

BOSCHENDAL VILLAGE: PLANNING REPORT FOR NEMA BASIC ASSESSMENT REPORT

VERSION 1.9

JUNE 2017

THIS REPORT PROVIDES INFORMATION RELATED TO SPATIAL PLANNING AND LAND USE MANAGEMENT FOR THE PURPOSES OF THE NEMA BASIC ASSESSMENT PROCESS.

THE FULL PLANNING MOTIVATION REPORT FOR THE LAND USE MANAGEMENT APPLICATION WILL BE SUBMITTED SEPERATELY IN TERMS OF THE STELLENBOSCH LAND USE PLANNING BY-LAW.

PLEASE NOTE:

THE PLANNING APPLICATION WILL BE ADVERTISED SEPARATELY AFTER THE ENVIRONMENTAL NOTIFICATION PROCESS AND ANY COMMENTS ON PLANNING MATTERS MUST BE SUBMITTED AT THAT TIME, IN THE REQUIRED MANNER.

ANY COMMENTS SUBMITTED IN TERMS OF THE NEMA PROCESS WILL ONLY BE CONSIDERED IN TERMS OF NEMA

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1. INTRODUCTION

1.1 Project preamble

1.1.1 Overview of Boschendal Strategy:

Over the past 15 years, several development proposals have been generated for the Boschendal landholding, in various planning processes. This comprised extensive development proposals which saw significant portions of the farm being proposed for various extensive residential developments, a retirement village, equestrian estate and other residential estate “villages”. In 2012, new shareholders invested in the farm and reviewed the development orientated approach of previous shareholders withdrawn applications which were at that stage still under consideration and not approved.

The new owners adopted a different approach to the landholding, which can be summarised shortly as follows:

The **first leg** of the investment strategy is placing the primary emphasis on the agricultural activities as the key driver of activity and income. Significant investment has been and is currently being made into diversifying and expanding the agricultural activity on the estate including new orchards and vegetables, and establishing livestock, chicken and game farming.

The **second leg** is to focus on the tourism and hospitality industry which is inextricably linked with the preservation of the heritage resources on the property. This includes providing increased and improved tourism opportunities, tourism accommodation, a wider offering of tourist and leisure activities which tap into, and build on, the unique natural beauty and heritage assets of the farm.

The **third leg** is to establish key development opportunities which will add long-term value to the agricultural and tourism components identified above and which will transform degraded and derelict portions on the estate. To this end, the consultant team was briefed to explore development opportunities within the ambit of the Municipality of Stellenbosch’s Spatial Development Framework (SDF) and various policies.

For the new Boschendal shareholders, it is important to promote sustainability, ethical practices, social upliftment and empowerment along with long-term preservation of major heritage assets to ensure a business which contributes to the Dwars River Valley and the Western Cape economy.

The third leg of the investment strategy resulted in a team being briefed to prepare a new development proposal for a village which originates from the Municipality’s Spatial Development Framework. The Stellenbosch Municipal Spatial Development Framework promotes a series of interconnected nodes which are located at points of highest accessibility. The SDF identifies the Groot Drakenstein node as a future development node which is located at the R45/R310 intersection. This is an important crossroad and a highly accessible point located equidistant between Stellenbosch, Franschhoek, and Paarl.

It is an appropriate location for a village and it is the aim of Boschendal to develop a rural ‘Cape Village’ with distinct and authentic rural settlement qualities.

Vision

“In essence, the character of the proposed development will be that of rural village, characterised by certain qualities of urbanity, discreetly knitted into an agrarian landscape, whilst responding to the historical context of the area.”

Philip Briel (project architect)

Due to the location of the proposed Village in a valley of great historical importance, it is key that the design of the Village is rooted in the Cape tradition of village-building. Traditionally Cape villages use a distinct grid layout and are varied as a result of topography and building typology. Importantly, in this setting, the heritage indicators play an important role in ensuring the development of an authentic Cape village and defining the extent and form of development, with the emphasis being placed on urban edge-making, scenic route, density, public access, vistas and views, and authentic walled architecture.

The team developed a methodology which is informed by heritage, environmental sustainability, planning, engineering services, traffic and socio-economic informants which guide and shape the proposals.

1.1.2 Principles which inform the design:

- This should not be a ‘gated community’, although security features are embedded and designed into the layout.
- Buildings have an active interface with the street environment and reciprocally, the development will enhance and improve the immediate environment, which is a degraded site with an industrial activity which does not contribute to the area or the heritage character of the surrounding area. Human scale will be reinforced at the edges of public spaces and streets by the use of colonnades, verandas, and pergolas where needed. Overlooking features like balconies, roof terraces and windows will be enforced as safe city mechanisms to ensure security through surveillance.
- Publically accessible areas are created which gives this village its unique character.
- Public activity will be located on a pedestrian orientated, walkable high street.
- Community facilities (for example a crèche or other similar education facility) will be located along the high street clustered with the police station to form a civic hub.
- Public transport drop-off points will be located along the R310 at the civic hub.
- The village should be well-contained and as small and compact as possible.
- A variety of residential densities is provided which can serve a diverse community. To this end dwellings will vary from single dwelling free standing houses, row houses to apartments which will be made available to key workers.
- The high street contains a variety of publicly orientated activities including shops, restaurants, offices, educational facilities, entry level housing, public parking and open space. A farmers market which is located centrally on the high street will be the main activity space. The area closer to the R45 will display a civic character as the existing police station forms part of that precinct already. Public transport drop-off and collection points will also be located in that vicinity.
- These buildings will be predominately of a horizontal character unless specified differently in specific areas. Urban design controls and guidelines will inform development proposals to ensure an appropriate architectural response and language in the village. It is however strongly resisted that houses all “look the same” and, therefore, various architects will be invited to design individual buildings within the Village.

- New agricultural areas should be brought right up to the settlement edges. The town should respond to the predominant agricultural patterns but must have strong spatial edge-definition in order to eliminate the possibility of future expansion or sprawl. The use of structural landscaping is paramount in achieving this principle, and edges of the village will be clearly defined through critical strategic structural planting.

1.1.3 Specialist reports:

This report is one of a series of specialist reports which can roughly be divided into three categories, firstly reports which contain background and baseline information and studies of the site, secondly reports and plans which describe the development proposals for the village and thirdly a series of reports which assess the impacts of the proposed development. These reports are:

i) Baseline information reports

- a) Heritage Indicators and Directives: prepared by Nicolas Baumann, Sarah Winter, Dave Dewar and Piet Louw (April 2015):
This report sets out the heritage indicators which informed the design process and which will serve as input for the Heritage Impact Assessment.
- b) Archaeological Assessment of portions of Boschendal Estate: prepared by ACO Associates cc (March 2015).
- c) Botanical Survey: undertaken by Nick Helm (March 2015).
- d) Planning Status Quo Report: prepared by @Planning (May 2015).
- e) Freshwater Ecosystems Baseline Report: prepared by The Freshwater Consulting Group (April 2015).
- f) Grondverslag vir die Plaas Boschendal: Grondklassifikasie: prepared by VinPro (May 2015).
- g) Visual Impact Assessment Baseline Study: prepared by Quinton Lawson and Bernard Oberholzer (April 2015).

ii) Reports outlining proposals for various aspects of the application

- a) Urban Design Framework, Controls and Architectural Guidelines: prepared by Philip Briel Architects (November 2016) (last updated February 2017).
This report contains a series of plans which depict the development framework, controls, and architectural guidelines. It illustrated the development intent and will guide all future site development plans and building plans.
- b) Planning Report for NEMA purposes: prepared by @Planning.
- c) This report provides and outline of the municipality's planning policies and spatial development framework, describes the proposal, analyses all indicators and provides motivation for the development at the hand of the LUPA criteria.
- d) Bulk Engineering and Electrical Services Report: prepared by ICE Group (Revised - February 2017).
- e) Stormwater Management Report: prepared by ICE Group (January 2016).
- f) Landscape Framework Plan: prepared by CNDV (4 July 2016 – Rev 2).
- g) Green report for Boschendal Village: prepared by Agama (June 2016 - Rev 2).

iii) Impact assessment reports

- a) Traffic Impact Assessment for the development of Boschendal Estate: prepared by Gibb (July 2017 Rev 4).
- b) Heritage Impact Assessment Report: prepared by Baumann, Winter, Dewar & Louw (May 2017).

- c) Visual Impact Assessment report: prepared by Quinton Lawson and Bernard Oberholzer (May 2016 Rev June 2016).
- d) Socio-Economic Impact Assessment Report: prepared by Tony Barbour (June 2017).
- e) Freshwater Impact Assessment Report: prepared by The Freshwater Consulting Group (February 2017).
- f) Environmental Basic Impact Assessment Report: prepared by Doug Jeffery Environmental.

1.2 Appointment and Project Brief

@Planning was appointed, as part of a multi-disciplinary team, by Boschendal (Pty) Ltd to assist in the formulation of development proposals for the Boschendal Village, which is to be developed on an approximately 25 ha portion of the Boschendal Estate.

The team formulated the development proposals at the hand of a methodical design approach, which included the undertaking of several specialist baseline reports and surveys; contextual and site analysis; formulation of development informants; and preparation of proposals in response to the analysis and the client’s development objectives.

@Planning’s appointment includes the preparation of the land use management applications in accordance with the applicable legislation.

1.3 Purpose and context of this report

This report has been prepared to provide land use management and spatial planning information and motivation as a component to the Environmental Basic Assessment process which is being undertaken for the project in terms of the National Environmental Management Act.

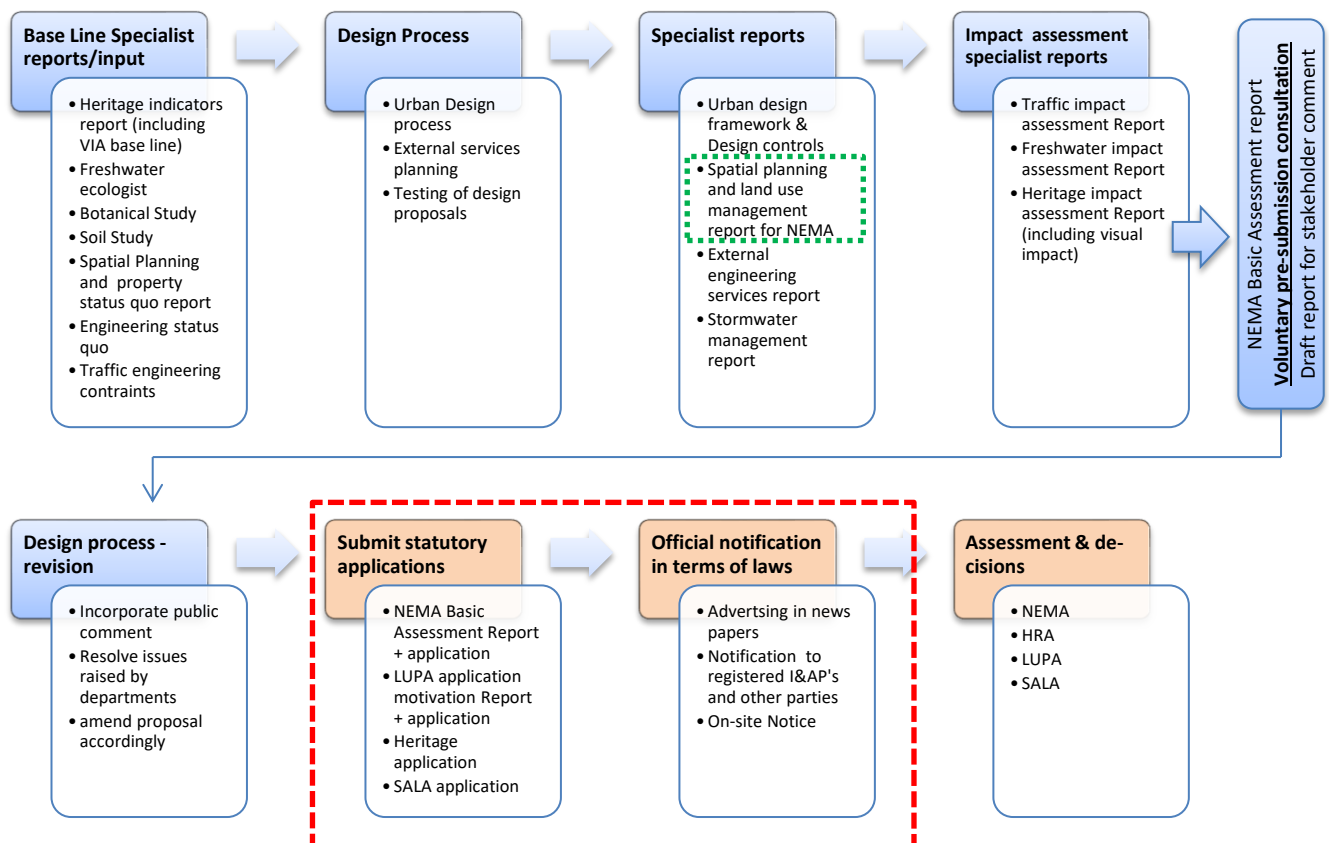


Figure 1.1: Overview of process: Specialist Reports and application submission process: Red dotted box is where we are in the process

This report is, therefore, part of a suite of specialist reports which provides information for the NEMA process (refer to Figure 1.1 for an overview of the application process and specialist information). The Basic Assessment Report (BAR) and its associated specialist reports are being advertised for public comment in terms of the statutory process. More information on this process will be in the NEMA BAR. The land development application will also be submitted to the Municipality and DEADP in terms of the Western Cape Land Use Planning Act and the Stellenbosch Municipal Planning By-law. This is a separate application and will be advertised separately for public comment.

2. OVERVIEW OF APPLICATIONS/APPROVALS AS PART OF THIS PROCESS

2.1 Summary

An approval is sought for a mixed use development (Boschendal Village) consisting of 475 dwelling units, 14 500 m² GLA mixed use business that includes a farmers market, 100 bedrooms of guest accommodation (consisting of a hotel, guest cottages, and self-catering apartments) and various other community facilities. The proposed development is consistent with the Stellenbosch Municipality Spatial Development Framework (SMSDF), in that the development is for new urban development inside the new Groot Drakenstein urban node, which is shown as part of the system of interconnected nodes in the SMSDF. A portion of the Boschendal village, however, deviates from the urban edge indicated in SMSDF, in that a minor portion of the urban development falls outside the edge. In terms of section 22(2) of Spatial Planning and Land Use Management Act (16 of 2013)(SPLUMA), the Municipality may approve a land development application that deviates from the Municipal SDF where there is site-specific justification for such deviation.

2.2 Western Cape Land Use Planning Act (No. 3 of 2014)(LUPA)

Because a small portion (approximately 1.3ha) of the Boschendal Village footprint is located on land which is currently cultivated with fruit orchards, application is made to DEADP in terms of Section 53(2) of the Western Cape Land Use Planning Act (No. 3 of 2014)(LUPA) to develop cultivated land.

2.3 Stellenbosch Land Use Planning By-Law (2015)(SLUPBL)

Application is made in terms of Section 15(2) of the Stellenbosch Land Use Planning By-Law (2015)(SLUPBL) for a development proposal which deviates from the approved Stellenbosch Spatial Development Framework urban edge (refer to Chapter 11 for the motivation of compliance, consistency, and deviation). The proposal is for urban development. The following applications are made in terms of the SLUPBL:

- i) Subdivision of the Village footprint off parent farm portions 7 and 10 of Farm 1674, Boschendal (Section 15(2)(d);
- ii) Removal of restrictive conditions to allow urban development within 95m of the R310 on the subdivided portions which will form part of the Village. In terms of these conditions the "Controlling Authority" in terms of Act 21 of 1940 must grant permission. It is intended to remove these conditions in the area which is to be developed as part of the Village. Separate application is submitted to the controlling authority for their permission in this regard
- iii) Consolidation of the two subdivided land portion (Section 15(2)(e) into portion X;
- iv) Rezoning of the consolidated subdivided portions X from Agriculture to Subdivisional Area (Section 15(2)(a);
- v) Subdivision of portion X into superblocks (including registration of ROW servitudes) (Section 15(2)(d);
- vi) Registration of internal private right of way access servitudes. (External bulk services servitudes are exempt from application)
- vii) Establishment of an overarching Owners Association for the Boschendal Village (Section 29) in order for it to take ownership of all private Road portions, Open Space portions and to assume maintenance of these spaces and all private services.

Pre-application meetings were held with the Municipality in this regard. The above applications will be submitted by @Planning to the various competent authorities at the same time as submission of the NEMA and Heritage Impact Assessments.

2.4 Other approvals required in terms of other laws

In order for this development to proceed, approvals in terms of other laws are also required. These do not form part of the planning application, but these are outlined below, for the sake of completeness. The owners have or will make these applications as and when required.

2.4.1 South African Heritage Resources Act (No. 25 of 1999)(SAHRA)

The Boschendal Farm contains considerable heritage and cultural resources and fall within an area which has been provisionally designated a cultural landscape in terms of heritage legislation. The farm contains several buildings and features older than 60 years and has a significant cultural history which should be considered in any development proposals. The proposed Boschendal Village Node area measures ±25ha in extent and will be developed and rezoned, thereby changing the character of the site.

Any new proposed development on the site will trigger the following:

- Section 38(1)(c)(i): any development or other activity that will change the character of a site exceeding 5 000m² in extent;
- Section 38(1)(d): the rezoning of a site exceeding 10 000m² in extent.

Conclusion: A Notification of Intent to Develop (NID) and a subsequent Heritage Impact Assessment (HIA) is required by Heritage Western Cape, in terms of the NHRA.

A full heritage impact assessment has been concluded as part of this design process. Nicolas Bauman, Sarah Winter, Piet Louw and Dave Dewar have completed a report in this regard. The HIA will be included in the NEMA Basic Impact Assessment and is dealt with in terms of NEMA –see below.

2.4.2 National Environmental Management Act (No. 107 of 1998)(NEMA)

There are several aspects of the development which requires the submission Basic Environmental Impact Assessment. Water channels traverse the site and there are wetlands present on the edges of the application area. The proposed development exceeds 20ha and it will also involve the installation of new infrastructure and new roads. In this regard, various listing notices will be triggered in terms of the NEMA Regulations (2014).

Conclusion: A Basic Environmental Assessment is necessary before this development can be approved. A Water Use License Application (WULA) will also be required by the Department of Water Affairs (DWA).

Doug Jeffery Environmental is undertaking an application for a Basic Assessment and this planning report will form part of the Draft Basic Assessment Report.

2.4.3 Water Use License

Two Water Use Licenses have been issued by the Department of Water Affairs, one on 21/02/2017 and one on 09/03/2017 for portions.

2.4.4 Subdivision of Agricultural Land Act (No. 70 of 1970)(SALA)

This proposal triggers the Subdivision of Agricultural Land Act (Act 70 of 1970)(SALA) and, therefore, the National Minister's consent in terms of Section 4 of SALA will be required in order to allow for the subdivision of land zoned Agriculture. The application will include a proposal to exempt the portion of land which will comprise the Village development from the provisions of the Act.

A SALA application will be duly submitted by @Planning to the National Department of Agriculture at the same time as submission of the planning applications.

2.4.5 Advertising on Roads and Ribbon Development Act (No. 21 of 1940)

In terms of both title deeds relating to the subject farm portions, conditions were imposed by the Controlling Authority in terms of Section 11(6) of Act No. 21 of 1940. These conditions are as follows and require written approval from the Controlling Authority:

- The property may not be subdivided without written approval of the Controlling authority as defined in Act 21/1940;
- No building and additions thereto apart from those in existence on the property at the date of transfer shall be erected or undertaken without the written approval of the Controlling authority as defined in terms of Act 21/1940;
- No store or place of business whatsoever apart from those in existence on the date of transfer may be opened or conducted on the property without the written approval of the Controlling Authority as defined in terms of Act 21/1940;
- No building or structure whatsoever apart from those in existence on the date of transfer shall be erected within a distance 95m from the centreline of Main Road 172 and 191 without the written approval of the Controlling Authority as defined in Act 21/1940.

Conclusion: In this regard, approval from the Controlling Authority (Provincial Department of Public Works and Transport) will be applied for as part of this process. Pre-application meetings were held with the Western Cape Department of Transport in 2015 and their initial comment was also received during the voluntary consultation process.

An approval in terms of the aforementioned Act is required from the Provincial Roads Authority. This report also serves as motivation for the application in terms of this Act and will be submitted along with the Traffic Impact Assessment to the relevant authority.

The planning application also includes an application to remove these conditions from the portion of land which will be developed for the Village so that similar approvals do not have to be obtained every time a development proposal is dealt with in the Village. (See above)

3. FUTURE APPROVALS TO FOLLOW ONTO THIS PROCESS

3.1 Hierarchy of approvals (current application and future submissions)

Given the scale of the development, it is accepted that there will be a hierarchy of approvals as the project progress. In this first phase of approvals, the principle of development of the Village will be established. Once the NEMA, HIA, and Planning Approvals are in place, more detailed design can be undertaken for certain areas. The hierarchy of approvals are set out in the diagram below:

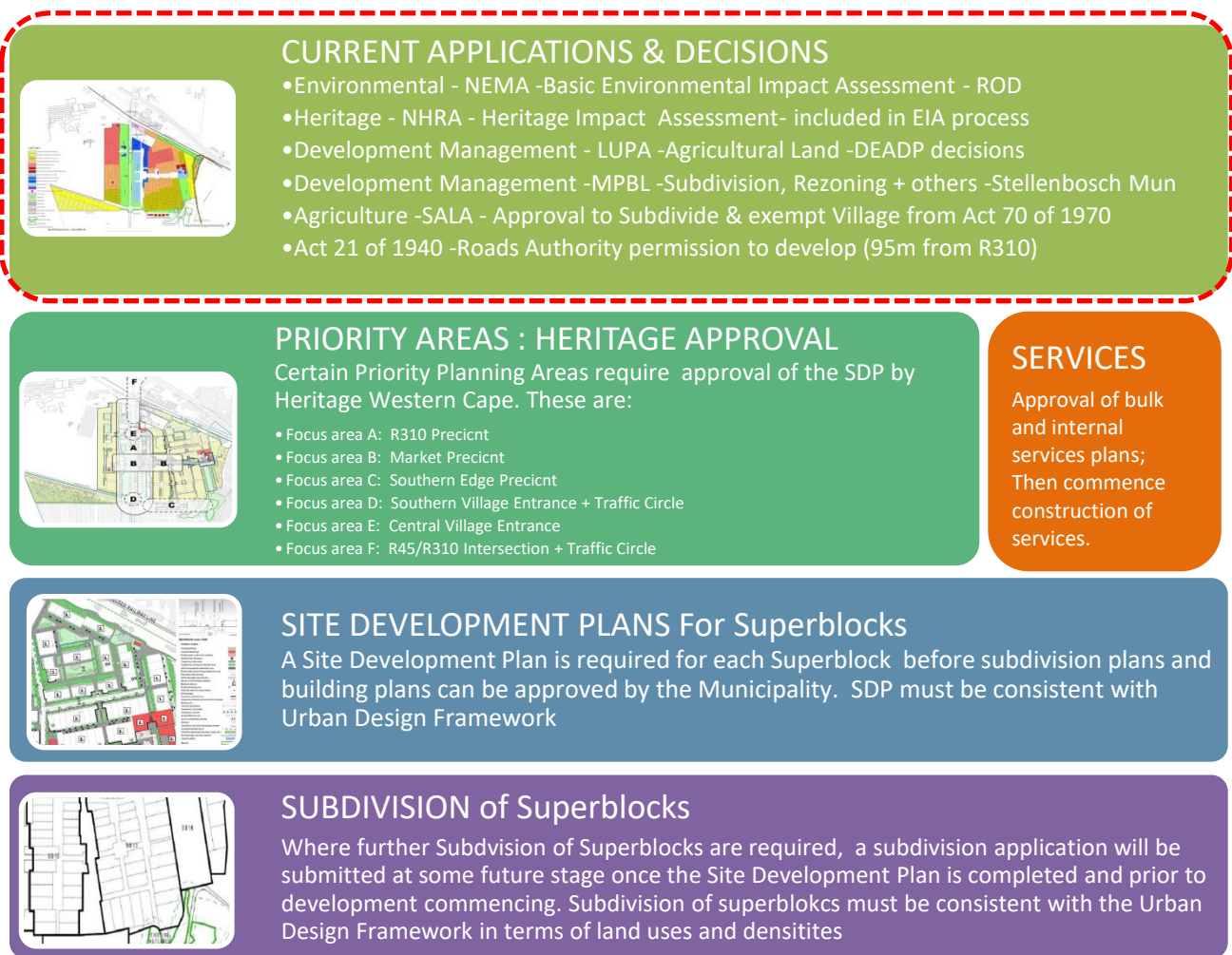


Figure 3.1: Illustration of hierarchy of approvals. Current process indicated by red dotted outline

3.2 Future approvals required

In order for the development of the Village to proceed from planning to implementation, further future approvals will first have to be obtained. For the sake of clarity, subsequent approvals which will be required in the future are set out below:

3.2.1 Future land use management applications required for each superblock:

- Subdivision of each superblock into individual erven which can be transferred;
- Allocation of appropriate zonings to subdivided erven as indicated in Zoning and Land Use Table (Table 8.1);

- Registration of right-of-way and services servitudes where necessary;
- Creation of owners associations for each superblock, if required;
- Departures from building parameters, if required;
- Consent for other ancillary land uses, if required.

3.2.2 Information required and approval procedures:

Prior to the approval of the further applications, as outlined above or prior to the approval of any building plan, detailed precinct Site Development Plans (Precinct SDP) shall be completed for each of the superblocks; the surrounding public; private roads and private open spaces which serve each superblock. These Precinct SDP’s shall be prepared and approved as follows:

- Site Development Plans for phases and superblocks inside the Priority Planning Areas (PPA)** (refer to Figure 3.2 for PPA): Site development plans for phases included in priority areas A-F below must also be approved by Heritage Western Cape and also by the Municipality;
- Site development plans for Superblocks outside PPA** (refer to Figure 3.2): Phases or superblocks not affected by priority planning areas A-F in Figure 3.2 are to be approved by the Municipality;
- Further **Subdivision of superblocks** into smaller individual erven: To be approved in terms of SLUPBL by the Municipality only after preparation of above site development plans;

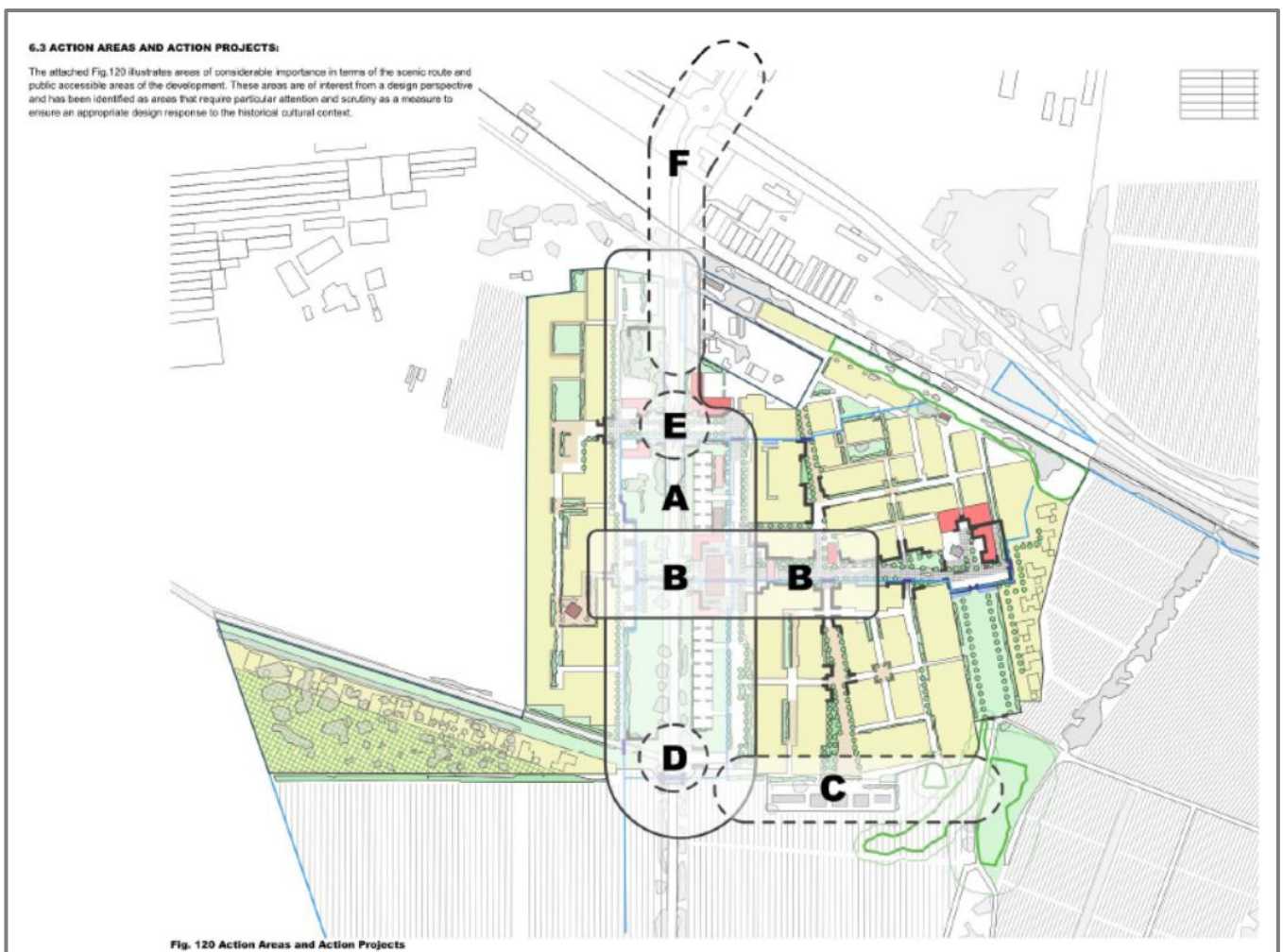


Figure 3.2: Priority Planning Areas – HWC approval of SDPs (UDF, Briel and le Roux; 2015)

- iv) **Building/Engineering plans for installation of external services:** To be approved by the Municipality and where applicable, other District and Provincial authorities; Heritage consultants to comment on detailed design proposals prior to submission;
- v) **Building/Engineering plans for installation of internal services:** To be approved by the Municipality; Heritage consultants to comment on detailed design proposals prior to submission;
- vi) **Building plans for individual buildings inside Priority Planning Areas:** To be approved by the Municipality in terms of National Building Regulations after receiving comments from Heritage consultants;
- vii) **Building plans for buildings outside priority planning areas:** To be approved by the Municipality in terms of National Building Regulations.

3.2.3 Site development plans

Site Development Plans (SDP) are to be submitted for each “superblock” land parcel (including the private roads and open spaces) prior to the approval of any building plans. SDP’s must be generally in accordance with the Urban Design Framework Controls and Guidelines Report dated January 2016, prepared by Philip Briel Architect.

SDP’s should contain at least the following information unless otherwise agreed with the Municipality at a pre-application meeting:

- i) Further subdivision plan of the superblock (if required);
- ii) The building footprints on each subdivided portion;
- iii) Elevations, sections, roof treatment;
- iv) Plan with a Table indicating portion numbers, land use, GLA or number of residential units and zoning for each land unit to be created;
- v) Active street edges and interface of buildings with the external public realm;
- vi) Access and egress, street and private parking, vehicular and pedestrian circulation, basements;
- vii) Services;
- viii) Hard and soft landscaping and street furniture, both internal and in the abutting public realm;
- ix) Table showing all previously approved portion numbers, land use, GLA or number of residential units and zoning for each land unit so as to keep a cumulative record of allocated land use rights for the development;
- x) Proposed details of roads and services including all street lighting (if any), structural landscaping, parking to be provided in private streets and servitudes to be registered.

4. CONTEXTUAL INFORMANTS, SITE INFORMATION, AND BIOPHYSICAL ENVIRONMENT

4.1 Locality

4.1.1 Regional Context

Boschendal Estate is located approximately 62km from the CBD of the City of Cape Town, in the Cape Winelands District Municipal area. The Estate is located almost equidistant from three main towns in the area namely:

- Stellenbosch which is situated approximately 14km to the south-west of the Estate;
- Franschhoek which is situated approximately 20km to the south-east of the Estate; and
- Paarl/Wellington which is situated approximately 20km to the north of the Estate.

Refer to Figure 4.1 for an illustration of the location of the Boschendal Estate in its metropolitan context and its relationship with the regional towns in the area.



Figure 4.1: Metropolitan Context (UDF, Briel and le Roux; 2015)

4.1.2 Local Context

Boschendal Estate falls within both the Stellenbosch and Drakenstein municipal boundaries with the majority of the Estate being located within Stellenbosch Municipality. Figure 4.2 below shows the Estate in its municipal context. It shows the extent of the Estate in relation to the surrounding towns, illustrating that the Estate is a significant land holding (which is almost similar in area to the Stellenbosch town urban footprint).

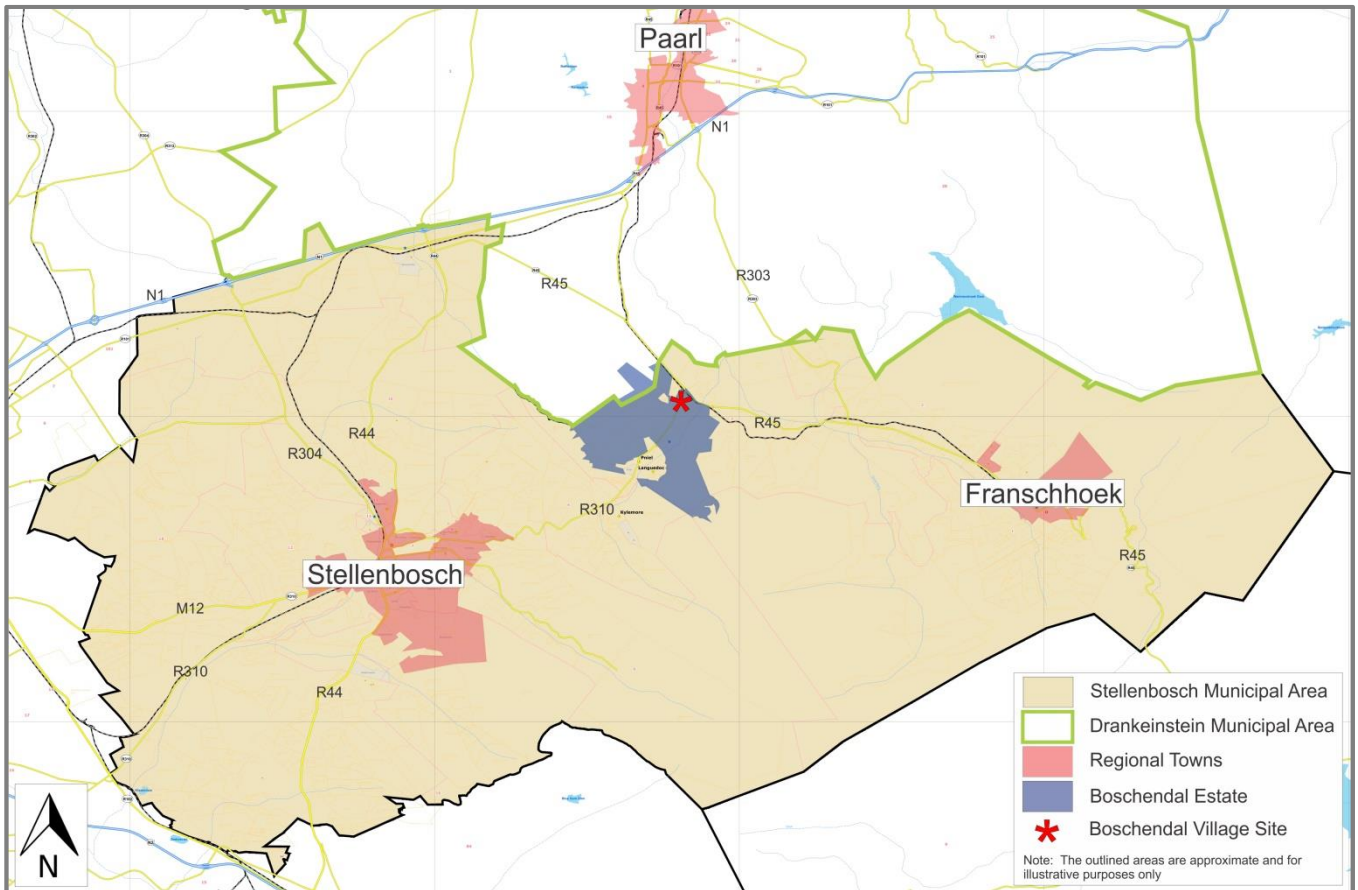


Figure 4.2: Municipal Context

Boschendal Estate is situated in an area known as the Dwars River Valley and is surrounded by various smaller rural development nodes which create a network or urban concentrations within the rural landscape (refer to Figure 4.3 below). These smaller towns and nodes are as follows:

- Kylemore approximately 6km to the south of the proposed Village;
- Pniel and Lanquedoc situated approximately 3km towards the south of the Village;
- Simondium situated approximately 6km to the north-west of the proposed Village;
- The proposed Meerlust Forestry housing development situated to the north of the R45 within the Groot Drakenstein Node; and
- Wemmershoek situated approximately 6km to the east of the proposed Village.

4.1.3 Boschendal Estate Description

Boschendal (Pty) Ltd currently owns a large number of agricultural properties, situated adjacent to each other. The Estate consists of 28 farm portions (cadastral entities) which measure a total of ±1 813ha in extent. The farm is a working farm consisting of diverse agricultural activities. The farm is well known for its wine production, the agricultural activities are however not restricted to just this one activity, and also include fruit farming, livestock, game farming and conservation areas.

Figure 4.3 illustrates the full extent of the Boschendal Estate in relation to the smaller urban nodes in the surrounding area as well as the extent of the proposed new Boschendal Village (application area) which is located in the jurisdiction of the Stellenbosch Municipality.

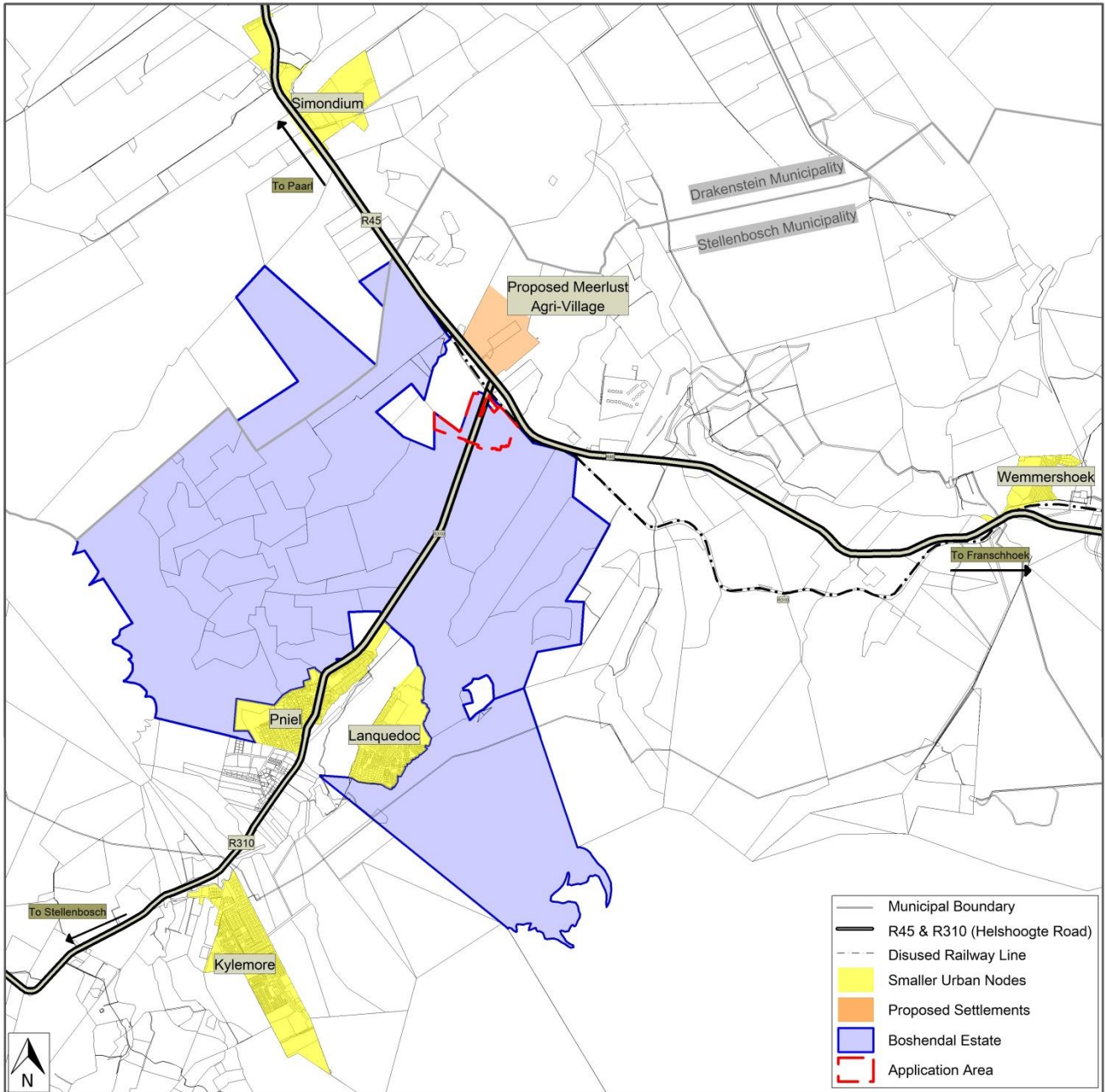


Figure 4.3: Boschendal Estate and surrounding urban nodes in relation to proposed Village (application area)

4.1.4 Application Area

In the Stellenbosch Spatial Development Framework (2012)(SDF), as part of the system of interconnected urban nodes, a new urban settlement is proposed at the intersection of the R310 and the R45, called the Groot Drakenstein Development Node. Portions 7 and 10 of Farm 1674 Boschendal (application area) are located at this intersection and falls within the urban edge designated for the node.

