** *on the same land unit for the accommodation of* ***transient guests*** *in furnished bedrooms or suites …"*. Refer to the definition in the extract below.

"hotel" (hotel) means the use of an entire building, a portion of a building, or a group of buildings on the same land unit for the accommodation of **transient guests** in furnished bedrooms or suites, where the activity or buildings exceeds the scale and extent of a **guest house**, and where:

i) meals may be served to resident guests or the public.

ii) associated restaurants, shops, conference- and entertainment facilities, wellness Centre and/or sport facilities which serve the guests and public may only be permitted as a primary right on properties which are zoned Mixed-use zone or a similar zone where those type of facilities would ordinarily be permitted as primary right. In a zone where a specific type of ancillary facility is not a primary right, any facilities which are ancillary to a hotel may be applied for as a consent use, and new activities or expansion of such ancillary facilities will also require prior approval of a consent use application.

iii) hotel premises may be licensed to sell liquor for consumption on the land unit in the Local Business zone, Mixed-use zone, Agriculture and Rural zone and Open Space zone. In any other zone a consent use application must first be approved by the Municipality before such a license may be issued. A hotel shall not include a shop for sale of alcohol for off-site consumption.

It is compulsory for the hotel establishment to have at least one staff member present on the property on a full-time basis, which means a staff member shall either be employed to reside on the premises or be employed in shifts by the owners/proprietor to be present on the property on a 24-hour basis, and may be a security person, concierge, caretaker, receptionist or manager or some other similar designation. A **backpacker's establishment** is also a **"hotel"**.

EXTRACT 14: ZONING SCHEME BY-LAW DEFINITION OF "HOTEL"

Based on the abovementioned information it is therefore believed that it is not necessary to motivate a deviation from the SDF based on site-specific circumstances.

6.5 IMPLICATIONS / IMPACT

The impact / implications of the proposed land use on various aspects are discussed in the following table.

TABLE 12: IMPACT OF THE LAND USE

IMPACT	COMMENTS
Engineering Services	The Civil Engineering Report (included in **ANNEXURE 8**) concludes as follows: *"This report concludes that the required basic civil engineering services comprising of potable water, sewerage and solid waste removal are available for the proposed chalets development at Devon Valley Hotel on Farm 78/4, Stellenbosch."* The Electrical Engineering Report (included in **ANNEXURE 8**) concludes as follows: *"There is currently capacity available on the Eskom network for the proposed development"*. Following the notice and comment period one of the neighbours raised the following concerns: 2. **Sewage and Drainage Connection** Kindly confirm that the new units will be connected to the *municipal sewage line* and that no portable or black-water tank system will be used. Our property lies downhill from the hotel, and any seepage from on-site storage or temporary tanks would have a direct environmental and sanitary impact on our land. In Plan 4 SA's response letter, dated 26 January 2026, the following was indicated: • The proposed units will be connected to the municipal sewage line to the satisfaction of the Stellenbosch Municipality. This remains true for all the proposed land uses on the property. All will be connected to the municipal sewage line.
Servitudes	The proposed land uses do not have an impact on the existing servitudes on and adjacent to this property. In some areas existing Eskom infrastructure might be relocated as shown on the SLP.
Floodlines	There are no floodlines affecting the proposed land uses
Topography	A topographical survey was completed, and the architect accommodated the existing topography in the design of the proposed non-self-catering chalets.
Geological	Geological conditions will be considered by architect in the preparation and finalisation of the building plans.
Agriculture	After the notice period was completed for this land use application, the Western Cape Department of Agriculture (WCDA) indicated that they do not support the consent use because they are concerned about the placement of the proposed chalets within the operational farming environment. The letter then proceeded to mention that the proposed development is likely to: • Interfere with the movement of agricultural vehicles and implements. • Create operational constraints during planting, spraying and harvesting activities; and • Give use to land use conflicts between guests and normal farming practices, including noise, dust, odours and the timing of agricultural operations. Following these comments, the landowner amended the SLP to ensure the abovementioned concerns are addressed. • The proposed chalets are now NOT close to the existing vineyards and will NOT interfere with the farming activities. Tractors and other farming equipment can move freely without any interference from guests and vice versa. • Spraying of the vineyards takes place only 7 x per year for ±45 minutes each time to spray. For these days, the Hotel is willing not to rent out the new hotel rooms or the