The proposed Boschendal Village is more specifically situated on either side of the R310 (Helshoogte Road – Main Road 172) and south of the R45 (Paarl/Franschhoek Main Road 191). Refer to Figure 4.4 below for an illustration of the location of the proposed Boschendal Village site (application area).

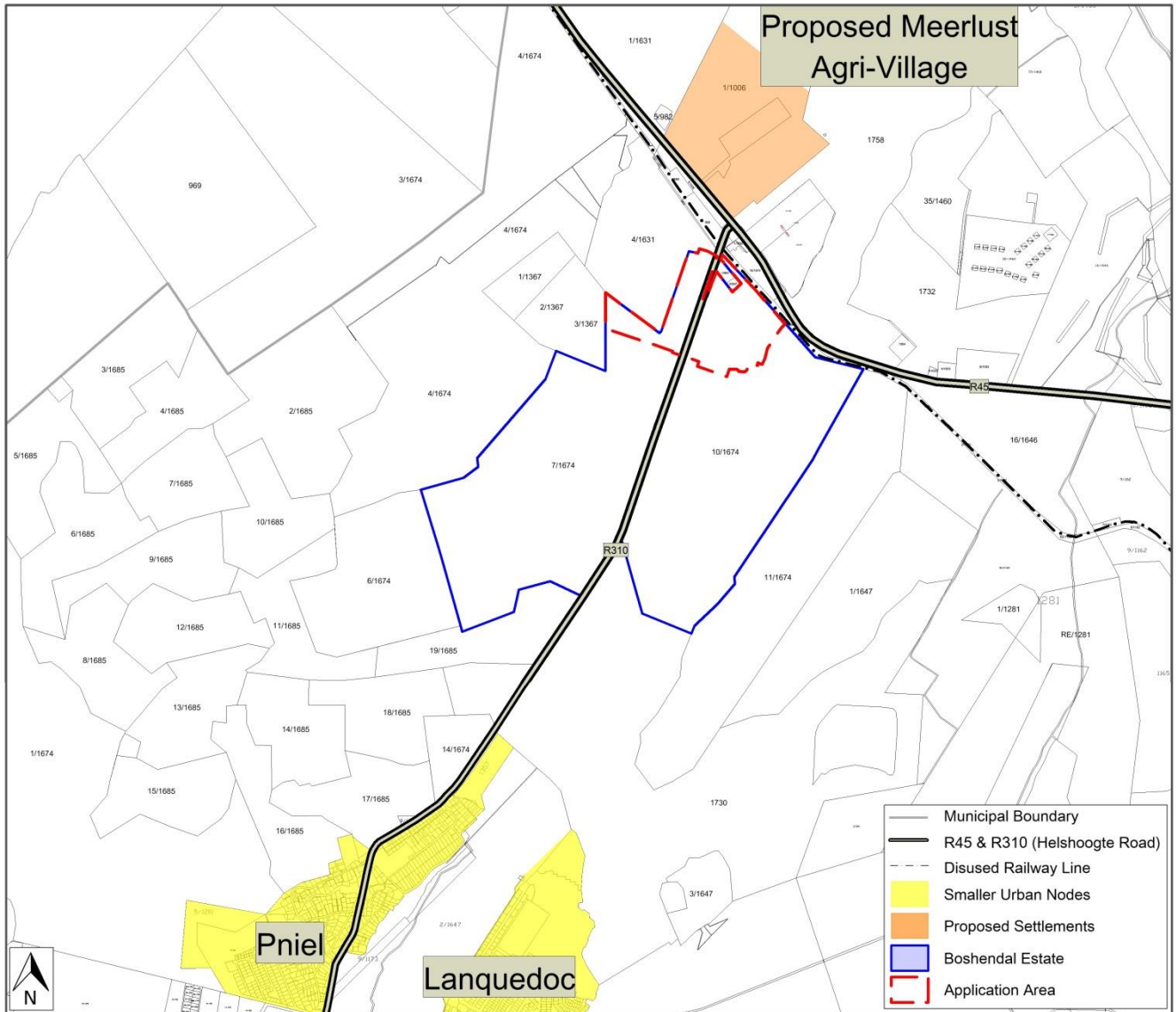


Figure 4.4: Subject Farms and Application Area

4.2 Definitions and Property Details

In this report the following terms have the following meanings:

‘the Estate’ refers to the whole of the Boschendal Estate which consists of approximately 28 farm portions comprising of approximately 1 800ha and which is managed as one farming entity;

‘the property’ or ‘the properties’ refers generally to the cadastral entities on which the Boschendal Village development is located (Portion 7 and/or Portion 10 of Farm 1674). In general, this reference does not include the farm portions over which services such as sewer and water pipes will traverse;

‘the application area’ refers to the approximately 25 ha of land on which the Boschendal Village development will be located. The Boschendal Village only affects a small portion of the cadastral entities Portions 7 and 10 of Farm 1674.

‘Boschendal Village / Village’ refers to the overall proposed development, which is the subject of this application.

Refer to Table 4.1 for a summary of the subject properties’ details:

Property No.	Portion 7 Farm 1674 (west of R310)	Portion 10 Farm 1674 (east of R310)
Registered Owner	Boschendal (Pty) Ltd	
Extent of Land Unit	±106.6670ha	±106.6539ha
Extent of Application Area	±9.74ha	±17.7ha
Total Extent of Application Area	±25 ha	
Extent of cultivated land affected by development proposals		
Title Deed No.	T42792/2008	T71501/2004
SG Diagram No.	SG No. 2854/2003	SG No. 2863/2003
Current Zoning	Agriculture	
Current Land Use <u>on the application area</u>	Dwelling houses, underutilised vacant land	Orchard (small portion), packing sheds, derelict labourer’s cottages (unoccupied), vacant land, clinic, pallet factory
Applicable Zoning Scheme	Section 8 Zoning Scheme	
Municipal Area	Stellenbosch Municipality	
Title Deed Restrictions	Yes: Controlling Authority Act 21 of 1940 No removal required – permission can be granted by authority	

Table 4.1: Property Information for the application area

4.3 Title Deeds, Diagrams, and Servitudes

4.3.1 Title Deeds and Diagrams

Portions 7 and 10 of Farm 1674 are registered in two separate title deeds set out in Table 4.2

Property No.	Portion 7 Farm 1674 (west of R310)	Portion 10 Farm 1674 (east of R310)
Title Deed No.	T42792/2008	T71501/2004
Extent of Land Unit	±106.6670ha	±106.6539ha
SG Diagram No.	SG No. 2854/2003	SG No. 2863/2003
Title Deed Restrictions	Yes: Controlling Authority Act 21 of 1940 No removal required – permission can be granted by authority	

Table 4.2: Title Deed Information

There are conditions registered in both title deeds as well servitudes, entitlements and expropriations, which are more fully summarised in Table 4.3 below and illustrated in Figure 4.5 and Figure 4.6 as per their respective SG Diagrams.

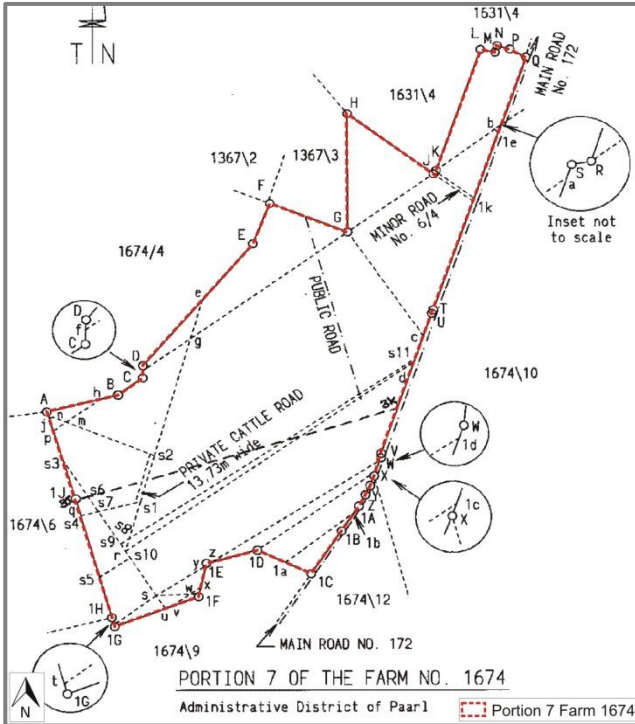


Figure 4.5: SG Diagram No. 2854/2003 – Ptn 7 Farm 1674

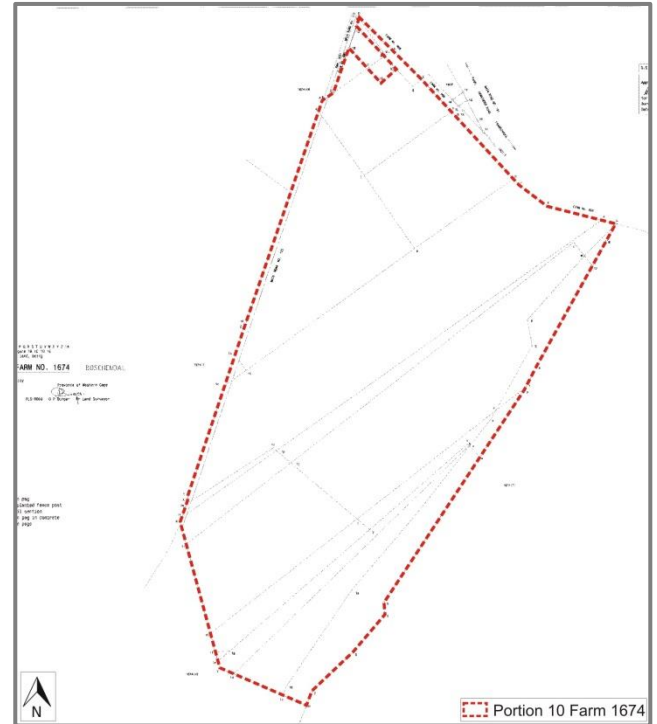


Figure 4.6: SG Diagram No. 2863/2003 – Ptn 10 Farm 1674

	Portion 7 Farm 1674 (Title Deed No. T42792/2008)	Portion 10 Farm 1674 (Title Deed No. T17501/2004)
Title Conditions	<ul style="list-style-type: none"> Public roads may be created over the land by the controlling authority Existing roads and thoroughfares must be retained In terms of Act 21/1940: the property may not be subdivided without approval of the controlling authority No new buildings to be erected within 95m of the centreline of road as defined in Act 21/1940 unless approved by controlling authority No business or store without approval of controlling authority 	<ul style="list-style-type: none"> Public roads may be created over the land by the controlling authority Existing roads and thoroughfares must be retained Rhone homestead and surrounding buildings declared a National Monument (Act 28 of 1969) Groot-Drakenstein homestead and surrounding werf declared a national monument In terms of Act 21/1940: the property may not be subdivided without approval of the controlling authority No new buildings to be erected within 95m of the centreline of road as defined in Act 21/1940 unless approved by controlling authority No business or store without approval of controlling authority
Servitudes	<ul style="list-style-type: none"> Servitude right of way including access for Boschendal Estate Master Property Owners' Association which provides access to Founders Estate 	<ul style="list-style-type: none"> Several water and other pipeline servitudes Right of way servitudes
Entitlements	<ul style="list-style-type: none"> Several water pipeline servitudes General right of way servitudes 	
Expropriations	<ul style="list-style-type: none"> Expropriation for road purposes 	<ul style="list-style-type: none"> A number of expropriations for road purposes

Table 4.3: Summary of Title Deeds: Application Properties

The Boschendal Village development will not take place within the areas which were declared a National Monument, although the Village will be visible from the Drakenstein Homestead's most northerly werf boundary. The proposed Village will require approval in terms of Act 21 of 1940 before the proposed development may be subdivided and before any business and other land uses can be accommodated in the development. The Controlling Authority referred to in the respective title deeds is the Provincial Department of Public Works and Transport and such approval will have to be obtained as part of the LUPA application process in terms of planning law.

4.3.2 Existing Servitudes

The existing pipeline and right of way servitudes do not affect the application area where the proposed Boschendal Village will be located.

4.4 Site Description and Existing Land Use and Buildings

The application area is situated south of the R45 and abutting both sides of the R310. It is located directly south of the disused railway line which runs parallel to the R45.

Figure 4.7 illustrates all the existing buildings situated on both Portions 7 and 10 Farm 1674. The buildings which will be affected by the proposed Village (application area) are indicated in yellow.

4.4.1 Portion 7 Farm 1674 – West of R310

Current land uses and buildings on application area portion of the site:

- Dwelling houses – occupied by tenants (no building plans available at Municipality);
- Vacant and underutilised land;

Other land uses on remainder of farm portion which are not part of the application area:

- Agriculture: Orchard and vineyards, livestock;
- Vacant and underutilised land;
- Dwelling houses.

4.4.2 Portion 10 Farm 1674 – East of R310

Current land uses and buildings on application area portion of the site:

- Pallet factory;
- Labourers cottages (derelict and vacant);
- Clinic;
- Farm school;
- Farm packing shed;
- Vacant and underutilised land;
- Pear Orchard.

Other land uses on the remainder of farm portion which are not part of the application area:

- Picnic area, restaurant, café;
- Museum, gift shop;

- Farm store and farm stall;
- Guesthouse (cottages);
- Multi-purpose function venue;
- Winery, wine tasting, and sales;
- Dwelling houses;
- Agriculture: Orchards, Vineyards, livestock, game.



Figure 4.7: Existing Farm Buildings

Some buildings on this farm portion are older than 60 years, but it appears that no buildings in the application area are graded in terms of Heritage. The Boschendal Manor House and werf is located on this farm portion, ±400m from the proposed development. This complex of historical buildings has been declared a National Monument, thereby becoming a Provincial Heritage Site in terms of the National Heritage Resources Act.

4.4.3 Land Use Survey

Refer to Figure 4.8 for an illustration of the information gathered from a detailed land use survey (undertaken during 2014) in the vicinity of the development area. It illustrates the existing land uses which are located on-site as well as those surrounding the application area. The pictures are numbered accordingly to their position on the map:

1. Rhodes Food Group Head Office
2. Factory Food Shop of Rhodes Food Group
3. Clinic on the application
4. Fruit packing shed within application area
5. Derelict labourer’s cottages within application area
6. Labourer’s cottages within application area
7. Pallet factory on the site
8. Uncultivated land in application area
9. Existing occupied dwelling houses on the site
10. Rhodes Food Factory
11. Informal settlement
12. Police Station
13. Pear Orchard inside application area

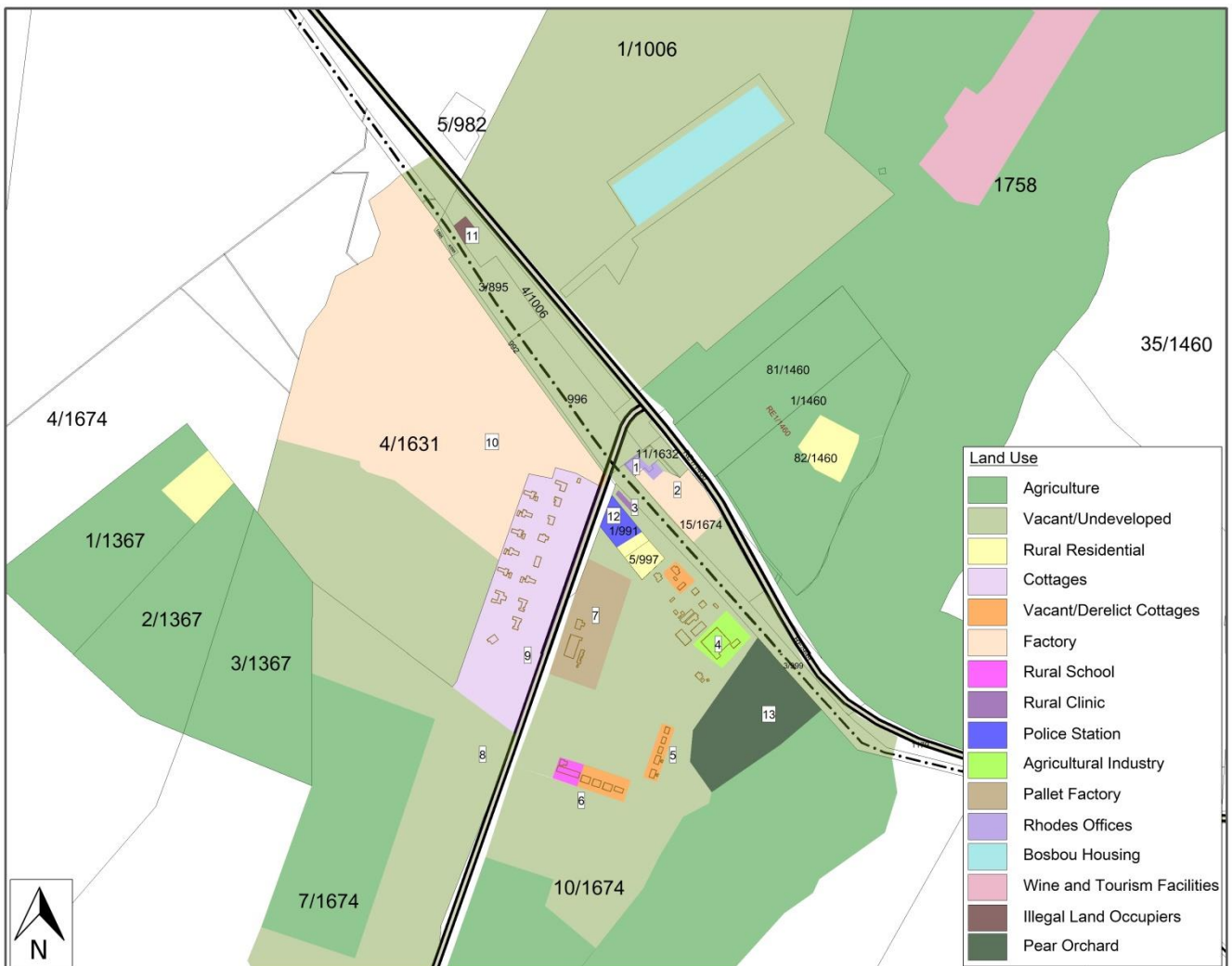


Figure 4.8: Land Use Survey

BOSCHENDAL VILLAGE

Portions 7 and 10 Farm 1674, Boschendal
17 July 2017

PLANNING REPORT FOR NEMA BAR

Version 1.9

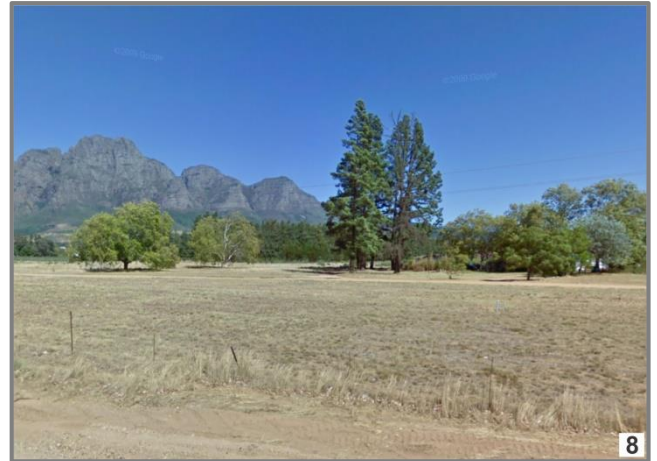


BOSCHENDAL VILLAGE

Portions 7 and 10 Farm 1674, Boschendal
17 July 2017

PLANNING REPORT FOR NEMA BAR

Version 1.9



4.5 Existing Agricultural and Farming Activities on Boschendal Estate

The farm was acquired by the new owners in 2012 who decided that the ailing wine estate could be rejuvenated into a top agricultural farm and Winelands tourism destination. A vision was adopted to create a healthy and sustainable food system to produce naturally grown food while improving the soil health on this 2000-hectare estate.

The vision includes a key commitment to the conservation, preservation, and restoration of the natural environment, and uses biological farming practices that enrich the soil and promote a habitat of biodiversity both in the vineyards, orchards, and surrounding vegetation.

The farm management focusses on 6 areas in the quest to improve soil health on Boschendal:

- Biological farming practices are implemented that minimise the use of chemical fertilisers and pesticides.
- Effective cover crops are planted to encourage rich humus production and keep the ecosystem in balance.
- ‘Drill no till’ are practiced in the fields to minimize soil disturbance.
- Cattle and chickens are pasture-raised which contribute significantly to the health and productivity of the soil, reducing the need for traditional fertilizer programmes.
- Large compost making capabilities have been introduced to make biochar from alien vegetation and fruit tree cuttings – this converts agricultural waste into a soil enhancer.
- Water saving strategies include removing invasive alien trees and plants, investing in conservation efficient irrigation systems for our vineyards and fruit trees, and using cover crops.

Below is a summary of agricultural activity on the Boschendal Estate - comparing 2012 and 2016 to the plans for 2018:

	2012	2016	2018
Vineyards	120ha	130ha	150ha
Fruit	40ha	160ha	300ha
Vegetables	-	5ha	20ha
Pastures	50ha	300ha	300ha
Nursery & Trees	-	-	10 000 trees + 30 000 plants
Cattle	200 head	700 head	1 000 head
Chicken Egg	-	1 000 birds	2 000 birds
Chicken Broilers	-	1 000 per month	2 000 per month
Multispecies Protein	-	30 head	300 head
Game	-	20 head	100 head

Table 4.4: Summary of Agricultural activity (2012-2018) (source: Boschendal Pty Ltd)

Vineyards

- The quality of vineyards are being significantly improved.
- Increase vineyards from current 130ha to 150ha by 2018.

Fruit Trees

- This is an area of significant investment.
- 120ha has been planted since 2013 with another 140ha planned by 2018.
- Fruit farming is to be undertaken as biologically as possible.
- Fruit trees include plum, pear, apple and citrus.
- By 2018 the aim is to have 300ha of fruit consisting of Plums 155ha; Pears 50ha, Apples 30ha, Citrus 35ha, Organic Lemons 20ha, Olives 6ha, Almond's-4ha.

Vegetables

- A 5ha food garden supplies the restaurant and farmshop with naturally produced garden produce.
- This food garden will be extended to 20ha by 2018.

Pastures

- 300 hectares of pasture has been planted and is being used in rotation for the grazing of our pasture-raised beef and chicken.

Cattle

- The Black Angus beef herd is being developed to not only produce meat for the restaurants on the estate but also to be sold in retail.
- This is a grass fed herd and plays an important role in promoting soil health and repair.
- Current herd size is 700 animals growing to 1000 in 2018.

Chickens (Eggs)

- Five mobile chicken houses in the fields provide free-range eggs from pasture fed chickens.
- Currently, have 1000 chickens with the intention of increasing this to 2000 by 2018.

Broiler Chickens

- Pasture raised chicken play an important role in promoting soil health.
- In mid-2016 Boschendal started to raise free-range broiler chickens with the intention of slaughtering 2000 units per month by 2018.

Multi-Species

- A mix of sheep, goats, and pig are being used to manage vegetation growth.
- Currently, have an experimental collection of 30 head extending to 300 in 2018.

Game

- Boschendal is part of the Banhoek Conservancy and stocks an area on the Drakenstein side of Boschendal with game including Eland, Waterbuck, and Sable.
- Introduced 20 head in 2016 aiming to increase to 100 by 2018.

It is clear from the above description that the Boschendal Estate is investing significantly into agricultural activities, and creating a diversity of agricultural activities on the Estate. A large number of new agricultural activities are being introduced which increases food production on the farm, a critical aspect of increased sustainability.

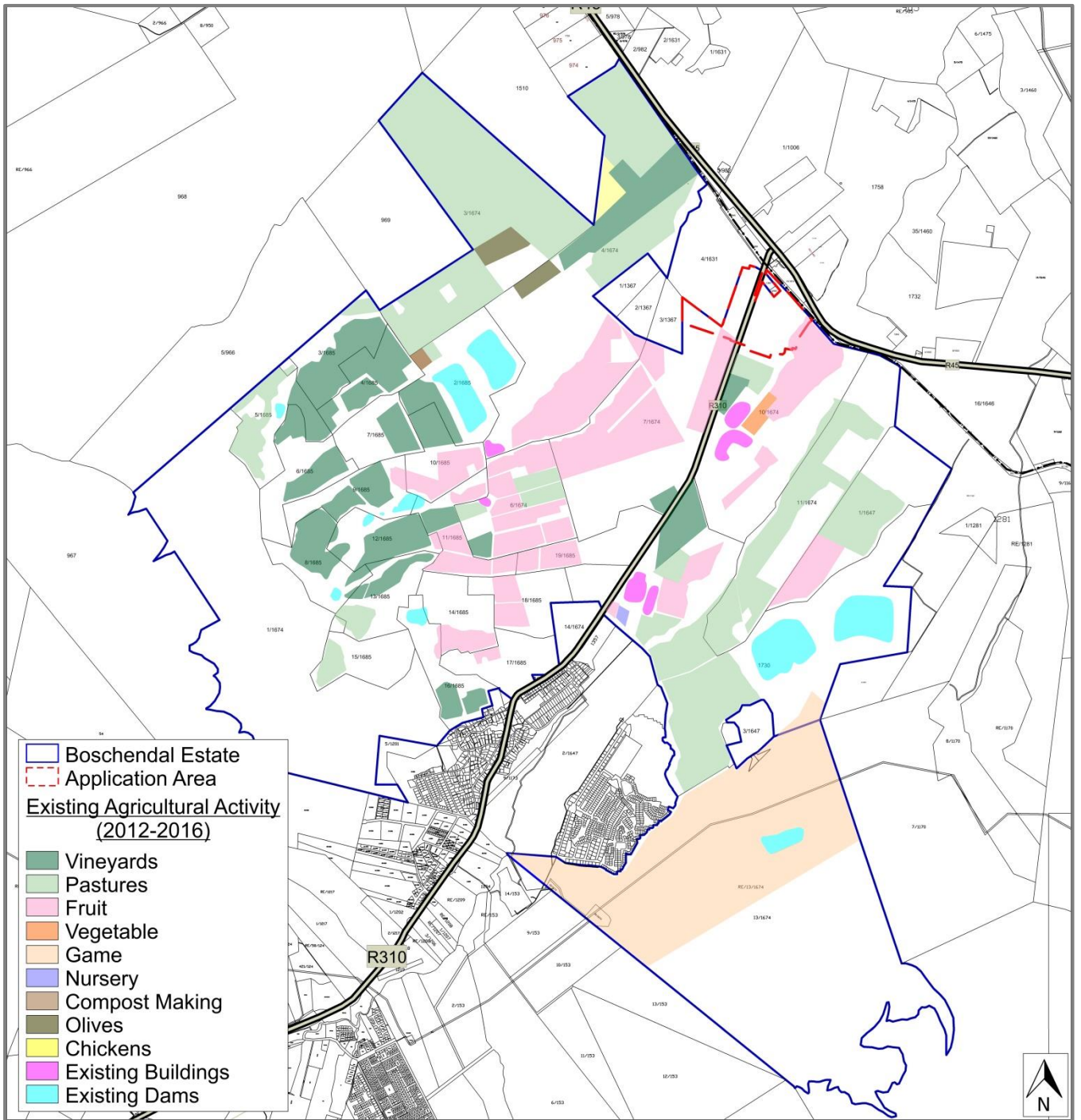


Figure 4.9: Graphic depiction of existing Agriculture for Boschendal Estate (up to June 2016) Information Source: Boschendal (Pty) Ltd

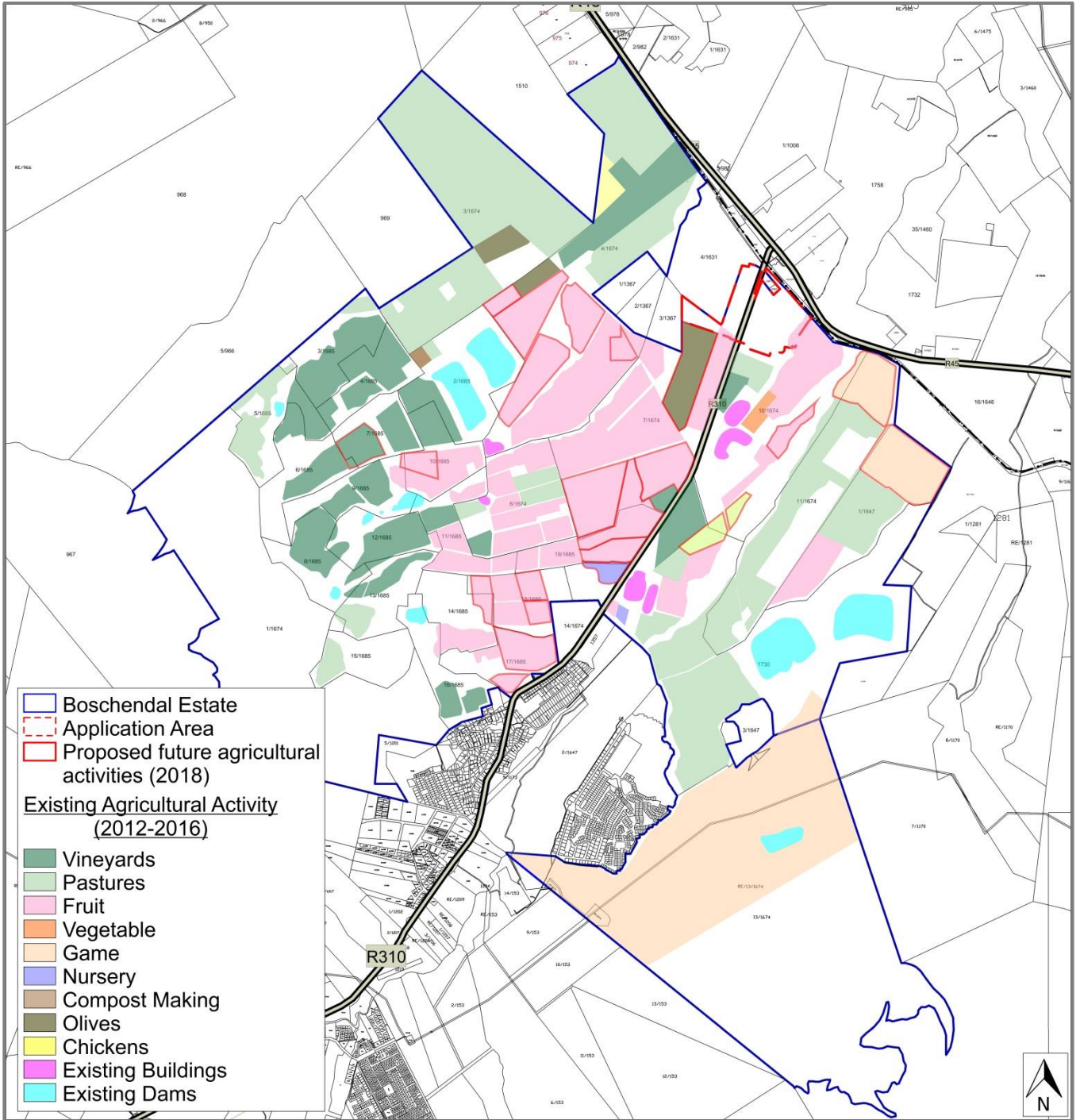


Figure 4.10: Future and Existing Agriculture for Boschendal Estate (planned up to 2018)

4.6 Existing Zoning

According to the zoning certificates received from the Stellenbosch Municipality, Portion 7 is zoned Agriculture Zone I in its entirety. Portion 10 is zoned primarily Agriculture Zone I with a spot zoning for Institutional Zone I (farm school) and Institutional III (health clinic) in terms of the Section 8 Zoning Scheme.

The application area is further surrounded by various properties zoned Agriculture Zone I. A portion of the abutting property, Portion 4 Farm 1631 belonging to Rhodes Food Group (the Canning Factory) is zoned Industrial Zone¹ although this is not reflected on the current zoning map held by the Municipality. Properties to the south of the Estate, forming part of Pniel, are zoned primarily for residential purposes but also include other zonings compatible with urban development such as Institutional Zone I. Refer to Figure 4.11 for an extract of the current zoning map.

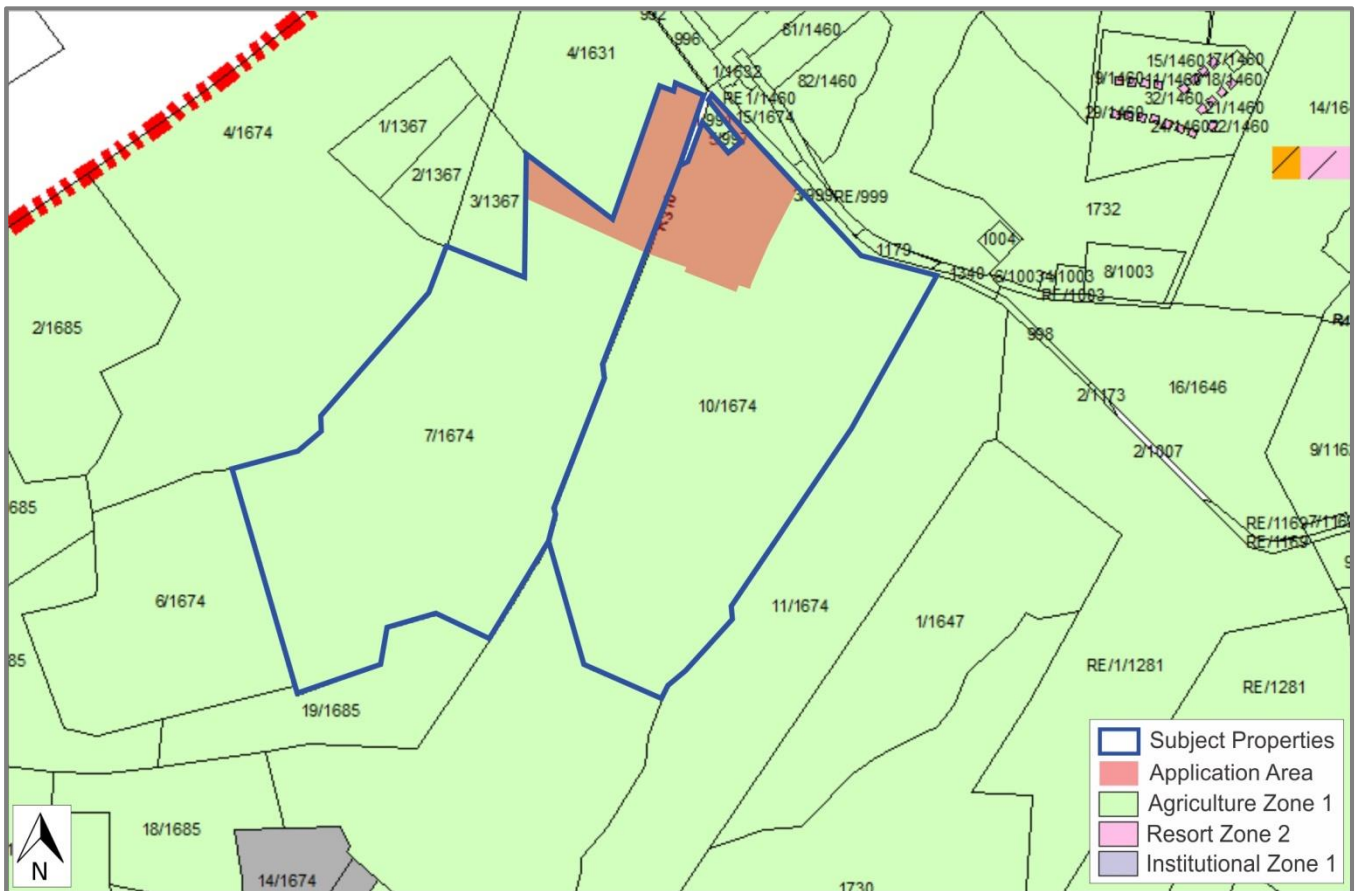


Figure 4.11: Extract from the Stellenbosch Zoning Map

4.7 Existing Ownership

Boschendal (Pty) Ltd is the registered owner of all farm portions which make up the Boschendal Estate, which consists of approximately 28 farm portions (cadastral entities) and measures ±1 813ha in extent (these include the 18 portions of Founders Estate).

¹ Information obtained from First Plan – Town Planners for Rhodes Food Group

4.8.2 Portion 10 Farm 1674 – East of R310

A portion of Portion 10 is a declared Provincial Heritage Site (commonly known as the “Boschendal Werf”) has been a popular tourist destination and as such, tourism has been one of the important contributors to the economic sustainability of and the protection and maintenance of the Werf. The Werf’s ongoing use as a tourist venue has ensured a significant degree of public access over the years, thus enhancing public appreciation of its heritage value.

A number of land use applications have been lodged over the years on Portion 10 to supplement the agricultural land uses on the farm. These applications focussed on augmenting the agricultural activities and providing an alternative income stream for the Estate through diversified tourist related land uses or to promote Boschendal as a historical tourist destination. The approvals were mostly granted with Council’s consent and did not involve the rezoning of the land.

On the south-western part of Portion 10, a consent use and temporary departure application was duly approved on 11 November 2014. The consent use relates to the expansion of the restaurant and the refurbishment of cottages into a guest house accommodating 14 guests. A temporary departure was further approved to allow the existing farm shed to be used as a function venue.

A zoning certificate was obtained to verify the current applicable rights for Portion 10. The certificate confirms the following:

- Deemed zonings for a farm school and a health care clinic;
- Consent approval for a farm store and farm stall;
- Consent approval for service trade for a pallet factory;
- Consent approval for various tourist facilities (wine tasting, museum, restaurant, café, picnic area, gift shop, beauty & health salon, informal market);
- Consent approval for guest houses: 7 existing labourer’s cottages, maximum 14 guests; and
- Temporary departure for a multipurpose function venue (valid for 5 years until August 2019).

All the land uses which are situated within the werf of the Manor House precinct will continue to be subservient to the agricultural zoning of the farm and will continue to be undertaken by Boschendal (Pty) Ltd as part of the tourist activities related to the historical Manor House precinct. The zoning for the health care clinic located in the old station building at the north of the site will also be retained since this building will be incorporated into the Village development.

However, the following land uses (and related consent approvals) will fall away as a result of the Village application:

- Zoning for farm school – this is no longer required in this position as it will form part of the Boschendal Village development area;
- The sawmill/pallet factory will be redeveloped as part of the Boschendal Village development and the consent will thus fall away.

4.8.3 Founders Estate subdivision and other earlier development proposals

The Founders Estate project was undertaken in the 2000’s and finally approved on appeal in 2008. The project entailed the consolidation of 4 farm portions (Portions 2, 5, 8 & 9 Farm 1674) into one cadastral entity measuring approximately 420ha in extent.

The consolidated entity was then re-subdivided into 18 farm portions measuring approximately 20ha each (known as Founders Estate) and a farm management centre. A lease area of approximately 411ha was registered over the 18 farm portions in favour of Boschendal, to ensure its protection and management of the farms as a single unit, for a period of 99 years.

Construction of buildings on the Founders Estate was limited to one new farmstead per farm. After the approval of the Founders Estate in 2008 the 18 properties were duly transferred and registered and the subdivision has therefore been confirmed. Only two of the farms forming part of the Founders Estate were subsequently sold off. The new shareholders of Boschendal (Pty) Ltd thereafter placed a temporary moratorium on the further sale of land in the Founders Estate because of concerns the new shareholders had around the alienation of strategic agricultural land.