IMPACT	COMMENTS
	chalets, if it is a concern that the spray might affect the transient guests staying in any of the newly proposed rooms. • The pruning and picking of the grapes are always done by hand, not mechanical. This takes maybe 2 or 3 days and can be done whilst the guests occupy the rooms. In fact, the guests might love to see a live picking of grapes. Refer to **ANNEXURE 13** for copies of the correspondence from and to the WCDA. In the latest SLP, care was taken to ensure that NONE of the proposed land uses will interfere with any agricultural activities on the site.
Environment	After the notice period was completed for this land use application, the Municipality's Manager of Spatial Planning indicated that the biodiversity content of the planning motivation needs to reflect the updated Western Cape Biodiversity Plan (2023). Messrs Capensis was appointed to assist in this regard. Their report with its findings is attached hereto as **ANNEXURE 12**. Capensis confirmed that there *"is no indigenous vegetation (and no species of conservation concern) at the site"*. Below is and extract of the email correspondence received from Mr Steven Molteno (Capensis). **martinj@plan4sa.co.za** **From:** steven@capensis.co.za **Sent:** Friday, 06 March 2026 15:16 **To:** Chris De Hart **Cc:** Alan Louis; Stadsbeplanner Martin Jonker; Greg Nicolson; Matthew Stuart-Fox; Paul Emms; Steven **Subject:** Devon valley hotel NEMA screening report **Attachments:** Botanical Screening Report for NEMA Applicability - Devon valley hotel 20260306.pdf Afternoon Chris, Martin and colleagues, Pls see attached the NEMA screening report, confirming that there is no indigenous vegetation (and no species of conservation concern) at the site. Let me know if there are any questions, but I think it should be quite straight forward. Regards Steven
Heritage	The property is not located in any known Heritage precinct. According to the Devon Valley Hotel website *"This charming Stellenbosch Hotel is well-known for its authentic 'handmade hospitality', with a history dating back to 1943 when the main building was constructed from Canadian Cedarwood"*. The main building is therefore older than 60-years. However, no alterations are proposed for any of the existing buildings that are older than 60-years. The proposed land uses therefore do not trigger Section 38(1) of the National Heritage Resource Act, 1999 (Act 25 of 1999). However, the Stellenbosch Heritage Foundation provides the following relevant classifications for this area which does affect the subject property: • Landscape Units: B03 (7.5) • Scenic Routes: Devon Valley Road • Conservation Systems: Scenic Routes (Devon Valley Road) • Soil Suitability: High (Rooi en Geel Apedale Grond) According to the Stellenbosch Heritage Foundation's website which includes the Stellenbosch Municipality Heritage Survey of 2016, there are no Heritage Resources on the subject property. The nearest Heritage Resource is on the neighbouring farm south of Devon Valley Road ("DIE GAATJIES" (Creche) Complex). The proposed land uses do not have an impact on this heritage resource.

IMPACT	COMMENTS
Compatibility with the Surrounding Area	The proposed additions are compatible with the existing land uses on this property and in the surrounding area since it is permissible, with the consent of the municipality, in the Agriculture and Rural Zone.
Social & Public Facilities	The proposed land uses do not have any impact on other social and public facilities in the area. In fact, it is an addition to the existing, previously approved facility on this property.
Socio-Economic Impact	The proposed land uses have a positive impact on the financial feasibility of the Devon Valley Hotel and improves the hotel's existing positive socio-economic on tourism in this area.
Surrounding Property Values	Section 7(a)(vi) of SPLUMA (Act 16 of 2013) and Section 59(1)(f) of LUPA (Act 3 of 2014) stipulates the following: *"(vi) a Municipal Planning Tribunal considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property is affected by the outcome of the application".* However, irrespective of the aforementioned principle contained in SPLUMA and LUPA, the proposed land uses will not have a negative impact on the surrounding property values.
Visual Impact	The proposed land uses will not have a negative visual impact from Devon Valley Road because it will be positioned in such a manner on the property that it would not be visible from Devon Valley Road. The landowner will furthermore take note, if required, of the development guidelines associated with the Devon Valley Scenic Route and the Landscape Units classification of the Stellenbosch Heritage Foundation.