Since 2003 various development alternatives were investigated for more extensive estate residential which have since been withdrawn from statutory and public processes.

5. PLANNING POLICY CONTEXT

As part of the legislative requirements, it is necessary for an application to illustrate how it has taken into consideration approved planning policies applicable to the development and the area. This chapter summarises, on an overall level, the applicable land use planning policies.

5.1 National Development Plan 2030 NDP

Overarching land development objectives of the National Development Plan (NDP) are:

- To raise employment and income levels;
- An inclusive and integrated rural economy;
- Improving infrastructure provision;
- Reversing spatial effects of apartheid, by implementing:-
 - Strong measures to prevent further development of housing in marginal places;
 - Increased urban densities to support public transport and reduce sprawl;
 - More reliable and affordable public transport and better coordination between various modes of transport;
 - Incentives and programmes to shift jobs and investments towards the dense townships on the urban edge;
 - Focused partnerships with the private sector to bridge the housing gap market.
- Environmental sustainability;
- Improving quality of education;
- Improving quality of health care;
- Social protection and safer communities; and
- Better governance.

These objectives are set at a very high level and have been incorporated into all lower tiers of legislation and evaluation criteria for applications. It will therefore not be further discussed separately because these objectives are contained in SPLUMA, LUPA and Municipal SDF and By-Laws.

5.2 Provincial Spatial Development Framework (2014) PSDF

Status: The PSDF is an approved Provincial Structure Plan in terms of Section 4(6) of LUPO. It is a newly approved plan with statutory force.

Summary Overview: The 2014 PSDF builds on and takes forward the PSDF 2009 spatial policies. The 2014 PSDF has been framed as the spatial agenda for all Provincial departments (i.e. it functions as a transversal spatial planning instrument). It is informed by, and, in turn, informs complementary national, provincial and municipal planning processes. The purpose of the PSDF is to put in place a coherent framework for the Province's urban and rural areas. The PSDF applies the following guiding spatial principles:

- Spatial justice
- Sustainability and resilience
- Spatial efficiency
- Accessibility
- Quality and liveable environments

The spatial agenda for the Province is summarised in the PSDF as being:

- Growing the province’s economy in partnership with private sector, NGO’s and community organisation;
- Using infrastructure investment as primary leverage to bring about required urban and rural transitions;
- Sustainable use of the provincial spatial assets.

5.2.1 The Provincial Spatial Framework Policies

	Policy No.	Summary
RESOURCES	R1	Protect biodiversity and ecosystem services.
	R2	Safeguard inland and coastal water resources and manage the sustainable use of water, including introducing water-wise measures, maximising efficiencies, protecting river system.
	R3	Safeguard agricultural and mineral resources and manage sustainable use thereof; reconcile ecosystems requirements and protection of assets with opening up opportunities for improved livelihood and jobs.
	R4	Recycle and recover waste, clean energy, shift from private to public transport and adapt to/mitigate climate change.
	R5	Safeguard cultural and scenic assets: focus on townscape/landscape making qualities; protect heritage and scenic assets- specific areas to protect, include Cape Winelands.

Synthesis: Resources

- i) Protect biodiversity
- ii) Protect coastal and river corridors (ecological infrastructure)
- iii) Protect agricultural resources
- iv) Shift to cleaner services and transport
- v) Protect cultural and heritage assets

SPACE ECONOMY	E1	Use regional infrastructure investment to leverage economic growth: guides how provincial and regional infrastructure investment should be strategically prioritised, especially in main growth centres of the province (CT-metro, George, and Saldanha).
	E2	Diversify and strengthen the rural economy: includes land reform; allow sustainable rural activities which are compatible with agriculture and environment and which have positive socio-economic returns and which is appropriate in scale; this should serve as an incentive to facilitate other objectives e.g. agrarian transformation, biodiversity areas, protection of other assets etc.; Criteria to be applied in assessment of proposals in rural areas: <ul style="list-style-type: none"> • Environmental Authorisation • Compatibility of land uses with surrounding uses • Not to compromise existing farming activities or high-value agri land • Not to compromise current or future mineral resources • Consistent with cultural and scenic landscapes • Does not involve extension of municipal reticulation network/not real costs or risks to municipal service delivery • Does not infringe on the authenticity of the rural landscape Policy for Establishment of Agricultural holdings in the urban fringe PN415/2000 No. 5576 Policy for Settlement of Farm Workers P414/2000 No. 5572.
	E3	Revitalise and strengthen urban space economies as the engine of growth: priority to build national competitive advantage and build facility; amenity and social advantage; incentives to attract economic activities close to dormitory residential areas; facilitate mixed use development; private sector involvement in rental and gap housing markets; prioritise public transport investment; protect town centres from decentralisation of large office/mall developments.

Synthesis: Space Economy

- i) Reinforce Cape Metro and Province’s economic engine
- ii) Use investment in infrastructure in Metro, George, and Saldanha to leverage private sector investment
- iii) Build land assembly capacity
- iv) Incentivise mixed land use and economic diversification in urban and rural markets
- v) Regenerate existing economic nodes
- vi) Prioritise public transport

vii) Prioritise greener economy and rural economic diversification, land reform, off the grid	
viii) Stabilise small towns	
INTEGRATED AND SUSTAINABLE SETTLEMENTS	S1 Protect, manage and enhance sense of place, cultural and scenic landscapes: prevent settlement encroachment into agricultural areas, scenic landscapes and biodiversity areas; promote efficient use of land by containing urban sprawl, intensification of use, redevelopment within settlements; enhance economically, socially and spatially meaningful settlement hierarchy; use heritage resources and adaptive re-use to enhance character of area, create tourism opportunities; ensure interventions in heritage locations are consistent in typology, scale, massing, form and architectural idiom; conservation strategies and place specific guidelines must assist in management of settlement and landscape quality.
	S2 Improve inter and intra-regional accessibility: Compacting and connecting urban development along public transport routes and clustering public facilities; curtail new settlement formation that increases average travel times; intermodal and functional linkages between villages.
	S3 Promote compact mixed use, and integrated settlements: target existing economic nodes as levers for regeneration and investment; promote functional integration and mixed use as a key to counter apartheid spatial patterns; prioritise rural development investment based on role and function of settlement; delineate Integration Zones within settlements where public intervention is targeted.
	S4 Balance and coordinate delivery of facilities and social services: access to education and health services; enable multi-functionality, clustering, and space efficiency for all facilities provision; cluster public facilities; primary school threshold 1000 households.
	S5 Promote sustainable integrated and inclusive housing in formal and informal markets: the policy relates to planning, budgeting and delivery of housing at Provincial level.
Synthesis: Settlement i) Develop regional planning frameworks to prioritise competing demands ii) Densification, infill and brownfield regeneration non-negotiable iii) Provincial investment focussed in regional service centre towns iv) Develop regional rural development frameworks to align settlement planning with large-scale infrastructure investments (oil, gas, dams, regional movement routes) v) Province to use mobile social services to reduce need for rural residents to travel	

Table 5.1: PSDF Policy Summary (2014)

5.3 The Stellenbosch Integrated Development Plan (2015-2016) IDP

Status: The Stellenbosch Integrated Development Plan (IDP) was approved by the Municipality in 2012 and is reviewed annually. It is approved in terms of the Municipal Systems Act (MSA) and is prepared with significant community input. The summary below is the 2015-2016 revision of the 2012-2015 plan.

Summary: Values: Character Leadership, Transformation, Innovation

The IDP serves as a strategic plan which guides development and integrates management of the Municipality’s infrastructure spending and is thus a strategic document guiding municipal projects and municipal budgets. The SDF is a spatial sectoral plan which forms part of the IDP.

5.3.1 Focus Areas identified in the IDP

Strategic Focus Area 1: Preferred investment destination: Foster enterprise, creativity, and business development to address unemployment, poverty, income inequality and skills shortage. Focus is on 3 aspects: provision of services to citizens; improving municipal enterprise development; providing efficient municipal services and infrastructure development.

Strategic Focus Area 2: Greenest Municipality: Recognise the importance of the natural environment as a basic human resource; tourism and agriculture are both critical sectors for the economic base of the Municipality; the sense of place is critical to the psychological, social and recreational well-being of the community; there is an inextricable relationship between places and people which result in the cultural expression of the area.

Organisation of space affects food, viability of agriculture, food security, and housing for the poor needs to be closer to the job. Creative industries, tourism are to be encouraged and inequalities addressed through equal access to services and spatial integration.

Strategic Focus Area 3: Safest valley: Improving services delivery, better financial control, and opportunities will be further enhanced by focussing on a safe and secure municipality. This is critical for securing investment.

Strategic Focus Area 4: Dignified Living: Access to shelter, municipal housing, sufficient services and different housing options for all (including young people). Improving access to community services and other public facilities is critical, including vulnerable groups such as the elderly, youth etc.

Strategic Focus Area 5: Good Governance and Compliance: to successfully balance all the different needs with limited resources, municipalities have to have good systems and governance in place, with good, skilled customer-focussed administration, supported by facilities that enable service delivery.

5.4 Stellenbosch Municipality Spatial Development Framework (2012) (SMSDF)

Status: The Stellenbosch Spatial Development Framework (SMSDF) is an approved SDF in terms of the Municipal Systems Act (Act 32 of 2000). It was duly approved by full Council in June 2013 and is an approved plan with statutory force. It is reviewed annually with the revision of the municipal IDP.

Refer to Chapter 11 for an in-depth assessment of compliance, consistency, and motivation for deviation from the SMSDF.

Summary: The SMSDF is aimed at developing a binding set of principles, which guide development and development rights of property owners. The SMSDF specifically aims to:

- Achieve shared and inclusive growth;
- Increase access to opportunities, particularly for disadvantaged citizens;
- Improve sustainability by minimising ecological footprints; and
- Maintain the unique sense of place of the towns and region.

The SDF indicates 14 interconnected development nodes within the Municipality where expansion of existing urban development as well as new development areas are proposed. The proposed Boschendal Village site is situated within the Groot Drakenstein development node. Refer to Figure 5.1 for an extract of the new development areas plan as per the SDF.

The SDF identifies 7 strategic perspectives that will guide the future spatial development of Stellenbosch:

- Interconnected Nodes
- Car Free Transport
- Inclusive Economic Growth
- Optimal Land Use

- Resource Custodianship
- Food and Agriculture
- Heritage

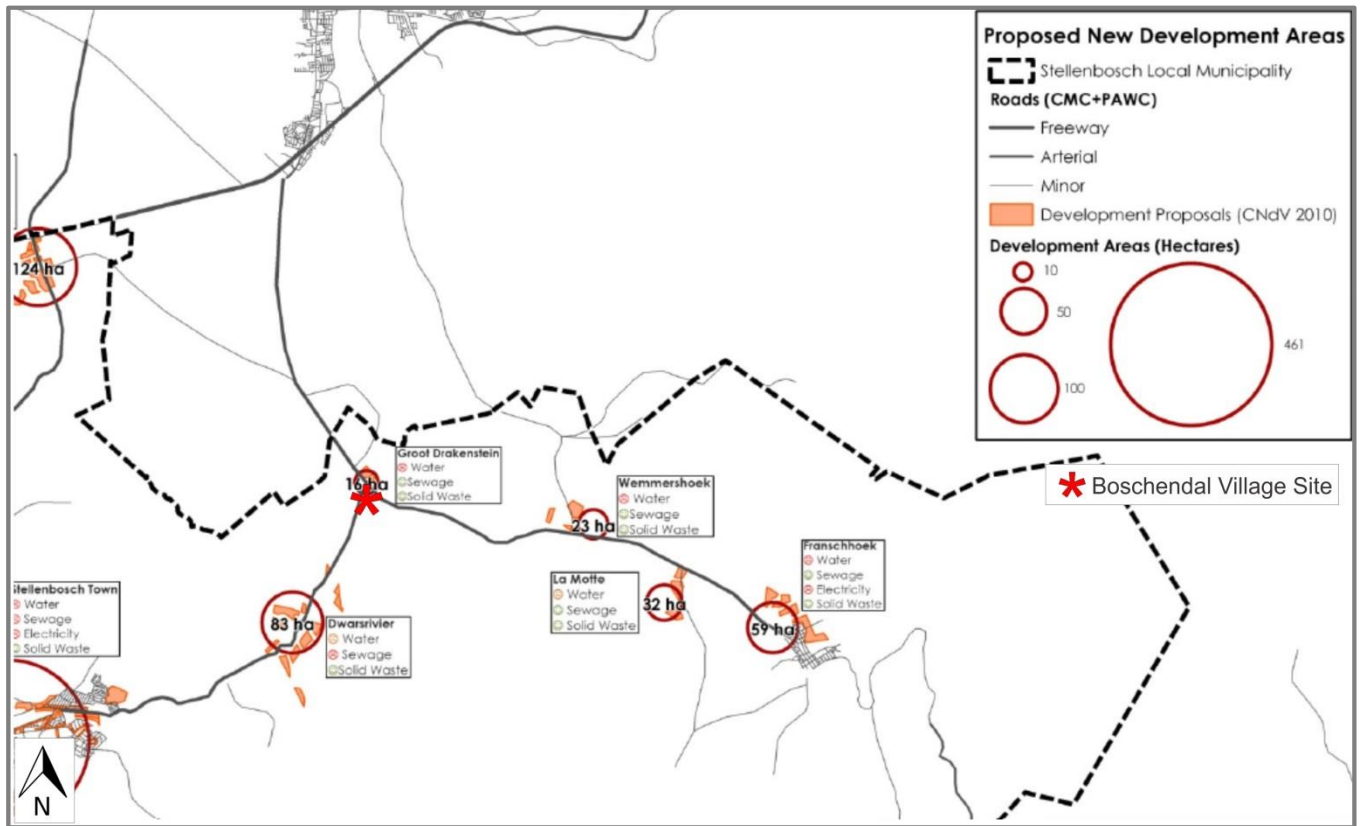


Figure 5.1: SDF Proposed interconnected system of nodes (Stellenbosch SDF 2012)

5.4.1 SDF Principles

Principles	
INTERCONNECTED NODES	1. Municipality should be developed as a system of tightly constrained interconnected settlements with dense internal plans. Must be linked to other settlements with road, rail, and other communication mechanisms
	2. Development of settlements prioritised on rail routes and then road routes
	3. Internal average gross densities should vary between 15du/ha for small settlements and 25du/ha for larger settlements
	4. Urban design frameworks (UDF) should be developed for each settlement recognising the unique character
	5. The principles of walking distance, functional integration, socioeconomic integration, appropriate densification and urban edge should inform settlement design
	6. Settlement should define strict Urban Edge outside of which no further development will be permitted
	7. Settlement centre should be most dense with densities tapering off towards the edges
	8. Use of land should be based on highest and best long-term use
	9. Balanced supply of low, middle and high-income households should be achieved
	10. Development applications are to be focussed within these settlement nodes, rather than greenfield land.
CAR FREE TRANSPORT	1. Settlement form must reduce demand for private cars
	2. Walking distance (facilities to be within 1 km from where people live)
	3. Pedestrian movement to be prioritised in design
	4. Cycle routes to be provided on regional roads
	5. Investigate additional rail stations of Klappmuts line
	6. Settlement densities to be increased to support public transport

INCLUSIVE ECONOMIC GROWTH	1. Complete socio-economic cross section to be located within 1km of urban centre
	2. Low-income housing should be balanced with middle and upmarket housing
	3. Avoid large disparities between neighbouring income groups and avoid creating barriers between different income groups
	4. Suitable land close to employment to be made available for Gap, social and middle-income housing
	5. 20% of space in regional and neighbourhood shopping centres should be a market area which is linked to public transport drop-off points & sidewalks. To be managed subject to reasonable conditions
	6. Land to be set aside for SMME's close to CBD's
	7. Publicly owned land agricultural and conservation land to be used to broaden rural economy
	8. Stellenbosch University plans to be included in SDF
	9. Industrial land close to public transport should be made available
	10. New industrial areas at Klapmuts and Koelenhof
OPTIMAL LAND-USE	1. Land for 6000 middle to low-income units to be identified by SM in existing settlements
	2. Subdivision, 2nd dwellings, redevelopment of existing low-density areas, infill and brownfield development prioritised over new greenfield development
	3. Land and projects for low, middle and high-income groups should be designed as part of a larger integrated settlement rather than stand-alone gated estates
	4. Land to be used for its most sustainable and appropriate use
	5. Public land must not be sold for lucrative but undesirable developments
	6. Public land for social/low-income housing projects to be sold or leased at prices which make projects feasible (not necessarily the highest bidder)
	7. Consistency in decisions required about development outside urban edge
RESOURCE CUSTODIANSHIP	1. Rivers protected 10-30m – no urban development or intensive agriculture
	2. No building foundations in 1:100 flood line
	3. Greywater recycling promoted on all developments with gardens
	4. Mandatory rainwater harvesting on all new urban developments (plus retrofit encouraged)
	5. Water conservation measures and technologies to conserve water to be implemented
	6. Eradication of alien vegetation supported
	7. New nodes to be served by localised Waste water treatment plants
	8. Peak load management to be considered for large developments
	9. Sewerage to be treated as a source of water and other productive materials
	10. Waste separation implemented throughout at all nodes
	11. All new housing developments must install solar geysers or similar devices
	12. Non-subsidy housing should be encouraged to install photovoltaic panels to reduce household electrical demand to below 300kWh
	13. SANS 10400XA energy efficiency standards to be adhered to for all planning applications, new buildings, major renovations and land use changes.
	14. Large developments to be incentivised to invest in solar energy generation equal or greater than their existing requirements.
	15. Encourage use of recyclable building materials
FOOD AND AGRICULTURE	1. A minimum of 10 000 ha of land should be safeguarded for cultivation of food for local consumption
	2. Land outside existing or proposed urban settlements should be used for agriculture, biodiversity conservation, scenic quality and agri-tourism
	3. Intensification of above uses should be promoted
	4. Incentives to be developed to encourage food production on fallow land
	5. Subdivision and leasing of portions of land outside current and proposed settlements to be discouraged
	6. Construction of large grocery-anchored shopping malls to be refused
	7. Managed farmer markets selling fresh produce, arts and craft should be provided in key centres

HERITAGE	1. Map sensitive biodiversity areas and set up clear and appropriate guidelines
	2. No buildings or intensive agriculture to be located on crest lines
	3. Ridgelines to be used for recreational and tourist related activities and income
	4. Viewsheds along major routes to be determined in a visual resource study
	5. Land within viewsheds to be classified as Buffer or 'intensive agriculture' SPC
	6. Development for agri-tourism and agriculture outside urban settlement nodes limited to one du/10 ha
	7. Buildings along provincial roads to be set back, at least, 100m to preserve character of roads
	8. Building heights and architectural style to be controlled within 200m of prominent roads
	9. Stewardship programmes and conservation of privately owned critically endangered biodiversity areas to be encouraged and made Core SPC.
	10. Tourism that reinforces the sense of place inside and outside urban edge to be encouraged
	11. Variety in tourism offerings should be preserved
	12. Restaurants, wine tasting, and holiday accommodation is encouraged within the parameters of provincial guidelines

Table 5.2: Municipal SDF Policy Summary (2012)

5.4.2 Groot Drakenstein Development Node – Stellenbosch SDF (2012)

The application area is situated within the Groot Drakenstein Development Node, as identified in the SDF. Refer to Figure 5.2 for an illustration from the SDF with regards to this node.

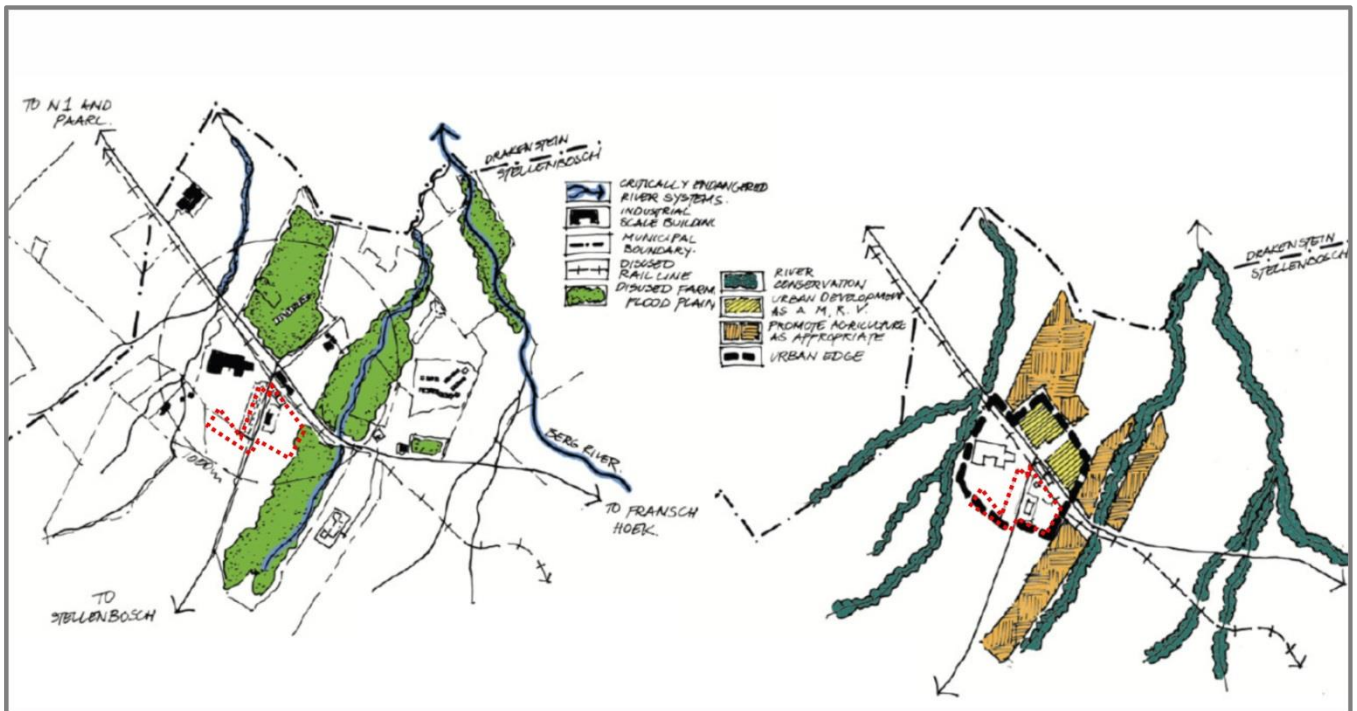


Figure 5.2: Groot Drakenstein Development Node (Stellenbosch SDF 2012)

In chapter 3.5 of the SDF the following information is provided in respect of the Groot Drakenstein node:

Strategic Location	Intersection of the R310 to Stellenbosch and the R45 between Franschoek and N2.
Description	There is no existing settlement at this intersection and the area is currently occupied by Boschendal agri-village, cellars, rail station and shed.
Advantages	Not constrained by existing development.
Challenges	The development of Meerlust will need to be linked to the land reform project approved for the site.

Constraints	The land around the road intersection has strategic potential as a settlement. Careful development can reinforce the heritage potential of Groot Drakenstein as a Boland Village.
Future lateral growth direction	Located between tributaries of the Berg and Dwars rivers, but both are some distance away.
Development areas	Western portion of Meerlust and property on the other side of the entrance road abutting the R45 for a distance of 500m. There is scope for agriculture on the remainder of Meerlust property and in the flood plain of the Dwars River outside of the river corridor.
Roads and transport	Service roads to be introduced along property frontages facing the R45 so that benefits of passing trade can be obtained without disrupting traffic. These should be properly pedestrianised and landscape so as to offer an attractive experience.
Water	Bulk infrastructure required e.g. reservoir and feeder pipes.
Sewage	Capacity will be provided by end of 2013.
Electricity	Area supplied by Eskom. Capacity to be confirmed by Eskom.
Solid Waste	Stellenbosch landfill site is at capacity. A new cell is under construction to create airspace up to 2017. Additional landfill sites are urgently required to meet demand after 2017.
Rivers and conservations zones	Freshwater ecologists to demarcate 10 to 30m setbacks from the banks of rivers and canals within which no new development (other than roads, paths, landscaping or street side trading) or ploughing may occur. Eco-conservation zones to be investigated on site.

Table 5.3: Summary of the Groot Drakenstein Development Node (SMSDF 2012)

According to Table 5.3, the SMSDF identified the land around the R45/R310 intersection to be developed as a future settlement node. The Municipality confirmed that urban development can take place in any of the quadrants of the indicated node, subject to more detailed planning. The application area is primarily situated within the urban edge which has been demarcated for the Groot Drakenstein Node, and therefore, the proposed Boschendal Village Node is consistent with the approved SDF. This development will form part of the southern portion of the envisaged Groot Drakenstein Development Node (as illustrated in the SDF).

5.4.3 The Urban Edge

The Stellenbosch Municipality confirmed during the pre-application process in 2016 that the department drew up a detailed urban edge in the municipality’s GIS based on an interpretation of the 2013 Stellenbosch Municipality Spatial Development Framework (SMSDF) urban edge. A small portion of the urban development for the Village falls outside this re-interpreted edge.

After consultation with both DEADP and the Municipality, it was confirmed that a Municipal Planning Tribunal (MPT) may not approve an application which is inconsistent with an SDF (section 22(1) of SPLUMA). However, Section 22(2) of SPLUMA makes provision for an MPT to depart from an SDF in cases where site-specific circumstances justify such a departure.

The motivation section in this report will, therefore, motivate for a site-specific deviation from the Urban Edge in SDF.

The Urban Edge which was included in the 2013 SMSDF was schematically drawn with a very thick line (refer to the thick faded black dotted line in Figure 5.3).

Since this schematic nature of the Urban Edge presented problems to the municipality’s planning department when assessing applications, the municipality’s planning branch re-interpreted the SDF drawing based on high-level information available on aerial photography.

This resulted in the department generating a revised line for the Urban Edge for the Groot Drakenstein Node. This line is illustrated by the blue line in Figure 5.3.

In this regard, the following should be noted on Figure 5.3:

- The thick black dotted line in the background is the urban edge as drawn in the SDF approved in 2013;
- The red lines are cadastral boundaries;
- The blue line is the department’s interpretation of the urban edge (done in 2016);
- There is no consistency as to whether the blue line is outside or inside the thick black dotted line which is the SDF 2013 urban edge;
- Neither the blue line nor the thick black dotted line follow any cadastral boundaries;
- These lines follow arbitrary features which may not even create a suitable village edge;
- The urban edge as depicted in this drawing was also not informed by any site specific informants, edge-making criteria, specialist studies or site analysis.

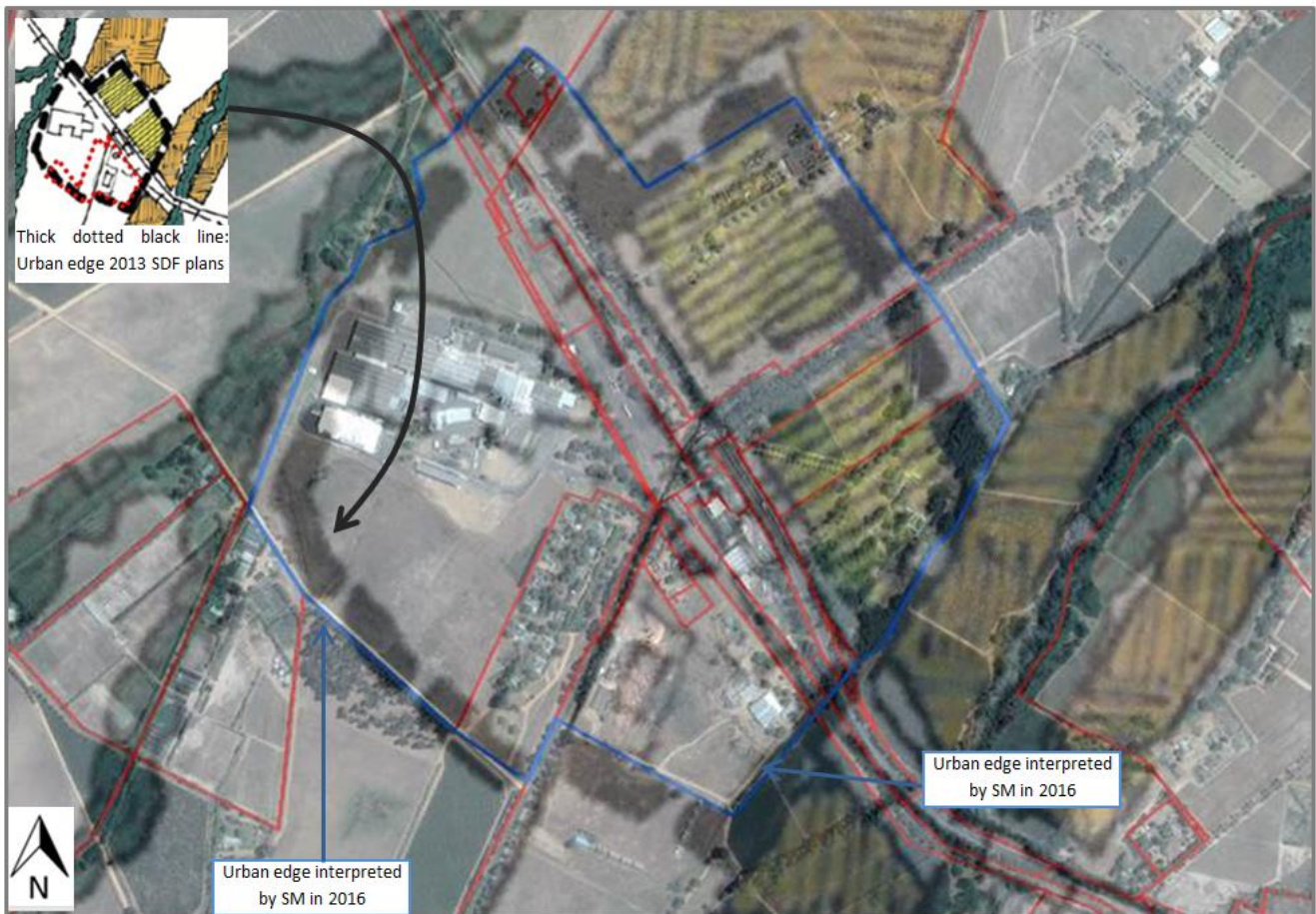


Figure 5.3: The SMSDF Urban edge overlaid onto an aerial photograph (source: 2016 Email: S van der Merwe -SM)

- Due to the schematic nature of the Urban Edge, it would be prudent to take into consideration the findings of detailed on-site studies where such further detailed information is indeed available to inform the Urban Edge rather than using arbitrary ‘lines on a plan’;
- The proposed Urban Edge for the proposed Village, as drawn in Figure 5.3 above, is informed by on-site physical informants, indicators and constraints which form a natural Urban Edge beyond which no further urban development will be considered in future;

- Given the historic nature of the landscape, it is desirable that this edge is a “hard” Urban Edge, beyond which no further urban development should be permitted;
- The proposed revised Urban Edge is a minor deviation from the original urban area indicated in the SMSDF and is not a material or substantial deviation which would require significant additional services.

The area to be developed inside the Urban Edge which falls on Boschendal land is not specifically identified for new urban development in the SMSDF, but urban development is also not prohibited inside the urban edge. Some of this land is already developed for very low-density urban development (such as the residential area west of the R310 and service industry (pallet factory) east of the R310). Densification and intensification of urban development inside an urban edge is generally promoted by the SMSDF and therefore the proposed development inside the urban edge, although not specifically indicated, can be classified as being **consistent** with the SMSDF (as defined in section 19(2) of LUPA).

5.5 Boundary Walls and Fences By-Law

In the current **agriculture zone**, boundary walls and fences are controlled in the following manner:

- Walls may not exceed 1m;
- Fences may not exceed 2,1m comprising only wire or steel palisade (painted colours preferred by Council – preferably charcoal, black or dark green);
- No brick piers are allowed in wire or steel palisade fences and only entrance gate structure may be of solid brick structures not higher than 3,5m for maximum distance of 10m on both sides of entrance gates.

In **residential zoned** properties, boundary walls and fences are controlled in the following manner:

- **On street boundaries**, wall or fence may be maximum 2,1m high. 50% of the height of wall/fence (including gates) must consist of open decorative work to create transparency. Solid construction shall not interfere with sight lines or vehicles entering or leaving the property or passing traffic.
- **On other common boundaries** walls or fences may be maximum 2,1m high and shall comprise of certain materials to Council’s satisfaction, except where screening of backyards or swimming pools are concerned, in which case height may at the discretion of Council be increased to 2,5m.

Boundary walls will be regulated by the urban design framework. Walls are generally low and visually permeable with masonry and palisade sections. Edges of the village will also be visually permeable fences with hedge and structural planting.

6. MOTIVATION FOR A NEW NODE: PROPOSED GROOT DRAKENSTEIN DEVELOPMENT NODE

6.1 Proposed Development in Context of Municipal Area

The Groot Drakenstein Development Node is one of the new development nodes identified in the Municipality's Spatial Development Framework (SDF). The SDF identifies 14 interconnected development nodes which lies at the heart of the Municipality's spatial development and land use management strategy (refer back to Figure 5.1).

The system of interconnected nodes is an important tool through which the Municipality intends to provide infrastructure for development which in turn will ensure that the Municipality achieves the other objectives set out in the SDF, namely:

- Achieve shared growth;
- Increase access to opportunities, especially for disadvantaged citizens;
- Improved sustainability by minimising ecological footprint and development at gross densities of at least 15 du/ha;
- Maintain the unique sense of place.

The SMSDF requires that new development be focussed within the identified development nodes, of which the Groot Drakenstein Node is one such development node. It is located at strategic road intersections and the SMSDF demands that uncontrolled urban sprawl at the existing main growth centres of Stellenbosch and Franschhoek be curtailed in favour of high-density nodal development at strategic intersections elsewhere in the Municipality. This will conserve agricultural land assets elsewhere and improve the functioning of rural, agricultural and ecological systems.

6.2 Proposed Boschendal Village Development in Context of the Groot Drakenstein Node

In the SMSDF, the development of the Groot Drakenstein Node is described as being limited to the Meerlust settlement, some development to the east of the said settlement and north of the R45. The national urban edge shown in the SDF includes land to the south of the R45, which is largely disturbed brownfields land which currently contains low-density industrial activities, farm sheds, derelict farm workers cottages and unutilised land.

The approach to regional settlement formation was developed as part of a comprehensive planning process in order to arrive at the conclusion of where the development would be most appropriately located. The overall approach is one of consolidation and integration, not scatter, and is informed by the following analysis which is clearly outlined in the Proposed Boschendal Village: Heritage Indicators and Directives Report (Bauman, Winter, Louw and Dewar 2015):

- Natural systems consisting of geology, soils, topography, climate, hydrology, flora, fauna, agricultural cultivation, freshwater ecology;
- Heritage and cultural landscape elements and assets;
- Current available bulk infrastructure.

These elements woven together and overlaid form a composite "constraints and informants" map. The regional settlement concept is based on the premise that settlements should be occurring in places where it strengthens the overall system and concept, where it creates synergies and where it has the least possible adverse impact on the rural environment.

Settlements should take place at points of high access and on the periphery of farmland to protect the agricultural integrity of the farm, creating, supporting and strengthening the concept of the agricultural superblock (refer to Figure 6.1). This leads to the following main principles being established:

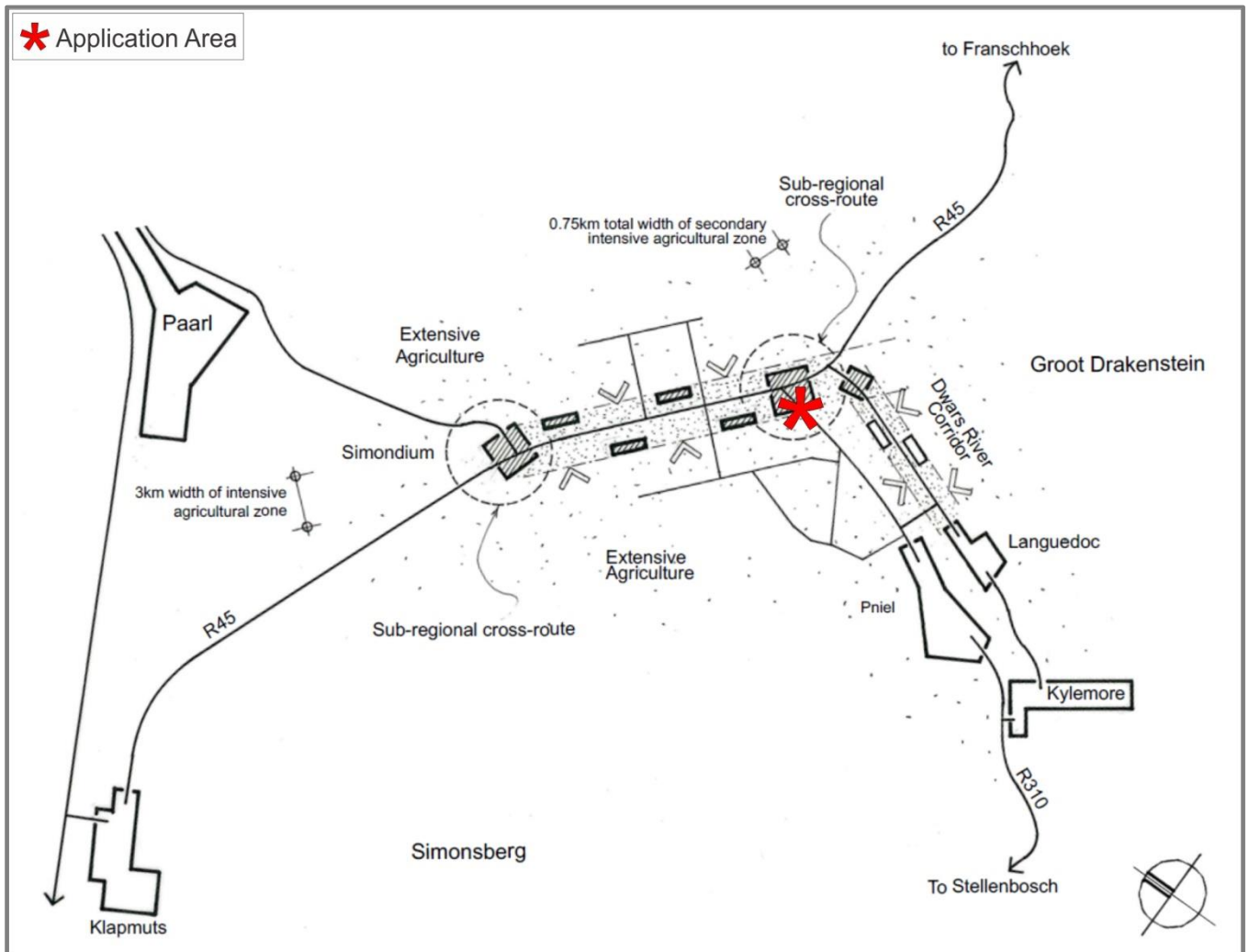


Figure 6.1: Regional settlement formation ideas diagram (Bauman, Winter, Louw & Dewar 2015)

- Maintain the dominance of wilderness areas in areas of least access;
- Maintain working agricultural farms in concentrated areas of least access;
- Maintain and enhance continuities of green space and movement;
- Respect the valley – no development in public view cones, steep slopes or on ridge lines;
- Maintaining the agricultural superblock.²

Conceptually, applying the above principles to the local area, a regional settlement format or concept is developed which is clearly indicative of the suitability of this location for a village node.

² Bauman, Winter, Louw, Dewar: Proposed Boschendal Village Node: Heritage Design Indicators & Directives

6.3 Closer Look at Groot Drakenstein Node

The following section provides a closer look at the Groot Drakenstein Node. The future development of the Groot Drakenstein Node will not take place on a clean slate, and will be significantly influenced by ownership, existing land uses, development initiatives, and then also physical and other planning constraints, such as scenic routes, heritage resources, bio-diversity, hydrology, topography, agriculture, existing roads and their classification and other physical features. The Groot Drakenstein node already contains significant agri-industrial activities in the form of Rhodes Food group factory and head office and the pallet factory. In line with the most recent Provincial Rural Development strategy, the Province intends to strengthen agri-industries in the Western Cape and it can therefore reasonably be expected that this node will become one such focus area.

The Municipality has not yet prepared an urban design framework or overall development concept for the Groot Drakenstein Development Node as a whole. In the absence thereof, in order to contextualise the Boschendal Village proposal with the Groot Drakenstein Node, a series of drawings in this chapter illustrate (at a very high conceptual level) one possible development option for the node. The high-level concepts illustrated below are based on current known physical opportunities and constraints, design informants and existing known initiatives. This is by no means intended to plan, prescribe or fix the future development options on various land parcels within the node. It is merely a depiction or illustration of all the information that is currently known about land parcels in the area, and the various initiatives currently taking place.

A clear picture of potential cumulative development initiatives, however, emerges when all the information is collated on one plan.

It should be noted that this application does not in any way motivate for any of the developments which are outside the confines of the subject property in this application (and which is not the subject of this application). The purpose of this chapter is merely to present a composite picture of what is happening/eminent in the node.

[Note: this application process has furthermore not conducted the required environmental, heritage, engineering services, traffic, or visual impact assessments for the Groot Drakenstein Node as a whole, or for any of the other development project which do not form part of this application.]

6.3.1 Ownership of Land in Groot Drakenstein Node

The ownership of land in and around the Groot Drakenstein Node is illustrated in Figure 6.2. Approximately 25% of the land inside the urban edge of this new node is in state ownership (Railway line – Transnet, Meerlust – State, Police Station – State), with the balance being in private ownership. Boschendal (Pty) Ltd owns approximately 27% of the land within the village node urban edge.

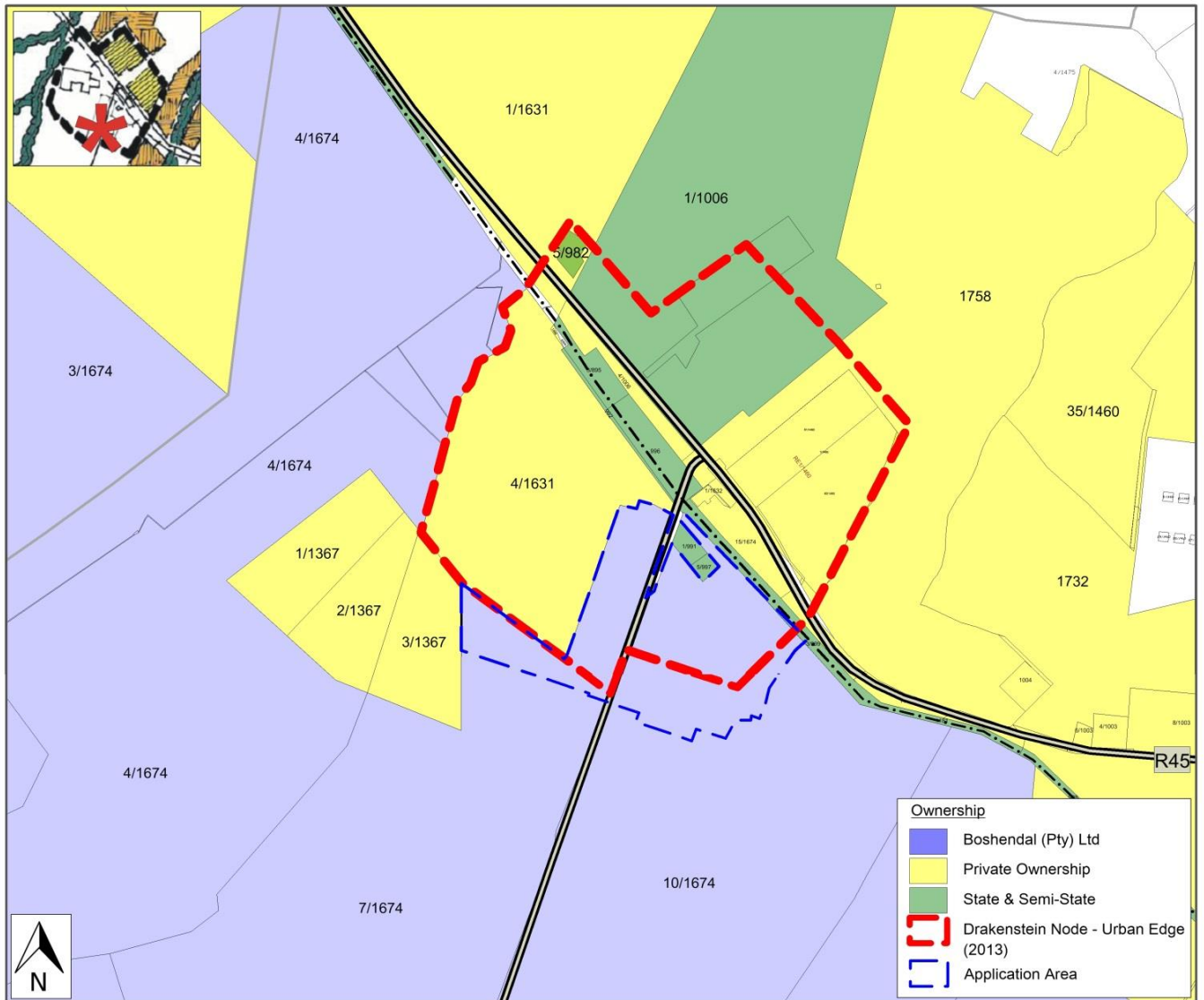


Figure 6.2: Ownership in the vicinity of the Groot Drakenstein Development Node

6.3.2 Land Use in Groot Drakenstein Node

The following land uses are currently located in the node and are depicted in Figure 6.3.

- Industrial land uses (pallet factory, canning factory, food preparation factory) & vacant industrial land;
- Office use;
- Community Facilities (Police station and clinic);
- Agriculture;
- Residential (in dwellings); and
- Vacant and uncultivated

A significant portion of the existing land use inside the urban edge currently consists of industrial or agri-industries. The existing land use patterns in the node plays a large role in informing the exploration of future possible development options for the node which has been developed in this section.

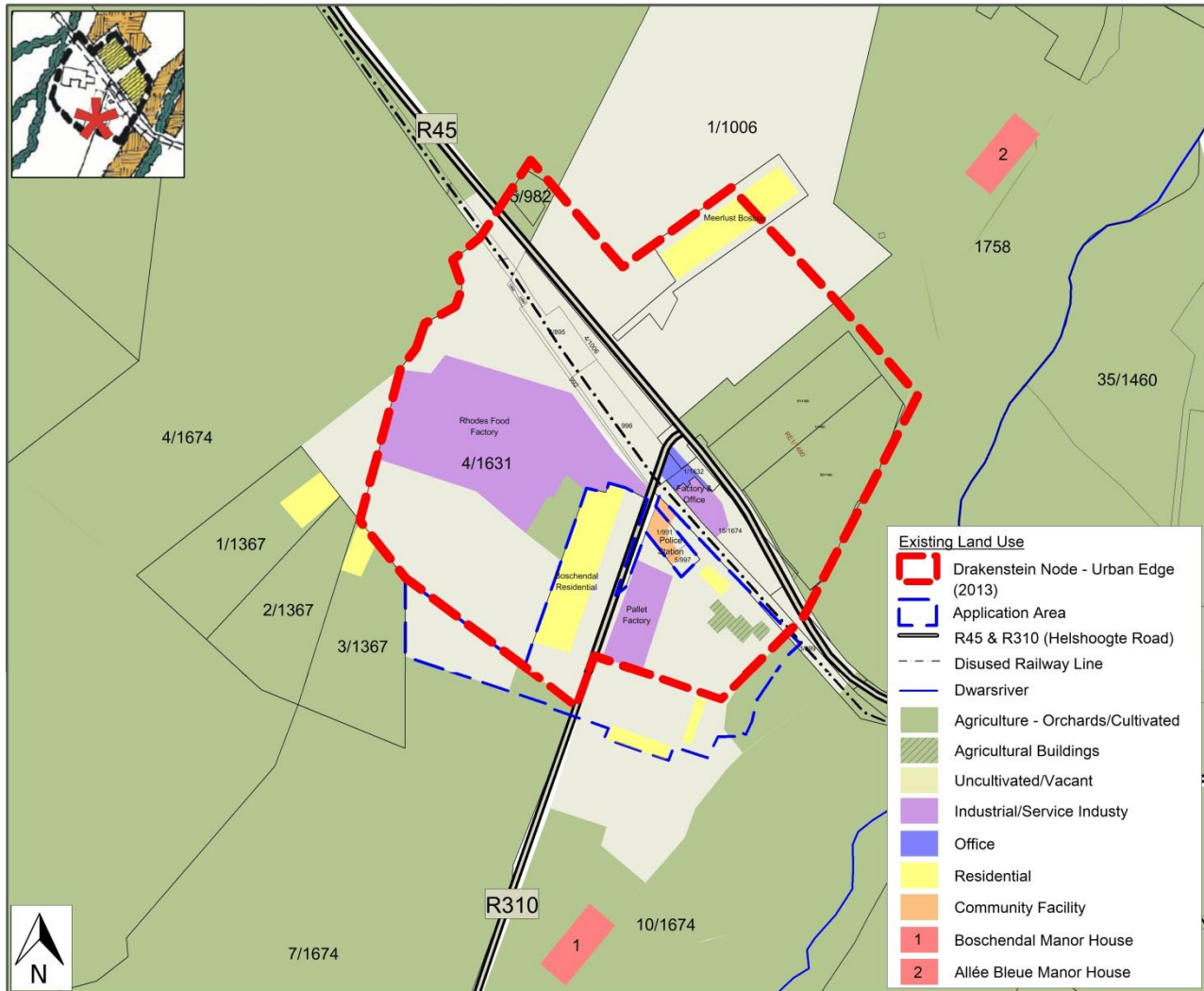


Figure 6.3: Land Use in the vicinity of the Groot Drakenstein Node

6.3.3 Future Development Initiative in Groot Drakenstein Node

The team investigated development projects which are in the pipeline in the vicinity of the node. These are depicted in Figure 6.4. These other projects also inform and define the future overall development concept for the Groot Drakenstein Node. It is clear that based on the urban edge drawing in the SDF, a number of development initiatives have already been initiated which will start shaping the urban node.

Most notable future development proposals in the node (outside of the Boschendal Village proposals area) which are already on the table are:

- The expansion of Rhodes Food Group Factory (rezoning application to be submitted to the Municipality in due course);
- Proposed business development on R310/R45 intersection (application currently under consideration by Stellenbosch Municipality); and
- Meerlust subsidised housing development (project currently being handed over from the District Municipality to the Stellenbosch Municipality for implementation – conceptual layout plan already completed).

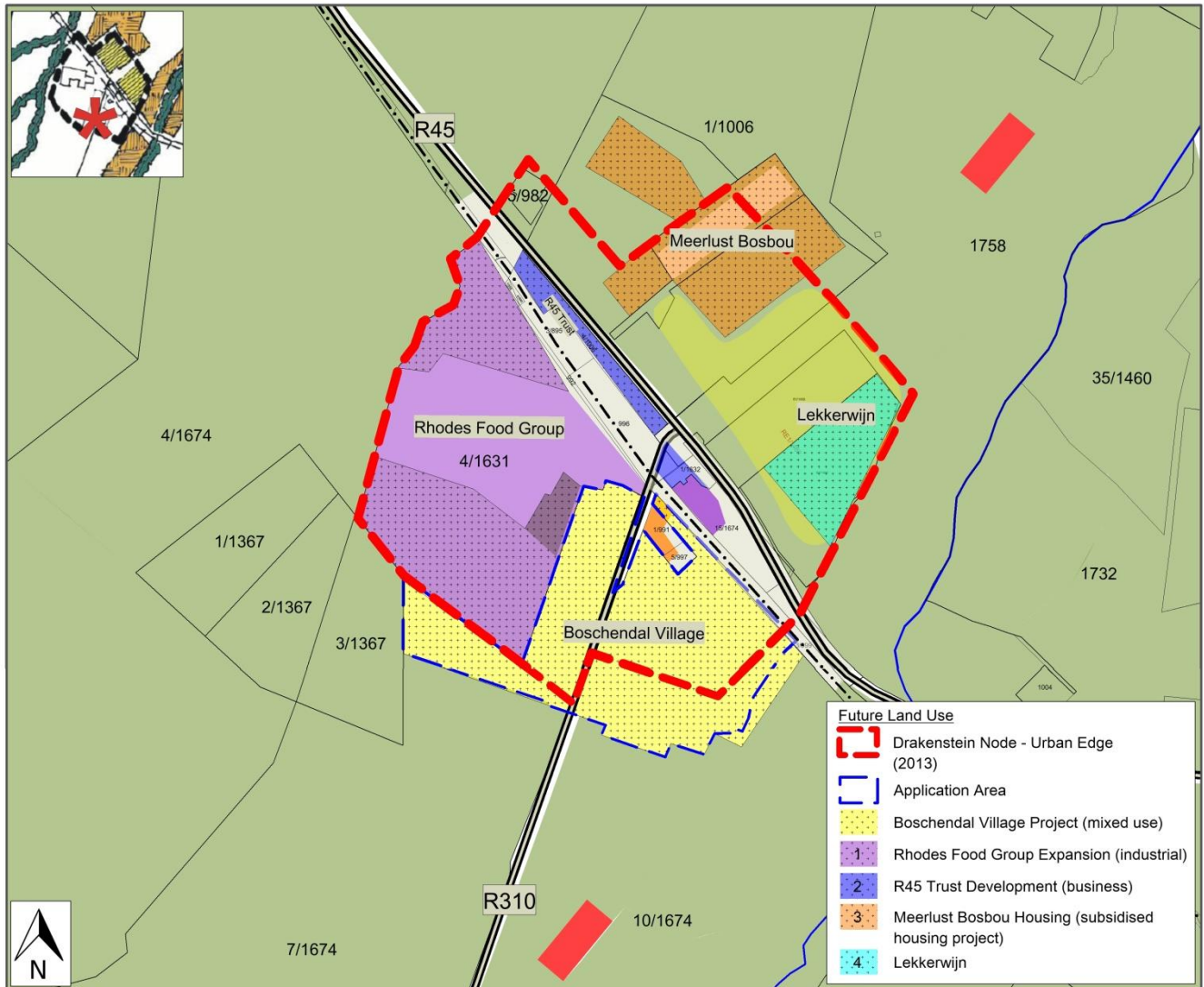


Figure 6.4: Future development proposals in the Groot Drakenstein Node

6.3.4 Area Wide Developments and Informants

In the Heritage report (Figure 6.5) the development footprint for the Village has been conceptualised (at a coarse-grain) to ensure protection of the sense of place, reinforce the character of the rural corridor, and ensure that the scenic route character is retained, even though the development take place at this important sub-regional cross-route.

The information about land ownership; existing land use; development proposals currently being formulated; physical features in the vicinity of the node and other development; and design informants and constraints were all overlaid and taken into consideration to formulate the high-level approach to the development concept of the node.

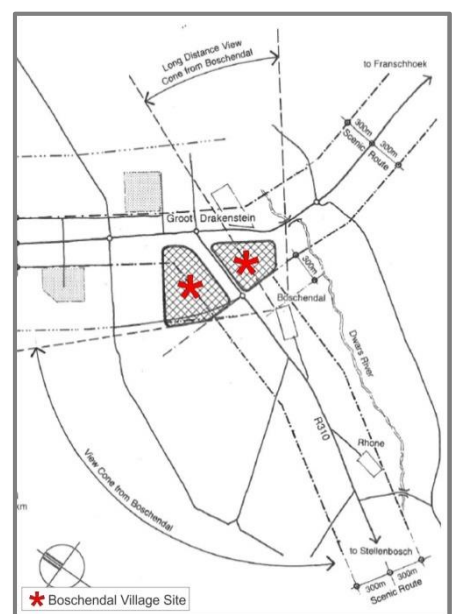


Figure 6.5: Coarse-grained concept for village development (Source: Baumann, Winter, Louw & Dewar 2015)

6.3.5 Composite Development Concept

In Figure 6.6 below, the coarse-grained composite development concept emerges from weaving all the above informants and current initiatives together. At the heart of the node will be a business zone, located along the R45 and R310, and is served by private service roads so as to not impact on the mobility routes. Both the R45 and R310 are scenic routes and to this end, significant landscaped open spaces and building setbacks are required to ensure the retention of rural setting.

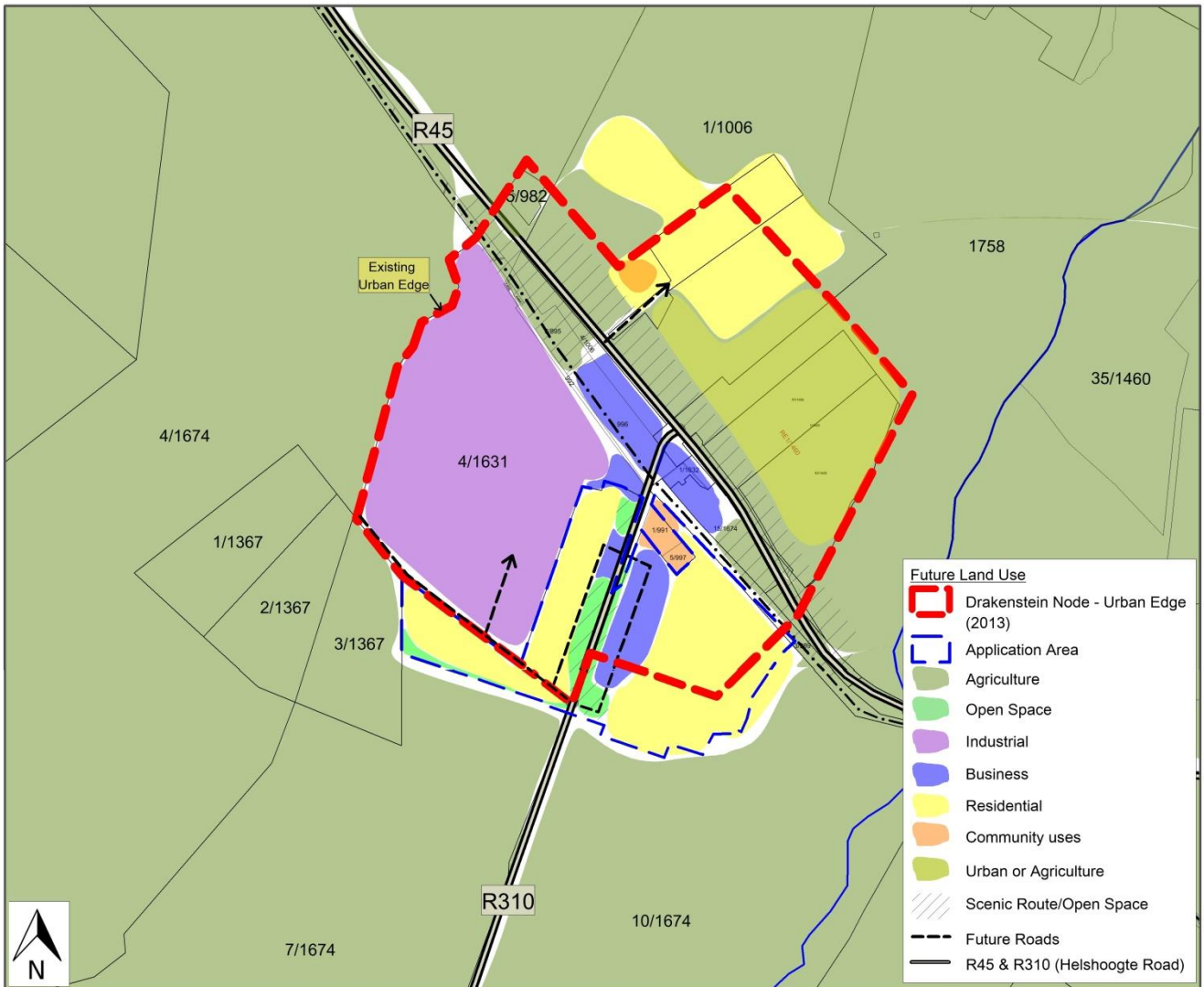


Figure 6.6: Composite development concept: Groot Drakenstein Node

The node already contains significant industrial activity and the proposed expansion and refurbishment of these agri-processing facilities will bring much-needed employment into the valley. For this reason, the development of a mix of different residential opportunities (from high income to subsidised housing) is appropriate in this location since it becomes a balanced mixed use node which supports a vibrant community.

The land uses which are to be accommodated in the Groot Drakenstein Node, including the Boschendal proposals, therefore consist of a wide range of residential options (including state subsidised housing at Meerlust and private sector housing for key workers, middle and upper income groups at Boschendal), business, industrial and community land uses, thereby achieving compact mixed use development which achieves the objectives of the National Development Plan, as well as the development principles prescribed in the Spatial Planning and Land Use Management Act, the Western Cape Land Use Planning Act, and the Municipality’s Spatial Development Framework.

7. DEVELOPMENT OBJECTIVES AND INDICATORS

The purpose of this section is to summarise the development objectives and indicators which informed the development proposals for the Boschendal Village. These objectives and indicators are derived from a number of specialist reports, policy documents, development frameworks and legislation.

<p>Heritage Indicators and Objectives Source: Baumann, Winter, Louw & Dewar</p>	<ul style="list-style-type: none"> • Respect historical landscape. • Maintain dominance of rural landscape. • Broader cultural landscape to be respected. • Rural corridors along R310 and R45 to be respected. • Zone of possible settlement pockets along R45 identified. • Southern most edge of village to be 300m from Boschendal Homestead werf wall. • Agricultural activity to be brought up to the edge of village. • Planting mitigation should reinforce the edge of village. • Settlement pockets to be announced by rural gateways (similar to Pniel); • Traffic circles are preferred intersection control (over traffic lights)(R45 and R310). • At southern entrance to village, traffic circle is preferred. • Provincial Roads Engineer requirements to be adhered to. • Southern and eastern edge of village are “tread-lightly zones” limited impact. • Development erven to exceed 4000m². • Achieve qualities of rural village, not suburbia: <ul style="list-style-type: none"> ○ Significant portion of village to be open to public – whole village may not be gated; ○ Social entity with social heart; ○ Public buildings to be in publicly accessible places; ○ Views and vistas towards prominent natural features and frame views; ○ Buildings to be positioned close to streets and fronting onto; ○ No rears of buildings fronting onto public space; ○ Use organic and straight lines in design; ○ Use rural elements in design e.g. low walls, open swales, no kerbs; • Achieve unity and diversity in built form/space syntax. • Establish clear movement network, NMT, Qualities of street. • Anchored by mixed use high street. • Establish hierarchy of open spaces, create gateways, village square; buildings to define public space. • Community and public facilities should occur in highly accessible locations. • Highest buildings/density at most accessible places. • No buildings higher than 3 storeys ranging down to 2 and 1 storeys; single storeys in “tread-lightly” zone. • Small blocks to promote permeability. • Stoeps and pergolas to create interface with street zone. • Minor street should be narrow – 5m. • Transition from public areas to private areas. • There should be no traditional road kerbs. Rather use surface stormwater channels. • Linear park adjacent to R310 to reinforce scenic route ±57m wide. • Highly permeable movement network to be created. • Clear density gradient. • Planting mitigation to be used to create edges and give expression to cultural landscape. • Visual indicators: <ul style="list-style-type: none"> ○ Maintain setback from R45 ○ Maintain 300m setback from Boschendal Homestead werf ○ Agriculture to be brought up to village edge
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	<ul style="list-style-type: none"> ○ Avenues and wind breaks to define edges of village; ○ Height max 2-3 storey; ○ Continuous open spaces to create visual legibility; ○ Parking screened, broken up and not visible from scenic routes; ○ Outdoor lighting to be discrete, low-level bollard type. Avoid light spillage into rural area; ○ Advertising and signage to be avoided – low-level signage and sensitive signage to reduce visual clutter.
<p>Environmental Indicators and Objectives Source: Freshwater Report (2016) Botanical Study (Nick Helm 2015) Soil study (VinPro 2015) Archaeological report (2015)</p>	<ul style="list-style-type: none"> ● No important fauna or flora identified on site which requires protection. ● No archaeological issues which influence the layout. ● Agricultural soil quality is low. ● Elongated wetland identified along the railway line, which is to be incorporated into stormwater detention pond design. 10m buffer required along this edge. ● Wetland identified on southeastern corner of the village which is to be retained and rehabilitated with wetland vegetation. 30m buffer required around this wetland. ● Allow an ecological corridor to link wetland systems. ● Roads and services must avoid crossing the wetland systems. ● Soil quality poor in area of proposed village, good soil quality on eastern edge. ● 1:50 and 1:100 year flood lines located on the eastern edge of proposed village. ● The banks of a river located approximately 200m from the development area and any external engineering services which may traverse or be in close proximity will require approval. ● External engineering services will probably cross a river and will require a WULA.
<p>Land Use Planning Indicators and Objectives Source: PSDF, Municipal PSDF, LUPA, Zoning Scheme</p>	<ul style="list-style-type: none"> ● The proposed Boschendal Village is part of Groot Drakenstein Node as identified in SDF. ● Protection of agricultural assets paramount. This can be achieved through: <ul style="list-style-type: none"> ○ No development on high-quality agricultural land; ○ Consider development impact of village on existing agricultural activities and vice versa; ○ Limit development areas as far as possible to non-cultivated land and previously disturbed areas; ○ Provide additional markets/offset point for agricultural produce (of the area); ○ Provide sound economic basis for retention of very significant agricultural estate. ● Rural economic diversification to be promoted as follows: <ul style="list-style-type: none"> ○ Land uses proposed should be compatible with the surrounding land uses and should promote the development of village (rather than mono-functional industrial land use currently experienced at this node); ○ Development proposal should have positive socio-economic returns for the area as a whole. ● Protecting the sense of place, cultural landscape and cultural assets through: <ul style="list-style-type: none"> ○ Development must be of a mixed-use nature which includes business, residential, open space, public and private roads; ○ Creating tourism opportunities; ○ Paying attention to mass, scale, design, urban form, architectural idiom; ○ Managing the quality of landscape; ○ Adhering to indicators and conditions of Heritage reports; ○ Implement detailed Urban Design Framework and architectural guidelines to guide all future development. ● Provision of social services and infrastructure should be adequate and supplemented where needed: <ul style="list-style-type: none"> ○ Appropriate provision should be made for community facilities which may be required (primary schools for >1000 households); ○ Existing community facilities to be retained or relocated (e.g. clinic);

	<ul style="list-style-type: none"> ○ Recycling of waste from village to be promoted and accommodated in layout; ○ Regional engineering services constraints to be taken into consideration with development proposals and development contributions to be used to ensure sufficient capacity is created; ○ Limitations on household electricity consumption and off-the-grid provision for non-essential requirement is to be made compulsory in owners association rules; ○ Greywater and rainwater irrigation in households to be made compulsory in owners association rules. ● The new node as a whole needs to be a settlement which is compact, integrated, robust and inclusive. To this end, Boschendal Village must contribute as follows: <ul style="list-style-type: none"> ○ Intensification of land uses – density of development must be at least 15du/ha; ○ Ensuring a sufficiently “open” system with public places – not gated community. ● Residential diversification to be achieved – variety of residential options and inclusivity to be promoted. ● Safety and security to be addressed without being a gated community, though pockets of privacy, perimeter development design, build-to lines, and implementation of alternative security solutions may occur. ● Improved accessibility and public transport shift to be promoted through: <ul style="list-style-type: none"> ○ Development being in identified settlement node – part of the system of interconnected nodes; ○ Development located at sub-regional crossroad; ○ Development located along two inter-nodal public transport routes (Franschhoek-Paarl and Franschhoek-Stellenbosch); ○ Nodal development along existing public transport routes increases long-term economic viability of transport routes. ● New urban development zoning will be allocated and the permissible land uses and development parameters should be considered and adhered to on the external boundaries. Internally, new, appropriate parameters which respond to proposed design parameters should be put in place to ensure future appropriate development. ● Flexible zoning should be allocated to ensure mixed use is achieved and a variety of land uses can be accommodated in the most accessible places.
<p>Socio-Economic Indicators and Objectives</p>	<ul style="list-style-type: none"> ● The spatial policies applicable to the area must be adhered to. ● Spatial justice requires to ensure access is given to Historically disadvantaged (HD) people. ● The project should present opportunities for the local construction and building sector during the construction phase. ● The project should provide employment for local people both during the construction phase and the ongoing implementation phase. ● The project should provide business opportunities for local historically disadvantaged people. ● Commercial and retail facilities for farmers should be addressed. ● There is a need for a supermarket which can provide access for the local community to affordable household goods. ● Serving only a high-income group’s retail needs should be avoided. ● Open spaces must be accessible to the public and public access must be guaranteed. ● Whilst access to certain residential areas can be controlled, the overall development should not be a gated security complex. ● Existing clinic should remain on site and can be relocated and upgraded to integrate better into a community node.

	<ul style="list-style-type: none"> • Crèche and afterschool facilities can also be provided in the community/business node. • There is an ongoing need for training of HD individuals. • Tourism to be promoted. • Rhodes Food Group and adjacent industrial land uses may have an adverse impact on residential development and this must be taken into account with the final design.
<p>Engineering Services Indicators and Objectives Source: ICE reports</p>	<ul style="list-style-type: none"> • Stormwater detention pond (or series of detention facilities) required to ensure post-development runoff does not precede pre-development runoff. • Capacity in existing bulk electrical supply constrained. • Currently, Boschendal farm has excess supply and can furthermore implement off-the-grid electricity generation which can release additional bulk capacity into the system. • Post development domestic electricity consumption must be limited through specific control mechanisms to ensure adequate electricity supply.
<p>Traffic and Transport Indicators and Objectives Source: Gibb Report & Road Access Guidelines & letter from Provincial Roads Authority dated 8 June 2015</p>	<ul style="list-style-type: none"> • R45/R310 intersection currently problematic from a safety perspective. • Current intersection of R310 and Minor Road 5230 which is a public road can also serve as access to the eastern side of the development. • The R310 is a Class 2 Primary Arterial in a semi-rural development environment. • There are a number of existing access points which do not comply with the WCG Road Access Guidelines (RAG). (Rhodes office, Rhodes Factory, existing Farm entrance). • The minimum spacing according to the RAG is as follows: <ul style="list-style-type: none"> ○ Equivalent side roads: 400m ○ Left-in/left-out side roads: 200m • Road reserve width of R310 is 25m. Current statutory rural building line is 90m on either side. It is proposed that a 5m statutory building line becomes applicable upon approval of this application inside the urban edge of the Village. • As requested by PRE in the letter dated June 2015, road reserve width of Minor Road 5230 is 20m and statutory building line is 5m and must be provided equally on Boschendal and Rhodes Food Group property where it runs along that common boundary. • Minimum parking of the zoning scheme to be adhered to, with the following exception: 2 parking bays to be provided for each dwelling house and row house.
<p>Green Report Indicators</p>	<ul style="list-style-type: none"> • Recycling and maintenance facility for Home Owners Association

Table 7.1: Development Objectives and Indicators

8. DEVELOPMENT PROPOSALS FOR BOSCHENDAL VILLAGE

As illustrated in Chapter 6, the Boschendal Village is a smaller component of the overall “Groot Drakenstein Node” as identified in the Municipality’s Spatial Development Framework. Boschendal-owned land forms approximately a third of the developable land within the Groot Drakenstein Node, the balance being owned by the Rhodes Food Group, the State and by other private landowners.

The purpose of the remainder of this planning motivation report is to focus on the development proposals for Boschendal Village, from a planning application perspective. The development proposal is described in detail in the Urban Design Framework report prepared by Philip Briel Architects and it is the intention that this Development Framework report is imposed as a condition of approval to regulate all future development within this portion of the node.

Below follows a discussion of the development proposals in the context of the Land Use Management application requirements.

8.1 Opportunities and Constraints Impacting on Footprint and Design

The Boschendal Village footprint has been determined by a number of physical, planning and design opportunities, constraints and informants which are illustrated in Figure 8.1. The internal layout and design is also further shaped by many of the significant informants. These informants are:

8.1.1 Physical Constraints and Opportunities

- Existing public roads which traverse the application area and are to be of a minimum width;
- Position of intersection of Minor Road 5230 with R310 and permitted distances between intersection (Road Access Guidelines) determines access points to village;
- Allowable access points from the R310 (access spacing determined at specific distances from the R45 and R310 intersection; no other direct access allowed of R310);
- Existing major avenues of trees along R310 and eastern edge of development area;
- Existing wetlands on the property and associated drainage channels;
- Topography of the site and natural direction of drainage and need for on-site stormwater management;
- Existing flood lines;
- Existing buildings which can be retained e.g. workers cottages to provide edge to agricultural landscape;
- Surrounding land uses i.e. industrial, office, police station, clinic and nearby residential;
- Agricultural potential of land and land not currently used for agriculture/cultivation; and
- Infrastructure capacity (especially electrical infrastructure).

8.1.2 Heritage, Planning and Urban Design Constraints and Opportunities

- Scenic route determination along R310;
- Setback lines from R310 and R45 to retain certain rural quality views;
- Setback lines from historical Boschendal Manor House and Werf;
- View cones from historical Boschendal Manor House and Werf, scenic routes and from village towards historical werf and mountains;
- Building lines as imposed by zoning scheme and legislation;
- Setback lines from existing wetlands; and
- Parking ratios and requirements.

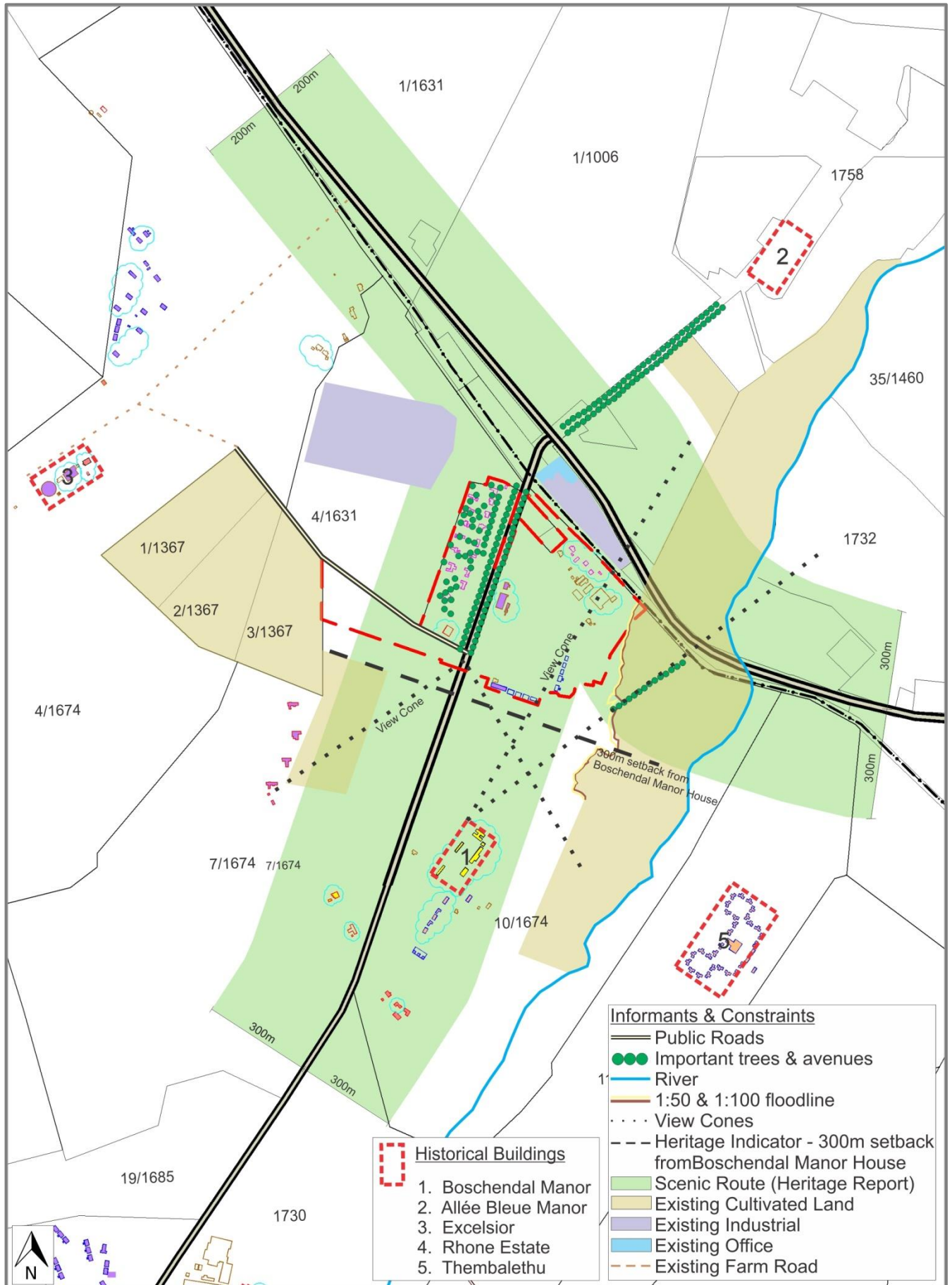


Figure 8.1: Informants and Constraints

8.2 Overall Village Footprint

The Stellenbosch Spatial Development Framework indicates a coarse-grained urban edge for the Groot Drakenstein Node which includes a section of land owned by Boschendal. The SMSDF urban edge and development areas indicated in the SDF were however not specifically informed by any detailed analysis of on-the-ground physical constraints and opportunities. In the proposal below the site, analysis is discussed and the proposals are formulated. A motivation for a site-specific deviation from the Urban Edge, which is based on the site analysis, is submitted in Chapter 11.

The Boschendal Village application area is defined by the following physical features:

On the portion west of the R310:

- Rhodes Food Group factory entrance and factory building on the north-western boundary;
- Vacant agricultural land owned by RFG on the western boundary;
- Agricultural land owned by Boschendal south of the pine tree grouping.

On the portion east of the R310

- Disused railway line and linear wetland on the northern boundary with factories north thereof;
- 1:100 year flood line, high potential agricultural land and significant avenue of blue gum trees on the eastern boundary, owned by Boschendal;
- Boschendal historical werf 300m setback-line, wetlands and agricultural hinterland on the southern boundary.

The proposed development area consists of approximately 25ha, which comprises 1.6% of the total Boschendal Estate and approximately 14% of the total area of portions 7/1674 and 10/1674.

8.3 Overall Development Concept

The development concept incorporates the following features:

- Scenic route quality of the R310 is reinforced in the node by significant open space provision along the R310;
- The dominance of the rural landscape is retained;
- Mixed-use urban development of a variety of densities is provided which will contribute towards the development of the Groot Drakenstein Node;
- A “village high street” is proposed which is parallel to the R310 and which provides for the economic heart of the village where a significant farmers market is proposed, together with more traditional shops and restaurant which will contribute towards a unique village experience;
- The village high street will also contain residential development on the above-ground levels to ensure mixed use;
- A “central avenue” axis of the village street which provides visual connection to the residential areas and the agricultural landscape beyond connects the “high street” with the agricultural hinterland;
- A variety of residential options of varying densities will provide accommodation for a variety of income groups;
- Existing civic activities (police station and clinic) are to be strengthened with other community facilities (taxi stops, possible pre-school and other afterschool facilities) located in the vicinity thereof;
- Residential densities are graded from most dense (apartments) at the centre to least dense (single residential) on the periphery;

- Strong structural edges are established where the village interfaces with agriculture to ensure future urban sprawl is contained, especially on the southern edge (row of cottages) and eastern edge (1:50 year flood line, Blue Gum Avenue and agriculture forming edge beyond which no development will be permitted);
- Areas of high public access are located within the centre of the village graduating to areas of greater privacy in residential neighbourhoods located further away from the high street;
- Visual and pedestrian connections with the historical Boschendal Manor House and Werf are maintained;
- Gateway spaces and landmark buildings are to be created which will ensure an architectural language which is congruent with the historical context of the site.