IMPACT	COMMENTS
 VIEW FROM DEVON VALLEY ROAD IN THE DIRECTION TO WHERE THE PROPOSED ADDITIONS WILL BE LOCATED	
Potential Source of Nuisance & Mitigation Measures	The proposed land uses will not be a source of nuisance and therefore no mitigation measures are required. Guests staying over will have to abide by the rules of the Devon Valley Hotel.

Further to the abovementioned, the table below answers the SDF's proposed checklist in support of decision-making.

TABLE 13: CHECKLIST IN SUPPORT OF DECISION-MAKING

	CHECKLIST QUESTION OR ISSUE	YES	NO	N/A	COMMENTS
	BIOPHYSICAL RESOURCES				
	Is the proposal located in or does it impact on a formally protected area, Critical Biodiversity Area, or Ecological Support Area?		X		Refer to the report from Capensis in **ANNEXURE 12**.
	Can associated impacts be managed without diminishing the integrity of the formally protected area, Critical Biodiversity Area, or Ecological Support Area?			X	
	Does the proposal protect, maintain, or enhance the sustainability of existing ecological systems and services?			X	The proposed additions will be located on an already transformed area of the property.
	Will the proposal result in a loss of agricultural land or impede the viable use of agricultural land?		X		Some existing buildings will be converted and does not have an impact on agriculture. A 1.8m wall is proposed between the one converted building and the vineyards to the north to ensure that there is no interference with any farming operations. The proposed new Conference Building and non-self-catering chalets will be constructed between the trees within the existing development footprint with no impact on any farming activities. Any potential loss of vineyard will be miniscule and can be planted elsewhere on the property.
	Does the proposal assist to diversify agriculture, enable broader access to agricultural opportunity, and increase food security?		X		
	Is the proposal located within, on, or outside the proposed urban edge?			X	The property is located outside the urban edge
	If on the edge of a settlement or green space, does the proposal assist in defining and protecting that edge better and more appropriately than at present?			X	
	Is the proposal situated within a river or wetland setback, or a flood line?		X		
	Does the project enable enhanced and appropriate public access to natural resources, amenity, and recreational opportunity?	X			The proposed development will be an addition to the existing (previously approved) Devon Valley Hotel and will certainly enhance public access to this amenity with its recreational opportunities and the natural resources of the environment.
	Has the project considered recycling, rainwater collection, and alternative energy generation?	X			
	SCENIC LANDSCAPES, SCENIC ROUTES AND SPECIAL PLACE OF ARRIVAL				
	Does the proposal impact on a scenic landscape, scenic routes, or special place of arrival?		X		Although the property is located adjacent to Devon Valley Road, which is a scenic route, the proposed additions will

	CHECKLIST QUESTION OR ISSUE	YES	NO	N/A	COMMENTS
					not be visible from this road. Refer to the previous table for comments on the visual impact.
	Can associated impacts be managed and minimised without diminishing the integrity of the scenic landscape, scenic routes, or special place of arrival?	X			The proposed additions will not be visible from Devon Valley Road.
	HISTORICALLY OR CULTURALLY SIGNIFICANT PRECINCTS OR PLACES				
	Does the proposal impact on a historic or culturally significant precinct, place, or structure?		X		According to the Stellenbosch Heritage Foundation's website which includes the Stellenbosch Municipality Heritage Survey of 2016, there are no Heritage Resources on the subject property. The nearest Heritage Resource is on the neighbouring farm south of Devon Valley Road ("DIE GAATJIES" (Creche) Complex). The proposed land uses do not have an impact on this heritage resource.
	Has the proposal considered the re-use of an existing precinct, place, or structure to ensure preserving or exposing its historical or cultural significance?	X			There are no unused buildings / structures on the property.
	Does the proposal enable the inclusive expression and celebration of culture, old and new?	X			The proposed land uses will become part of the existing Devon Valley Hotel with its rich history in this area and existing inclusive culture.
	SETTLEMENT ROLE AND HIERARCHY				
	Does the proposal fit the proposed role of the settlement outlined in the MSDF, its position in the settlement hierarchy, and associated development/ management approach?	X			The proposed land uses are permissible (with the municipality's consent) in the Agriculture and Rural Zone.
	MOVEMENT INFRASTRUCTURE				
	Does the nature and alignment of the route accord with the provisions of the MSDF?			X	
	Is the proposed new route structurally significant in that it improves connectivity between different areas?			X	
	Does the route fill an important gap in the movement network?			X	
	Does the route promote public and NMT transport?			X	
	Has the costs and benefits of the route been fully assessed?			X	
	Has the design of the route or road infrastructure considered other associated benefits, including the development of small market spaces and infrastructure for emerging entrepreneurs?			X	
	NATURE AND FORM OF DEVELOPMENT				