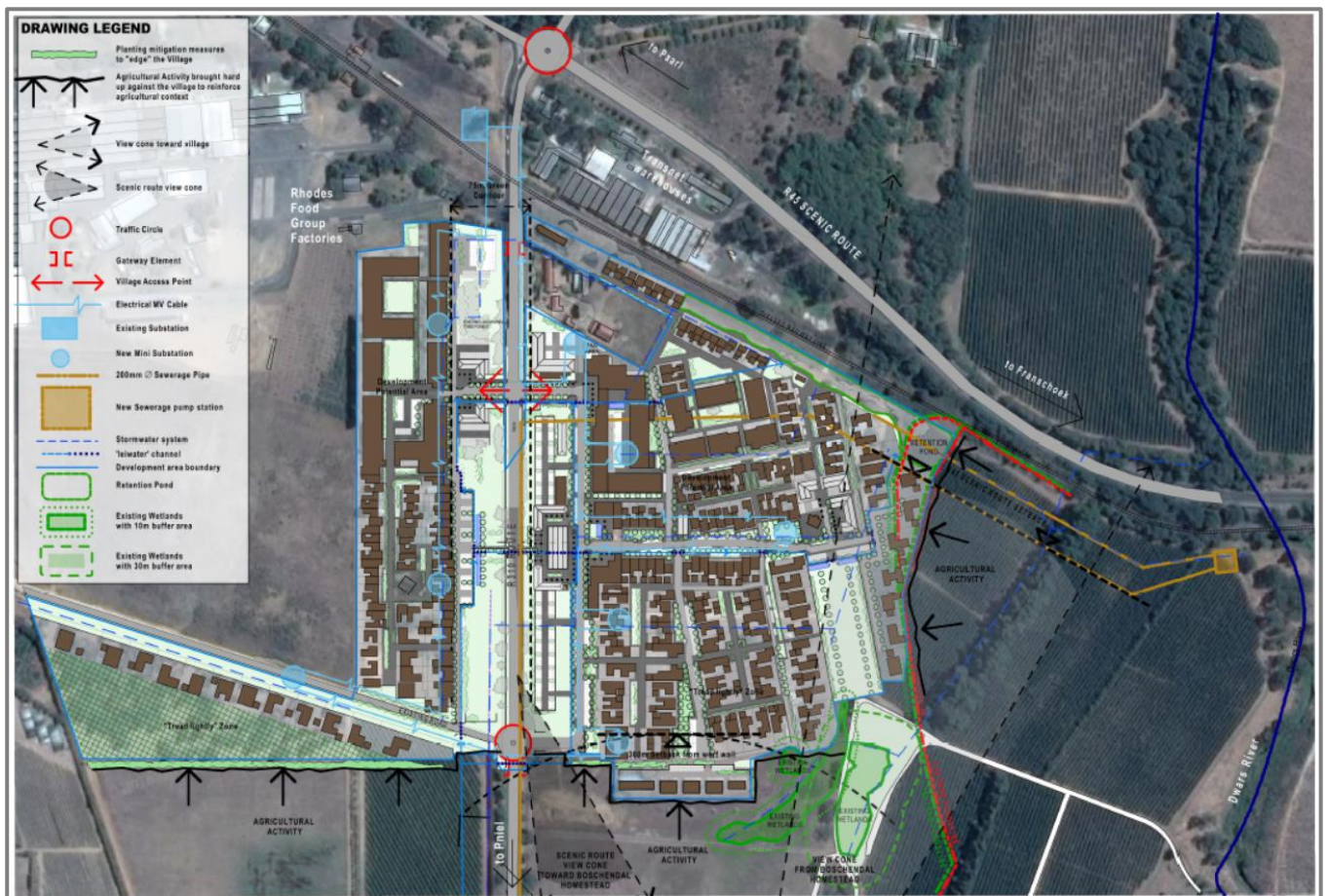


Figure 8.2: Site Development Plan on Aerial photo(Source: Philip Briel Architects)

A comprehensive Urban Design Framework was prepared by Philip Briel Architects (dated November 2015) which contains the development proposals. The planning application report will be prepared at the hand of this Urban Design Framework. Figure 8.2 illustrates the overall development proposal.

8.4 Existing soil quality and impact of proposals on cultivated land

The footprint of the proposed Boschendal Village is largely disturbed land, consisting of low agricultural potential soils. A soil potential study was undertaken and the study has confirmed that the site where the village is to be located is not of high agricultural potential.

A significant portion of the site is currently used for wood pallet factory (service trade), which will be closed down once the development is initiated.

In Figure 8.3 the extent of the existing cultivated land which is affected by the proposed development is indicated. A small portion of the orchard on the south-western side of the village falls within the footprint of the village. Some of these trees can be retained in the green open space closest to the R310 but most of this area will be developed. The affected cultivated area measures 3 051m².



Figure 8.3: Affected cultivated land

A portion of the pear orchard on the eastern side of the application area will be affected by the proposed village development footprint and this area measures ± 9 924m². This development will require filling in of a small portion of area which is below the 1:100 floodline in order to also accommodate the stormwater detention pond at the lowest point of the development footprint. Approval has been obtained for the filling in of the floodline at this point, refer to WULA approval dated 21/02/2017. This is fully addressed in the EIA report.

The total area of land under cultivation or used for grazing on all Boshendal farms (as measured in 2016) measure ±595 ha. The total area of agricultural land affected by this proposal measures ±1.3 ha. The total cultivated area which is affected by development comprises ±0.22% of the overall current total of agricultural land on Boschendal Farm. The loss of agricultural land in relation to the area cultivated is therefore negligible.

It is, however, worthy to note that Boschendal Pty Ltd plans to significantly expand their fruit and vegetable farming as well as their vineyards. By 2018 it is anticipated that fruit orchards will expand ± 140 ha, vegetables ± 15 ha and vineyards by ± 30 ha.

Total agricultural activities (by 2018) will, therefore, be ± 770 ha. In the context of the existing and planned agricultural expansion on Boschendal farm, the loss of ± 1.3 ha of fruit trees is therefore insignificant.

8.5 Existing Vegetation, Structural Trees and Wetlands & Proposals

Apart from the pear orchard, the entire village development footprint is located on disturbed land which is not under cultivation. The site contains a few seasonal wetlands (which are retained in the layout design) and supports no significant plant species. In the isolated pockets of natural vegetation, no species of conservation concern was recorded or are likely to occur.

A survey of the application area was undertaken and the existing mature trees and hedges are indicated on a very high-level in Figure 8.4.

The significant existing trees can be summarised as follows:

- Pine trees (to be removed);
- Jakaranda tree grove (to be retained on open space);
- Existing avenue of trees along the R310 (to be retained);
- Existing hedge along eastern boundary of R310 (to be retained);
- Scattered pine, poplar and oak trees on eastern portion of the Village; (retained where possible)
- Existing Blue Gum Avenue on eastern edge of village footprint (to be retained); and
- Pear orchards on the eastern portion of the Village (partially removed).
- Other Orchard on western portion (partially removed)

It is proposed to retain the linear wetland at the northern boundary of the application area (located largely along the disused railway line) as well as the more significant wetland in the south-eastern corner of the site.

The wetland system will be combined with the stormwater retention facility which is required to retain stormwater run-off of the development to pre-development volumes during major storms. The intention is to ensure natural wetland vegetation is retained and re-introduced to improve water quality. A 10m buffer will be retained around the northern wetland.

The wetland in the south-eastern corner of the application area will also be retained, and no buildings will be constructed within 30m of it. It will also be the gateway to the farm and will introduce an element of informality to the large structured grid layout of the village. The intention is to ensure natural wetland vegetation is retained and re-introduced.

It is further proposed that a landscape master plan be prepared and approved which will guide not only planting and landscaping in the public realm, which has to be implemented by the developer but also to guide private landscaping where they are visible from the street or public realm to ensure an appropriate landscaping palette.

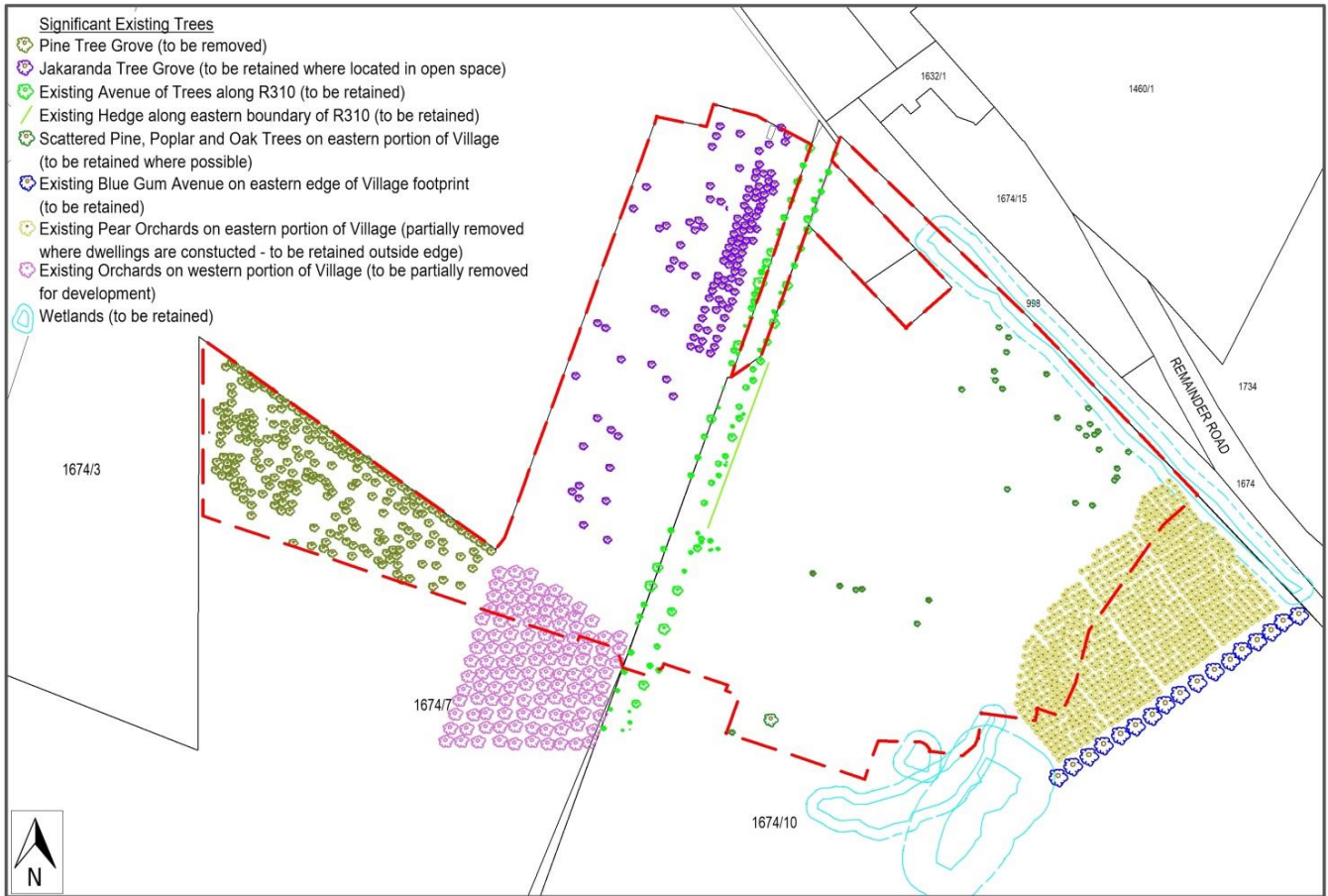


Figure 8.4: High-level existing trees and vegetation illustration (illustrative only)

8.6 Existing Flood Lines & Flood Plains including fill proposal

The 1:50 and 1:100 year floodlines for the Dwarsriver has been accurately determined by the engineering consultants on the project (refer to Services Report prepared by ICE group).

The 1:50 and 1:100 year floodlines are located very close to each other on the eastern edge of the proposed Village.

It is proposed to fill in a small portion of the area within the floodplain (as illustrated in Figure 8.5) to allow the rounding of the village with low-density residential erven which will form a contained urban edge and which provides sufficient buffer to mitigate adverse impacts on agriculture. The portions of the properties which fall below the new 1:100 floodline will be excluded from any future development by virtue of the imposition of a no-build servitude in the title deed and this area may only be used for agrarian type landscaping of urban agriculture.

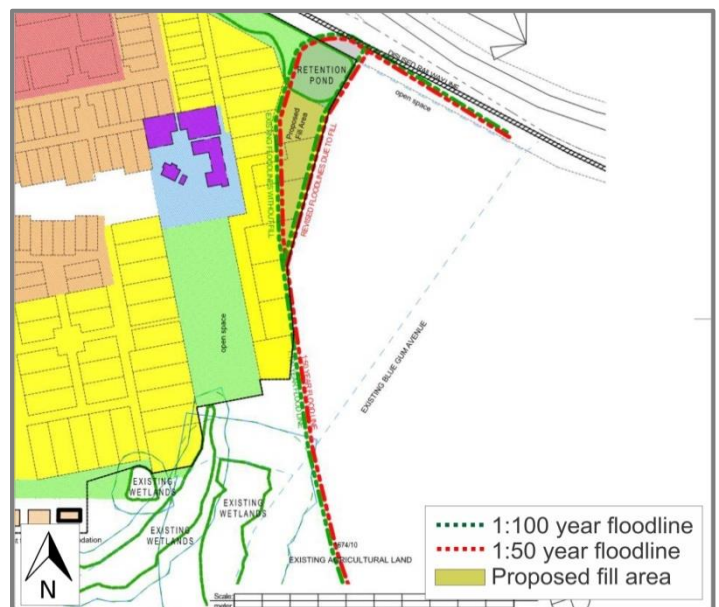


Figure 8.5: Floodlines and Infill Area situated to the east of the site

8.7 External Roads, Access Constraints & Access Proposals

The R310 Provincial Road traverses the village development area. The road is currently classified as a Class 2 road in a semi-rural environment. The National Road Access Guidelines limit the opportunities where access can be obtained off a road with this classification and the design proposals have taken this into consideration, proposing the following:

- Upgrading the existing Minor Road 5230 intersection with a traffic circle and providing a new access off the R310 to the Boschendal east village. This existing intersection is approximately 660m from the T-intersection with the R45.
- Upgrading the existing R45/R310/Allee Bleu intersection by constructing a traffic circle.
- A new un-signalised intersection providing access to either side of the R310 at half way between the two new traffic circles (distance of ±330m between intersections).

The road reserve of the R310 is only defined for a portion of that road by cadastral boundaries. On the subdivision plan it is shown that as a result of this development, a further section of the R310 road reserve will be cadastrally surveyed and transferred to the relevant authority (refer to the subdivision plan). The proposed road width to be provided in this instance is 25m, in accordance with the Provincial Roads Ordinance no 19 of 1976.

Additional to this, Minor Road 5230 also traverses a portion of the site and will provide access to a number of proposed residential erven, which are to be located along this road. The existing gravel road, which is 10m wide, is located partially on land owned by Boschendal and then on land owned by the Rhodes Food Group. The Provincial Roads Authority indicated in correspondence that a road reserve of 20m is required in this instance. The additional 10m in road reserve will, therefore, be provided south of the existing gravel road so as to ensure the reserve is located equally on land owned by Rhodes Food Group and Boschendal (refer to subdivision plan).

The access to the police station will be retained as a driveway access. The access to Rhodes Food Group Factory will also be retained and assessed as part of their own future applications to rezoning, upgrade and expand.



Figure 8.6: Proposed access points off R310 (Gibb 2015)

A full Traffic Impact Assessment was undertaken for the development and the assessment made the following recommendations regarding infrastructure upgrades:

- A single-lane roundabout is proposed on Helshoogte Road (R310) at the Minor Road 6/4 (New Oaks Access) intersection;

- A double-lane roundabout is proposed at the intersection of the Helshoogte Road (R310) and the R45. This is preferred to a signalised intersection due to the traffic calming characteristics of the roundabout;
- A full central access is proposed with opposing right-turn lanes (on Helshoogte Road (R310)) entering the site and stop controls on the side roads with separate right and left-turn lanes;
- Additional public transport facilities (bus and taxi embayments in the vicinity of the central access) must be provided along the R310;
- Pedestrian facilities in the form of raised pedestrian sidewalks along R310 and R45 are to be provided together with suitable crossing points in the vicinity of central access points;
- Refuse embayment to be constructed along R310 adjacent to the existing clinic; and
- Minor road 6/4 to be surfaced as indicated.

8.8 Scenic Routes

Both the R310 and the R45 is regarded by the Municipality to be scenic routes and are indicated as such in the SDF as well as the Draft Stellenbosch Zoning Scheme. In terms of the SDF, development within 200m of a rural scenic route is to be managed in a manner which will reduce the visual impact of such development. (Refer to Figure 8.1 for an indication of the scenic routes).

It is recognised in the scenic route provisions that scenic routes in rural landscapes are to be managed differently than scenic routes which are located inside identified urban settlements. In this instance, the scenic routes are inside the identified urban edge of the proposed future Groot Drakenstein Node and, therefore, the extensive 200m rural scenic route is not applicable, but rather the more restricted urban scenic route treatment will be appropriate.

The heritage indicators have extensively addressed the aspect of continuity of the scenic routes in this particular location. A large avenue of trees and an existing hedge provides significant visual screening at this point along the R310.

In order to provide visual relief and to ensure visual continuity of green space, it is proposed to provide a large ($\pm 60\text{m}$ wide) open space abutting the R310. These areas will be landscaped and will also provide space for overflow parking and other market-related activities on days of high activity levels.

Existing trees and hedges currently located within these green spaces will be retained and additional structural planting will be undertaken to provide visual screening and improve the legibility of these spaces as major green structuring elements.

8.9 Existing Buildings & Proposals

There are a number of existing buildings within the application area, some of which will be retained and others which will be demolished as a result of the development. All existing buildings have been surveyed on the detailed topo-survey plan.

Buildings to be demolished:

- Dwellings on the western side of the R310;
- Derelict cottages on the eastern side of the R310;
- Existing fruit packing buildings, and
- Various buildings in differing states of disrepair.

Buildings to be retained, renovated and re-used:

- One building on the western side which is accommodated in the design;
- A row of cottages to the south of the application area which will form the southern edge of the village;
- The pallet factory structures to be remodelled as a farmers' market;
- An existing wooden cottage and a gabled cottage dating back to 1951 will be retained; and
- Existing clinic building (previously the station building) to be retained.

Most of the village development will, however, be newly constructed buildings. Due to the sensitivity of the area, the importance to retain the sense of place, retain authenticity with this development and ensure the creation of a quality environment, the developer prepared a comprehensive urban design framework for the development.

The proposals also contain architectural directives, which are essential to retain a common architectural language which speaks to the cultural and heritage landscape this development is located in.

8.10 Rezoning to Subdivisional Area

8.10.1 Proposed subdivision and rezoning of the Village Development Area

Firstly, the Village development area is to be subdivided off the main farm portions and rezoned to Subdivisional Area in accordance with Section 20(2) of the Stellenbosch Land Use Planning By-law. Refer to Figure 8.7 and the Subdivision and Rezoning Plan included in Annexure A. These two land portions then require to be consolidated.

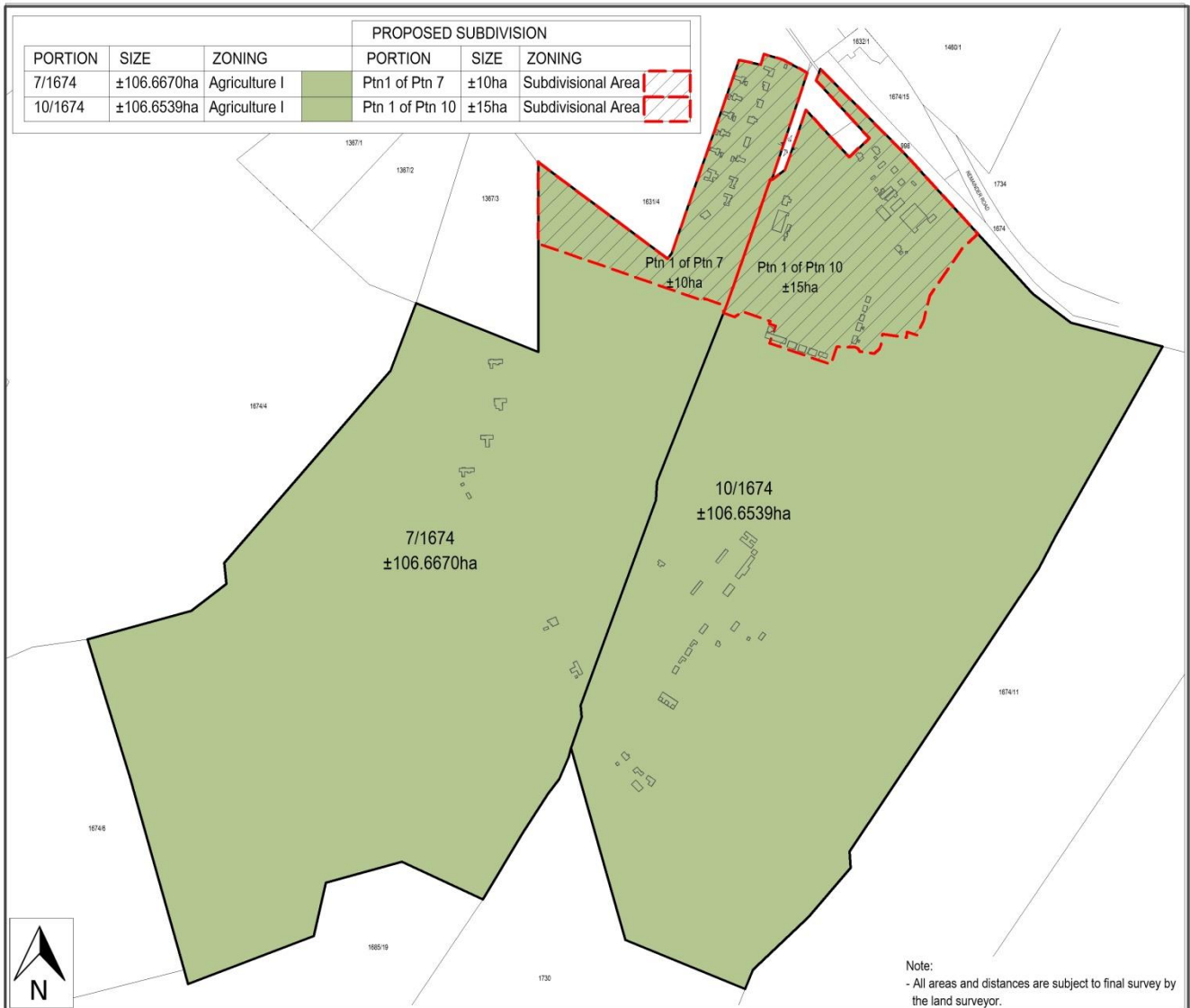


Figure 8.7: First Subdivision – Portions 7 and 10 into 2 separate portions each

Secondly, the two consolidated portions which make up the Village development area is to be further subdivided with a subsequent subdivision plan to create the “superblocks” which will define the structure of the village and create the outline of development phases. The appropriate zoning can be allocated to each “superblock” in accordance with the envisaged land use (refer to Annexure B). In most cases, each of the “superblocks” will require further internal subdivision, but this will only be approved once a Site Development Plan is approved for each superblock. Most of the superblocks are therefore zoned Subdivisional Area at this stage again.

Proposed future zoning are however illustrated in Figure 8.8. Furthermore, the proposed land use, appropriate zoning, subdivision density and whether further subdivision is required or not is indicated in Table 8.1.

This subdivision into superblocks is necessary at this early stage to clearly set the future structure and layout of the Village (a requirement expressed through the Heritage process as critical to ensure that the Village is to be developed in accordance with the heritage indicators).

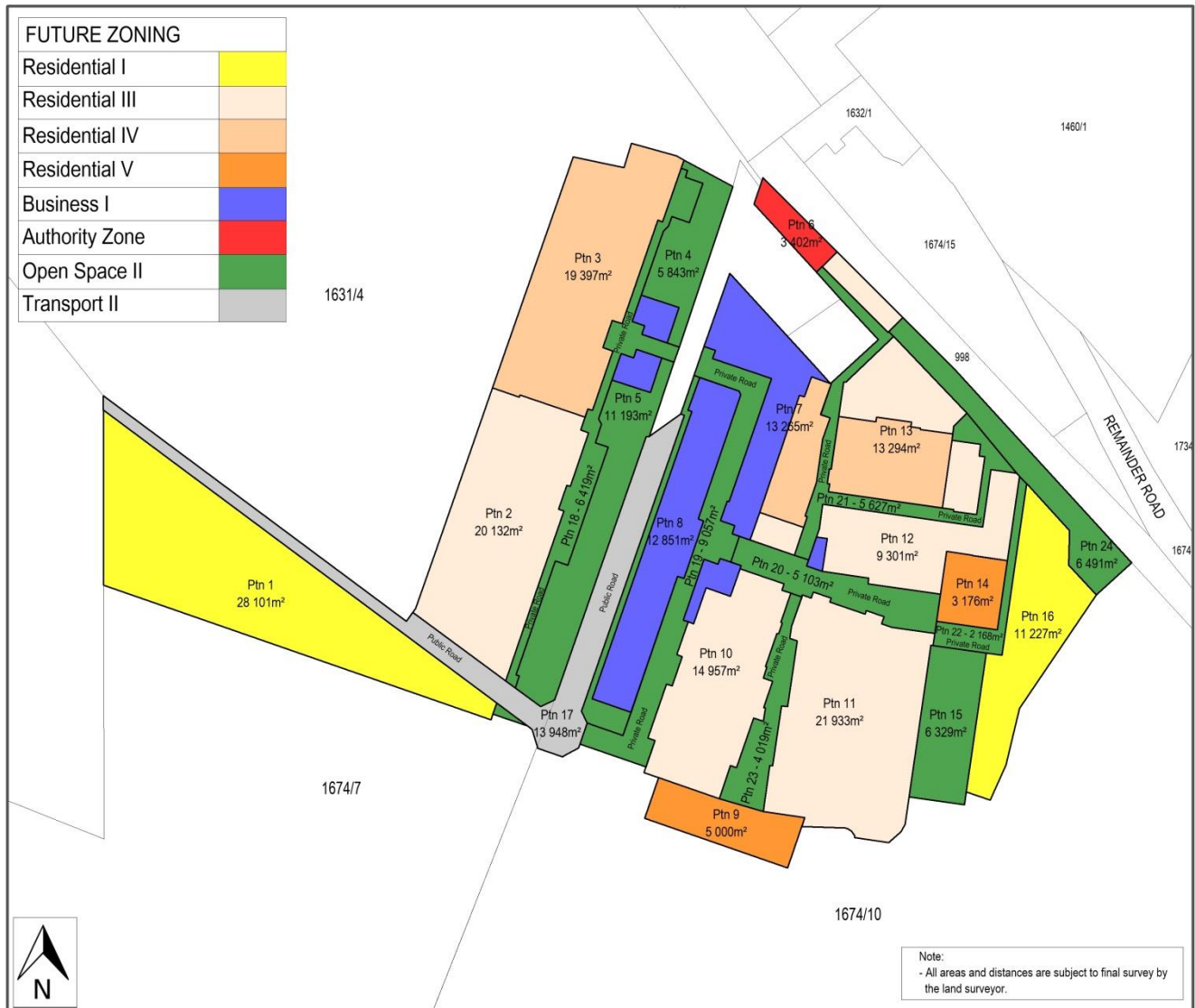


Figure 8.8: Second Subdivision showing proposed indicative future zonings illustrating future development intent

Figure 8.8 above illustrates the future proposed rezoning of the superblocks. This will be subject to the compilation of detailed Site Development Plans (SDP) for each phase and may be revised and amended to give effect to the approved SDP, provided that the overall land use intent as set out in the Urban Design Framework is adhered.

The table below aims to illustrate in more detail the land use budget for each superblock. Again this is illustrative and subject to the approval of a detailed site development plan for each superblock. At the time of SDP approval, the final land use mix and concomitant zoning will be allocated.

Ptn	Zoning of superblock	Super-block Size (m ²)	Proposed Zoning (split after sub-division)	Approximate Size (m ²)	Land Use (indicative)	Indicative Development Extent				
						Dwelling Units	Guest Accommodation Bedroom	Retail GLA (m ²)	General Business GLA (m ²)	Other (m ²)
1	Subdivisional Area	28 101	Residential I	27 944	Dwelling houses	12				
			Open Space II	157	Private Open Space					
2	Subdivisional Area	20 132	Residential III	20 132	Townhouses	60				
					Clubhouse					500
3	Subdivisional Area	19 397	Residential IV	19 397	Flats	126				
4	Subdivisional Area	5 843	Open Space II	4 843	Private Open Space					
			Business I (spot zone)	1 000	Business Premises			1 000	Clinic 2-3 rooms	
5	Subdivisional Area	11 193	Open Space II	10 193	Private Open Space					
			Business I (spot zone)	1 000	Business Premises			1 000		
6	Subdivisional Area	3 402	Authority Zone	1 965	Home Owners Utility					500
			Residential III	1 437	Townhouses	8				
7	Subdivisional Area	13 265	Business I	8 306	Business Premises			1 100	7 000	
			Residential III	3 958	Townhouses	5				
			Residential IV	1 001	Flats	56				
8	Subdivisional Area	12 851	Business I	10 566	Business Premises			2 000		
			Open Space II	2 285	Private Open Space					
9	Residential V	5000			Guest Cottages		30			
10	Subdivisional Area	14 957	Residential III	13 834	Townhouses	31				
			Business I	1 123	Business Premises			2 000		
11	Subdivisional Area	21 933	Residential III	21 933	Townhouses	40				
12	Subdivisional Area	9 301	Residential III	8 979	Townhouses	32				
			Business I	322	Restaurant/Meeting Hall/ Business Premises			400		
13	Subdivisional Area	13 294	Residential III	6 736	Townhouses	18				
			Residential IV	6 558	Flats	50				
14	Residential V	3 176			Hotel		50			
					Self-Catering Apartments		20			
15	Open Space II	6 329			Private Open Space					
16	Subdivisional Area	11 227	Residential I	11 227	Dwelling Houses	12				
17	Transport II	13 948			Public Road					
18	Open Space II	6 419			Private Road					
19	Open Space II	9 057			Private Road					
20	Open Space II	5 103			Private Road					
21	Open Space II	5 627			Private Road					
22	Open Space II	2 168			Private Road					
23	Open Space II	4 019			Private Road					
24	Open Space II	6 491			Stormwater Retention & Wetland					
Floating land use (not yet allocated to a portion)			Residential IV		Flats	25				
			Business or Institutional I		Place of instruction					120 children
TOTAL		252 233	TOTAL	184 896		475	100	5 500	9 000	1 000

Table 8.1: Second Subdivision: Indicative development breakdown and zoning per subdivided superblock

8.10.2 Indicative future subdivision of superblocks & ownership

It is proposed that once more detailed design has been undertaken (by means of Site Development Plans), the individual superblocks will be further subdivided into smaller land parcels which will enable individual freehold ownership. Commercial properties along the high street will largely remain in Boschendal’s ownership and will be developed and owned by Boschendal (although some smaller parcels may be sold off). There are also a number of blocks of flats proposed, ownership which will be given through the Sectional Titles Act. All internal roads and open spaces will be transferred to a master Property Owners Association, which will maintain all services and communal property.

Refer to Figure 8.9 for an illustration of the indicative future subdivision of all superblocks in the Village.



Figure 8.9: Indicative future subdivision of all superblocks in Village

8.10.3 Summary of Proposed Land Uses and Development Extent

Ultimately the superblocks will be subdivided further to enable the development of the Village to proceed. The total land area analyses of the proposed development, as well as the total land use summary, are shown in Tables Table 8.2 and Table 8.3 below:

	Land Area (m ²)	Percentage (%)
Residential	143 136	56.75
Business	22 137	8.85
Public Road	13 948	5.53
Private Road	32 393	12.84
Private Open Space	30 298	12.01
Guest Accommodation	8 176	3.24
Home Owners Utility	1 965	0.78
	252 233	100

Table 8.2: Land Area Analyses

Land Use	Maximum Extent of development
Total Dwelling Units	<u>Max 475 dwelling units</u>
<u>Breakdown of mix</u>	<u>Breakdown of mix</u>
Free standing dwellings	=24 houses (±5%)
Row Houses	=194 row houses (±41%)
Apartments	=210 apartments (market related ±44%)
Key worker apartment	=10% to max of 47 units(key workers)
Hotel/Guest Apartments/Guest Cottages	100 Bedrooms
Retail GLA	5 500 m ² Gross Leasable Area
General Business GLA	9 000m ² Gross Leasable Area
Clinic	2-3 consulting rooms in Business GLA
Early Childhood Development and Aftercare	120 children
Civic buildings (multi-purpose)	500m ² Gross Leasable Area
Home Owners Utility (maintenance and recycling)	±500m ² Gross Leasable Area

Table 8.3: Total land use extent: Maximum overall development extent to be incorporated in rezoning conditions

8.10.4 Description of Commercial and Mixed-Use Development Precinct

The **mixed-use business area** of the Village is a space with the highest degree of public access. This area is centred on a “high street” where the public has access 24 hours of the day. The area is served by on-street and surface parking in dedicated parking areas. Some portions will also have access to parking basements.

An important feature at the heart of this high street is the **farmer’s market** which will provide small entrepreneurs, surrounding farmers, home crafters, artists and small local businesses the opportunity to access a regular, local market.

It is intended for these buildings to be mixed-use in nature, with retail and business at ground floor levels and residential apartments or general business use at upper levels. It is the intention to ensure a mixed offering of commercial, shopping, restaurants and convenience goods which will serve the residents, visitors and surrounding communities.

The owners are mindful that decentralised shopping centres are not encouraged outside existing urban settlements in terms of Provincial Spatial Planning policy and, therefore, it is important to note that it is not the intention of this development to contain a shopping centre. The GLA proposed is sufficiently limited and the design is centred on a publicly accessible high street to ensure it takes the form of a local business node. The main focus here is the farmers market with other shops and restaurants positioned along the high street.

Boschendal (Pty) Ltd intends to retain ownership of the business owned properties and while this remains so, it is intended that they will exercise control over the tenant mix in order to ensure that the correct mix of the farmers market, tourist, local and convenience shopping is provided within the high street. In the event that a crèche or other educational facilities are identified as a requirement for the village in future, this will be provided in the area set aside for General Business and the GLA allocated for business activities will be utilised for this activity.

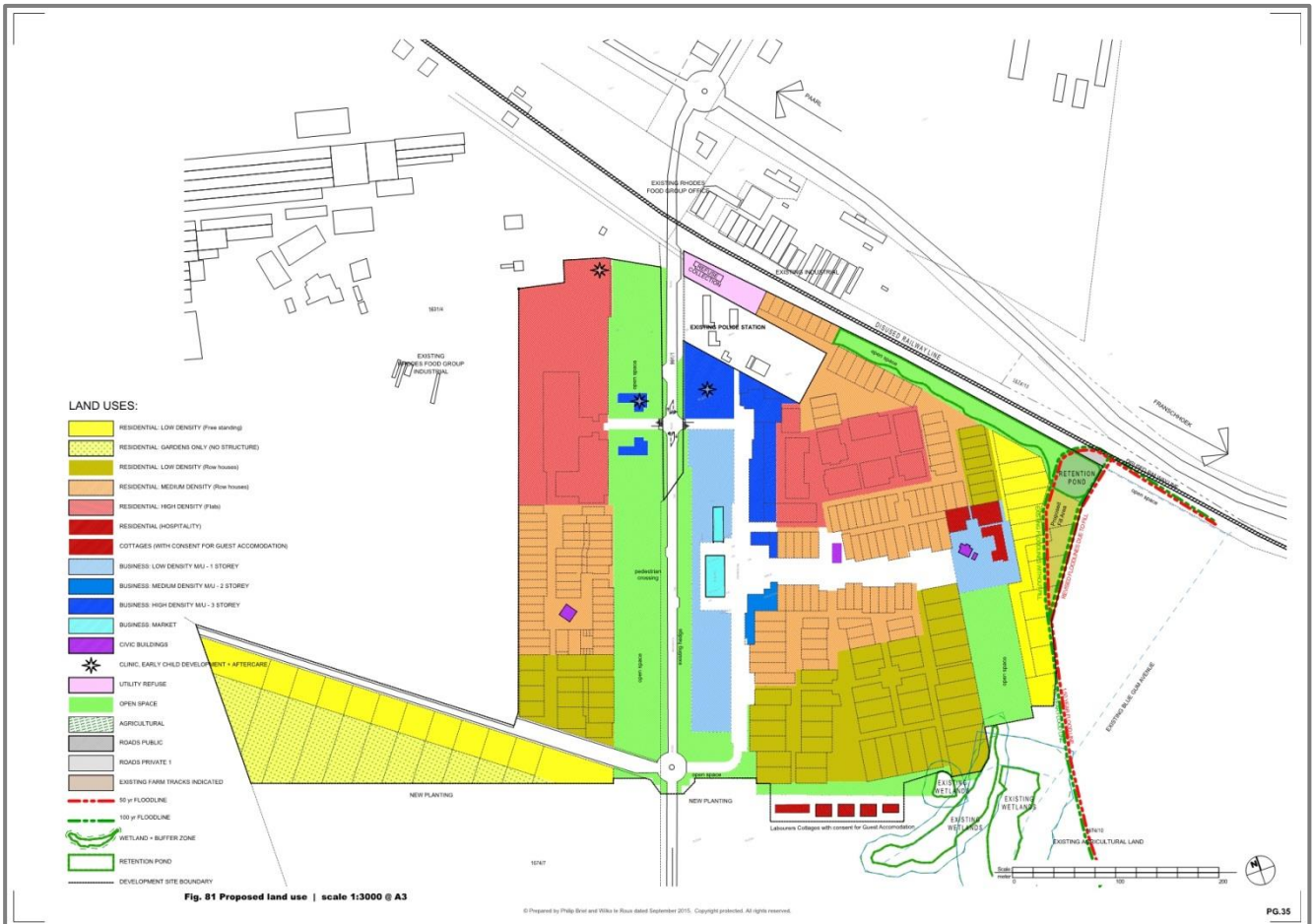


Figure 8.10: Proposed Land Use Concept Plan (source: Philip Briel Architects)

8.10.5 Residential Development

The residential development will comprise a mix of housing types ranging from freestanding dwelling houses on single erven (at nett densities of ±4-11du /ha) to more compact row houses (±25du/ha) to apartments (±86 du/ha). The overall gross density for residential development is 18,8 **dwelling units/ha** and the development will comprise a maximum of 475 dwelling units.

The residential development will consist of the following residential land use mix:

- ± 24 freestanding free-hold single residential dwellings,
- ± 194 single and double storey row houses, and
- ± 257 apartments (of which 10% to a maximum of 47 units will be key workers accommodation).

The diversity of types of residential units will ensure an attractive and compact urban form which is well suited to the concept of a rural village. Higher residential densities are proposed most central to the development, which will comprise of Alphen-style 3-storey walk-up apartments. Furthermore, it is also intended to provide apartments above retail and business to ensure true mixed use development.

Private neighbourhoods: The various superblocs make up the neighbourhoods which are blocks of residential development which internally provides a greater degree of privacy. It is, however, important to note that the Urban Design Framework does not allow for the construction of blank walls around these neighbourhoods.

The dwelling units themselves, with their front stoeps, small gardens and visually permeable fences and windows and front doors overlooking the streets, become the perimeter which defines each private residential neighbourhood. Inside the perimeter, privacy is created and guaranteed.

One of the key concepts supported by the developer is to ensure a range of housing options to a range of income groups. To this end, it is proposed that 10% of the dwelling units (maximum 47 units) be made available to key financed workers³ most probably through a rental scheme owned by Boschendal (Pty) Ltd).

The proposal also includes guest accommodation since one of the objectives is to provide for the increasing tourist demand in the area and do so within the urban development footprint. At this stage, the proposal is for a small boutique hotel of approximately 50 bedrooms, plus some self-catering apartments in the Village (maximum 20 bedrooms). Five existing labourer's cottages, which define the southern edge of the Village, will be retained and converted to self-catering guest accommodation with approximately 30 bedrooms. The maximum total number of guest accommodation bedrooms to be provided in the Village is therefore 100. It is important to note that the proposal is not for a 100 bedroom hotel, rather for the provision of a range of different types of guest accommodation which is more suited in scale and extent to the proposed Village and rural environment.

It can furthermore be indicated at this stage that it is the intention of Boschendal (Pty) Ltd to develop and manage the guest accommodation and hotel themselves and their continued involvement will ensure synergy between the ongoing agricultural activities on the farm (which remain the mainstay of the Estate).

8.10.6 Existing and Proposed Community Facilities

A clinic consisting of 2-3 consulting rooms is currently located within an old building located north and directly adjacent to the police station. In the context of this development, and due to the limited access afforded off the R310, the clinic at this location will become increasingly isolated. It is therefore proposed to relocate the clinic to a more centrally located position in the new Village where better access can be given to it. The developer proposes to accommodate the clinic in buildings which are located within the Village high street, where the principle of clustering of community facilities can give maximum access. It will be located either directly adjacent to or opposite the existing police station and will be accessible to residents in the valley by public transport.

An **early childhood development and aftercare centre** (ECD, place of instruction) will also be constructed in the village and will have a capacity for 120 children. The centre will serve both the residents of the village, who can walk to the ECD, employees of Boschendal and Lanquedoc and Pniel communities, who would mostly utilise public transport. The focus will be on quality pre-school education, as well as afterschool care. The approximate location of the ECD will be opposite the police station in the Community centre hub of the village, however, the exact location will still be determined and is subject to final design.

³ "Key workers" is defined as families who have income generated from jobs such as teachers, nurses, police officers, council employees and similar types of employees who serve the community. The average annual income of these workers will be determined and used as a guide for structuring the proposed apartment rental scheme to ensure accessibility for these workers to live in Village. Refer to the Socio-Economic Impact Assessment for more comprehensive description of the proposed scheme.

This location is very accessible, will be in close proximity to the public transport stops and adjacent a significant open space which can double as play area. It should be noted that Boschendal has already established an ECD elsewhere on the farm for the surrounding community and it is the intention to relocate this ECD to the village once constructed.

A **small maintenance facility** and refuse collection and sorting area for the Owners Association will be located in the position where the current clinic is located and will be managed by the Owners Association. This facility will serve the whole Village and the Owners Association will also conduct their administrative activities from this location. This site is accessible from the R310 and a refuse embayment can be provided along the R310 to ensure collection can be made by municipal refuse vehicles.

Two smaller **civic buildings** are provided internally to the residential development which will serve the residents of the Village and can be used for religious and other community gatherings. The main meeting space in the Village will be farmers market and this structure can also double up as a large community meeting space. The werf on the eastern side of the village in front of the hotel will also double up as a space where occasional outdoor events can take place.

8.10.7 Proposed Open Space Network

A significant portion of land inside the Village precinct is set aside for open space. All open spaces in the development will be zoned Open Space II (Private Open Space) because ownership of these spaces will transfer to the Owners Association, which will be responsible for the ongoing maintenance of these spaces.

An important feature of the open spaces abutting the R310 is to provide continuity of green and ensure that the scenic route qualities are preserved inside the urban edge, albeit to an altered extent and degree. Continuity of green along the road will ensure the preservation of the rural sense of place and unique character.

It is the intent that the open spaces abutting the R310 be public in nature since they are located in the most accessible “public” heart of the Village. It is seen that these spaces can also fulfil a dual function in that the farmers market can be expanded on occasion and these spaces can then be used for the occasional expansion of the market. It will also accommodate some more formal gravel parking areas and the green surfaced areas can provide for overflow parking during peak use.

The significant open space on the eastern side of the village is formalised into an open space which is similar in scale and proportion to the main “werf” space at the manor house, thereby replicating a system of werfs in a modern interpretation of the historical spaces. It is a semi-public space which is accessible to the public during the day time. It is seen as a place where special events and activities can take place over weekends and where certain day-time activities, which access the farm (i.e. mount bike trails; bicycle rides; walks to the manor house; and local small community gatherings), can take place.

8.10.8 Subdivision of Public Roads and Private Internal Streets

Public Roads are those roads which are transferred to the relevant Roads Authority and which are constructed to the standards as defined by the controlling Roads Authority (in this instance the Provincial Roads Engineer and District Municipality controls the R310 and the Minor Road 5230). The cadastral boundaries of the R310 and Minor Road 5230 are not defined in certain places and these roads will be subdivided and transferred to the required authorities upon commencement of this development.

Private Street with Public Access: “Public streets” as defined in the zoning scheme have to, in terms of legislation, be ceded to the Municipality, who prescribes standards, materials, treatment and who will then have to maintain it. “Private streets” on the other hand, have to be constructed to certain general standards, but a much greater degree of flexibility is allowed in terms of materials and finishes to be used. The Owners Association becomes responsible for the maintenance of these streets.

The developer has decided that all the streets in the Village (other than R310 and Minor Road 5230) will be private streets because the heritage indicators demand that roads be constructed using materials and finishes which are not necessarily compatible with the Municipality’s Engineering Department standard requirements. This development will aim to ensure a rural character and therefore, normal kerbs and channels will not be permitted and lighting and surface materials will not be asphalt but other finishes.

An important consideration for the Village as a whole is to preserve and ensure the Village remains an openly accessible village which is not “gated”. Notwithstanding therefore that the streets are “private streets” for the purposes of design, construction and ongoing maintenance, public access will be ensured so that the integrity of the Village is maintained and it cannot be converted to a gated village. This will be achieved through the registration of appropriate servitudes over certain roads to ensure public access.

There is no specific zone for private streets and therefore, the Open Space II zoning is allocated with the specific proviso that these be used for Private Streets (as per meeting with Council dated 27/01/2016).

The subdivision plan (Figure 8.7 and Annexure A) shows the most significant of the private roads in order to ensure the main structuring elements of the Village is in place. These are most notably the following:

- i) The “**high street**” from which the farmers market will gain access and which will also provide access to the abutting businesses. The street will be un-gated and have a high degree of public access and a servitude will be registered to ensure 24-hour public areas, subject to the rules contained in the Owners Association.
- ii) The “**western service road**” is located to the west of the R310 and provides access to the Village on the western side of the development. This road is also accessible to the public 24 hours per day, subject to the rules contained in the Owners Association and will not be gated.
- iii) The “**central avenue**” which runs perpendicular to the “high street”. This street is open to the public during daytime hours and public access will be ensured during these hours via a conditions servitude which sets out the hours and other conditions of access. An access gate or other measures may be introduced after hours to increase safety.

Private Streets which remain private: Within the superblocks, dwelling houses, row houses and flats will be served by private streets or service roads which are entirely private. These private streets will have gated access control, be of an informal nature and be completely private internal “access courtyards” to the superblock.

8.11 Owners Association and sectional title Body Corporates

An overall **Master Property Owners Association** will be created in terms of section 29 of the Municipal Planning By-law to assume the following responsibilities:

- Formally represent the collective mutual interests of owners of land in the Village;
- Will have a constitution which ensures all land owners in the village are members of the association and new purchasers become members upon registration of transfer;

- Will own and take transfer of all private streets, private open spaces, all land required for communal services and the owners association maintenance buildings;
- Will have control over and be responsible for the maintenance of communal property;
- Will have control over, and be responsible for the maintenance of all internal engineering services infrastructure and buildings;
- Will have control over the architectural design guidelines, including the establishment of a Design Review Committee to review all building plans within the Village;
- Will make conduct rules and be responsible for their enforcement within the precinct of the Village;
- Will clear properties prior to transfer to ensure all levies are paid;
- Will provide other critical services and functions for the owners association such as security, recycling services, landscaping, and internal refuse collection to a central point.

All owners of freehold land in the village will be obliged in terms of the Municipal conditions to become members of the Overall Boschendal Owners Association. Whilst the owners association maintains all communal properties, the owners of individual erven will be responsible for maintenance of buildings on each property which they own.

The developer should ensure the right to develop phases in future is retained, and once developed, these phases should become incorporated into the owners association as and when the first transfer in each phase is registered.

It may also be necessary to create **sectional title schemes** in terms of the Sectional Titles Act 1986 (Act 95 of 1986) on some of the superbloc portions to allow the development of flats, apartments and business premises as envisaged in the Urban Design Framework. In such an instance, a body corporate established in terms of the Sectional Titles Act shall be constituted to take on responsibility for the common property which is internal to the erf on which the building is constructed. Such a body corporate shall also be required to be a member of the Boschendal Master Owners' Association and share in the rights and obligations of maintaining the Village common properties and services on a pro-rata basis.

The Municipality should impose suitable conditions with the approval of the subdivision for the establishment of an overall Boschendal Village Owners' Association in terms of section 29 of the SLUPBL.

The constitution of the Boschendal Village Master Owners Association must be approved by the Municipality prior to the registration of the first land unit.

8.12 Development Parameters: Urban Design Framework

A comprehensive Urban Design Framework has been prepared as part of formulating of the development proposals.

This Urban Design Framework sets the following important guiding development parameters:

iv) Height

The height of the buildings ranges between 1 and 3 storeys. No buildings in the Village, apart from the tower vertical structures, may exceed 3 storeys. One storey buildings are located on the edges of the village whilst 3 storey buildings are located closer to the centre of the Village.

v) Landmark Buildings

Certain landmark buildings are identified which will create architectural variety in the Village landscape. These are located on key corner sites and are clearly indicated in the Urban Design Framework Plan.

vi) Compulsory Colonnades

The aim of this Village is to create a walkable town. Compulsory colonnades provide protection against the elements (rain, sun) and are essential for the architectural character of the Village.

vii) Culverts, Gateways and Water Elements

The concept is very much rooted in the creation of rural gateways (low walls) which announce the arrival at an entrance or traversing over a channel. As part of the natural topography, water traverses the site towards the Dwars River and the design ensures the 'bringing to the surface' of water (instead of piping) in line with the designs found in other traditional rural towns in South Africa.

viii) Compulsory Build-to-lines

The framework identifies certain compulsory "build-to-lines" to ensure that the required public interface, built form and grain is achieved. It should be noted that these should be adhered to at all times to ensure the desired urban form is achieved.

ix) Vertical Tower Structures

The identified vertical structures are inserted into the layout to provide architectural points of interest which add variety and diversity to the development.

x) Existing Vegetation to be retained

There are a number of existing mature trees and a hedge which are to be retained.

xi) Compulsory Structural Planting vs indicative landscaping

Over and above retaining of existing trees, there is significant landscaping which will be undertaken by the developer when developing the Village. These are:

- i) **Structural planting** which is the planting of avenues or hedges which are critical to visual screening, lining of important avenues or creating important edges;
- ii) **Green open space** which is extensive landscaping of a rural/agrarian character (not fine gardens);
- iii) **Wetland rehabilitation and stormwater ponds** which requires the introduction, rehabilitation and restoration of wetland vegetation in certain areas; and
- iv) **Indicative landscaping** which indicates the developer's intent but is not compulsory.

xii) Urban Open Space and Neighbourhood Open Square

This is a hardened space which serves the surrounding land uses such as the farmers market and other urban land uses and these are indicated as Urban Open Spaces on the plan.

xiii) Compulsory Street Frontage

Compulsory street frontage relates to where buildings must present a positive interface onto the street. For dwelling houses, this means a front door and windows. For business properties, this means a front door where patrons can gain access and windows where goods can be displayed or where the interior of the shop is visible to passers-by.

xiv) Gateway

Indicates where access can be exercised and when shown into a superblock, it means access to a private space beyond.

xv) Articulated Corner Treatment

This relates to the architectural treatment of the corner of a building and roof which will distinguish it from the rest of the buildings in the row.

xvi) Compulsory Activity Street Garden Zone and Compulsory Stoep Zones

This area indicates where compulsory gardens and stoeps have to be provided to ensure an active street front and façade is presented to streets which are external to the superblock. These are important design elements to ensure development is not internalised to the superblocks.

xvii) Visually Permeable Fencing

Visually permeable fencing is proposed throughout and solid walls are not encouraged unless they form part of a building.

8.13 Urban Edge is a 'Hard Edge'

The urban edge which results from the development of the Boschendal village has been designed so that it becomes a 'hard edge' beyond which no further development will be permitted. No urban expansion whatsoever is permitted closer to the Boschendal historical werf (300m from werf wall), into the wetlands, or further into the 1:100 flood line. These are therefore defendable edges which should be reinforced by the agricultural activities, the high quality of agricultural land, planted edges and other mechanisms which will discourage and prevent urban creep.

The other edges of the Village are internal to the Groot Drakenstein Node and the Municipality should undertake further urban design and spatial planning for the node to determine the development structure thereof.

8.14 Proposed External Engineering Services

Comprehensive bulk services and stormwater management reports have been prepared by ICE Group for the provision of external bulk services. The node is not currently served by any bulk services (apart from the existing electrical substation) and new external bulk services will, therefore, have to be provided.

The following is proposed:

- **Stormwater:** The stormwater system is designed in accordance with the general sustainable urban drainage systems principles (SUDS) to ensure receiving waters (Dwars River) is protected. Attenuation ponds will limit the outflow of stormwater to pre-development flows for the 1:50 year scenario. The attenuation pond in the north-west corner will collect stormwater and will be discharged via an open culvert and pipe south of the rail reserve just inside Boschendal farm boundary to discharge stormwater into the Dwars River. Gabion drop structures will be constructed at the outlet of the pond and at the outlet in the river.
- **Sewer:** The development will be served by the existing Dwars River Waste Water Treatment works in Pniel. An initiative to upgrade this Treatment works and increase its capacity is currently underway and is part of a separate project. A separate EIA was already approved for this project.

In order to link the Groot Drakenstein Node to this treatment works, the following external bulk works will be required:

- Gravity main of 200 dia along north-eastern boundary of development (to collect internal reticulation of development and convey it towards a pump station);
 - New pump station close the Dwars River Bridge (this will receive the gravity main and pump sewerage via the rising main. The site for the pump station measures about 20x10m is located on Boschendal land. The pump station structure will be raised 1m above ground level and will measure about 5x5m. Modular upgrades will be possible to ensure future increases can be accommodated.
 - A 200 dia rising main from the new pump station. The preferred route is through village and inside the R310 road reserve, Lanquedoc road and a servitude to convey sewerage to the existing Pniel sewer pump station. The pipe will carry the total future flow;
 - Upgrading of the Pniel sewer pump station capacity inside the existing pump station. This upgrade will serve more development than only Boschendal Village;
 - From the Pniel pump station, sewage is pumped along an existing rising main to the waste water treatment works. This existing pipe has sufficient capacity to accommodate the existing and future flows.
- **Water:** The development will be served from additional water reservoirs which will be located adjacent to the existing water reservoirs in Pniel, and can be fed via an existing supply pipe which has sufficient spare capacity and which is connected to the Wemmershoek pipeline. The following new external bulk infrastructure will be required:
 - A 1.5Ml reservoir is needed for this development although the municipality may require a larger reservoir to also serve other developments. (±21m diameter x 7m wide)
 - Gravity main (250 to 315 dia) from the reservoir to the development will be required over farm land abutting Pniel until it reaches the R310 road reserve. From there it will run inside the R310 road reserve until reaching the development.
 - Two pressure reducing valves will be located on the gravity main
 - **Solid Waste:** Municipal solid waste removal will take place from the development from one central refuse collection facility located adjacent to the R310. A 3mx12m refuse embayment on the R310 is proposed from which municipal refuse collection will take place.

The Property Owners Association will be responsible to transport the refuse from the individual units and superblocks to the central refuse recycling facility which is to be managed by the owners association. At this point, refuse will be sorted, with organic waste being composted and re-applied to surrounding farms, where possible.

The municipal refuse will be stored in standard sized bins for collection by the municipality and the municipal refuse collection point will accommodate municipal refuse collection vehicles.

A separate bin system for recyclables will also be implemented and managed by the owners association.

- **Electrical:** Stellenbosch Municipality is the electrical supply authority. There is a substation available adjacent to the western side of the Village (diagonally opposite the police station). There is 1.5MVA spare capacity at the existing substation.

It is estimated that the conventional electrical load required for the development would be 2.4 MVA.

The development will require approximately 7 mini-substations measuring 5.5mx4m and these will have to be created as part of the future subdivision of each of the super-blocks once detail design of each block is concluded. All electrical cables will be located in the private road reserve.

In order to address the shortfall of peak capacity availability, the developer is proposing to implement a number of energy conservation measures during peak demand periods to ensure that the available capacity of 1.5MVA is not exceeded. These are detailed in the relevant specialist reports, and include the following:

- Energy management system (centrally controlled by owners association);
- Energy saving and controlling devices fit to each distribution board;
- LED light fittings;
- Hot water generation via solar or heat pumps, and centrally controlled relay to each hot water unit;
- Gas heating and has hobs only;
- Smart meters to switch off non-essential appliances (e.g. washing machines and driers) during peak demand periods;
- Maximum load allocated to each dwelling for peak period consumption.

The above limitations will be recorded in the sales agreements, owners association rules and apply to all prospective owners and successors in title.

It should be also be noted that Boschendal Pty Ltd is in the process of implementing planned reductions in the farm's power requirements and as a result of these, an additional 0.8 MVA spare capacity may become available at the substation, once these have been implemented.

Street lighting will comply with municipal standards, will be LED lamps only, and will be provided as part of the development. The possibility of solar powered street lighting will also be investigated as is indicated in the "Green Report". Internal street lighting will be located within private road reserves and will be maintained by the Owners Association.

8.15 Servitudes Required

Servitudes will be required to be registered to enable the development of the Boschendal Village. These servitudes are indicated on the Subdivision Plan and highlighted in Figure 8.8.

i) Right of Way Servitudes for public access

Portion 19 (High Street): 24-hour servitude Right of Way in favour of the public subject to the conditions set out in the constitution of the Boschendal Master Owners Association (BMOA) and the notarial deed; Property Owners Association can at all times enforce BMOA rules; Servitude also for internal electrical and engineering services reticulation.

Portion 20 (Central Avenue): Right of way in favour of the public between the hours of 6:00 am to 23:00 pm subject to the conditions set out in the constitution of the Owners Association and the notarial deed. Access may be controlled by property owners association between 23:00 pm and 6:00 am. Property Owners Association can at all times enforce BMOA rules; Servitude also for internal electrical and engineering services reticulation.

Portion 18: 24-hour servitude Right of Way in favour of the public subject to conditions set out in the constitution of the Owners Association and the notarial deed; Property Owners Association can at all times enforce BMOA rules; Servitude also for internal electrical and engineering services reticulation.

Portions 21, 22 and 23(other private roads): Right of way for residents and POA; access controlled by POA. Property Owners Association can at all times enforce BMOA rules; Servitude also for internal electrical and engineering services reticulation.

ii) Other Servitudes for engineering services

Servitudes are required to be registered in favour of the municipality for external bulk engineering services. Servitudes indicated in the engineering bulk services report. Detailed servitude diagrams will only be submitted to the Municipality for approval once the detailed designs of the services have been completed. However, for the sake of completeness, the approximate alignment, and affected properties have been identified in order to ensure all owners are accordingly aware of the required municipal services traversing their properties. (refer to Figure 8.11). The registration of servitudes for bulk services is exempt from planning application in terms of the municipal planning by-law.

Boschendal PTY Ltd agrees to the registration of servitudes in favour of the Municipality across land in its ownership. The Municipality is the custodian of land which is registered to the Pniel community and therefore no servitudes are required.

Property	Description of the servitude	Ownership
<u>Farm 1674 Portion 10</u>	Servitude in favour of the Boschendal Village Owners Association for a new bulk stormwater channel and pipe discharging stormwater into the Dwars River.	Boschendal (Pty) Ltd
<u>Farm 1674 Portion 10</u>	Servitude in favour of the Stellenbosch Municipality for a new pump station measuring 10x20 meters	Boschendal (Pty) Ltd
<u>Farm 1674 Portion 10</u>	Servitude in favour of Stellenbosch Municipality over private roads in the Village and internal farm roads for right of way to access the pump station.	Boschendal (Pty) Ltd
<u>Farm 1674 Portion 14</u>	Water and sewer pipes to traverse the site. No servitudes required since it is municipal ownership.	Stellenbosch Municipality
<u>Farm 1685 Portion 16, 17</u>	Servitude in favour of Stellenbosch Municipality for water pipeline.	Boschendal (Pty) Ltd
<u>Farm 1674 Portion 1</u>	Servitude in favour of Stellenbosch Municipality for water pipeline.	Boschendal (Pty) Ltd
<u>Farm 1201 Portion 8</u>	Need for servitude being investigated since municipality may be the legal custodian—services located on similarly owned land.	Pniel Community
<u>Erf 669</u>	Current water reservoir site –see above.	Pniel Community
<u>Erf 599</u>	Current sewer pump station site –see above.	Pniel Community

Table 8.4: Land affected by external bulk services

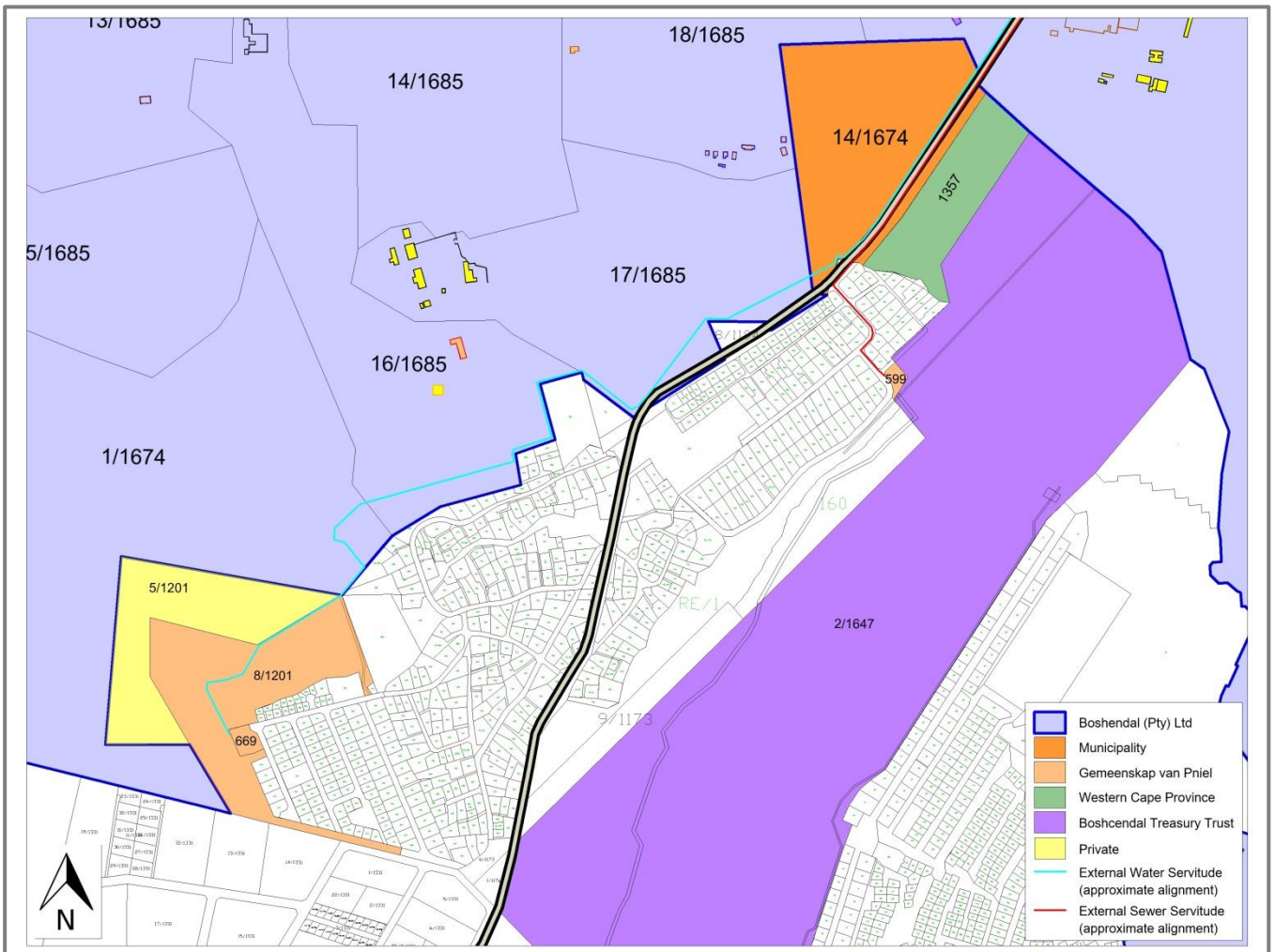


Figure 8.11: Illustration of schematic alignment of services in relation to ownership

9. PHASING AND DEVELOPMENT CONTRIBUTIONS & IMPLEMENTATION SEQUENCING

9.1 Overview

The implementation of a project of this scale does not happen all at once. The phasing of the project is required for a number of purposes and technical reasons:

- From a cost perspective, not all the infrastructure and development can be undertaken at the same time and the developer may want to release units onto the market in a phased manner to generate income to finance the next phases;
- Certain infrastructure has to be constructed up front before the first unit can be developed because it is necessary for the provision of municipal services to residential units;
- The municipality must issue a clearance that all conditions related to services have been complied with prior to the registration of land units. This legal requirement is imposed on the municipality to ensure that a developer has discharged all his obligations with regards to a developer and also to protect prospective purchasers so they have the assurance all services are duly provided to a property;
- It is customary to make provision for the phasing of a development of this scale which would allow a phased implementation and progressive release of erven for sale and registration;
- From a heritage and visual impact point of view, it is also desirable that development be undertaken in smaller portions, and completed, rather than large installation of infrastructure which has adverse visual impact and which only is developed in years to come;
- The sequencing of phases from a heritage perspective is said to be important, encouraging phases close to the R310 to be completed before more outlying phases are tackled;
- In general, it is proposed to commence with the phases closest to the R310 and progressively roll development out from there. This approach is also consistent with the proposed roll out of the bulk services.

9.2 Subdivision approval, certification for clearance and lapsing

There are usually 3 types of conditions imposed by the municipality in the case of subdivisions:

- The conditions which must be complied with before the Municipality to grant a certificate of compliance to allow subdivision registration;
- The conditions that shall be complied with before building plans are approved for the properties (e.g. SDP submissions, parking provision etc.)
- Other conditions which affect the activities on the property after occupation of the buildings.

The Municipal Land Use Planning By-law prescribes that the municipality shall impose conditions when the rezoning is approved and clearly indicate which conditions require to be complied with prior to a clearance certificate being issued.

‘Certification of Subdivision for *clearance*’ is usually required before any of the land units in the phase can be registered in the Deeds Office. The municipality must impose the conditions in their approval which sets out the conditions which must be completed before clearance will be granted. In terms of Section 20(6) of the Municipal Planning By-law, the applicant must submit proof of compliance with the conditions.

Section 21 of the MLUPB indicates that a subdivision or part thereof is **confirmed** (and cannot lapse) when the following has been undertaken:

- SG approves a general plan or diagram;
- Installation of engineering services are complete for all the erven shown on the particular general plan (or phase), and any other related conditions have been implemented in this regard;
- Proof to be supplied to the Municipality of the above and a certificate is issued by the municipality;
- First land unit is registered in the Deeds Office.

No construction of a building may commence until the subdivision is **confirmed**. (Section 21(4) (see above what is required for confirmation).

An approved subdivision lapses if it is not **confirmed** within 5 years of date of approval.

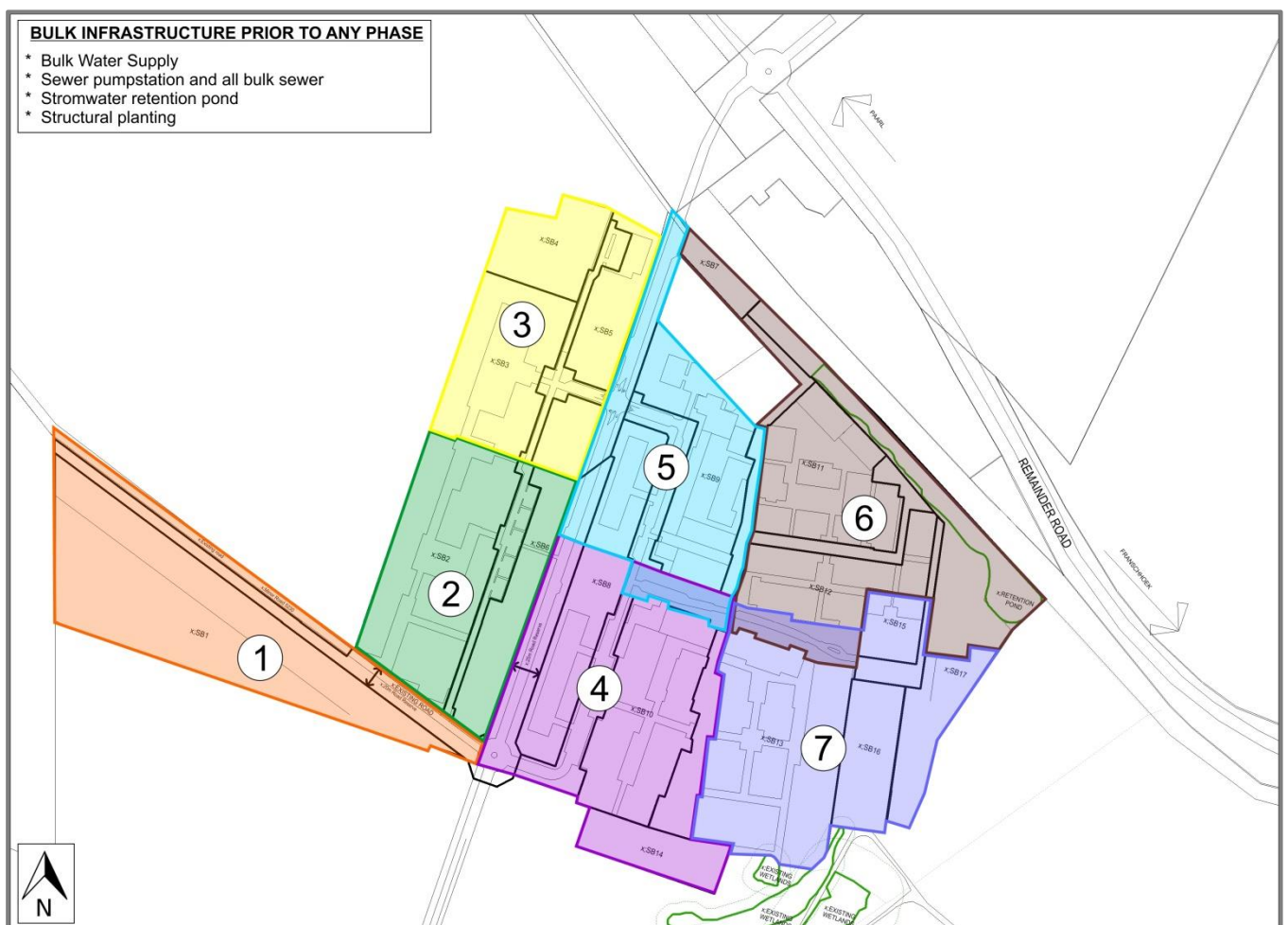


Figure 9.1: Phasing plan

If a phased approval is not applied for, it means ALL infrastructure and conditions must be complied with for the whole 25 ha development before the first erf can be transferred. A phased approach will, therefore, allow the developer to complete the development in sections, which also improves the visual impact and the cash flow for the project.

9.3 Phasing and related bulk infrastructure projects

The following section sets out the bulk engineering projects that are required before the individual erven in each detailed phase can be transferred to their respective owners.

9.3.1 Introductions

The development will be implemented in phases. The order in which these phases will proceed, and the size of the phases, will essentially be determined by the market demand, viability and cash-flow considerations.

The external road upgrades and phasing thereof are covered in the separate TIA report and can be logically and progressively phased as the development phases proceed. The same applies to the stormwater, and bulk water/sewer/electrical reticulation internal to the site.

Regarding the bulk water/sewer/electrical pipelines and facilities external to the site, however, most of these systems will be required with the first phase already, except possible phasing of the storage/pumps/switchgear infrastructure that can be implemented on a modular basis as the phases proceed. Should the initial phase be small enough, possible temporary arrangements can be made to link to existing basic infrastructure in the area.

All of these arrangements and the exact phasing of bulk services will need to be based on calculations of demands and capacities and discussed and agreed with the Municipality.

9.3.2 External Transport infrastructure

Certain transport infrastructure projects are tied to specific phases and must be completed before transfer for that phase can be granted to ensure all external road infrastructure projects are implemented according to the requirements of the phases.

External road infrastructure upgrades to be implemented linked to phases as follows:

- Phase 1: Upgrading and surfacing of Minor Road 6/4
- Phase 2: Construct traffic circle at R310/Minor Road 6/4 intersection
- Phase 3: Construct central access (new) intersection on R310 and all associated roadworks
- Phase 4: Construct R310/R45 traffic circle and all associated road works
- Phase 5: No external roadworks
- Phase 6: No external roadworks
- Phase 7: No external roadworks

9.3.3 External Engineering infrastructure phasing

The development will be implemented in phases, and the order and sequencing will be determined by a number of factors such as implementation of services, road upgrades as well as obvious construction phasing (from the R310 outwards). External road upgrades will be implemented progressively as is indicated in the TIA. Similarly, all internal roads, water, and sewer reticulation will be implemented per phase as it is rolled out.

However, most of the external bulk water, sewer and electrical pipelines and cables, pump stations and reservoirs will be required for the early phases of the development. Should early phases be small enough temporary arrangements are possible but essentially most external bulk services are required up front and the detailed provisions will be agreed with the Municipality in a services agreement which will be entered into once rezoning approval is obtained, more detailed design is undertaken and the phasing is decided on by the developer.

10. REQUIREMENTS OF LAND USE MANAGEMENT AND SPATIAL PLANNING LEGISLATION

The following chapter explores the various requirements of the applicable land use management and spatial planning legislation. In particular, it also explores the criteria and principles which should be applied when assessing an application.

Applicable Planning Legislation:

- Spatial Planning and Land Use Management Act (No. 16 of 2013) SPLUMA
- Western Cape Land Use Planning Act (No. 3 of 2014) LUPA
- Stellenbosch Land Use Planning By-law (2015) SLUPB
- Applicable Zoning Scheme (Section 8)

10.1 Spatial Planning and Land Use Management Act (No. 16 of 2013) SPLUMA

This is the overarching land use management and spatial planning legislation enacted on 1 July 2015 which provides the new legal framework for a suite of laws adopted at provincial and local government levels. It repeals a number of previous acts and contains overall planning and development principles which must guide all land development in the country. These principles are:

- Principle of spatial justice
- Principle of spatial sustainability
- Principle efficiency
- Principle of spatial resilience
- Principle of good administration

The act provides a number of detailed points under each of the principles which elaborate how Spatial Development Frameworks, Land Use Schemes (what is known as zoning schemes in the Western Cape) and planning application have to comply with. Not all of these detailed points apply to land use applications. How the application complies with the overarching principles are discussed in Chapter 11.

In section 22(1) of SPLUMA it is stated that a Municipal Planning Tribunal (MPT) may not approve an application which is inconsistent with a Municipal Spatial Development Framework (MSDF). In section 22(2) it is further stated that a MPT may, however, depart from the provisions of an MSDF in instances where site-specific circumstances justify such deviation. The motivation of site-specific justification for a deviation is also discussed in Chapter 11.

10.2 Western Cape Land Use Planning Act (No. 3 of 2014) LUPA

In terms of Section 53 of LUPA, an application which has a substantial impact on (amongst others) agriculture, must apply to the Provincial Head of Department for approval. The regulations adopted in this regard also indicate that provincial approval is required to develop land which has been cultivated in the past 10 years. The Provincial Department of Environmental Affairs and Development Planning indicated in a pre-application consultation that they consider 1ha to be a suitable threshold in the event that cultivated agricultural land is being developed. In this instance, approximately 1.3ha of cultivated orchards are affected and therefore this application is also submitted to DEADP for a decision. A pre-application meeting with Province was held in February 2016.

The act makes provision for integrated procedures where decisions are to be made in terms of more than one act, upon agreement between the various parties (which includes the Municipality).

This application is therefore submitted to DEADP simultaneously with the NEMA application to facilitate an integrated decision from DEADP in relation to the transformation of cultivated agricultural land.

Section 19 of LUPA makes certain determinations about compliance, consistency, and deviation from a Spatial Development Frameworks (SDF). In Section 19(1) it states that if a land use application which is specifically provided for in an SDF the proposal is **compliant**. Section 19(2) states that if the proposal is not specifically provided for, but also not in conflict with it, then the proposal is **consistent**. If a proposal is not consistent or compliant, section 19(3) states that it “deviates” from the SDF.

In section 20(2)(b) of LUPA it states that when an SDF is being updated, all approved applications which deviate from the previous SDF must be recorded in the updated SDF.

10.2.1 LUPA Principles

The Land Use Planning Act has similar principles of spatial justice, spatial sustainability, efficiency, spatial resilience, and good administration as set out in SPLUMA. See Chapter 12 for discussion of these principles at the hand of this application.

10.2.2 Other LUPA requirements for subdivision

In terms of Section 36(3), if a change of zoning is required for an area to be subdivided (which will be the case in this instance), the area must first be zoned Subdivisional area.

Furthermore, in Section 36(6), LUPA requires that at the very least provision must be made in the conditions of approval of the rezoning, for the following:

- “ (a) density requirements;
- (b) main land uses and the extent thereof; and
- (c) a detailed phasing plan or a framework which shows main transport routes, main land uses, bulk infrastructure, requirements of organs of state, public open space requirements, and physical development constraints.”

In LUPA (section 59) very similar spatial planning principles are set out which must be adhered to when applications are evaluated (namely spatial justice, spatial sustainability, efficiency, good administration and spatial resilience).

10.3 Requirements of Stellenbosch Land Use Planning By-Law (2015) (SLUPBL)

The By-Law specifies the application processes which have to be followed for an application to the Municipality and it also specifies the criteria for decision making. When making a decision, regard must be had to:

- i) Desirability (including any provincial guidelines);
- ii) Comments received from public and other state departments and the response from applicant;
- iii) Investigations which are relevant;
- iv) Register planner’s assessment;
- v) Impact on municipal engineering services;
- vi) IDP, Spatial Development Framework and any local SDF’s, structure plans or policies of the Municipality;
- vii) National, Provincial SDF, regional SDF’s, policies and development norms;

- viii) SPLUMA criteria for assessment including the principles in Chapter 2 (Section 42);
- ix) LUPA principles in Chapter VI (Section 59); and
- x) Provisions of the zoning scheme.

10.4 Zoning Scheme in terms of Section 8 of LUPO

The Zoning Scheme in force will be the scheme that was adopted in terms of Section 8 of the Land Use Planning Ordinance (No. 15 of 1985). The proposal will make provision for the application area to be subdivided from the remaining farm portions.

The following zonings as per the section 8 Zoning Scheme may become applicable in the development area once further subdivision applications are made and the parameters are summarised below:

Zoning	Land use	Consent Use	Coverage	Set-back	Density /floor factor	Max height	Street building line	Common building line
Residential I	Dwelling house	Additional dwelling unit	50%			2 storeys	4m	2m
Residential III	Town House	Dwelling house, group house, retirement village	50%			2 storeys	0m	0m
Residential IV	Flats	Dwelling house, group house, town house, public housing, professional usage	40%	6.5m	1	4 storeys	8m	4m / ½H building
Residential V	Residential building	Group house, town house, flats, public housing, professional usage, place of assembly	40%	6.5m	1	4 storeys	8m	4m / ½H building
Business Zone I	Business premises	Town house, flats, residential building, place of assembly, place of entertainment, place of instruction, institution, bottle store, supermarket, service trade	100%	6.5m	3		0m	0m
Open Space II	Private open space							
Transport Zone II	Public road							
Authority Zone I	Authority usage							

Table 10.1: Section 8 Zoning Scheme current (unrevised) Development Parameters for certain land uses

Coverage

In the Urban Design Framework, a maximum coverage of up to **60%** of the area of an erf is permitted. This requires a departure from the permissible coverage for RI, RII, RIV, and RV.

Building lines

It is envisaged that the 5m statutory building line along all public roads (R310 and minor road 6/4) will be maintained.

The external common building lines (at least 4m) along external boundaries will be complied with unless a separate departure application is made at the time of detailed design. This includes the boundaries surrounding the police station and adjacent to Rhodes Food Group Factory.

On internal private streets, building lines and build-to lines shall adhere to the Urban Design Framework and will be between 0 and 2m. The internal streets are private streets and should be governed by the Urban design Framework, not the scheme parameters. All common and internal building lines are therefore to be departed from internally and a suitable condition is to be imposed in this regard.

Height:

Height in the village varies from 1 storey to 3 storeys. The height of buildings are strictly recorded and controlled in the Urban Design Framework. The proposed height of buildings is in accordance with the scheme and no departures in this regard will be required.

Floor factor

In Res IV and Res V the floor factor is limited to a factor of 1.0. It is proposed that this limit not apply to this development since the envelope and extent of development is already controlled by means of coverage, height and permitted number of units. This is an unnecessary development control parameter in this instance that will just add to further approval complications.

Proposed development parameters

A revised building parameter table applicable to Boschendal Village which incorporates the Urban Design Framework proposals will accompany the planning application. It is proposed that departures from all internal development parameters (e.g. internal common and street building lines, setback lines, coverage, and floor factor) be deemed to have been granted to enable the implementation of the Urban Design Framework. Stated differently: all departures which are required to enable the UDF should be deemed to have been granted.

It should be noted that it is likely that the municipality's new zoning scheme will come into force during the assessment or construction of this project and that other departures may become applicable.

It is recommended that the municipality, when granting their approval, sufficiently make provision for generic transitional arrangements so that the development can proceed without having to reapply in terms of the new scheme.

11. MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK – COMPLIANCE, CONSISTENCY, AND DEVIATION

In this section, the land development application’s compliance and consistency with the Municipal Spatial Development Framework (MSDF) is firstly determined and discussed. As set out in previous chapters, according to SPLUMA, the Municipal Planning Tribunal may not approve an application which is inconsistent⁴ with an MSDF, however, the MPT may approve an application which may deviates/departs from an MSDF in cases where there are site-specific justification for such deviation.⁵ Further, in this regard, LUPA⁶ defines what it means for a proposal to be **compliant** (specifically provided for in text or plan), **consistent** (not specifically provided for, but also not prohibited), or to **deviate** (not consistent or compliant). Comment received from the Municipality in this regard (and further information received as a result of the pre-application circulation process) concluded that the proposal is in line with the SDF, but deviates insofar as the urban edge is concerned which was drawn in the SDF.

In this chapter, the proposal’s compliance and consistency is discussed and the deviation from the urban edge is motivated at the hand of the SMSDF and the PSDF.