	CHECKLIST QUESTION OR ISSUE	YES	NO	N/A	COMMENTS
	Does the proposal promote compact, dense, mixed-use development which makes the best use of land, reduces car dependence, and enables public and NMT?			X	
	Has the proposal considered how it responds to and is integrated with public transport/ NMT and social facilities planning?			X	
	Is the proposal enterprising and transformative in that it is likely to stimulate desirable change within its broader precinct and context?			X	
	Does the proposal expand housing opportunities for a broader range of groups, including lower income groups and students?			X	This proposal provides for tourist accommodation.
	Will the proposal "lock-out" desirable development and opportunity elsewhere by virtue of its location and scale (and through that attracting development energy in a direction not supported by the MSDF)?		X		
	Does the project support inclusion, including providing a range of housing types and/or opportunity for small/emerging entrepreneurs.			X	
	Has the proposal made the best use of existing structures on its site?	X			All the existing structures on the site are fully used and optimized.
	UPGRADING AND INTEGRATION OF SETTLEMENTS				
	Does the project contribute to the upgrading of an informal settlement or affordable housing area?			X	
	Does the project assist to integrate informal settlements and affordable housing areas with existing centres of commercial activity and employment?			X	
	Does the project significantly increase the size of an existing informal settlement area?			X	
	GOVERNMENT / PUBLICLY ASSISTED HOUSING				
	Does the proposal enable residential infill, densification, and a compact settlement structure?			X	
	Is the project located in an area where the value of assets is likely to increase (in that way assisting to curtail the proportion of indigent citizens)?			X	
	Is the scale of the project appropriate in terms of not creating clusters of poverty?			X	
	Are there adequate social and economic opportunities associated with the project?			X	
	Is the project closely integrated with surrounding areas?			X	
	Is the ratio between net and gross densities appropriate?			X	

	CHECKLIST QUESTION OR ISSUE	YES	NO	N/A	COMMENTS
	Does the project promote appropriate choice in terms of unit, type, size, progressive completion, price, and tenure?			X	
	Does the proposed erf sizes, units, and type enable changes to the unit which respond to new household needs?			X	
	Is the housing provided used creatively to define public space?			X	
	SOCIAL FACILITIES				
	Is the proposed location appropriate for the order or scale of social facility proposed?			X	
	Has the proposal considered the upgrading or enhancement of existing social facilities as opposed to building a new one?			X	
	Does the project promote the clustering of social facilities in a manner which enhances user convenience, sharing, and efficient, cost effective facility management?			X	
	Has the proposal considered the possibility of high-density housing as an integral part of the project?			X	
	Does the facility help to define public space and is the frontage onto the street active?			X	
	Has recycling, rainwater collection, and solar energy mechanisms been considered to minimise the long term operational costs of the facility?	X			
	PUBLIC SPACE				
	Is the space associated with high pedestrian flows?			X	
	Do surrounding activities enhance the use of the space (at all hours)?			X	
	Are the edges of the space well defined?			X	
	Is the scale of the space adequate for its potential functions?			X	
	Is the space comfortable in terms of a human scale?			X	
	Are the materials to be used robust enough to accommodate heavy public use?			X	
	COMMERCIAL DEVELOPMENT				
	Is the project located in a recognised business centre or in a manner which would serve to integrate an informal settlement or affordable housing area with existing centres of activity?			X	
	Is the project easily accessible by public/ NMT?			X	

	CHECKLIST QUESTION OR ISSUE	YES	NO	N/A	COMMENTS
	Does the project significantly enhance convenience and non-motorised access in hitherto unserved areas?			X	
	Does the project place unreasonable strain on existing parking and movement routes?			X	
	Does the project promote balance in land use in local areas?			X	
	Does the project promote open and fair market competition and provide opportunity for smaller enterprises?			X	
	Does the project contribute to the public spatial environment and promote a pleasant and safe pedestrian environment (for example, no dead frontages)?			X	
	INFRASTRUCTURE SERVICES				
	Does the infrastructure project or investment contribute to secure Stellenbosch Municipality's regional and local space economy?			X	This is not an infrastructure services project.
	Is the proposed infrastructure project encouraging human settlement in the desired direction?			X	
	Does the project or investment improve or extend an existing service rather than being a stand-alone initiative?			X	
	Is the capacity of the service appropriate in terms of future activities and potential activities as outlined in the MSDF?			X	
	Are the potential barrier effects and negative impacts on surrounding uses of the service/ infrastructure minimised?			X	
	Was the use of alternative technologies considered?			X	
	Is creative use made of waste and by products?			X	
	CATALYTIC PROJECTS				
	Is the project part of a larger catalytic project identified in the MSDF?		X		
	Does the project support the aims, objectives, and development programme of the catalytic project?			X	
	Does the project carry the full support of the institution responsible for managing the catalytic project?			X	
	INSTITUTIONAL ARRANGEMENTS				
	Has the project considered partnerships - between different land owners, or land owners and a community or the public sector - to maximise its broader benefits, whether in the livelihood opportunity it offers, making the best use of resources of land, or shared infrastructure provision?			X	
	Has the municipality discussed possible partnerships aimed at maximising the benefits of the project with the			X	

	CHECKLIST QUESTION OR ISSUE	YES	NO	N/A	COMMENTS
	project initiator?				
	Does the project justify specific institutional arrangements to ensure its implementation and sustainability?			X	
	Has the required institutional arrangements been agreed to and formalised?			X	
	Will the project result in institutional and/ or funding pressure on the municipality?		X		
	Can the municipality accommodate the institutional and / or funding pressure associated with the project, now and into the future?			X	

7. CONCLUSION & RECOMMENDATIONS

In conclusion, the following can be highlighted:

- Although the SDF does not *"… specifically provides for the utilisation or development of land as proposed in a land use application …"* the proposed land uses in this application are *"… not in conflict with the purpose of the relevant designation in the spatial development framework …"*. The municipality's Zoning Scheme By-law furthermore allows the proposed land uses as a Consent Use within the Agriculture and Rural Zone. The proposed land uses are therefore *"… regarded as being consistent with that spatial development framework …"* in accordance with Section 19(2) of LUPA.
- The proposed land uses are consistent with a number of the development principles contained in LUPA (Act 3 of 2014) and SPLUMA (Act 16 of 2013).
- The proposed land uses are consistent with the following related objectives contained in the Western Cape Land Use Planning Guidelines for Rural Areas (March 2019):
    - Chapter 8: Agriculture (p39):
        - *"Encourage the economic viability of agricultural enterprises through the introduction of non-agricultural land uses including tourist accommodation and facilities and additional dwelling units"*.
    - Chapter 11: Tourist and Recreational Facilities (p54):
        - *"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).*
        - *To provide citizens access to resources, the coast and the rural landscape"*.
- The proposed additions to the hotel will only add ±2.31% to the existing coverage (±3.52%) on the property. The proposed consent uses on the property is therefore still subservient to the primary use of bona fide agriculture and natural environment on this property.
- The proposed additions of conferencing and rooms (to service the additional conferencing space) is necessitated because the Hotel has consistently been placed amongst the Top conferencing providers in South Africa, with the internationally recognized Haute Grandeur awarding the Hotel in 2026 as the Top 4 Star Boutique Hotel for conferencing in South Africa.
- The engineering services reports confirm that there are sufficient engineering services capacity to accommodate the proposed land uses.
- According to Mr Steven Molteno of Capensis, there is no indigenous vegetation cover on the property and therefore no botanical related NEMA activities are triggered. His report is attached in **ANNEXURE 12**.
- The proposed additions will not interfere with the farming activities on the property:
    - Care was taken to ensure the proposed land uses are not close to the vineyards. Tractors and other farming equipment can therefore move freely without any interference from guests and vice versa.
    - Spraying of the vineyards takes place only 7 x per year for ±45 minutes each time to spray. For these days, the Hotel is willing not to rent out the new hotel rooms or the chalets, if it remains a concern that the spray might affect the transient guests staying in any of the newly proposed rooms.

It is therefore recommended that the Municipality approves proposed land use applications contained in Section 4 of this report:

THE END