11.1 Stellenbosch Municipal Spatial Development Framework (2013) (SMSDF)

The Stellenbosch Municipal Spatial Development Framework (SMSDF) proposes a tightly constrained system of interconnected nodes which are linked via main transport routes with one-another. The Groot Drakenstein node is a new settlement node identified at the crossroads of the R310 and R45.

Some urban uses are already located at this intersection, such as a police station, a private clinic, offices, very low density residential development and industrial activities. The Boschendal Village development is located inside the area which is roughly indicated in the SDF as being this development node.

The development proposals for the Village promotes the essence of the Groot Drakenstein Node as set out in the SMSDF and to this end will kick-start the development of the node.

In the table below, the requirements of the SMSDF in this regard are set out in detail and where consistency or compliance is achieved, this is indicated.

	Applicable and relevant SMSDF Summary	How it is addressed/complied with by Boschendal Village – Assessment of Consistency, Compliance or Deviation. Deviations are shown in RED text
INTERCONNECTED NODES	1. The Municipality should be developed as a system of tightly constrained interconnected settlements with dense internal plans. Must be linked to other settlements with road, rail, and other communication mechanisms.	The Village is located within one of the identified settlement nodes (Groot Drakenstein Node). Compliant.
	2. Development of settlements prioritised on rail routes and then road routes.	Located close to the crossroads of R310 and R45 and next to a defunct railway line. Consistent
	3. Internal average gross densities should vary between 15du/ha for small settlements and 25du/ha for larger settlements.	Settlement gross density is 16du/ha. Compliant.

⁴ Section 22(1) of SPLUMA

⁵ Section 22(2) of SPLUMA

⁶ Sections 19(1), (2) and (3) of LUPA


Applicable and relevant SMSDF Summary	How it is addressed/complied with by Boschendal Village – Assessment of Consistency, Compliance or Deviation. Deviations are shown in RED text
4. Urban design frameworks (UDF) should be developed for each settlement recognising the unique character.	Urban Design Framework and Architectural controls and guidelines accompany this application. Compliant.
5. The principles of walking distance, functional integration, socioeconomic integration, appropriate densification and urban edge should inform settlement design.	The Village edge is walking distance from the centre of the Village and facilities (and highest densities) are clustered along the R310 where they are most accessible. The design facilitates and enables walkability by providing colonnades and wide pavements. The proposal includes provision for a clinic and an ECD which will serve residents of the Groot Drakenstein Node as well as nearby established villages and surrounding area. The node already contains a police station as well. Compliant.
6. Settlement should define strict Urban Edge outside of which no further development will be permitted.	Edges are defined through a range of site-specific features and indicators: <ul style="list-style-type: none"> • 1:100 year flood line forms the eastern urban edge; • A line of existing cottages proposed to be used as Guest accommodation associated with the Boschendal Farm forms a natural edge on the southern side, beyond which the urban development cannot leapfrog. • Heritage indicators also prevent any development within 300m of Provincial Heritage Manor House Werf wall which will prevent any further development south of the cottages; • Good quality agricultural soil and existing orchards prevent development further south on the western side of the R310; • Structural planting to be implemented to further strengthen edges. Compliant.
7. Settlement centre should be most dense with densities tapering off towards the edges.	The layout achieves this and the land use plan and height plan in the Urban Design Framework illustrates this clearly. Compliant.
8. Use of land should be based on highest and best long-term use.	The SDF plan did not make any specific development proposals for this portion of the node but is has also not indicated that no development should occur. The proposed land uses in the Village is of a mixed-use, urban nature, which is at the very least consistent with the SDF proposals for the development of nodal settlement at this point.
9. Balanced supply of low, middle and high-income households should be achieved.	The total land area for the Groot Drakenstein Node as indicated in the SDF measures ±97 ha. The area on which the Boschendal Village is proposed measures ±25ha. The Boschendal Village is therefore only a portion of the development which will eventually make up the overall Groot Drakenstein node. A significant portion of the Groot Drakenstein Node is already identified for subsidised housing development at Meerlust and there is significant lower and middle-income housing in the valley at Lanquedoc and Pniel.

	Applicable and relevant SMSDF Summary	How it is addressed/complied with by Boschendal Village – Assessment of Consistency, Compliance or Deviation. Deviations are shown in RED text
		<p>This proposal is, therefore, to provide housing for the middle and upper-income groups, thereby providing a balance in the overall housing provision in the Node and valley. A range of housing options will be provided in the Village, ranging from low-middle income apartments for key workers (10%), apartments (±44%) to row houses (±41%) to free-standing dwellings (±5%). When considering wide range of the proposed housing mix (small portion of free standing houses, large percentage of apartments, and inclusion of key-workers apartments) together with other planned housing initiatives in this node, the proposal will be compliant (or at the very least consistent) with the MSDF.</p>
	<p>10. Development applications are to be focussed within these settlement nodes, rather than greenfield land.</p>	<p>The proposal is indeed located in one of the identified settlement nodes, and therefore compliant in this respect.</p>
<p>CAR FREE TRANSPORT</p>	<p>1. Settlement form must reduce demand for private cars.</p>	<p>The Village layout is such that a large number of community facilities, recreational amenities, and shops, are within walking distance and is therefore consistent. A certain degree of reliance on transport will still occur.</p>
	<p>2. Walking distance (facilities to be within 1 km from where people live).</p>	<p>The community facilities already located in this Node (police station and clinic) and the proposed ECD is within walking distance (1km) of the proposed new residential of this Village as well as the Meerlust settlement and the Boschendal Village will integrate these facilities into the high street where it is most accessible to all. Compliant.</p>
	<p>3. Pedestrian movement to be prioritised in design.</p>	<p>Internal pedestrian routes have been identified and will be constructed as part of the proposal and pedestrian walkways already exist along the R310. Compliant.</p>
	<p>4. Cycle routes to be provided on regional roads.</p>	<p>The recent upgrades of the Helshoogte Pass Road (R310) provides for bicycles in a widened shoulder which is coloured red. The continuance of the bicycle lanes along the R310 are recommended in the TIA in paragraph 10.2 where NMT proposals are addressed and should be included in the detailed design.</p>
	<p>5. Settlement densities to be increased to support public transport.</p>	<p>This development will increase the density of the Drakenstein Node by significantly dense infill development, thereby contributing to the viability of regional public transport which provides linkages between towns and villages. Although the settlement will accommodate middle and high-income groups who are not normally users of public transport, these households create jobs and the employees will make use of public transport. It is also intended to be a tourist destination and tourists are increasingly making use of public transport to reach destinations. Consistent.</p>
<p>INCLUSIVE ECONOMIC</p>	<p>1. Complete socio-economic cross section to be located within 1km of urban centre.</p>	<p>The Groot Drakenstein Node currently largely contains only low-income residential accommodation (at Meerlust) and industrial and service industrial uses. The introduction of middle and higher income groups into the node is, therefore, introducing these other socio-economic groups. Consistent with MSDF</p>

	Applicable and relevant SMSDF Summary	How it is addressed/complied with by Boschendal Village – Assessment of Consistency, Compliance or Deviation. Deviations are shown in RED text
	2. Low-income housing should be balanced with middle and upmarket housing.	The proposed development will provide the required balance since low-income/subsidised housing is already located/planned to be expanded at Meerlust. Compliant.
	3. Avoid large disparities between neighbouring income groups and avoid creating barriers between different income groups.	The existing rail line and the R45 and R310 scenic routes are pre-existing barriers. However, these routes can serve a public transport function which can also integrate the communities and the public nature of the proposed high street with the proposed clustering of business and community facilities (including police station) will ensure further integration. Consistent.
	4. Suitable land close to employment to be made available for Gap, social and middle-income housing.	Land is available for this purpose in the Groot Drakenstein node at Meerlust and this land is already in state ownership. Consistent.
	5. 20% of space in regional and neighbourhood shopping centres should be a market area which is linked to public transport drop-off points & sidewalks. To be managed subject to reasonable conditions	The major feature of this Village proposal is the farmers market which is at the heart of the “high street” and will comprise approximately 18% of the ground floor retail GLA Space (1000m ² out of 5500m ²). Public transport stops are also planned on the R310 at appropriate and accessible points. Consistent.
	6. Land to be set aside for SMME’s close to CBD’s	The market will enable SMME’s to access a variety of retail opportunities. Compliant.
OPTIMAL LAND-USE	1. Subdivision, 2nd dwellings, redevelopment of existing low-density areas, infill and brownfield development prioritised over new greenfield development	This development is inside one of the identified settlement nodes in the SDF. A large percentage of the land is brownfields development since most of it was previously used for residential and a service industry. Only a small portion of cultivated agricultural land is sacrificed (± 5% of the land which is to be developed as part of this application: 1.3ha/25ha). Therefore consistent with overall objective.
	2. Land and projects for low, middle and high-income groups should be designed as part of a larger integrated settlement rather than stand-alone gated estates.	This is not a gated village although some residential neighbourhoods inside the village may be gated and secured. The design is careful to ensure that certain highly accessible areas remain publicly accessible and allow integration of the village into the larger Groot Drakenstein settlement node. Compliant.
	3. Land to be used for its most sustainable and appropriate use.	Given that the land is located inside the urban edge of the Groot Drakenstein Node, this compact mixed-use village development is the most appropriate and sustainable use for the land. Compliant.
	4. Consistency in decisions required about development outside urban edge.	The SDF calls for consistency about development outside the edge but does not prohibit it <i>per se</i> . The SM determined a conservative edge in 2016 (see par 5.4.3 above). A portion of the land to be developed falls outside this redefined urban. See sections below where this deviation is described in more detail.
RESO URCE	1. Rivers protected 10-30m – no urban development or intensive agriculture.	The Dwars River is not within the development area and is located more than 200m from the edge of the village development footprint. Compliant.

	Applicable and relevant SMSDF Summary	How it is addressed/complied with by Boschendal Village – Assessment of Consistency, Compliance or Deviation. Deviations are shown in RED text
	2. No building foundations in 1:100 flood line.	No buildings building foundations will be constructed in the 1:100 year flood line. The Department of Water Affairs have granted a Water Use license to fill in a small portion of the 1:00 year flood line so that the levels will be above that of the 1:100 flood line, to accommodate the stormwater detention pond, and a small number of freestanding dwellings on the eastern edge of the development. Consistent.
	3. Greywater recycling promoted on all developments with gardens.	Green report makes this compulsory. To be incorporated into each building design. Compliant.
	4. Mandatory rainwater harvesting on all new urban developments (plus retrofit encouraged).	Green report makes this compulsory. To be incorporated into each building design. Compliant.
	5. Water conservation measures and technologies to conserve water to be implemented.	Green report makes this compulsory. To be incorporated into each building design. Compliant
	6. New nodes to be served by localised waste water treatment plants.	The node will be served by the local Pniel wastewater treatment works. Compliant.
	7. Waste separation implemented throughout at all nodes.	The proposal will involve a waste separation and recycling programme to be implemented by the master property owners association. Green report makes this compulsory. Compliant.
	8. All new housing developments must install solar geysers or similar devices.	Already required by SANS building codes. Green report makes this compulsory. To be incorporated into each building design. Compliant.
	9. Non-subsidy housing should be encouraged to install photovoltaic panels to reduce household electrical demand to below 300kWh.	Being investigated as an additional component in the Green report.
	10. SANS 10400XA energy efficiency standards to be adhered to for all planning applications, new buildings, major renovations and land use changes.	Green report makes this compulsory. To be incorporated into each building design. Compliant.
	11. Large developments to be incentivised to invest in solar energy generation equal or greater than their existing requirements.	Boschendal PTY Ltd is investigating implanting solar energy generation on the farm to release further capacity at the existing substation.
	12. Encourage use of recyclable building materials.	Can be addressed at the building stage.
FOOD AND AGRICULTURE	1. A Minimum of 10 000 ha of land should be safeguarded in the Stellenbosch Municipal Area for the cultivation of food for local consumption.	The land to be developed for the Boschendal Village is low-quality agricultural soil and, therefore, agricultural land assets are not adversely affected. Boschendal Estate will continue to contribute significant cultivated land for agriculture in the region. The extent of agriculture on the farm is comprehensively set out in section 4.5 of this report. This confirms that ±600ha was actively farmed on the Boschendal Estate in 2016. Boschendal Estate contribute 6% to the minimum set out in the SDF By 2018 it is envisaged that a total of 770ha will be actively farmed, increasing the estate’s contribution to 7.7% of the SDF minimum. The estate, therefore, makes an increasingly important contribution to the overall agricultural production in the Municipality. Compliant.
	2. Land outside existing or proposed urban settlements should be used for agriculture, biodiversity conservation, scenic quality and agri-tourism.	The balance of the Boschendal estate remains an active food producing farm. Compliant.

	Applicable and relevant SMSDF Summary	How it is addressed/complied with by Boschendal Village – Assessment of Consistency, Compliance or Deviation. Deviations are shown in RED text
	3. Incentives to be developed to encourage food production on fallow land.	Boschendal has already embarked on a programme to increase food production section 4.5 of this report. Consistent.
	4. Subdivision and leasing of portions of land outside current and proposed settlements to be discouraged.	The proposed development area falls inside the Groot Drakenstein node and forms an integral part of creating this new node. The proposal is consistent with MSDF in this regard.
	5. Construction of large grocery-anchored shopping malls to be refused.	The proposal is not for a shopping mall, but for a mixed use development which will form the core of a new village. The proposal specifically does not contain a shopping mall or even a large supermarket. The proposal is for a farmers market selling fresh local produce, together with small-scale retail and convenience shops which are limited in scale which can serve the surrounding community and promote local produce over big national retailers. Compliant.
	6. Managed farmer markets selling fresh produce, arts and craft should be provided in key centres.	A farmers market is at the heart of the high street. Compliant.
HERITAGE	1. Map sensitive biodiversity areas and set up clear and appropriate guidelines.	A comprehensive sensitivity map was prepared by the heritage consultants and this area was identified as a possible development area. A biodiversity study also confirmed the site contains no sensitive vegetation or bio-diversity areas. Compliant.
	2. No buildings or intensive agriculture to be located on crest lines.	The development is not located on a crest or ridge line. Compliant.
	3. Ridgelines to be used for recreational and tourist related activities and income.	Not applicable.
	4. Viewsheds along major routes to be determined in a visual resource study.	A comprehensive sensitivity map was prepared by the heritage consultants and important views and vistas identified and taken into consideration. A comprehensive Visual Impact Assessment was undertaken which proposes significant mitigatory measures, of which Landscaping is an important element.
	5. Buildings along provincial roads to be set back, at least, 100m to preserve character of roads.	The proposal is for the development of a new urban node and the 100m setback from provincial roads in the SDF would therefore not be appropriate in the village context. However in order to acknowledge the scenic qualities of the R310, significant setbacks, and green spaces are created along the scenic whilst still maintaining sufficient sense of “openness”. In this instance, most new buildings are set back ± 60m on the western side of the R310. New and existing buildings on the eastern side are screened by an existing avenue of trees and hedge, thereby preserving the notion of the scenic route. The 100m setback applies outside urban edges. Consistent
	6. Building heights and architectural style to be controlled within 200m of prominent roads.	An Urban Design Framework has been prepared to guide all future development in the Village. The Visual Impact Assessment states that although the Visual impact will be medium, this is acceptable. It concludes that the proposed Cape-style village would not be inappropriate and will even benefit the derelict nature of the site.

Applicable and relevant SMSDF Summary	How it is addressed/complied with by Boschendal Village – Assessment of Consistency, Compliance or Deviation. Deviations are shown in RED text
7. Stewardship programmes and conservation of privately owned critically endangered biodiversity areas to be encouraged and made Core SPC.	Not applicable to this portion of the Boschendal Estate.
8. Tourism that reinforces the sense of place, inside and outside urban edge, to be encouraged.	The positive impact of the proposed development is confirmed in the EIA, Heritage and Socio-economic reports. The no-go option will not generate the same benefits of tourism creation and job creation.
OTHER RELEVANT PROVISIONS IN MSDF	
Table 1 pg 12: Development infrastructure for Groot Drakenstein: Water – insufficient capacity Sewage: Sufficient Electricity: Eskom Solid Waste: Sufficient	This development will construct an additional bulk water reservoir that will serve this and other development in the node, thereby contributing to the provision of bulk infrastructure for the proposed new node and other surrounding development. Link services will be constructed by the developer at his cost. Compliant
Figure 1 pg 13: Proposed New Development Areas Groot Drakenstein Node: 16ha identified for new development in this node. This area does not include any development in the Boschendal Quadrant of the Village. 	The proposed village is located outside an area which was identified as “new development” on this plan. The proposal is for intensification of certain parcels which are already developed at very low densities, as well as infill development and transformation of small pockets of other vacant and derelict land. The SDF is not clear whether this type of development is “new development” or brownfields development. It is motivated that the portion inside the SM2016 conservative Urban Edge is brownfields development. The ±9ha of the village which falls outside the SM 2016 Edge could be regarded as “new development” which was not included in Figure 1 of the approved SDF and would thus be a <u>deviation</u> from the MSDF. Refer to site-specific motivation below.
Par 3.5 (Pg 45) GROOT DRAKENSTEIN NODE	
Land around the intersection has strategic potential for a settlement.	The proposed development is located largely inside the area indicated inside the urban edge at this intersection. Consistent.
Careful development can reinforce heritage potential as a Boland Village.	A comprehensive urban design process with significant input from heritage consultants has been undertaken and care taken with design to create village, as opposed to a gated development. Compliant.
Future growth is northwards (across R45).	For future expansion of node, not relevant to the initial development of the node itself.
Development areas are the western portion of Meerlust and in the flood plain of the Dwars River outside the river corridor.	The proposal is for the densification of existing residential development (west of R310) and urban development where service trade was conducted in the past. It does not appear that this development was specifically provided for on the plan of the SDF, but it is also not specifically excluded. Since it largely consists of urban development, at a new node, it is motivated that the proposal, insofar as it is inside the Urban Edge, is consistent with the SDF. The only portion where a deviation is required is for the small (±9ha) portion of land which is outside the SM2016 demarcated urban edge.

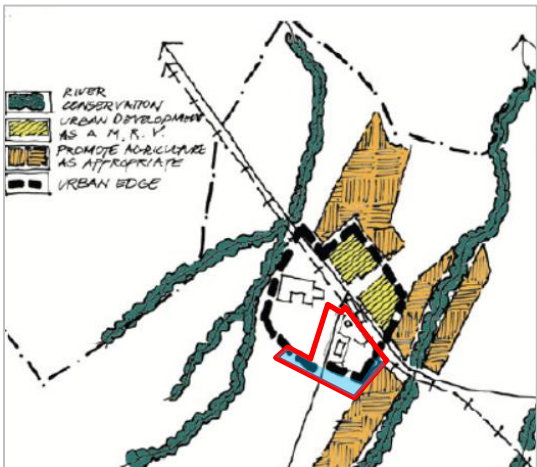
Applicable and relevant SMSDF Summary	How it is addressed/complied with by Boschendal Village – Assessment of Consistency, Compliance or Deviation. Deviations are shown in RED text
Service roads are to be introduced along the R45 so that traffic is not disrupted.	Similar to the principle of service roads along the R45, it was necessary to introduce service roads along the R310. These are however integrated into the design to create attractive interface and a “Village High Street” approach.
The service lanes should be properly landscaped and pedestrianised.	Extensive landscaping is indeed proposed (refer to landscape framework plan) and in the Urban Design report the NMT orientated approach is clearly confirmed (Pg. 19 of the document 3.3.2.f. Street designs).
Water bulk infrastructure is required.	This project will provide Bulk water infrastructure in the form of water reservoir and link services that will benefit the whole node. (the provision of this infrastructure can be offset against development levies). The project will also provide bulk sewerage link services which can benefit other projects such as Meerlust in the future. Consistent.
Freshwater ecologists are to demarcate buffers around wetlands, canals, and rivers.	Refer to the independent Freshwater Ecologist report. This was indeed undertaken. (compliant).
Eco-conservation zones to be investigated on site.	There are no conservation worthy zones on this site.
 <p>Section 3.5 in the SDF shows the Urban Edge and areas identified for Urban Development as a Model Rural Village (MRV). The approximate area for the Boschendal Village development proposal is indicated in red outline on the above drawing. The approximate area outside SM2016 urban edge is highlighted in cyan. (not to scale)</p>	<p>It is clear from this plan that the SDF only focussed on new development areas in the node north of the 45 and did not make any proposals for infill development of existing residential and service industry areas south of the R45, although these areas were included and fall inside the Urban Edge.</p> <p>Since the SDF does not specifically highlight this land provide for “New Development as a MRV” the proposed Boschendal Village, although not compliant (i.e. 100% in accordance with the SDF, as defined in section 19(1) of LUPA). However, the principles, guidelines and development objectives of the SDF as a whole is promoted, complied with and implemented as illustrated in the table above and therefore the proposal must be seen as consistent with the SDF. (as per section 19(2) of the SDF.</p> <p>It should be noted that a small portion of this land (approximately 1 ha) is indicated to “promote agriculture as appropriate). The only aspect which requires a site-specific deviation from the SDF is the inclusion of a small portion of ±9ha of land into the urban edge to give better expression to edge making, heritage indicators, and urban design considerations. Approximately 1 ha of the 9ha is indicated for agriculture. It is proposed that this area be incorporated in the urban edge and be developed for urban development. Justification for the site-specific deviation is provided in Par 11.2 below.</p>

Table 11.1: Stellenbosch Municipality SDF Compliance and Consistency Assessment

11.2 Motivation for site-specific deviation from the SMSDF

In Section 11.1 above it is clearly motivated that the proposed Boschendal Village is **compliant**⁷ with the SMSDF insofar as many aspects mentioned in the framework is concerned, including that it is a development within an identified urban node, the proposed density of the village, the urban nature thereof, and many of the other design guidelines contained the SMSDF.

As set out above, the proposed Village is also **consistent** with the SMSDF insofar as many other aspects of the framework is concerned, for example, that it is largely brownfields and infill development inside the edge, it is development at the intersection of the R310 and R45, consistent with the land use and housing mix and the socio-economic profile of future residents if the whole node is considered (not just the village in isolation) and setback from rural provincial roads.

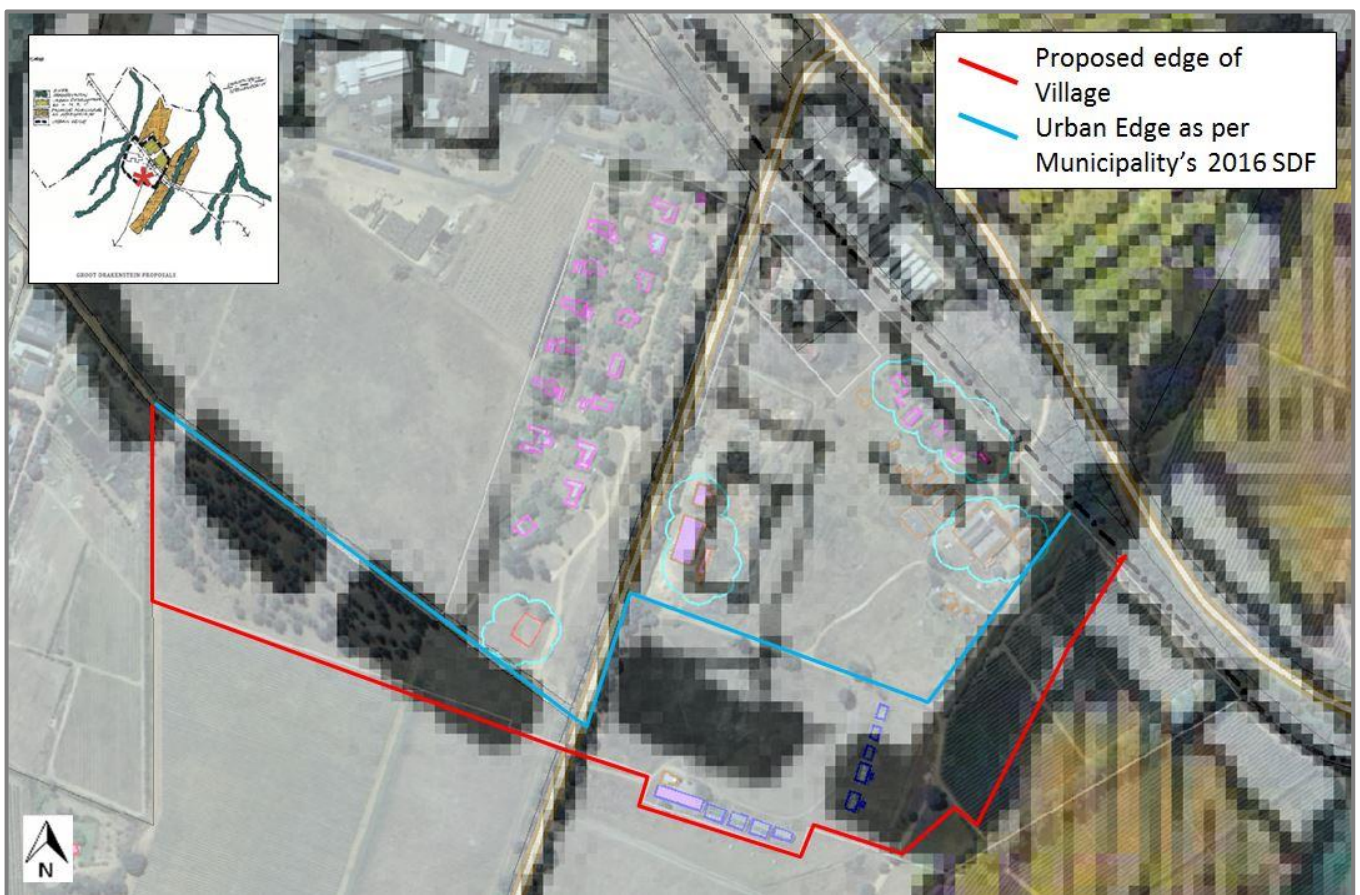


Figure 11.1: Extract from SDF overlaid onto aerial photo and topo-cadastral & building survey.

It is therefore clear from the assessment above that the proposals as contained in this application are largely consistent with the SMSDF.

There is one remaining aspect which **deviates** from the SMSDF, namely the urban edge. Approximately 9ha of land outside the existing urban edge is proposed to be included as part of the Village. Approximately 1 ha of this land is indicated to be preserved for agriculture in the SMSDF, whilst there is no SPC indicated for the rest.

⁷ As per section 19 of LUPA complaint proposals are specifically provided for in the SDF, whilst consistent proposals are not provided for, but also not prohibited by the SDF. Proposals which are neither compliant, nor consistent deviate from the SDF

The designation of this land (after development) will be ‘urban development’. Refer to Figure 11.1 and Figure 11.2.

The following points are made about the SMSDF, the current urban edge, and the process followed:

- The current SMSDF Urban Edge is drawn notionally and schematically at a very broad small scale;
- The line thickness on the SMSDF drawings is also open for interpretation;
- This urban edge as drawn in the SMSDF was not informed by cadastral boundaries, natural features, specialist studies or any other significant informants;
- This is a new node (not an established existing town) and development should be informed by site-specific informants and specialist studies, not a notional line on the plan;
- In developing the Boschendal Village proposals a number of specialist studies were undertaken which guided the design process. These are elaborated on below.
- Given the historic nature of the landscape, it is desirable that the southern urban edge of the node is a “hard” urban edge, beyond which no further urban development should be permitted, to prevent urban creep closer to the Boschendal Manor House, which is a Heritage site.

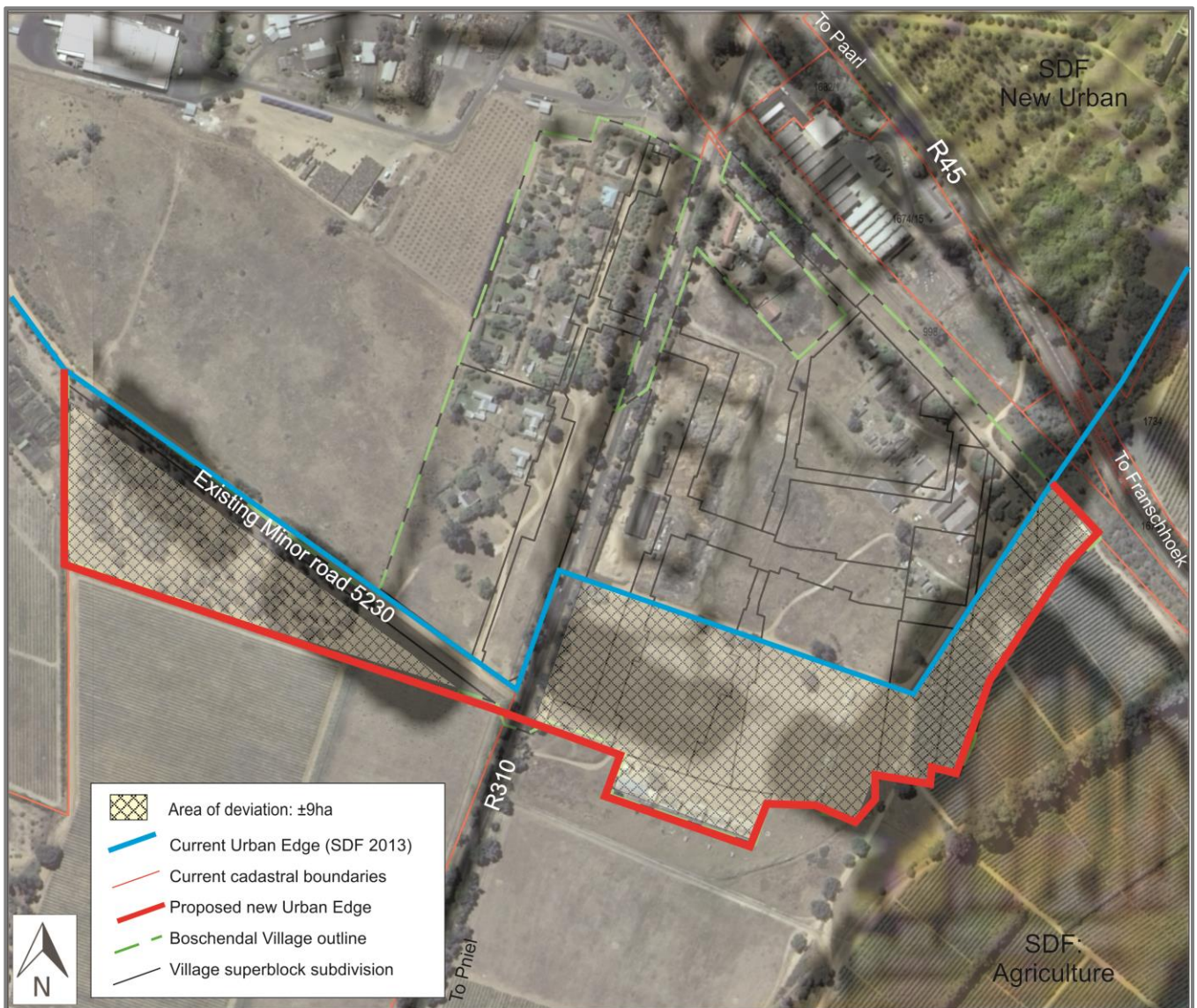


Figure 11.2: New Village footprint in relation to SDF Urban Edge, highlighting area of deviation

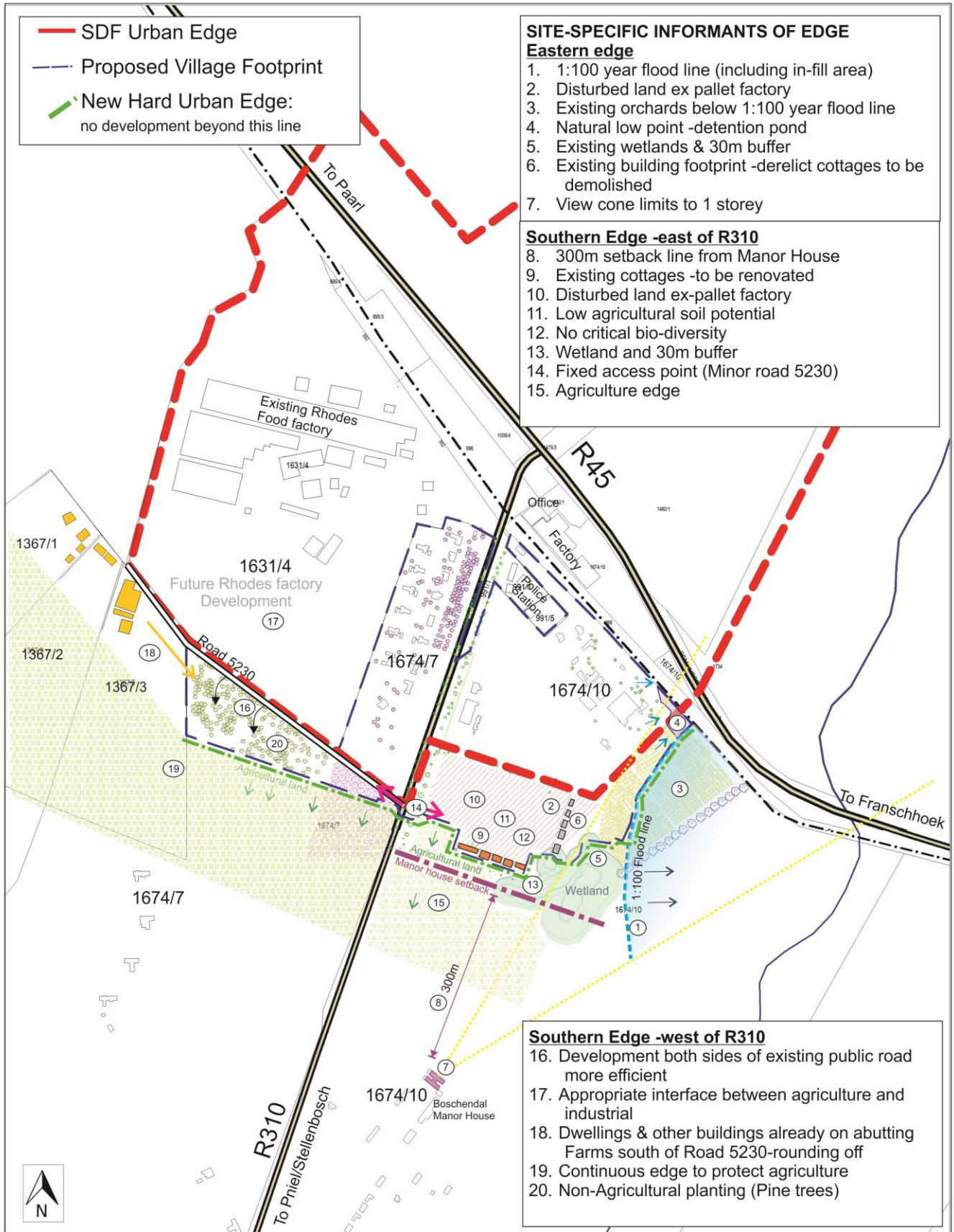


Figure 11.3: Site specific informants of the Village Urban Edge

11.2.1 Site-specific informants for the eastern edge of the Village:

The following site-specific informants shaped the layout design in respect of the eastern edge of the Village. On this edge, a small portion of the 1:100 year flood line is filled in to accommodate the stormwater detention pond and one row of single storey free-standing dwellings. Slightly less than 1ha of the existing pear orchards will be affected in this area by this proposal. The row of single dwelling houses is a natural rounding off of the village edge and ensures an appropriate low-density interface with the abutting cultivated land in the flood line, which is at a much lower level, and overlooked by dwelling houses. This is a “hard” urban edge beyond which no further development can ever be permitted in future due to the low lying nature and high agricultural value of the land outside the edge. Refer to Figure 11.3 for an illustration of these elements.

- The 1:100 year flood line on the eastern edge of the Village, beyond which no further development would be permitted (apart from a small infill area to round off development and provide for stormwater detention outside flood line);
- Existing transformed, built on and disturbed derelict land which was used for many years as a service industry (pallet factory);
- Existing orchards which are located below the 1:100 year flood line
- Natural low point on the site where the detention pond can be located (and which must be above the 1:100 year flood levels);
- Existing wetlands on south-eastern edge of the Village form a natural urban edge beyond which no development should take place;
- The footprint of existing derelict cottages on the eastern side of the site should be included in Urban Edge since it creates a logical spatial layout;
- Heritage indicator requires no more than single storey dwelling houses in view cone from the manor house. This is a “tread lightly zone”.

11.2.2 Site-specific informants on the southern urban edge of the Village –east of R310

The southern urban edge indicated in the SDF was drawn in an arbitrary position based on an internal farm road. The SMSDF urban edge does not follow cadastral boundaries, nor does it take cognisance of the existing derelict farm workers cottages, the agricultural potential of the land, water channels or existing wetlands on land. All of these physical features serve to define the possible development envelope inside which development can be permitted, and outside which, development should not be permitted. These informants are important since they serve to define a ‘hard’ edge, beyond which expansion of the village should not be permitted in the future.

- No development closer to the Boschendal Manor House werf wall than 300m to protect agrarian setting of historical Boschendal Manor House as well as the views of distant mountains north of the Werf as seen from the manor house. This is a Heritage indicator and visual impact and will not be relaxed since it protects the heritage integrity of a declared provincial heritage resource.
- An existing row of derelict cottages form a natural edge between Village and Farm. Heritage Impact Assessment requires that the cottages be retained and stand apart from the village as reference to a previous agrarian development layer.
- The cottages also is the edge to what became disturbed land due to the use of a large portion of this area for a pallet factory.
- This area has low agricultural soil potential.
- There is no natural bio-diversity on this portion of the site

- The wetland on the south eastern corner of the village and its 30m buffer forms a natural hard edge and will be the transition between village and farm.
- The southern access to the village is a fixed point. This access point is fixed since it is where an existing public road intersects with the R310. It, therefore, becomes a logical dividing line between urban development and agricultural land.

11.2.3 Site-specific informants southern edge of the Village - West of R310

West of the R310 the position of the existing minor public road (No 5230) is a determining factor on how the village can be accessed from the R310. This road also provides access to 4 other land units which are not in Boschendal ownership. In order to ensure an urban edge is created which cannot lead to future development further to the south, it is proposed to provide a definitive edge consisting of a single row of free-standing dwelling houses which would continue the existing 3 dwelling houses on portions 1367 portions 1, 2 and 3. This continuous edge of residential will protect the agricultural land beyond it from future urban expansion. The site-specific indicators and informants are the following:

- Desirability of having development on both sides of the road –more efficient use of infrastructure;
- More appropriate interface between industrial and agriculture;
- Strong edge to protect agricultural land beyond;
- Rounding off the Village with a continuous edge of low-density dwellings thereby ensuring no further urban sprawl takes place to the south of the node;
- It is a continuation of similar large plots as is already located along the minor public road (no 5230) (see farms 1367 portions 1-3);
- The edge will be reinforced by significant structural planting and possible agricultural water channels;
- The area where the houses are to be developed is largely planted with pine trees, which have no agricultural or cultural value.

11.3 Provincial Spatial Development Framework (2014) PSDF

In evaluating the above deviation of the urban edge from the SMSDF, it is important to look at other municipal and provincial policies. The proposal’s consistency with such policies becomes further motivation to support the deviation. In this regard, the PSDF is summarised and the proposal’s consistency with it is discussed.

Policy No.	Applicable and Relevant PSDF Summary	How it is addressed/complied with by Boschendal Village
R1	Protect biodiversity and ecosystem services	The development does not affect any significant biodiversity areas or critical or endangered vegetation-refer to the botanical survey.
R3	Safeguard agricultural and mineral resources and manage sustainable use thereof; reconcile ecosystems requirements and protection of assets with opening up opportunities for improved livelihood and jobs.	The area where the Village is proposed will not affect agricultural land (except for a small portion); area consists of low potential soils; It will create significant jobs in the valley where there is significant unemployment.
R4	Recycle and recover waste, clean energy , shift from private to public transport and adapt to/mitigate climate change.	All waste from the Village will be recycled. Energy demand will also be managed and limited to ensure overall electricity supply to the Village is not exceeded.
R5	Safeguard cultural and scenic assets: focus on townscape/landscape making qualities; protect heritage and scenic assets - specific areas to protect include Cape Winelands.	Comprehensive HIA undertaken to inform the design of village and protect cultural landscape of the area. Also, refer to VIA.

Policy No.	Applicable and Relevant PSDF Summary	How it is addressed/complied with by Boschendal Village
E2	<p>Diversify and strengthen the rural economy: includes land reform; allow sustainable rural activities which are compatible with agriculture and environment and which have positive socio-economic returns and which is appropriate in scale; this should serve as an incentive to facilitate other objectives e.g. agrarian transformation, biodiversity areas, protection of other assets etc.</p> <p>Criteria to be applied in assessment of proposals in rural areas:</p> <ul style="list-style-type: none"> • Environmental Authorisation; • Compatibility of land uses with surrounding uses; • Not to compromise existing farming activities or high-value agri land; • Not to compromise current or future mineral resources; • Consistent with cultural and scenic landscapes; • Does not involve extension of municipal reticulation network/not real costs or risks to municipal service delivery; • Does not infringe on the authenticity of the rural landscape. <p>Policy for Establishment of Agricultural holdings in the urban fringe PN415/2000 No. 5576; Policy for Settlement of Farm Workers P414/2000 No. 5572</p>	<p>The proposed Village development will diversify and strengthen the rural economy as follows:</p> <ol style="list-style-type: none"> 1) Provide a farmers market which provides a localised outlet for local produce; 2) Existing farming activities are not compromised – edges of village designed to minimise impact; 3) Development will link services to existing treatment works and upgrading and Development Contributions will also enable other development within the node to take place. Existing municipal bulk treatment plants utilised. Capacity of existing water reservoir will be increased. New external bulk link services installed by the development can serve other developments in Groot Drakenstein node, thereby benefitting the larger node.
S1	<p>Protect, manage and enhance sense of place, cultural and scenic landscapes: <u>prevent settlement encroachment into agricultural areas</u>, scenic landscapes and biodiversity areas; promote efficient use of land by containing urban sprawl, intensification of use, redevelopment within settlements; enhance economically, socially and spatially meaningful settlement hierarchy; use heritage resources and adaptive re-use to enhance character of area, create tourism opportunities; ensure interventions in heritage locations are consistent in typology, scale, massing, form and architectural idiom; conservation strategies and place specific guidelines must assist in management of settlement and landscape quality.</p>	<p>The village is located within identified settlement node and is part of the municipality’s development strategy to manage urban sprawl.</p> <p>It does not affect biodiversity areas or high potential agricultural land. It forms part of the settlement hierarchy as identified in the Municipal SDF. It will create immense tourist value.</p> <p>It is carefully designed taking heritage indicators, scenic routes and the cultural landscape into consideration. It is located mostly on brownfields areas currently used for a service trade, residential and farm sheds.</p> <p>Only a small portion of cultivated land (±1.3ha) is affected by the development. The cultivated area affected by development comprises less than 0.3% of the current agriculturally farmed/irrigated/cultivated /grazing land on the Boschendal estate. On the other hand, it is envisaged that an additional ±175ha of land will be cultivated (mostly fruit and vegetable farming) in the next 2 years.</p> <p>Overall, agricultural cultivation and food production will expand on the Boschendal Farm, rather than decrease.</p> <p>A comprehensive Urban Development Framework accompanies the proposal.</p>
S2	<p>Improve inter and intra-regional accessibility: Compacting and connecting urban development along public transport routes and clustering public facilities; curtail new settlement formation that increases average travel times; intermodal and functional linkages between villages;</p>	<p>The Village is located at the crossroads of two important main public movement routes. The principle of settlement “beads on a string” or interconnected nodes will, in the long term, make the provision of public transport more viable as densities of settlements increase.</p>

Policy No.	Applicable and Relevant PSDF Summary	How it is addressed/complied with by Boschendal Village
		<p>The settlement is located equidistant between Stellenbosch, Franschhoek and Paarl, thereby increasing the viability of public transport along these routes.</p> <p>The rural village will bring a farmer’s market and limited convenience shops closer to many of the rural settlements in the valley, thereby reducing travel times to shops for many of the current local residents.</p>
S3	<p>Promote compact mixed use, and integrated settlements: target existing economic nodes as levers for regeneration and investment; promote functional integration and mixed use as a key to counter apartheid spatial patterns; prioritise rural development investment based on role and function of settlement; delineate Integration Zones within settlements where public intervention is targeted.</p>	<p>The “Groot Drakenstein Node” currently consists of very low density, derelict, underdeveloped and unutilised land. The urban land uses which are located in the node consist of low density residential (Cannery road), low density and low income residential in the Meerlust Forestry settlement, low density industrial and service trade (Rhodes Food Group factories and the pallet factory), a clinic, a police station and the offices of the Rhodes Food Group Head Office. The proposed Village will develop the heart of the new high street, with mixed use business and associated residential which will ‘kickstart’ redevelopment in the remainder of the node.</p>
S4	<p>Balance and coordinate delivery of facilities and social services: access to education and health services; enable multi-functionality, clustering and space efficiency for all facilities provision; cluster public facilities; primary school threshold 1000 households.</p>	<p>The existing clinic will be relocated to business premises constructed by the developer in a much more accessible location. It will be located next to or opposite the police station and will therefore still form a community facility cluster.</p>
S5	<p>Promote sustainable integrated and inclusive housing in formal and informal markets: the policy relates to planning, budgeting and delivery of housing at Provincial level.</p>	<p>A significant portion of the Groot Drakenstein Node is already identified for subsidised housing development at Meerlust. This proposal for middle and higher income residential accommodation will, therefore, provide a balance in the overall housing provision in the Groot Drakenstein Node. A wide range of housing options will be provided in the Village, ranging from 10% subsidised apartments for key workers, 44% apartments (open market); 41% row houses, and (5%) free-standing dwellings.</p>

Table 11.2: PSDF Compliance and Consistency Assessment

The above assessment indicates that the proposal is consistent with the PSDF and will not lead to development which contradicts the principles of Provincial planning policy.

11.4 Conclusion on proposed urban edge deviation

The proposed deviation from the SMSDF will create strong urban edges which can be defended and which will ensure further urban development cannot sprawl in future towards the south and east. The proposed urban development consistent with the principles of the SMSDF, and will be the first initiative of urban intensification in the Groot Drakenstein Node. The proposed new urban edge was informed by several detailed studies and constitutes a minor deviation from the original urban area indicated in the SMSDF.

The extended urban development area is on land already disturbed by residential, service industry and community-related activities, such as the pallet factory, housing, school and clinic and does not affect any bio-diversity areas or wetlands. The proposal has a negligible impact on existing cultivated agricultural land and development is proposed on land with low soil potential for agriculture.

The visual impact assessment has made recommendations on structural planting to mitigate the impact of development on the cultural and rural landscape and has even recommended that the proposed development of a Cape Village if designed correctly will mitigate the current derelict appearance of this area. The elements of 'Scenic Route' has been acknowledged in the design layout of the Village with significant landscaped open areas adjacent to the R310 and most buildings set back $\pm 60\text{m}$ from the road (except for existing retained buildings and certain new landmark buildings at the main entrance).

In conclusion, the deviation of the urban edge and areas to be developed are minor, are informed by site-specific design indicators and informants, and most important, the deviation will promoted and enhance the objectives of the SMSDF. Notwithstanding the deviation of the Urban Edge, the proposals are not inconsistent with the SMSDF and therefore should be approved.

12. LAND USE MANAGEMENT MOTIVATION

The various levels of planning legislation (SPLUMA, LUPA and Municipal By-Law) require that a variety of principles and assessment criteria be applied when assessing development applications. This chapter aims to motivate the development proposal at the hand of these various principles and criteria.

12.1 National and Provincial Government Policies

In Chapter 5 of this report, the various national and provincial policies which may relate to this development have been summarised in order for the planning policy context to be clearly defined. This, in turn, influenced the planning indicators which were developed for the project and which informed the design and layout.

Summary of consistency with policy: The proposal for the development of the Boschendal Village will include a variety of residential and mixed-use development opportunities. It has been comprehensively informed by the surrounding heritage and rural environment. The development is situated within an area that has been identified by SAHRA as a Grade 1 heritage resource and, therefore, is guided by an intensive Heritage process which contributes to a sustainable spatial system. The specific location of the development is in a largely environmentally degraded area, surrounded by industrial activities, and with several derelict building located on the site. The soil has low agricultural potential.

The proposal is spatially efficient as it is intended to create a densely developed urban node (15 du/ha target within small settlements is achieved) with significant open spaces which is appropriate given the rural context.

It will introduce significant job opportunities into an area where there are many residents who are in need of jobs. The Boschendal Village will not be affecting existing agricultural resources, it will be located in an area of high accessibility and will promote the concept of spatial efficiency, sustainability and resilience by concentrating development within nodes which are all connected. The Boschendal Village is located at a crossroads of the R45 and R310, which is historically where nodal development took place. The concept is to provide a model village development prioritises quality and liveability.

In Chapter 11 the consistency with the PSDF is discussed in detail and it is hereby confirmed that the development is indeed consistent with provincial policies.

12.2 Applicable Municipal Spatial Development Frameworks (and IDP)

As was done for the Provincial policies, the Municipality's Spatial Development Framework and other applicable policies and by-laws were summarised in Chapter 5. These informed the preparation of planning indicators and in Chapter 11 the proposal's consistency and compliance with the SDF are then evaluated.

Summary of compliance and consistency with policy: The proposed Boschendal Village Node is situated within the Groot Drakenstein Node, which is situated in close proximity of a strategic road intersection (R45 and R310). The node is one of the identified urban settlement nodes which make up the underlying system of interconnected nodes proposed by the SDF. The Boschendal Village proposal will allow for a range of residential housing options and mixed-use business activities with a specific rural/agricultural approach (farms markets, artisan produce etc.). This development is not exclusively a greenfields development – it is proposed on land which is largely used for low-density residential and service industry. The soil potential for agricultural use is low. Only a small portion of cultivated agricultural land is affected.

This development will not only grow the economy but will also contribute to the social and economic viability of the overall Boschendal Estate and the surrounding settlements of Pniel, Lanquedoc, Meerlust, Kylemore, and Simondium. It is furthermore important to note that the proposal is guided by an intensive Heritage process and is, therefore, complimentary to the cultural and scenic landscape of the area.

Agricultural activities on the balance of the Boschendal Estate will be intensified and the development of the Village will further increase the investment in agriculture by making additional capital available (refer to par 4.5 for a discussion on the intensification of agricultural activities on the Estate.)

Summary on deviation from SMSDF of urban edge: The portions of the development proposed will be outside the urban edge (as was drawn in more detail by the department in 2016). In Chapter 11 a full motivation is provided for a site-specific deviation. An important feature of the proposal is that the village has been designed in a manner which will discourage and even make impossible future expansion of the Village in southerly or easterly direction, thereby ensuring a 'hard' urban edge and effective settlement management. The proposals are informed by physical features on the site. Notwithstanding the deviation of the urban edge, the overall objectives, principles, and development management guidelines of the SMSDF and PSDF are adhered to.

12.3 Protect and Promote Sustainable Use of Agricultural Land

Protection of agricultural land can be achieved through a number of strategies. These include amongst others the prevention of development of land with high agricultural potential or land that is currently cultivated; ensuring the economic viability of agricultural activities; agricultural land should be preserved in large continuous blocks to ensure critical mass; agricultural cultivation should also be actively promoted through projects and programmes.⁸ In the context of land development management, development inside the urban edge and promoting compact urban development which limits urban sprawl, are further strategies which indirectly protect agricultural land. Recognising the economic, aesthetic and tourist potential of the agricultural landscape are further elements which could contribute to the protection of agricultural land as a resource.

The proposed development does not adversely impact on the prime agricultural land. It further also contributes to the protection of agricultural land in the following manner:

- The agricultural potential of the land to be developed has been confirmed through the specialist report as being low. The development is therefore not affecting prime agricultural land;
- Most of the land, with the exception of a small portion where a pear orchard is located, is not currently cultivated and has not been cultivated in the past 10 years. The land is highly disturbed and has been largely used for service industrial uses (pallet factory) or low-density residential. The proposal is therefore primarily a brownfield development and not on agricultural land;
- The land uses which abut the development to the west and north are mostly urban in nature (industrial, office use, railway line) and the proposed development will therefore not sterilise or adversely impact high-quality agricultural land on these edges;
- To the south of and east of the development high-quality agricultural land is indeed located and appropriate interface zones (large agrarian gardens with a no-build restriction) have been introduced on these edges to limit the impact of village development on agricultural operations;
- The area falls within an identified node in the SDF for future development (Groot Drakenstein Node) which will provide access to economic opportunities to the entire valley's disadvantaged population;

⁸ <https://www.planning.org/policy/guides/adopted/agricultural.htm>

- The Village will be compact, and of sufficient density to achieve significant efficiencies, whilst retaining a rural village character;
- The Village will be of a significantly high density (gross 16 du/ha) to ensure compact urban form;
- The development will ensure the ongoing economic viability of a very significant commercial farm estate which is reliant on generating alternative income streams to ensure its ongoing long-term economic viability;
- The proposed farmers market in the development will become an outlet for fresh produce produced on Boschendal Estate and all the surrounding farms, thereby increasing their economic viability;
- An important aspect of the motivation is that only a small portion of existing cultivated land will be affected by the development proposal. On the other hand, Boschendal estate has already commenced with a significant expansion of agricultural activities on the larger Boschendal Estate. This is discussed in detail in par 4.5 of this report. Between 2016 and 2018 it is anticipated that the expansion of agriculture will comprise of the following (additional to existing): 20ha of vineyards, 140ha of fruit orchards and 15ha of vegetables, an additional 2000 chickens, 300 heads of cattle, 180 heads of game, and 270 heads/units of other protein species. It is clear from the above that the proposed development of the Village will not have any adverse impact on the overall agricultural production of the Boschendal estate, and food production will increase, rather than decrease.

12.4 SPLUMA & LUPA Principles

i) Spatial Justice Principle

The spatial justice principle requires that past spatial and development imbalances should be redressed through improved access to and utilisation of land. It requires that persons which were previously excluded (especially the poor) must be included in land use planning policies, especially in order to address widespread poverty and deprivation. Access to land for all (including disadvantaged communities should be facilitated.⁹

The proposed development of the Boschendal Village will achieve the above principles in the following manner:

- The current economic composition of the Dwars River population is of mostly low-income residents who largely rely on employment on farms. This development, therefore, introduces diversity of job opportunities (tourism, hospitality, farmers market, retail, and office) to the local population;
- With that comes long-term job creation for people living in the area;
- Access will be created to a farmers market for local entrepreneurs (for local population and farmers) which creates access to economic opportunity;
- The node is currently accommodating community facilities which will be strengthened by providing additional opportunity for other facilities in its vicinity and furthermore, provisions are made for the clinic to be located in an accessible location; and
- Public access will be given to the farm's heritage resources in a variety of ways (museum, heritage buildings, walking and bicycle trails) and the development will provide the opportunity for access to open spaces created by the development.

⁹ Section 7 (a) of SLUMA and section 59(1) of LUPA

ii) Spatial Sustainability Principle

The principle of spatial sustainability will be achieved by the development when a development is spatially compact, resource frugal and within the means of the municipality. It must protect prime agricultural land and must take into consideration all other environmental issues. It must stimulate the land market and must consider all the costs of infrastructure (future and current) as well as the provision of social services. It must aim to limit urban sprawl, result in viable communities and strive to meet the basic needs of citizens in an affordable way.¹⁰ Development must also ensure the sustained protection of the environment (ecological corridors, biodiversity, heritage resources, promote provincial tourism and avoid development of steep slopes, floodplains, wetlands etc.). Energy efficiency should be promoted.¹¹

The proposed development of the Boschendal Village will achieve the above objectives in the following manner:

- Apart from a small portion of one isolated pear orchard, the development will not be located on agricultural land with high potential, or on land which has been cultivated;
- Significant no-build areas on sensitive edges will create the required buffer between village and agriculture to ensure an appropriate interface and guard against negative impacts;
- Densification in designated settlement nodes limits urban sprawl elsewhere in the municipality. Heritage resources in the valley are protected by setting development back from the historical werf, concentrating development in already developed/disturbed area; and
- Tourism will be promoted by creating a diversity of tourism offerings, ranging from a vibrant farmers market, tourist accommodation in a working farm setting, and walks and bike routes between Village and historical werf.

iii) Efficiency Principle

The principle of efficiency requires that development should optimise the use of existing resources, including infrastructure¹², and requires that integrated cities and towns be developed whereby social, economic and institutional aspects of land development is integrated and residential opportunities are provided close to employment opportunities. A diversity of land uses are to be incorporated and the spatially distorted patterns of the past are to be corrected. Towns should be of sufficient density and urban sprawl must be discouraged.¹³

The proposed development of the Boschendal Village will achieve the above objectives in the following manner:

- The Groot Drakenstein Node currently has no link services to the bulk water and sewer works and this development will enable link services that will enable other developments to take place within the node in due course;
- The proposal is for a mixed-use development consisting of residential, retail, office, community facilities, and open space. Ample provision is furthermore made for tourism activities. These proposals will add to the land use mix already found in the node (which is more of an industrial nature); and
- The gross density achieved is 16du/ha, which is in line with the target threshold set by the SDF for smaller nodes outside the main towns.

¹⁰ Section 7(b) of SPLUMA and section 59(2)(a) of LUPA

¹¹ Section 59(2)b of LUPA

¹² Section 7(c) of SPLUMA

¹³ Section 59(3) of LUPA

iv) Spatial Resilience Principle

The principle of spatial resilience requires flexibility in land use management systems and policies to ensure sustainable livelihoods for communities most likely affected by economic and environmental shocks.¹⁴

The socio-economic impact assessment concludes that the proposal will benefit local previously disadvantaged communities in a number of ways, namely significant job creation, access to middle-income residential accommodation for local families who have lived in the valley and who want to live close to their families, access to a greater variety of shops and the farmers market for fresh produce, increased access to open and recreational spaces, opportunities for local businesses and small entrepreneurial enterprises, economic benefit to support businesses and a modernised clinic. The owners of Boschendal will also use some of the proceeds to fund other community programmes, such as training, job creation and possibly an Agricultural college.

v) Good Administration Principle

The application has followed a rigorous process of public participation with several opportunities for the public to provide input into the proposals from the earliest process. In May 2015, the process commenced with the first voluntary process, calling for input. The process will unfold as illustrated in Figure 1.1 of this report, with several opportunities for public comment, namely:

- Initial input during I&AP registration
- Voluntary advertising before official submission of any application (30 days)
- NEMA advertising period (30 days)
- LUPA advertising period (30 days)

12.5 Considerations which confirm Desirability of proposed development¹⁵

The proposals have been investigated by a number of specialists to confirm the desirability of the proposed development, interrogate the proposals for being appropriate, and make recommendations in order to ensure appropriate conditions are imposed and impacts are appropriately mitigated. This section draws on the conclusions of these studies in respect of the desirability of the proposed development.

i) Compatibility with surrounding uses

To the west of the proposed Village is the Rhodes Food Group factory. This factory is currently undergoing a refurbishment and the Rhodes Food Group (RFG) intends to expand the current activities by applying for the balance of the site to be rezoned to industrial to be used for office, factory shop and industrial purposes. The factory is a labour intensive operation which will, according to RFG, once at full operation, employ at least 1 000 people in this newly refurbished and expanded facility.

Directly north of the site is a disused railway line, and north-east of that is the RFG head office, a police station (adjacent to R310), a food factory and the R45. The development proposal is compatible with these existing urban land uses. The industrial uses are not noxious and is regarded as relative clean industrial use (with little emissions or noise) and is, therefore, suitable to be located adjacent to high-density residential provided units are designed and orientated appropriately.

¹⁴ Section 7d) of SPLUMA

¹⁵ S49 LUPA requires that proposal must be desirable

To the east of the proposed village is the Dwars River flood plain with fruit orchards and a very prominent avenue of Blue Gum trees. It is proposed to round the village edge off with a row of single dwelling houses overlooking the orchards and flood plain to ensure an appropriate interface with the agriculture. To the south of the village is a row of existing labourer's cottages which will be retained and renovated for guest accommodation. These cottages are currently visible from the historical Manor House 'werf' and will, therefore, continue to form the immediate visual foreground of the village when viewed from the existing werf. Although part of the Village footprint (and accessed from the Village), these cottages will "sit" in the agricultural landscape, thereby forming an edge and rounding off the agricultural landscape. West of the R310 the southern boundary also abuts agriculture and, here again, large residential erven with big setbacks and no-build zones are employed as a mechanism to manage the impact of residential on agriculture and vice versa.

ii) Impact on Heritage (including visual impact)

A full heritage impact assessment was undertaken and this study confirms that the proposed village development should be supported. The Heritage report confirms that the proposed development area is already highly transformed and located at a point of high accessibility. It is an important meeting point of two valley systems (the Dwars River and Berg River Valleys) and has important heritage and tourism value. The heritage study identifies a number of key indicators which require to be adhered to in order to ensure a development that responds to, protects and enhances the heritage and cultural assets. These are summarised in Chapter 7.

The Heritage Impact Assessment concludes that alternative 5c is the preferred option (where a small portion of the flood plain is filled in to allow for a row of free-standing houses to form the eastern edge to the village). The HIA concludes the following:

- The development of the compact village creates a dynamic balance between three types of landscapes: wilderness, historical/cultural and rural village. The proposed development displays qualities of rural village rather than suburban sprawl, which is supported.
- The proposal (defined rural village) is in line with the conceptual rural settlement pattern developed by the Heritage team and responds to the historical and natural systems. Appropriately set back from the historical homestead and R310 scenic route, whilst respecting the 'tread lightly' zones in the river corridor.
- The proposals encapsulate the indicators which define the desired village character, ensuring a walkable environment, pedestrian-friendly, public accessibility to large parts of the village, clear hierarchy of streets, and a more informal layout where village morphology has a rural character.
- The creation of open space which serves the scenic route corridors, functional open space, agrarian landscaping and structural planting is an important component of the proposal. This is accommodated in the layout. Landscaping and site rehabilitation is an important component of the rural village making and should form part of future layers of approvals. Landscaping should be functional and agricultural rather than ornamental.
- There is a concern that parked cars will dominate the village and especially this should be avoided in scenic route belts. Recommended conditions to mitigate this are proposed.
- The no-go option does not address the opportunities presented by the site's location and it does not address the derelict nature and existing conditions on the site. It is therefore undesirable to not develop the site. The HIA concludes that development in line with the proposals as encapsulated in the Urban design Report will have a medium-high positive impact. This is however subject to conditions and mitigatory measures.

- The Heritage impact assessment (in par 9.2.2) recommends the reduction of the erven on the eastern edge (in alternative 5a) to exclude the large portion of the pear orchard which was included in that alternative, in order to reduce the visual impact of the development in the treat lightly zones. This was indeed undertaken in the alternative 5c, which now reflects a reduction in these erven's extent.

iii) **Impact on Biophysical Environment**

There is no significant impact on fauna and flora since the majority of the site is highly disturbed. The wetlands on the site will be retained and the recommended buffer areas around them have also been incorporated into the design.

In this regard, the following conclusions and recommendations are summarised from the Freshwater Impact Assessment report:

In order to reduce the impacts associated with the development layout:

- All sensitive ecosystems should have a development setback line (30m around Wetland 1 and 10m around wetland 2, 3 and 4). This has been achieved in the proposed layout;
- An ecological corridor should connect these wetlands preferably by means of the floodplain. This is partially achieved by the proposed layout;
- Roads and services should preferably not cross the wetlands, but rather go around them. This has been achieved by the proposed Layout;
- A gabion structure will be required at the stormwater pipe outlet. Impacts must be mitigated through detail design and limitation of the size of the outlet;
- A sewerage pump station will be required at a low point and requires minor infilling in the floodplain.
- Construction phase must be guided by a detailed construction environmental management plan/programme which must include all the mitigation measures in the freshwater report;
- Discharge of stormwater into the Berg River catchment area is subject to special limits as prescribed in the Freshwater assessment report. The proposed position of the sewerage pump station is preferred because new pipe river crossings will not be required, thereby decreasing the risk of pollution;
- From a freshwater ecological perspective, the preferred development option is to remain completely outside the 1:100 year flood line as this would have the least impact. However the report confirms that the difference between this option and the and the proposed preferred layout described earlier in this report (which requires the infill of a small portion of land below the 1:100 flood line to allow a row of single residential dwellings to form the edge of the development) is marginal and can be suitably mitigated by implementing the recommendations in the report.

iv) **Traffic impacts, parking, access and other transport related considerations**

The conclusions of the traffic impact assessment are as follows:

The proposed roundabouts will function well during both AM and PM peak periods, and will vastly improve the current situation at the R310/R45 intersection.

The roundabouts (especially at the R45) is preferred because it has a greater capacity, can accommodate better future growth, enhances safety (by slowing vehicles down) retains flow of vehicles through the intersection and has a lesser impact with respect to light pollution in a heritage and rural area (traffic signals unacceptable impact in heritage area).

The proposed central access to the development will operate poorly for traffic wanting to enter from side streets but alternative routes (via the roundabout) is available. This intersection is preferred due to the flexibility it offers in off-peak periods.

The development is mixed use in nature and will promote walkable environments and therefore a degree of shared parking is likely to take place. This should be taken into account when conditions are formulated for parking ratios.

The development will implement projects to improve access to public transport by providing better located taxi and bus embayments and suitable pedestrian crossings, NMT infrastructure, and sidewalks which will link to the development's internal pedestrian network.

The proposal will therefore not have a negative impact on traffic and transport and are supported.

v) Impact on safety, health, and well-being of surrounding community

The current development poses no direct health or safety impact on the surrounding communities. The proposed development holds many benefits for the surrounding community. These are summarised as follows:

- Social and community programmes are being implemented as described in the socio-economic impact assessment which includes sustainable training programmes for historically disadvantaged members of the community;
- Improved access to municipal bulk services is made possible for the whole Groot Drakenstein node by the installation of new water reservoirs adjacent to Pniel. Connection for future housing development at Meerlust Bosbou to the Pniel sewer works is also facilitated by the proposed bulk sewer which will be installed along the R310;
- Significant job creation (of approximately 800 permanent positions), both during construction and during the operational phase will greatly contribute to the local economy which will also directly benefit historically disadvantaged members of the community;
- A more accessible and upgraded clinic will be a benefit to the local community.

vi) Socio-Economic impact (refer to Socio-economic Impact Assessment (SIA))

The SIA concludes that the proposed mixed use village at Boschendal is a suitable development and the development of the village is supported subject to the implementation of the recommended enhancement and mitigation measures contained in the report. The report highlights the following benefits of the proposed development:

- The proposed development conforms to and supports the majority of key policy and land use principles and objectives. It is also located inside the Urban Node as identified in applicable SDF's;
- The no-go option will not generate the large number of positive socio-economic benefits to be derived from the development;
- During construction, the proposal will create significant business opportunities for construction and building supply businesses in the area. It will mostly benefit local suppliers and the benefit will be in the region of ±R1.08 billion over a 5-8 year period. This represents a significant positive impact for the local community and economy and will enable the establishment and growth of local businesses;

- During the construction period, the project will also create significant jobs in the construction sector and also in downstream related businesses. It is estimated that the project can create up to ±420 job opportunities per annum during the construction phase of which approximately ±250 would be for low-skilled workers, ±40 to semi-skilled workers and ±130 to skilled workers. These jobs will benefit local people most and represents a significant opportunity of employment for local HD members of the community. The estimated wage bill for the project is ±R241 million which over the 5-8 years construction phase which is a significant contribution to the local economy of the Valley;
- On an ongoing basis after the completion of construction, the project will deliver a number of other long-term socio-economic benefits, amongst them being the creation of in the region of ±800 permanent jobs. There will be a diversity of the types of jobs created ranging from the hospitality industry, security, retail businesses as well as jobs as domestic workers and gardeners. A large percentage of these positions will be filled by HD members of the surrounding community;
- The hospitality, market, retail and commercial component will create other business opportunities for local companies such as cleaning and catering services, security companies etc. and these secondary economic opportunities are seen to be of significant benefit to the local community;
- The development will deliver much needed residential stock in the Valley comprising of a variety of housing types. It is part of the proposal to place 22 apartments in the development into a rental scheme to ensure housing is available to key workers with household incomes of ±R300 000. The proposal to develop a wide range of housing units (apartments, town houses and free-standing dwellings) also promote opportunity for a diversity of income levels to be accommodated in the village. Local residents who have middle and higher income levels will therefore also be able to acquire accommodation in the valley, something which is not possible at the moment due to the limited supply of such housing in Pniel and Lanquedoc;
- The proposed farmers market will provide much needed opportunities for local farmers to sell produce and the proposed restaurants and shops will also create positive economic benefits. The SIA recommends that a local supermarket must form part of the retail mix within the Drakenstein Node to ensure that local lower income residents are also served by the retail mix in the village;
- The market square will serve as a community and commercial node and the public open spaces must remain accessible to the existing local community. The development may therefore not be a gated security development although it is accepted that internally access control to certain internal residential blocks may be applied;
- The existing clinic will be upgraded and moved to a more accessible location whilst a crèche/afterschool facility is to be provided in the community/business node;
- The owners of Boschendal is committed to ongoing training initiatives related to the broader Boschendal estate (which may include training programmes which benefit HD community members) and have already trained ±300 staff members;
- The owners of Boschendal intend to expand the abovementioned programmes into community development programmes with a wider application in the community. This includes food nutrition at schools, community facilities at Rachelsfontein centre, and possibly establishing an Agricultural College in conjunction with Elsenburg. A bursary programme for local residents will also be established;
- The development will promote tourism which is one of the key economic drivers in the Western Cape Province. The development will also be linked to the existing historical Boschendal Manor House which will promote these heritage sites for tourism.

vii) Environmental Sustainability impact

A significant component of the proposed development is to increase the development's overall sustainability by focussing on the reduction in consumption of municipal services. The major municipal services in this instance are energy, water, and waste.

The report indicates that the use of Sustainable Urban Drainage Systems (SUDS) as is proposed for this development will allow stormwater to be integrated into the landscape of the village. A number of elements are important to achieve this: allowing maximum infiltration of rainwater through permeable surfaces, vegetated buffer strips and swales and rainwater harvesting will contribute towards this objective. Rainwater will only reach the Dwars River during major storms. Otherwise, rainwater will be reused within the village or replenish ground water systems.

A number of mechanisms can be employed to achieve precinct wide energy efficiency: LEF lights with daylight and motion sensors, solar powers street lights, centralised hot water generation (especially in apartment blocks). On-site centralised renewable energy generation by means of photovoltaic panels can be used to supplement the existing limited traditional power supply. In addition, this can be augmented with decentralised panels on individual roofs of buildings and dwellings. The extent of these requirements will be finalised at detailed design stage.

Another important aspect is centralised waste recycling. Provision is made in the layout for such a facility to be managed by the owners association. However, a commercial company can also provide such services. This will require a Waste Management Plan to be implemented by the owners association.

On an individual building/household level the following measures could be implemented to enhance the developments environmental sustainability:

- Passive energy design on building level includes natural ventilation, heat control through insulation and shading, correct glazing, and optimum orientation towards north;
- Energy efficiency centres around efficient hot water generation, LPG cooking, LED lighting, motion and daylight sensors, appliances with A or B energy ratings, localised PV panels, monitoring and control over household peak consumption and smart metering;
- Water efficiency can be introduced through installation of low flow sanitary fittings, rainwater harvesting, and grey water recycling. These measures can be made compulsory for all new buildings in the development;
- Strategic water meters to assist with leak detection can be installed which are linked to a site-wide monitoring system;
- Households can recycle with this initiative serving the site-wide waste recycling centre, wet household waste can be composted centrally (and serve agriculture) or be used in biogas digesters which serve households. Recycling should take place and be made compulsory at house-hold level with collection from centrally accessible points by the owners association.

The degree of success of the incorporation of the suggested sustainability initiatives is dependent upon the level of integration of the proposals set out in the report in the detailed design of buildings. It is therefore imperative that these issues are addressed in the detailed design stage as part of the integrated design of a building.

viii) External bulk engineering services

The node is included in the Municipality's bulk services masterplan and the proposals have been developed in conjunction with the municipality's departments and consultants who are responsible for the master planning for water and sewer. It is proposed that the master planning pipe sizes be implemented to allow for other future anticipated development in the node.

Although a number of external bulk services have to be constructed to service the proposed village development, this will have the added benefit of constructing bulk infrastructure which would serve the wider Groot Drakenstein Node, which includes other businesses, industrial and subsidised housing projects. The proposed Boschendal village development, therefore, makes these other developments (some of which are critical subsidised housing and job creation projects) more feasible. These developments are critical to address local community needs for housing and job creation.

A services agreement will thus be entered into with the Municipality prior to construction commencing, agreeing to the application of bulk services levies and the projects to be implemented by the developer in lieu of payment of these levies.

12.6 Recommendations and Conditions which should be considered

In all the specialist reports, a number of recommendations and mitigatory conditions are set out. This section of the report aims to summarise these conditions.

12.6.1 Traffic impact assessment recommendations

The following recommendations are contained in the traffic impact assessment:

- The geometry of the single lane roundabout at Helshoogte Road (R310) / Minor Road 6/4 (New Oaks Access) intersection shall be constructed as shown in Figure 11.1 in the TIA;
- The geometry of the double lane roundabout at the R45 / Helshoogte Road (R310) be constructed as shown in Figure 11.2 in the TIA;
- The geometry of the new central access shall be constructed as shown in Figure 11.3 in the TIA;
- The external road geometry (R310 and Minor road 6/4) as indicated in Figure 7.1 of the TIA shall be constructed;
- New public transport facilities (taxi embayments) shall be provided either side of the T310 at the central access;
- A pedestrian crossing shall link the two public transport facilities and warning signs shall be erected;
- Sidewalks (min 1.5m wide) shall be provided on either side of the R310 along the frontage of the development and shall seamlessly link to the internal pedestrian network;
- The following parking ratios should be applied to the development:
 - Residential - Low density (free standing dwellings) : 2 bays / unit
 - Residential - Medium density (row houses): : 2 bays / unit
 - Residential - High Density (flats): : 1.25 bays / unit
 - Hotel : 0.7 bays / room + 20 additional bays
 - General Retail: 4 bays / 100m² GLA
 - General offices: 4 bays / 100m² GLA
 - Guest accommodation : 0.7 bays / room
 - Civic / Community Building: 1 bay/8 fixed seats or persons
 - Clinic: 3 bays/consulting room

- Crèche : 1 bay/classroom + 1 bay/15 students
- Office and flats can share visitors parking (0.25 bays of flats is for visitors);
- Clinic parking can be reduced with 50% if shared with other uses;
- Refuse embayment of 3mx12m to be provided along R310 at the entrance to the existing old clinic;
- External road infrastructure upgrades to be implemented linked to phases as follows:
 - Phase 1: Upgrading and surfacing of Minor Road 6/4
 - Phase 2: Construct traffic circle at R310/Minor Road 6/4 intersection
 - Phase 3: Construct central access (new) intersection on R310 and all associated roadworks
 - Phase 4: Construct R310/R45 traffic circle and all associated road works
 - Phase 5: No external roadworks
 - Phase 6: No external roadworks
 - Phase 7: No external roadworks

12.6.2 External engineering services and stormwater infrastructure recommendations

The stormwater and external bulk engineering infrastructure reports outline the engineering services which have to be provided by the developer to enable the development to be adequately served by municipal services. The projects as outlined in these two reports shall be implemented in order to service the development.

The electricity substations shall be created as set out in the engineering report when the superblock subdivisions are created.

A services agreement shall be prepared and entered into between the developer and the Municipality with regards to the development levies and the bulk services projects to be constructed by the developer in lieu of development levies.

All internal private roads will also be servitudes to convey engineering and electrical pipelines and cables as well as any other services required to serve the development.

The external servitudes required to convey municipal bulk services shall be registered after detailed designs have been completed. These do not require further planning approval in terms of the municipal by-law since municipal services servitudes are exempt from further planning approvals in terms of the Municipal Land Use Planning By-law.

12.6.3 Heritage Impact Assessment recommendations

The following conditions and mitigatory measures are recommended in the Heritage impact assessment:

- Each phase should be implemented as a completed development (including landscaping component) as far as possible to mitigate visual impact;
- Structural Planting of edge-making elements should be implemented as a first step and as soon as possible;
- Five Priority planning areas indicated in Figure 3.1 are subject to further heritage and planning approval (Site development plans required) prior to further subdivision or development;
- An integrated Environmental Management Plan must be formulated to address mandatory controls and guidelines related to lighting, signage, architectural and landscaping treatment prior to any construction commencing;
- Parking areas along the R310 shall be set back from the scenic route to allow multiple rows of trees for screening;

- Parking should be screened by buildings, walls, berms and/or trees where possible;
- Parking areas should be organised into smaller parking courts of about 20-30 cars to avoid visually and climatically exposed parking lots;
- Excessive use of asphalt and barrier kerbs should be avoided to retain the rural character of the village. Parking could have gravel surfaces for visual informality and to minimise stormwater run-off;
- Stormwater should consist of dish channels and grassed swales, or traditional furrows;
- Major landscaping and site rehabilitation shall be implemented and a Landscape Framework Plan shall be prepared by a professional landscape architect;
- The massing of 3 storey buildings in precincts E1 and E2 shall be broken up through articulation of façade and roof treatment ensure the sense of 'rural village' is retained, and this should be suitably illustrated on the SDP;
- The development proposals pertaining to alternative 5c as set out in the Urban Design report should be implemented and especially insofar as it relates to the all the objectives and indicators.

12.6.4 Socio-economic impact assessment recommendations:

The SIA makes the following recommendations:

- It is recommended that the developer should liaise with the Stellenbosch Municipality and local leaders about implementing community projects and initiatives in the Dwars River Valley and also discuss the possible structure of a trust in this regard;
- It is recommended that the developer should ensure that the retail component of the development and restaurants/food outlets contain shops that will also serve the local community, not just high-income earners and tourists;
- It is recommended that activities and events should be promoted which encourage the use of open spaces by the local community as well, not just high-income residents and tourists;
- It should be a condition that public access to open spaces must be made possible as indicated in the proposals, even if it is owned and managed by an owners association;
- It is recommended that in the detail design of residential units abutting existing industrial activities, attention is paid to design elements which would mitigate the impact of and take account of abutting industrial activities and prospective purchasers must be informed accordingly of the pre-existing industrial rights which will continue to operate in the node.

12.6.5 Freshwater Impact assessment recommendations

In order to reduce impacts, the following actions are recommended in the Freshwater impact assessment report:

- Water demand management must be implemented within the development, including rainwater storage tanks on every erf;
- Water supply infrastructure should avoid sensitive areas;
- Hard surfacing must be minimised to ensure water can filter into the ground;
- Stormwater must flow along unlined channels before discharging into wetlands. Wetland 4 (along the rail reserve) may be used for stormwater attenuation;
- Parking areas should be constructed from permeable materials to allow infiltration of water;
- As a principle, hardened areas should be, where possible be associated with vegetated filter strips, bioswales or other landscaped features which are designed to receive water run-off to reduce water running off directly into a stormwater system;

- The wetlands as indicated, plus buffer areas as indicated shall be accommodated in the layout as indicated in alternative 5c.

12.6.6 Green Report recommendations

The green report makes the following recommendations:

- The following should not be permitted in the development: electrical underfloor heating;
- Measures should be implemented to limit the Village's energy demands to 1.5 MVA. All additional energy needs should be addressed via implementation of energy saving measures and/or generating energy from other/additional (renewable) sources;
- A number of Must-do initiatives are identified and must be further investigated and implemented as far as possible in detailed design. These include solar water heating, LED lighting, passive energy efficiency, LPG/Biogas hobs, low-flow water fittings, rainwater harvesting, greywater recycling, water metering, dry waste recycling, construction waste management plan and low VOC paints, landscape irrigation interventions, insulation, topsoil management, NMT provision;
- A number of option all initiatives have also been identified in the report which can further enhance the long-term sustainability of the village;
- It is proposed that a sustainability plan be prepared as part of the final design. Attention should be paid in this plan on the obligations of implementation (with regards to individual owners and the owners association).

13. CONCLUSION

From the preceding report and motivation, it is clear that the development will have a positive impact on the surrounding area, community and cultural landscape. The development will enhance an existing derelict and highly disturbed site and will enhance detract and make more viable, rather than less viable. It will create much needed economic growth and job opportunities in the Dwars River Valley, and it will also support other business and industrial activities by bringing in municipal bulk services into the development node identified in the SDF.

The proposal is consistent with municipal policy and therefore is critical to achieve the municipality's development objectives in the valley.

The detailed proposals aim to be as sustainable as possible, consuming as little resources as possible and will create a quality environment which is compatible with the surrounding land uses. From a land use management perspective, the development complies with the objectives of the national, provincial and municipal land use management and spatial development policies.

What is an important component of the proposal is the socio-economic and heritage benefits the development proposals will bring to the Dwars River Valley and which will be absent in the no-go option. Both the socio-economic and heritage impact assessments emphasise and highlight the positive benefits of development over the no-go option in this regard. Local heritage assets (which are of provincial and national importance) will be enhanced (by transformation of a derelict site) and be made more sustainable by increasing tourism to the area. Furthermore, the current local resident population in the valley is an overwhelmingly historically disadvantaged community who will benefit from construction and long-term job creation and other social benefits.

Significant attention is paid to reduce the consumption of resources and the increase the sustainability of the development, thereby further contributing to the national, provincial and local development principles and objectives. Given all of the above, the proposed development is therefore proven to be desirable and should be approved.